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Introduction

This report presents the key statistics on activity in the Criminal Justice System (CJS) for England and Wales. It provides information for the latest twelve months (January 2013 to December 2013) with accompanying commentary, analysis and presentation of longer term trends.

The data provides users with information about proven offending and its outcomes in England and Wales. The contents of this bulletin will be of interest to government policy makers in the development of policy and their subsequent monitoring and evaluation. Others will be interested in the way different crimes are dealt with in the CJS. Where appropriate, comparisons are made with different sources covering activity in the CJS – in particular, numbers of crimes recorded by the police, often the starting point for crimes dealt with by other CJS agencies.

A technical document titled “A Guide to Criminal Justice Statistics” is available alongside this bulletin, which provides users with detailed information on the concepts and methods used in compiling this bulletin, including the quality of the data, along with guidance on statistical revisions and forthcoming changes. A copy of the technical document can be found at:


Implementation of changes to offence classifications

In July 2013, the Office for National Statistics (ONS) re-designed the classifications used to present police recorded crime statistics, following recommendations from the National Statistician’s review of Crime Statistics in England and Wales in June 2011. The changes to classifications were implemented in the ONS statistical bulletin ‘Crime in England and Wales, year ending March 2013’, published in July 2013, alongside a methodological note providing more detail on the changes and their impact on time-series for key measures. No change has been made to the coverage of offences in the police recorded crime series, and most changes are presentational, with some offences moving between classifications or being separated out of existing groupings.

In this publication, all statistical tables which provide offence group breakdowns have been presented on the new classification bases.
Changes to data presentation within the report

A number of changes have been made to the presentation of data within both the main tables and the supplementary volumes of this report from previous reports.

- Tables within the previously included offences section have been moved to the overview, out of court disposals and convictions sections.
- The sentencing tables have been rationalised leading to a reduced number of absolute tables.
- Data previously presented within Volumes 1, 2 and 5 are now included within the supplementary volume “CJS Outcomes by offence, 2009-2013” and key statistics by offence are published within “8 - Outcomes by offence”.

Interpretation

This publication presents information for the latest 12 month period (the twelve months ending December 2013) alongside the same rolling 12 month periods for the previous ten years. The comparison of 12 rolling month periods has the advantage over reporting on shorter timeframes – for example, covering only the latest quarter – of avoiding misinterpretation of short-term fluctuations caused by seasonality (for example, reduced court volumes every December when many of the courts are closed over the Christmas period), and enables the presentation of longer-term trends across comparable reporting periods.

In this publication:
- the “latest year” refers to the 12 months ending December 2013;
- the “previous year” refers to the 12 months ending December 2012; and
- any other reference period will be referred to explicitly.

Further guidance on the symbols and conventions used in the bulletin is provided in the ‘Explanatory notes’ section.

If you have any feedback, questions or requests for further information about this statistical bulletin, please direct them to the appropriate contact given at the end of this report.
1 Executive Summary

Key Findings

- The total number of individuals (which includes people and companies) who have been dealt with formally by the CJS in England and Wales, has been declining since 2007, and is now at a record low level (period 1970 to 2013) with 1.76 million individuals dealt with in 2013.

- The use of out of court disposals has decreased in the last year by 12%, down to 331,100 in 2013. This continues the decline in the use of out of court disposals which have seen a 51% decrease since 2007.

- In 2013 1.43 million defendants were proceeded against, a 4% decrease compared to 2012. Since 2004, prosecutions have declined almost year on year to 2013, primarily driven by decreases in summary motoring offences brought before magistrates.

- In 2013 conviction ratio (the number of convictions as a proportion of the number of proceedings) was 82%, a slight decrease from 83% in 2012.

- The immediate custody rate (the proportion of all persons sentenced receiving immediate custody) for indictable offences has increased year on year since 2010 from 24% to 27% and in 2013 was the highest in the period from 2003 to 2013.

- The average custodial sentence length has increased over the last decade, particularly in the last year. In 2013 it was 15.5 months, compared with 14.5 months in 2012 and 12.6 months in 2003.

- The number and proportion of convicted offenders who have long criminal histories has generally been increasing over the last 10 years, whereas the number of new entrants to the criminal justice system has fallen.
This summary explains how the various criminal justice agencies deal with a defendant once identified, presents the recent trends on how the Criminal Justice System (CJS) response to offending is changing, and identifies factors that may be causing the changes, where identifiable.

Once a suspect has been identified by the police, charged and arrested, the police work with the Crown Prosecution Service (CPS) in deciding the most appropriate course of action in each case. The decision can be made to not take the offender to court, through a number of available “out-of-court disposals”, or to proceed against the defendant at a magistrates’ court.

The total number of individuals, which includes people and companies, who have been dealt with formally by the CJS in England and Wales, in either of these ways, has been declining since 2007, and is now at a record low level (period 1970 to 2013) with 1.76 million individuals dealt with in the latest year. Police recorded crime peaked in 2003 and recorded offences are now lower than at any time over the past decade. Total crime, as measured by surveys of the general population, has also fallen over the same period.

**Figure 1.1: Individuals\(^3\) dealt with formally by the CJS, 1970 to 2013**

The number of new entrants to the criminal justice system has also fallen since 2007. The reduction has been much sharper for juveniles, reflecting both a decreasing number of juvenile offenders reprimanded or issued with a warning and the decreasing numbers of juveniles found guilty in all courts. However, per head of population, the rate of juvenile first time entrants remains higher than for adults.

Until the introduction of Penalty Notices for Disorder in 2004 and formal warnings for possession of cannabis in 2005, the only out of court disposal available to police was a caution. The use of cautions increased steadily during the 1970s and 1980s, before declining from 1993 until 2002. This decrease followed a circular issued to police

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\(^3\) Includes people and companies. Note also that a single individual can be counted more than once in a given year if they are dealt with by the Criminal Justice System on more than one separate occasion.
forces in March 1994, which discouraged both multiple cautions and the use of cautions for the most serious offences.

From 2002, the use of out of court disposals increased rapidly and peaked in 2007, before decreasing year on year to 2013. The increase coincided with the introduction in 2001 of a target to increase offences brought to justice, and the decrease coincided with the replacement in April 2008 of the target with one placing more emphasis on bringing serious crimes to justice. The latter target was subsequently removed in May 2010.

The use of out of court disposals decreased in the last year by 12%, down to 331,100 in 2013. This continues the decline in the use of out of court disposals which have seen a 51% decrease since 2007.

There was a 10% decrease in total offenders cautioned between 2012 and 2013 which was largely driven by declining use of cautions administered for indictable offences (including triable either way). There were 84,300 PNDs issued in 2013, a decrease of 21% compared with 2012 and a decrease of 59% when compared with the peak of 207,500 PNDs issued in 2007. From 8th April 2013, the use of PNDs for under 18 years old is no longer available. Reprimands and warnings for youths were repealed and replaced by youth cautions for offences committed from 8th April 2013. Cannabis warnings have decreased year on year since 2008 peak of 108,300 to 65,800 in 2013.

**Figure 1.2: Out of court disposals issued, by disposal type, 1970 to 2013**

All criminal cases in England and Wales start in a magistrates’ court. Criminal proceedings brought before the courts are divided into three main offence groups:

- **Indictable** proceedings, which cover the more serious offences such as violent and sexual offences and robbery, and when heard in court may be passed on to the Crown Court, either for sentencing or for a full trial with a judge and jury. This group includes both ‘indictable only’ offences, which can only be tried on indictment in the Crown Court by a judge and jury, and ‘triable-either-way’ offences which are triable either summarily in a magistrate’s court or on indictment in the Crown Court;
• **Summary proceedings**, which cover less serious offences, are almost always handled entirely in the magistrates’ courts when dealt with in court, with the majority completed at the first hearing. They are split into two categories:
  
  • **Summary non-motoring** proceedings, such as TV license evasion and less serious criminal damage; and
  
  • **Summary motoring** proceedings, such as speeding and driving whilst disqualified.

The number of defendants proceeded against at magistrates’ courts increased during the 1970s up to the mid 1980s, with a gradual increase in prosecutions in all three main offence groups. In 1987 however, prosecutions decreased due to drop in summary motoring offences brought before magistrates. This was partly due to the introduction in October 1986 of the extended fixed penalty notice system, which increased the range of summary motoring offences which could be handled out of court, and partly due to the removal of the need to instigate criminal court proceedings to register fines for unpaid penalties.

From 1987 to 2004, the number of defendants proceeded against in court remained broadly stable, between 1.8 and 2.0 million. Since 2004, prosecutions declined almost year on year to 2013, driven by decreases in summary motoring offences brought before magistrates. The biggest decline has been for vehicle insurance offences although there are also large declines for driving licence related offences and driving after consuming alcohol or taking drugs. In 2013 1.43 million defendants were proceeded against, a 4% decrease compared to 2012.

**Figure 1.3: Defendants proceeded against at magistrates’ courts, by offence group, 1970 to 2013**

Prosecutions of males have decreased for all offence types, indictable and both summary, since 2004 and accounted for 71% of prosecutions in 2013. However, volumes of prosecutions of females have remained largely flat overall across the period. This appears to be due to a balance between declining volumes of prosecutions of females for indictable and summary motoring offences and an increasing volume of prosecutions of females for summary non-motoring offences.
The increasing trend in prosecutions of females for summary non-motoring offences is driven by TV licence evasion offences. Prosecutions of juveniles have decreased at a much faster pace than prosecutions of adults over the last decade.

Around 6% of all defendants proceeded against are sent for trial at the Crown Court, virtually all for indictable offences. The number of defendants sent to the Crown Court for trial increased by 6% in 2013 compared to 2012. This increase appears to be the result of the abolition of committal hearings which was introduced nationally on the 28th May 2013. Cases are now being sent straight to the Crown Court as soon as it is clear the matter is serious enough, rather than having to await a committal hearing. The number of defendants appearing in the Crown Court for trial had previously increased between 2005 and 2010 as a result of a greater proportion of cases being committed and sent for trial, but this trend has reversed since 2010, with the volume of defendants appearing for trial at the Crown Court now declining.

Trends in the number of offenders convicted – that is, defendants who plead or are found guilty – and sentenced at all courts are driven by two factors, namely the number of individuals dealt with through the courts (the trend in prosecutions) and the proportion of those individuals who are found guilty. Conviction ratios are calculated as the number of convictions as a proportion of the number of proceedings, and give a measure of the relative number of defendants who are found guilty within a given year when compared with the number who are prosecuted that year.

Over the last 10 years convictions have declined almost year on year, in line with declining numbers of individuals proceeded against. However, the decline in convictions between 2003 and 2008 has not been as steep as for proceedings, as a greater proportion of proceedings have resulted in convictions. As a result, the conviction ratio increased from 75% in 2003 to 83% in the 2008, and has since remained steady, fluctuating between 82% and 83%. In 2013 it was 82% compared to 83% in 2012. The complex nature of the CJS means there are a number of possible factors contributing to this change – for example, changes in guilty plea rates, the mix of cases handled in and out of court, impacts of operational changes, and so on – and it is difficult to separately identify the impacts of different factors.

Figure 1.4: Prosecutions against at magistrates’ courts and convictions at all courts, with conviction ratio, 1970 to 2013
The number and proportion of convicted offenders who have long criminal records continued to increase as it has over the last 10 years. In 2013, just over 103,000 offenders convicted of an indictable offence had 15 or more previous convictions or cautions at the time. This equates to 36% of all convicted offenders in the year and is up from 22% in 2003 (75,500 offenders).

Fines are the most common sentence given to offenders at all courts, accounting for two thirds of offenders sentenced, due in the main to the large volumes of fines issued at the magistrates’ court. The proportion of offenders sentenced with a fine has decreased since the 1970s, at which point as high as 88% of offenders received fines, compared to 68% in 2013.

Figure 1.5: Sentencing outcomes (percentages of all offenders sentenced) at all courts, 1970 to 2013

A greater share of offenders have sentenced to community sentences and immediate custody (that is, to prison or other form of secure detention) since the 1990s, and the use of Suspended Sentence Orders (SSOs) has risen steadily since 2005, as a result of the Criminal Justice Act 2003 and more recently the Legal Aid Sentencing and Punishment of Offenders Act 2012, which made SSOs more readily available. In 2013, SSOs represented 4% of all sentences.

The courts sentenced a higher number of offenders to immediate custody each year between 1993 and 2002, partly due to an increase in total numbers being sentenced. Since 2002, the number of offenders sentenced to custody decreased to 2007 before rising again up to 2011 and decreasing since. Between 2007 and 2011, the immediate custody rate (the proportion of all persons sentenced receiving immediate custody) increased, resulting in numbers sent to prison or other forms of secure detention increasing despite the overall fall in offenders sentenced. Since 2011, the immediate custody rate levelled off at 8%.

The average length of custodial sentences has increased over the last decade, driven mainly by changes in the case mix of people getting custodial sentences, with summary offences increasingly dealt with through other sentence types, and longer sentences being given for indictable offences. Further, legislative changes have
made sentence lengths longer for certain offences – for example, a third domestic burglary.

The introduction of the Criminal Justice and Immigration Act (CJIA) in 2008 restricted the use of Indeterminate sentences for Public Protection (IPPs), which were later abolished by the Legal Aid Sentencing and Punishment of Offenders Act 2012. Following this, there has been an increase in long determinate sentences (defined as for 10 years or more), which has also contributed to the increase in the average length of custodial sentence since 2008. In 2012, the Legal Aid Sentencing and Punishment of Offenders Act 2012 also introduced Extended Determinate Sentences (EDS) which require offenders to serve an additional licence period in addition to the determinate part of their sentence. It is estimated that the introduction of EDS has added 0.6 months to average custodial sentence length in 2013.

Males account for seven out of every ten individuals proceeded against in court, but more than nine out of every ten offenders sentenced to immediate custody. This difference in sentence outcomes reflects the different types of offences being committed by males and females, with males more frequently proceeded against for the more serious indictable offences.
Figure 1.6: Flows through the Criminal Justice System, 2013

Offences

- Recorded Crime
  - Offences detected
    - Crown Prosecution Service receive papers from the police for prosecution
      - CPS discontinue the case or case unable to proceed
        - CPS proceed with charge

Notifiable and non-notifiable principal offences (* all offences)

- Notifiable
  - Recorded Crime
    - Offences detected

- Notifiable and non-notifiable
  - Cautions
    - 181,017
  - Penalty Notices for Disorder
    - 84,268
  - Cannabis warnings
    - 65,777
  - Total number of all offences in comparison with the total number of defendants on a principal offence basis.

- Non-notifiable
  - Number sentenced by magistrates
    - 1,083,598
  - Number found guilty by magistrates
    - 1,104,303
  - Number tried at the Crown Court
    - 67,665
  - Number committed for sentence at Crown Court
    - 16,484

Defendants (offences)

- Defendants proceeded against at magistrates' courts
  - Number found guilty by magistrates
    - 1,510,592

- Defendants tried at the Crown Court
  - Number found guilty at Crown Court
    - 157,991

- Defendants committal
  - Number committal
    - 1,719

- Defendants not found guilty
  - Number not found guilty
    - 737

- Defendants convicted
  - Number convicted
    - 2,898

Sentences

- Fined
  - 76,905
  - 44,375
  - 3,711,511

- Community sentence
  - 181,017
  - 142,300

- Custody
  - 791,017
  - 106,968

- Suspended
  - 11,830
  - 27,318

- Other
  - 4,375
  - 111,820

- Total sentenced to custody
  - 92,799

- Prison receptions
  - 82,758

- Average custodial sentence length
  - 15.5 months

- Total sentenced to be served in the community
  - 171,715

- Total sentences to be served in the community
  - 111,820

- Community
  - 10,530

- Suspended
  - 19,870

- Total sentences to custody
  - 111,820

- CPS proceed with charge
  - 2,142,589

- CPS discontinue the case
  - 1,436,968

- Defendants processed against at magistrates' courts
  - 157,991

- Defendants processed at magistrates' courts
  - 1,510,592

- Defendants processed at magistrates' courts (figure includes fine defaulters)
  - 737

- Defendants processed at magistrates' courts
  - 791,017

- Defendants processed at magistrates' courts
  - 111,820

(1) Covers all notifiable offences, including triable either way, plus a few closely associated summary offences.
(2) Defendants tried at the Crown Court in a given year may have been committed for trial by a magistrate in a previous year.
(3) Figures for offenders pleading not guilty include those cases recorded as not applicable.
(4) Includes community sentences and suspended sentence orders.
(5) Receptions for offenders given a custodial sentence (figures include fine defaulters).
(6) Offenders starting Community Order or Suspended Sentence Order supervision by the Probation Service.
* Total number of all offences in comparison with the total number of defendants on a principal offence basis.
### Overview Tables

#### Table Q1.1 - Individuals entering the Criminal Justice System, 2009 to 2013

<table>
<thead>
<tr>
<th></th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>Percentage change 2012 to 2013</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Out of court disposals</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cannabis warnings</td>
<td>552,256</td>
<td>465,977</td>
<td>439,759</td>
<td>377,255</td>
<td>331,062</td>
<td>-12.2%</td>
</tr>
<tr>
<td>Penalties for Disorder</td>
<td>91,218</td>
<td>82,377</td>
<td>80,043</td>
<td>73,117</td>
<td>65,777</td>
<td>-6.2%</td>
</tr>
<tr>
<td>Cautions</td>
<td>290,645</td>
<td>242,631</td>
<td>232,186</td>
<td>200,933</td>
<td>181,017</td>
<td>-9.9%</td>
</tr>
<tr>
<td><strong>Defendants proceeded against</strong></td>
<td>1,694,410</td>
<td>1,653,190</td>
<td>1,580,023</td>
<td>1,484,626</td>
<td>1,426,968</td>
<td>-3.9%</td>
</tr>
<tr>
<td>Indictable offences</td>
<td>415,616</td>
<td>438,026</td>
<td>424,006</td>
<td>375,984</td>
<td>364,269</td>
<td>-3.4%</td>
</tr>
<tr>
<td>Summary offences</td>
<td>1,278,794</td>
<td>1,215,164</td>
<td>1,156,017</td>
<td>1,107,642</td>
<td>1,062,699</td>
<td>-4.1%</td>
</tr>
<tr>
<td><strong>Offenders convicted</strong></td>
<td>1,408,437</td>
<td>1,367,475</td>
<td>1,314,176</td>
<td>1,231,586</td>
<td>1,171,968</td>
<td>-4.8%</td>
</tr>
<tr>
<td>Indictable offences</td>
<td>329,171</td>
<td>350,639</td>
<td>344,522</td>
<td>358,945</td>
<td>394,138</td>
<td>-4.8%</td>
</tr>
<tr>
<td>Summary offences</td>
<td>1,079,266</td>
<td>1,016,836</td>
<td>969,654</td>
<td>922,641</td>
<td>877,830</td>
<td>-4.9%</td>
</tr>
<tr>
<td><strong>Probation starts</strong></td>
<td>94,964</td>
<td>..</td>
<td>90,955</td>
<td>86,479</td>
<td>82,305</td>
<td>-4.8%</td>
</tr>
<tr>
<td>Prison receptions(2)</td>
<td>169,693</td>
<td>166,598</td>
<td>160,092</td>
<td>149,034</td>
<td>142,300</td>
<td>-4.5%</td>
</tr>
</tbody>
</table>

**Note:**
- Figures for cannabis warnings appearing in this publication are provisional and may be revised following Home Office validation. National Statistics for the financial year 2013/14 are expected to be published during 2014 by the Home Office.
- (P) Provisional
- (1) Number of Penalty Notices for Disorder issued to offenders aged 16 and over.
- (2) Indictable offences include those triable-either-way.
- (3) Receptions for offenders given a custodial sentence (includes fine defaulters).
- (4) Data for 2010 are unavailable due to problems in the supply of data for statistical purposes - see the 'Offender management statistics: definitions and measurement' document for more details:
- (5) Offenders starting Community Order or Suspended Sentence Order supervision by the Probation Service.
- (6) Figures for cannabis warnings appearing in this publication are provisional and may be revised following Home Office validation. National Statistics for the financial year 2013/14 are expected to be published during 2014 by the Home Office.

#### Table Q1.2 - Offenders sentenced by principal sentence, 2009 to 2013

<table>
<thead>
<tr>
<th></th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>Percentage change 2012 to 2013</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total offenders sentenced</strong>(1)</td>
<td>1,406,905</td>
<td>1,365,347</td>
<td>1,312,739</td>
<td>1,229,827</td>
<td>1,169,727</td>
<td>-4.9%</td>
</tr>
<tr>
<td><strong>Total persons sentenced</strong>(2)</td>
<td>1,398,278</td>
<td>1,357,600</td>
<td>1,305,570</td>
<td>1,223,252</td>
<td>1,163,287</td>
<td>-4.9%</td>
</tr>
<tr>
<td>Immediate custody (persons)</td>
<td>100,231</td>
<td>101,513</td>
<td>106,170</td>
<td>98,047</td>
<td>92,799</td>
<td>-5.4%</td>
</tr>
<tr>
<td>Suspended sentence (persons)</td>
<td>45,157</td>
<td>48,118</td>
<td>48,153</td>
<td>44,942</td>
<td>48,628</td>
<td>8.9%</td>
</tr>
<tr>
<td>Community sentence (persons)</td>
<td>195,903</td>
<td>189,321</td>
<td>175,525</td>
<td>149,327</td>
<td>123,087</td>
<td>-17.6%</td>
</tr>
<tr>
<td>Fines (all offenders)</td>
<td>946,146</td>
<td>893,931</td>
<td>856,808</td>
<td>823,298</td>
<td>792,942</td>
<td>-3.7%</td>
</tr>
<tr>
<td>Other disposals (all offenders)</td>
<td>119,468</td>
<td>132,464</td>
<td>126,083</td>
<td>114,513</td>
<td>112,271</td>
<td>-2.0%</td>
</tr>
<tr>
<td>Average custodial sentence length (months)(3)</td>
<td>13.7</td>
<td>13.7</td>
<td>14.3</td>
<td>14.5</td>
<td>15.5</td>
<td>7.3%</td>
</tr>
</tbody>
</table>

**Percentage point change**

<table>
<thead>
<tr>
<th></th>
<th>Percentage point change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Immediate custody (persons)</td>
<td>7.2</td>
</tr>
<tr>
<td>Suspended sentence (persons)</td>
<td>3.2</td>
</tr>
<tr>
<td>Community sentence (persons)</td>
<td>14.0</td>
</tr>
<tr>
<td>Fines (all offenders)</td>
<td>67.3</td>
</tr>
<tr>
<td>Other disposals (all offenders)</td>
<td>8.5</td>
</tr>
</tbody>
</table>

**Note:**
- (1) The time lag between conviction and sentencing for cases committed for sentence at Crown Court can result in small differences between total offenders convicted and sentenced within reporting years.
- (2) For sentences of immediate custody, suspended sentence and community sentence, ‘persons’ is the same as ‘offenders’, as ‘others’ (such as companies or public bodies) cannot receive these sentences.
- (3) Average custodial sentence length excludes life and indeterminate sentences.
- (4) May not sum to 100 per cent as rates are not all calculated on the same basis.
Table Q1.3 - Recorded crime and notifiable offence outcomes, 2009 to 2013

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Recorded crime</td>
<td>4,447,490</td>
<td>4,159,914</td>
<td>4,074,186</td>
<td>3,789,424</td>
<td>3,711,511</td>
<td>-2.1%</td>
</tr>
<tr>
<td>Out of court disposals</td>
<td>508,380</td>
<td>425,960</td>
<td>405,463</td>
<td>346,742</td>
<td>305,552</td>
<td>-11.9%</td>
</tr>
<tr>
<td>Cannabis warnings</td>
<td>91,218</td>
<td>82,377</td>
<td>80,043</td>
<td>65,177 (P)</td>
<td>65,777 (P)</td>
<td>-8.2%</td>
</tr>
<tr>
<td>Penalty Notices for Disorder (1)</td>
<td>113,135</td>
<td>92,656</td>
<td>81,449</td>
<td>49,818</td>
<td>49,818</td>
<td>-20.0%</td>
</tr>
<tr>
<td>Cautions</td>
<td>304,027</td>
<td>250,927</td>
<td>243,971</td>
<td>211,498</td>
<td>199,957</td>
<td>-10.2%</td>
</tr>
<tr>
<td>Proceedings</td>
<td>995,767</td>
<td>1,026,998</td>
<td>987,379</td>
<td>909,345</td>
<td>875,416</td>
<td>-3.7%</td>
</tr>
<tr>
<td>Convictions</td>
<td>755,648</td>
<td>766,908</td>
<td>747,129</td>
<td>699,613</td>
<td>677,422</td>
<td>-3.2%</td>
</tr>
<tr>
<td>Offences taken into consideration</td>
<td>79,817</td>
<td>70,223</td>
<td>65,861</td>
<td>54,331</td>
<td>44,299</td>
<td>-18.5%</td>
</tr>
<tr>
<td>Proven offences (2)</td>
<td>1,343,845</td>
<td>1,263,091</td>
<td>1,218,453</td>
<td>1,100,686</td>
<td>1,027,273</td>
<td>-6.7%</td>
</tr>
</tbody>
</table>

(P) Provisional

(1) Number of Penalty Notices for Disorder issued to offenders aged 16 and over.

(2) Includes out of court disposals, convictions and offences taken into consideration.

Note: Figures for cannabis warnings & offences taken into consideration appearing in this publication are provisional and may be revised following Home Office validation. National Statistics for the financial year 2013/14 are expected to be published during 2014 by the Home Office.

Table Q1.4 - Recorded crime and notifiable offence outcomes by offence group, 2012 to 2013

<table>
<thead>
<tr>
<th>Offence Group</th>
<th>12 months ending</th>
<th>Recorded crime</th>
<th>Cannabis warnings (P)</th>
<th>Penalty Notices for Disorder (P)</th>
<th>Cautions</th>
<th>Proceedings</th>
<th>Convictions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Violence against the person</td>
<td>2012</td>
<td>607,616</td>
<td>-</td>
<td>70,250</td>
<td>207,920</td>
<td>207,920</td>
<td>141,527</td>
</tr>
<tr>
<td>Sexual offences</td>
<td>2012</td>
<td>52,222</td>
<td>-</td>
<td>1,612</td>
<td>30,160</td>
<td>30,160</td>
<td>19,760</td>
</tr>
<tr>
<td></td>
<td>2013</td>
<td>60,894</td>
<td>-</td>
<td>1,510</td>
<td>31,541</td>
<td>31,541</td>
<td>19,620</td>
</tr>
<tr>
<td>Robbery</td>
<td>2012</td>
<td>67,447</td>
<td>-</td>
<td>193</td>
<td>17,238</td>
<td>17,238</td>
<td>12,010</td>
</tr>
<tr>
<td></td>
<td>2013</td>
<td>59,427</td>
<td>-</td>
<td>125</td>
<td>14,011</td>
<td>14,011</td>
<td>9,604</td>
</tr>
<tr>
<td>Theft offences</td>
<td>2012</td>
<td>1,936,322</td>
<td>-</td>
<td>28,363</td>
<td>43,767</td>
<td>43,767</td>
<td>242,726</td>
</tr>
<tr>
<td></td>
<td>2013</td>
<td>1,861,670</td>
<td>-</td>
<td>21,287</td>
<td>38,343</td>
<td>38,343</td>
<td>239,688</td>
</tr>
<tr>
<td>Criminal damage and arson</td>
<td>2012</td>
<td>548,295</td>
<td>-</td>
<td>3,633</td>
<td>6,376</td>
<td>6,376</td>
<td>54,085</td>
</tr>
<tr>
<td></td>
<td>2013</td>
<td>510,704</td>
<td>-</td>
<td>2,237</td>
<td>21,785</td>
<td>21,785</td>
<td>50,792</td>
</tr>
<tr>
<td>Drug offences</td>
<td>2012</td>
<td>212,213</td>
<td>70,117</td>
<td>15,616</td>
<td>42,860</td>
<td>42,860</td>
<td>90,364</td>
</tr>
<tr>
<td></td>
<td>2013</td>
<td>200,789</td>
<td>65,777</td>
<td>13,814</td>
<td>39,376</td>
<td>39,376</td>
<td>89,306</td>
</tr>
<tr>
<td>Possession of weapons offences</td>
<td>2012</td>
<td>20,458</td>
<td>-</td>
<td>4,303</td>
<td>23,738</td>
<td>23,738</td>
<td>17,068</td>
</tr>
<tr>
<td></td>
<td>2013</td>
<td>20,480</td>
<td>-</td>
<td>3,553</td>
<td>22,387</td>
<td>22,387</td>
<td>16,651</td>
</tr>
<tr>
<td>Public order offences</td>
<td>2012</td>
<td>136,583</td>
<td>-</td>
<td>17,515</td>
<td>15,706</td>
<td>15,706</td>
<td>60,786</td>
</tr>
<tr>
<td></td>
<td>2013</td>
<td>131,950</td>
<td>-</td>
<td>12,480</td>
<td>13,857</td>
<td>13,857</td>
<td>58,802</td>
</tr>
<tr>
<td>Miscellaneous crimes against society</td>
<td>2012</td>
<td>43,036</td>
<td>-</td>
<td>4,700</td>
<td>90,368</td>
<td>65,710</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2013</td>
<td>43,881</td>
<td>-</td>
<td>4,333</td>
<td>85,972</td>
<td>85,972</td>
<td>63,686</td>
</tr>
<tr>
<td>Fraud offences</td>
<td>2012</td>
<td>165,232</td>
<td>-</td>
<td>4,290</td>
<td>47,041</td>
<td>47,041</td>
<td>33,871</td>
</tr>
<tr>
<td></td>
<td>2013</td>
<td>207,252</td>
<td>-</td>
<td>3,521</td>
<td>45,954</td>
<td>45,954</td>
<td>32,816</td>
</tr>
<tr>
<td>Total notifiable offences</td>
<td>2012</td>
<td>3,789,424</td>
<td>70,117</td>
<td>65,127</td>
<td>211,408</td>
<td>909,345</td>
<td>699,613</td>
</tr>
<tr>
<td></td>
<td>2013</td>
<td>3,711,611</td>
<td>65,777</td>
<td>49,818</td>
<td>189,957</td>
<td>875,416</td>
<td>677,422</td>
</tr>
</tbody>
</table>

(P) Provisional


(2) Number of Penalty Notices for Disorder issued to offenders aged 16 and over. Penalty notices are no longer available for persons aged under 18 from 8 April 2013.

Note: Figures for cannabis warnings appearing in this publication are provisional and may be revised following Home Office validation. National Statistics for the financial year 2013/14 are expected to be published during 2014 by the Home Office.

For the first time, annual data are presented using offence groups defined by the Office for National Statistics (ONS). Previously published versions of this table used Ministry of Justice offence groups. The Office for National Statistics (ONS) re-designed the classifications used to present police recorded crime statistics to provide a more coherent and consistent set of offence categories and a clearer picture for users. This follows the National Statistician’s review of Crime Statistics in England and Wales in June 2011 which included recommendations for improving the presentation of crime statistics to give users and the public a clearer understanding of the overall picture of crime.

15
Table Q1.5 - Summary of criminal justice statistics, 2003 to 2013

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Crime measured by Crime Survey for England and Wales</strong>&lt;sup&gt;(1)&lt;/sup&gt;</td>
<td>12,088</td>
<td>10,811</td>
<td>10,821</td>
<td>11,097</td>
<td>10,446</td>
<td>10,618</td>
<td>9,751</td>
<td>9,405</td>
<td>9,405</td>
<td>8,933</td>
<td>7,549</td>
</tr>
<tr>
<td>Number of offenders cautioned&lt;sup&gt;(4)&lt;/sup&gt;</td>
<td>242</td>
<td>256</td>
<td>299</td>
<td>350</td>
<td>363</td>
<td>328</td>
<td>291</td>
<td>243</td>
<td>232</td>
<td>201</td>
<td>181</td>
</tr>
<tr>
<td>of which for indictable offences&lt;sup&gt;(5)&lt;/sup&gt;</td>
<td>151</td>
<td>156</td>
<td>183</td>
<td>204</td>
<td>205</td>
<td>181</td>
<td>160</td>
<td>134</td>
<td>124</td>
<td>106</td>
<td>94</td>
</tr>
<tr>
<td>Number of offenders issued Penalty Notices for Disorder&lt;sup&gt;(6)&lt;/sup&gt;</td>
<td><strong>1</strong></td>
<td>46</td>
<td>201</td>
<td>208</td>
<td>176</td>
<td>170</td>
<td>141</td>
<td>128</td>
<td>106</td>
<td>84</td>
<td>-16.7%</td>
</tr>
<tr>
<td>of which for indictable offences&lt;sup&gt;(5)&lt;/sup&gt;</td>
<td>*</td>
<td>*</td>
<td>*</td>
<td>*</td>
<td>22</td>
<td>39</td>
<td>45</td>
<td>60</td>
<td>54</td>
<td>51</td>
<td>44</td>
</tr>
<tr>
<td>Number of offences detected by means of cannabis warnings (all indictable)&lt;sup&gt;(3)(7)(P)&lt;/sup&gt;</td>
<td>7</td>
<td>7.4</td>
<td>9.9</td>
<td>10.8</td>
<td>9.2</td>
<td>8.0</td>
<td>7.1</td>
<td>6.8</td>
<td>6.5</td>
<td>-6.2%</td>
<td></td>
</tr>
<tr>
<td>Defendants proceeded against at magistrates’ courts</td>
<td>2,001</td>
<td>2,023</td>
<td>1,895</td>
<td>1,779</td>
<td>1,733</td>
<td>1,640</td>
<td>1,694</td>
<td>1,653</td>
<td>1,580</td>
<td>1,485</td>
<td>1,427</td>
</tr>
<tr>
<td>Defendants found guilty at magistrates’ courts</td>
<td>1,432</td>
<td>1,488</td>
<td>1,426</td>
<td>1,421</td>
<td>1,363</td>
<td>1,311</td>
<td>1,283</td>
<td>1,233</td>
<td>1,161</td>
<td>1,104</td>
<td>-4.9%</td>
</tr>
<tr>
<td>Defendants sentenced at the Crown Court after summary conviction</td>
<td>16</td>
<td>16</td>
<td>17</td>
<td>16</td>
<td>17</td>
<td>17</td>
<td>18</td>
<td>17</td>
<td>18</td>
<td>20</td>
<td>18</td>
</tr>
<tr>
<td>Defendants tried at the Crown Court</td>
<td>80</td>
<td>80</td>
<td>79</td>
<td>78</td>
<td>77</td>
<td>77</td>
<td>75</td>
<td>75</td>
<td>71</td>
<td>79</td>
<td>68</td>
</tr>
<tr>
<td>Defendants found guilty at the Crown Court&lt;sup&gt;(6)&lt;/sup&gt;</td>
<td>37</td>
<td>38</td>
<td>38</td>
<td>38</td>
<td>36</td>
<td>36</td>
<td>36</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>-4.3%</td>
</tr>
<tr>
<td>Total number of offenders found guilty at both courts&lt;sup&gt;(7)(8)&lt;/sup&gt;</td>
<td>1,491</td>
<td>1,548</td>
<td>1,484</td>
<td>1,421</td>
<td>1,366</td>
<td>1,309</td>
<td>1,304</td>
<td>1,283</td>
<td>1,263</td>
<td>1,222</td>
<td>-4.6%</td>
</tr>
<tr>
<td>Total offenders found guilty or cautioned&lt;sup&gt;(4)&lt;/sup&gt;</td>
<td>1,733</td>
<td>1,804</td>
<td>1,783</td>
<td>1,771</td>
<td>1,779</td>
<td>1,699</td>
<td>1,610</td>
<td>1,546</td>
<td>1,433</td>
<td>1,353</td>
<td>-5.6%</td>
</tr>
<tr>
<td>Total sentenced (offenders)</td>
<td>1,490</td>
<td>1,547</td>
<td>1,482</td>
<td>1,421</td>
<td>1,366</td>
<td>1,309</td>
<td>1,304</td>
<td>1,283</td>
<td>1,263</td>
<td>1,222</td>
<td>-4.9%</td>
</tr>
<tr>
<td>Custody</td>
<td>138</td>
<td>156</td>
<td>101</td>
<td>96</td>
<td>95</td>
<td>100</td>
<td>100</td>
<td>102</td>
<td>106</td>
<td>98</td>
<td>-5.4%</td>
</tr>
<tr>
<td>Suspended Sentence</td>
<td>3</td>
<td>3</td>
<td>10</td>
<td>34</td>
<td>41</td>
<td>41</td>
<td>45</td>
<td>48</td>
<td>45</td>
<td>49</td>
<td>8.9%</td>
</tr>
<tr>
<td>Community Sentence</td>
<td>191</td>
<td>202</td>
<td>204</td>
<td>191</td>
<td>196</td>
<td>190</td>
<td>194</td>
<td>189</td>
<td>176</td>
<td>149</td>
<td>123 -17.6%</td>
</tr>
<tr>
<td>Other Sentences</td>
<td>1,034</td>
<td>1,083</td>
<td>1,235</td>
<td>942</td>
<td>942</td>
<td>940</td>
<td>946</td>
<td>954</td>
<td>957</td>
<td>923</td>
<td>793 -23.7%</td>
</tr>
<tr>
<td><strong>Percent change</strong>, 2012 to 2013</td>
<td>-10.6%</td>
<td>-10.5%</td>
<td>-10.6%</td>
<td>-10.6%</td>
<td>-10.6%</td>
<td>-10.6%</td>
<td>-10.6%</td>
<td>-10.6%</td>
<td>-10.6%</td>
<td>-10.6%</td>
<td>-10.6%</td>
</tr>
</tbody>
</table>

**Notes:**

1. The offenders dealt with outside of court and defendants proceeded against at magistrates’ court in a given year may not relate to the same cases measured by the Crime Survey for England and Wales (known until 1 April 2012 as the British Crime Survey) or those recorded to the police within the same year. The Crime Survey for England and Wales estimates relate to crimes experienced in the 12 months prior to interview. Further, offenders found guilty in a given year may have been proceeded against in an earlier year.


3. Includes British Transport Police.

4. Caution, written warnings and all fixed penalties for summary motoring offences are not covered in this volume but are published in the Home Office Statistical Bulletin, "Motor Offences and breath tests".

5. Indictable offences include those triable either way.

6. Full calendar year data is available for PNDs from 2005 onwards.

7. Reliable data for Cannabis Warnings can only be provided from 2006 onwards where full calendar year data is available.

8. **Note:** Figures for cannabis warnings appearing in this publication are provisional and may be revised following Home Office validation. National Statistics for the financial year 2013/14 are expected to be published during 2014 by the Home Office.

<sup>(1)</sup> **Not applicable**

<sup>(2)</sup> Statistically significant change, see Section 8 of the User Guide to Crime Statistics for England and Wales:

<sup>(3)</sup> The offenders dealt with outside of court and defendants proceeded against at magistrates’ court in a given year may not relate to the same cases measured by the Crime Survey for England and Wales (known until 1 April 2012 as the British Crime Survey) or those recorded to the police within the same year. The Crime Survey for England and Wales estimates relate to crimes experienced in the 12 months prior to interview. Further, offenders found guilty in a given year may have been proceeded against in an earlier year.

<sup>(4)</sup> Includes British Transport Police.

<sup>(5)</sup> Caution, written warnings and all fixed penalties for summary motoring offences are not covered in this volume but are published in the Home Office Statistical Bulletin, "Motor Offences and breath tests".

<sup>(6)</sup> Indictable offences include those triable either way.

<sup>(7)</sup> Full calendar year data is available for PNDs from 2005 onwards.

<sup>(8)</sup> Reliable data for Cannabis Warnings can only be provided from 2006 onwards where full calendar year data is available.
<table>
<thead>
<tr>
<th>Offence Group</th>
<th>2012</th>
<th>2013</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Criminal damage and Arson</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2012</td>
<td>28,363</td>
<td>21,287</td>
</tr>
<tr>
<td>2013</td>
<td>144,983</td>
<td>140,574</td>
</tr>
<tr>
<td><strong>Drug offences</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2012</td>
<td>70,117</td>
<td>65,777</td>
</tr>
<tr>
<td>2013</td>
<td>105,630</td>
<td>102,410</td>
</tr>
<tr>
<td><strong>Public order offences</strong></td>
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<td></td>
</tr>
<tr>
<td>2012</td>
<td>3,296</td>
<td>3,030</td>
</tr>
<tr>
<td>2013</td>
<td>16,724</td>
<td>15,682</td>
</tr>
<tr>
<td><strong>Miscellaneous crimes against society</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2012</td>
<td>4,130</td>
<td>5,044</td>
</tr>
<tr>
<td>2013</td>
<td>50,050</td>
<td>45,922</td>
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<tr>
<td><strong>Fraud Offences</strong></td>
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<td></td>
</tr>
<tr>
<td>2012</td>
<td>43,979</td>
<td>49,167</td>
</tr>
<tr>
<td>2013</td>
<td>105,630</td>
<td>106,967</td>
</tr>
<tr>
<td><strong>All Offences</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2012</td>
<td>70,117</td>
<td>65,777</td>
</tr>
<tr>
<td>2013</td>
<td>105,630</td>
<td>106,967</td>
</tr>
</tbody>
</table>

Note:
Figures for cannabis warnings appearing in this publication are provisional and may be revised following Home Office validation. National Statistics for the financial year 2013/14 are expected to be published during 2014 by the Home Office.
<table>
<thead>
<tr>
<th>CJS Areas</th>
<th>Recorded Crime(1)</th>
<th>Penalty Notice for Disorder</th>
<th>Cannabis Warnings(1)</th>
<th>Cautions</th>
<th>Convictions</th>
<th>Offences Taken into Consideration</th>
<th>Offences Brought to Justice</th>
</tr>
</thead>
<tbody>
<tr>
<td>England &amp; Wales</td>
<td>3624.2</td>
<td>3504.3</td>
<td>65.1</td>
<td>48.9</td>
<td>70.1</td>
<td>65.8</td>
<td>211.5</td>
</tr>
<tr>
<td>Bedfordshire</td>
<td>353</td>
<td>35.6</td>
<td>0.3</td>
<td>0.3</td>
<td>0.6</td>
<td>0.4</td>
<td>1.9</td>
</tr>
<tr>
<td>British Transport Police</td>
<td>513</td>
<td>49.7</td>
<td>1.4</td>
<td>1.4</td>
<td>1.1</td>
<td>1.5</td>
<td>3.0</td>
</tr>
<tr>
<td>Cambridgeshire</td>
<td>47.1</td>
<td>43.2</td>
<td>1.1</td>
<td>0.8</td>
<td>1.2</td>
<td>1.2</td>
<td>2.4</td>
</tr>
<tr>
<td>Cleveland</td>
<td>57.0</td>
<td>65.2</td>
<td>0.8</td>
<td>0.5</td>
<td>1.0</td>
<td>0.9</td>
<td>3.1</td>
</tr>
<tr>
<td>Cumbria</td>
<td>38.7</td>
<td>39.2</td>
<td>0.6</td>
<td>0.4</td>
<td>0.5</td>
<td>0.6</td>
<td>3.7</td>
</tr>
<tr>
<td>Dorset</td>
<td>23.4</td>
<td>24.0</td>
<td>0.4</td>
<td>0.4</td>
<td>0.4</td>
<td>0.4</td>
<td>2.1</td>
</tr>
<tr>
<td>Dorset</td>
<td>52.4</td>
<td>52.3</td>
<td>0.7</td>
<td>0.7</td>
<td>1.0</td>
<td>1.0</td>
<td>2.6</td>
</tr>
<tr>
<td>Devon &amp; Cornwall</td>
<td>38.1</td>
<td>45.2</td>
<td>1.2</td>
<td>0.8</td>
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<td>1.8</td>
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Notes:
- TIC and Cannabis warning figures are provisional and may be revised following Home Office validation.
- National Statistics for the financial year 2013/14 will be published during 2014 by the Home Office.
- TIC data excludes fraud to allow for a fair comparison over time. Over the last few years the recording of fraud offences by forces to Action Fraud, crime figures are shown excluding fraud offences to allow for consistent comparators.

Table Q1.7 - Number of offences brought to justice (notifiable) across Local Criminal Justice Board areas, 2012 to 2013 (1)
### Table A1.1 - Individuals dealt with formally by the Criminal Justice System, 1970 to 2013

#### England and Wales

| Year     | Defendants/prosecutions (thousands) | Defendants/prosecutions (% of total) | Defendants/prosecutions: convictions and non-criminal sanctions | Defendants/prosecutions: convictions and non-criminal sanctions:
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#### Notes

- **(1)** Including all offenders excluding companies and public bodies.
- **(2)** Full calendar year data is available for PnD's from 2005 onwards.
- **(3)** Reliable data for Cannabis Warnings can only be provided from 2006 onwards where full calendar year data is available.
- **(4)** The conviction ratio is calculated as the number of convictions as a proportion of the number of proceedings.
- **(5)** Figures may not sum exactly to 100 due to rounding.
- **(6)** Excludes data for Cardiff Magistrates court for April, July, and August 2013.

---

**Summary**: The table presents data on individuals dealt with formally by the Criminal Justice System in England and Wales from 1970 to 2013. The data includes defendants/offenders and the categories of dealing. Each year's data is broken down into different types of dealing, such as summary dealing, non-criminal dealing, and convictions. The table also includes the conviction rate, immediate custody, suspended community sentence, and discharge or absolute/conditional discharge. **Provisional** data is marked with an asterisk (*).
### Table A1.2  -  Offences brought to justice (notifiable) by criminal justice areas, 2003 - 2013

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**Notes**

(1) **Police** data for Dyfed-Powys and Lancaster have been sourced from Police National Computer.

(2) **Cautions data for Dyfed Powys and Lancashire have been sourced from Police National Computer.

(3) **Reliable data for Cannabis Warnings can only be provided from 2006 onwards where full calendar year data is available.

(4) **Full calendar year data is available for PNDs from 2005 onwards.

(5) **TIC data and Crime Warnings figures are provisional and may be revised following Home Office validation.

National Statistics for the financial year 2013/14 will be published during 2014 by the Home Office.

TIC data excludes frauds for a four year period prior to 2011 as it includes figures for British Transport Police.

(6) In the three years to 2012/13, recording of fraud offences and outcomes has moved from police forces to Action Fraud.
2. Out of Court Disposals

Out of court disposals allow the police to deal quickly and proportionately with low-level, often first-time offending which could more appropriately be resolved without a prosecution at court. Out-of-court disposals are not intended for serious, persistent or contested cases, where court will always be the right forum for deliberation and adjudication. The decision to offer a particular out-of-court disposal must be made in accordance with the national guidance on the individual disposal. The out of court disposals available to the police and Crown Prosecution Service (CPS) up to the end of 2013 included:

- Cannabis warnings (available to adults only);
- Penalty Notices for Disorder (PNDs no longer available for persons aged under 18 from 8th April 2013);
- Simple cautions (available to adults only until 8th April 2013 at which point youth cautions were introduced);
- Conditional cautions (from 8 April 2013, youth conditional cautions were made available for all 10-17 year olds in England and Wales. Originally youth conditional cautions were only available for 16 and 17 year olds in five pilot areas from on 26 January 2010);
- Reprimands and warnings for youths (were repealed and replaced by youth cautions for offences committed from 8 April 2013).

Simple cautions, conditional cautions and reprimands and warnings for youths form part of an offender’s criminal record, and may be disclosed in any future criminal proceedings. PNDs and cannabis warnings do not form part of an individual's criminal record but may be disclosed to a prospective employer as part of a standard and enhanced Disclosure and Barring Service (DBS) check.

The use of out of court disposals has decreased in the last year by 12%, down to 331,100 in 2013. This continues the decline in the use of out of court disposals since 2007, which has coincided with the replacement in April 2008 of a target to increase offences brought to justice, with one placing more emphasis on bringing serious crime to justice. The latter target was subsequently removed in May 2010.

Figure 2.1: Out of court disposals issued, 2003 to 2013

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5 Note that cautions, written warnings and all fixed penalties for summary motoring offences are not covered in this volume but are published in the Home Office Statistical Bulletin ‘Motoring offences and breath tests’.
2.1 Police Cautions

A simple caution can be given when there is sufficient evidence for a prosecution and it is not considered to be in the public interest to charge the offender. Additionally, an offender must admit guilt and consent to a caution in order for one to be administered. A caution may be given by, or on the instructions of, a senior police officer, for summary and either way offences, and the CPS must authorise the decision to administer a caution in indictable only cases. A conditional caution can be given when there is sufficient evidence for a prosecution, it is in the public interest to prosecute, but the offending behaviour is better dealt with through compliance with a conditional caution. Again, the offender must admit guilt and consent to a conditional caution being administered. The conditions must be completed within a reasonable period (12 weeks) or the offender may be prosecuted for the original offence. They are administered by the police, using their own discretion, for summary and either way offences, but the CPS must authorise their use for indictable only offences.

There were 181,000 cautions administered in 2013 (including juveniles given a reprimand or warning). Use of cautions has been decreasing year on year since the peak in 2007 and in 2013 was half that in 2007.

The 10% decrease in total offenders cautioned between 2012 and 2013 was largely driven by declining use of cautions administered for indictable offences (including triable either way).

Figure 2.2: Offenders cautioned by offence type, 2003 to 2013

Two offence groups accounted for just over two thirds of all cautions administered in 2013: theft offences (32%) and drug offences (36%).

Youth cautions replaced reprimands and final warnings for offences committed from 8 April 2013 under the LASPO Act 2012. There were 18,400 youth cautions issued in 2013 (for around 66% this was the first time they had been cautioned). Also in 2013,
5,000 juvenile offenders were reprimanded and 3,300 were issued with a final warning, compared with 19,600 and 12,400 respectively in 2012.

There were 20 cautions administered for rape offences in 2013, compared with 16 cautions in 2012. 19 of these 20 were administered to juveniles. Of the cautions administered in 2013, 18 were for rape or attempted rape offences against a male or female child aged under 13 and two were for rape or attempted rape offences against a female child under 16.

Of the 20 cautions administered in 2013:
- 16 were for males aged under 15 with a male or female victim aged under 13;
- One was for a male aged under 15 with a female victim aged under 16;
- One was for a male aged between 15 and 17 with a victim aged under 13;
- One was for a male aged between 15 and 17 with a female victim aged under 16;
- The remaining caution was an adult male (at time of caution) with a female victim aged under 13.

2.2 Cautioning Rates

Cautioning rates present the proportion of offenders either cautioned or convicted that are given a caution. This gives a measure of the share of all offenders either admitting guilt or being found guilty in a given year who are dealt with by a caution out of court as opposed to being processed through the courts.

The overall cautioning rate for 2013 was 20%, which has declined from a peak of 31% in 2007. This coincided with the replacement in April 2008 of a target to increase offences brought to justice with more emphasis targeted on serious crime.

Figure 2.3: Cautioning rates by offence type, 2003 to 2013
The cautioning rate varies across offence group and is higher for indictable offences than summary offences – 24% compared with 17% in 2013. It is worth noting that many summary offences (such as TV license evasion) will not have police involvement and therefore cautions are not applicable.

Within indictable offences, the 2013 cautioning rate was highest for criminal damage and arson (40%), drug offences (39%), violence against person (26%), possession of weapons (24%) and theft offences (21%). The lowest cautioning rate was for robbery, at 2%.

The cautioning rates have decreased across all indictable offences groups since 2007, with violence against the person offences showing the largest decrease, of 32 percentage points between 2007 and 2013. Over the last year, nine out of ten indictable offence groups saw decreases in cautioning rates, with a marginal increase in the criminal damage and arson offence group.

### 2.3 Penalty Notices for Disorder (PNDs)

*Penalty Notices for Disorder (PNDs) are commonly known as ‘on the spot fines’ - a fixed penalty of £60 for lower tier offence or £90 for higher tier offence (raised from £50 and £80 respectively from 1 July 2013 onwards).*

*They were designed to tackle low-level, anti-social and nuisance offending for offenders aged 18 and over (from 8th April 2013, the use of PNDs for under 18 years old is no longer available) and are issued for a range of minor offences. Until the introduction of Penalty Notices for Disorder (PNDs) in 2004 and formal warnings for possession of cannabis in 2005, the only out of court disposal available to police was a caution.*

There were 84,300 PNDs issued in 2013, a decrease of 21% compared with 2012 and a decrease of 59% when compared with the peak of 207,500 PNDs issued in 2007.

In 2013, similar to 2012, four offences accounted for almost 90% of all PNDs issued namely:

- ‘Drunk and disorderly’ (27,900),
- ‘Retail theft of goods under the value of £100’ (21,200),
- ‘Possession of cannabis’ (13,800),
- ‘Behaviour likely to cause harassment, alarm or distress’ (12,500).

There has been a year-on-year decrease in the number of PNDs issued since their peak in 2007. This decreasing trend has been observed in all offence groups.

PNDs issued for the possession of cannabis decreased for the second year running since the peak of 2011 (16,300) to 13,800 in 2013. The same has been seen in cannabis warnings which have decreased year on year since 2008 peak (108,300) to 65,800 in 2013.
Historically, almost all PNDs are issued to adults and from 8th April 2013 they are no
longer available for persons aged under 18. In 2013, 77% of PNDs were issued to
adult males. The highest number was for ‘drunk and disorderly’ (23,200).

There were fewer PNDs issued in each of the 44 police force areas (including British
Transport Police) in England and Wales in 2013.

Three new PND offences were introduced 2012 - ‘Depositing and leaving litter in a
Royal Park’, ‘Use a pedal cycle in a Royal Park’ and ‘Failing to remove animal faeces
from a Royal Park’. Of these ‘Use of pedal cycle in a Royal Park’ accounted for most
PNDs issued in 2013.

2.4 PND Payment, Court Hearings and Related Fines

Once a PND has been issued the recipient has 21 days, the Suspended
Enforcement Period (SEP), in which to either pay the penalty or request a court
hearing. No admission of guilt is required and by paying the penalty the recipient
discharges liability for conviction for the offence. Rather than paying the penalty,
PND recipients can request a court hearing. If a recipient fails to pay a PND or elect
a court hearing within the SEP, a fine of one and half times the penalty amount is
registered by the court.

In 2012, a number of forces have moved to a new system for reporting data on PNDs
issued and their outcomes. Due to technical problems, for these forces, it is not
possible to separate between those PNDs paid in full within 21 days and those paid
in full outside the 21 day period in 2012 and 2013. Also due to technical problems
there is a backlog of unprocessed PND payments which has resulted in a very large
figure for “outcome unknown”. Both of these issues are under investigation.
In 2013, 53% of PNDs (with known outcome) were paid in full - a decrease of nine percentage points compared with 2012, and a low since 2009.

Less than 1% of penalty notices have been contested at court in each year since PNDs were introduced. This figure is consistent among all age groups and offences.

**Figure 2.5: Penalty Notices for Disorder by outcome, 2005 to 2013**
3. Court Proceedings and Remand

If there is sufficient evidence against the defendant and none of the out of court disposals are appropriate, the police will formally charge the suspect. The law then requires the defendant to be brought before a magistrates’ court as soon as possible. The defendant can be summoned to appear in court or remanded on bail or custody.

3.1 Magistrates’ Courts

Virtually all criminal court cases start in a magistrates’ court and less serious offences can be handled entirely within this court. On 28th May 2013 committal hearings were abolished nationally as part of wider measures to speed up justice and improve efficiencies in the justice system. As a result of the change, triable-either-way cases can now be sent straight to the Crown Court as soon as it is clear the matter is serious enough, rather than having to await a committal hearing.

Since 2004, the number of defendants proceeded against at magistrates’ courts has declined almost year on year – down to 1.43 million defendants in 2013, a 4% decrease compared to 2012. This decline since 2004 has been driven primarily by decreases in prosecutions for summary motoring offences. The biggest decline has been for vehicle insurance offences although there are also large declines for driving licence related offences and driving after consuming alcohol or taking drugs.

Figure 3.1: Defendants proceeded against at magistrates’ courts by type of offence, 2003 to 2013

There was however little change in the number of summary motoring prosecutions between 2012 and 2013. Although there were large decreases in many summary motoring offences, overall prosecutions stayed relatively stable due to an increase in prosecutions for keeping a vehicle that does not meet insurance requirements (under...
Section 144A of the Road Traffic Act 1988). Prosecutions for this offence increased from 11,800 in 2012 to 41,300 in 2013. This offence was introduced in 2011 under the Continuous Insurance Enforcement scheme.

Summary non-motor and indictable prosecutions have continued to decline since 2004, by 19% and 20% respectively. Of indictable offences the largest declines in numbers of prosecutions were seen for ‘Theft offences’, ‘violence against the person’ offences and ‘miscellaneous crimes against society’, which have decreased by 10%, 37% and 50% respectively since 2004.

Within the violence against the person category, the decline in the volume of prosecutions is largely affected by assaults occasioning actual bodily harm (ABH), making threats to kill, and wounding or inflicting grievous bodily harm (GBH) both with and without intent. For theft offences the biggest declines are seen in burglary and aggravated vehicle taking offences.

Prosecutions for theft offences are consistently the highest of all the offence groups, with 140,600 defendants prosecuted in 2013. The majority of these prosecutions are the result of shoplifting offences which increased by 3% from 2012 to 2013. This is consistent with increases in recorded crime for shoplifting.

Although most indictable offence categories have seen declines in prosecutions since 2004, there have been increases in prosecutions for drug offences, sexual offences and public order offences during this period. They have increased by 43%, 8% and 5% respectively. Most prosecutions for drug offences concern cannabis and its derivatives. The increase in cannabis related prosecutions is in contrast to reductions in both cannabis warnings and PNDs issued for the possession of cannabis.

Overall indictable offence proceedings decreased by 3% for the indictable offence category in 2013 compared to 2012 – decreases were seen for all indictable offence categories with the exception of sexual offences, public order offences and fraud offences which have increased by 11%, 4% and 2% respectively. The increase in prosecutions for sexual offences is in line with an increase in recorded crime.

Prosecution demographics

Prosecutions of juveniles have decreased at a much faster pace than prosecutions of adults over the last decade, from 126,500 in 2007 to 48,600 in 2013. They accounted for only 3% of defendants prosecuted in 2013 compared to 7% in 2007.

Prosecutions of males have decreased for all three offence types since 2004 and accounted for 71% of prosecutions in 2013. However, volumes of prosecutions of females have remained largely flat overall across the period. This is due to a balance between declining volumes of prosecutions of females for indictable and summary motoring offences and an increasing volume of prosecutions of females for summary non-motorizing offences. The increasing trend in prosecutions of females for summary non-motorizing offences is driven by TV licence evasion offences.

Cases heard in the magistrates’ courts

In 2013, 79% of defendants proceeded against at magistrates’ courts were dealt with entirely within the magistrates’ court and 6% were sent for trial at the Crown Court.
The remaining defendants were cases that were discontinued, where the charge was withdrawn or where the defendant failed to appear. These proportions have remained stable over recent years.

The number of defendants sent for trial at the Crown Court increased by 6% in 2013 compared to 2012. This increase appears to be the result of the abolition of committal hearings which was introduced nationally on the 28th May 2013 as part of wider measures to speed up justice and improve efficiencies in the justice system. As a result cases are now being sent straight to the Crown Court as soon as it is clear the matter is serious enough, rather than having to await a committal hearing.

3.2 Trials at the Crown Court

There are two types of offence that may be sent by a magistrate to be tried to the Crown Court: Indictable only offences are offences that are considered to be of such gravity that they can only be dealt with at the Crown Court. Triable-either-way offences can be dealt with at the magistrates' court or the Crown Court, and the magistrates' court will decide whether it can deal with the case or whether it needs to be sent to the Crown Court.

The number of defendants appearing in the Crown Court for trial was stable at around 79,000 between 2003 and 2005, before increasing by 40% between 2005 and 2010. This was a result of a greater proportion of cases being committed and sent for trial. Since 2010, the upward trend has reversed, with 2013 figures showing a 6% decrease compared with 2012.

In line with this, the volume of defendants being tried at the Crown Court is declining – with 82,600 defendants tried at the Crown Court in 2013, compared with 105,100 in 2010. This decline is mirrored in caseload statistics presenting volumes of completed cases at the Crown Court.

3.3 Remands

Police remands are the decisions made by a police officer on whether to detain or bail a defendant pending their first appearance in court or send a notice summoning them to appear in court. Court remands are the court’s decision on whether a defendant charged with a criminal offence should be held in custody or released on bail during the period up to and including the trial, or while awaiting sentence.

In 2013, there were 1.49 million defendants directed to appear at magistrates' courts (including those who failed to appear). The proportion of defendants remanded in custody by the police increased between 2007 and 2013, from just under 6% to nearly 12% – driven mainly by the rise in defendants remanded in custody for indictable offences. In 2013, 29% of defendants were granted bail by the police, with 60% directed to appear via summonses.

In 2013, bail was granted to 19% of defendants proceeded against at magistrates’ courts, just under 3% were remanded in custody, and the remaining 79% had their case concluded at the magistrates’ courts without being remanded.

On 28th May 2013, committal hearings were abolished nationally as part of wider measures to speed up justice and improve efficiencies in the justice system. As a result cases are now be sent straight to the Crown Court as soon as it is clear the matter is serious enough, rather than having to await a committal hearing. This has led to an increase in the number of defendants remanded on bail or in custody at the point at which their cases are sent to the Crown Court for trial.

Defendants are more likely to be remanded in custody for indictable offences than summary offences – as a result, the proportion of defendants remanded in custody at the Crown Court is higher than at magistrates’ courts. In the latest year, the proportion of defendants tried at the Crown Court who were remanded in custody was 35% (in line with results for the past five years), with a further 47% remanded on bail (down from 54% in 2010). Of those remanded in custody at the Crown Court, 73% were convicted and sentenced to immediate custody. This compares to 30% for those cases in which magistrates remanded in custody and subsequently dealt with.

The proportion of defendants remanded in custody before appearing at the Crown Court varies by offence group. Overall, just over 37% of such defendants were remanded in custody at some point. For the offence groups violence against the person and sexual offences the proportions remanded in custody are 39% and 30% respectively. The three offence groups with the highest proportion remanded in custody are robbery (60%), theft offences (54%) and Criminal damage and arson (51%). By contrast, the three offence groups with the lowest proportion remanded in custody are public order offences (32%), miscellaneous crimes against society (27%) and fraud offences (14%).

Each year a proportion of defendants fail to appear in court having been summoned to appear or granted bail. The court will issue the police with a warrant for the apprehension and detention of these defendants.

In 2013, approximately 61,500 defendants failed to appear to bail or summons at magistrates’ courts; 4.1% of those directed to appear in that period. During 2013, approximately 2,300 defendants failed to appear to bail at the Crown Court, 2.2% of all defendants due to stand trial or to be sentenced at the Crown Court in the same period. This reverses the downward trend in the number of defendants failing to appear at the Crown Court seen in each year since 2007, although the proportions failing to appear are broadly in line with results from the previous five years.

3.4 Failure to Appear Warrants

Failure to appear (FTA) warrants are issued by courts when defendants do not attend court on a specified date having either been summoned or granted bail at an earlier stage. Police forces attempt to execute warrants by locating and apprehending these defendants. These warrants may relate to defendants who failed to appear at court during a different period.

Categorisation of a warrant is the process that determines the executing agency and the timescales that it should be executed in. Generally, category A warrants relate to the most serious offences, such as violent and sexual offences, kidnapping,
possession of firearms with criminal intent, producing or supplying controlled drugs etc. Some of the additional factors to be considered in categorisation are the risk to the public and the intelligence value. Category A warrants have a shorter target timescale in which to be executed than category B or C warrants, and are generally relate to more serious cases and defendants deemed as posing an elevated level of risk to the public.

In 2013, police forces in England and Wales received a total of 70,200 FTA warrants from the courts, of which 86% were executed. This is a decrease of 4% compared with 2012.

There were a total of 17,000 FTA warrants outstanding at the end of December 2013, an increase of 1% compared with the position at the end of December 2013. This increase reverses the year-on-year decrease in the number of warrants outstanding seen over the previous five years.

The largest fall in FTA warrants was observed for Category C warrants which decreased by 62%, from just over 8,000 at the end of December 2008 to 3,000 at the end of December 2013. The corresponding decreases for the number of outstanding Category A and Category B warrants were 5% and 23% respectively over the same time period.

Figure 4: Number of Failure to Appear (FTA) Warrants outstanding in England and Wales, by category of warrant, September 2008 to September 2013
4. Offenders Found Guilty

A conviction is where a person or a company is found guilty of a criminal offence at either the magistrates’ courts or the Crown Court.

Trends in the number of offenders convicted – that is, defendants who plead or are found guilty – and sentenced at all courts are driven by two factors, namely the number of individuals dealt with through the courts (the trend in prosecutions) and the proportion of those individuals who are found guilty. Conviction ratios are calculated as the number of convictions as a proportion of the number of proceedings, and give a measure of the relative number of defendants who are found guilty within a given year when compared with the number who are prosecuted that year.

Conviction ratios and volumes

Conviction ratios are calculated as the number of convictions as a proportion of the number of proceedings. This gives a measure of the relative number of defendants who are found guilty within a given year for a certain offence, when compared with the number who are prosecuted that year for the same offence.

It is worth noting that offenders found guilty in a given year may well have been proceeded against in a previous year. Similarly, defendants proceeded against in one year may not have received their final case outcome (i.e. found guilty or acquitted) in the same year. Further, defendants may be found guilty of a different offence to that for which they were originally proceeded against.

Since 2004, convictions have declined in most years, in line with declining numbers of individuals proceeded against. However, the decline in convictions between 2003 and 2008 has not been as steep as for proceedings, as a greater proportion of proceedings have resulted in convictions. As a result, the conviction ratio increased from 75% in 2003 to 83% in the 2008, and has since remained steady, fluctuating between 82% and 83%. In 2013 it was 82% compared to 83% in 2012. The complex nature of the CJS means there are a number of possible factors contributing to this change – for example, changes in guilty plea rates, the mix of cases handled in and out of court, impacts of operational changes, and so on – and it is difficult to separately identify the impacts of different factors.
The theft offences group has the highest number of convictions, 122,400 in 2013. The majority of convictions in this group, 61%, were for stealing from shops and stalls (shoplifting) under the Theft Act 1968. The drugs offences group has the next highest volume of convictions, 57,000, with offences concerning Cannabis and its derivatives making up the majority of these convictions.

Between 2012 and 2013 the number of convictions for all offence groups, except public order offences, decreased. (Public order offences increased by less than 1% in 2013).

Sexual offence convictions decreased by 1% in 2013 compared to 2012 (5,700 sexual offence convictions in 2013). This coincided with an 11% increase in prosecutions for sexual offences, resulting in a conviction ratio of 55%. The conviction ratio decreased by 6 percentage points in 2013 from 61% in 2012. The conviction ratio for this offence group however had shown a slight overall increase from 2008 (60%) to 2012 (61%).

The decrease in the conviction ratio for this group coincides with an increasing proportion of sexual offences in outstanding cases (cases waiting to go to court). This increase could be because of the nature of these types of cases, meaning that more time is often spent building a case for the prosecution or defence, than with cases involving other offence groups.

In 2013, 25% of convictions were given for indictable offences, 37% for summary non-motoring offences and 38% for summary motoring offences. This is a very similar pattern to that seen in 2012.
In 2013, as in 2012, 75% of convicted persons were males and 25% female. In 2003 the male-female split was 82% and 18% respectively. The increase shows that in 2013 a higher proportion of females were convicted, than in 2003 particularly for summary non-motoring offences.

Male offenders are over twice as likely to be convicted of a summary offence than an indictable offence, but female offenders are around 6 times more likely, this is in line with offenders proceeded against, and therefore does not reflect any gender difference in likelihood of conviction.

The number of juveniles found guilty at court has decreased from 97,400 in 2007 down to 35,700 in 2013, with juveniles accounting for 3% of offenders convicted in 2013. The proportion of convictions accounted for by juveniles has decreased from 7% in 2007, matching exactly the trend observed in prosecutions. The volumes of convictions of juveniles have decreased at a faster pace than convictions of adults over the last decade, due to the changes in demographics of defendants proceeded against. This reflects the trend in decreasing first time entrants to the criminal justice system.
5. Sentencing

When someone is convicted of a crime, they will be given a sentence by a court which reflects the seriousness of the offence or offences committed by the offender and any mitigating or aggravating factors. Sentences are generally time spent in prison, a community sentence, a suspended sentence, a fine or discharge.

In 2013, there were 1.17 million offenders sentenced following a criminal conviction, 5% fewer than the previous year. This continues a decreasing trend in offenders sentenced since 2004, which reflects that fewer defendants are being proceeded against and fewer found guilty over the period.

Fines are the most common sentence given to offenders at all courts, accounting for 68% of offender sentences in 2013, due mainly to the large number of fines issued for summary offences at the magistrates' court. However, sentencing outcomes vary by offence group, with indictable offences more likely to carry heavier penalties such as an immediate custodial sentence, a suspended sentence or a community sentence. Offenders sentenced for summary offences accounted for 75% of all sentences issued in 2013. The majority of summary offences (99%) were dealt with entirely in the magistrates' courts. Of the summary offences dealt in the magistrates' courts 85% were issued fines.

Overall, the way in which offenders found guilty have been sentenced has remained broadly consistent over the last decade, with around two thirds of offenders being sentenced to a fine in the 2003 to 2013 period.

Figure 5.1: Sentencing outcomes (percentages of all offenders sentenced) at all courts, 2003, 2008 and 2013
**Indictable offences**

A different distribution of sentences is observed for indictable offences. In 2013, of all offenders sentenced for indictable offences, 27% were sentenced to immediate custody, 23% to community sentences, 18% to a fine, and 12% to a Suspended Sentence Order (SSO). In 2013, for the first time in the period between 2003 and 2013, immediate custody was the most common disposal given for indictable offences.

Over a quarter of offenders sentenced for indictable offences were sentenced at the Crown Court – of these, 58% received an immediate custodial sentence, reflecting the fact that the most serious offences are likely to be tried on indictment in the Crown Court by a judge and jury.

The proportion of community sentences has decreased steadily since 2009. By contrast, the use of suspended sentence orders (SSOs) increased year on year since 2005. These changes come as a result of the Criminal Justice Act 2003, which made SSOs more readily available. More recently, the Legal Aid Sentencing and Punishment Offenders Act 2012 made further changes to the availability of SSOs, resulting in an 11% increase in SSOs for indictable offences between 2012 and 2013.

**Figure 5.2: Sentencing outcomes (percentages of all offenders sentenced) for indictable offences at all courts, 2003-2013**

![Figure 5.2: Sentencing outcomes (percentages of all offenders sentenced) for indictable offences at all courts, 2003-2013](image)

**Custodial Sentences**

The number of persons given a custodial sentence (that is, to prison or other form of secure detention) decreased by 13% between 2011 and 2013, reflecting a decrease in the number of offenders being sentenced, down 11% over the same period. The immediate custody rate (the proportion of all persons sentenced receiving immediate custody) peaked in 2011 and has been relatively stable since at 8%. Over half of offenders sentenced for sexual offences and robbery offences and more than two out of five sentenced for violence against the person in 2013 received a custodial sentence.
The custody rate for indictable offences in 2013 was 27% the highest in the period from 2003 to 2013 and it has increased in each year since 2010 from 24% to 27%. This compared with a 2% custodial rate for summary offences.

The average custodial sentence length (ACSL), which excludes life and indeterminate sentences, has increased over the last decade, particularly in the last year – up to 15.5 months in 2013, compared with 12.6 months in 2003 and 14.5 months in 2012. Several factors have contributed to this increase:

- A change in the case-mix of people getting custodial sentences. In 2003 indictable offences, (which have a higher ACSL compared to summary offences) accounted for 75% of all immediate custodial sentences, compared to 84% in 2013.

- Between 2003 and 2013 there has been a steady decrease in the proportion of offenders sentenced to short sentences of more than three and up to six months (from 27% to 20%); while there has been an increase in the proportion of offenders sentenced to more than 18 months and up to three years (from 10% to 13%).

- The introduction of the Criminal Justice and Immigration Act (CJIA) in 2008 restricted the use of indeterminate sentences for Public Protection (IPPs), which as mentioned are excluded from ASCL. Following this, there has been an increase in long determinate sentences (defined as for 10 years or more).

- The LASPO Act, which was passed on 3rd December 2012, abolished IPPs and Extended Sentence for Public protection (EPP) and replaced them with new Extended Determinate Sentences (EDS). Furthermore it legislated that adult offenders will receive mandatory life sentences for a second serious sexual or violent offence. The best current estimate is that 715 offenders were sentenced to an EDS in 2013 with an ACSL of 8 years and 2 months. This represented an increase of 0.6 months in the overall ASCL for 2013.

- Further legislative changes have made sentence lengths longer for certain offences – for example, the powers to sentence offenders convicted of a third domestic burglary offence to a mandatory minimum sentence of three years custody, as introduced by the Crime (Sentences) Act 1997 for offences committed after 30th November 1999, have been used increasingly in the last decade.

- The proportion of determinate sentences of five years or longer (but less than life) has been increasing steadily since 2007, with these sentencing accounting for 5% of all custodial sentences in 2013 compared with 3% of all custodial sentences in 2007.

Offenders sentenced for sexual offences have a consistently higher ASCL. In 2013, the ACSL for sexual offences was 59.1 months compared to 54.5 months in 2012. Offenders who received an EDS for sexual offences in 2013 accounted for a 4.8 month increase in the 2013 ACSL for this offence group and had the longest licence period beyond the determinate part of their sentence (54.3 months).

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8 Due to recording issues, an estimate has had to be made, using prison population data, of the number of persons sentenced to immediate custody since 3rd December 2012 who were given an EDS.
6. Offending Histories

While the number of new entrants to the criminal justice system has been falling since 2007, the number and proportion of convicted offenders who have long criminal records has generally been increasing over the last 10 years.

The reduction seen in the number of first time entrants has been much sharper for juveniles than for adults.

Figure 6.1 Change in number of juvenile and adult first time entrants to the criminal justice system, 2003 (index=100) to 2013

In 2013, just over 103 thousand offenders convicted of an indictable offence had 15 or more previous convictions or cautions at the time. This equates to 36% of all convicted offenders in the year and is up from 22% in 2003 (75,500 offenders).

Analysis has also shown that the majority of these prolific offenders already have in excess of 15 previous offences on their record, the group progressing from their 15th to their 16th conviction or caution has been falling since 2009. This suggests that the increasing numbers of convictions for those with long criminal records are being driven by groups of offenders who already have in excess of 15 previous sanctions (on average around 31 previous sanctions) and not merely by those progressing from their 15th to their 16th offence.
In 2013, 60% of those with 15 or more previous sanctions were convicted of offences related to theft – by comparison, only 23% of those with no previous convictions or cautions were convicted for theft offences. In contrast, sexual offences accounted for 8% of convictions for those offenders with no previous history but less than 1% of convictions for those offenders with 15 or more previous. 88% of offenders convicted for shoplifting in 2013 had one more convictions/cautions for the same offence previously.

Nearly a quarter of juveniles with no previous conviction or caution were convicted for robbery in 2013, compared to only 1% of adults. The proportion of juveniles with no previous sanctions convicted for robbery has more than doubled over the last 10 years, while the proportion convicted for violent offences has nearly halved.

As might be expected, given that sentencing decisions will typically take into account previous offending history, the proportion of offenders receiving immediate custody for an indictable offence is higher for those groups of offenders with longer criminal histories. In 2013, 38% of adults with 15 or more previous received a custodial sentence compared to 12% for adults with no previous history of offending. The equivalent figures for juveniles were 44% and 1% respectively.

The most common disposal given in 2013 for offenders committing an indictable offence with no previous criminal history was a caution, with this accounting for 74% of juveniles in this group and 59% of adults.
Figure 6.3 Flow chart showing number of adult offenders convicted of indictable offences in England and Wales in 2013, by previous criminal history and type of disposal received

Adult offenders sentenced or cautioned for indictable offences 345,915

- No previous conviction/caution 59,517
  - Immediate custody 6,877 (11.6% of no previous group)
  - Other sentence 17,429 (29.3% of no previous group)
  - Caution 35,211 (59.2% of no previous group)
- 1 - 14 previous convictions/cautions 179,724
  - Immediate custody 33,759 (18.8% of 1-14 previous group)
  - Other sentence 107,149 (59.0% of 1-14 previous group)
  - Caution 38,816 (21.6% of 1-14 previous group)
- 15+ previous convictions/cautions 106,674
  - Immediate custody 40,203 (37.7% of 15+ previous group)
  - Other sentence 62,404 (58.5% of 15+ previous group)
  - Caution 4,067 (3.8% of 15+ previous group)

Figure 7.4 Flow chart showing number of juvenile offenders convicted of indictable offences in England and Wales in 2013, by previous criminal history and type of disposal received

Juvenile offenders sentenced or cautioned for indictable offences 40,128

- No previous conviction/caution 14,514
  - Immediate custody 210 (1.4% of no previous group)
  - Other sentence 3,499 (24.1% of no previous group)
  - Caution 10,805 (74.4% of no previous group)
- 1 - 14 previous convictions/cautions 22,004
  - Immediate custody 2,050 (9.3% of 1-14 previous group)
  - Other sentence 14,682 (66.7% of 1-14 previous group)
  - Caution 5,272 (24.0% of 1-14 previous group)
- 15+ previous convictions/cautions 430
  - Immediate custody 449 (44.1% of 15+ previous group)
  - Other sentence 538 (55.2% of 15+ previous group)
  - Caution 6 (0.6% of 15+ previous group)
7. Guest Chapter – Key Criminal Offences Recently Introduced

In 2012, a number of new criminal offences were introduced in England and Wales. This chapter summarises the court activity during 2012 and 2013 relating to a range of these new offences.

Causing serious injury by dangerous driving

A new offence of causing serious injury by dangerous driving was introduced by Section 139AA of the Road Traffic Act 1988, as inserted by Section 143 of the LASPO Act 2012, which commenced on 3rd December 2012. Between this point and the end of December 2012, one defendant was proceeded against at magistrates’ court for this offence. The defendant was found guilty at the magistrates’ court, and sentenced to immediate custody.

In 2013, 90 defendants were proceeded against for this offence, 31 were convicted in any court and 25 were sentenced. Of these offenders:

- 16 were sentenced to immediate custody;
- Five were given a suspended sentence order;
- Three was given a community sentence;
- One was ordered to pay compensation.

Stalking

There were new triable-either-way offences for stalking introduced by Sections 4A of the Protection from Harassment Act 1997, as inserted by Section 111 of the Protection of Freedoms Act 2012, which commenced on 25th November 2012. Between this point and the end of December 2012, there were no defendants proceeded against under this legislation.

In 2013, 154 defendants were proceeded against for this offence, 53 were convicted and 42 were sentenced. Of these offenders:

- 14 were sentenced to immediate custody;
- 14 were given a suspended sentence order;
- Ten was given a community sentence;
- Two were given a conditional discharge;
- One was given a hospital order;
- One was ordered to pay compensation.

In addition, seven people were cautioned for this offence in 2013.

Possession of mobile phones in prison

A new offence of the unauthorised possession in a prison of mobile phones, other electronic communications devices and related items was introduced by Section 40D of the Prison Act 1952, as inserted by Section 45 of the Crime and Security Act 2010, which commenced on 26th March 2012. Between this point and the end of December 2012, 110 defendants were proceeded against at magistrates’ courts for this offence. Over the same period, 93 offenders were found guilty of the offence at all courts, and
81 offenders were sentenced. Of those, 71 were given an immediate custodial sentence.

In 2013, 233 defendants were proceeded against for this offence, 190 were convicted in any court and 163 were sentenced. Of those, 154 were given an immediate custodial sentence. The maximum possible custodial sentence for this offence is two years. Custodial sentences given in 2013 ranged from 14 days to 18 months and the average custodial sentence was 82 days. In addition, 19 people were cautioned for this offence in 2013.

**Squatting**

A new ‘squatting’ offence (knowingly as a trespasser living or intending to live in a residential building) was introduced by Section 144 of the Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act, which commenced on 1st September 2012. Between this point and the end of December 2012, 38 defendants were proceeded against at magistrates’ courts for this offence. Over the same period, 32 offenders were found guilty of and sentenced for the offence at all courts.

In 2013, 94 defendants were proceeded against for this offence and 78 were convicted in any court and sentenced. Of these offenders:

- 15 were sentenced to immediate custody;
- Three were given a suspended sentence order;
- Seven was given a community sentence;
- 33 were given a fine;
- 19 were given a conditional discharge;
- One was given a day in police cells.

**Payment for scrap metal**

A new offence for scrap metal dealers paying for scrap metal other than by cheque or electronic transfer of funds was introduced by Section 3A of the Scrap Metal Dealers Act 1964, as inserted by the Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act, which commenced on 3rd December 2012. Between this point and the end of December 2012, there were no defendants proceeded against under this legislation.

In 2013, 22 defendants were proceeded against for this offence, 18 were convicted and 17 were sentenced. Of those, 16 were given a fine and one offender was given a conditional discharge. The maximum possible sentence for this offence is a fine of £5,000. Fines given in 2013 ranged from £73 to £1,000 and the average fine was £212.

**New offensive weapon and knife offences**

New offences of threatening with an offensive weapon or a blade or sharply pointed article in a public place or on school premises were introduced by Section 1A of the Prevention of Crime Act 1953 and Section 139AA of the Criminal Justice Act 1988, as inserted by the Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act, which all commenced on 3rd December 2012.
In 2012 and 2013, a total of 186 offences (140 by adults, 46 by juveniles) have been dealt with in relation to one of the new aggravated knife possession offences that came into effect from 3 December 2012.

Of the 46 offences committed by juveniles, 21 offences were committed by offenders aged between 10 and 15 when sentenced.

Of the 165 new offences of aggravated knife possession where offenders were aged 16 and over, 101 offences or 61 per cent have received an immediate custodial sentence. Please note however that these figures are provisional and are likely to change; in particular the number of immediate custodial sentences is likely to rise, once all sentences have been finalised.

Additional details are in Tables 8 and 9 from the Knife Possession Sentencing bulletin:
Revisions Policy

In accordance with Principle 2 of the Code of Practice for Office Statistics, the Ministry of Justice is required to publish transparent guidance on its policy for revisions. A copy of this statement can be found at:


The Ministry of Justice aims to avoid the need for revisions to publications unless they are absolutely necessary and put systems and processes in place to minimise the number of revisions.

Within the Ministry of Justice’s statistical publications there can be three main reasons for statistics to be revised:

- Changes in how either source administrative systems collect information or a change in statistical methodology to improve accuracy and measurement.
- Receipt of subsequent information which alters our understanding of previous periods (for example – late recording on one of the administrative IT systems used operationally).
- Errors in our statistical systems and processes.

Our policy in handling revisions is to be transparent with users about:

- The need for revisions.
- How and when to expect revisions as part of our standard processes.
- The processes by which other revisions will be communicated and published.

To meet these commitments, all of our statistical publications will:

- Ensure that the need for major revisions for any series are pre-announced on the Ministry of Justice website.
- Include a detailed revisions policy within every release.
- Detail how users will be informed of the need for revisions.
- Give detailed and full explanations as to why the revisions were necessary.

In addition, the annual report from the Head of Profession to the National Statistician will:

- Provide information on how many revisions were required to our publications and the reasons for these.
- Publish a time-series of revisions due to errors in our statistical processes and procedures so we can monitor the quality of our outputs.
Explanatory Notes

The statistics in this bulletin relate to cases in the Crown and magistrates’ courts in England and Wales during 12 months ending June 2013. This bulletin subsumes a number of previous bulletins including Criminal Statistics: England & Wales, Quarterly Sentencing Statistics, and Young people aged 10-17 receiving their first reprimand, warning or conviction.

Symbols and conventions

The following symbols have been used throughout the tables in this bulletin:

- = Nil
* = Not applicable
.. = Not available
(R) = Revised data
(P) = Provisional data

Guidance on tables and supplementary volumes

This bulletin is supported by a range of Excel spreadsheet workbooks, pivot tables and CSV files, presenting statistics for the latest calendar year, alongside back series for previous comparable years where applicable. These workbooks, pivot tables and CSV files can be accessed at:

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