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Criminal Justice Statistics quarterly, England and Wales, April 2018 to March 2019

Main points

1.59 million individuals dealt with by the Criminal Justice System		The total number of individuals formally dealt with by the Criminal Justice System in England and Wales is at the lowest since records began and fell 2% in the latest year.
Total number of defendants prosecuted remained stable at 1.38 million		The number of defendants prosecuted at magistrates' courts has remained broadly stable compared with last year (1.39 million defendants prosecuted in the year ending March 2018).
The conviction ratio remained stable at 87%		Convictions ratios vary by offence groups and are affected by a range of factors. Overall, the ratio has remained unchanged
The proportion of defendants remanded on bail has continued to fall		The number of defendants remanded on bail by the police decreased by 16% since March 2018.
Custody rate decreased to 6.5%		The decrease in the custody rate is driven by a change in the offence mix, specifically the increase in convictions for summary offences that have a lower custody rate. Custody rates for indictable offences have remained similar to a year ago.
ACSL increased to 20.2 months for indictable offences and was 17.2 months overall.		Average custodial sentence length (ACSL) has steadily increased since March 2009, when it was 16.3 months for indictable offences and 13.5 months overall.
Offenders with long criminal careers account for nearly two fifths of the offending population.		The proportion of offenders convicted for indictable offences with a long criminal career has increased by 9 percentage points since March 2009.

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 2019 Criminal Justice Statistics annual bulletin, scheduled to be published on 21 May 2020. For full and detailed commentary, please refer to the annual publication. For technical detail please refer to the accompanying guide to criminal justice statistics.

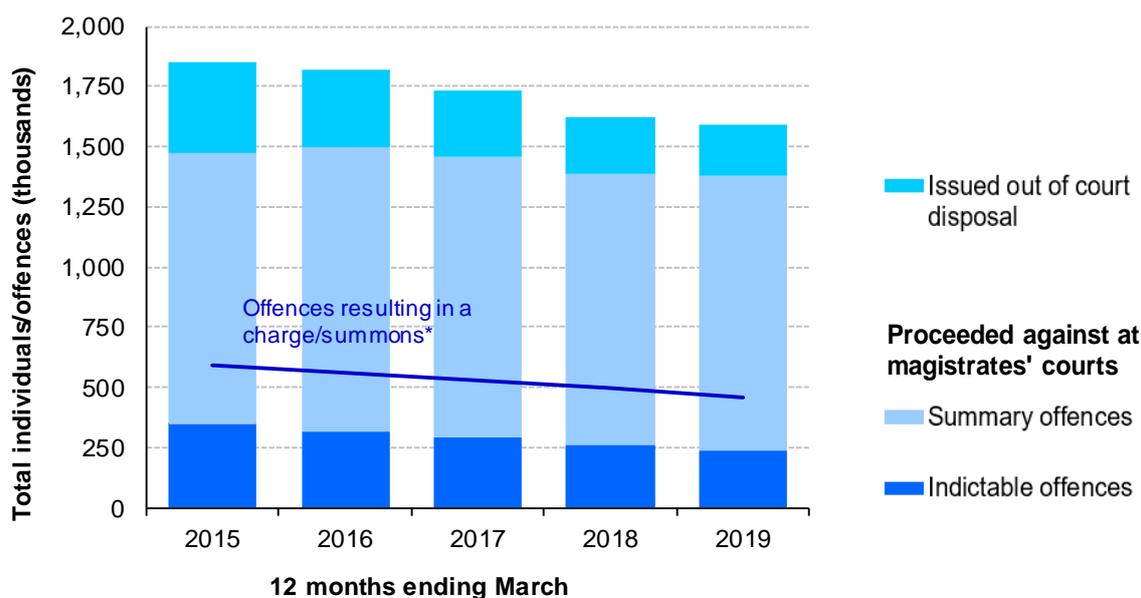
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1. Overview of the Criminal Justice System

1.59 million individuals were dealt with by the CJS in the latest year

The total number of individuals¹ formally dealt with by the criminal justice system (CJS)² in England and Wales is at the lowest since records began and fell 2% when compared to 12 months ending March 2018.

Figure 1: Individuals dealt with formally by the CJS, offences resulting in a police charge/summons, 12 months ending March 2015 to March 2019 (Source: Table Q1.1 and Table Q1.2)



* Number of notifiable offences resulting in a charge/summons, excl fraud
(Source: Home Office, police outcomes)

The number of individuals formally dealt with by the CJS fell by 2% in the latest year. The number of individuals prosecuted at all courts fell by 1% overall, with a 1% increase in summary motoring offences prosecutions offset by decreases for summary non-motoring and indictable offences. Indictable offence prosecutions fell by 8%, similar to the decrease in the number of offences charged by the police³. Police recorded crime rose overall by 8% (to 5.3 million offences excluding fraud⁴), believed to be associated with improved recording among police forces and victims' greater willingness to report crimes. Around two thirds of total prosecutions are brought to court by prosecuting authorities other than the Police (for example, the DVLA and TVLA). The Crime Survey for England and Wales (which estimates personal experiences of crime) estimated 6.4 million incidents of crime in the year ending March 2019 (excluding fraud and computer misuse), an increase of 3% compared with the previous year⁵.

¹ 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.

² 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).

³ From Home Office outcome statistics: <https://www.gov.uk/government/statistics/crime-outcomes-in-england-and-wales-2018-to-2019>

⁴ This is the figure for the overall police recorded crime by the Home Office, excluding fraud. Latest data for year ending March 2019 can be found here:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/817849/prc-pfa-mar2013-onwards-tables.ods

⁵ <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/crimeinenglandandwalesappendixtables>

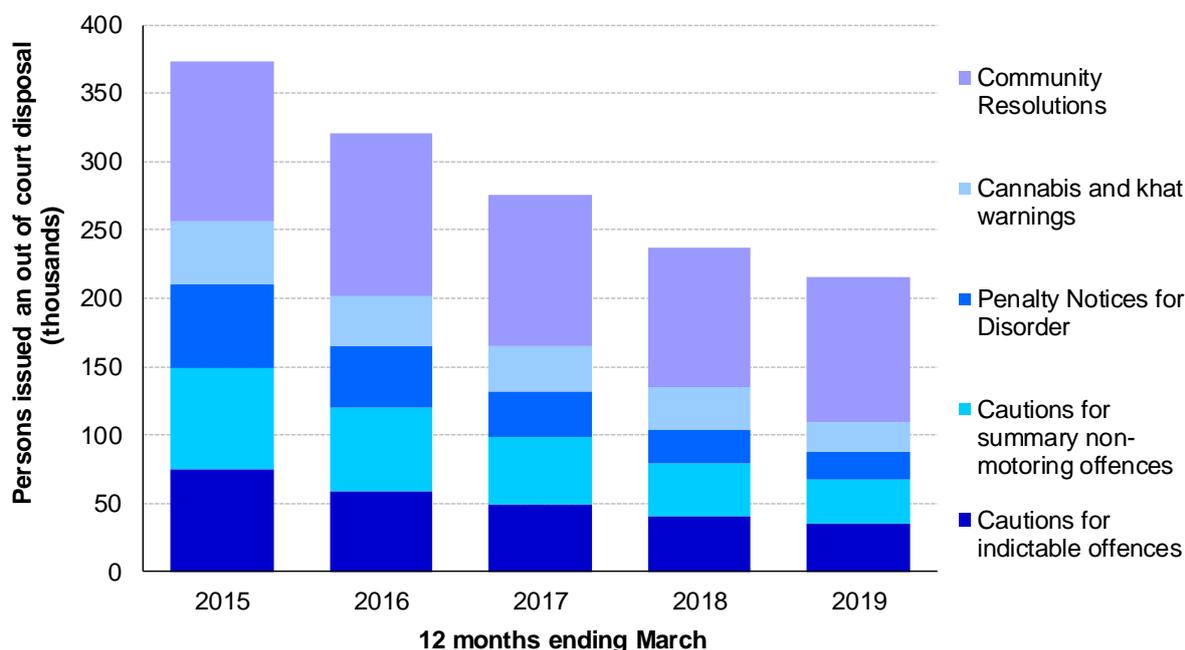
2. Out of Court Disposals

The number of individuals issued an out of court disposal (OCD) decreased by 22,300 (9%) to 215,000 between March 2018 and March 2019.

This decreasing trend can be seen across all OCD types apart from community resolutions⁶, and continues the steady decline in the use of OCDs over the last ten years.

The use of community resolutions increased by 3% to 105,600 in the past year in contrast to the downward trend seen since 2016. The overall decrease in the number of OCDs followed a number of policy changes relating to police practice and OCD availability⁷.

Figure 2: Out of court disposals issued, by disposal, 12 months ending March 2015 to 12 months ending March 2019 (Source: Tables Q.1.1, Q2.1 & Q2.2)



The number of Penalty Notices for Disorder (PNDs) issued was 20,800, falling 14% 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 issued was 67,300, falling 15% from the previous year. Drug offences, theft offences and violence against the person were the most common indictable offences for which an offender received a caution (accounting for 78% of all cautions for indictable offences). The overall cautioning rate⁸ (among those cautioned or convicted excluding summary motoring offences) fell in the latest year from 10% to 9%. The highest cautioning rate was for drug offences (29%), followed by criminal damage and arson (24%).

⁶ 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.

⁷ See the annual version of this publication for further detail.

⁸ 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

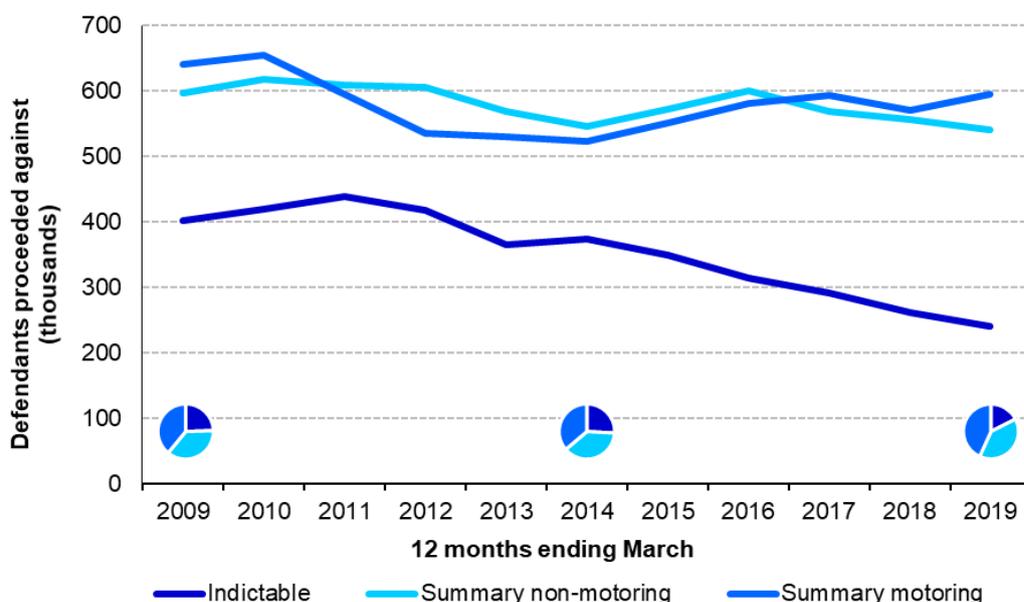
The total number of defendants prosecuted remained broadly stable at 1.38 million

In the 12 months ending March 2019, the number of defendants prosecuted at magistrates' courts has remained broadly stable, compared to the year ending March 2018 (1.39m).

The overall conviction ratio remained stable at 87%

The overall conviction ratio⁹ across all offences at all courts remained stable at 87% in the latest year.

Figure 3: Defendants prosecuted at magistrates' courts, 12 months ending March 2009 to March 2019, by type of offence (Source: Table Q3.2)



There was a 1% decline in overall prosecutions compared to the year ending March 2018. Compared to the previous year, there have been decreases in prosecutions for all indictable offences except violence against the person and possession of weapons offences, which increased by 3% and 6% respectively. Prosecutions for violence against the person have increased due to the introduction in November 2018 of the separate offence of assault on an emergency worker, the majority of which would previously have been recorded as 'common assault' in summary offences¹⁰.

There were 1.19 million offenders convicted in the latest year, a 1% decrease on the previous year. As with prosecutions, there were decreases in convictions for all indictable offences except violence against the person (for the same reasons as above) and possession of weapons offences, which increased by 3% and 7% respectively.

The proportion of total prosecutions that were for summary offences has been increasing since 2012 from 72% to 82% in the latest year, this impacts on the overall conviction ratio and sentencing as summary offences typically have a higher conviction ratio and less severe sentencing outcomes.

⁹ Conviction ratio is calculated as the number of offenders convicted as a proportion of the number prosecuted in a given year.

¹⁰ New offence was introduced from 13 November 2018, see <http://www.legislation.gov.uk/ukpga/2018/23/contents/enacted>

4. Remands

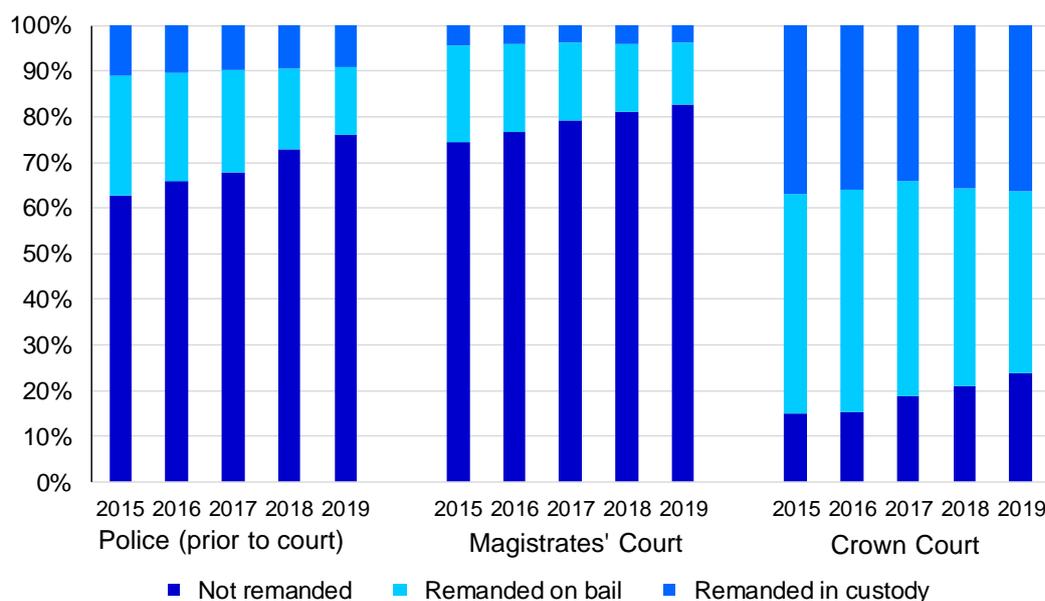
The proportion of defendants remanded on bail has continued to fall.

In the latest year, the number of defendants remanded on bail by police decreased overall by 16%, by 14% at magistrates' court and by 16% at Crown court¹¹.

In the year ending March 2019, 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 prior to appearing at magistrates' court increased from 73% to 76%, the proportion arrested and bailed by police decreased from 18% 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. At Crown Court, when compared to the previous year, the proportion of defendants not remanded increased from 21% to 24% and the proportion of those remanded in custody remained stable at 36%. The proportion of defendants who were remanded on bail decreased from 43% to 40% in the latest year.

Figure 4: Defendants' remand status with Police (prior to court), at magistrates' courts and at Crown Court, year ending March 2015 to year ending March 2019 (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, 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, 73% were sentenced to immediate custody.

¹¹ 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

The custody rate¹² decreased to 6.5% and the average custodial sentence length was 17.2 months (the highest in a decade).

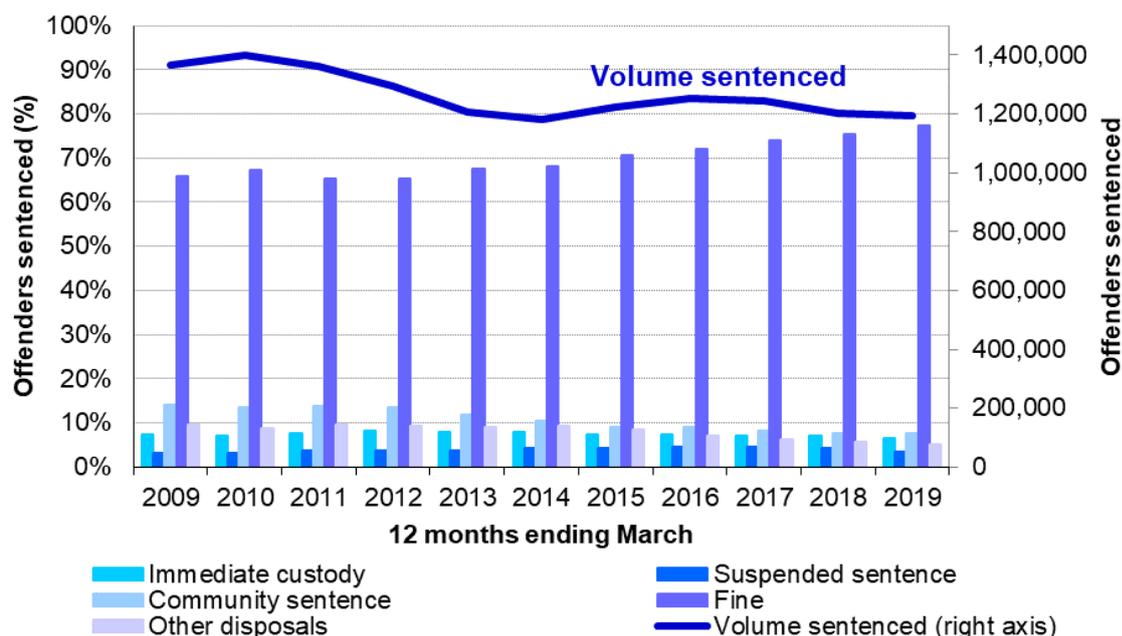
The reduction in the custody rate in the latest year was largely driven by a change in offence mix, with a greater number of summary offences being sentenced in the latest year. The custody rate for indictable offences (32%) was similar to last year.

The number sentenced to immediate custody has decreased since the year ending March 2012 to 76,800 in the latest year. However, those that were, received a longer average custodial sentence length (ACSL) increasing from 13.5 months to 17.2 months in the last decade.

Compared to the year ending March 2018, 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 offence groups except for summary motoring (up 5%), violence against the person (up 3%, largely due to the introduction of the separate offence of assault on an emergency worker) and possession of weapon offences (up 7%), mirroring the trend seen in convictions.

Fines remained the most common sentence, accounting for 77% of all sentences in the latest year, an increase of 12 percentage points in the last decade. In the latest year, immediate custodial sentences accounted for 6% of all sentences (the lowest in a decade), the custody rate for indictable offences remained stable at 32%. The total number of offenders sentenced to immediate custody decreased 9% to 76,800. The trend in overall sentencing outcomes can in part be explained by the increasing proportion of sentences that were for summary offences (increasing 7 percentage points to 83%) in the last decade.

Figure 5: Offenders sentenced and proportionate sentencing outcomes at all courts, year ending March 2009 to year ending March 2019 (Source: Table Q5.1)



Of all offenders sentenced to immediate custody, 57% were sentenced to 6 months or less. The ACSL for all offences was 17.2 months overall and 20.2 months for indictable offences.

The number of sentences for sexual offences fell 21% in the latest year. The custody rate for sex offences was 60% (the highest in a decade) and ACSL was 61.2 months.

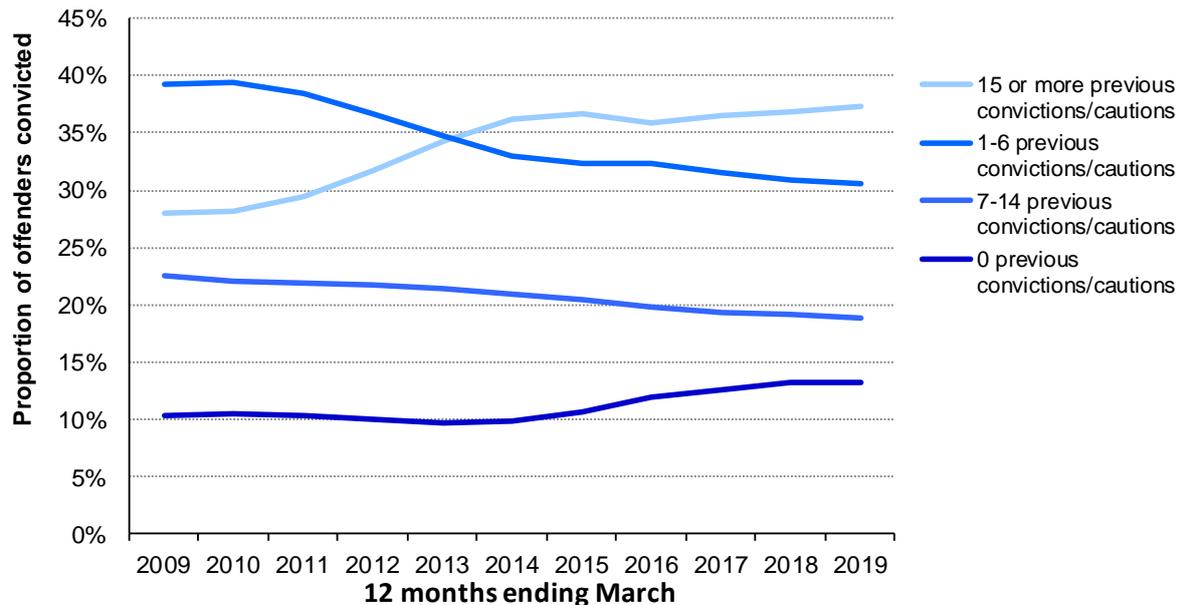
¹² Custody rates are calculated as the number of persons sentenced to immediate custody as a proportion of all sentenced.

6. Offending Histories

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

Since the year ending March 2009, the proportion of offenders convicted for indictable offences with a long criminal career (more than 15 previous cautions or convictions) has increased. In the year ending March 2019, nearly two-fifths (37%) of the offending population had a long criminal career; an increase of 9 percentage points since 2009.

Figure 6: Offenders convicted for indictable offences by previous criminal history, year ending March 2009 to 2019 (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 the year ending March 2009.

The number of first time offenders¹³ convicted for an indictable offence has decreased for the third year in a row, from 30,700 in the year ending March 2016 to 26,000 in 2019. However, the proportion of the offending population who are first time offenders has increased year on year since the year ending March 2013. In the year ending March 2019, 13% of the offending population was a first time offender, a 3 percentage point increase since 2015. 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 the year ending March 2019, an increase of 22 percentage points since 2009.

¹³ 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

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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.

Future publications

Our statisticians regularly review the content of publications. Development of new and improved statistical outputs is usually dependent on reallocating existing resources. As part of our continual review and prioritisation, we welcome user feedback on existing outputs including content, breadth, frequency and methodology. Please send any comments you have on this publication including suggestions for further developments or reductions in content.

Contact

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

Tel: 020 3334 3536

Email: newsdesk@justice.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 System Statistics
Ministry of Justice, 3rd Floor, 10 South Colonnade, London, E14 4PU

Email: CJS_Statistics@justice.gov.uk

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