



Ministry  
of Justice



# **Criminal Justice Statistics Quarterly Update to March 2015**

## **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 (April 2014 to March 2015) with accompanying commentary, analysis and presentation of longer term trends. The information in this publication for the first quarter of 2015 is provisional.

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<sup>1</sup>.

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 jury<sup>2</sup>; 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;
- Where a defendant is found guilty of two or more offences, the offence selected is the one for which the heaviest sentence is imposed;

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

<sup>2</sup> 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 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 are 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 offending histories section are also collected from the PNC.
- Statistics on proceedings, 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 / khat warnings, community resolutions and offences taken into consideration (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 on the [Criminal Justice Statistics: January to March 2015 page](#).

## Interpretation

This publication presents information for the **latest 12 month period (the twelve months ending March 2015)** 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 March 2015**;
- the “**previous year**” refers to the **12 months ending March 2014**; 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.

## 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 March 2015) with 1.72 million individuals dealt with in the 12 months ending March 2015.

In the latest year, however, 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 over the past decade; the first increase since the 12 months ending March 2010. The increase in defendants proceeded against in the latest year has been driven by rises in both summary non-motoring and summary motoring offences, while the number of defendants proceeded against for indictable offences has fallen.

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 the previous year.

The increased proportion of offenders sentenced for summary offences has led to a decrease in the overall custody rate from 7.9% in the previous year to 7.4% in the 12 months ending March 2015, whilst the custody rate for indictable offences has increased year on year for the past five years. The average custodial sentence length (ACSL) in the latest year was 15.9 months, an increase of 0.6 months on the previous year.

### Offending Histories

The number of first time entrants dealt with by the CJS continues to decline and fell by 54% since 2007. The reduction has been much sharper for juveniles (81% over the same period) than adults.

Around 2 in every 5 adults convicted of an indictable offence had a long criminal record compared to just under a quarter in the same period 10 years ago.

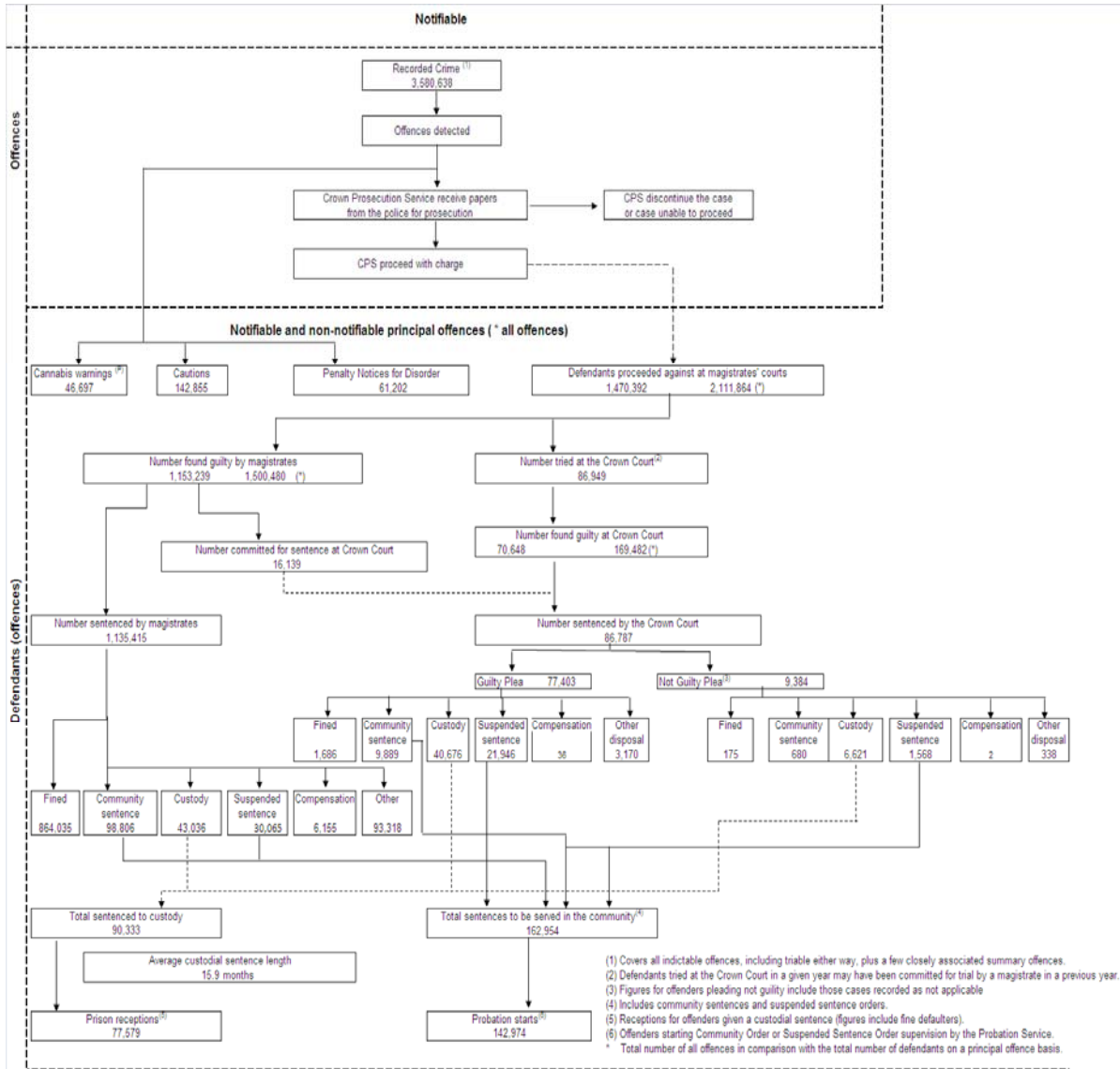
The number of adult offenders given a suspended sentence for an indictable offence increased during the 12 months ending March 2015, driven by an increase in the number of adult offenders given fully suspended sentences despite having 15 or more previous cautions or convictions.

### Sexual Offences

The number of defendants proceeded against for sexual offences are the highest in the decade and increased by 3% in the latest year. The increase in the number of defendants proceeded against is likely to be partly due to the Operation Yewtree investigation, connected to the Jimmy Savile inquiry and the resulting media attention. Offenders sentenced for sexual offences had an ACSL of 63.0 months, a rise of 4.5 months compared with the previous year.

# 1. Overview of the Criminal Justice System

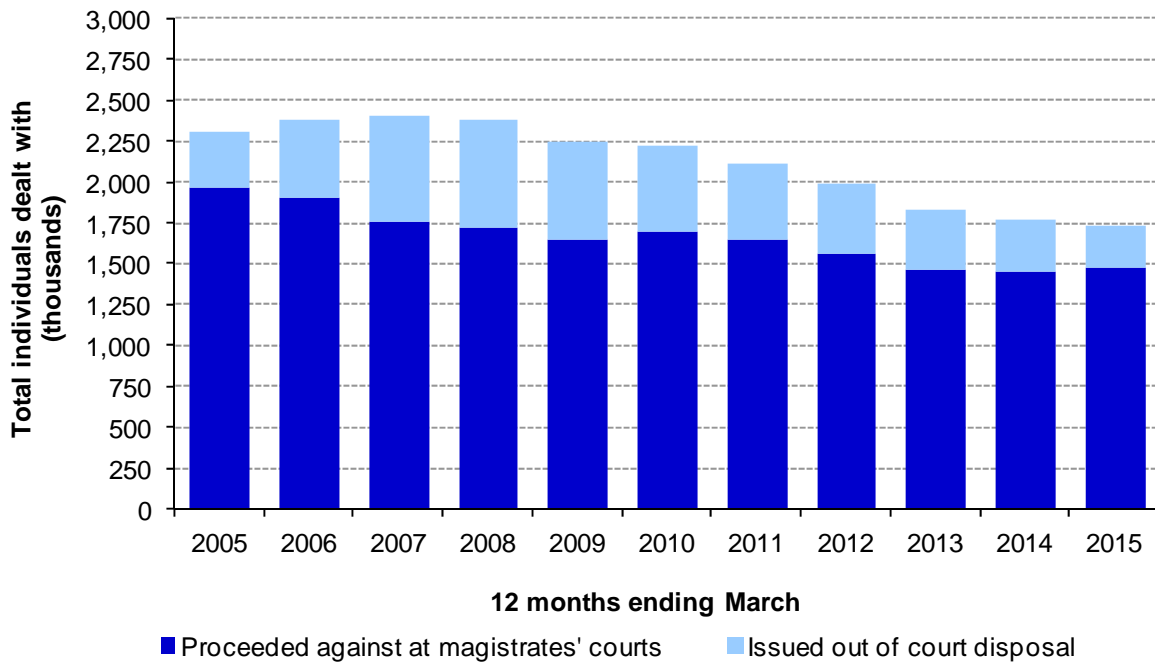
Figure 1.1: Flows through the CJS, 12 months ending March 2015



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 over the past 12 years and is now at a record low level (period 1970 to March 2015) with 1.72 million individuals dealt with in the 12 months ending March 2015.

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 the number of defendants proceeded against in the latest year has been driven by rises in both summary non-motoring and summary motoring offences, while the number of defendants proceeded against for indictable offences has fallen.

**Figure 1.2: Individuals dealt with formally by the CJS<sup>3</sup>, 12 months ending March 2005 to 12 months ending March 2015**



### Comparisons with Crime Statistics

Latest figures from the Crime Survey for England and Wales (CSEW) showed that, for the offences it covers<sup>4</sup>, there were an estimated 6.8 million incidents of crime against households and resident adults (aged 16 and over) in England and Wales in the latest year. 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 3% increase in police 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 23%). The number of defendants proceeded against for violence against the person also rose slightly, increasing by 2%, although care should be taken when making comparisons between crime data, counted on a crime basis, with MoJ data, counted on a defendant basis.

<sup>3</sup> 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.

<sup>4</sup> There are some serious but relatively low volume offences, such as homicide and sexual offences, that are not included in its main estimates. See Crime in England and Wales, year ending March 2015 [www.ons.gov.uk/ons/rel/crime-stats/crime-statistics/year-ending-march-2015/index.html](http://www.ons.gov.uk/ons/rel/crime-stats/crime-statistics/year-ending-march-2015/index.html) for more information.

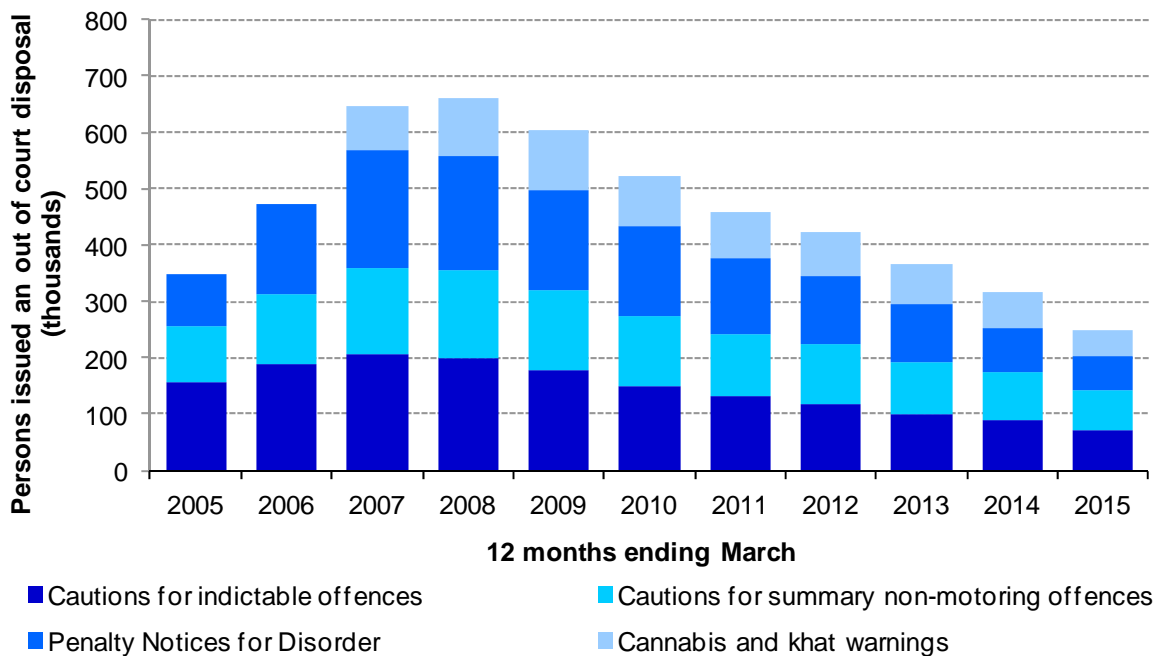


## 2. Out of Court Disposals

Out of court disposals<sup>5</sup> are sanctions that are used by the police and Crown Prosecution Service (CPS) to address offences without recourse to the courts. The out of court disposals available to the police and CPS up to the 12 months ending March 2015 included: cannabis and khat warnings<sup>6</sup>; Penalty Notices for Disorder (PNDs)<sup>7</sup>; simple<sup>8</sup> and conditional cautions<sup>9</sup>; and community resolutions<sup>10</sup>.

The use of out of court disposals (excluding community resolutions) has decreased in the 12 months ending March 2015 by 21%, with just over 250,800 individuals issued an out of court disposal. This continues the decline in the use of out of court disposals, a decrease of 61% since March 2007, which has coincided with the replacement in April 2008 of a target to increase offences brought to justice (OBTJ) with one placing more emphasis on bringing serious crimes to justice. The latter target was subsequently removed in May 2010.

**Figure 2.1: Out of court disposals issued, by disposal, 12 months ending March 2005 to March 2015**



<sup>5</sup> 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.

<sup>6</sup> Khat warnings are available from 24 June 2014.

<sup>7</sup> Since 8<sup>th</sup> April 2013, Penalty Notices for Disorder are no longer available for persons aged under 18.

<sup>8</sup> Available to adults only until 8<sup>th</sup> April 2013 at which point youth cautions were introduced, replacing reprimands and warnings for youths.

<sup>9</sup> From 8<sup>th</sup> 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 26 January 2010).

<sup>10</sup> Community resolutions statistics provided by the Home Office show those community resolutions which (with or without formal Restorative Justice) have been applied in accordance with College of Policing guidance.

## **Penalty Notices for Disorder**

There were 61,200 PNDs issued in the latest year, which represents a 22% decrease compared with the previous year. The use of PND has been decreasing year on year since the peak in the 12 months ending March 2007 when 209,400 were issued. The decrease in the number of PNDs issued followed a number of reforms. First the replacement in April 2008 to increase OBTJ with placing emphasis on bringing serious crime to justice, followed by the restriction on the use of PNDs to adults only from 8th April 2013.

## **Police Cautions and Cautioning Rate**

There were 142,900 offenders given simple and conditional cautions in the 12 months ending March 2015. This represents a 19% decrease compared with the same period a year ago. In the latest 12 months, cautions for indictable offences (including triable either way offences) decreased by 21%, to 71,600.

Cautions for theft and drug offences accounted for 73% (52,300) of all indictable offence cautions.

The number of offenders administered with a caution for sexual offences was the lowest over the past ten years. In the latest year, cautions administered for sexual offences decreased by 12% compared with the previous year and 42% compared with the 12 months ending March 2007.

The cautioning rate presents the proportion of offenders who were either cautioned or convicted that were given a caution. This gives a measure of the share of all offenders either admitting guilt or being found guilty in a given period who are dealt with by a caution out of court as opposed to being processed through the courts.

The overall cautioning rate in the latest year was 16%, which was a decline from a peak of 31% in the 12 months ending March 2007 and down from 19% in the previous year.

## **Cannabis and Khat Warnings**

Khat warnings, a new out of court disposal, can be issued to adults from 24 June 2014. There were 46,700 cannabis and khat warnings issued in the 12 months ending March 2015. The largest decline in the use of out of court disposals in the 12 months ending March 2015 has been for cannabis and khat warnings, a decrease of 26% compared with the same period a year ago.

## **Community Resolutions**

Statutory community resolutions are aimed at low-level crime and first-time offending such as minor incidents of criminal damage or low-value theft. There were 117,200 community resolutions (with or without formal restorative justice) given out in the 12 months ending March 2015. Figures on community resolutions were published by the Home Office for the first time in July 2015 and only include community resolutions given out in the 12 months ending March 2015. Community resolutions have therefore been excluded from the total number of out of court disposals within this publication. Further information about community resolutions can be obtained from the Home Office publication at the link below:

[www.gov.uk/government/statistics/crime-outcomes-in-england-and-wales-2014-to-2015](http://www.gov.uk/government/statistics/crime-outcomes-in-england-and-wales-2014-to-2015)

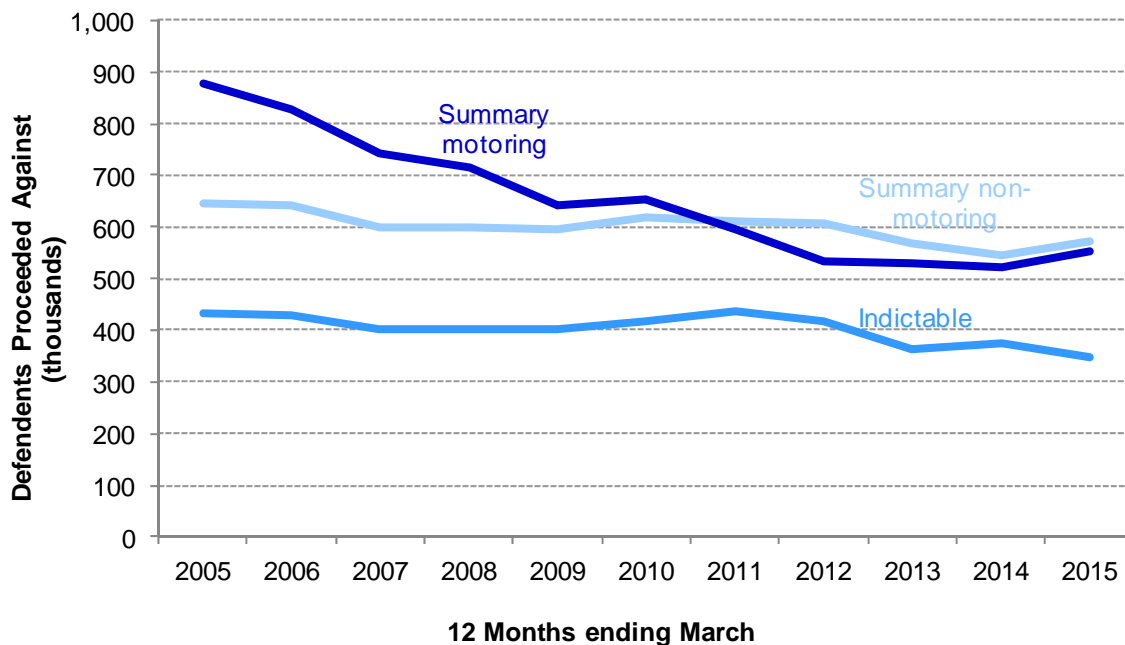
### 3. Court Proceedings and Convictions

Virtually all criminal court cases start in a magistrates' court and less serious offences can be handled entirely within this court. In the 12 months ending March 2015 there were 1.47 million defendants proceeded against at the magistrates' courts, a 2% increase compared to the previous year. Prior to this, however, the number of defendants proceeded against at magistrates' courts had been declining almost year on year since the 12 months ending March 2005. This was, in particular, driven by decreases in the number of defendants proceeded against for summary motoring offences.

The increase in defendants proceeded against since the 12 months ending March 2014 has occurred across both summary non-motoring and summary motoring offences. The main drivers for the increase in summary motoring cases were speeding offences as well as certain vehicle offences. These include keeping a vehicle which does not meet insurance requirements, which became a criminal offence in 2011 as part of the Continuous Insurance Enforcement. This offence has since increased to be the fifth most common summary motoring offence in the latest year.

Defendants proceeded against for TV licence evasion, failure to pay motor vehicle licence and common assault account for over half of those proceeded against for summary non-motoring offences in 12 months ending March 2015. The numbers of defendants proceeded against for each of these offences has increased in over this period; especially for failure to pay motor vehicle licence, which has increased by 33% from the previous year.

**Figure 3.1: Defendants proceeded against at magistrates' courts by type of offence, 12 months ending March 2005 to March 2015, in England and Wales**



#### Conviction Ratios and Volumes

Trends in the number of offenders convicted at all courts are driven by two factors, namely the number of individuals dealt with through the courts (the trend in proceedings) and the proportion of those individuals who are found guilty.

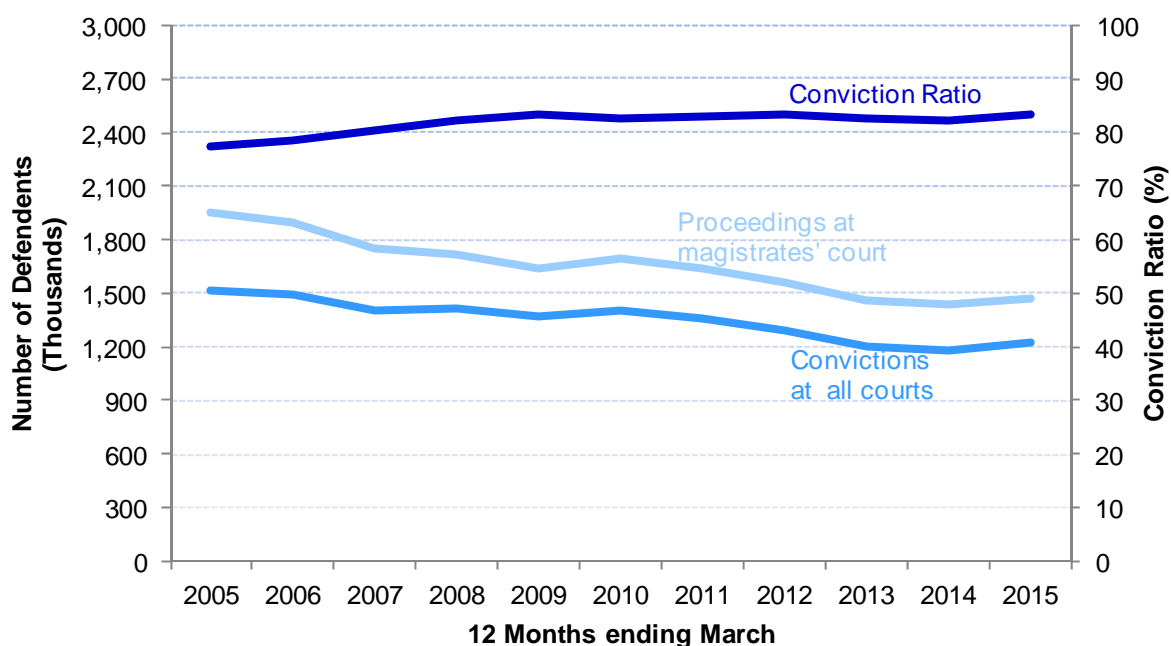
Conviction ratios are calculated as the number of offenders convicted as a proportion of the number of defendants proceeded against. This gives a measure of the relative number of defendants who are found guilty within a given year for a certain offence, when compared with the number who are prosecuted that year for the same offence. It is worth noting that offenders found guilty in a given year might have been proceeded against in a previous year. Further, defendants may be found guilty of an offence different from that for which they were originally proceeded against.

In line with proceedings, the number of offenders found guilty at all courts increased in the latest year. Prior to this year, the number of convictions had been broadly declining since the 12 months ending March 2005. The decline in convictions between the 12 months ending March 2005 and March 2009 was not as steep as the number of defendants proceeding against, therefore the conviction ratio increased from 77% to 83% over that period. It 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. Changes in guilty plea rates, the mix of cases handled in and out of court and the impacts of operational changes are all examples of this change making it difficult to separately identify the impacts of different factors.

Although the overall conviction ratio has remained relatively unchanged since the 12 months ending March 2009, the conviction ratio for summary motoring offences rose to 88% in the latest year, the highest in a decade.

**Figure 3.2: Proceedings at magistrates' courts and convictions at all courts, with conviction ratio, 12 months ending March 2005 to March 2015, England and Wales**



### Indictable Offences

Over the past five years, there has been a decline in defendants proceeded against for indictable offences (including both indictable only and triable either way offences), driven by decreases in theft, drug offences, miscellaneous crimes and violence against the person offences, although number of defendants proceeded against for violence against the person offences have increased in the latest year.

The greatest proportion of indictable proceedings and convictions are for theft offences. In the latest year, shoplifting accounted for more than half of all proceedings for theft offences. This proportion increased by 7 percentage points over the last 3 years and is now the highest it has been in a decade.

Defendants proceeded against for indictable offences have decreased since the previous year. The main contributors to this decline are theft offences, drug offences and miscellaneous crimes against society. Each has reduced by 8%, 11% and 8% respectively. Most defendants proceeded against for drug offences concern cannabis and its derivatives.

The highest conviction ratios for indictable offences in the 12 months ending March 2015 were for public order offences, drug offences and theft offences.

### **Sexual Offences**

There were 12,000 sexual offence proceedings in the 12 months ending March 2015 and 6,400 convictions over the same period; an increase of 3% on the previous year. Both the volume of proceedings and of convictions over this period are the highest in a decade.

The number of defendants proceeded against for sexual offences, in the 12 months ending March 2015, was 3% higher than in the previous year. In our previous quarterly publication, we reported a 9% increase between the 12 months ending December 2014 and the previous year. The apparent discrepancy between these figures over a three month period is due to the large and sustained increase in the number of defendants proceeded against for sexual offences occurring between the first and second quarters of 2013. The increase in the number of defendants proceeded against is likely to be partly due to the Operation Yewtree investigation, connected to the Jimmy Savile inquiry and the resulting media attention.

The number of convictions for sexual offences increased by 10% between the 12 months ending March 2015 and the previous year. The differences between changes in convictions relative to the change in proceedings may be due to the length of time between the proceeding and conviction of a sexual offence case. Therefore the changes in convictions tend to lag slightly behind the changes in proceedings for sexual offences.

### **Cases Heard in the Magistrates' Courts and Crown Courts**

There are two groups 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 Court<sup>11</sup>. Triable-either-way offences can be dealt with at the magistrates' courts or the Crown Court and a decision is made at the magistrates' court on whether the case will be dealt with there or whether it needs to be sent to the Crown Court.

In the 12 months ending March 2015, 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.

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<sup>11</sup> Note the youth court can deal with all offences committed by a child or young person (someone aged 10-17 years old), subject to some exceptions which mean that the offence must be dealt with by the Crown Court or where it is necessary in the interests of justice to try a youth and adult together.

Defendants sent for trial to the Crown Court account for a greater proportion of all proceedings in the latest year compared to a decade ago; at 7% in the latest year compared to 4% in the 12 months ending March 2005.

The number of defendants sent to Crown Court mainly consists of either way offences which accounts for 73% of the total of defendants sent to Crown Court. This has gradually increased from 65% since March 2005.

In the latest year, for either way offences, the defendants sent to the Crown Court as a proportion of defendants proceeded against reached 22% which is the highest in a decade. This is mainly due to the national implementation of the abolition of committal hearings on 28<sup>th</sup> May 2013<sup>12</sup>.

## 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 year ending March 2015, 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 26% in the latest year, from 29% in the previous year, whilst the proportion being summonsed increased from 60%, to 63%.

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 21% of defendants proceeded against at magistrates' courts, while 4% 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 36% in the previous 12 month period) and the proportion remanded on bail was 48% (compared with 47% in the previous 12 month period). Of those remanded in custody at the Crown Court, 71% were convicted and sentenced to immediate custody (down from 73% in the year ending March 2014).

## 5. Sentencing

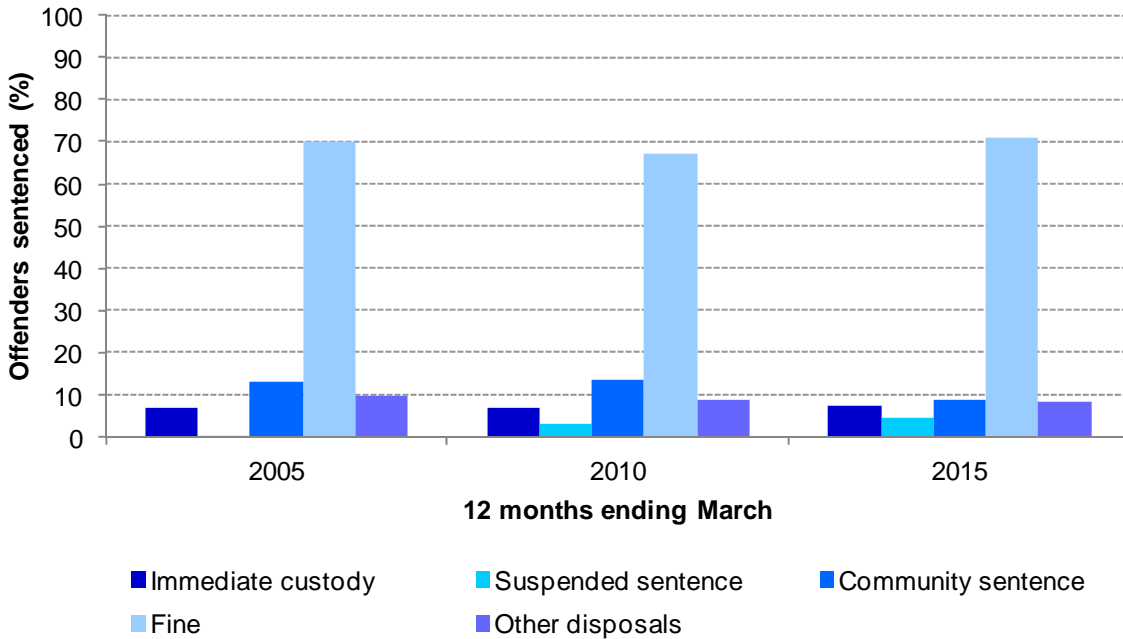
In the 12 months ending March 2015, there were 1.22 million offenders sentenced following a criminal conviction, 3% more than in the previous year. This mirrors the trends in proceedings and convictions, where more defendants were proceeded against and more were found guilty over the same period.

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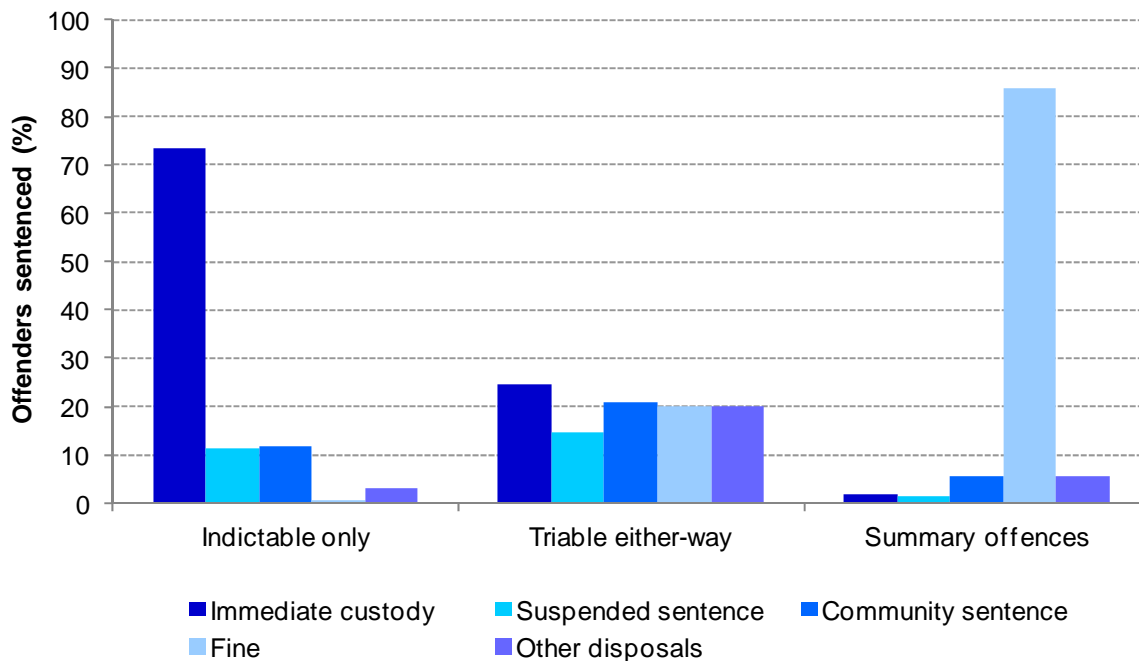
<sup>12</sup> The abolition of committal hearings was implemented nationally on the 28th May 2013 as part of wider measures to speed up justice and improve efficiencies in the justice system. This resulted in cases being sent straight to the Crown Court as soon as it was clear the matter was serious enough, rather than having to await a committal hearing. [www.gov.uk/government/news/faster-justice-as-unnecessary-committal-hearings-are-abolished](http://www.gov.uk/government/news/faster-justice-as-unnecessary-committal-hearings-are-abolished)

A fine was the most common sentence given to offenders at all courts (accounting for 71% of offenders sentenced in the latest year). 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 77% of all sentences issued in the latest year.

**Figure 5.1: Sentencing outcomes (percentage of all offenders sentenced) at all courts, 12 months ending March 2005 to 12 months ending March 2015**



**Figure 5.2: Sentencing outcomes for indictable only, triable-either-way and summary offences (motoring and non-motoring) in the twelve months ending March 2015**

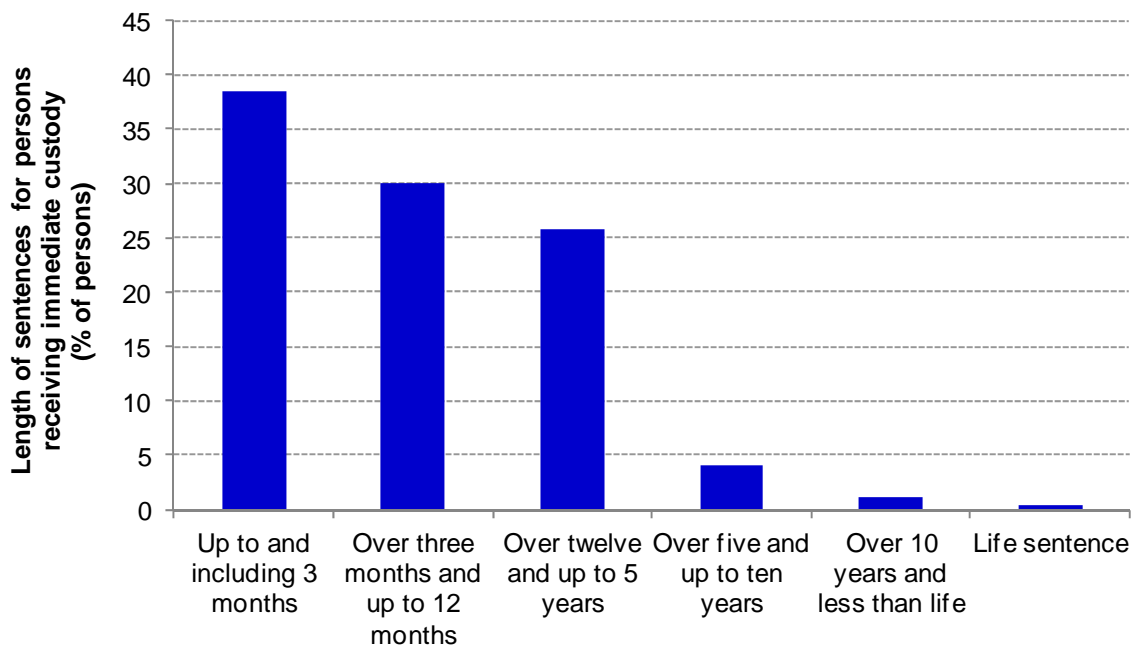


## Immediate Custodial Sentences

While the overall custody rate (the proportion of all persons sentenced receiving immediate custody) has decreased from 7.9% to 7.4% in the latest year, the custody rate for indictable and triable-either-way offences has increased from 26.7% to 27.3% in the same period.

Over two-thirds of immediate custodial sentences at all courts are less than or equal to 12 months, while less than 2% of persons receive a custodial sentence of longer than 10 years. While the number of life sentences has varied very little, the number of indeterminate sentences for Public Protection (IPPs) has declined steadily since March 2008, as their use had been restricted by the Criminal Justice and Immigration Act (CJIA), before being abolished in 2012 by the Legal Aid Sentencing and Punishment Offenders (LASPO).

**Figure 5.3: Length of sentences for persons receiving immediate custody, 12 months ending March 2015**



The average custodial sentence length (ACSL) for all offences excluding life and indeterminate sentences has risen steadily from 12.4 months in the twelve months ending March 2008 to 15.9 months in the latest year. In the latest year, the ACSL rose by 0.6 months from 15.4 months in the twelve months ending March 2014 to 15.9 months in the twelve months ending March 2015.

Several factors may have contributed to this increase:

- A change in the case-mix of people getting custodial sentences. In the 12 months ending March 2008 indictable offences, (which have a higher ACSL compared with summary offences) accounted for 78% of all immediate custodial sentences compared with 83% in the latest year.
- 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 Legal Aid Sentencing and Punishment Offenders (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), which are included in the ACSL calculation. Furthermore it legislated that adult offenders will receive mandatory life sentences for a second serious sexual or violent offence.
- 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 30<sup>th</sup> November 1999, have been used increasingly in the last decade.

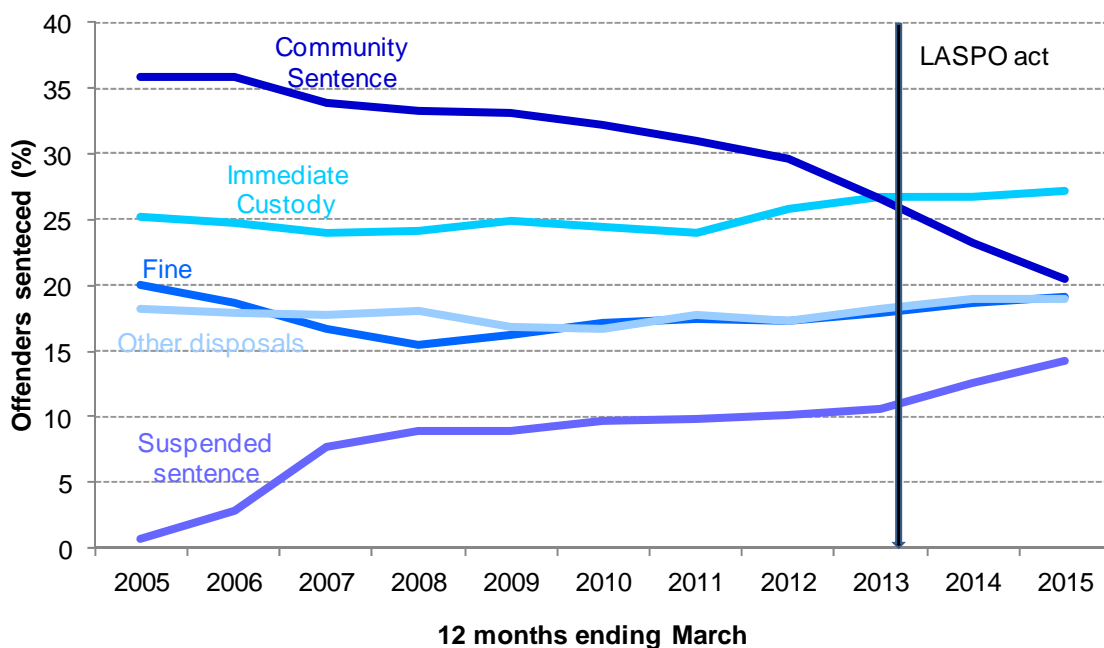
The custody rate for indictable offences (indictable only and triable-either-way) in the latest year was 27.3%, the highest in the decade and has increased year on year from 24.0% in the twelve months ending March 2011. Offences that have seen an increase in the custody rate include robbery, criminal damage and arson, possession of weapons and drug offences, with criminal damage and arson showing the largest increase of 7 percentage points.

The average sentence length (ACSL) for indictable offences has risen consistently since the twelve months ending March 2011, from 16.4 months to 18.7 months in the twelve months ending March 2015.

### Indictable Offences (indictable only and triable either way)

The most common sentence in the latest year for indictable offences was immediate custody (that is, to prison or other form of secure detention), accounting for 27% of the total sentenced for indictable offences. In the latest year, 21% of offenders sentenced for indictable and triable-either-way offences received community sentences, 19% a fine, and 14% a Suspended Sentence Order (SSO).

**Figure 5.4: Trends in sentencing outcomes for indictable and triable-either-way offences in all courts, in the twelve months to March 2005 to March 2015**



The proportion of offenders sentenced to community sentences has decreased steadily since 2009. By contrast, the use of suspended sentence orders (SSOs) increased year on year since 2005. These changes came as a result of the Criminal Justice Act 2003, which made SSOs more readily available. More recently, the Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act in 2012 made further changes to the availability of SSOs, resulting in a 15% increase in SSOs for indictable and triable-either-way offences between ending March 2012 and March 2015.

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 the latest year, 73% of offenders sentenced for an indictable only offence were sentenced to immediate custody, 12% to community sentences and 12% to a Suspended Sentence Order (SSO), reflecting the severity of the offences involved. In contrast, 25% of offenders sentenced for a triable either way offence were sentenced to immediate custody, 21% to a community sentence and 20% a fine.

### **Sexual Offences**

Offenders sentenced for sexual offences received an ACSL of 63.0 months, a rise of 4.5 months compared to the previous year. The ACSL for sexual offences increased steadily during the last decade, from 40.9 months in the 12 months ending March 2005, an increase of 22.1 months in this period.

### **Summary Offences**

While the number of offenders sentenced for indictable and triable either way offences declined in the 12 months since the end of March 2014, the number sentenced for summary motoring and summary non-motoring offences increased. This is mainly due to an increase in speed limit, vehicle insurance and TV licence offences. Other non-motoring summary offences that continued to rise during the year and the last decade include littering and truancy. The most common sentence for summary offences was a fine, accounting for 86% of those sentenced in latest year.

## **6. Offending Histories**

### **First Time Entrants (FTE)**

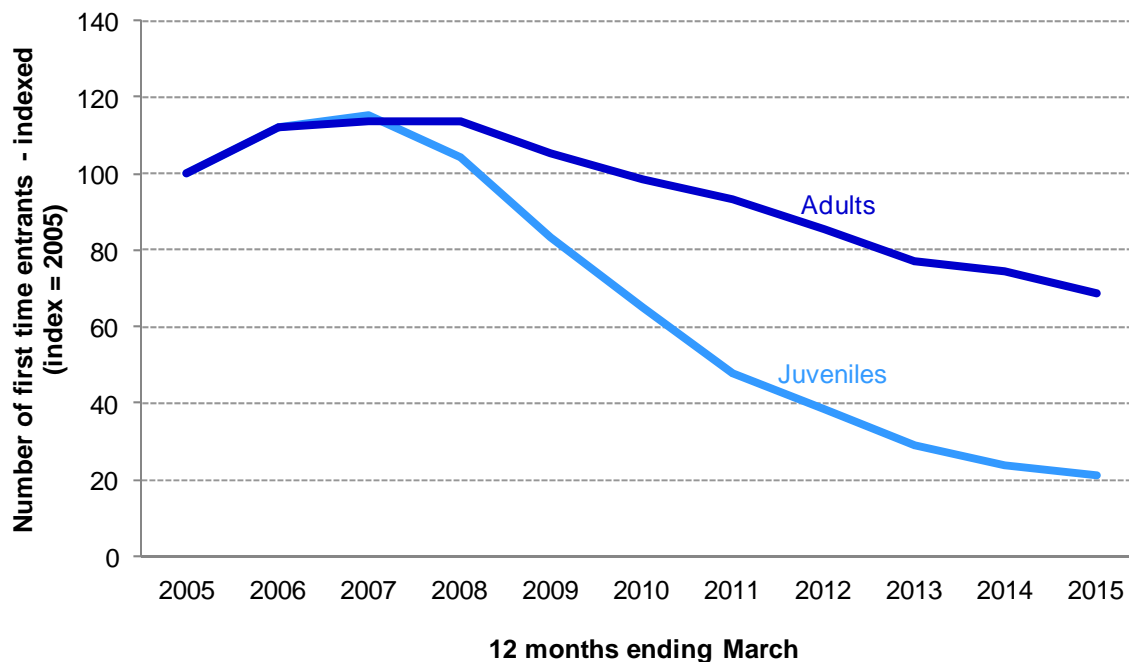
A first time entrant (FTE) to the criminal justice system is an offender residing in England and Wales at the time of the offence, who has been recorded on the Police National Computer (PNC) by an English or Welsh police force as having received their first conviction, caution or youth caution<sup>13</sup>.

The number of first time entrants dealt with by the CJS continues to decline and fell by 54% since its peak in 2007. The reduction has been much sharper for juveniles (81% over the same period) than adults; however during the 12 months ending March 2015 the decline slowed for both groups of offenders.

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<sup>13</sup> Offences resulting in a Penalty Notices for Disorder are not counted as first offences.

**Figure 6.1 Change in number of juvenile and adult first time entrants to the criminal justice system, 12 months ending March 2005 (index=100) to 12 months ending March 2015**



### 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 Wales<sup>14</sup>. This count differs from FTEs because all offenders prosecuted by an English or Welsh police force, irrespective of country of residence, are included.

In the 12 months ending March 2015 the number of offenders with no previous convictions and cautions sentenced for indictable offences increased by 2%. This increase has been mainly driven by a rise in the number of juvenile offenders with no previous convictions and cautions convicted for possession of weapons (550 in the 12 months ending March 2015 compared with 390 in 12 months ending March 2014).

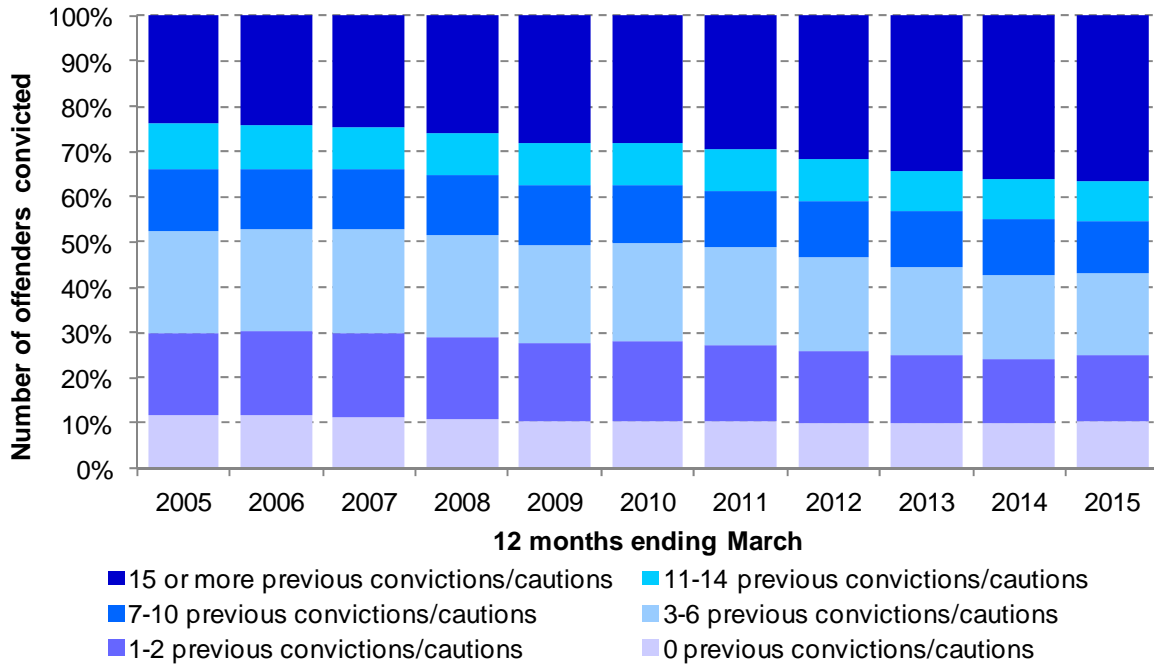
In the latest period just under 100,200 adult offenders convicted of an indictable offence had 15 or more previous convictions or cautions (long criminal records - on average 33 previous sanctions). Around 2 in every 5 adults convicted of an indictable offence had a long criminal record compared to just under a quarter in the same period 10 years ago. However during recent years there has been a decline in offenders with longer criminal records. Further investigations have shown that there has been a fall since 2009 in the number of offenders progressing from their 15<sup>th</sup> to their 16<sup>th</sup> conviction or caution. Similarly during the 12 months ending March 2015 there was a decline 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.

<sup>14</sup> Where there were multiple offences on the same occasion, only the primary offence as recorded on the PNC would be counted.

For those convicted of a sexual offence in the 12 months ending March 2015, just under half also had a first offence from the same offence category and for just 5% of offenders all of their previous convictions and cautions were for sexual offences.

**Figure 6.2 Percentage of offenders convicted of indictable offences, by number of previous convictions or cautions, 12 months ending 2005 to 12 months ending March 2015**



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 67% of juveniles in this group and 54% of adults.

Despite having long criminal records there has been a 35% increase since Q1 2013 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 offences; around 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 give 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 the bulletin relate to cases in the Crown Court and magistrates' courts in England and Wales during 12 months ending March 2015. 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

This bulletin is supported by two Excel spreadsheet workbooks and a pivot table. These workbooks can be accessed on the [Criminal Justice Statistics: January to March 2015 page](#).

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General enquiries about the statistical work of the Ministry of Justice can be e-mailed to: [statistics.enquiries@justice.gsi.gov.uk](mailto:statistics.enquiries@justice.gsi.gov.uk)

General information about the official statistics system of the UK is available from: [statisticsauthority.gov.uk/about-the-authority/uk-statistical-system](http://statisticsauthority.gov.uk/about-the-authority/uk-statistical-system)

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