



Ministry
of Justice



Criminal Justice Statistics 2014

England and Wales

Ministry of Justice
Statistics bulletin

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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 2014 to December 2014) 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 agencies¹.

In this publication, criminal offences are divided into four main offence groups:

- Indictable proceedings cover the more serious offences such as violent and sexual offences and robbery. Initial proceedings are heard at magistrates' courts but they then may be passed on to the Crown Court, either for sentencing, or for a full trial with a judge and jury. They are split into two categories:
 - **Indictable only** offences, which can only be tried on indictment in the Crown Court by a judge and jury²; and
 - **Triable-either-way** offences, which are triable either summarily in a magistrates' 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 majority of information presented in this publication is reported on the principal offence and principal sentence. Where proceedings involve more than one offence, the principal offence is reported. The basis for the selection of the principal offence is as follows:

- Where a defendant is found guilty of one offence and acquitted of another, the offence selected is the one for which they are found guilty;

¹ Findings from the Crime Survey for England and Wales and recorded crime data are published together in statistical bulletins by the Office for National Statistics.

² Note the youth court can deal with all offences committed by a child or young person (someone aged 10-17 years old), subject to the following exceptions which mean that the offence must be dealt with by the Crown Court : homicide; grave crimes where the youth court has determined that, if convicted, a sentence beyond its powers should be available; firearms possession by 16-17 year olds; offences that would attract at least four years custody under the dangerousness provisions; and where it is necessary in the interests of justice to try a youth and adult together.

- Where a defendant is found guilty of two or more offences, the offence selected is the one for which the heaviest sentence is imposed;
- Where the same disposal is imposed for two or more offences, the offence selected is the one for which the statutory maximum penalty is the most severe.

The offence shown for each court proceeding is the one for which the court took its final decision and is not necessarily the same as the offence for which the defendant was initially prosecuted. Unless otherwise stated, the sentence shown is the most severe sentence or order given for the principal offence (i.e. the principal sentence), secondary sentences given for the principal offence and sentences for non-principal offences are not counted in the tables (unless otherwise stated).

Data Sources

This report draws on data from the following data sources:

- Data on PNDs from 2013 onwards is drawn from the PentiP system, prior to this data were collected from individual police forces
- From April 2011 all cautions data are collected from the Police National Computer (PNC), prior to this data were collected from individual police forces. Cautions and sentencing data within the criminal histories section are also collected from the PNC.
- Statistics on prosecutions, convictions and sentencing are either derived from the LIBRA case management system, which holds the magistrates' courts records, or the Crown Court's CREST system which holds the trial and sentencing data. Prior to November 2008 the police reported on magistrate court proceedings.
- Data on cannabis warnings and TICs are supplied by the Home Office.

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:

www.gov.uk/government/statistics/criminal-justice-statistics-quarterly-december-2014

Changes to data presentation within the report

Following user consultation³ a number of changes have been made to the presentation of data within this report compared with previous reports.

- Interactive data tools have been included for Penalty Notices for Disorder (PNDs), cautions, proceedings and convictions, remands, sentencing and motoring data, replacing many old tables included in the last report. This will enable users to extract the specific detail they require.

³ The consultation note and consultation response can be found at www.gov.uk/government/statistics/changes-to-criminal-justice-statistics

- Alongside the CJS Outcomes by Offence interactive data tool, this year an interactive data tool has been produced for both magistrates and Crown Court outcomes.
- Following user feedback the “indictable” offence category has been split into “indictable only” and “triable either way” offences in the tables within the proceedings, remands and sentencing chapters. This split is also available within the interactive data tools.
- A new table has been included within the Overview chapter providing selected quarterly information.

The producers of this report have carried out a review of the way offences are grouped within the Outcome by Offence table, data tools and CSV datasets. This has resulted in a number of changes to the offence groups used. Topics of interest have been split into more granular group whilst offences with very small numbers of proceedings have been grouped up with other offences. A detailed list of all offences published within this report can be found the Offence Group Classifications document at:

www.gov.uk/government/statistics/criminal-justice-statistics-quarterly-december-2014

- In line with the rest of the publication, the motoring tables and interactive data tool are now presented on a principal offence basis.
- For the first time, on an experimental basis, offence level information on drug offences has been provided.

Data revisions

Following a data cleansing exercise undertaken by the producers of this report, a small number of revisions have been made to 2004 – 2012 data. This has resulted in some minor changes to some of the totals. More substantial changes have been made to 2013 and 2014 data as the result of data improvement work. We estimate that the improved data cleansing will have accounted for about 14,000 additional proceedings (and about 7,000 sentences) to 2013 data. This means that there is a small discontinuity in the series between 2012 and 2013 data and care should be taken when comparing trends across this period.

Additionally changes have been made to the “Otherwise dealt with” sentence disposal category. Compensation as a primary disposal has been separately presented (affecting 6,000 to 12,000 records per year), whilst a specific disposal formerly categorised as “Otherwise dealt with” has been reclassified as a “Community Sentence” (affecting about 2,000 records in 2012 and 2013 and a smaller number of records in earlier years).

Interpretation

This publication presents information for the **latest 12 month period (the twelve months ending December 2014)** 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 2014**;
- the “**previous year**” refers to the **12 months ending December 2013**; 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.

Feedback requested

The Ministry of Justice is seeking feedback on this publication so that we can assess how well it meets our users’ needs and make improvements where possible. We would be grateful please if you could complete a [short five minute survey](#).

Alternatively 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.

Key Findings

Out of court disposals and court proceedings

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 2014) with 1.73 million individuals dealt with in 2014.

However in the latest year, whilst the use of out of court disposals has continued to decrease, there was a 2% increase in the number of defendants proceeded against at the magistrates' courts. This reversed a trend of almost year on year decreases in defendants proceeded against at the magistrates' court since 2004; the first increase since 2010. The increase in 2014 has been driven by rises in both summary non-motoring and summary motoring offences, whilst the number of indictable offences fell.

Similarly the number of offenders convicted and sentenced increased by 3% and there was a small increase in the conviction ratio to 83 from 82 in 2013.

The increased proportion of sentences for summary offences has led to a small decrease in the overall custody rate from 7.9% in 2013 to 7.6% in 2014, whilst the custody rate for indictable offences has increased in each year since 2010. The average custodial sentence length (ACSL) in 2014 was 15.6 months, an increase of 0.1 months from 2013.

Criminal histories

The number of first time entrants dealt with by the CJS continues to decline and has fallen by 52% since 2007. The reduction has been much sharper for juveniles (81% over the same period) than adults.

The number of offenders progressing from their 15th to their 16th conviction or caution has declined since 2009, and during 2014 there was also a fall in the number of offenders with 16 or more previous convictions or cautions.

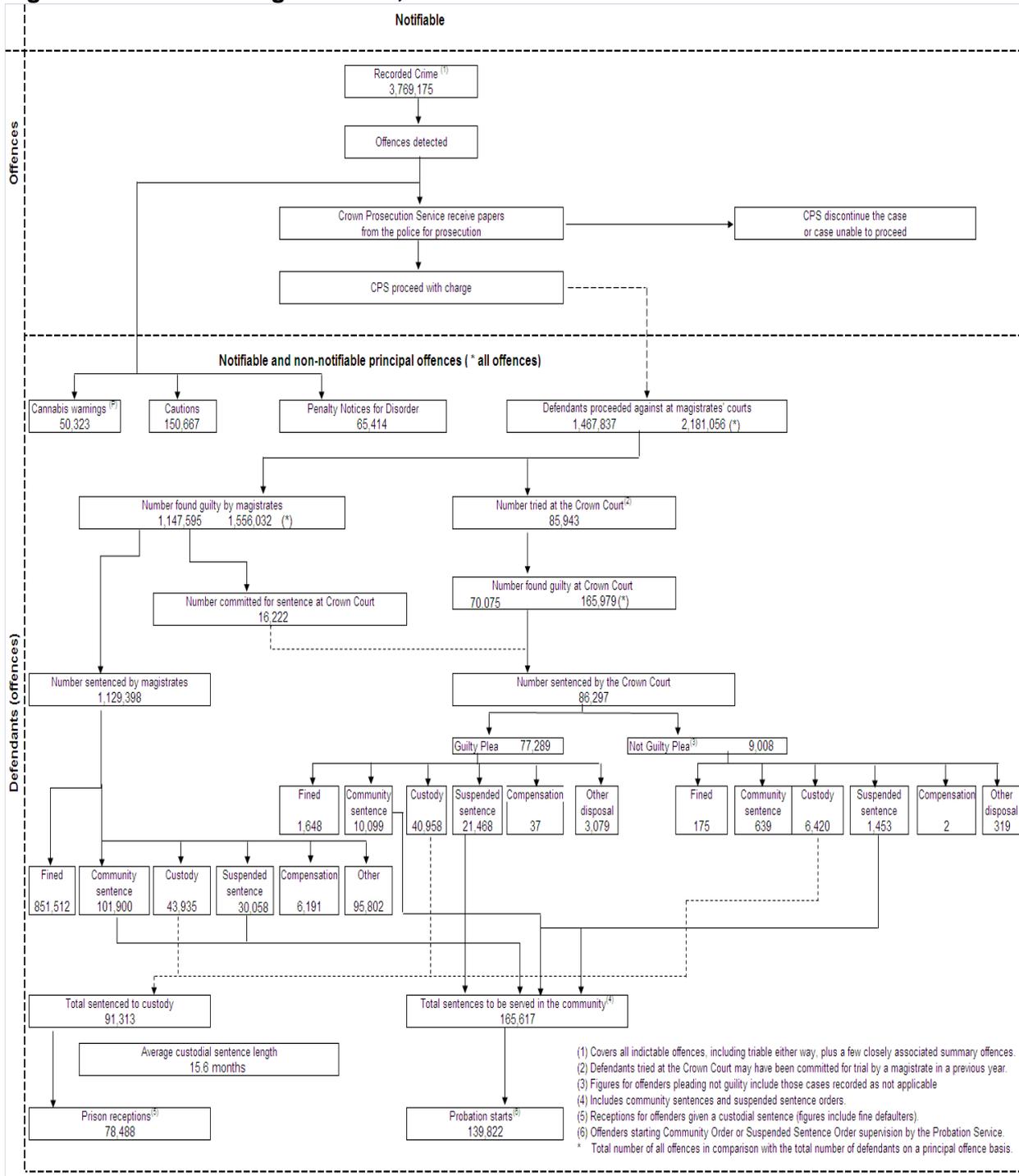
The number of adult offenders given a suspended sentence for an indictable offence increased in 2014, driven by an increase in the number of adult offenders given fully suspended sentences despite having 15 or more previous cautions or convictions.

Sexual offences

Prosecutions for sexual offences are the highest in the decade and increased by 9% in the latest year. Offenders sentenced for sexual offences had an ACSL of 62.0 months, a rise of 2.9 months compared with 2013.

1. Overview of the Criminal Justice System

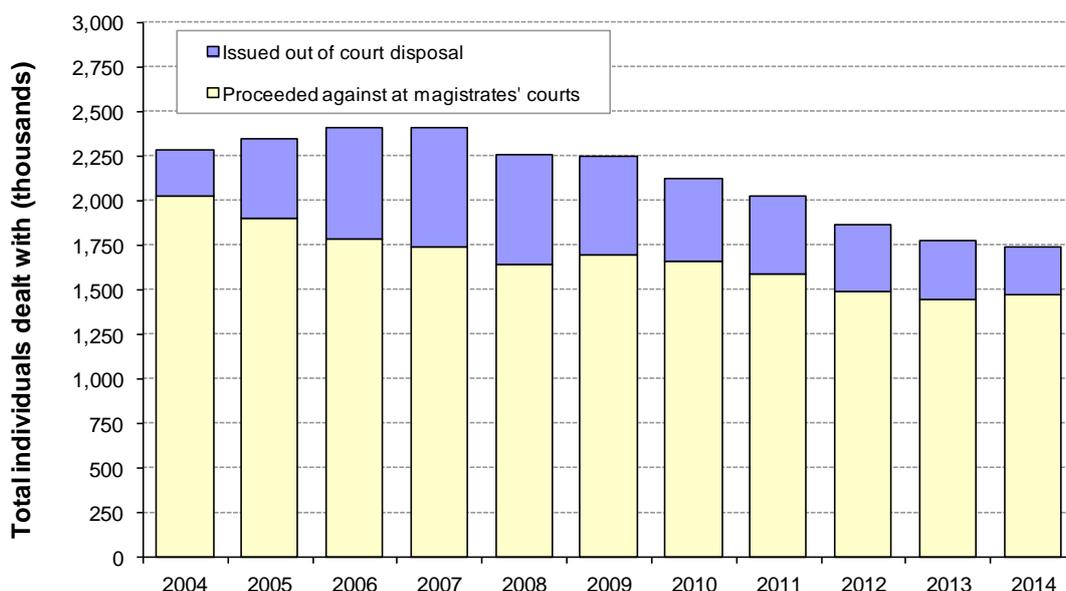
Figure 1.1: Flows through the CJS, 2014



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 2014) with 1.73 million individuals dealt with in 2014.

However in the latest year, whilst the use of out of court disposals has continued to decrease, there was a 2% increase in the number of defendants proceeded against at the magistrates' courts. This reversed a trend of almost year on year decreases in defendants proceeded against at the magistrates' court. The increase in 2014 has been driven by rises in both summary non-motoring and summary motoring offences, whilst the number of indictable offences fell.

Figure 1.2: Individuals dealt with formally by the CJS⁴, 2004 to 2014



Comparisons with crime⁵

Latest figures from the Crime Survey for England and Wales (CSEW) showed that, for the offences it covers, there were an estimated 6.9 million incidents of crime against households and resident adults (aged 16 and over) in England and Wales. This is a 7% decrease compared with the previous year's survey, and the lowest estimate since the CSEW began in 1981. The CSEW covers a broad range of victim based crimes and includes crimes which do not come to the attention of the police.

In contrast to the CSEW, there was a 2% increase in recorded crime compared with the previous year. The renewed focus on the quality of crime recording is thought to have led to improved compliance with national recording standards, leading to proportionally more crimes reported to the police being recorded by them. This is thought to have particularly affected violence against the person (up 21%) and public order offences (up 14%). The number of defendants proceeded against for these offence groups rose, increasing by 6% and 5% respectively. Although care should be taken when making comparisons between crime data, counted on a crime basis, with MoJ data, counted on a defendant basis.

⁴ Individuals includes people and companies. A single individual can be counted more than once in a given year if they are dealt with by the CJS on more than one separate occasion. Excludes individuals dealt with by way of a community resolution.

⁵ See Crime in England and Wales, year ending December 2014 www.ons.gov.uk/ons/rel/crime-stats/crime-statistics/year-ending-december-2014/crime-in-england-and-wales--year-ending-december-2014.html

Sexual Offences

Prosecutions for sexual offences are the highest in the decade and increased by 9% in the latest year (this compares to a 32% increase in recorded crime). The increase in recorded crime and prosecutions for sexual offences is likely to be partly due to the Operation Yewtree investigation, connected to the Jimmy Savile inquiry and the resulting media attention. This investigation has led to a greater number of victims coming forward to report sexual offences to the police. Improved compliance with the recording standards for sexual offences in some police forces may also be a factor.

Sexual offence convictions increased by 10% in the latest year and sexual offence 'trials' at Crown Court have increased by 17%. The conviction ratio (number of convictions as a proportion of the number of proceedings) for sexual offences has increased slightly from 52 in 2013 to 53 in 2014. The conviction rate for sexual offences at the Crown Court (number of convictions at the Crown Court as a proportion of the number of trials at the Crown Court) was 61% in 2014 – a two percentage point fall compared with 2013.

Of those sentenced for sexual offences in 2014, 59% were sentenced to immediate custody and the immediate custody rate for sexual offences continues to be the second highest of all the main offence categories. Only robbery (at 66%) has a higher custody rate.

Offenders sentenced for sexual offences had an ACSL of 62.0 months, a rise of 2.9 months compared with 2013 and reflects a wider increase over the past 10 years.

For those convicted of a sexual offence in 2014, just under half also had a first offence for the same offence category and for just 5% of offenders all of their previous convictions and cautions were for sexual offences.

2. Out of Court Disposals⁶

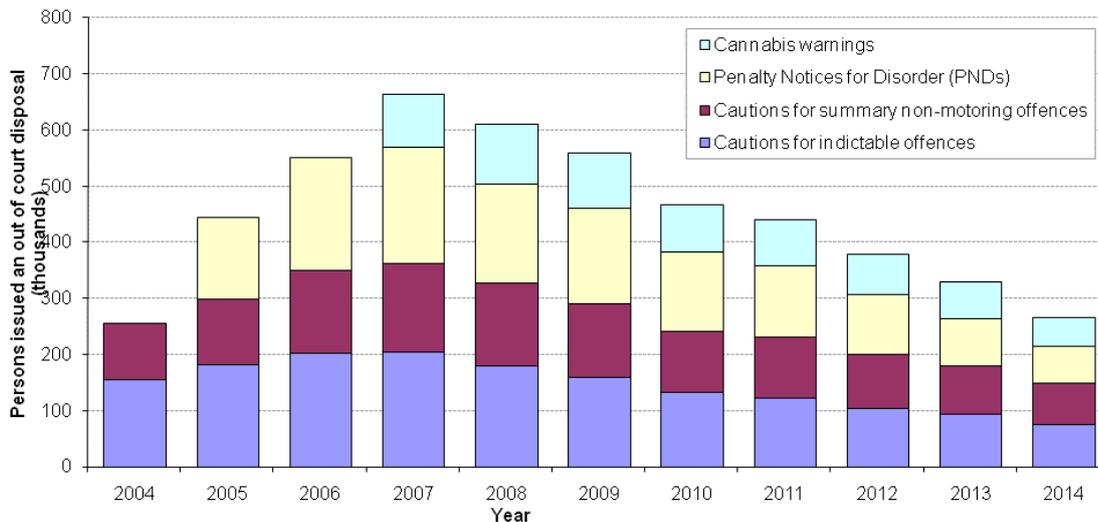
The out of court disposals available to the police and Crown Prosecution Service (CPS) up to the end of 2014 included⁷: cannabis warnings, Penalty Notices for Disorder (PNDs), simple and conditional cautions⁸; and community resolutions.

Community resolutions data are not currently available within this bulletin, therefore the section below covers PNDs, cautions and cannabis warnings only.

The use of out of court disposals (excluding community resolutions) has decreased in the last year by 20%, down to 266,400 in 2014. 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.

This decrease is also linked to the introduction of community resolutions in 2009. With the agreement of the victim a community resolution can be issued by the police, by which an appropriate manner for the offender to apologise or make reparations is set out. Indicative figures published by the Home Office for April and May 2014 from a subset of police forces suggest that approximately 4% of recorded crimes assigned an outcome were dealt with by means of a community resolution. In comparison about 5% were dealt with through a caution and 1% through a PND.

Figure 2.1: Out of court disposals issued (excluding community resolutions), 2004 to 2014



Police cautions

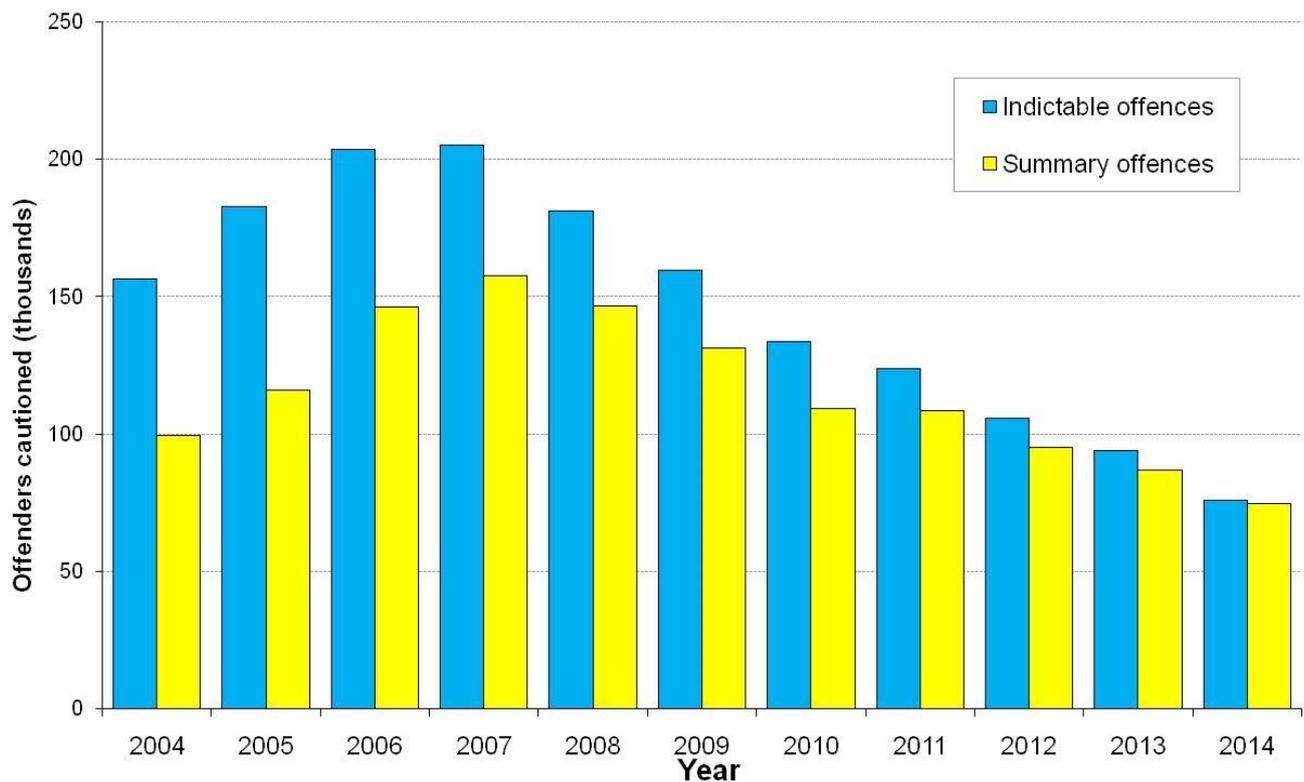
There were 150,700 cautions administered in 2014, representing a 17% decrease compared with 2013. The use of cautions has been decreasing year on year since the peak in 2007 and in 2014 was less than half that in 2007.

⁶ A pilot scheme was implemented from early November in Leicestershire and Staffordshire police forces and from late November in West Yorkshire to reduce the types of out of court disposals available for adult offenders. In the pilot areas, the only out of court disposals available are community resolutions and conditional cautions.

⁷ 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 'Police powers and procedures'. www.gov.uk/government/collections/police-powers-and-procedures-england-and-wales

⁸ Available to adults only until 8th April 2013, previous reprimands and warnings were available for youths.

Figure 2.2: Offenders cautioned by offence type, 2004 to 2014



Two offence groups accounted for 74% of all indictable cautions administered in 2014: theft offences (35%) and drug offences (39%).

There were 16 cautions administered for rape offences in 2014, compared with 20 cautions in 2013. 14 of these were administered to juveniles and 2 were administered to 18 year olds.

Of the 16 cautions administered in 2014:

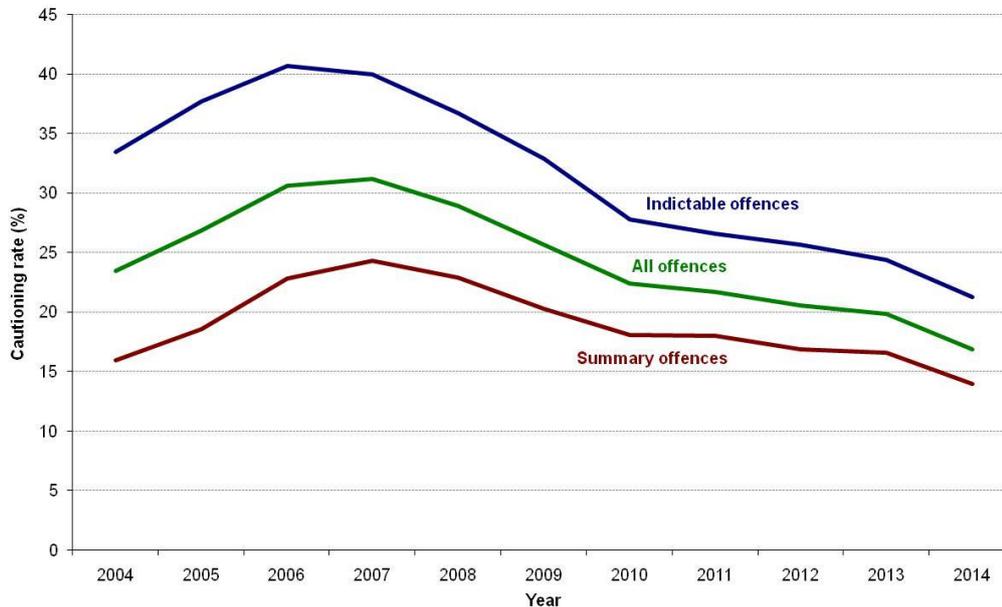
- One was for rape of a female aged under 16;
- Six were for rape of a female child under 13 by a male (including one administered to an 18 year old);
- Seven were for rape of a male child under 13 by a male (including one administered to an 18 year old);
- One was for attempted rape of a female child under 13 by a male and
- One was for attempted rape of a male child under 13 by a male.

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 2014 was 17%, 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, 2004 to 2014



The cautioning rate varies across offence group and is higher for indictable offences than summary offences. In 2014, the cautioning rate for indictable offences was 21% and for summary offences, 14%. It is worth noting that many summary offences (such as TV license evasion) will not have police involvement and therefore cautions are not applicable.

For indictable offences in 2014, the cautioning rates were highest for criminal damage and arson at and drug offences (both 36%). The lowest cautioning rates were for robbery (2%) and miscellaneous crimes against society (9%).

The cautioning rates have decreased across all indictable offences groups since 2007, with violence against the person offences showing the largest decrease of 38 percentage points between 2007 and 2014. Over the last year, all indictable offence groups saw decreases in cautioning rates.

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). From 8th April 2013, PNDs are no longer available for under 18s. This has contributed to the fall in PNDs issued in the most recent years.

There were 65,400 PNDs issued in 2014, a decrease of 23% compared with 2013 and a decrease of 68% when compared with the peak of 207,500 PNDs issued in 2007. 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

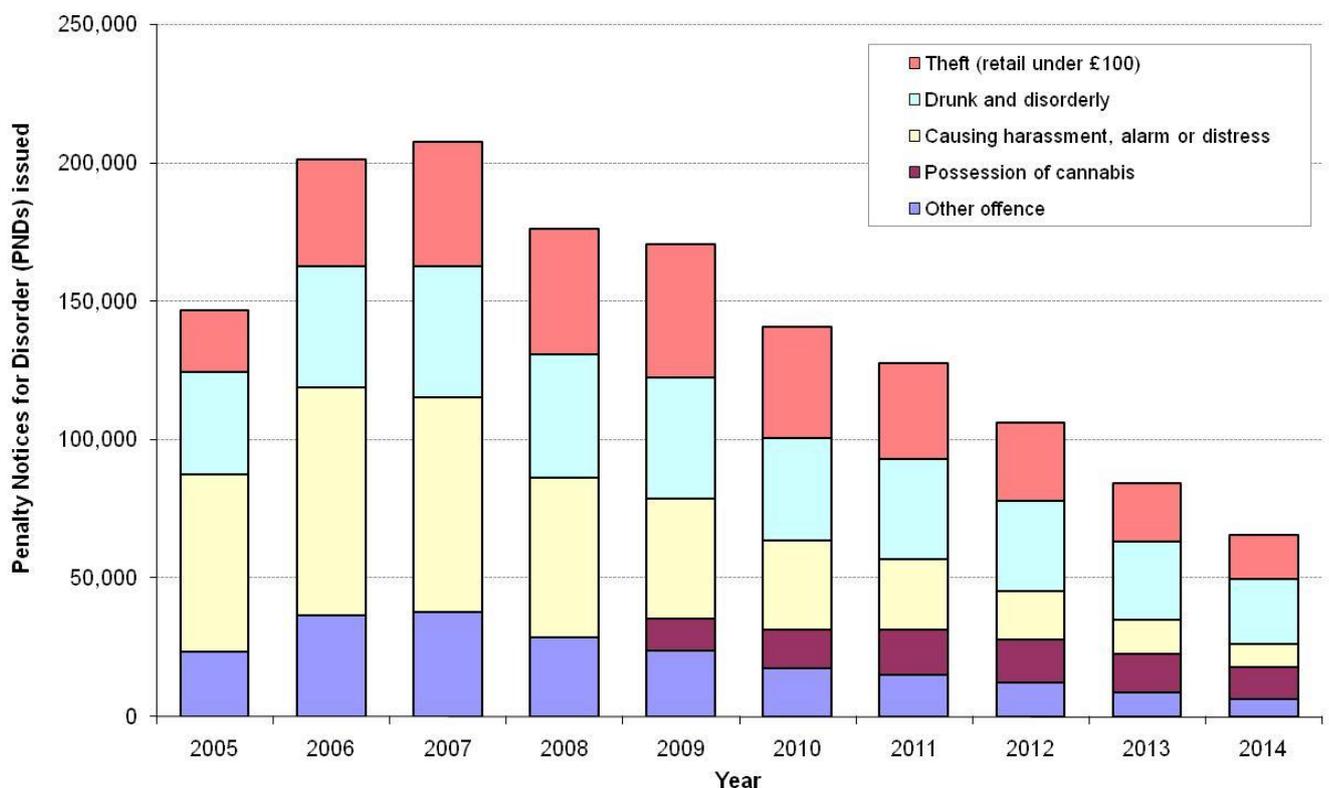
In 2014, similar to 2013, four offences accounted for about 90% of all PNDs issued namely:

- 'Drunk and disorderly' (23,700),

- 'Retail theft of goods under the value of £100' (15,700),
- 'Possession of cannabis' (11,400),
- 'Behaviour likely to cause harassment, alarm or distress' (8,200).

PNDs issued for the possession of cannabis decreased for the third year running since the peak of 2011 (16,300) to 11,400 in 2014. The same has been seen in cannabis warnings which have decreased year on year since 2008 peak (108,300) to 50,300 in 2014. One new PND offence was introduced from 24 June 2014 - 'Khat possession. Ten PNDs were issued for Khat possession in 2014.

Figure 2.4: Penalty Notices for Disorder issued, 2005 to 2014



Once a PND has been issued the recipient has 21 days, the Suspended Enforcement Period (SEP)⁹, 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 2014, 51% PNDs were paid in full – an increase of two percentage points compared with 2013. 34% of all PNDs issued in 2014 were registered for a fine whilst 13% of were cancelled.

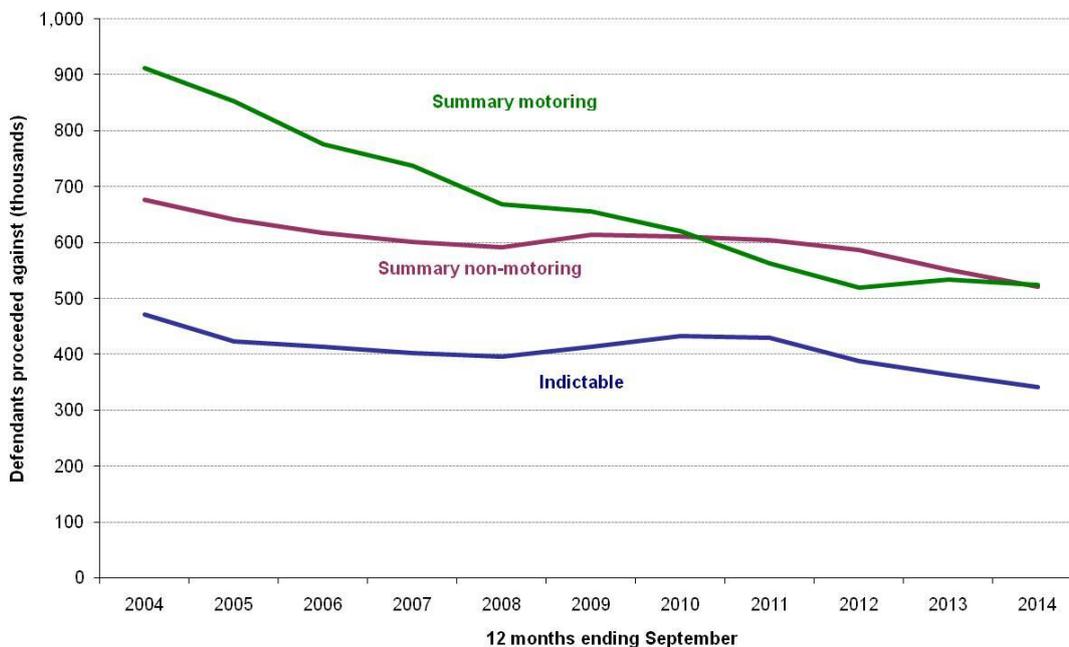
⁹ In 2012, a number of forces moved to a new system for reporting data on PNDs issued and their outcomes. Due to technical problems, for these forces, it is not possible to separate between those PNDs paid in full within 21 days and those paid in full outside the 21 day period in 2012 and 2014. Also due to technical problems there is a backlog of unprocessed PND payments which has resulted in a very large figure for "outcome unknown".

3. Court Proceedings and Convictions

Virtually all criminal court cases start in a magistrates' court and less serious offences can be handled entirely within this court. In 2014 there were 1.47 million defendants proceeded against at the magistrates' courts, a 2% increase compared with 2013. Prior to this prosecutions had declined almost year on year between 2004 and 2013, particularly driven by decreases in prosecutions for summary motoring offences.

The increase from 2013 to 2014 occurred across both summary non-motoring and summary motoring offences. For the former this true for several offences while the main drivers for the increase in summary motoring cases were speeding offences as well as particular vehicle offences. The latter type of offences includes keeping a vehicle which does not meet insurance requirements which became a criminal offence in 2011 as part of the Continuous Insurance Enforcement and has increased year on year to be the fifth most common summary motoring offence in 2014.

Figure 3.1: Defendants proceeded against at magistrates' courts by type of offence, 2004 to 2014



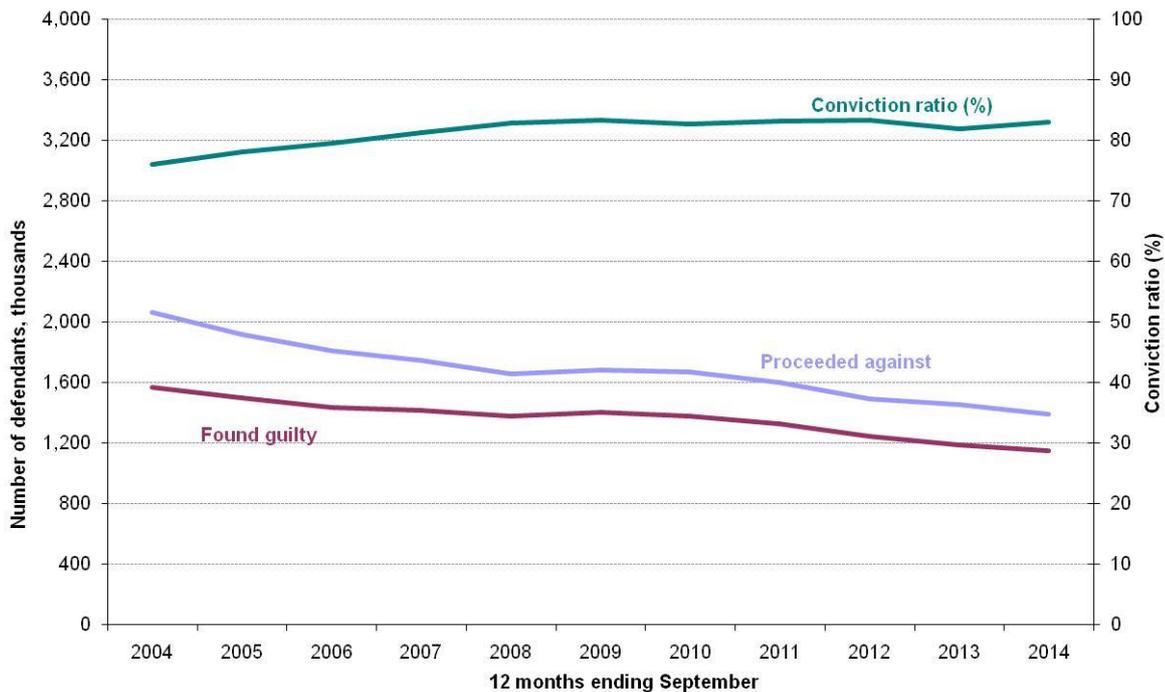
Conviction ratios and volumes

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. 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 previous year. Further, defendants may be found guilty of a different offence to that for which they were originally proceeded against.

In line with prosecutions the number of offenders found guilty at all courts broadly declined between 2004 and 2013, however increased in the latest year. The decline in convictions between 2004 and 2008 was not as steep as for proceedings, therefore the conviction ratio increased from 77 in 2004 to 83 in 2008, and has since remained broadly stable, ranging between 82 and 83. The complex nature of the CJS means there are a number of possible factors contributing to this change in the conviction ratio over time – 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 3.2: Prosecutions at magistrates’ courts and convictions at all courts, with conviction ratio, 2004 to 2014



Indictable offences

The number of defendants prosecuted for an indictable offence fluctuated between 2004 and 2010 after which it has fallen. The largest decreases were for theft, drug offences, miscellaneous crimes and violence against the person offences albeit the later increasing between 2013 and 2014.

The greatest proportion of indictable prosecutions and convictions are for theft offences. A high proportion can be accounted for by shoplifting offences which represented 58% of all indictable theft prosecutions in 2014. The proportion of defendants prosecuted for shoplifting is higher now than it has been over the past 11 years increasing by 7 percentage points between 2011 and 2014 despite overall numbers falling during this period. 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 broad increases in prosecutions for drug offences, sexual offences and public order offences during this period. They have increased by 30%, 25% and 10% respectively. Most prosecutions for drug offences concern cannabis and its derivatives. For example the drug offence for which defendants are most commonly prosecuted for is having possession of cannabis and its derivatives, the number prosecuted in 2014 was double that

in 2004. The increase in cannabis related prosecutions is in contrast to reductions in cannabis warnings PNDs and cautions issued for the possession of cannabis.

The highest conviction ratios for indictable offences in 2014 were for public order offences, drug offences and theft offences.

Cases heard in the Magistrates' courts and Crown Court

There are two types of offence that may be sent by a magistrate to be tried in 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 Court¹⁰. Triable-either-way offences can be dealt with at the magistrates' courts or the Crown Court, and the magistrates' courts will decide whether it can deal with the case or whether it needs to be sent to the Crown Court

In 2014, 80% of defendants proceeded against at magistrates' courts were dealt with entirely within the magistrates' court and 7% 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.

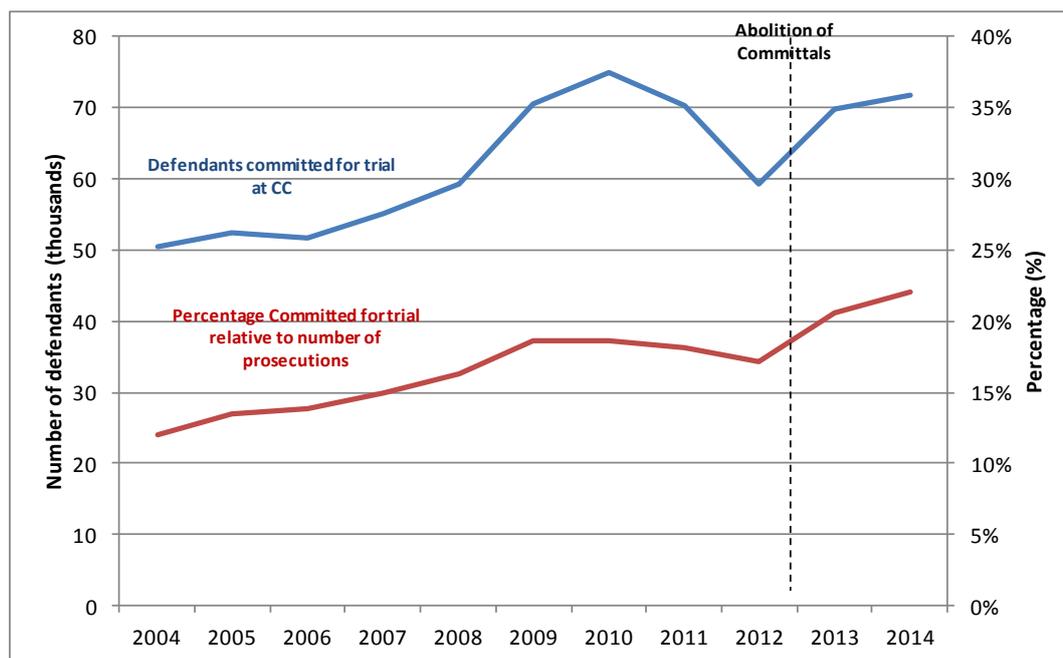
Defendants sent for trial to the Crown Court accounted for a greater proportion of all proceedings in 2014 at 7% compared with 4% in 2004. A high proportion of these were for either-way offences and this has increased gradually from 64% to 72% over the same period.

The abolition of committal hearings was introduced nationally on the 28th May 2013 as part of wider measures to speed up justice and improve efficiencies in the justice system¹¹. This resulted in cases 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. Prior to the abolition the number of defendants committed for trial had fallen in the two years previous however since its introduction this has increased year on year albeit at a slower rate between 2013 and 2014.

¹⁰ Note the youth court can deal with all offences committed by a child or young person (someone aged 10-17 years old), subject to the following exceptions which mean that the offence must be dealt with by the Crown Court : homicide; grave crimes where the youth court has determined that, if convicted, a sentence beyond its powers should be available; firearms possession by 16-17 year olds; offences that would attract at least four years custody under the dangerousness provisions; and where it is necessary in the interests of justice to try a youth and adult together.

¹¹ www.gov.uk/government/news/faster-justice-as-unnecessary-committal-hearings-are-abolished

Figure 3.3: Defendants sent for trial for either way offences, 2004 to 2014



The number of defendants appearing in the Crown Court for trial increased between 2004 and 2010 by just over a third. Since then, the number of defendants tried at the Crown Court had been declining due to both falls in the number of proceedings as well as in the proportion sent for trial, however this also increased to 85,900 in 2014 from 82,600 in 2013. This increase is mirrored in caseload statistics¹² presenting volumes of disposals at the Crown Court.

Conviction trial rate

The conviction trial rate is the number of offenders convicted divided by the number of offenders tried.

A higher proportion of offenders that are tried at the Magistrates court go on to be convicted compared with offenders at the Crown Court. For example in 2014 the conviction trial rate was 98% at the Magistrates Court this compares with 82% at the Crown Court. The difference in the rate is likely to be due to the different nature of offences that are dealt with at each court. At both types of court the conviction trial rate has broadly increased meaning that in 2014 a trial is more likely to lead to a conviction than in 2004.

Juvenile and Adult proceedings¹³

The number of prosecutions for juvenile defendants has decreased by over two thirds in the past 11 years, greater than for adults which broadly fell by just under a quarter over the same period. It has led to juveniles accounting for a smaller proportion of all defendants prosecuted at the magistrates' court falling from 7% in 2004 to 3% in 2014. The recent

¹² See Table 3.2 in 'Court statistics (quarterly)' bulletin, published on the Ministry of Justice website: www.gov.uk/government/statistics/criminal-court-statistics-quarterly-october-to-december-2014

¹³ Statistics for gender and race in the Criminal Justice System can be found at the following links www.gov.uk/government/collections/women-and-the-criminal-justice-system www.gov.uk/government/collections/race-and-the-criminal-justice-system

increase in the overall number of prosecutions between 2013 and 2014 has been evident for adults however juvenile numbers have continued to fall.

The number of young adults (18-20 years of age) prosecuted at the magistrates' courts has declined by over a half in the past decade leading to this age group accounting for a smaller proportion of all adult defendants.

The falling number of juvenile prosecutions has been evident across all offence groups, but they continue to be most commonly prosecuted for summary non-motoring offences. This offence group has accounted for between 33% and 39% of all juvenile prosecutions over the past 11 years.

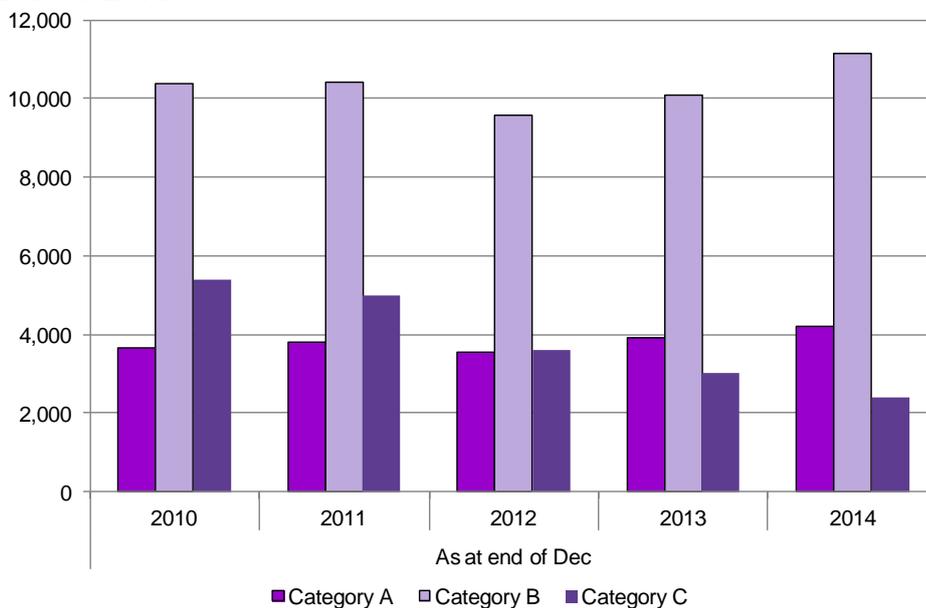
Similarly to proceedings the number of convictions for juvenile offenders has decreased by over two thirds in the past 11 years this compares to just under a fifth for adults over the same period.

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 summonsed or granted bail at an earlier stage. In the latest year¹⁴, police forces in England and Wales received a total of 70,000 FTA warrants from the courts, of which 85% were executed.

The number of outstanding FTA warrants fell year-on-year, between the end of December 2008 and the end of December 2012. However, in more recent years, increases have been noted. There were a total of 17,800 FTA warrants outstanding at the end of December 2014, an increase of 4.5% compared with the position at the end of December 2013.

Figure 3.4: Number of outstanding Failure to Appear warrants, as at end of December 2010 to 2014



¹⁴ Figures include data from Lincolnshire constabulary for up to and including Q3 2014. Q4 2014 figures were unavailable.

4. Remands

Police remands are 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. In the latest year, there were 1.53 million defendants directed to appear at magistrates' courts (including those who failed to appear). The proportion of defendants remanded in custody by the police was 11% in the latest year, remaining broadly stable with the previous five years when this varied between 11% and 12%. The proportion of defendants arrested and bailed by police decreased to 27% in the latest year, from 29% in the previous year, whilst the proportion being summonsed increased from 60%, to 62%.

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 the latest year, bail was granted to 22% of defendants proceeded against at magistrates' courts, while 5% were remanded in custody and the remaining 74% had their case concluded at the magistrates' courts without being remanded.

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 37% (up from 35% in the previous 12 month period) and the proportion remanded on bail was 47% (the same as the previous 12 month period). Of those remanded in custody at the Crown Court, 71% were convicted and sentenced to immediate custody (compared to 73% in the previous year).

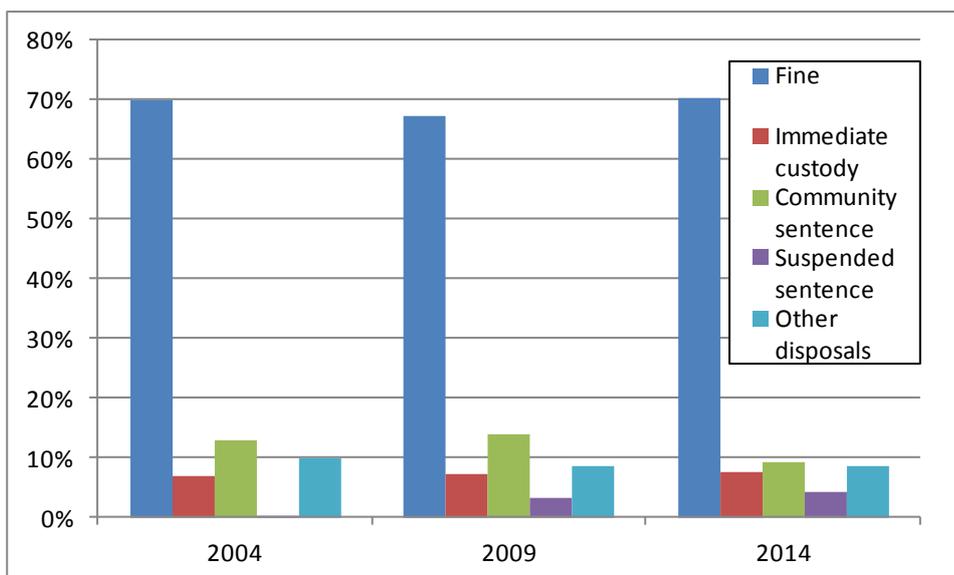
5. Sentencing

In 2014, there were 1.22 million offenders sentenced following a criminal conviction, 3% more than the previous year. This reflects that more defendants are being proceeded against and more found guilty over the same period.

The most common sentence given to all offenders at all courts is a fine, accounting for 70% of offenders sentenced in 2014. This is due mainly to the large number of fines issued for summary offences at the magistrates' courts. 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 about three quarters of all sentences issued in 2014.

Overall, the way in which offenders have been sentenced has remained broadly consistent over the last decade, with around two thirds of offenders being sentenced to a fine in the 2004 to 2014 period.

Figure 5.1: Sentencing outcomes (percentages of all offenders sentenced) at all courts, from 2009 to 2014

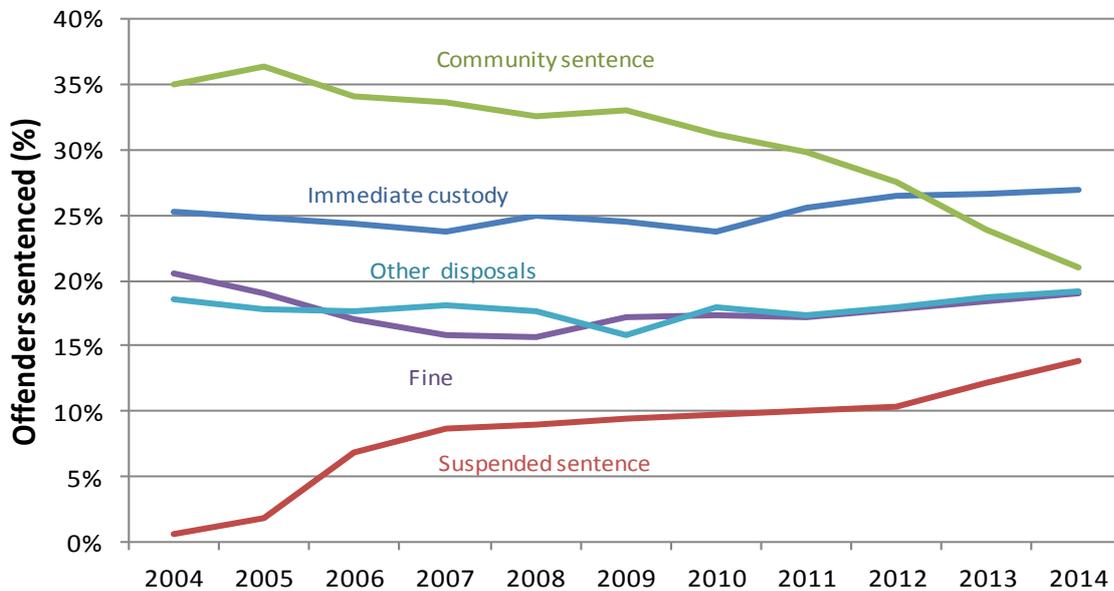


Indictable offences

A different distribution is observed for indictable offences. The most common sentence in 2014 for indictable offences was immediate custody, accounting for 27% of the total sentenced. In comparison, 21% of offenders received community sentences, 19% a fine, and 14% a Suspended Sentence Order (SSO)

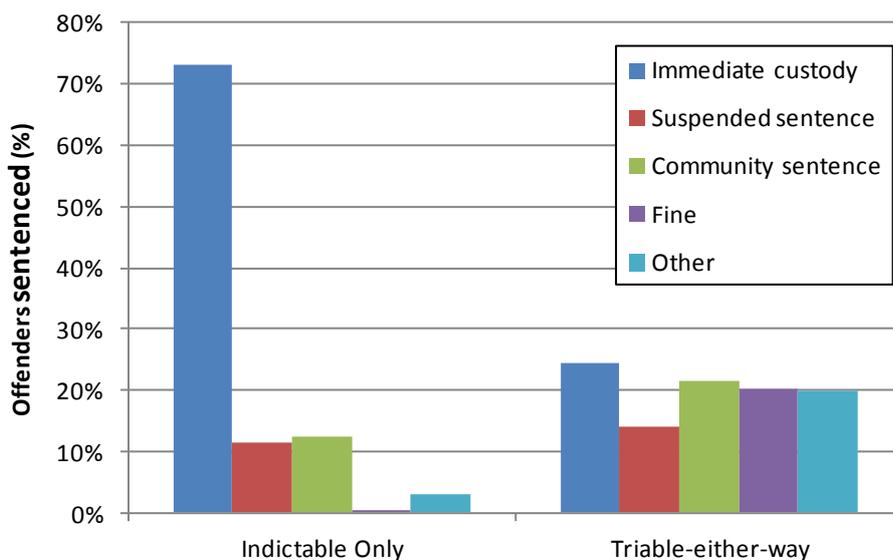
The proportion of community sentences has decreased steadily since 2009. By contrast, the use of suspended sentence orders (SSOs) increased year on year since 2005. These changes come as a result of the Criminal Justice Act 2003, which made SSOs more readily available. More recently, the Legal Aid Sentencing and Punishment Offenders Act 2012 made further changes to the availability of SSOs, contributing to a 22% increase in SSOs for indictable offences between 2012 and 2014 (10% increase in the most recent year).

Figure 5.2: Sentencing outcomes (percentages of all offenders sentenced) at all courts, from 2004 to 2014



Within the indictable offence category, there were also differences in the distribution of sentences between those sentenced for an indictable only offence and those sentenced for a triable-either-way offence. In 2014, 73% of offenders sentenced for an indictable only offence were sentenced to immediate custody, 12% to community sentences and 11% to a Suspended Sentence Order (SSO), reflecting the severity of the offences involved. In contrast, 24% of offenders sentenced for a triable either way offence were sentenced to immediate custody, 21% to a community sentence and 20% a fine.

Figure 5.3: Sentencing outcomes for indictable only and triable-either-way offences, 2014



Immediate Custodial Sentences

The number of persons given an immediate custodial sentence decreased by 2% between 2013 and 2014, reflecting a slight fall in the overall immediate custody rate.

However, the custody rate for indictable offences in 2014 was 27%, the highest in the period from 2004 to 2014 and it has increased in each year since 2010. The custody rate remains highest for robbery (66%), sexual offences (59%) and violence against the person offences (42%).

The average custodial sentence length (ACSL), which excludes life and indeterminate sentences, has increased over the last decade, particularly between 2012 and 2013 when it increased by 1.0 months. In the most recent year the ACSL increased by 0.1 months from 15.5 months in 2013 to 15.6 months in 2014.

The large increase in the ACSL between 2012 and 2013 can largely be attributed to the LASPO Act, which was passed on 3rd December 2012, which abolished IPPs and Extended Sentence for Public Protection (EPP) and replaced them with new Extended Determinate Sentences (EDS). EDSs are included within the ACSL calculation, whilst IPPs and EPPs were previously excluded.

As well as the introduction of the LASPO Act there are several other factors that have contributed to the increase in ACSL over the last decade, from 12.9 months in 2004 to 15.6 months in 2014:

- A change in the case-mix of people getting custodial sentences. In 2004 indictable offences, (which have a higher ACSL compared with summary offences) accounted for 75% of all immediate custodial sentences compared with 83% in 2014.
- 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).
- 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.

Offenders sentenced for sexual offences have a consistently higher ACSL. In 2014, the ACSL was 62.0 months, compared with 59.1 months in 2013 and 40.0 months in 2004.

Due to recording issues, an estimate has been made, using both sentencing and prison population data, of the number of persons sentenced to immediate custody since 3rd December 2012 who were given an EDS. The best current estimate is that 1,359 offenders were sentenced to an EDS between 3rd December 2012 and 31st December 2014, with an ACSL of 8.2 years.

6. Motoring offences

The number of prosecutions for all motoring offences has increased by 4.5% over the last year, from 566,000 in 2013 to 591,000 in 2014.

The largest increases were seen in speed limit offences (a 26% increase in prosecutions from 127,000 in 2013 to 159,000 in 2014) and vehicle insurance offences (an 8% increase in prosecutions from 134,000 in 2013 to 144,000 in 2014).

Most other offences saw decreases. The offence group with the largest decline was vehicle registration and excise licence offences, which fell by 16%, from 71,000 in 2013 to 60,000 in 2014. Drink-driving, careless driving, using a mobile phone whilst driving and driving licence offences also all saw decreases.

The majority of the most serious motoring offences saw decreasing prosecutions over the last year, but causing death by dangerous driving saw an increase from 144 prosecutions in 2013 to 176 in 2014, reversing the decreasing trend observed since 2007. Causing death by careless driving saw a decrease from 234 in 2013 to 205 in 2014.

Prosecutions for causing serious injury by dangerous driving (introduced as an offence for the first time in December 2012) more than doubled, from 92 prosecutions in 2013 to 212 in 2014.

Overall, the custody rate for all motoring offences remained stable at around 1% from 2013 to 2014, although it increased slightly for causing death by careless driving under the influence of drink or drugs (93% to 96%), causing death by careless driving (28% to 30%) and causing serious injury by dangerous driving (64% to 73%).

The use of fines as a sentence outcome increased from 93% to 94% of principal disposals from 2013 to 2014.

The total number of offenders disqualified continued to decrease from 65,000 in 2013 to 58,000 in 2014, but the total number of offenders endorsed without disqualification (i.e. receiving points only) increased for the first time since 2009, from 291,000 in 2013 to 311,000 in 2014, an increase of 7%.

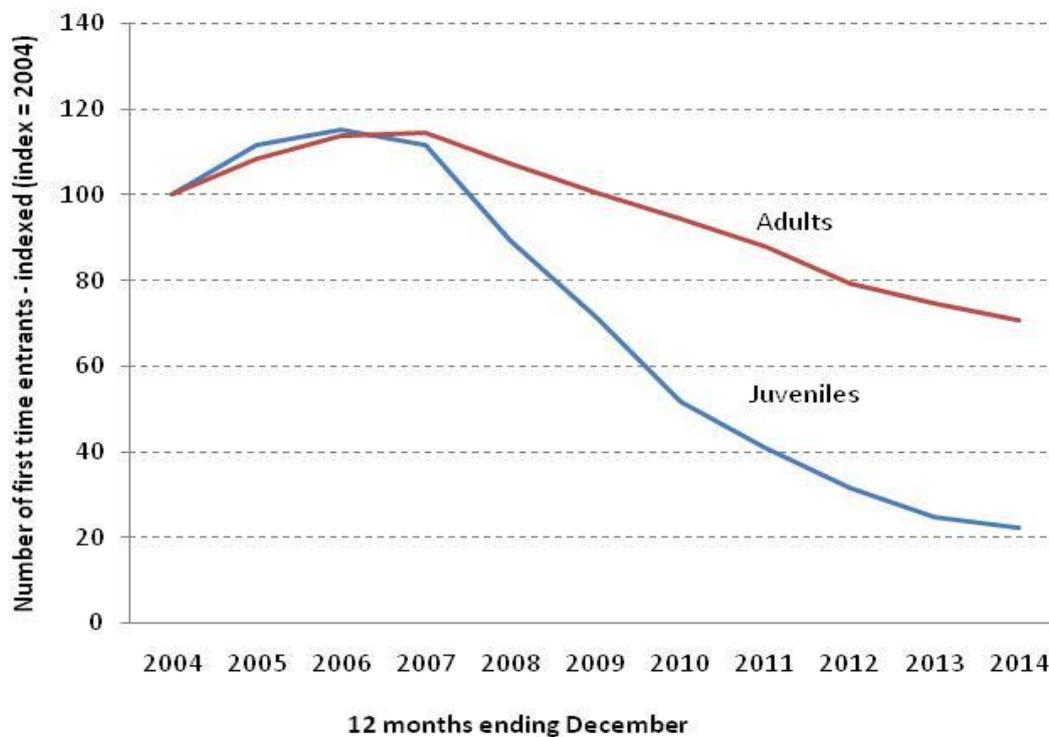
7. Offending Histories

First Time Entrants (FTE)

A first time entrant (FTE) to the criminal justice system is an offender residing in England and Wales at the time of the offence, who has been recorded on the Police National Computer (PNC) by an English or Welsh police force as having received their first conviction, caution or youth caution¹⁵.

The number of new entrants to the criminal justice system has continued to fall since its peak in 2006. This decline has been much sharper for juveniles than for adults; however during 2014 the decline slowed for both groups of offenders.

Figure 7.1 Change in number of juvenile and adult first time entrants to the criminal justice system, 2004 (index=100) to 2014



Criminal Histories

An offender's criminal history counts the number of occasions on which an offender has previously received a conviction, caution or youth caution for any offence and has been recorded on the PNC, including some offences committed outside of England and Wales¹⁶.

In 2014 the number of offenders with no previous convictions and cautions sentenced for indictable offences increased by 4%, with increases in all the main offence types except, robbery, theft and criminal damage.

¹⁵ Offences resulting in a Penalty Notices for Disorder are not counted as first offences.

¹⁶ Where there were multiple offences on the same occasion, only the primary offence as recorded on the PNC would be counted.

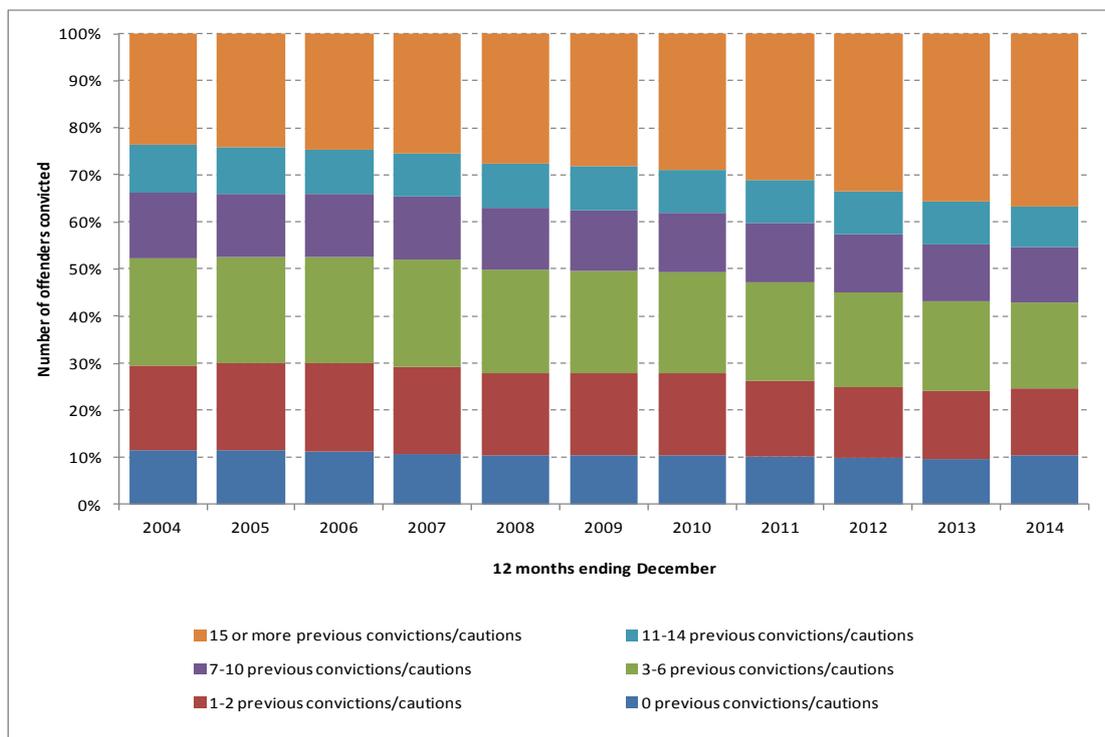
Following a ruling by the Court of Appeal in January 2013 there was a change in the rules that govern the disclosure of spent cautions and convictions under the Exceptions Order to the Rehabilitation of Offenders Act 1974. From May 2013 ex-offenders are no longer required to disclose certain old and minor spent cautions or convictions. For those convicted in 2013 there is the potential of around 86,000 offenders who could be covered by this rule in the future.

In the latest period just over 102,600 adult offenders convicted of an indictable offence had 15 or more previous convictions or cautions (long criminal records - on average 33 previous sanctions). Around 2 in every 5 adults convicted had a long criminal record compared to just under a quarter in the same period 10 years ago. However during recent years there has been a decline in prolific offenders. Offender's progressing from their 15th to their 16th conviction or caution has declined since 2009, and during 2014 there was also a fall in the number of offenders with 16 or more previous convictions or cautions.

Two-fifths of those convicted of an indictable offence with 15 or more previous convictions and cautions were convicted for offences related to theft – by comparison, only 23% of those with no previous convictions or cautions were convicted for theft offences.

For those convicted of a sexual offence in 2014, just under half also had a first offence for the same offence category and for just 5% of offenders all of their previous convictions and cautions were for sexual offences.

Figure 7.2 Percentage of offenders convicted of indictable offences, by number of previous convictions or cautions, 2004 to 2014



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 the latest period, 39% of adults with 15 or more previous convictions or cautions received an immediate custodial sentence compared to 12% for adults with no previous history of offending. The equivalent figures for juveniles were 37% and 2% respectively.

The most common disposal given in the latest period for offenders committing an indictable offence with no previous criminal history was a caution, with this accounting for 69% of juveniles in this group and 56% of adults.

Despite having long criminal records there has been a 35% increase in adults with 15 or more previous convictions or cautions receiving a suspended sentence following a conviction for an indictable offence. This rise was driven by theft and public order offences and nearly two-fifths of previous offences committed by offenders with 15 or more previous convictions or cautions were theft offences.

The increase seen in the number of suspended sentences, especially for the offenders with 15 or more previous convictions or cautions coincided with changes made under LASPO, which allowed judges to suspended custodial sentence of up to 2 years.

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:

<http://www.justice.gov.uk/downloads/statistics/mojstats/statistics-revisions-policy.pdf>

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 December 2014. 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, interactive data tools 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:

www.gov.uk/government/statistics/criminal-justice-statistics-quarterly-december-2014

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