



# **Criminal Justice Statistics 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 (January 2015 to December 2015) with accompanying commentary, analysis and presentation of longer term trends.

The data provides users with information about proven offending and its outcomes in England and Wales. The contents of this bulletin will be of interest to government policy makers in the development of policy and their subsequent monitoring and evaluation. Others will be interested in the way different crimes are dealt with in the CJS. Where appropriate, comparisons are made with different sources covering activity in the CJS – in particular, numbers of crimes recorded by the police, often the starting point for crimes dealt with by other CJS agencies<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 cover typically less serious offences which are almost always handled entirely in magistrates' courts when dealt with in court, with the majority being 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;

<sup>&</sup>lt;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>&</sup>lt;sup>2</sup> All offences committed by a child or young person (someone aged 10-17 years old) can be dealt with by a youth court, 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) with secondary sentences given for the principal offence and sentences for non-principal offences not being counted in the tables.

### **Consultation response on changes to Criminal Justice Statistics**

Alongside this edition of the Criminal Justice Statistics publication, we have released a separate document which responds to feedback received on potential changes to the publication. Respondents were generally positive about our suggestions, and their views have informed our changes.

#### www.gov.uk/government/consultations/changes-to-criminal-justice-statistics

Although the consultation period is now over, we always welcome comments and feedback, either on the enacted changes or more generally about how Criminal Justice Statistics can be improved. For details about how to get in touch with us, please see the feedback section at the end of this bulletin.

# **Contents of Criminal Justice Statistics (annual) publication**

We are publishing the following products as part of this release:

- This statistical bulletin, with commentary on trends in criminal justice statistics. This
  annual edition contains an additional chapter with commentary on motoring that is
  not included in the other three quarterlies.
- A technical guide providing further information on how the data is collected and processed, as well as information on legislation relevant to sentencing trends and background on the functioning of the criminal justice system.
- A set of overview tables, covering each section of this bulletin: an overview, out of court disposals, prosecutions, convictions, remand decisions, sentencing and motoring; as well as a diagram showing flows through the criminal justice system.
- A separate table showing outcome by detailed offence group, covering the wider Criminal Justice System, together with an interactive tool breaking down this information:
- A set of offending histories summary tables, alongside three data tools providing further information on first time entrants and offending histories
- Interactive data tools for: Cautions and Penalty Notices for Disorder; Prosecutions, Convictions and Remand; Sentencing; Motoring; and a further two split by court type (Crown Court and magistrates' court).
- An experimental table showing prosecutions, convictions and sentencing information at the Home Office offence code level (i.e. by individual offence or the lowest-level grouping).

- A classification guide outlining how offences are grouped in the 'detailed offence group' used in the majority of the tools.
- An infographic presenting the key findings.
- A response to our consultation on changes to Criminal Justice Statistics, launched alongside the last edition of Criminal Justice Statistics quarterly on 18<sup>th</sup> February 2016.

# Changes and revisions in this publication

Following user consultation a number of changes have been made to the presentation of data within this report compared with previous reports. More detail can be found in the consultation response, but the key changes are:

- This release shows more detailed information on remands, both in the commentary and in the interactive data tool, which will now have further breakdowns showing custodial sentence length, Criminal Justice Area and detailed offence information.
- For the first time, on an experimental basis, a new table showing prosecutions, convictions and sentencing outcomes at the Home Office offence code level has been provided.
- In past annual bulletins, information was published on the number of failure to appear (FTA) warrants received and executed in each police force area in England and Wales, by category of warrant. However there was a reduction in data availability related to the abolition of a requirement for police forces to supply this data, which made it impossible for us to continue to publish robust data. We consulted on whether users would like us to include, subject to data quality proving sufficient, court data on failures to appear. Having received some interest, we investigated the feasibility of including this but are currently unable to provide breakdowns due to concerns over their credibility. We are continuing to investigate and will publish (subject to continued user interest) if and when we are satisfied they are sufficiently robust.
- Following investigations into apparent differences in the classification of offences as summary, triable-either-way or indictable only between previous publications and other data sources, an exercise has been undertaken to reclassify a small proportion of offences in a manner more consistent with their legal basis. Compared to previous bulletins, this will result in some offences being presented in different groups, mostly from 2011 - those groups (in particular, criminal damage) may show a discontinuity between 2010 and 2011, and the underlying offences may show some apparent inconsistencies if crosstabulated with offence group or type. (For further details and a report on the impact of the change, please see the accompanying Guide to Criminal Justice Statistics.) This has been applied to cautions as well as to court outcomes and to do this, a new set of caution data from 2011 was extracted from the Police National Computer. Therefore, the total number of cautions for the years between 2011 and 2014 will differ from results published previously because they are derived from this new extract. Similarly, the application of reclassification to remands has required the extraction of new remand datasets from 2011 onwards, resulting in the numbers of defendants remanded differing slightly from those previously published.

 Due to improvements in quality assurance procedures, the number of trials, convictions and those having been committed for sentence in the Crown Court in 2011 will differ from previously published figures.

#### **Data Sources**

This report draws on data from the following data sources:

- Data on Penalty Notices for Disorder (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.
- Data on cannabis / khat warnings, community resolutions and offences taken into consideration (TICs) are supplied by the Home Office.
- Statistics on proceedings, convictions, remand and sentencing are either derived from the LIBRA case management system, which holds magistrates' court records, or the CREST system, which holds Crown Court trial and sentencing data. Prior to November 2008 the police reported on magistrate court proceedings.

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: <a href="https://www.gov.uk/government/consultations/changes-to-criminal-justice-statistics">www.gov.uk/government/consultations/changes-to-criminal-justice-statistics</a>

#### Interpretation

This publication presents information for the **latest 12 month period (the twelve months ending December 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 December 2015;
- the "previous year" refers to the 12 months ending December 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 2015) with 1.7 million individuals dealt with in 2015.

In the latest year the use of out of court disposals has continued to decrease and there has been a 2% increase in the number of defendants proceeded against at magistrates' courts. 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.

The numbers of offenders convicted and sentenced both increased by 3%. There was also a one percentage point increase in the conviction ratio to 84% in the latest year.

An increased proportion of offenders sentenced for summary offences has led to a decrease in the overall custody rate from 7.6% in 2014 to 7.3% in 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 16.2 months, an increase of 0.6 months on the previous year.

The number of prosecutions and convictions for all motoring offences have increased by 9% over the last year. The types of sentences given for motoring offences have remained broadly stable.

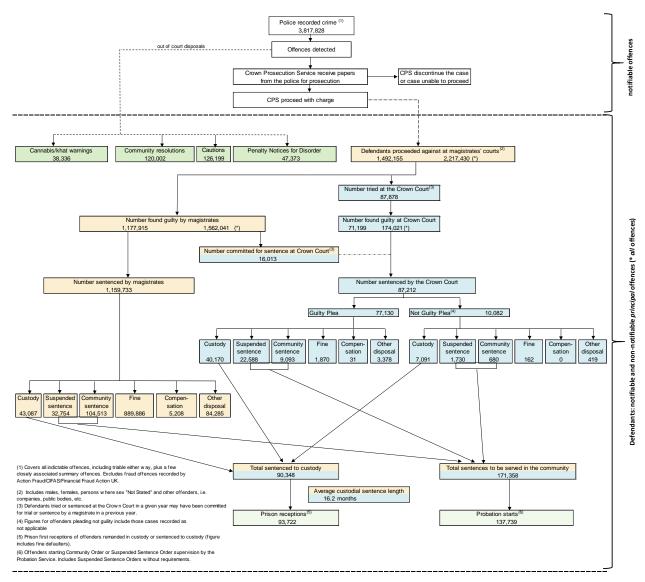
In 2015 the number of offenders with no previous convictions and cautions sentenced for indictable offences increased by 6%; the first time a year on year rise has been seen in the last 10 years.

36% of adults convicted of an indictable offence in 2015 had a long criminal record (15 or more previous convictions or cautions) compared to 24% in 2005.

Half of persistent offenders (those with 8 or more convictions or cautions) in 2015 were given their first official sanction for a theft offence.

# 1. Overview of the Criminal Justice System

Figure 1.1: Flows through the CJS, 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 since 2007, with 1.7 million individuals dealt with in 2015.

In the latest year, the use of out of court disposals has continued to decrease, and there has been a 2% increase in the number of defendants proceeded against at magistrates' courts. This continued to reverse a trend of almost year on year decreases in defendants proceeded against from 2004 to 2013. The increase in 2015 has been driven by rises in both summary non-motoring and summary motoring offences, whilst the number of indictable offences fell.

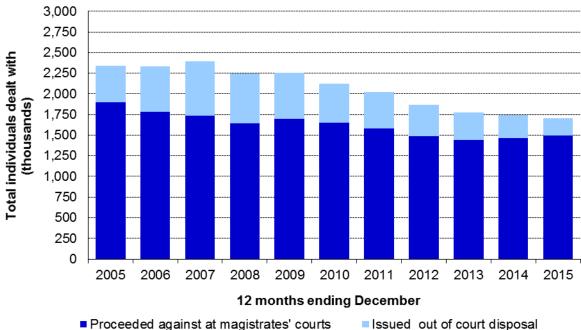


Figure 1.2: Individuals dealt with formally by the CJS<sup>3</sup>, 2005 to 2015

#### Comparisons with crime statistics4

Latest figures from the Crime Survey for England and Wales (CSEW) showed that, for the offences it covers, there were an estimated 6.4 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 7% increase in police recorded crime<sup>5</sup> 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" offences, which have increased by 27%. In contrast, the number of defendants proceeded against in the courts for this offence group decreased by 3% in 2015. As demonstrated by this apparent disparity in trends, care should be taken when making comparisons between crime data, counted on a crime basis, with courts data, counted on a defendant basis.

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<sup>&</sup>lt;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>&</sup>lt;sup>4</sup> See Crime in England and Wales, year ending December 2015 <u>www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearending</u> december 2015

<sup>&</sup>lt;sup>5</sup> This is the published figure for the overall change in police recorded crime. It may not align with the change shown in our overview tables, due to differences in which offences are included (we exclude fraud to allow for consistent comparisons over our time series).

#### International comparisons

Eurostat collate statistics on crime across the EU member states (EU-28), and publish comparisons. Although absolute numbers cannot be compared due to the variety in justice and reporting systems, it can be interesting and meaningful to consider the respective trends.

Overall crime data is available up to 2012, and showed that there was a general tendency for levels of recorded crime to decrease in recent years: for most types of crimes, the numbers of 'registered cases' recorded by the police in the EU-28 fell between 2007 and 2012. England and Wales had the greatest influence on the downward trend in the EU-28 during this period, with the largest decrease of crimes in terms of registered cases, more than 1.2 million fewer in 2012 than in 20076.

More recent data (up to 2013<sup>7</sup>) is also available, but only covers selected offences, again due to the variety in recording approaches. The most notable comparison can be seen among sexual offences: recorded offences of rape have increased across the EU recently, and a similar trend has been seen in courts in England and Wales.

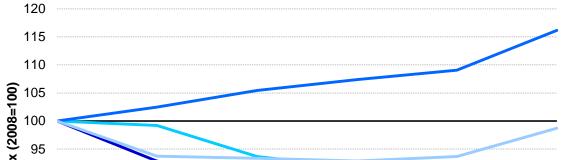


Figure 1.3: Trends in police-recorded specific offences at the EU level (indexed at 2008=100)

ndex (2008=100) 90 85 80 75 2008 2009 2010 2011 2012 2013 Year Intentional Homicide Assault Rape Sexual Assault

<sup>&</sup>lt;sup>6</sup> Eurostat (2014): www.ec.europa.eu/eurostat/statistics-explained/index.php/Crime\_statistics

<sup>&</sup>lt;sup>8</sup> A pilot scheme was implemented from early November 2014 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.

#### New offences commenced in the latest year

This section highlights some key pieces of legislation and associated offences that commenced during 2015. It is a short summary showing legislation and new offences likely to be of particular interest only; the following web site has details of all legislation that has come into force throughout the entire reporting period. www.legislation.gov.uk/

There can be a delay between the commencement of new offences and seeing them in our court data, primarily as a result of the time it takes for an offence to be detected, prosecuted and result in a completed court case. For this reason, only the numbers of offenders issued a caution and defendants prosecuted have been shown here. This delay is likely to lead to the recording of a higher proportion of cautions (relative to prosecutions) in the year of commencement, compared with future years, because cautions can be issued more quickly and will hence reach our data sooner. Offences that have commenced too late in the year to have any reasonable chance of being seen have not been considered: for example, under the Serious Crime Act 2015, 'Possession of a paedophile manual' and 'Controlling or coercive behaviour in an intimate or family relationship'.

#### **Modern Slavery Act 2015**

The Modern Slavery Act consolidated existing offences used to prosecute those who enslave others into a single Act. It increased the maximum custodial sentence for offenders from 14 years to life imprisonment. It also gives courts powers to impose orders to restrict the activities of suspected and convicted traffickers. The new legislation gives victims extra protection against prosecutions for offences committed as part of their exploitation and provides slavery victims access to civil legal aid. Powers to encourage reparation orders, for courts to use seized assets from perpetrators to compensate victims, have also come into force. The Modern Slavery Act includes the following offences; some of which replace offences that existed previously under different legislation, some expand on existing offences to make an explicit link to exploitation and some of which are new:

- · Hold person in slavery or servitude
- Require person to perform forced or compulsory labour
- Arrange or facilitate travel of another person with a view to exploitation
- Commit offence other than kidnapping or false imprisonment with intention of arranging travel with view to exploitation
- Commit offence of kidnapping or false imprisonment with intention of arranging travel with view to exploitation
- Do act prohibited by slavery and trafficking risk or prevention order.
- Fail to comply with requirement to surrender passport under Modern Slavery Act 2015
- Fail to comply with requirement to provide name and address under Modern Slavery Act 2015

The criminal justice provisions within the Modern Slavery Act were commenced on 31 July 2015 and prosecutions under the Act apply to criminal conduct taking place after this date. Transitional arrangements were introduced to cover the implementation period. There were 12 defendants prosecuted under this Act in 2015 and 105 defendants prosecuted for slavery and trafficking offences in 2015 under the previous legislation, continuing an upward trend.

#### **Criminal Justice and Courts Act 2015**

# 1. <u>Disclosing private sexual photographs and films with intent to cause distress</u> ('revenge porn')

Under section 33 of the Criminal Justice and Courts Act 2015, the distribution of a private sexual photograph of someone without their consent and with the intention of causing them distress (often referred to as 'revenge porn') became a new offence. Those convicted will face a maximum sentence of 2 years in prison.

There were 82 defendants prosecuted and 74 offenders issued with a caution for this offence in 2015.

#### 2. Causing serious injury by driving while disqualified

Section 29 of the Criminal Justice and Courts Act created a new offence (new section 3ZD of the Road Traffic Act 1988) of causing serious injury by driving while disqualified. (The Criminal Justice and Courts Act 2015 also increased the penalty for those causing death by driving while disqualified to 10 years' imprisonment, and separated this offence from the offence of causing death by driving unlicensed or uninsured.) For the purpose of the offence, 'serious injury' means physical harm which amounts to grievous bodily harm. The offence is triable either way and has a maximum penalty of 4 years' imprisonment.

There were 2 defendants prosecuted for this offence in 2015.

### 2. Out of Court Disposals

Out of court disposals (OOCDs) are sanctions that are used by the police, with reference to the Crown Prosecution Service (CPS), to address offences without recourse to the courts. Out of court disposals have an important role to play in the criminal justice system. They allow the police to deal quickly and proportionately with low-level, often first-time offending which does not merit prosecution at court, freeing them up to spend more time on frontline duties and tackling serious crime. OOCDs can also provide reparation and a prompt resolution for victims.

The out of court disposals available to the police<sup>8</sup> and CPS in 2015 included: simple<sup>9</sup> and conditional cautions<sup>10</sup>; cannabis and khat warnings<sup>11</sup>; penalty notices for disorder (PNDs)<sup>12</sup>; and community resolutions<sup>13</sup>.

#### Out of court disposals have decreased since 2007

The use of out of court disposals (excluding community resolutions) has decreased steadily since 2007. In 2015, OOCD numbers decreased, with 211,900 individuals issued an out of court disposal, a decrease of 61,800 (23%) compared with 2014, and of 451,700 (68%) since 2007.

The observed decrease was driven by a number of factors: 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, which was subsequently removed in May 2010 (it is thought the change in target had a greater impact on OOCDs than on convictions); the introduction of community resolutions, a non-statutory disposal available to the police since 2008/09; and the restriction of the use of PNDs to adults only from 8<sup>th</sup> April 2013. In addition, there has been a net decrease in police recorded crime across England and Wales between 2003 and 2015 (although this has increased since 2013) and in police stops and searches since 2010/11.

<sup>12</sup> PNDs are no longer available to persons aged under 18 from 8 April 2013.

<sup>&</sup>lt;sup>8</sup> A pilot scheme was implemented from early November 2014 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>&</sup>lt;sup>9</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>&</sup>lt;sup>10</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>&</sup>lt;sup>11</sup> Khat warnings are available from 24 June 2014.

<sup>&</sup>lt;sup>13</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.

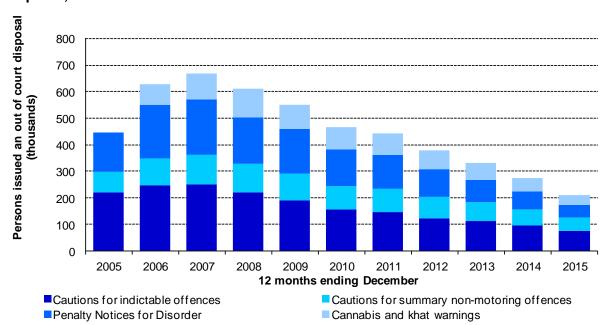


Figure 2.1: Out of court disposals issued (excluding community resolutions), by disposal, 2005 to 2015

#### **Penalty Notices for Disorder**

Penalty Notices for Disorder (PNDs) are commonly known as 'on the spot fines' - a fixed penalty of £60 for a lower tier offence or £90 for a higher tier offence (raised from £50 and £80 respectively from 1 July 2013 onwards). From 8<sup>th</sup> April 2013, PNDs are no longer available for under 18s. This has contributed to the fall in PNDs issued in the most recent years.

#### PNDs have also decreased since 2007

There were 47,400 PNDs issued in the latest year, which represents an 18,000 (28%) decrease from the previous year. The use of PNDs has been decreasing year on year since the peak in 2007, when 200,800 were issued. The decrease in the number of PNDs issued followed a number of reforms associated with the decline in OOCDs more generally.

In 2015, similarly to 2014, four offences accounted for 91% of all PNDs issued, namely:

- 'Drunk and disorderly' (18,000)
- 'Retail theft of goods under the value of £100' (11,000)
- 'Possession of cannabis' (8,400)
- 'Behaviour likely to cause harassment, alarm or distress' (5,700)

Once a PND has been issued the recipient has 21 days, the Suspended Enforcement Period (SEP), in which to either pay the penalty or request a court hearing. No admission of guilt is required and by paying the penalty the recipient discharges liability for conviction for the offence. Instead of 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 2015, 24,500 PNDs were paid in full, 52% of the total, an increase of one percentage point compared with 2014. 15,000 (32%) offenders issued PNDs in 2015 were fined for late payment.

#### **Cannabis and Khat Warnings**

Cannabis warnings are informal, verbal warnings issued by the police since 2004, for first-time possession offences by adults. Khat warnings, an equivalent out of court disposal, could also be issued to adults from 24 June 2014. There were 38,300 cannabis and khat warnings issued in 2015, a decrease of 12,100 (24%) compared with the previous year.

#### **Police Cautions**

Police cautions are formal warnings which can be given by the police to those who have admitted an offence.

#### Cautions have decreased for both indictable and summary offences

There were 126,200 offenders given simple and conditional cautions in 2015. This represents a 31,600 (20%) decrease compared with the same period a year ago, and by 236,700 (65%) compared with 2007. In 2015, cautions for indictable offences decreased to 75,300, a decrease of 19,900 (21%) compared to 2014, and 175,400 (70%) compared with 2007.

Theft and drug offences accounted for 58% of all offenders cautioned for indictable offences. The number of offenders administered a caution for sexual offences was the lowest in the past ten years. In the latest year, cautions administered for sexual offences decreased to 1,100, a decrease of 120 (10%) compared with the previous year and 800 (44%) compared with 2007.

#### Cautioning rates have fallen for all ages and offence groups

The cautioning rate presents the proportion of offenders who were either cautioned or convicted that were given a caution<sup>14</sup>. 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 as opposed to being processed through the courts.

The overall cautioning rate in the latest year was 15%, which was a decline from a peak of 31% in 2007 and down by three percentage points compared with the previous year. The cautioning rate for juveniles was higher, at 40% in 2015, which is a decline of four percentage points compared to 2014 and by 19 percentage points since the peak in 2007. The cautioning rate for adults in 2015 was 13%, which was a decline by three percentage points compared with 2014 and 12 percentage points since 2007.

Cautioning rates have decreased across all indictable offence groups since 2007, and have continued to decrease in the latest year. Violence against the person offences have undergone the largest decrease, of 40 percentage points between 2007 and 2015.

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<sup>&</sup>lt;sup>14</sup> This excludes convictions for summary motoring offences, for which cautions are not given.

#### Cautions for rape offences are rare and less common recently than a decade ago

There were 18 cautions administered for rape offences in 2015, compared with 15 cautions in 2014. 12 of these were administered to juveniles and the oldest offender given a caution was aged 21<sup>15</sup>.

Of the 18 cautions administered in 2015:

- Ten were for rape of a female aged under 13;
- Three were for rape of a male aged under 13;
- Four were for rape of a female aged under 16 and
- One was for attempted rape of a female aged under 16.

The number of cautions given for rape offences has been falling over time. Between 2005 and 2010, there was an average of 29 cautions given each year compared to 19 cautions a year between 2011 and 2015. By contrast, the number of prosecutions for rape has been increasing, rising from around 2,700 a year between 2005 and 2010 to around 3,300 a year between 2011 and 2015.

#### **Community Resolutions**

Community resolution is a non-statutory disposal available to the police and was rolled out in 2008/09. It is a new form of OOCD presenting a proportionate method of dealing with an offender for a lower-level crime, intended to be used in some cases where previously other disposals like PNDs and cannabis and khat warnings might have been used. Resolutions can be offered when the offender admits an offence and, in most cases, where the victim has agreed that they do not want more formal action taken.

The Home Office only began centrally collecting data from forces on community resolutions from April 2014, and published national figures for the first time in July 2015.

Their latest publication shows that 120,000 community resolutions were administered by the police in 2015. Given the lack of an available time series, we are unable to quantify the direct effect of their availability on the decreasing volumes of other forms of OOCDs, in particular how individuals may have been displaced from another category of disposal to community resolutions.

Further information about community resolutions can be obtained from the Home Office publication at the link below:

www.gov.uk/government/collections/crime-outcomes-in-england-and-wales-statistics

<sup>&</sup>lt;sup>15</sup> Further detail about the circumstances surrounding cautions for rape offences are presented in the technical guide.

# 3. Court Proceedings and Convictions

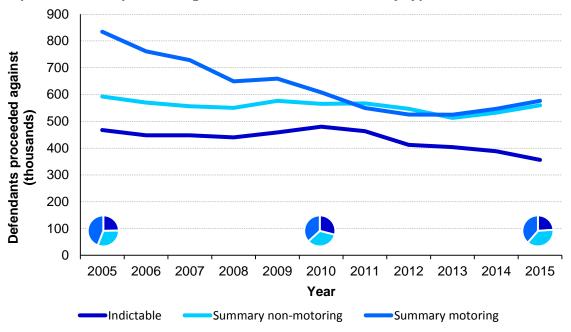
Defendants will start proceedings at magistrates' courts, regardless of the seriousness of the offence charged against them<sup>16</sup>. Less serious offences (summary offences) will be entirely dealt with by magistrates' courts. The more serious offences (indictable offences) may be dealt with by the Crown Court. The most serious indictable offences (indictable only offences) must be tried at the Crown Court, the remaining indictable offences (triable-eitherway) can either be tried at a magistrates' court or Crown Court.

The number of defendants prosecuted has risen in the most recent year, driven by an increase in those for summary offences

In 2015, 1.49 million defendants were proceeded against at magistrates' courts. The total number of prosecutions has increased by 2% in each of the past two years. Prior to 2014, in the past decade the number of defendants prosecuted has declined almost year on year, reducing to 1.44 million in 2013, a decline of 24% since 2005.

The recent increase in prosecutions has been driven by an increase in defendants being prosecuted for summary offences. The increase in summary non-motoring offences has been driven by an increase in defendants prosecuted for TV licence evasion, common assault and battery and failure to pay for a motor vehicle licence. In the most recent year, both summary motoring and summary non-motoring offences saw an increase of 5% in defendant prosecutions, whereas indictable offences saw a decrease of 8%. Defendant prosecutions for indictable offences have been declining year on year since 2010.

Figure 3.1: Defendants prosecuted at magistrates' courts, 2005 to 2015, and proportions of all proceedings for 2005, 2010 and 2015, by type of offence.



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<sup>&</sup>lt;sup>16</sup> There are rare exceptions, as mentioned in the accompanying technical guide.

In the most recent year, the numbers of defendants prosecuted for all groups of indictable offences have declined, except for sexual offences and possession of a weapon. Possession of weapons offences saw a 2% increase in defendants prosecuted in 2015 (14,100 defendants prosecuted, 4% of all those prosecuted for indictable offences); prior to 2015, this had been declining year on year since 2009. In 2015, sexual offences saw a 6% increase in defendants prosecuted, to its highest total in a decade (12,600 defendants prosecuted, also 4% of all those prosecuted for indictable offences). A similar increase in sexual offences has been seen across the EU; between 2008 and 2013 (the latest data available), the number of offences of sexual violence recorded by the police increased by 3.9% across the 25 EU jurisdictions which were able to provide data. The number of rape offences has consistently increased across the EU since 2008, increasing by 16% in 2013, based on the 28 jurisdictions which reported data<sup>17</sup>.

Prior to the increase in defendants prosecuted for summary offences in 2014 and 2015, this had been declining almost year on year since 2005. The number of defendants prosecuted for summary motoring offences has declined at a faster rate than for summary non-motoring offences. The decline in defendants prosecuted for summary motoring offences has changed the composition of prosecutions at magistrates' courts over the past decade: in 2015 summary motoring and summary non-motoring prosecutions represented a similar proportion of all defendant prosecutions, however, ten years ago summary motoring offences accounted for 13 more percentage points than summary non-motoring offences.

The offence composition of defendants prosecuted for indictable offences has also changed over the last decade. Defendants being prosecuted for a theft offence account for the largest proportion of indictable offence prosecutions, accounting for a third of all indictable prosecutions in 2015, despite the number of defendants prosecuted for theft declining by 18%. Defendants prosecuted for drug offences rose by 6 percentage points, from 9% to 14%, as a proportion of all prosecutions for indictable offences. Conversely, defendants prosecuted for miscellaneous crimes against society reduced as a proportion by 8 percentage points, from 21% to 13%, between 2005 and 2015.

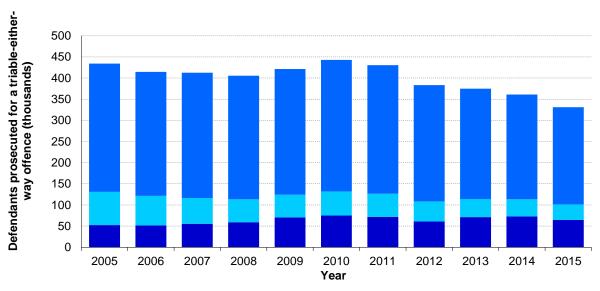
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<sup>&</sup>lt;sup>17</sup> www.ec.europa.eu/eurostat/statistics-explained/index.php/Crime and criminal justice statistics

The proportion of defendants prosecuted for triable-either-way offences being committed for trial to the Crown Court has increased over the last decade

Defendants prosecuted for triable-either-way offences have accounted for 92% to 93% of those for indictable offences over the past decade. The majority of defendants prosecuted for triable-either-way offence are tried within magistrates' courts, a proportion which has remained broadly stable over the past decade (from 69% to 72%). The number of defendants prosecuted for a triable-either-way offence which terminated early has reduced over the past decade. Over the same period, the proportion of defendants with a triable-either-way offence committed for trial at the Crown Court has increased from 12% to 20%. Most notably, in 2013 there was an increase of 3 percentage points in the proportion of defendants prosecuted for a triable-either-way offence being committed to the Crown Court, compared to the previous year. This coincided with the abolition of committal hearings across all local justice areas in England and Wales as of May 2013<sup>18</sup>.

Figure 3.2: Defendants prosecuted for a triable-either-way offence by court assigned for trial, 2005 to 2015



■Committed for trial at the Crown Court ■ Proceedings terminated early ■ Tried at the magistrates' court

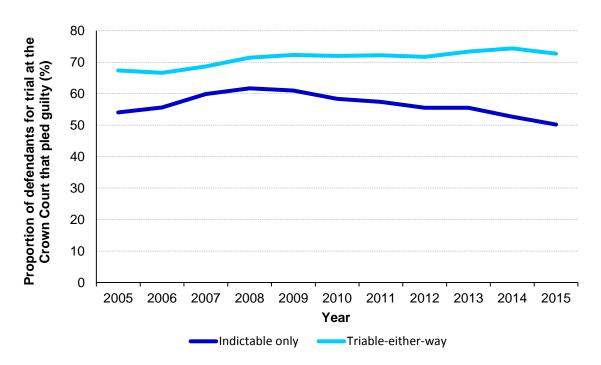
<sup>&</sup>lt;sup>18</sup> www.gov.uk/government/news/faster-justice-as-unneccessary-committal-hearings-are-abolished

The proportion of defendants pleading guilty at the Crown Court has increased for triableeither-way offences and reduced for indictable only offences

Over the past decade, the number of defendants received for trial at the Crown Court for a triable either way offence had increased by 25% whilst the number of defendants received for trial for an indictable only offence had decreased by 7%. The guilty plea rate<sup>19</sup> at the Crown Court for triable-either-way offences has increased over the past decade by 5 percentage points.

As the number of defendants received for trial for an indictable only offence at the Crown Court has decreased, the proportion of defendants pleading guilty to these offences has decreased also. Over the past decade, the guilty plea rate for defendants for indictable only offences has decreased by 4 percentage points and has been decreasing year on year since 2009.

Figure 3.3: Proportion of defendants for trial at the Crown Court that pled guilty, 2005 to 2015



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<sup>&</sup>lt;sup>19</sup> This is the proportion of defendants that pleaded guilty to their principal offence.

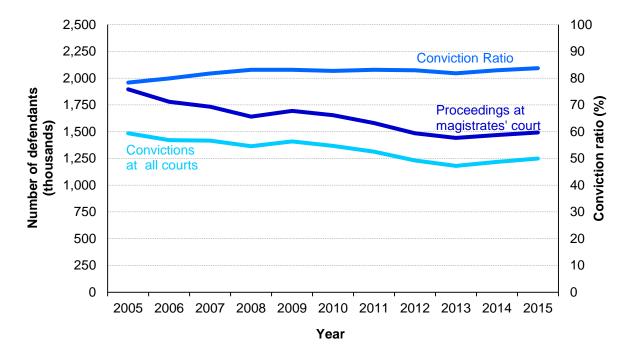
#### The conviction ratio has remained broadly stable since 2009

In a similar trend to prosecutions, the total number of offenders convicted – that is, defendants who plead or are found guilty – had increased in 2014 and 2015, driven by an increase in convictions for summary offences. In the most recent year, the total number of offenders convicted rose by 3% from the previous year and the number of offenders convicted for a summary offence rose by 5%. Conversely, the number of offenders convicted for indictable offences has reduced by 6%; this continues a year on year decline since 2010.

Trends in the number of offenders convicted and sentenced at all courts are driven by two factors, 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.

The conviction ratio has remained broadly stable between 82% and 84% since 2008. Prior to 2008, the conviction ratio had been increasing by approximately 2 percentage points year on year from 2005. The conviction ratio for summary motoring offences is at its highest in a decade (88%), as is the conviction ratio for indictable offences generally (82%) and the conviction ratios for violence against the person (75%), miscellaneous crimes against society (71%) and fraud offences (83%).

Figure 3.4 Conviction ratio for all defendant proceedings and convictions at all courts, 2005 to 2015

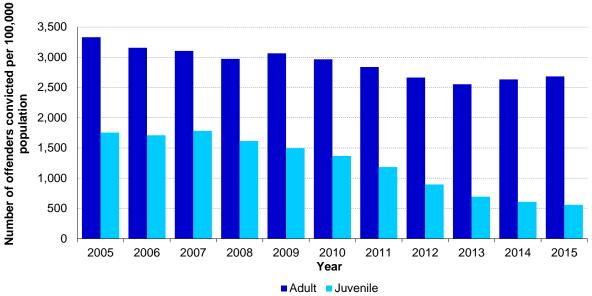


# There has been a decrease in the rate of adult and, especially, juvenile convictions since 2009

Considering the number of convictions per 100,000 population enables an assessment of the rate at which a group is convicted, separate from any parallel changes in the number of that group in the population<sup>20</sup>. The number of juvenile and adult convictions per 100,000 population have both declined in the last decade. However, juvenile convictions per 100,000 population have declined by 68% over the last decade whereas the adult rate has declined by 19%. Adult convictions per 100,000 population have increased in 2014 and 2015 whilst juvenile convictions per 100,000 population have continued to decrease since 2007.

In 2014 and 2015, trends in adult conviction rates per 100,000 population have mirrored trends in defendants prosecuted and convicted, whilst juvenile rates have not. This is due to an increase in defendants prosecuted and convicted for offences which are predominately committed by adult offenders. Specifically, juvenile prosecutions and convictions do not mirror the increases in summary non-motoring offences, which have continued to decrease for juveniles since 2007. Two of the three major summary non-motoring offences that make up almost half of the offence group by volume are offences for which nearly 100% of offenders are adults, namely TV licence evasion and failure to pay a motor vehicle licence.

Figure 3.5: All convictions per 100,000 population for juveniles and adults, 2005 to 2015



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<sup>&</sup>lt;sup>20</sup> To calculate proportions of convictions per 100,000 population, the total number of convictions for a specific year are divided by the population of the year prior to the year of interest. Population figures come from the ONS mid-year population estimates. The population of the previous year is used due to population data available at the time of publication.

#### 4. Remands

■ Not remanded

#### Police bail and custodial remands have been declining

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 December 2015 there were 1.56 million defendants directed to appear at magistrates' courts (including those who failed to appear). The proportion of defendants remanded in custody by the police decreased to 10% in the latest year, whereas over the previous four years this was relatively stable and varied between 11% and 12%. The proportion of defendants arrested and bailed by police decreased to 25% in the latest year, from 27% in the previous year, whilst the proportion being summonsed increased from 62% to 65%.

#### The proportion of defendants remanded in custody at the Crown Court declined in 2015

Court remands are court decisions on whether a defendant charged with a criminal offence should be held in custody, or released on bail, during the period of their trial or while they are awaiting sentence.

100% 90% 80% 70% 60% 50% 40% 30% 20% 10% 0% 2013 2011 2012 2014 2015 2011 2012 2013 2014 2015 Magistrates' Crown

Figure 4.1: Defendants' remand status in magistrates' courts and the Crown Court, 2011 to 2015

In the latest year, bail was granted to 20% of defendants proceeded against at magistrates' courts, while 4% were remanded in custody and the remaining 76% had their case concluded at magistrates' courts without being remanded.

Remanded on bail

Remanded in custody

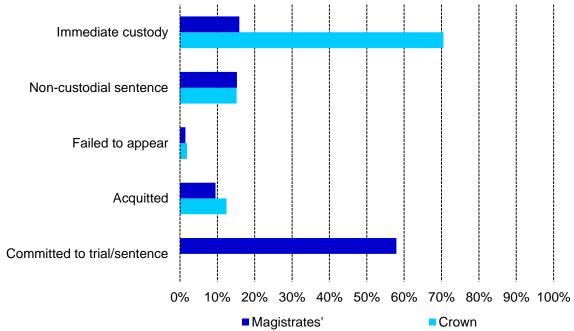
Not known

Defendants are more likely to be remanded in custody for more serious, 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 36%, compared with 37% in the previous year. The proportion of defendants remanded on bail was 49%, compared with 47% in the previous year.

# <u>Defendants remanded in custody at the Crown Court were more likely to receive immediate custodial sentences</u>

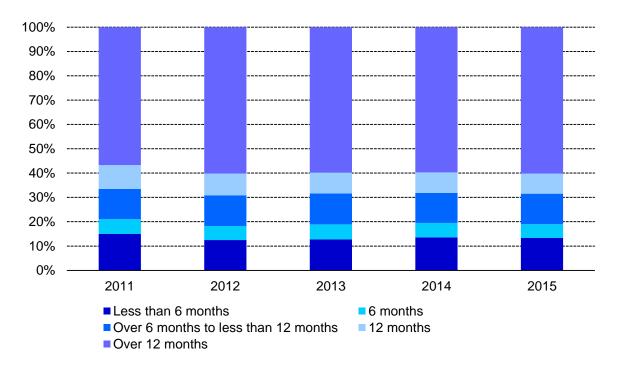
Of those defendants remanded in custody at the Crown Court in 2015, 70% were sentenced to immediate custody. 16% of defendants remanded in custody by magistrates' courts were sentenced there to immediate custody; although given that 58% of defendants remanded in custody in magistrates' courts were committed for trial or sentencing at the Crown Court, which likely reflects the more serious nature of their crimes, it is expected that considerably more will have ultimately received a custodial sentence.

Figure 4.2: Outcome of proceedings for defendants remanded in custody in magistrates' courts and the Crown Court, 2015



Sentence lengths for defendants remanded in custody in the Crown Court who went on to receive an immediate custodial sentence have remained broadly similar over time. In 2015, 68% of these defendants received immediate custodial sentences of 12 months or more in duration.

Figure 4.3: Custodial sentence length for defendants remanded in custody and given an immediate custodial sentence in the Crown Court, 2015



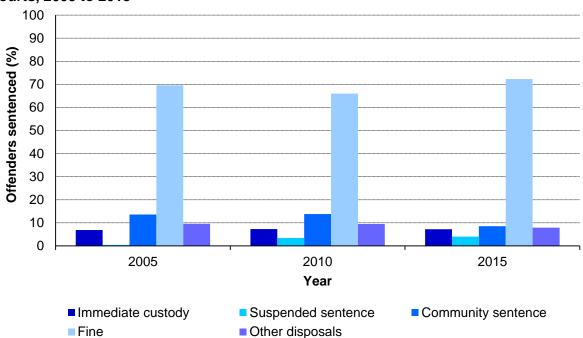
### 5. Sentencing

The total number of offenders sentenced at all courts was 1.25m in the latest year, which remains below the high of 1.48m in 2005 This is despite a slight increase since 2013, attributed to fines given for summary offences, with the number sentenced for indictable offences continuing to fall. This mirrors the trend in prosecutions and convictions.

#### Fines have become more prevalent

The most common sentence given is a fine, accounting for 72% of sentences in 2015. This has been consistently the most common sentence since 2005, when it accounted for 69% of all sentences. The increase since 2010 in the proportion of offenders sentenced to fines is due to changes in the offence mix and legislation; mostly an increase in the proportion of summary offences since 2010 (especially speeding and TV licence evasion). Fines are much less common for indictable and triable either way offences, accounting for 18% of offenders sentenced.

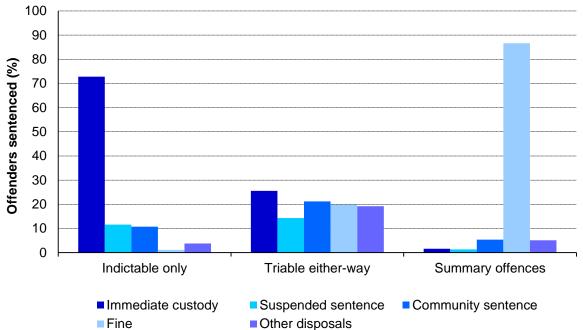
Figure 5.1: Sentencing outcomes (percentage of all offenders sentenced) at all courts, 2005 to 2015



#### Offender outcomes vary by offence type

For indictable only offences, many more offenders (75%) receive immediate custody than any other type of sentence. Triable either way offences receive a much wider variety of sentences.

Figure 5.2: Sentencing outcomes for indictable only, triable-either-way and summary offences at all courts, 2015



Considering these offence groups separately from summary offences makes it easier to see trends in sentences other than fines for summary offences. Despite an overall decrease in the number of offenders sentenced for indictable offences, the number of offenders receiving suspended sentences has increased since 2005, and the number of offenders sentenced to immediate custody was similar in 2015 (10,000) to the number in 2005 (11,000).

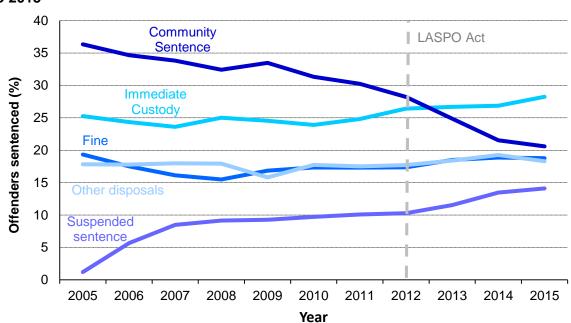


Figure 5.3: Trends in sentencing outcomes for indictable offences at all courts, 2005 to 2015

#### The use of suspended sentences has been increasing

Since 2005, the proportion of offenders given suspended sentences has increased by 4 percentage points. They were rarely given before the introduction of the suspended sentence order with community requirements by the Criminal Justice Act (CJA) in 2003. Under the LASPO Act 2012, these provisions were amended so that, since December 2012, custodial sentences of two years or less can be suspended and the imposition of community requirements is discretionary. This may have also contributed to the increase in suspended sentences since 2012.

#### Community sentences have been declining

Community sentences have seen a decline since 2005, but the sharp decrease since 2010 (from 14% to 9% of sentences given) seems to have levelled off in the latest year. However, for juveniles - who cannot receive suspended sentences and for whom the usage of fines is not encouraged - the proportion of offenders receiving a community sentence has slightly increased.

#### The overall custody rate has declined since 2011, but increased for indictable offences

The custody rate (i.e. the proportion of sentences which are immediate custody) had been increasing until 2011, to a peak of 8.1%, but has fallen since then, to 7.3% in 2015. This is due to the recent increase in offenders sentenced for summary offences, which have a lower custody rate; the custody rate for indictable offences has actually been increasing since 2010, from 22.2% to 26.2%. The largest increase in this period was seen in robbery, from 58.1% in 2010 to 68.2% in 2015. This was also the offence group with the highest custody rate in 2015 – only sexual offences had a similar rate, at 60.0%.

<u>Average custodial sentence length has been increasing since 2005, driven by legislative</u> change and increases in sexual offences

Average custodial sentence length (ACSL) has increased since 2005 (from 12.6 to 16.2 months). This may be due to numerous changes in legislation over the decade, including:

- The LASPO Act, passed on 3rd December 2012, which abolished IPPs and Extended Sentences for Public Protection (EPPs) and replaced them with new Extended Determinate Sentences (EDSs). EDSs are included within the ACSL calculation, whilst IPPs and EPPs were previously excluded.
- 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.

The increase in overall ACSL is also in part caused by the ACSL for sexual offences increasing by 20.2 months. More people are being sentenced for these offences, and these sentences are getting longer, which is driving up the overall average. The largest increase within this offence group was for rape of a female child under 13 by a male, for which ACSL has almost doubled and the number sentenced is five times higher than in 2005.

The total number of persons sentenced for sexual offences in 2015 was 6,850, up from 4,720 in 2005, and this change was mirrored in proceedings and convictions. The change could be related to improved reporting and recording of sexual offences, as well as an increased public focus.

# 6. Motoring

#### Prosecutions and convictions for motoring offences have increased

The number of defendants prosecuted and convicted for motoring offences have both increased by 9% over the last year, with the number of prosecutions rising from 591,000 in 2014 to 644,000. Just over half of prosecutions for motoring offences in 2015 were for speed limit and vehicle insurance offences.

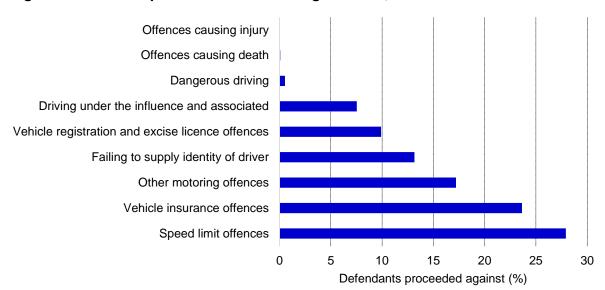


Fig 6.1: Defendants prosecuted for motoring offences, 2015<sup>21</sup>

The largest increases in defendants prosecuted were seen in 'Failing to supply information as to identity of driver when required' (a 31% increase; from 65,000 in 2014 to 85,000 in 2015), speed limit offences<sup>22</sup> (a 13% increase; from 160,000 to 180,000) and vehicle insurance offences (a 5% increase; from 145,000 to 152,000). The offences showing the largest decreases in offenders prosecuted were 'defective vehicle parts' (an 18% decrease; from 7,800 in 2014 to 6,400 in 2015) and driving licence related offences (an 8% decrease; from 18,000 and 17,000). The trends in convictions are similar to the trends in prosecutions for these offences.

The most serious motoring offences, causing death and injury, saw an increase in the latest year in defendants prosecuted overall, however their proportion among all motoring offences is still very small.

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<sup>&</sup>lt;sup>21</sup> Other motoring offences includes: Causing danger by interfering with a vehicle, road or traffic equipment, Using or causing others to use a mobile phone whilst driving, Careless driving offences (excl. mobile phone offences), Failing to stop or provide information after accident, Theft of a motor vehicle / aggravated vehicle taking, Driving licence related offences, Work record and employment offences, Fraud, forgery etc. associated with vehicle or driver records, Defective vehicle parts, Vehicle test offences, Neglecting road regulations (other than speeding), Failing to supply information as to identity of driver when required, Miscellaneous (other) motoring offences.

<sup>&</sup>lt;sup>22</sup> The Home Office publishes data on police action in relation to motoring offences including fixed penalty notices (FPNs) for speeding: <a href="https://www.gov.uk/government/collections/police-powers-and-procedures-england-and-wales">www.gov.uk/government/collections/police-powers-and-procedures-england-and-wales</a> Fixed penalty notices are available as out of court disposals where the speeding offence is not serious enough to warrant a criminal court proceeding and where the offender does not contest being issued with the FPN. The number of FPNs increased by 4% between 2013/14 and 2014/15.

Prosecutions for causing death by dangerous driving have seen an increase, from 144 prosecutions in 2013 to 188 in 2015, reversing the decreasing trend observed between 2007 and 2013. 'Causing death by careless driving under influence of drink or drugs' also saw a small increase, from 17 prosecutions in 2014 to 23 in 2015; but numbers have decreased by over 50% since 2005.

Prosecutions for causing serious injury by dangerous driving increased for a second year<sup>23</sup> (up 29%; from 212 in 2014 to 273 in 2015). Causing death by careless or inconsiderate driving<sup>24</sup> prosecutions remained broadly stable, at 205 in 2014 and 201 in 2015. Other serious driving offences saw few prosecutions.

#### Sentencing trends for motoring offences have remained broadly stable

The overall custody rate for motoring offences remained stable at around 1% in 2015, although the vast majority of offenders sentenced for 'death by dangerous driving' and 'causing death by careless driving under influence of drink or drugs' received immediate custody, with custody rates of 93% and 95% respectively. Furthermore, the use of fines as the main sentence for motoring offences remained stable at 94% of offenders sentenced from 2014 to 2015.

The total number of offenders disqualified increased slightly for the first time in a decade, from 58,000 in 2014 to 59,000 in 2015. The total number of offenders endorsed without disqualification (i.e. receiving points on their licence only), increased from 311,000 in 2014 to 348,000 in 2015, an increase of 12%. This is in line with the increase in offenders prosecuted and sentenced for motoring offences.

<sup>&</sup>lt;sup>23</sup> The offence of 'Causing serious injury by dangerous driving', introduced by the 2012 Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act, was designed to create a specific offence of causing serious injury by dangerous driving to supplement the existing offences of dangerous driving and causing death by dangerous driving.

<sup>&</sup>lt;sup>24</sup> The offence of 'Causing death by careless or inconsiderate driving' was introduced by the Road Traffic Act 1988 S.2B with commencement on 18th August 2008.

# 7. Offending 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 which has been recorded on the PNC, including some offences committed outside of England and Wales<sup>25</sup>. This count differs from First Time Entrants (FTEs)<sup>26</sup> because all offenders prosecuted by an English or Welsh police force, irrespective of country of residence, are included.

#### The number of offenders sentenced for indictable offences with no criminal history is rising

In 2015, the number of offenders with no previous convictions and cautions sentenced for indictable offences increased by 6%, continuing the upward trend seen in 2014 where there was an increase of 3%. This is the first time an increase has been seen for two consecutive years in the last 10 years. The rise in 2015 has been seen across all groups of offences except robbery. Conversely, the number of offenders with at least one previous conviction and caution sentenced for indictable offences declined by 7%, continuing the downward trend since 2011.

In the latest period, around 94,700 adult offenders convicted of an indictable offence had 15 or more previous convictions or cautions (long criminal records - on average 34 previous sanctions). 36% of adults convicted of an indictable offence had a long criminal record compared to 24% in the same period 10 years ago, when the average number of previous sanctions was 26.

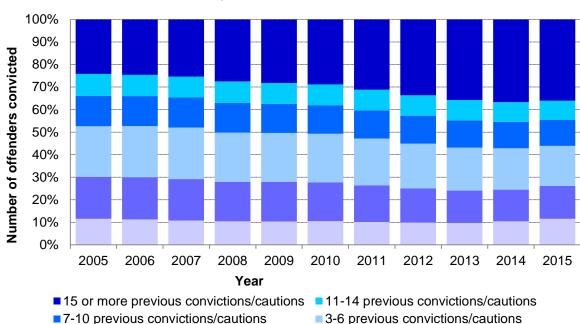


Figure 7.1 Percentage of offenders convicted of indictable offences, by number of previous convictions or cautions, 2005 to 2015

■ 1-2 previous convictions/cautions

0 previous convictions/cautions

<sup>&</sup>lt;sup>25</sup> Where there were multiple offences on the same occasion, only the primary offence as recorded on the PNC would be counted.

<sup>&</sup>lt;sup>26</sup> 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. Offences resulting in a Penalty Notice for Disorder are not counted as first offences.

#### Offenders with long criminal records are more likely to receive immediate custody

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 records. In 2015, 40% of adults with 15 or more previous convictions or cautions received an immediate custodial sentence, compared to 13% of adults with no previous history of offending. The equivalent figures for juveniles were 40% and 2% respectively. For both adult and juvenile offenders with long criminal records who received an immediate custodial sentence for an indictable offence in 2015, the most common offence for which they were sentenced was theft (58% and 50% respectively).

The most common sanction given in 2015 to offenders with no previous criminal history who committed an indictable offence was a caution, with this accounting for 64% of juveniles and 49% of adults. Theft and drug offences accounted for two-thirds of cautions given to those with no previous criminal history.

#### Persistent offenders have on average 22 previous sanctions

A persistent offender is defined as an offender with 8 or more conviction or cautions<sup>27</sup>. Persistent offenders have on average 22 previous sanctions

There were around 236,000 persistent offenders in 2015 who accounted for over 5 million crimes throughout their criminal careers. Of these 50% were given their first official sanction for a theft offence.

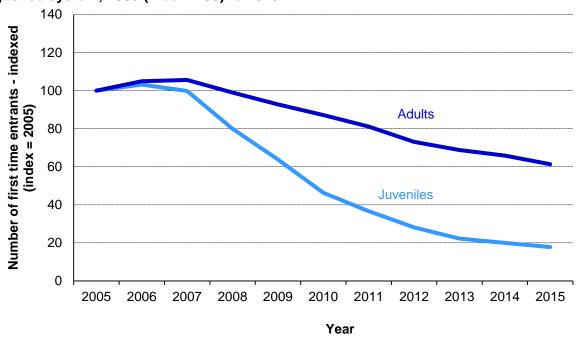
<sup>&</sup>lt;sup>27</sup> A persistent offender will include offenders with 7-10, 11-14 and 15 or more previous convictions/cautions.

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

The number of First Time Entrants to the criminal justice system has continued to fall since its peak in 2006/07. This decline has been much sharper for juveniles than for adults; the rate of decline for juvenile FTEs has halved since 2013.

The decline seen for both adults and juveniles FTEs mirrors the trend seen in chapter 3, which showed that the number of juvenile and adult convictions per 100,000 population have both declined in the last decade (by 68% and 19% respectively).

Figure 7.2 Change in number of juvenile and adult first time entrants to the criminal justice system, 2005 (index=100) to 2015



# **Revisions Policy**

In accordance with Principle 2 of the Code of Practice for Official 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 December 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 Excel spreadsheet workbooks and pivot tables. These workbooks can be accessed at:

www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2015

#### **Contacts**

Press enquiries should be directed to the Ministry of Justice press office:

Tel: 020 3334 3536

Email: newsdesk@justice.gsi.gov.uk

Other enquiries about these statistics should be directed to the Justice Statistics Analytical Services division of the Ministry of Justice:

David Jagger, Head of Criminal Justice Statistics Ministry of Justice, 7th Floor, 102 Petty France, London, SW1H 9AJ

Email: CJS Statistics@justice.gsi.gov.uk

General enquiries about the statistical work of the Ministry of Justice can be e-mailed to: <a href="mailto:statistics.enquiries@justice.gsi.gov.uk">statistics.enquiries@justice.gsi.gov.uk</a>

General information about the official statistics system of the UK is available from: <a href="https://www.statisticsauthority.gov.uk/about-the-authority/uk-statistical-system">www.statisticsauthority.gov.uk/about-the-authority/uk-statistical-system</a>

#### **Feedback**

The structure and content of this report is continually being reviewed to reflect user requirements. If you have any feedback about the changes referred to in the Changes and Revisions section, or the report more generally, please contact the production team through the Justice Statistics Analytical Services division of the Ministry of Justice:

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