



# Criminal Justice Statistics quarterly, England and Wales, October 2018 to September 2019

## Main points

**1.59 million individuals dealt with by the Criminal Justice System in the latest year.**



The total number of individuals formally dealt with by the criminal justice system in England and Wales fell by 1% when compared to the 12 months ending September 2018.

**1.37 million defendants were prosecuted in the latest year.**



The number of defendants prosecuted at magistrates' courts remained broadly stable compared to the 1.38 million defendants prosecuted in the previous year.

**The proportion of defendants not remanded continues to increase across the criminal justice system.**



In the latest year, the proportion of defendants bailed or remanded in custody has decreased across the criminal justice system, apart from at Crown Court where the proportion of those remanded in custody has remained stable.

**The number of individuals issued an out of court disposal decreased.**



The number of individuals issued an out of court disposal (OOC) decreased by 10,000 (4%) to 214,000.

**The average custodial sentence length was the highest in the decade at 18.0 months.**



The average custodial sentence length was the highest in the decade at 18.0 months, an increase of 0.7 months from the previous year.

**The proportion of adult offenders convicted for an indictable offence with long criminal careers is nearly 40%.**



The proportion of all offenders with a long criminal career (more than 15 previous cautions or convictions) increased from 28% in the year to September 2009 to 37% in 2014, but has been stable since then.

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.

Figures are subject to change prior to the 2019 Criminal Justice Statistics annual bulletin, scheduled to be published on 21 May 2020. For detailed commentary, please refer to the annual publication. For technical detail please refer to the guide to criminal justice statistics.

Please take some time to read and respond to our consultation on our proposal to publish the offending histories chapter on an annual basis, rather than the current quarterly updates. For information, see the consultation published [here](#).

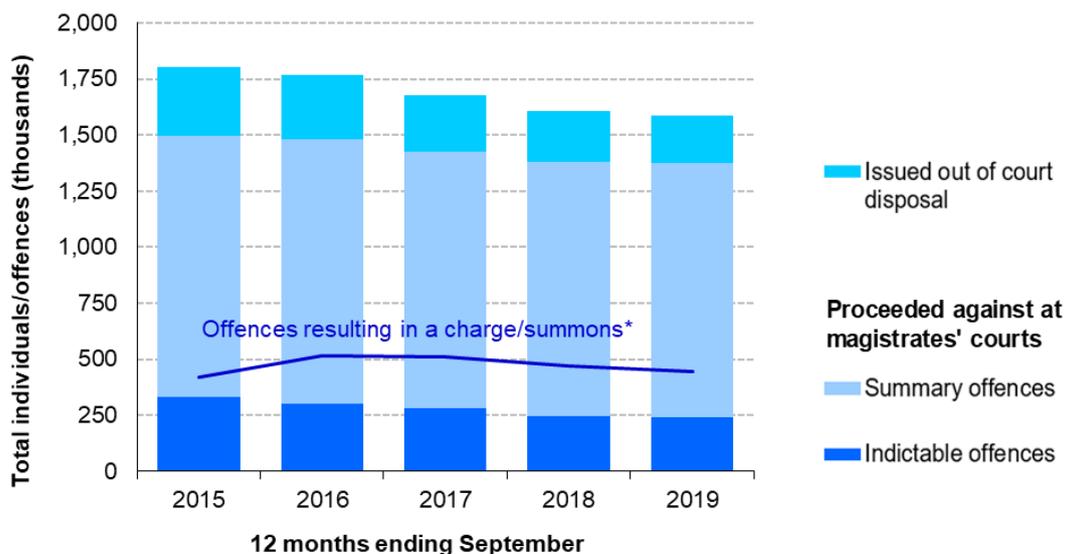
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# 1. Overview of the Criminal Justice System

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

The total number of individuals formally dealt with by the criminal justice system (CJS)<sup>1</sup> in England and Wales fell by 1% when compared to the 12 months ending September 2018.

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



The number of individuals prosecuted at all courts fell by less than 1% overall. Having fallen steadily since 2010, the level of prosecutions appears to be stabilising. Prosecutions for summary offences has remained stable compared to the 12 months ending September 2018 and indictable offence prosecutions fell by 1%, whereas there was a 6% decrease in the number of offences charged by the police<sup>2</sup>.

Police recorded crime has continued to rise<sup>3,4</sup>, 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 6.1 million incidents of crime in the year ending September 2019 (excluding fraud and computer misuse), down 3% when compared with the previous year<sup>4</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> From Home Office [Crime outcomes in England and Wales](#) and [Outcomes open data tables](#), year ending September 2019.

<sup>3</sup> <https://www.gov.uk/government/statistics/police-recorded-crime-open-data-tables>.

<sup>4</sup> <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/crimeinenglandandwalesappendedixtables>.

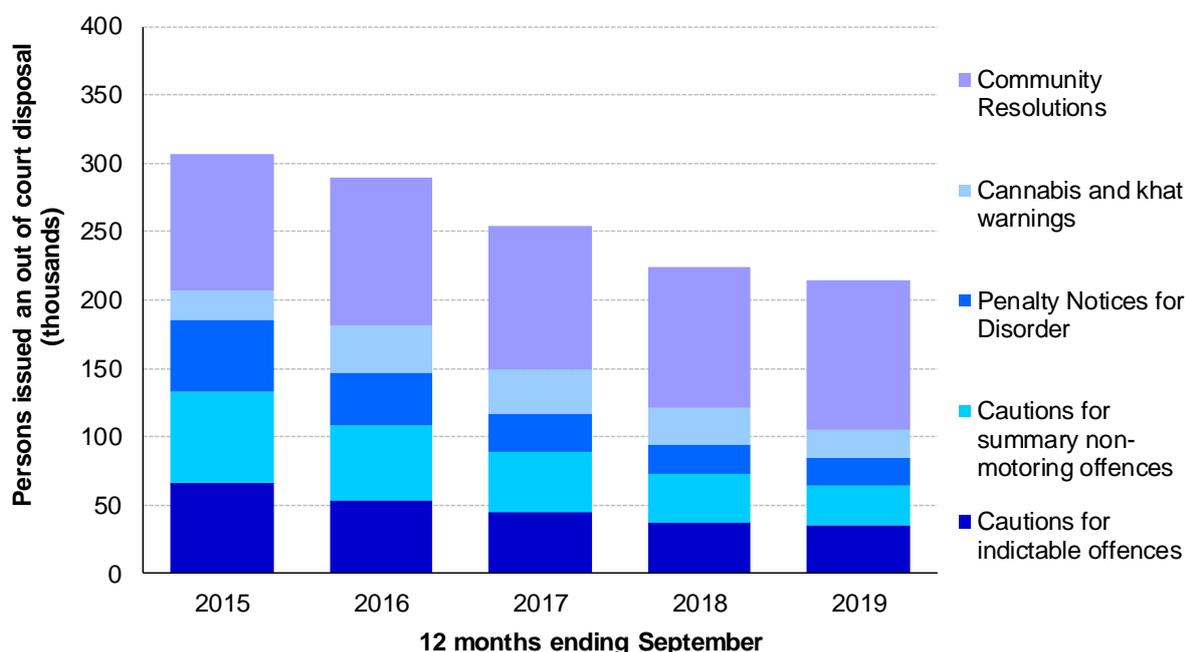
## 2. Out of Court Disposals<sup>5</sup>

**The number of individuals issued an out of court disposal (OCD) decreased by 10,000 (4%) to 214,000 between September 2018 and September 2019.**

This decreasing trend can be seen across all OCD types apart from community resolutions<sup>7</sup>, and continues the steady decline in the use of OCDs over the last five years.

The use of community resolutions increased by 6% to 109,000 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 availability<sup>6</sup>.

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



The number of Penalty Notices for Disorder (PNDs) issued was 20,400, falling 7% from the previous year. The most common offences that resulted in a PND were drunk and disorderly, possession of cannabis, causing harassment, alarm or distress, and theft (under £100). Together these accounted for 92% of all PNDs issued.

The total number of cautions issued was 63,700, falling 12% from the previous year. The overall cautioning rate<sup>7</sup> (among those cautioned or convicted excluding summary motoring offences) fell in the latest year from 10% to 9%. Drug offences had the highest cautioning rate (28%), followed by criminal damage and arson (24%). The largest decrease in cautioning rate was for violent crimes (from 15% to 12%).

The rate of decline in the use of PNDs and cautions has slowed in the past year, however there has been a large fall in the number of cannabis/khat warnings issued (a 23% reduction following a 14% reduction the previous year).

<sup>5</sup> Following the implementation of a new IT system, Greater Manchester were unable to supply data for the quarter July to September 2019 so numbers of OCDs presented in this publication will be lower than the national total of OCDs issued.

<sup>6</sup> See the year ending December 2018 publication for further detail.

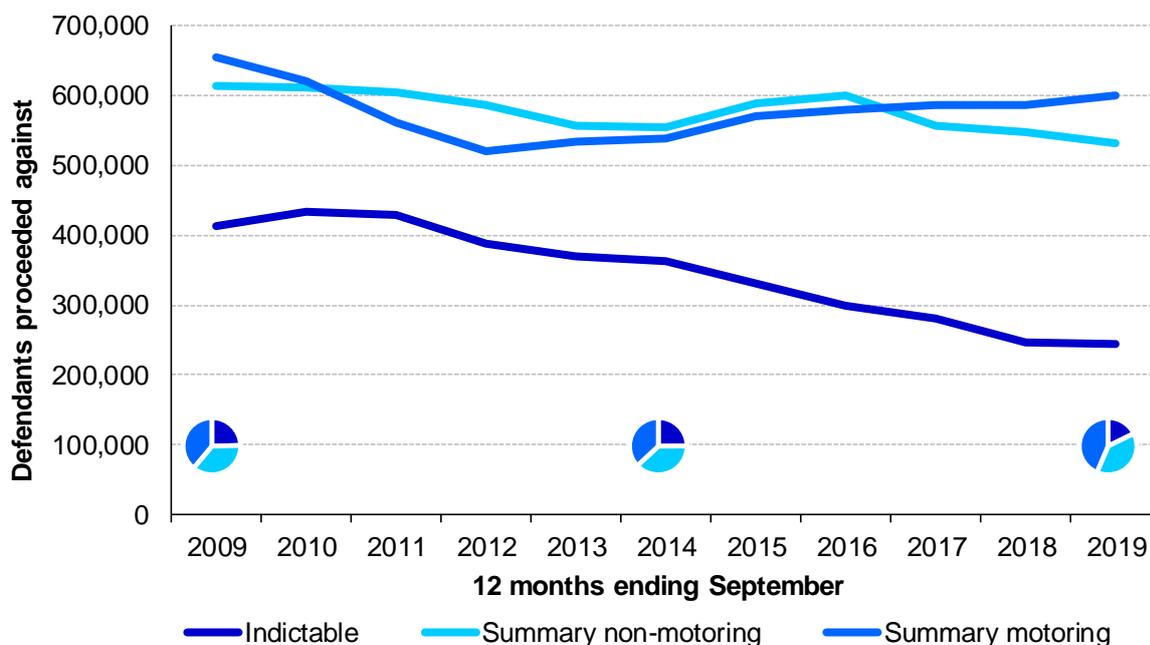
<sup>7</sup> The cautioning rate is the proportion of offenders who were either cautioned or convicted (excluding convictions for motoring offences) that were given a caution.

### 3. Court prosecutions and convictions

**The total number of defendants prosecuted remained broadly stable at 1.37 million**

In the latest year, the number of defendants prosecuted at magistrates' courts remained broadly stable compared to the 1.38 million defendants prosecuted in the previous year.

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



Compared to the previous year, prosecutions for indictable offences have decreased by 1% overall, driven by a 12% fall in theft offences which accounted for the largest proportion (28%) of indictable offences. There was a 20% increase in violence against the person prosecutions, driven by legislation on assaults on emergency workers which came into effect in 2018<sup>8</sup>. There were 8,600 prosecutions for these offences, which when removed, the trend for violence against the person prosecutions declines by 3% compared to the previous year.

Prosecutions for summary motoring offences increased by 2% in the latest year, while summary non-motoring offences continued a gradual downward trend seen since 2016, decreasing by 3%.

There were 1.19 million offenders convicted in the year ending September 2019, a 1% decrease on the previous year. As was seen in prosecutions, a 13% fall in convictions for theft offences drove the overall decrease. There was a similar increase in convictions for violence against the person offences (21%), a 2% decrease in convictions for summary non-motoring offences and 1% increase for summary motoring offences.

<sup>8</sup> An ad hoc table has been published alongside this quarterly showing court proceedings and outcomes for assault offences, including offences under the Assaults on Emergency Workers (Offences) Acts 2018 which came into effect in November 2018.

## 4. Remands

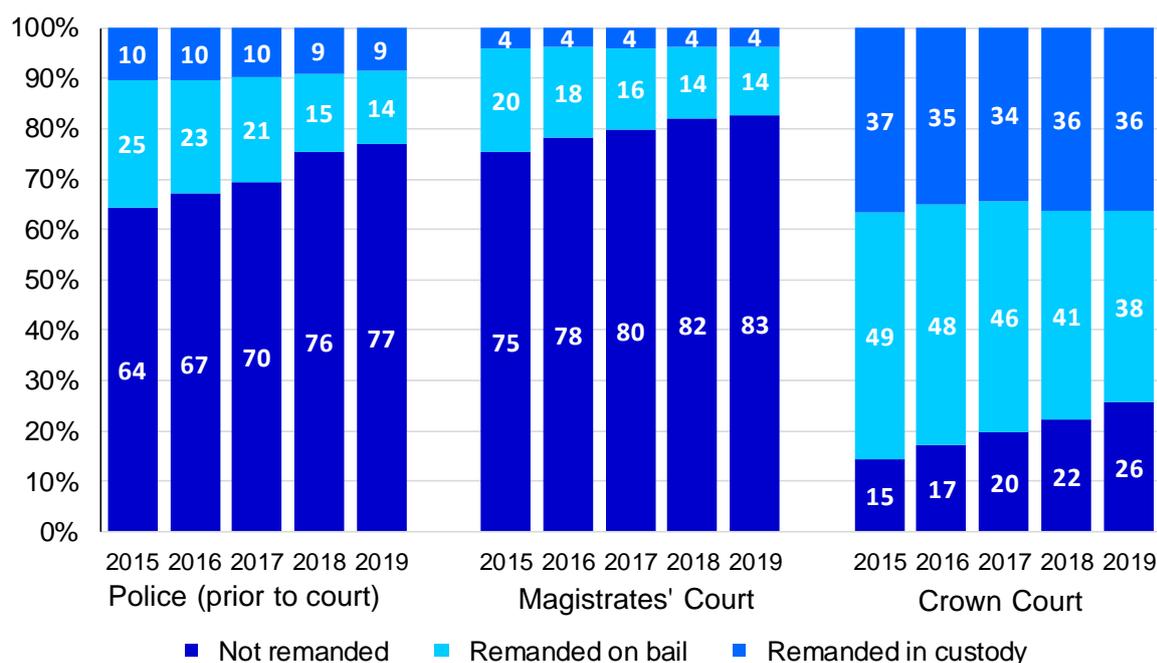
### The proportion of defendants not remanded continues to increase across the criminal justice system.

In the latest year, the proportion of defendants bailed or remanded in custody has decreased across the criminal justice system, apart from at Crown Court where the proportion of those remanded in custody has remained stable.

In the year ending September 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 not remanded prior to appearing at magistrates' court increased from 76% to 77%, the proportion arrested and bailed by the police<sup>9</sup> decreased from 15% to 14%, and the proportion remanded in custody by the police remained broadly stable at 9%.

Changes in the proportions of defendants who were not remanded (or had their case concluded at magistrates' courts), remanded on bail, or in custody followed recent patterns, as shown in the charts below. The proportion of defendants who were remanded on bail decreased from 41% to 38% in the latest year.

**Figure 4: Defendants' remand status (percentage) with Police (prior to court), at magistrates' courts and at Crown Court, year ending Sept 2015 to year ending Sept 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 63% were committed for trial or sentencing at Crown Court. Of those remanded in custody at Crown Court, 74% were sentenced to immediate custody. Of all defendants who were not remanded at Crown Court, 51% received an immediate custody sentence.

<sup>9</sup> This may be associated with new legislation under the Policing and Crime Act 2017, which came into force on 3rd April 2017 and introduced a bail limit of 28 days.

## 5. Sentencing

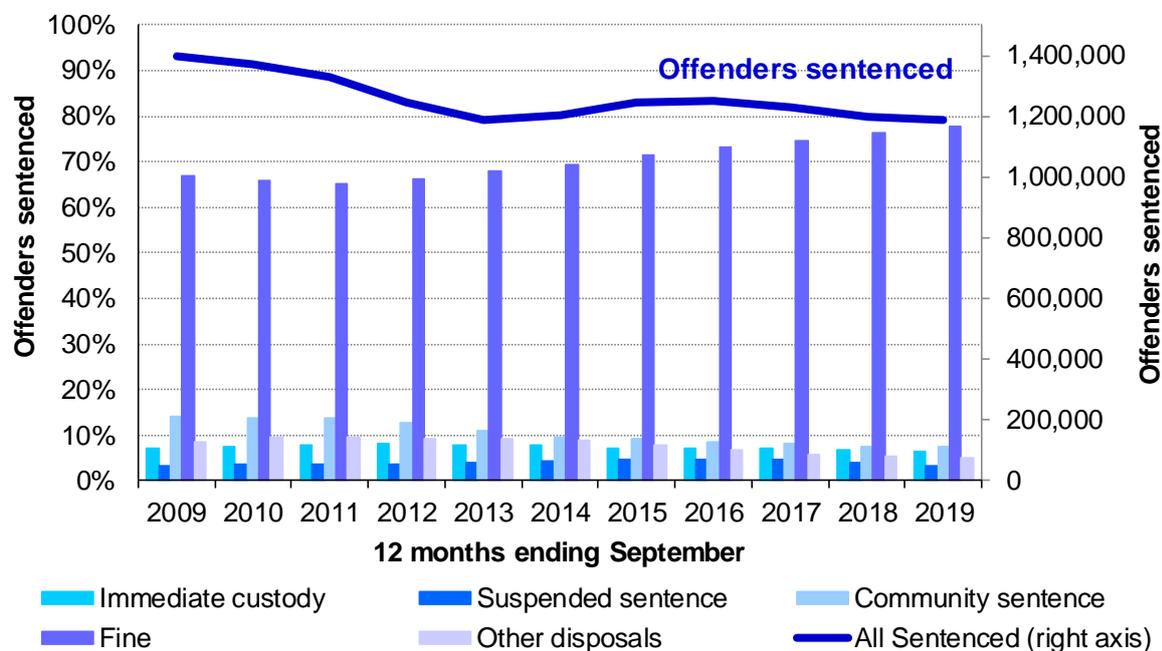
**The average custodial sentence length was the highest in the decade at 18.0 months.**

Across all offence types, the number of defendants given an immediate custodial sentence of less than six months was 36,600, 10% less than in the year ending September 2018, having continually decreased since 2014.

In the year ending September 2019, 1.19 million offenders were sentenced at all courts, a decrease of 1% from the previous year and the lowest number in a decade.

Of all offenders sentenced, 78% received a fine, 8% a community sentence, 6% immediate custody, 3% a suspended sentence, and 3% were given a conditional discharge. The proportion of offenders sentenced to immediate custody fell by 1 percentage point since the previous year totalling 76,000, the lowest in the ten-year period.

**Figure 5.1: Offenders sentenced and sentencing outcomes at all courts, year ending September 2009 to year ending September 2019 (Source: Table Q5.1)**



The overall custody rate<sup>10</sup> fell in the latest year to 6.4% (from 6.8% the previous year), and to 32.1% for indictable offences (from 32.6%). In part, changes in custody rates can be influenced by offence mix, but there were also reductions in the custody rates for several offence groups including violence against the person and sexual offences.

For possession of weapons offences, the number of defendants sentenced increased by 8% in the latest year, and those given custodial sentences rose by 11%. The custody rate for these offences increased by 1 percentage point to 37%.

The average custodial sentence length was the highest in the decade at 18.0 months, an increase of 0.7 months from the previous year. Across all offence types, the number of defendants given an immediate custodial sentence shorter than six months was 36,600. This was 10% fewer than in the year ending September 2018, the number having continually decreased since 2014. The number of defendants sentenced to more than two years custody stood at 17,000.

<sup>10</sup> Custody rates are calculated as the number of persons sentenced to custody as a proportion of all sentenced.

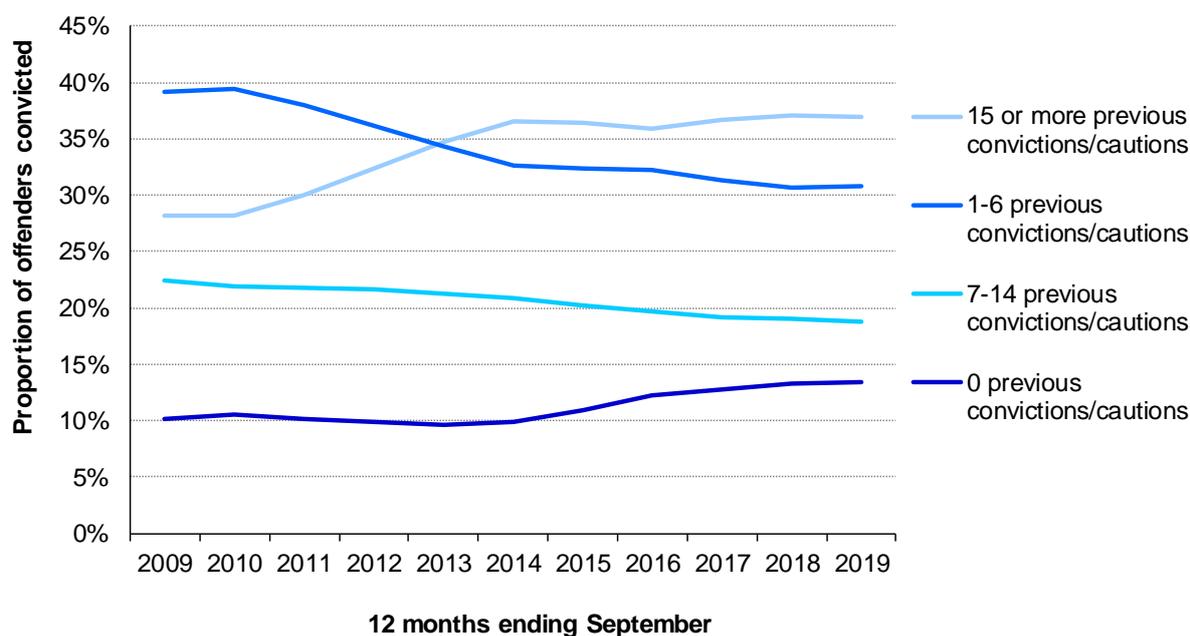
## 6. Offending Histories

### The proportion of adult offenders convicted for an indictable offence with long criminal careers is nearly 40%

The proportion of all offenders with a long criminal career (more than 15 previous cautions or convictions) increased from 28% in the year to September 2009 to 37% in 2014, but has been stable since then.

Please take some time to read and respond to our consultation on our proposal to publish the offending histories chapter on an annual basis, rather than the current quarterly updates. For information, see the consultation published [here](#).

**Figure 6: Offenders convicted for indictable offences by previous criminal history, September 2009 to September 2019 (Source: Table Q6.1)**



The proportion of adult offenders convicted for an indictable offence with long criminal careers is now at 39%, compared with 32% in the year to September 2009.

The number of first time offenders<sup>(11)</sup> convicted for an indictable offence has decreased for the third year in a row, from 31,000 in the year to September 2016 to 26,000 in 2019. However, the proportion of the offending population who are first time offenders has increased year on year since 2014. In 2019 14% of the offending population was a first time offender, a 4 percentage point increase since 2014. The proportion of juvenile offenders convicted for an indictable offence who were first time offenders has increased since 2009 and is now at its highest level. 34% of juvenile offenders were first time offenders in the year to September 2019, an increase of 24 percentage points since 2009.

Work was undertaken in the summer of 2019 to reconstruct and expand the Ministry of Justice's extract of the Police National Computer (PNC), the source of these offending histories, to include additional information covering many years. This upgrade will allow our statisticians to improve the breadth of analysis going forward and quality assurance work carried out on the updated PNC dataset has not identified any concerns with these statistics.

<sup>11</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.

## 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.

## 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

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**URL:** <https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-september-2019>

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