



Published 15 February 2018

# Criminal Justice Statistics quarterly, England and Wales, September 2016 to September 2017 (provisional)

## Main points

<b>1.65 million individuals dealt with by the CJS</b>	↓	The total number of individuals formally dealt with by the criminal justice system (CJS) in England and Wales has declined since 2007 and fell 7% in the latest year to a record low, with 1.65 million individuals dealt with in the year ending September 2017.
<b>1.40 million defendants were prosecuted</b>	↓	The number prosecuted at magistrates' courts fell by 5% in the latest year, driven by decreases in prosecutions for indictable and summary non-motoring offences.
<b>The conviction ratio was 86%</b>	↑	The overall conviction ratio increased by one percentage point in the latest year to 86%, the highest in the decade.
<b>Custody rate for indictable offences rose to 32%</b>	↑	The custody rate for indictable offences has increased since September 2010, from 24% to 32%.
<b>ACSL increased to 19.7 months for indictable offences and stabilised at 16.7 months overall</b>	↑	Average custodial sentence length (ACSL) has steadily increased since September 2007, when it was 12.4 months overall and 15.2 months for indictable offences.

This publication gives criminal justice statistics for the latest 12 month period. These are presented alongside the same rolling 12 month periods for the previous 10 years, giving longer-term trends across comparable periods.

Trends should be interpreted with caution as the data presented are provisional and subject to change for the 2017 Criminal Justice Statistics annual bulletin, scheduled to be published on 17 May 2018. For full and detailed commentary, please refer to the annual publication. For technical detail please refer to the accompanying guide to criminal justice statistics.

Alongside this publication, we will be publishing a new analytical paper on prolific offenders and an interactive Sankey diagram for offending histories which can be found at:

[moj-analytical-services.github.io/criminal\\_history\\_sankey/index.html](http://moj-analytical-services.github.io/criminal_history_sankey/index.html)

**We have changed how our quarterly bulletins look, and would welcome any feedback to [commentary.champions@justice.gsi.gov.uk](mailto:commentary.champions@justice.gsi.gov.uk)**

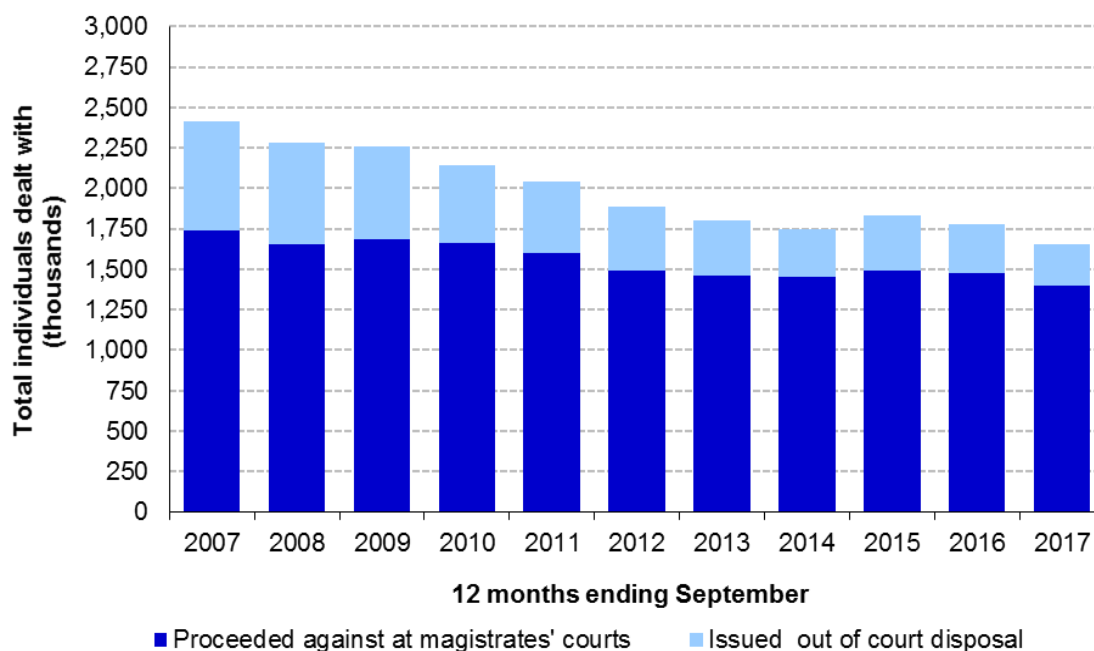
For other feedback related to the content of this publication, please contact us at [CJS\\_Statistics@justice.gsi.gov.uk](mailto:CJS_Statistics@justice.gsi.gov.uk)

# 1. Overview of the Criminal Justice System

## 1.65 million individuals were dealt with by the CJS in the latest year

The total number of individuals<sup>1</sup> formally dealt with by the criminal justice system (CJS)<sup>2</sup> in England and Wales has declined since 2007 and fell 7% in the latest year to a record low, with 1.65 million individuals dealt with in the year ending September 2017 (see Figure 1).

**Figure 1: Individuals dealt with formally by the CJS<sup>3</sup>, 12 months ending September 2007 to September 2017 (Source: Table Q1.1 and historical data)**



The number of individuals formally dealt with by the CJS fell by 7% in the latest year. The number of individuals prosecuted at all courts fell by around 5%, which is broadly in line with the latest crime outcomes statistics published by the Home Office<sup>4</sup>. These show that the number of suspects issued a charge/summons fell by 4% in the latest year. This is despite a 15% increase in overall police-recorded crime<sup>5</sup> (to 4.7million offences excluding fraud), believed to be associated with improved recording among police forces and victims' greater willingness to report crimes. The Crime Survey for England and Wales (CSEW), estimated 10.6 million incidents of crime in the latest year (including fraud and computer misuse)<sup>6</sup>, a reduction of 10% compared with the previous year (or a reduction of 6% if excluding fraud and computer misuse offences).

<sup>1</sup> A single individual (includes people and companies) can be counted more than once in a given year if they are dealt with by the CJS on more than one separate occasion. Includes individuals prosecuted, given a caution, Penalty Notice for Disorder (PND) or cannabis/khat warning and community resolutions.

<sup>2</sup> The number of individuals formally dealt with by the CJS is the sum of all defendants prosecuted at magistrates' court plus all individuals issued an out of court disposal (including community resolutions).

<sup>3</sup> Adding three years of community resolutions data causes the apparent increase in OOCs from the year ending September 2015, but the downward trend continued for each type of OOC throughout the period.

<sup>4</sup> [www.gov.uk/government/statistics/crime-outcomes-in-england-and-wales-year-to-september-2017-data-tables](http://www.gov.uk/government/statistics/crime-outcomes-in-england-and-wales-year-to-september-2017-data-tables)

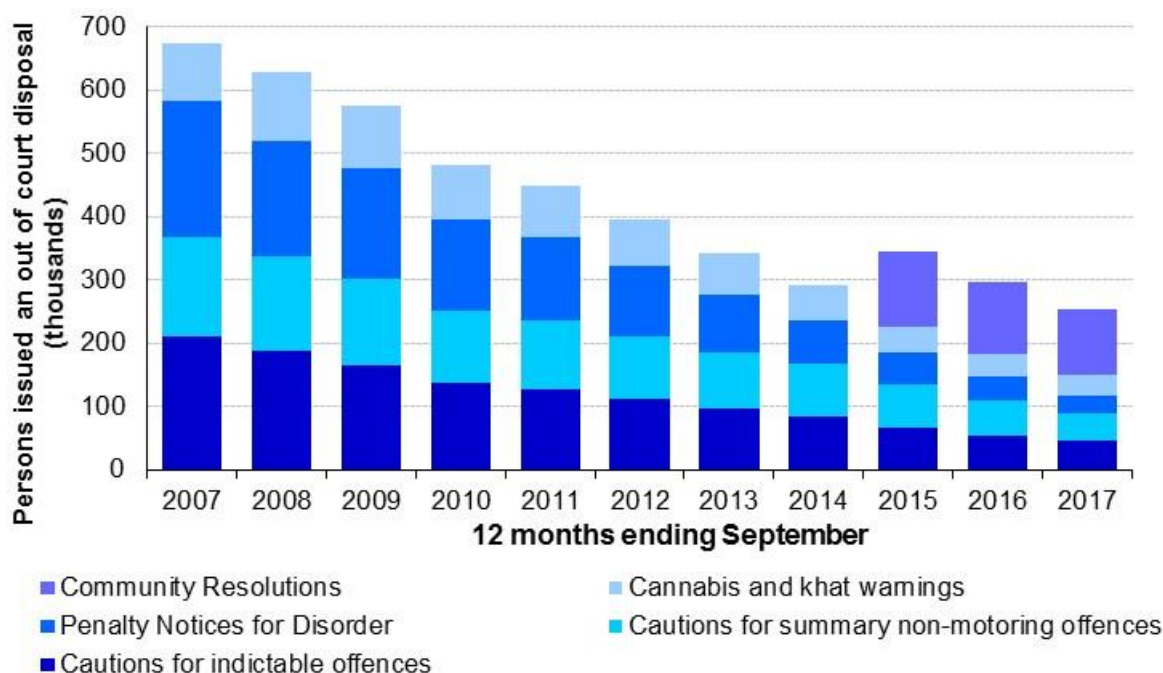
<sup>5</sup> This is the figure for the overall change in police recorded crime excluding fraud published by the Office for National Statistics. It may not exactly match the change shown in our overview tables. See the annual version of this publication for further discussion of the trend in police recorded crime.

<sup>6</sup> [www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendingseptember2017](http://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendingseptember2017)

## 2. Out of Court Disposals

The use of out of court disposals (OOCs) decreased by 43,700 (15%) in the year ending September 2017, when 253,200 individuals were issued an OOC. This reduction can be seen across all OOC types and continues the steady decline in the use of OOCs over the last ten years (excluding Community Resolutions<sup>7</sup>, see Figure 2). The decrease in the number of OOCs issued followed a number of policy changes relating to police practice and OOC availability<sup>8</sup>.

**Figure 2: Out of court disposals issued, by disposal, 12 months ending: September 2007 to September 2017 (Source: Tables Q.1.1, Q2.1 & Q2.2 and historic data)**



The number of Penalty Notices for Disorder (PNDs) administered was 28,200, falling 27% from the previous year. The most common offences that resulted in a PND were 'drunk and disorderly', theft (under £100), possession of cannabis, and causing harassment, alarm or distress, and together these accounted for 91% of all PNDs.

The total number of cautions administered was 88,600, falling 18% from the previous year. Drug offences, theft and violence against the person were the most common indictable offences<sup>9</sup> for which an offender received a caution (accounting for 80% of all cautions for indictable offences). The overall cautioning rate<sup>10</sup> (among those cautioned or convicted excluding summary motoring offences) fell in the latest year from 13% to 11%.

The number of Community Resolutions administered was 104,850, decreasing 8% since the previous year.

<sup>7</sup> Separately identifiable data on community resolutions were first collected from police forces under the full crime outcomes framework introduced from April 2014. These have been incorporated where comparable years of data are available.

<sup>8</sup> See the annual version of this publication for further detail.

<sup>9</sup> The majority of information presented in this publication is on the principal offence and principal sentence. Where prosecutions involve more than one offence, the principal offence is reported. See the technical guide for more information.

<sup>10</sup> The cautioning rate is the proportion of offenders who were either cautioned or convicted (excluding convictions for motoring offences) that were given a caution.

### 3. Court prosecutions and convictions

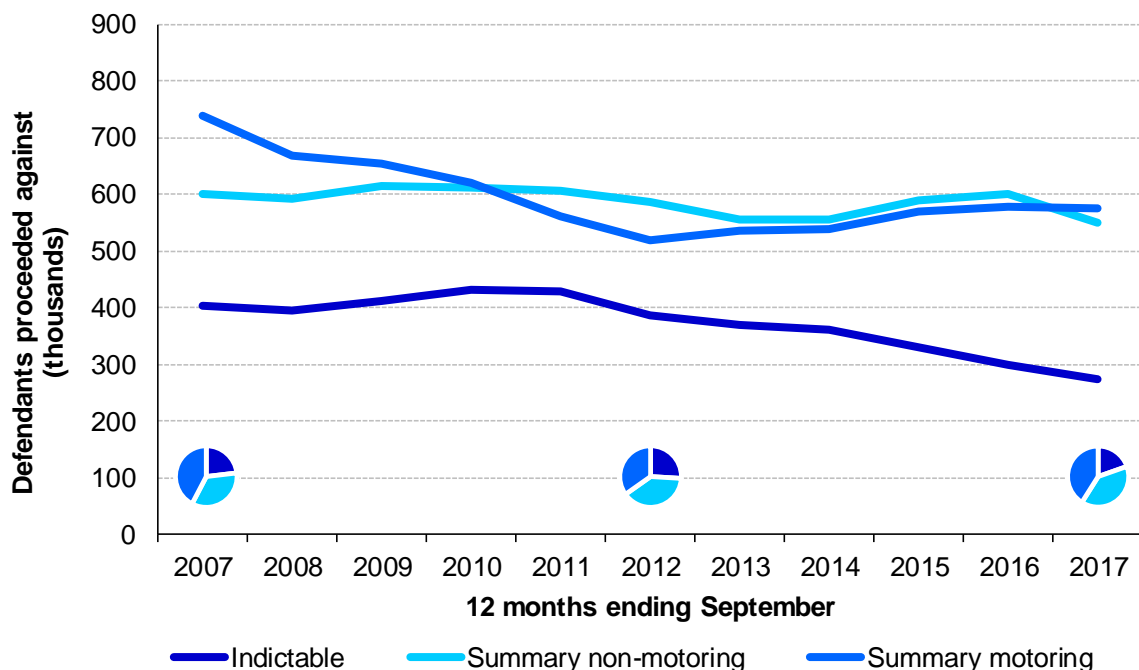
#### Overall, the number of defendants prosecuted fell to 1.40 million

In the 12 months ending September 2017, 1.40 million defendants were prosecuted at magistrates' courts, down from 1.48 million in the previous year. This was an overall fall of 5%, driven by falls in indictable and summary non-motoring offences.

#### The conviction ratio increased to 86%

Although the total number of offenders convicted fell, the overall conviction ratio<sup>11</sup> increased from 85% to 86% in the latest year, the highest in the decade. When compared to the previous year, the conviction ratio for indictable offences has decreased by one percentage point to 83%.

**Figure 3: Defendants prosecuted at magistrates' courts, 12 months ending September 2007 to September 2017, by type of offence (Source: Table Q3.2)**



The decline in overall prosecutions since the year ending September 2016 is primarily driven by a decline in defendants prosecuted for summary non-motoring and indictable offences. Following a gradual increase since 2012, prosecutions for summary motoring offences have been relatively stable since September 2015. Prosecutions for indictable offences have steadily declined since 2010 and decreased by 8% in the last year, whereas prosecutions for summary non-motoring offences have decreased 8% in the last year, reversing the upward trend seen since September 2014.

There were 1.2 million offenders convicted in the year ending September 2017, down 3% on the previous year. As with prosecutions, this decrease is driven by a fall in convictions for indictable and summary non-motoring offences (down 10% and 5% respectively), however there was an increase of 1% in convictions for summary motoring offences – these offences account for 43% of all offenders found guilty.

<sup>11</sup> Conviction ratio is calculated as the number of offenders convicted as a proportion of the number prosecuted in a given year.

## 4. Remands

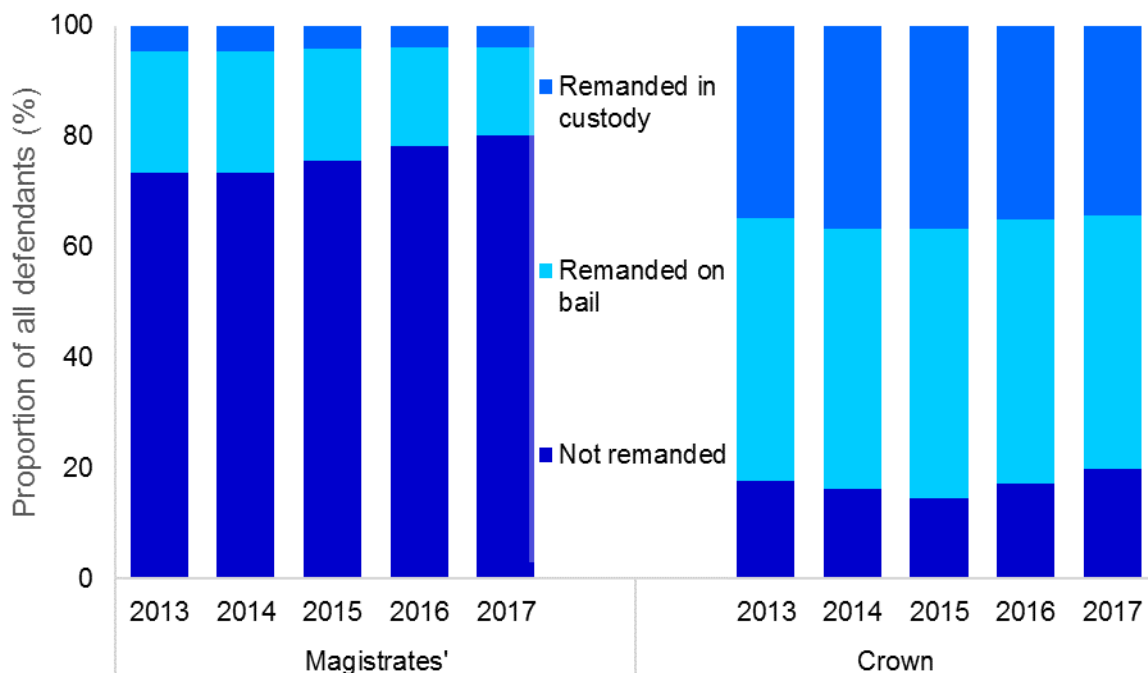
### The overall trends of remands have remained stable.

In the latest year, there was a slight decrease in the number of defendants remanded on bail and in custody, and a slight increase in those summonsed and not remanded.

In the year ending September 2017, there were 1.47 million defendants directed to appear at magistrates' courts (including those who failed to appear). The proportion of defendants being summonsed increased from 67% to 70%, the proportion remanded in custody by the police remained stable at 10% and the proportion arrested and bailed by police decreased from 23% to 21%. Bail was granted to 16% of defendants prosecuted at magistrates' courts, falling from 18% in the previous year. The proportion of defendants remanded in custody remained stable at 4%, while 80% had their case concluded at magistrates' courts without being remanded, increasing from 78% in the previous year.

In the Crown Court, the proportion of defendants not remanded increased from 17% to 20% between September 2016 and September 2017. In contrast, a falling proportion of defendants were remanded in custody (from 35% to 34%) and on bail (from 48% to 46%), bringing remand status figures for Crown Court back in line with proportions seen in 2013.

**Figure 4: Defendants' remand status in magistrates' courts and the Crown Court, 12 months ending September 2013 to 12 months ending September 2017 (Source: Table Q4.2 and Q4.3)**



Defendants are more likely to be remanded in custody for indictable offences than summary offences, so the proportion of defendants remanded in custody at the Crown Court is higher than at magistrates' courts. Of those remanded in custody at the Crown Court, 73% were sentenced to immediate custody in the year ending September 2017. Half (50%) of all defendants who were not remanded at the Crown Court received an immediate custodial sentence, and 16% of defendants remanded in custody by magistrates' courts were sentenced there to immediate custody. A further 59% of defendants remanded in custody in magistrates' courts were committed for trial or sentencing at the Crown Court.

## 5. Sentencing

### Custody rate<sup>12</sup> for indictable offences rose to 32%

The overall custody rate, at 7%, is the same as in September 2015 and 2016, while the custody rate for indictable offences has increased since September 2010, from 24% to 32%.

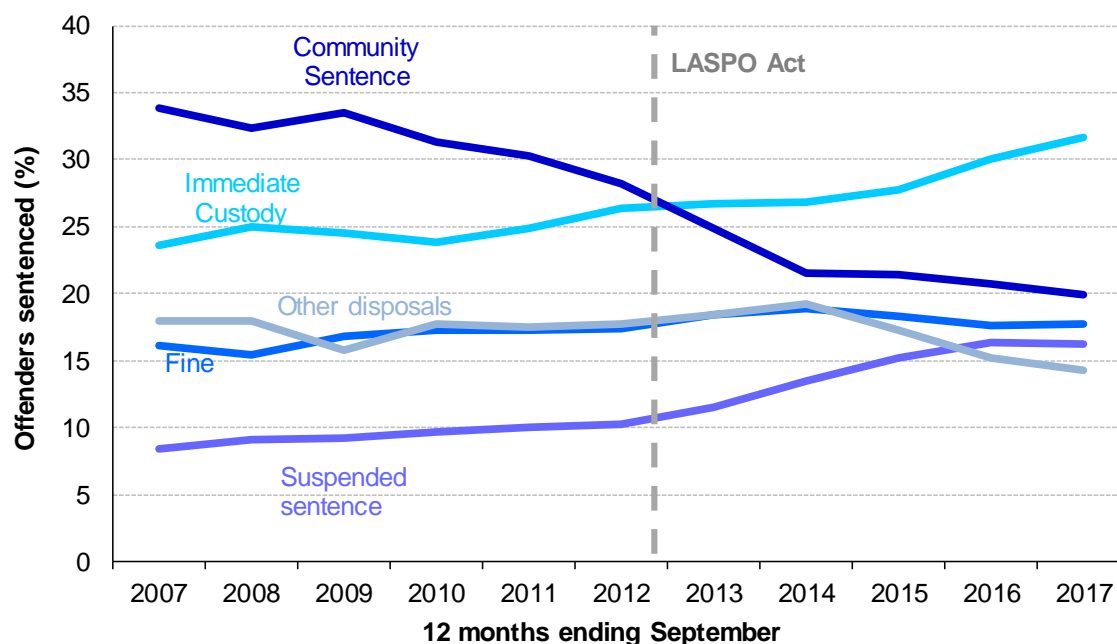
### Average custodial sentence length (ACSL) increased to 19.7 months for indictable offences and was 16.7 months overall.

ACSL has steadily increased since September 2007, when it was 12.4 months overall (now 16.7 months) and 15.2 months for indictable offences (now 19.7 months).

Overall, the number of offenders sentenced at all courts has fallen by 42,700 (3%) since 2016. Similar to prosecutions and convictions, this is driven by a decline in indictable and summary non-motoring offences, which have seen decreases of 10% and 5% respectively.

The most common sentence given for all offence groups was a fine, accounting for 75% of offenders sentenced in the latest year, following a steady increase of 10 percentage points since 2011. In the year ending September 2017, a greater proportion of offenders (32%) received immediate custody for indictable offences than any other type of sentence, up by 2 percentage points since 2016. Since 2007, the proportion of offenders receiving a community sentence has declined by 14 percentage points, and the proportion of offenders receiving a suspended sentence for indictable offences increased by 8 percentage points.

**Figure 5: Sentencing outcome trends for indictable offences at all courts, 12 months ending September 2007 to 12 months ending September 2017<sup>13</sup> (Source: Table Q5.3)**



The number of persons sentenced to custody for sexual offences increased in the last decade (from 2,800 to 4,200), which has contributed to the increase in the overall ACSL, as custodial sentences for sexual offences are generally longer. However, in the last year there has been a 3% decrease in the number of persons sentenced to custody for sexual offences and the ACSL stabilised at 60.6 months.

<sup>12</sup> Custody rates are calculated as the number of offenders sentenced to immediate custody as a proportion of all sentenced.

<sup>13</sup> For more information on the Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act 2012, please refer to the accompanying Guide to Criminal Justice Statistics.

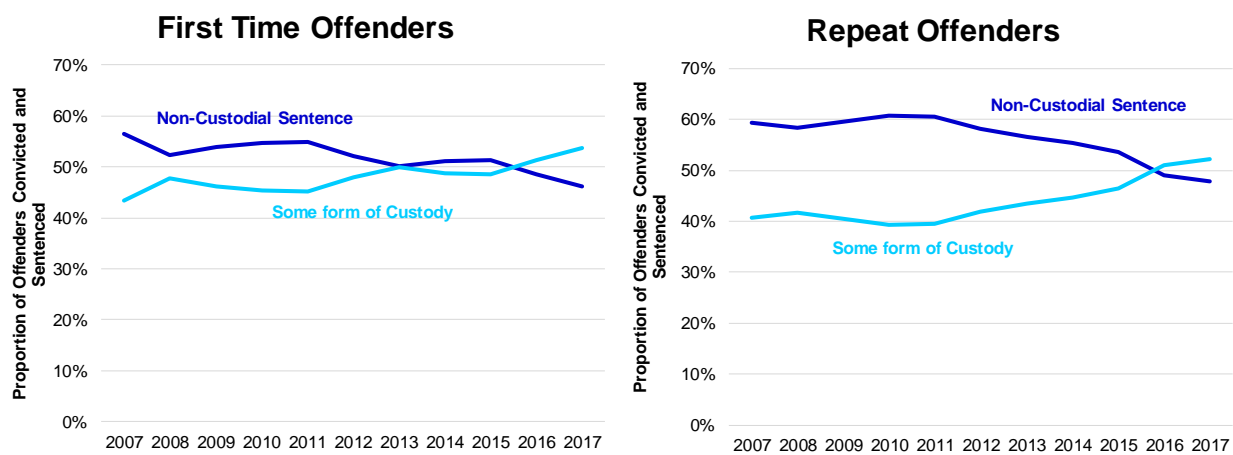


## 6. Offending Histories

### Adult offenders convicted for indictable offences are now more likely to receive some form of custody, irrespective of their criminal history

Adult offenders convicted for indictable offences are now more likely to receive some form of custody (52%), i.e. immediate custody or a suspended sentence, than they are to receive a non-custodial sentence, irrespective of their criminal history. 41% of adult offenders received some form of custody when convicted 10 years ago.

**Figure 6: Adult offenders convicted for indictable offences, by outcome, 12 months ending September 2007 to 12 months ending September 2017 (Source: Table Q6.1)**



### Proportion of adults with long criminal careers continues to rise

Just under two fifths (39%) of adult offenders convicted for an indictable offence in the last 12 months had a long criminal career (on average 34 previous sanctions), an increase from 30% 10 years ago. Over half (59%) of adult offenders with a long criminal career received some form of custodial sentence.

Whilst the overall number of juvenile offenders has decreased every year since 2007, the proportion that are first time offenders has been increasing since 2011. In the last 12 months 45% of juvenile offenders cautioned or convicted were first time offenders, a 7 percentage point increase since 2011, with a commensurate decline in further offending. 56% of juvenile first-time offenders received a caution in the last 12 months and the most common offence committed by this group of offenders was a theft offence

There were around 121,000 persistent offenders<sup>14</sup> in the 12 months ending September 2017 who have been responsible for around 2.7 million crimes through their criminal careers. Of these, 39% were given their first official sanction for a theft offence. The first in a new analytical series, published alongside this bulletin on “Prolific Offenders”<sup>15 16</sup> shows for the period 2000 to 2016, around 492,000 individuals met the criteria to be considered prolific.

<sup>14</sup> A persistent offender is an offender with 8 or more convictions or cautions.

<sup>15</sup> [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/659655/prolific-offenders-2017.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/659655/prolific-offenders-2017.pdf)

<sup>16</sup> Please see “Prolific Offenders: Experimental statistics” at [www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-september-2017](http://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-september-2017)

## Further information

The data presented in this publication are provisional. Final data for each calendar year is published in May each year in our Criminal Justice Statistics annual bulletin, following further data cleaning and the incorporation of additional cases not available in our original extracts of administrative data.

## Accompanying files

As well as this bulletin, the following products are published as part of this release:

- A technical guide providing further information on how the data is collected and processed, as well as information on the revisions policy and 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.
- A set of offending histories tables, including a data tool.
- An analytical paper on prolific offenders.



## National Statistics status

National Statistics status means that official statistics meet the highest standards of trustworthiness, quality and public value.

All official statistics should comply with all aspects of the Code of Practice for Official Statistics. They are awarded National Statistics status following an assessment by the Authority's regulatory arm. The Authority considers whether the statistics meet the highest standards of Code compliance, including the value they add to public decisions and debate.

It is the Ministry of Justice's responsibility to maintain compliance with the standards expected for National Statistics. If we become concerned about whether these statistics are still meeting the appropriate standards, we will discuss any concerns with the Authority promptly. National Statistics status can be removed at any point when the highest standards are not maintained, and reinstated when standards are restored.

## Contact

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

Tel: 020 3334 3536

Email: [newsdesk@justice.gsi.gov.uk](mailto: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:

Damon Wingfield, Responsible Statistician and Head of Criminal Justice Statistics

Ministry of Justice, 7th Floor, 102 Petty France, London, SW1H 9AJ

Email: [CJS\\_Statistics@justice.gsi.gov.uk](mailto:CJS_Statistics@justice.gsi.gov.uk)

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