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# Criminal Justice Statistics quarterly, England and Wales, October 2017 to September 2018

## Main points

<b>1.59 million individuals dealt with by the Criminal Justice System</b>	↓	The total number of individuals formally dealt with by the criminal justice system in England and Wales has been declining since 2015 and fell 5% in the latest year.
<b>Total number of defendants prosecuted fell to 1.37 million</b>	↓	Down by 4% in the latest year, driven by falls in indictable offences with the exception of possession of weapon prosecutions which increased by 2%.
<b>The conviction ratio increased to 87%, the highest in the decade</b>	↑	The conviction ratio for sexual offences has increased from 62% to 71% in the latest year, also the highest for these types of offences in the decade.
<b>The proportion of defendants remanded on bail has continued to fall</b>	↓	The number of defendants remanded on bail by the police decreased by 29% since September 2017.
<b>Custody rate for indictable offences rose to 33%</b>	↑	The overall custody rate remained at 7%.
<b>ACSL increased to 20.4 months for indictable offences and was 17.2 months overall.</b>	↑	Average custodial sentence length (ACSL) has steadily increased since September 2008, when it was 15.7 months for indictable offences and 13.0 months overall.
<b>Offenders with long criminal careers account for nearly two fifths of the offending population.</b>	↑	The proportion of offenders with a long criminal career that were convicted for indictable offences has increased by 10 percentage points.

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

Trends should be interpreted with caution as the figures are subject to change prior to the 2018 Criminal Justice Statistics annual bulletin, scheduled to be published on 16 May 2019. 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 bulletin we are publishing an analytical paper on prolific offenders and an updated interactive Sankey diagram for offending histories which can be found at: [https://moj-analytical-services.github.io/criminal\\_history\\_sankey/index.html](https://moj-analytical-services.github.io/criminal_history_sankey/index.html).

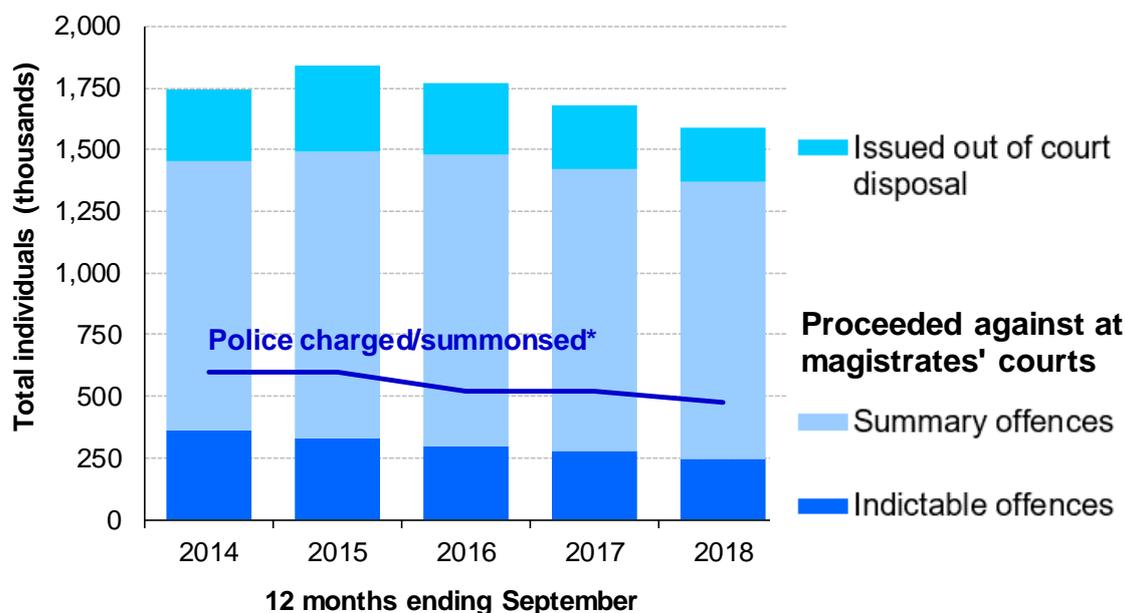
For feedback related to the content of this publication, please contact us at [CJS\\_Statistics@justice.gsi.gov.uk](mailto:CJS_Statistics@justice.gsi.gov.uk)

# 1. Overview of the Criminal Justice System

## 1.59 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 been declining since 2015 and fell 5% in the latest year.

**Figure 1: Individuals dealt with formally by the CJS<sup>3</sup> and the number of offences given a charged/summonsed outcome, 12 months ending September 2014 to September 2018 (Source: Table Q1.1 and Q1.2)**



\*Number of notifiable offences given a charged/summonsed outcome, excludes fraud offences

The number of individuals formally dealt with by the CJS fell by 5% in the latest year. The number of individuals prosecuted at all courts fell by 4%, and for indictable offences prosecutions fell by 12%, which is broadly in line with the latest crime outcomes statistics published by the Home Office; the number of offences given a charge/summonsed (excluding fraud) fell by 9% in the latest year<sup>4</sup>. This is despite an 8% increase in overall recorded crime excluding fraud<sup>5</sup> (to 5.1 million offences, or 7% increase to 5.7 million offences including 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 6.2 million incidents of crime in the year ending September 2018 (excluding fraud and computer misuse), which is no change when compared with the previous year<sup>6</sup>.

<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 March 2015, but the downward trend continued for each type of OOC throughout the period.

<sup>4</sup> <https://www.gov.uk/government/statistics/crime-outcomes-in-england-and-wales-year-to-september-2018-data-tables>

<sup>5</sup> This is the figure for the overall police recorded crime by the Home Office, this figure is based on notifiable offences and excludes fraud as Action Fraud have taken over the recording of fraud offences on behalf of individual police forces. Latest data for year ending September 2018 can be found here:

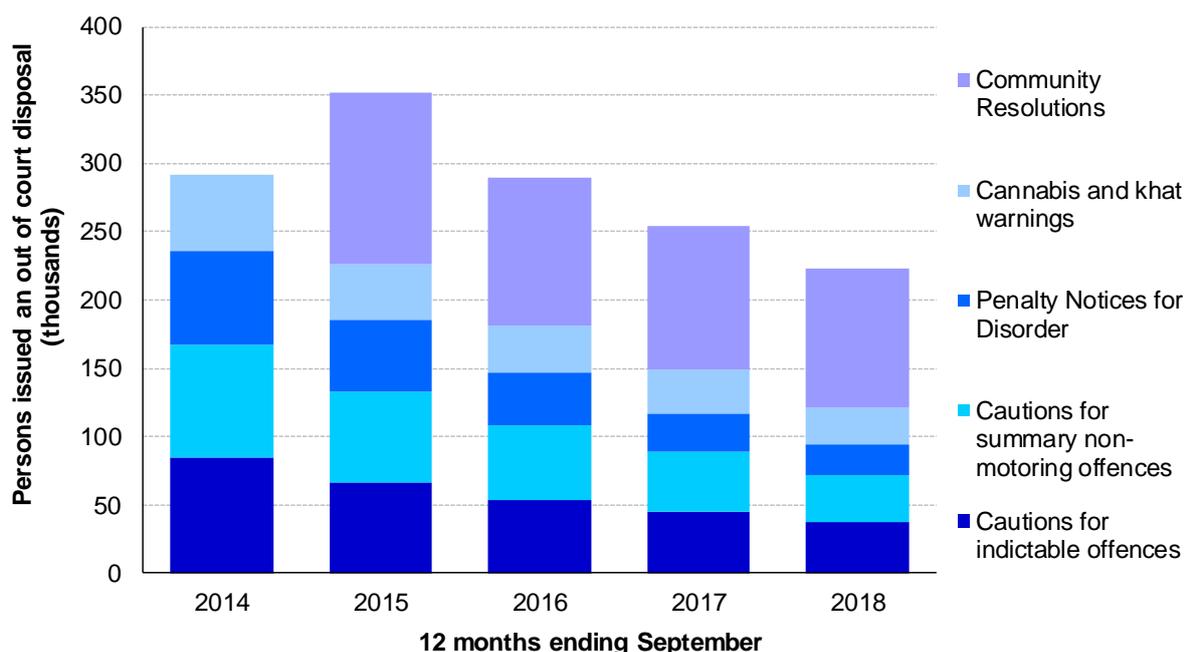
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/749310/prc-pfa-mar2013-onwards-tables.ods](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/749310/prc-pfa-mar2013-onwards-tables.ods)

<sup>6</sup> <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/crimeinenglandandwalesappendixtables>

## 2. Out of Court Disposals

The use of out of court disposals (OOCs) decreased by 31,200 (12%) between September 2017 and September 2018, to 222,800 individuals issued an OOC. This decreasing trend can be seen across all OOC types and continues the steady decline in the use of OOCs over the last ten years. The use of Community Resolutions<sup>7</sup> has also decreased since being introduced, to 102,000 in September 2018, a 3% decrease since September 2017. The decrease in the number of OOCs 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 2008 to September 2018 (Source: Tables Q1.1, Q2.1 and Q2.2)**



The number of Penalty Notices for Disorder (PNDs) administered was 21,800, falling 23% from the previous year. The most common offences that resulted in a PND were drunk and disorderly, possession of cannabis, theft (under £100), and causing harassment, alarm or distress, and together these accounted for 91% of all PNDs issued.

The total number of cautions administered was 72,000, falling 19% from the previous year. Drug offences, theft offences and violence against the person were the most common indictable offences<sup>9</sup> for which an offender received a caution (accounting for 79% 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 11% to 10%.

<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

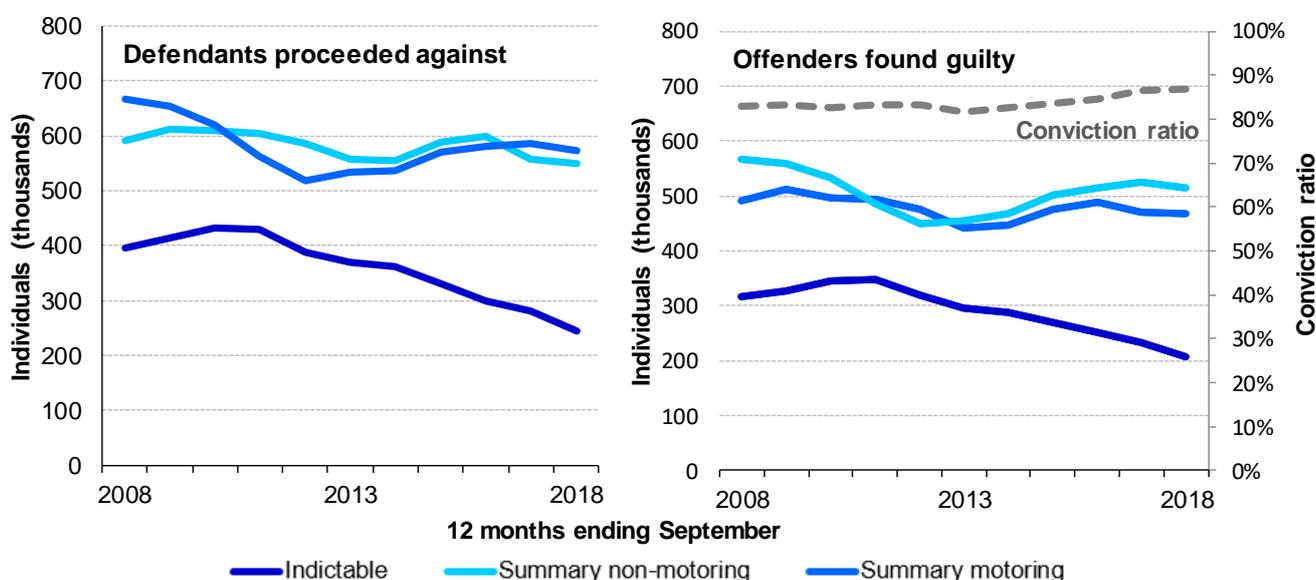
#### The total number of defendants prosecuted fell to 1.37 million

Down by 4% in the latest year, driven by falls in indictable offences with the exception of possession of weapon prosecutions which increased by 2%.

#### The conviction ratio<sup>11</sup> increased to 87%, the highest in the decade

The most notable change in conviction ratio among offence groups was for sexual offences which increased from 62% to 71% in the latest year, the highest for these types of offences in the decade.

**Figure 3: Defendants prosecuted at magistrates' courts and offenders found guilty, 12 months ending September 2008 to September 2018, by type of offence (Source: Tables Q3.2 and Q3.3)**



The 4% decline in overall prosecutions compared to the year ending September 2017 is primarily driven by a 12% decrease in defendants prosecuted for indictable offences, continuing the downward trend seen since 2011. Compared to the previous year, there have been decreases in prosecutions for all indictable offence groups except possession of weapons, where there was a 2% increase. Prosecutions for summary motoring offences decreased by 2% in the latest year, reversing the upward trend seen since 2012, while summary non-motoring offences continued a downward trend seen since 2016, decreasing by 1% in the latest year.

There were 1.19 million offenders convicted in the year ending September 2018, a 3% decrease on the previous year. As with prosecutions, this decrease is driven by a fall in convictions for indictable and summary motoring offences (down 12% and 2% respectively) and there have been decreases in convictions for all indictable offences apart from possession of weapons, which continue to show an increasing trend.

Since 2013, the conviction ratio has increased from 82% to 87% in the latest year (the highest in a decade). This has been driven by conviction ratios increasing for all offence types and also an increase in the proportion of convictions that were for summary offences (increasing from 75% to 83%) which typically have a higher conviction ratio.

<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

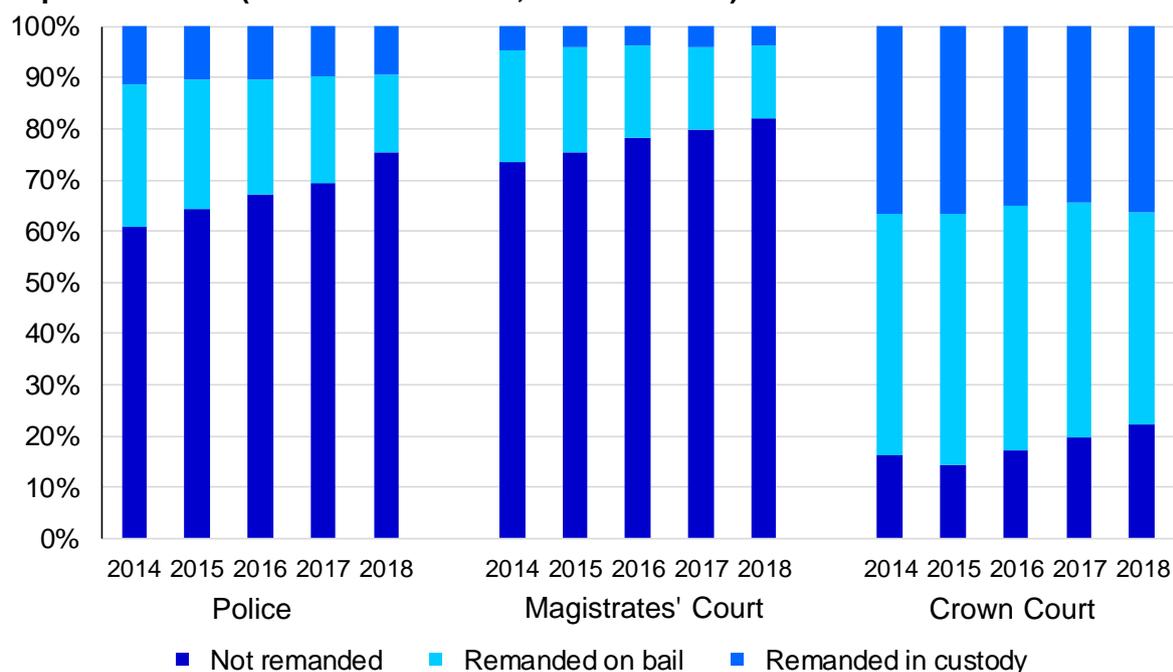
### The proportion of defendants remanded on bail has continued to fall.

In the latest year, there was a decrease in the number of defendants remanded on bail by police and at court. The number of defendants remanded on bail by the police decreased by 29% since September 2017<sup>12</sup>.

In the year ending September 2018, 1.44 million defendants were directed to appear at magistrates' courts (including those who failed to appear). Compared to the previous year, the proportion of defendants summonsed increased from 70% to 75%, the proportion arrested and bailed by police decreased from 21% to 15%, and 9% were remanded in custody by the police which has remained broadly stable.

Bail was granted to 14% of defendants prosecuted at magistrates' courts, down from 16% in the previous year. The proportion of defendants remanded in custody remained stable at 4%, while 82% had their case concluded at magistrates' courts without being remanded, up from 80% in the previous year. In the Crown Court, when compared to the previous year, increases were seen in the proportion of defendants not remanded (from 20% to 22%) and the proportion of those remanded in custody (from 34% to 36%). In contrast, a smaller proportion of defendants were remanded on bail (from 46% to 41%).

**Figure 4: Defendants' remand status, 12 months ending September 2014 to September 2018 (Source: Table Q4.1, Q4.2 and Q4.3)**



Defendants are more often remanded in custody for indictable offences than summary offences, so the proportion of defendants remanded in custody at Crown Court is higher than at magistrates' courts. In the latest year, of the defendants remanded in custody at magistrates' courts, 15% were sentenced to immediate custody, and a further 61% were committed for trial or sentencing at Crown Court. Of those remanded in custody at Crown Court, 72% were sentenced to immediate custody. Of all defendants who were not remanded at Crown Court, 52% received an immediate custody sentence.

<sup>12</sup> This may be associated with new legislation under the Policing and Crime Act 2017, which came into force on 3 April 2017 and introduced a bail limit of 28 days.

## 5. Sentencing

### Custody rate<sup>13</sup> for indictable offences rose to 33%

In year ending September 2018, the overall custody rate remained at 7%, while the custody rate for indictable offences rose to 33%, up from 25% in September 2008.

### Average custodial sentence length (ACSL) increased to 20.4 months for indictable offences and was 17.2 months overall.

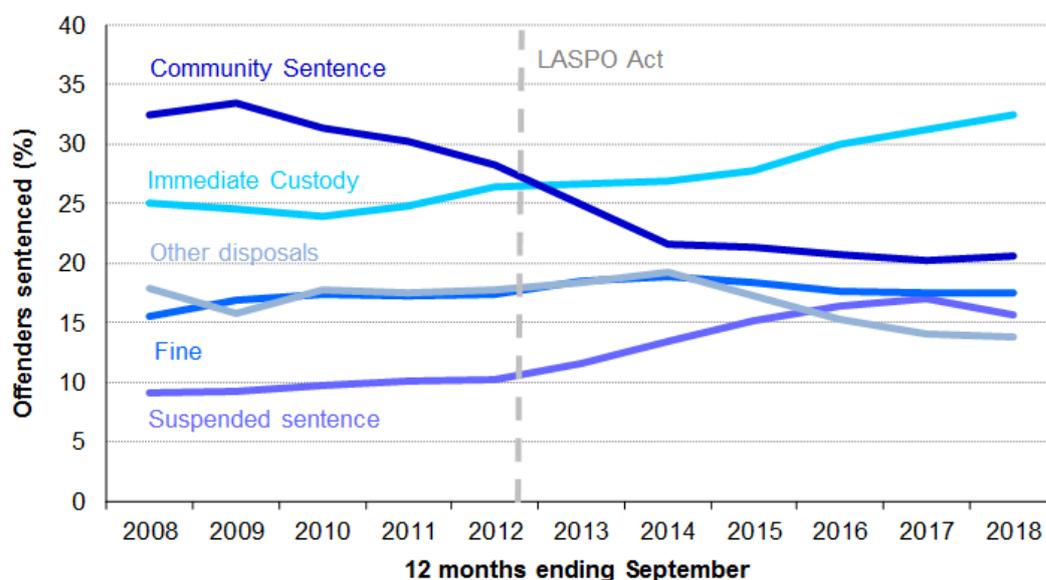
ACSL has steadily increased since September 2008, when it was 15.7 months for indictable offences and 13.0 months overall.

Compared to the year ending September 2017, the overall number of offenders sentenced at all courts has fallen by 3% to 1.18 million. Similar to the trend seen in prosecutions and convictions, this is mainly driven by a decline in the number of offenders sentenced for indictable offences, which has decreased by 12%.

The most common sentence given continues to be a fine, accounting for 76% of all offenders sentenced, increasing by 10 percentage points since 2012. In the latest year, just over half (51%) of people sentenced to immediate custody were sentenced to less than 6 months, remaining similar to the proportion seen in 2008 (53%).

In the latest year, a greater proportion of offenders<sup>14</sup> (32%) received immediate custody for indictable offences than any other sentence outcome, up 1 percentage point since last year and up 7 percentage points over the last 10 years. The proportion of offenders receiving a suspended sentence has been gradually increasing over the same period from 9% to 16% in the latest year. Falls can be seen in other disposals such as conditional discharge, where 9% of offenders in the latest year received this outcome compared to 13% in 2008.

**Figure 5: Sentencing outcome trends for indictable offences at all courts, 12 months ending September 2008 to September 2018 (Source: Table Q5.3)**



The only offence group to see an increase in the number of people sentenced to immediate custody in the latest year was possession of weapons, where 4,700 (up 10% from 4,300) individuals were sentenced. The custody rate for the offence group also increased by 1.8 percentage points to 36.0%.

<sup>13</sup> Custody rates are calculated as the number of persons sentenced to immediate custody as a proportion of all sentenced.

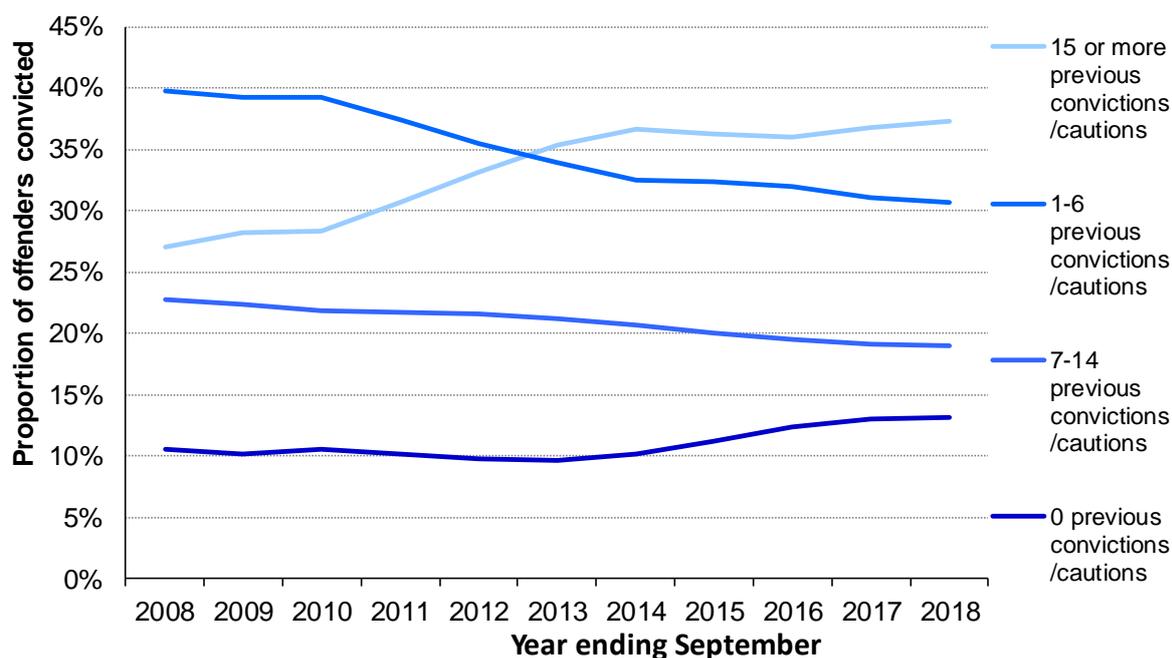
<sup>14</sup> Includes males, females, persons where sex "Not Stated" and other offenders, i.e. companies, public bodies, etc.

## 6. Offending Histories

Whilst the overall number of offenders convicted for an indictable offence has decreased, offenders with long criminal careers now account for nearly two-fifths of the offending population.

As highlighted in table 3.3, the number of offenders convicted for an indictable offence has been decreasing year on year since 2011, falling by 41%. Over the same period the proportion with a long criminal career<sup>15</sup> has increased. In the year ending September 2018 nearly two fifths (37%) of this offending population had a long criminal career; an increase of 10 percentage points since 2011.

**Figure 6: Offenders convicted for indictable offences by previous criminal history, year ending September 2008 to 2018 (Source: Table Q6.1)**



The proportion of adult offenders convicted of an indictable offence with long criminal careers during the year ending September 2018 is now at its highest level, 40%, compared with 32% in the year ending September 2008.

The number of first time offenders<sup>16</sup> convicted of an indictable offence has decreased for the third year in a row, from 30,900 in the year ending September 2016 to 26,900 in the year ending September 2018. However, the proportion of the offending population who are first time offenders has increased year on year since the year ending September 2013. In the year ending September 2018 13% of the offending population was a first time offender, a 4 percentage point increase since the year ending September 2013. The proportion of juvenile offenders convicted of an indictable offence who were first time offenders has increased and is now at its highest level. In the year ending September 2018 a third (32%) of juvenile offenders were first time offenders, this was an increase of 21 percentage points since the year ending September 2008.

<sup>15</sup> Offenders with a long criminal career are those with 15 or more previous cautions or convictions.

<sup>16</sup> Offenders with no previous cautions or convictions.

## 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 data tools and analysis 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 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

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## Next update: 16 May 2019

URL: <https://www.gov.uk/government/statistics/criminal-justice-statistics-quarterly-september-2018>

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