



Criminal Justice Statistics quarterly, England and Wales, year ending December 2018 (annual)

Main points

1.59 million individuals dealt with by the criminal justice system (CJS). ↓	The total number of individuals formally dealt with by the CJS in England and Wales has been declining since 2015 and fell 3% in the latest year to a record low (since 1970).
1.38 million defendants were prosecuted in 2018. ↓	Down 2% since 2017. Decreases were seen in all offence groups except possession of weapons (up 4%) and summary motoring offences (up 3%).
The conviction ratio remained broadly stable at 87% overall. ↔	Increases were seen in some offence groups including sexual offences, possession of weapons and fraud offences, decreases were observed in other offence groups including robbery and theft offences.
The proportion of defendants remanded on bail has continued to fall. ↓	In the latest year, the number of defendants remanded on bail by the Police decreased by 24%, while the number remanded in custody decreased 7%. A similar trend was observed at courts.
The custody rate was 7% and the average custodial sentence length was 17.3 months. ↔	Over the last decade the custody rate has remained stable, however the number sentenced to immediate custody has decreased since 2011, those that did receive a longer average custodial sentence length increasing from 13.3 months 2008 to 17.3 months 2018.
Offenders with long criminal careers now account for nearly two-fifths of the offending population. ↑	Since 2010, the proportion of offenders with a long criminal career (more than 15 previous cautions or convictions) has increased. In 2018, nearly two-fifths (37%) of the offending population had a long criminal career; an increase of 10 percentage points since 2008.

This is the 2018 Criminal Justice Statistics annual bulletin; it is based on data that has undergone additional quality assurance and includes cases for previous periods that have become available since earlier publications. The bulletin includes a wider range of commentary than the quarterly publications, and is accompanied by tools and experimental statistics providing additional insight for users. For technical detail about sources, quality and terminology, please refer to the accompanying guide to criminal justice statistics.

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Products published as part of the Criminal Justice Statistics (annual) publication

The following products are published as part of this release:

- This statistical bulletin, with commentary on trends in criminal justice statistics. This annual edition includes an additional chapter on motoring offences.
- An infographic showing visualisations of key messages.
- A technical guide providing further information on how 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, motoring and offending histories. The overview tables document also includes a diagram showing numerical flows through the criminal justice system.
- Interactive data tools:
 - Outcomes by Offence (which breaks down proceedings and outcomes by offence)
 - Court outcomes by Police Force Area
 - Cautions and Penalty Notices for Disorder (Out of Court Disposals)
 - Prosecutions and Convictions
 - Magistrates' Court Remands
 - Crown Court Remands
 - Sentencing
 - Motoring
 - Crown Courts
 - Magistrates' Courts and
 - Principal offence proceedings and outcomes by Home Office offence code.
 - Prosecutions and convictions on an all offence basis
- CSV files underpinning all data tools, together with one additional CSV file showing experimental statistics on information at the 'detailed offence group' (Home Office

offence code level) – allowing users to examine the combinations of offences for which defendants were prosecuted.

- Three Offending History data tools providing further information on first time entrants, previous offences and sanction statistics.
- The fourth in a series of analytical papers looking at prolific offenders, which explores the prison events of prolific offenders and looks into their socio-economic and educational backgrounds.
- A new machine-readable offence group classification document outlining offence groupings down to the 'detailed offence group' (Home Office offence code level).
- A link to an interactive Sankey diagram (a type of flow diagram, in which the width of the arrows is shown proportionally to the number each represents) presenting information on offending histories.

Introduction

This report presents key statistics on activity in the Criminal Justice System (CJS) for England and Wales. It provides commentary for January to December 2018 (referred to as the 'latest year') with accompanying analysis and presentation of longer term trends.

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 other sources covering activity in the CJS – in particular, numbers of crimes recorded by and the outcomes assigned to those crimes by the police (particularly charged/summonsed and out of court disposals), which is the starting point for some of the crimes dealt with by CJS agencies.

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 may then 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 jury¹; 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 licence 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 a defendant being prosecuted for 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;
- 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, for example where the defendant is tried for murder but found guilty of manslaughter. Unless otherwise stated, the sentence shown is the most severe sentence or

¹ 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.

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.

These statistics reflect all type of criminal offence dealt with by the courts, including those prosecuted by bodies other than the police (such as the TV licensing enforcement office).

Changes and revisions in this publication

Some additions and amendments have been made to the interactive tools published alongside this publication:

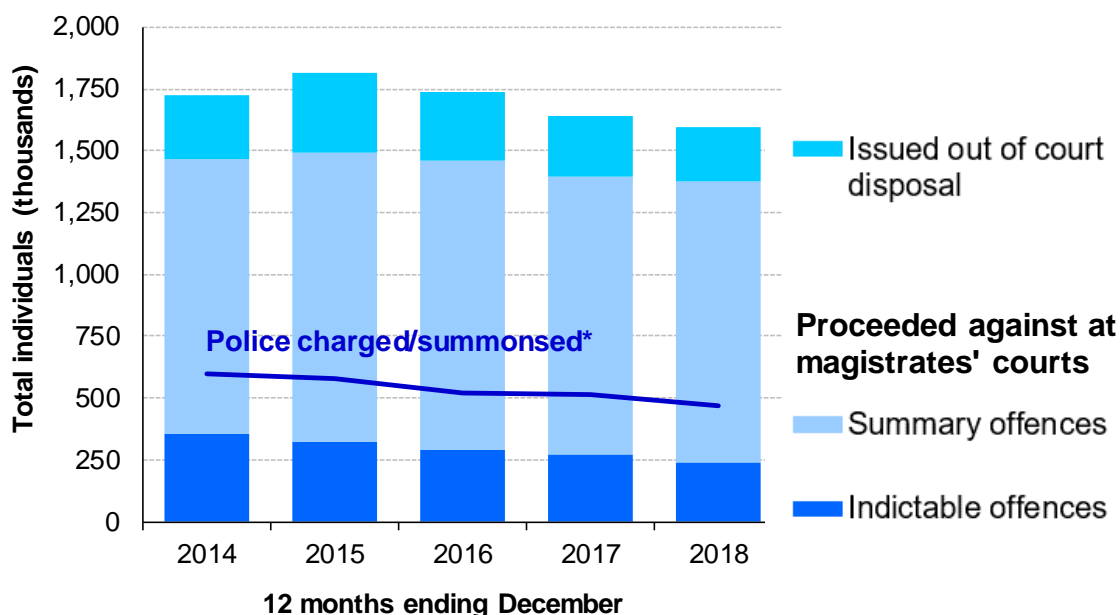
- Age range – previously the oldest age group identified in tables was over 25 but we have now split this into additional bands for 2017 and 2018.
- Average custodial sentence length has been added to the Court outcomes by Police Force Area data tool.
- Average custodial sentence length, Police Force Area and custodial sentence lengths have been added to the Proceedings and outcomes by Home Office offence code data tools.
- Experimental statistics: Defendants prosecuted for combinations of offences – a methodological development to focus on defendants rather than non-principal offences, to allow users to examine how often offences appear alongside each other.

1. Overview of the Criminal Justice System

1.59 million individuals have been dealt with by the CJS

The total number of individuals² formally dealt with by the criminal justice system (CJS)³ in England and Wales has been declining since 2015 and fell 3% in the latest year to a record low (since 1970).

Figure 1.1: Individuals dealt with formally by the CJS⁴ and the number of offences given a 'charged/summonsed' outcome, 2014 to 2018 (Source: Table Q1.1 and Q1.2)



*Number of notifiable offences given a charged/summonsed outcome, excludes fraud offences
Based on police recorded outcomes, source: Home Office

The number of individuals prosecuted at all courts fell by 2% compared to the previous year, and there was a reduction in the use of out of court disposals, down 11% in the latest year.

Comparisons with crime statistics

The flow chart in the overview tables highlights flows through the Criminal Justice System. It is useful to consider associated crime data in the flow through to courts to provide additional context, in particular police charges which are likely to be the in-flow for some prosecutions (rather than volumes of crimes themselves).

The Crime Survey for England and Wales (CSEW)⁵ provides a broad estimate of victimisation. It showed there were 6.4 million incidents of crime in 2018 (11.1 million when

² A single individual (includes people and companies) can be counted more than once in a year if they are dealt with by the CJS on more than one occasion. Includes individuals prosecuted, given a caution, Penalty Notice for Disorder (PND) or cannabis/khat warning and community resolutions.

³ 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).

⁴ The apparent increase in out of court disposals in 2015 is due to the addition of community resolutions data from the year ending March 2015. The downward trend continued for each type of OOCd throughout the period.

⁵ More information on the Crime Survey for England and Wales can be found here:

<https://www.ons.gov.uk/surveys/informationforhouseholdsandindividuals/householdandindividualsurveys/crimesurveyforenglandandwales>

including fraud and computer misuse), no significant change when compared with the previous year. The CSEW covers crimes against households and individuals and includes crimes which do not come to the attention of the police. The CSEW excludes a range of other crimes that would be recorded by either the police (such as murder, possession offences and 'victimless' crimes) or other authorities (such as television licence evasion or rail fare evasion). This is because the survey asks householders for their experience as victims (rather than offenders).

Another source of crime information is police recorded crime, which increased by 6% compared to the previous year, to 5.1 million⁶ (5.7 million when including fraud offences). This increase is believed to be driven by improved recording among police forces and victims' greater willingness to report crimes, with genuine increases in some low volume crime types. Police recorded crime covers all indictable and triable either-way offences. Additionally, a few closely associated summary offences are included.

Once a crime is recorded by the police, an investigation takes place and the police force assigns one of a number of outcomes to the crime⁷. These include where a suspect is charged or summonsed, an out of court disposal or an explanation as to why no further action is taken, for example due to evidential difficulties, the offender having died, or no suspect being identified.

It seems reasonable to expect figures on prosecutions to broadly follow trends in police charges for similar offences. However, there are important issues to consider such as time lag, differences in counting and coverage. More information can be found in the Guide to Criminal Justice Statistics published alongside this bulletin.

The number of recorded crimes where somebody was charged by the police or summonsed in 2018 was 465,000, a 9% decrease on 2017. Meanwhile, the number of defendants prosecuted for indictable offences (excluding fraud, to be consistent with charges) fell over the same period by 11%. Variations between these two figures are expected given the factors outlined above.

For most indictable offence groups, movements in defendants prosecuted generally followed movements in offences where a suspect was charged by the police or summonsed. Figure 1.2 shows the relationship between:

- the annual change in the number of crimes where the police charged/summonsed a suspect; and
- the annual change in number of defendants prosecuted by indictable offence group.

It demonstrates that despite some differences in coverage, there remains a fairly close correlation between the two.

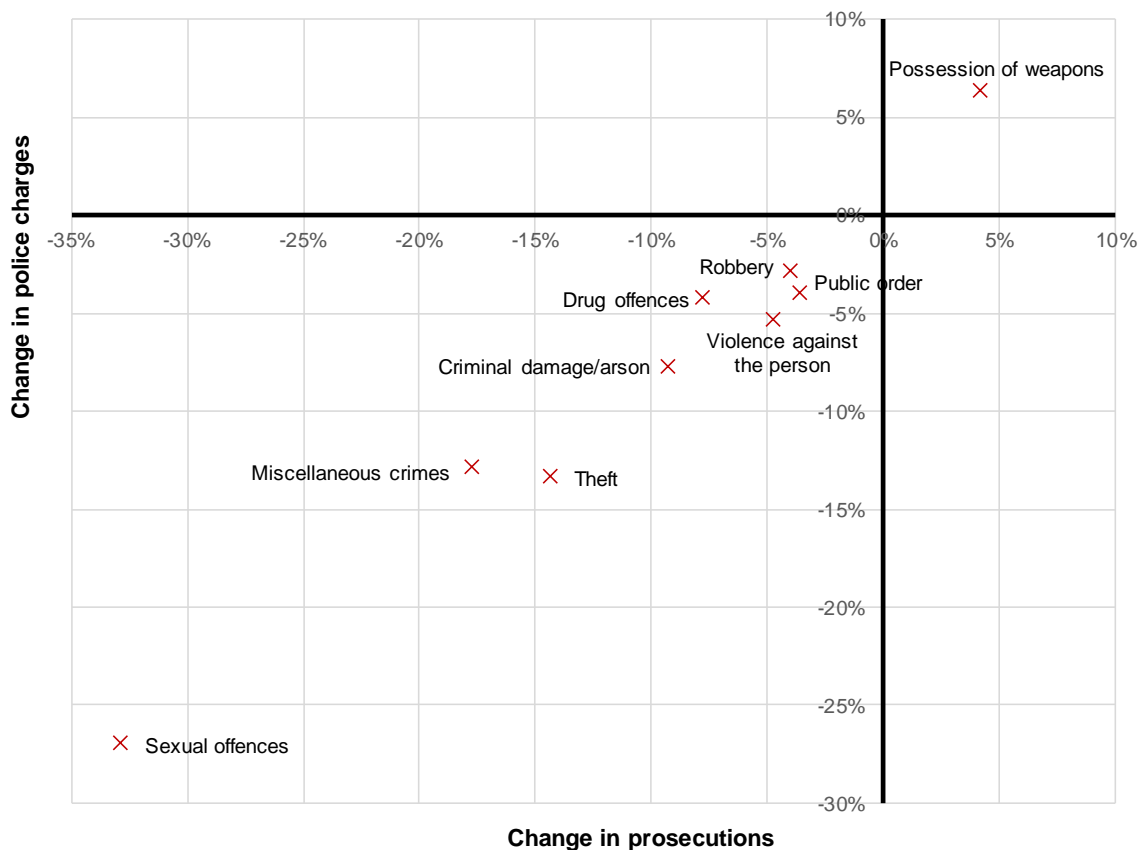
⁶ This figure is based on notifiable offences and excludes fraud as Action Fraud have taken over the recording of fraud offences on behalf of individual police forces. Latest data for year ending December 2018 can be found here:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/749310/prc-pfa-mar2013-onwards-tables.ods

⁷ Crime outcomes recorded by the police are published by the Home Office:

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

Figure 1.1: Percentage change in police charges and court prosecutions by indictable offence group, 2018 (compared to 2017)



Source: Table Q3.2 and Home Office data (Table 3.2 of the [Crime outcomes in England and Wales, year to December 2018: data tables](#)).

New offences included in court data

This section highlights some offences that first became available in court data for 2018. It is a short summary showing new offences likely to be of particular interest only; www.legislation.gov.uk has details of all legislation that has come into force throughout the entire reporting period.

There can be a delay between the commencement of new offences and seeing them in court data, primarily due to the time it takes for an offence to be investigated, the police to assign it an outcome, and the prosecution, before resulting in a completed court case⁸. This delay can lead to the recording of a higher proportion of cautions (relative to prosecutions) in the year of commencement, compared with future years; the delay is shorter for cautions as they can be issued more quickly and therefore reach our data sooner. For this reason, only the numbers of offenders issued a caution and defendants prosecuted have been shown here.

Criminal Justice Act 1988 (Assaults on Emergency Workers (Offences) Act 2018)

New triable either-way offences were introduced under the Criminal Justice Act 1988 relating to assault or assault by beating of an emergency worker, for which the maximum

⁸ It is useful to consider an example of a 'new' offence to illustrate the delay in court disposals – for example, the offence of stalking came into force in 2012 and in 2013, 53 individuals were convicted for the offence. This rose to 147 in 2014 as more cases flowed through the system and subsequently to 194 in 2015.

penalty is 12 months imprisonment. In 2018, 352 defendants were prosecuted for this offence.

Other offences introduced in 2018 include:

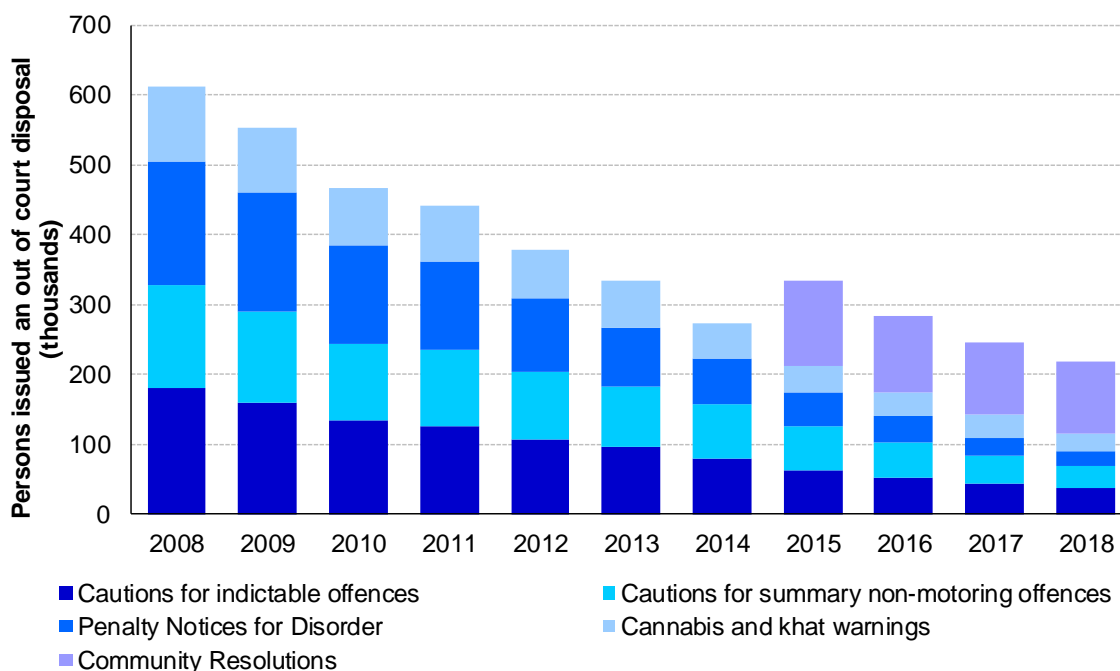
- Summary and triable either-way offences relating to the manufacturing of rinse-off personal care products containing microbeads (Environmental Protection (Microbeads) Regulations 2017 and 2018)
- Summary and triable either-way offences relating to personal data under the Data Protection Act 2018
- Summary offences relating to pedestrian and drivers failing to follow pedestrian crossing regulations under the Traffic Signs Regulations and General Directions 2016.

2. Out of Court Disposals

Out of court disposals⁹ have been declining since 2008.

Out of court disposals (OOCs) are sanctions that are used by the police to address offences without the need to be dealt with at court. In 2018, 219,000 people were issued an out of court disposal, compared with 612,000 in 2008; a 64% fall overall. This fall would be even greater (81%) if excluding community resolutions which were first recorded in 2015¹⁰. However, the decreasing trend has begun to slow down over the past few years, with an 11% decrease in the latest year. The decrease in the number of OOCs followed a number of policy changes relating to police practice and OOC availability¹¹.

Figure 2.1: Out of court disposals issued, by disposal type, 2008 to 2018 (Source: Tables Q.1.1, Q2.1 and Q2.2 and historical data)



The proportion of people issued Penalty Notices for Disorder (PNDs) has decreased by 19% in the past year

PND use has been declining continuously over the past ten years (by 88% since 2008, from 176,200 to 21,100 in 2018).

In 2018, four higher tier offences comprised 91% of all PNDs issued; namely drunk and disorderly (42%), possession of cannabis (24%), theft (under £100) (13%) and causing harassment, alarm or distress (12%). Over the last decade, the proportion of PNDs issued for drunk and disorderly and possession of cannabis has increased, while the proportion

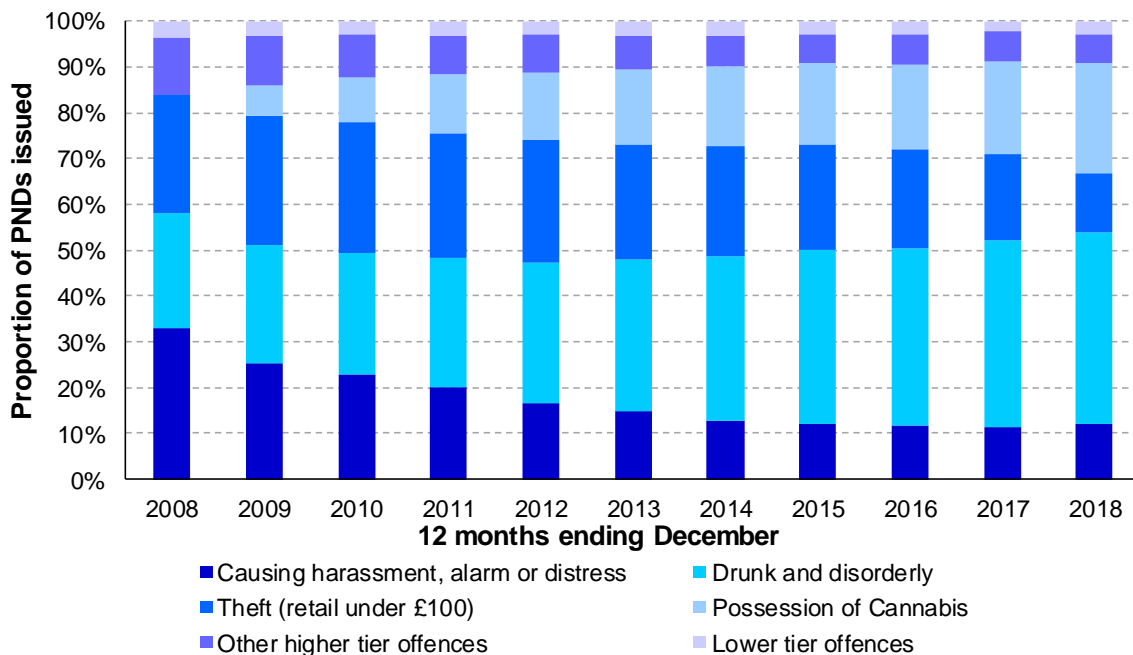
⁹ Out of court disposals (OOCs) are sanctions that are used by the police, with reference to the Crown Prosecution Service (CPS), to address offences without needing to be dealt with at court. The out of court disposals available to the police and the Crown Prosecution Service in 2018 included penalty notices for disorder (PNDs), simple and conditional cautions, cannabis and khat warnings and community resolutions.

¹⁰ Community resolutions are a non-statutory disposal available to the police which were expected to be used in some cases where alternative forms of OOC would have otherwise been given, as well as in some cases that would have been dealt with by other means.

¹¹ See the Technical Guide for more information.

issued for causing harassment, alarm or distress and retail theft of goods under the value of £100 has decreased.

Figure 2.2: Penalty Notices for Disorder issued for higher and lower tier offences, 2008 to 2018 (Source: Table Q2.1)



The proportion of people who paid their fines¹² in full remained stable in 2018, compared with 2017; increasing by one percentage point from 50% (12,925) to 51% (10,742). Those fined for late payment also remained stable between 2017 and 2018, at 33%.

Police cautions have decreased by 17% from 2017

Since 2008, the number of offenders issued either a simple or conditional caution fell 79% to 69,400 in 2018¹³.

Just over half (53%) of cautions issued in 2018 were for indictable offences. Drug offences, theft and violence against the person were the most common indictable offences for which an offence received a caution (accounting for 78% of all cautions for indictable offences). Volumes of cautions decreased across all offence groups in 2018 compared to 2017, except for public order offences, up by 5% and possession of weapons, up 2% in 2018.

The overall cautioning rate¹⁴ decreased from 10.7% in 2017 to 9.4% in 2018.

The fall in cautioning rate was seen in both indictable and summary offences, decreasing by 0.6 percentage points (to 15.3%) and 1.4 percentage points (to 6.6%) respectively. This continued the downward trend for cautioning rates over the past decade.

¹² Fines for PNDs vary by tier; £90 for higher tier offences and £60 for lower tier offences.

¹³ 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.

¹⁴ The cautioning rate is the proportion of offenders who were either cautioned or convicted (excluding convictions for motoring offences) that were given a caution.

The use of cannabis and khat warnings issued have continued to decline, by 53% since 2014

In 2018, 24,000 cannabis and khat warnings were issued. This is a decrease of 25% compared with 2017 (when 32,000 were issued).

Fewer community resolutions¹⁵ were issued in 2018 compared with 2017

In 2018, 105,000 community resolutions were administered by the police, similar to a year earlier (104,000).

¹⁵ Further information about community resolutions can be obtained from the Home Office publication at the link below:

<https://www.gov.uk/government/collections/crime-outcomes-in-england-and-wales-statistics>

3. Court Proceedings and Convictions

1.38 million defendants were prosecuted in 2018.

Down 2% since 2017. Decreases were seen in all offence groups except possession of weapons (up 4%) and summary motoring offences (up 3% since 2017).

The conviction ratio¹⁶ remained broadly stable at 87% overall.

Increases were seen in some offence groups including sexual offences, possession of weapons and fraud offences, decreases were observed in other offence groups including robbery and theft offences.

Defendants start proceedings at magistrates' courts, regardless of the seriousness of the offence they are charged with¹⁷. Less serious offences (summary offences) will be entirely dealt with by magistrates' courts. The most serious indictable offences (indictable only offences) must be tried at the Crown Court¹⁸, the remaining indictable offences (triable either-way) can either be tried at a magistrates' court or Crown Court.

The number of defendants prosecuted saw a further decrease in 2018.

In 2018, 1.38 million defendants were prosecuted at magistrates' courts, a reduction of 2% compared to 2017 and down 16% since 2008. The decrease in the latest year is driven by a 12% fall in indictable offences, continuing the downward trend seen since 2011. While the number of defendants prosecuted has fallen generally since 2008 (by 16% overall), there have been some short-term fluctuations with a recent peak in 2015. However, overall prosecutions have fallen each year since then.

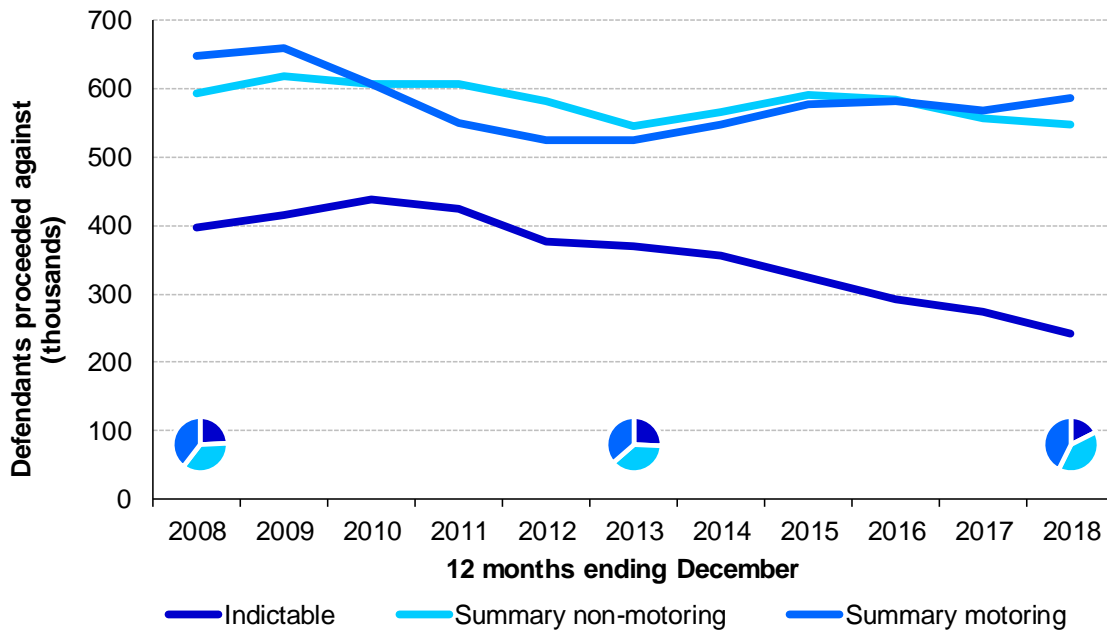
In 2018, the majority (82%) of prosecutions were for summary offences and the number of these prosecutions increased by 1% to 1.13 million since 2017. Within this, prosecutions for summary motoring offences increased by 3% since 2017, while summary non-motoring offences continued the decline seen since 2016.

¹⁶ Conviction ratio is calculated as the number of offenders convicted as a proportion of the number of defendants prosecuted in a given year.

¹⁷ There are rare exceptions, as mentioned in the accompanying technical guide.

¹⁸ In rare instances, indictable only offences can be dealt with at magistrates' court and this is usually because the defendant is a child.

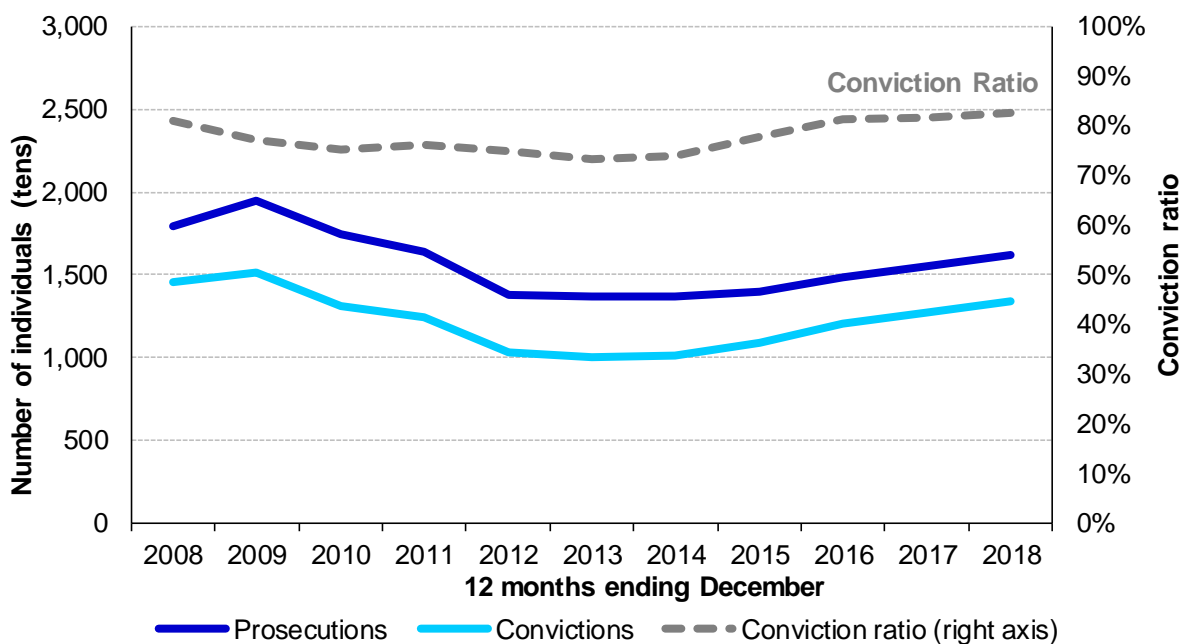
Figure 3.1: Defendants prosecuted at magistrates' courts, 2008 to 2018, and proportions of all proceedings, 2008 to 2018 (Source: Table Q3.2)



Prosecutions for possession of weapon offences increased in the latest year.

Prosecutions for all indictable offences groups have declined since 2017, except for possession of weapons, which increased by 4% between 2017 and 2018 (to 16,200 defendants) and broadly in line with police charges. The increase in prosecutions in the latest year was driven by 'having possession of a bladed article in a public place', which was up by 8% (600 defendants) compared to 2017. This continues the increase for possession of weapons seen since 2014, prior to which there had been a steady decline since 2009.

Figure 3.2: Prosecutions and convictions for possession of weapons offences, 2008 to 2018 (Source Table Q3.2a, Q3.2b and Q3.3)



The offence group with the largest proportionate decrease in prosecutions and convictions was for sexual offences.

The number of defendants prosecuted for sexual offences has decreased by a third since 2017, from 11,300 to 7,600 in 2018, broadly in line with reductions in police charges published by the Home Office, which have fallen over the last couple of years.

- The ONS, Home Office and MoJ publication "[Sexual Offending: the path through the criminal justice system](#)" suggests the fall in police charges "is partly due to the steep increase in police recorded sexual offences seen over recent years, with the police now recording more sexual offences where it is difficult to achieve a charge or summons outcome".
- As the annual [Criminal Justice Statistics bulletin highlighted in May 2018](#), disclosure of evidence in high profile serious sexual offences cases was reviewed by the CPS in early 2018¹⁹ and is likely to have contributed to the reduction in prosecutions for sexual offences. The ONS/HO/MoJ article further states "The decline in the number of charge or summons outcomes may be due to resource pressures on the police following the increase in recorded sexual offences. An increase in digital evidence in recent years has increased the complexity of evidence gathering."

Theft offences accounted for the greatest proportion (31%) of prosecutions amongst indictable offences and this has remained stable since 2008.

This means that falls in theft prosecutions influence the overall trends and in 2018, the 14% decrease in theft prosecutions accounted for 40% of the fall in all indictable prosecutions.

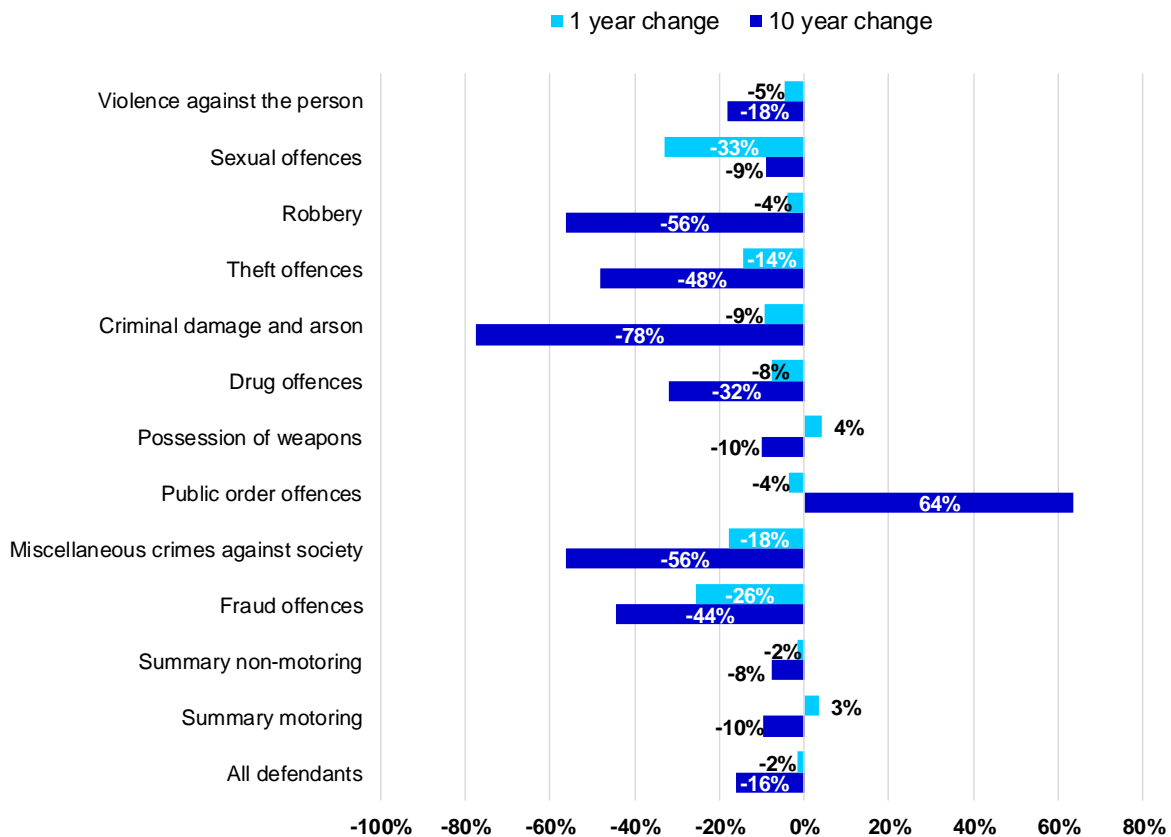
Between 2017 and 2018, there were large falls in the number of defendants prosecuted for:

- Theft offences (a 14% decrease to 76,000 defendants)
- Miscellaneous crimes against society (18% decrease to 31,400 defendants). These offence groups continued to show the downward trend observed since 2015.

Compared to 2008, the number of defendants prosecuted has fallen for all indictable offence groups apart from public order offences, which increased by 64% to 17,100.

¹⁹ <https://www.cps.gov.uk/cps/news/joint-press-release-crown-prosecution-service-and-national-police-chiefs-council-action>

Figure 3.3: Percentage change in prosecutions for offence groups, 2018 compared to 2008 and 2017 (Source Table Q3.2)



The majority of triable either-way offences are dealt with at magistrates’ court, the number sent to Crown court continued to decline.

In 2018, defendants prosecuted for triable either-way offences accounted for 91% of those prosecuted for indictable offences, remaining broadly stable and in line with the proportion over the last decade. Most prosecutions (71%) for triable either-way offences were tried and completed within magistrates’ courts, remaining broadly stable since 2016.

The proportion of defendants prosecuted for triable either-way offences sent for trial at the Crown Court has remained relatively stable since 2016, at 19% in 2018.

The conviction ratio remained relatively stable in the latest year.

The number of defendants convicted – that is, defendants who plead guilty or are found guilty after trial – decreased by 1% between 2017 and 2018. Changes in the level of convictions are naturally associated with changes in the number of prosecutions and the breakdown of the individual offence types within convictions.

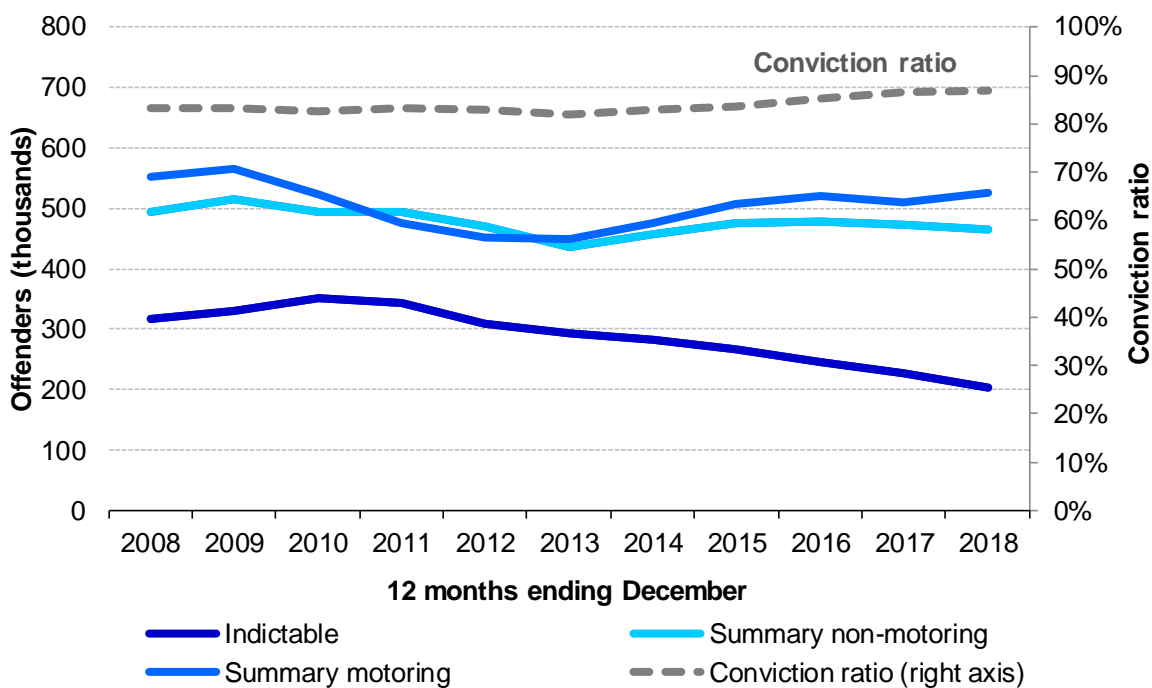
In 2018, there were overall decreases in convictions for all offence types except summary motoring offences, which saw a 3% increase since 2017. This is in line with the increase in prosecutions for summary motoring offences. Within indictable offences, convictions for possession of weapon offences increased by slightly more (5%) than prosecutions since 2017.

The overall conviction ratio increased year-on-year between 2014 and 2017. However, it has remained relatively stable in the past year, increasing by 0.3 percentage points to

86.7% in 2018. The conviction ratio for indictable offences saw the largest change, increasing from 83.3% in 2017 to 84.2%. This was in part driven by the increase in conviction ratio for sexual offences, from 61.5% to 74.5% in 2018, the highest in the decade. As sexual offences typically take a long time from first listing to completion at court (214 days on average), this means that there is a lag time between defendants being prosecuted and convicted. This lag has impacted the increase in the conviction ratio as prosecutions have decreased faster than convictions.

Increases were also seen for possession of weapons, miscellaneous crimes against society and fraud offences.

Figure 3.4: Offenders found guilty at all courts, by type of offence, 2008 to 2018
(Source: Tables Q3.2 and Q3.3)



Conviction ratios vary by offence group.

Conviction ratios vary markedly for offence groups and this variation is driven by a number of factors, including the likelihood of a guilty plea for that offence, availability and accessibility of evidence and a number of secondary factors that can influence these (such as sentence lengths, witness and victim support, trial lengths, etc.). Guilty pleas can be influenced by the nature of the offence and availability of evidence. An offence group with a high guilty plea rate will naturally tend to have a higher conviction ratio than one with a low guilty plea rate for example.

Other factors, such as the time 'lag' between prosecutions and convictions can also influence ratios, especially in the case of sexual offences, which has a mean time from first listing to completion of 214 days in 2018. This highlights that convictions from the latest period are often matched to prosecutions from earlier time periods and this can push the conviction ratio up when prosecutions are falling, or down when prosecutions are rising.

4. Remands

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

The number of defendants remanded on bail by the Police decreased by 24%²⁰, while the number remanded in custody decreased 7%. A similar trend was observed at courts.

In 2018, 1.44 million defendants were directed to appear at magistrates' courts (including those who failed to appear), decreasing 2% compared to 2017 (in line with prosecutions).

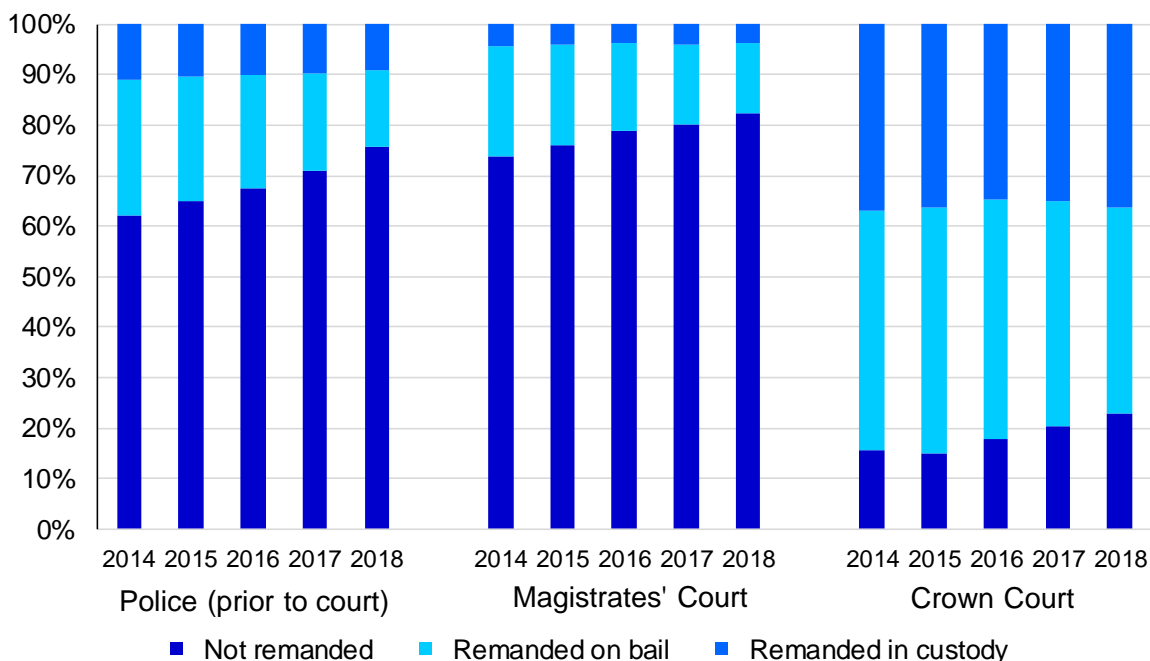
In the latest year, the proportion of defendants arrested and bailed by police prior to appearing at magistrates' court decreased from 19% to 15%.

The proportion of defendants summonsed prior to appearing at the magistrates' court increased from 71% to 76% compared with 2017, and 9% were remanded in custody by the Police, decreasing from 10%. The increasing proportion summonsed and decreasing proportion bailed has been a consistent trend in the last 5 years.

In 2018, bail was granted to 14% of defendants proceeded against at magistrates' courts decreasing from 16% the previous year.

The proportion of defendants remanded in custody remained stable at 4%, and 82% had their case concluded at magistrates' courts without being remanded, up from 80% in the previous year.

Figure 4.1: Defendants' remand status with Police (prior to court), at Magistrates' Court and at Crown Court, 2014 to 2018 (Source: Table Q4.1, Q4.2 and Q4.3)



²⁰ 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.

At the Crown Court the proportion of those remanded in custody was broadly stable, increasing by 1 percentage point to 36% in the latest year.

The proportion (and volume) of defendants not remanded has been increasing since 2015 from 15% to 23% in 2018 (16,000 to 19,500), while the proportion (and volume) of those remanded on bail has fallen (from 49% to 41% or 52,700 to 34,900).

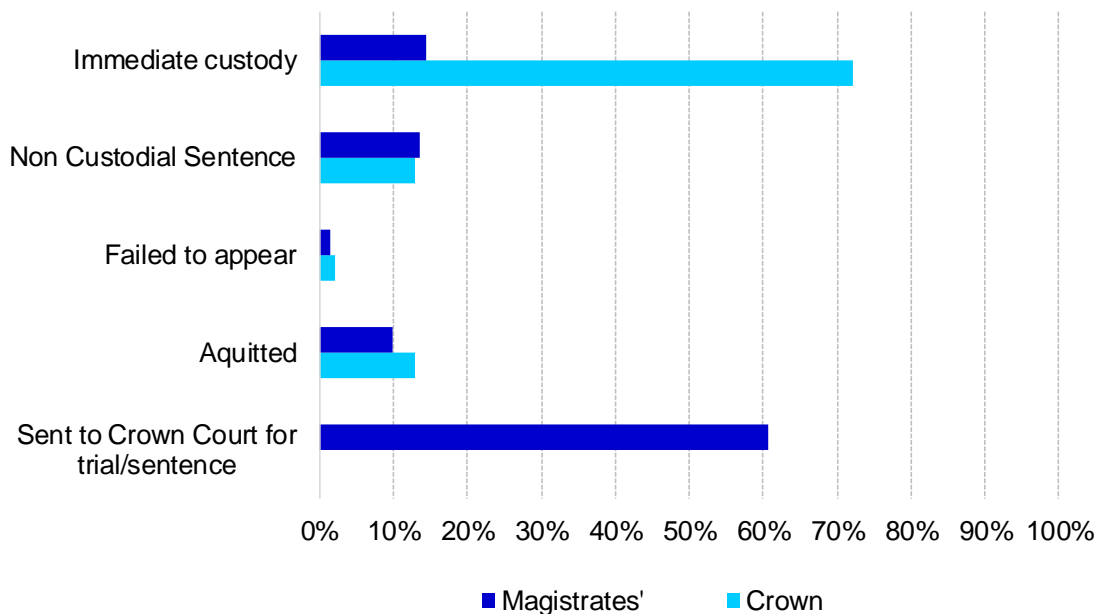
Defendants were more often remanded in custody for indictable offences than for summary offences.

The proportion of defendants remanded in custody at Crown Court is higher than at magistrates' courts. Trends in defendants receiving bail or custodial remand can in part be explained by the offence mix, the decline in the proportion bailed aligns with a fall in proportion of triable either-way offences (the offence type most likely to receive bail).

In 2018 at the magistrates' court, the majority of defendants remanded in custody were sent for trial or sentencing. At the Crown Court the majority were sentenced to immediate custody.

In the latest year, of the defendants remanded in custody at magistrates' courts, 14% were sentenced to immediate custody, and a further 61% were sent 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.

Figure 4.1: Outcome of proceedings for defendants remanded in custody by magistrates' courts and the Crown Court, 2018 (Source: Table Q4.4)



5. Sentencing

The custody rate²¹ was 7% and the average custodial sentence length was 17.3 months.

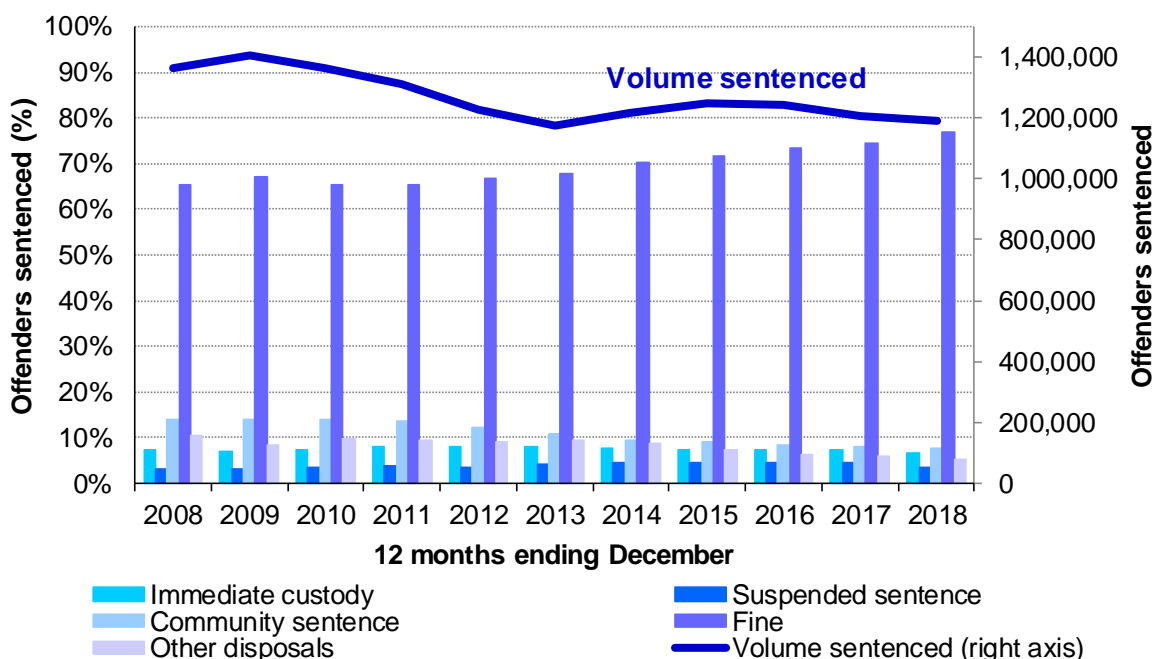
Over the last decade the custody rate has remained stable, however the number sentenced to immediate custody has decreased since 2011, those that did received a longer average custodial sentence length increasing from 13.3 months 2008 to 17.3 months 2018.

Compared to 2017, the overall number of offenders sentenced at all courts has fallen by 1% to 1.19 million. A decline was seen in the number of offenders sentenced for all offences except for summary motoring offences which saw a 3% increase over the same period, mirroring the trend seen in convictions.

Fines remained the most common sentence, accounting for 77% of all sentences in 2018, an increase of 12 percentage points since 2008.

In 2018, immediate custodial sentences accounted for 7% of all sentences, suspended sentences for 4%, 8% were community sentences and the majority (77%) were issued a fine as the principal disposal. Summary offences accounted for 96% of fines in 2018.

Figure 5.1: Offenders sentenced and sentencing outcomes (percentage of all offenders sentenced) at all courts, 2008 to 2018 (Source: Table Q5.1)



²¹ Custody rates are calculated as the number of persons sentenced to immediate custody as a proportion of all sentenced.

There was a 9% decrease in the number offenders sentenced to immediate custody to 78,900 in 2018.

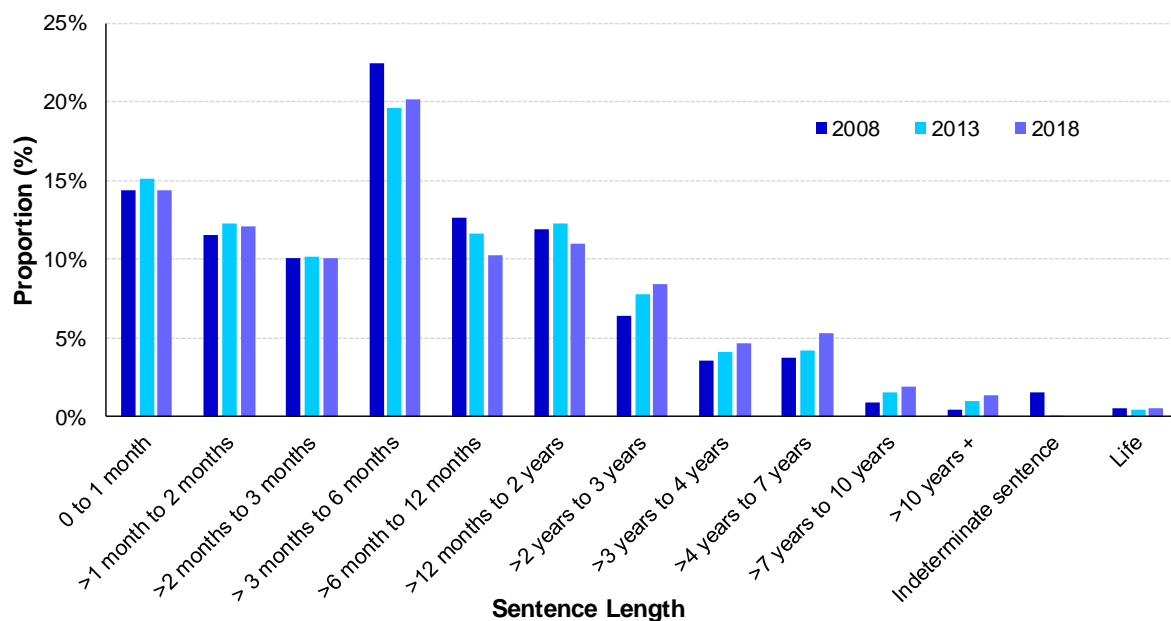
The custody rate (i.e. the proportion of sentences which result in immediate custody) has fallen slightly from 2017 by 0.5 percentage points, to 6.7% in 2018. This is due to summary offences, where the custody rate has fallen from 1.6% to 1.4% in the latest year (partially offset by indictable offences where the custody rate increased from 31.8% to 32.6%).

For robbery offences, 67% received immediate custody in 2018, a larger proportion than any other offence group. It has remained the offence group with the largest proportion receiving immediate custody throughout the last decade.

In 2018, over half (57%) of offenders sentenced to immediate custody were sentenced to 6 months and less and 14% were sentenced to less than 1 month.

This proportion has remained similar over the last 10 years (ranging between 56% and 58%). The proportion of defendants receiving longer sentence lengths have remained broadly similar over the same period.

Figure 5.2: Proportion of offenders sentenced at all courts to immediate custody, by custodial sentence length, 2008, 2013 and 2018 (Source: Table Q5.4)



Average custodial sentence length continued to increase.

Average custodial sentence length (ACSL) increased since 2008 (from 13.3 to 17.3 months in 2018). This is despite a fall in the number of people sentenced to custody, meaning that less people are being sentenced to custody but those that are generally receive longer sentences. This may be due to numerous changes in legislation over the decade, please see the technical guide for more details.

Sexual offences had the highest ACSL. There was an increase in ACSL of 1.6 months for sexual offences in the latest year to 61.4 months in 2018, which was 16.9 months longer than a decade ago.

Sentences for indictable offences

Considering indictable offences separately from summary offences makes it easier to see trends in sentences other than fines (17% of offenders sentenced for indictable offences were issued a fine in 2018).

The custody rate for indictable offences was the highest rate of the last decade (33%).

In 2018, a greater proportion of offenders (33%) received immediate custody for indictable offences than any other sentence outcome, up 8 percentage points over the last decade.

The use of suspended sentences for indictable offences had been increasing over the last decade but fell in the latest year.

The proportion of offenders receiving a suspended sentence has been gradually increasing since 2008 from 9% to 17% in 2017, it then fell in 2018 to 15%.

Suspended sentences were considerably less common 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.

Community sentences continue to decline for indictable offences.

The proportion of offenders receiving community sentences has fallen by 11 percentage points since 2008 to 21% in 2018, the use has fallen for all offences except public order offences.

Discharges accounted for 9% of indictable offence sentencing outcomes in 2018, having fallen by 4 percentage points since 2008. Similar to the use of community sentences this sentence has also fallen for all offences except public order offences.

Figure 5.3: Sentencing outcome trends for indictable offences at all courts, 2008 to 2018 (Source: Table Q5.3)²²



²² The increase in suspended sentences from 2012 may be an effect of the Legal Aid, Sentencing and Punishment of Offenders Act (LASPO) 2012, which allowed custodial sentences of two years or less to be suspended, and the imposition of community requirements to be discretionary.

Possession of weapons was the only offence group to see an increase in the number of people sentenced to immediate custody in 2018, where 4,800 (up 8% from 4,400 in 2017) offenders were sentenced.

Criminal damage and arson and possession of weapons offences have seen the largest increase in the proportion of offenders sentenced to immediate custody since 2008, increasing by 19 and 13 percentage points to 31% and 36%, respectively, in 2018.

The number of offenders sentenced for sexual offences has followed a similar trend to that seen in prosecutions and convictions, decreasing by 20% between 2017 and 2018. However, the custody rate remained relatively stable at 60% in 2018.

Average custodial sentence length continued to increase.

Average custodial sentence length (ACSL) increased since 2008 (from 13.3 to 17.3 months in 2018). This is despite a fall in the number of people sentenced to immediate custody, meaning that less people are being sentenced to custody but those that are generally receive longer sentences. This may be due to numerous changes in legislation over the decade, please see the technical guide for more details.

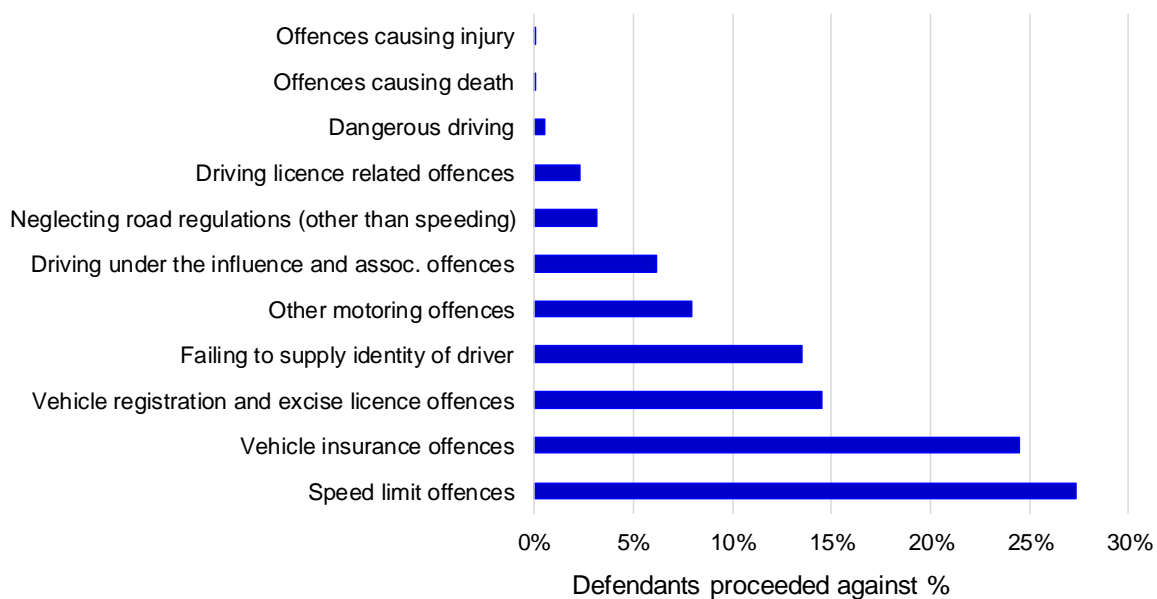
Sexual offences had the highest ACSL. There was an increase in ACSL of 1.6 months for sexual offences in the latest year to 61.4 months in 2018, which was 16.9 months longer than a decade ago.

6. Motoring

Prosecutions, convictions and sentences for motoring offences have all increased by 3% over the last year.

The number of defendants prosecuted increased from 670,000 in 2017 to 691,000, with convictions and sentences increasing from 600,000 to 619,000. Just over half (52%) of defendants prosecuted for motoring offences in 2018 were prosecuted for speed limit and vehicle insurance offences. The conviction ratio for all motoring offences was 90% in 2018 and has been increasing year-on-year since 2013, when the conviction ratio was 85%.

Figure 6.1: Defendants prosecuted for motoring offences, 2018^{23,24} (Source – Table A6.1)



The offence with the largest decrease in the number of defendants prosecuted was 'Careless driving offences (excl. mobile phone offences)' (an 8% decrease; from 13,300 in 2017 to 12,300 in 2018). The offences with the largest increase in the number of defendants prosecuted was seen in 'Speed limit offences' (a 7% increase; from 176,000 in 2017 to 189,000 in 2018, the highest in a decade, and following an upward trend since 2011). There was also an increase seen in 'Vehicle registration and excise licence offences' (an 8% increase; from 92,300 in 2017 to 100,000 in 2018, and increasing since 2014).

²³ 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, Miscellaneous (other) motoring offences.

²⁴ The Home Office publishes data on police action in relation to motoring offences including fixed penalty notices (FPNs) for speeding: <https://www.gov.uk/government/collections/police-powers-and-procedures-england-and-wales> 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. Changes in prosecutions should be considered alongside changes in FPNs.

Sentencing trends for motoring offences have remained broadly stable, with an overall custody rate of 1% (down from 2% in 2008).

The use of fines as the main sentence for motoring offences remained stable between 2017 and 2018, at between 94% and 95%, an increase of 5 percentage points over the last decade. The average fine amount has increased year on year, from £196 to £334 since 2008.

The total number of offenders directly disqualified from driving increased 9% in the latest year; from 58,100 in 2017 to 63,300. The total number of offenders endorsed without direct disqualification (i.e. receiving points on their licence only), increased by 1% from 348,400 in 2017 to 351,000.

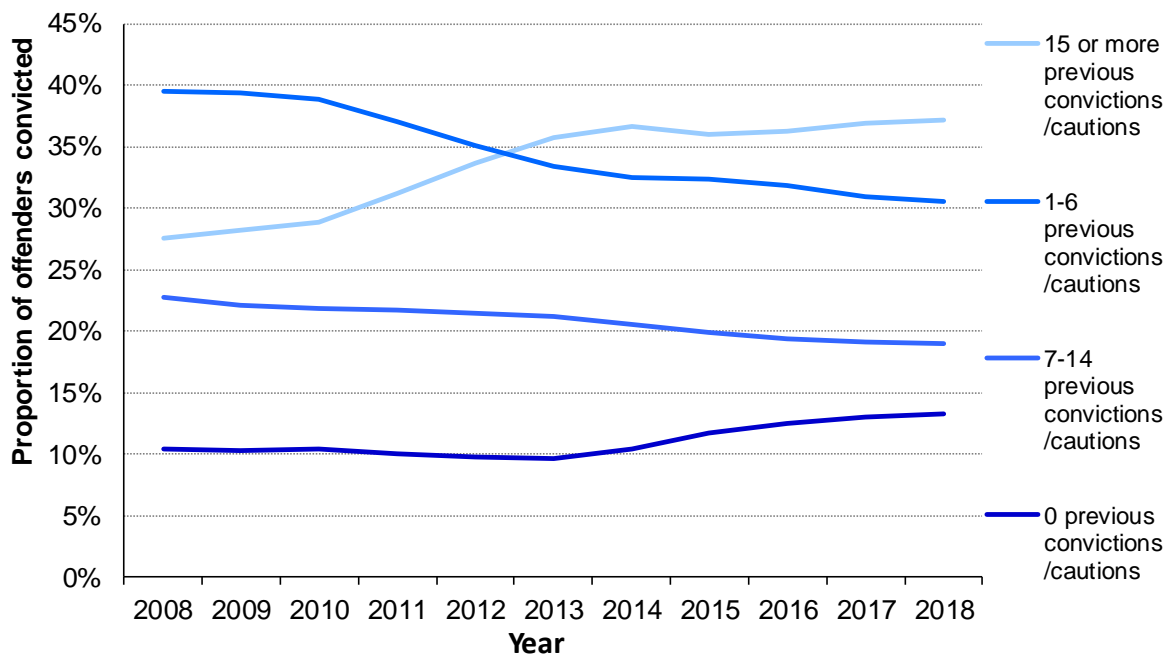
Where an offender was sentenced to immediate custody in 2018, the average custodial sentence length was similar to 2017 at 8.1 months. The majority of offenders sentenced for 'Causing death by dangerous driving' and 'Causing death by careless driving under influence of drink or drugs' received immediate custody (a custody rate of 94% and 95% respectively in 2018), these particular offences inflated the average sentence lengths for the overall motoring offences ACSL.

7. Offending Histories

Offenders with long criminal careers now account for nearly two-fifths of the offending population.

Since 2010, the proportion of offenders with a long criminal career (more than 15 previous cautions or convictions) has increased. In 2018, nearly two-fifths (37%) of the offending population had a long criminal career; an increase of 10 percentage points since 2008.

Figure 6.1: Offenders convicted for indictable offences by previous criminal history, 2008 to 2018 (Source: Table Q6.1)



The proportion of adult offenders convicted for an indictable offence with long criminal careers is now at its highest level, 39%, compared with 32% in 2008.

The number of first time offenders⁽²⁵⁾ convicted for an indictable offence has decreased for the fourth year in a row, from 30,500 in 2015 to 26,500 in 2018. However, the proportion of the offending population who are first time offenders has increased year on year since 2013. In 2018 13% of the offending population was a first time offender, a 4 percentage point increase since 2013. The proportion of juvenile offenders convicted for an indictable offence who were first time offenders has increased and is now at its highest level. A third (32%) of juvenile offenders were first time offenders in 2018, an increase of 22 percentage points since 2008.

²⁵ Offenders with no previous cautions or convictions.

Further information

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.



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Next update: 15 August 2019

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

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