



Published 12 November 2020

Criminal Justice Statistics quarterly, England and Wales, July 2019 to June 2020

Main points

The period covered by this publication includes the first quarter of data since restrictions were put in place in response to the COVID-19 pandemic from March 2020. Where possible, the publication highlights the impact by presenting quarterly changes in addition to the usual year-on-year comparisons.

1.34 million individuals were dealt with by the Criminal Justice System (CJS) in the 12 months ending June 2020.



The total number of individuals formally dealt with by the CJS in England and Wales fell by 15% when compared to the previous year and fell by 49% in the latest quarter.

In the latest year, 1.13 million defendants were prosecuted at magistrates' courts, and 0.98 million were convicted at all courts.



Both prosecutions and convictions fell by 18% compared with a year earlier. Compared to Jan to March 2020, prosecutions fell by 58% and convictions fell by 59% in the latest quarter.

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



In the latest year, 13% of defendants were bailed by police prior to appearing at court, 13% were remanded on bail in magistrates' court, and at Crown Court, 31% were remanded on bail.

The average custodial sentence length was the highest in the decade at 19.5 months for all offences and 22.0 months for indictable offences.



The custody rate for indictable offences was also the highest in a decade at 35% up from 32% the previous year, likely to be influenced by the prioritisation of cases during the pandemic.

This publication gives criminal justice statistics for the latest 12-month period. These are presented alongside the same 12-month period for the previous years where available. Alongside this report we are publishing an ad-hoc table which breaks down proceedings, convictions and sentencing by month covering the period July 2018 to June 2020 to provide more detail of the period during which restrictions were put in place in response to the COVID-19 pandemic.

The figures in this report are subject to change prior to the 2020 Criminal Justice Statistics annual bulletin, scheduled to be published on 20 May 2021. For technical detail please refer to the accompanying guide to criminal justice statistics.

The COVID-19 pandemic has caused MoJ to have to change its data gathering, access and release practices, focusing efforts on priority analysis and statistics. Our [statement](#) explains this further and in particular, we have limited access to the Police National Computer, to minimise non-essential travel by our analysts. In line with guidance from the Office for Statistics Regulation, the decision has been made to delay the following publications:

- FTE data to March 2020 will be published on 18 February 2021
- FTE data to June 2020 will be published on 18 February 2021

Statistician's comment:

Today's publication, covering to June 2020, is the first to contain a full quarter affected by the COVID-19 pandemic and the impact is clear to see in the data. Court activity was affected by the pandemic as adjustments were made to adhere to new rules on movement and social interaction and this has led to an exaggerated reduction in overall prosecutions, and the prioritising of certain types of court cases. Other impacts include:

- A steeper than expected increase in the custody rate, which has been increasing for indictable offences over the decade, but is likely to have been further influenced by the prioritisation of offences most likely to result in custody.
- An increase in the number of defendants remanded in custody at the Crown Court (and a corresponding decrease in those remanded on bail).

The impact of the pandemic is likely to continue to affect these statistics and drive short-term trends in future periods as we see the recovery in subsequent quarters. It will be useful for readers to consider these alongside statistics on criminal court receipts, disposals and outstanding cases produced in the [Criminal court statistics quarterly](#).

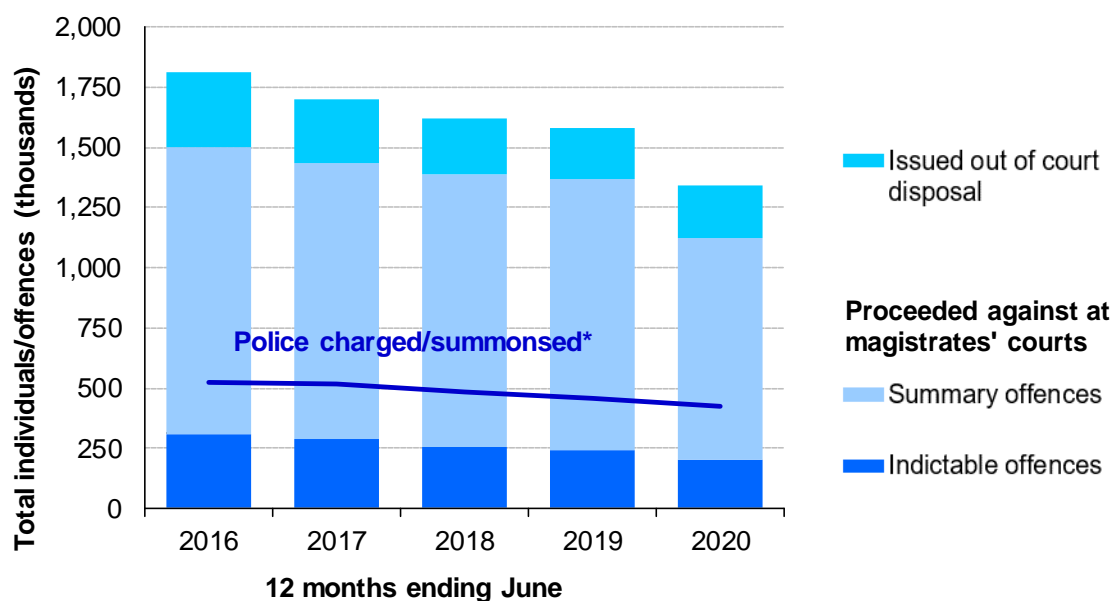
For feedback related to the content of this publication, please contact us at
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1. Overview of the Criminal Justice System

1.34 million individuals were dealt with by the Criminal Justice System (CJS) in the 12 months ending June 2020.

The total number of individuals formally dealt with by the CJS in England and Wales fell by 15% when compared to the previous year and fell by 49% in the latest quarter.

Figure 1: Individuals dealt with formally by the CJS and offences resulting in a police charge/summons, 12 months ending June 2016 to June 2020 (Source: Tables Q1.1 & Q1.2)



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

The number of defendants prosecuted at all courts has fallen steadily year-on-year and fell by 18% in the latest year. Prosecutions for summary offences fell by 18% and indictable offences fell by 15% compared to the 12 months ending June 2019. The impact of the COVID-19 pandemic is reflected in a 58% fall in prosecutions from 313,600 between January to March 2020 to 130,700 between April to June 2020. Similar falls were seen across convictions (by 59%) and total offenders sentenced (58%).

In the latest year there was a 3% decrease in police recorded crime (including fraud), with a similar decrease (2%) in the number of offences charged by the police¹ in the same period. The review of court arrangements due to the COVID-19 pandemic response resulted in a sharp increase of 44% in outstanding cases at the magistrates' court in April to June 2020 compared to the same period in 2019², therefore trends in the number of offences charged by police will be less comparable to the number of prosecutions.

In response to the restrictions put in place due to the COVID-19 pandemic, the Judiciary published guidance on the prioritisation of listings³. During the reporting period, all offences likely to result in custody were prioritised which has impacted outcomes such as custody rate and average custodial sentences.

¹ Excluding Greater Manchester police force. Latest data can be found in [Crime outcomes in England and Wales 2019 to 2020](#).

² For more information, see [Criminal court statistics quarterly: April to June 2020](#).

³ https://www.judiciary.uk/wp-content/uploads/2020/07/07072020_-_Amended-Note-on-Listing-Magistrates-re-breaches_APPROVED-3.pdf

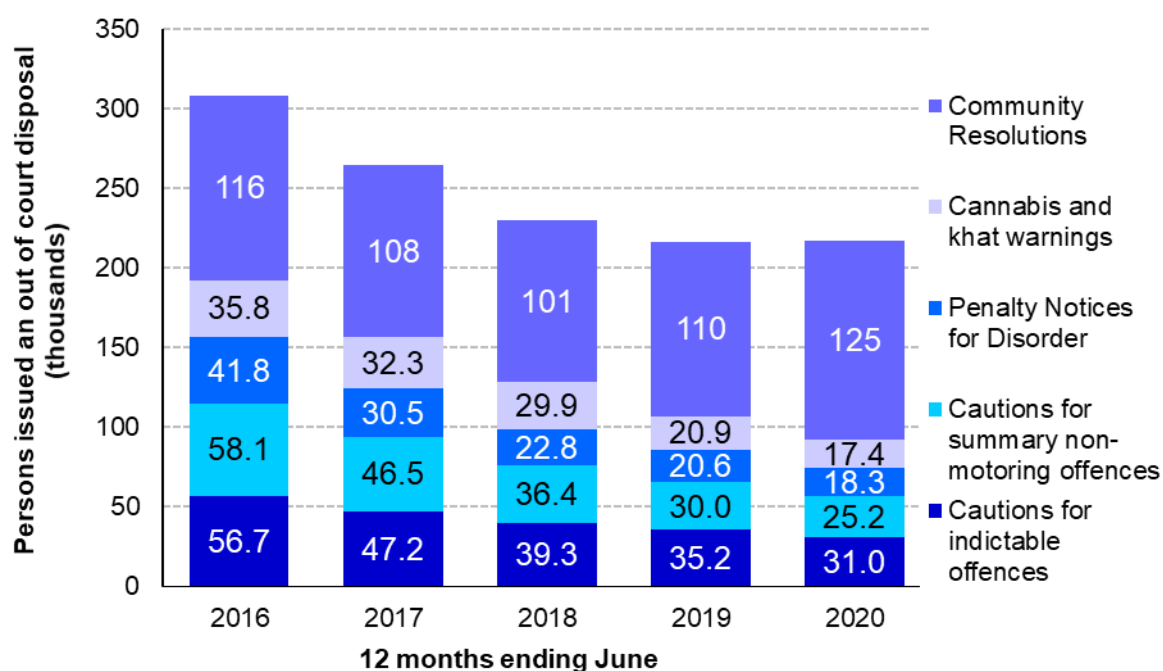
2. Out of Court Disposals⁴

Out of court disposals (OOCs) are sanctions used by the police to address offences without the need to be dealt with at court.

There were 217,000 OOCs in the year ending June 2020; the COVID-19 pandemic had a limited impact on the number of OOCs issued in April to June 2020, increasing 1% on January to March 2020.

Compared to the year ending June 2019, the trend in the latest year remained stable and this was primarily driven by an increase in community resolutions while all other OOCs decreased. The long-term downward trend in the number of OOCs followed a number of policy changes relating to police practice and OOC availability⁵.

Figure 2: Out of court disposals issued by disposal type, England and Wales, 12 months ending June 2016 to 2020 (Source: Tables Q.1.1 & Q2.1)



The use of Penalty Notices for Disorder (PNDs) continued to decline with 18,300 issued in the latest year, falling 11% 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)', all of which decreased apart from possession of cannabis which increased by 29% in the latest year. Together these 4 offences accounted for 92% of all PNDs issued.

The total number of cautions issued was 56,200, falling by 14% compared to the previous year. Drug offences, theft offences and violence against the person accounted for 78% of all cautions for indictable offences.

In the latest year, there was a 14% increase in the use of community resolutions to 125,000. This is in part due to some police forces preferring community resolutions over cannabis/khat warnings⁶, which have decreased by 16% to 17,400 in the latest year.

⁴ Following the implementation of a new IT system, Greater Manchester were unable to supply data since July 2019 so numbers of OOCs presented in this publication will be lower than the national total of OOCs issued.

⁵ See the Guide to Criminal Justice Statistics for further detail.

⁶ See the Guide to Criminal Justice Statistics for further detail.

3. Prosecutions and convictions

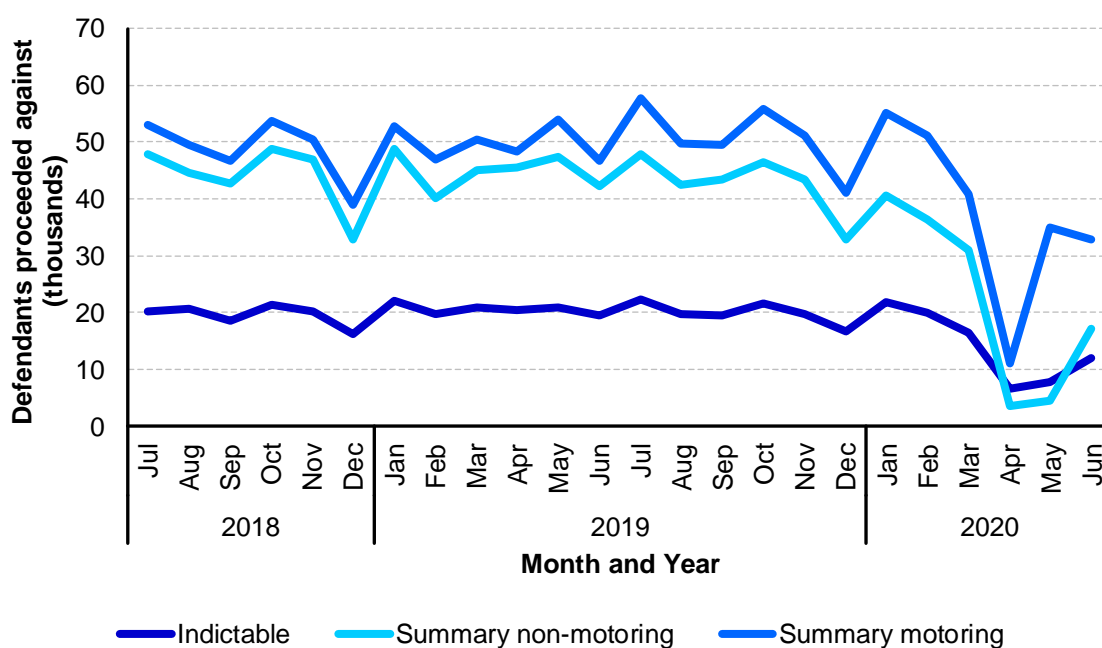
In the latest year, 1.13 million defendants were prosecuted at magistrates' courts, and 0.98 million were convicted at all courts.

Both prosecutions and convictions fell by 18% compared with a year earlier.

Compared to Jan to March 2020, prosecutions fell by 58% and convictions fell by 59% in the latest quarter.

The restrictions in place due to the COVID-19 pandemic from late March 2020 had an impact on both prosecutions and convictions (Figure 3) in the period that followed. The most notable drop was in summary non-motoring offences, where prosecutions decreased 77% compared to the previous quarter, and convictions decreased by 79%. Similarly, summary motoring prosecutions and convictions both fell by almost half (46% and 45%, respectively). Indictable offence prosecutions decreased by over half (55%), driven by a 40% decrease in violence against the person offences and a 60% decrease in theft offences. This was echoed by indictable offence convictions, which decreased by 57%, down to a 44% fall in violence against the person and 62% decrease in theft convictions.

Figure 3: Defendants prosecuted at magistrates' courts monthly, from July 2018 to June 2020, by type of offence (Source: Table AH_1)



Annual changes in prosecutions are also driven by the pandemic impact. The fall in prosecutions seen over the last year was driven by the 27% decrease in summary non-motoring offences, following the suspension of Single Justice Procedure Work until late-May 2020⁷. Indictable offence prosecutions decreased by 15%, driven by a 27% decrease in theft offences which accounted for the largest proportion of indictable offences. Prosecutions for all offence groups decreased except for violence against the person, which was up 3%, driven by legislation on assaults on emergency workers which came into effect in 2018⁸.

In the year ending June 2020, there were 0.98 million offenders convicted, an 18% decrease from the year prior. Trends seen in prosecutions were mirrored here, with a 27% decrease in summary non-motoring offences.

⁷ <https://www.gov.uk/guidance/single-justice-procedure-court-lists>

⁸ A breakdown of court proceedings and outcomes for assault offences, including those under the Assaults on Emergency Workers Acts 2018 is available, published with [Criminal Justice Statistics quarterly: December 2019](#).

4. Remands

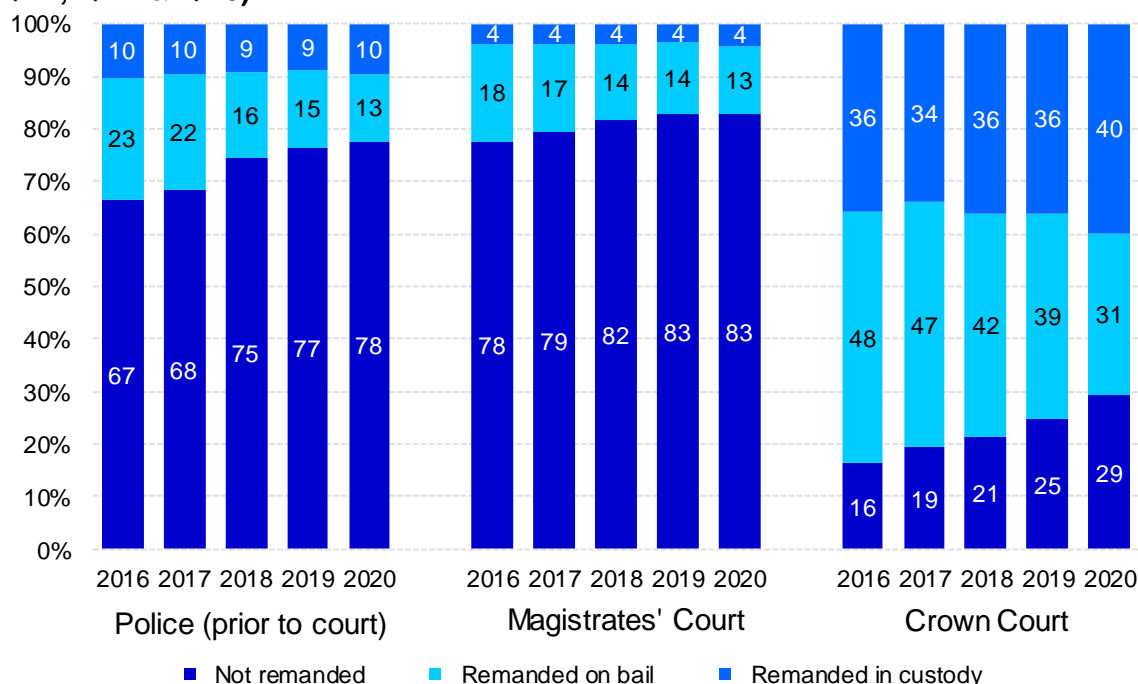
The number and proportion of defendants remanded on bail has continued to fall.

In the latest year, 13% of defendants were bailed by police prior to appearing at court, 13% were remanded on bail in magistrates' court, and at Crown Court, 31% were remanded on bail.

In the year ending June 2020, 1.17 million defendants were directed to appear at magistrates' courts (including failures to appear). Over the last 5 years, the proportion of defendants not remanded prior to appearing at magistrates' court increased to 78% and the proportion arrested and bailed by the police⁹ decreased to 13%. The proportion remanded in custody by police remained broadly stable and was 10% in the latest year.

At magistrates' court, the proportion of defendants granted bail decreased to 13% over the last 5 years, while the proportion not remanded increased to 83% and custodial remands remained stable at 4%. At Crown Court, the proportion of defendants not remanded has increased steadily over the last 5 years to 29% in 2019. The proportion of those remanded on bail decreased to 31% and the proportion remanded in custody increased to 40% in the latest year, which may be partly influenced by the prioritisation of offences likely to result in custody in response to the COVID-19 pandemic restrictions on movement.

Figure 4: Defendants' remand status with Police (prior to court), at magistrates' courts and at Crown Court, year ending June 2016 to year ending June 2020 (Source: Table Q4.1, Q4.2 & Q4.3)



Defendants are more often remanded in custody for indictable offences than summary offences, so the proportion 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, 13% were sentenced to immediate custody, and a further 66% were committed for trial or sentencing at Crown Court. Of those remanded in custody at Crown Court, 76% were sentenced to immediate custody. Of all defendants who were not remanded at Crown Court, 51% received an immediate custody sentence.

⁹ 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

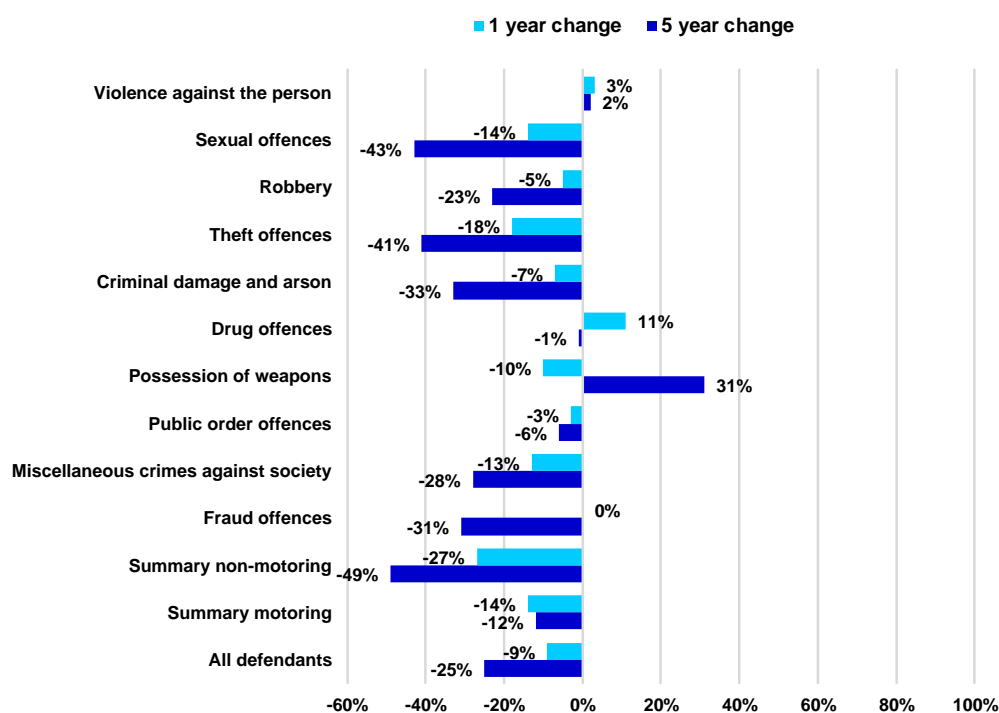
The average custodial sentence length was the highest in the decade at 19.5 months for all offences and 22.0 months for indictable offences.

The custody rate for indictable offences was also the highest in a decade at 35% up from 32% the previous year, likely to be influenced by the prioritisation of cases during the pandemic.

The overall number of offenders sentenced at all courts was impacted by the review of court arrangements due to the COVID-19 pandemic response and moved in line with convictions, decreasing by 17% in comparison to the year ending June 2019 to 975,000. This was driven by a decline in offenders sentenced for all offence types, although most substantial decreases were for indictable and summary non-motoring offences, which decreased by 15% and 27%, respectively. In April 2020, total offenders sentenced was at a low of 17,500, 77% less than in March, however, by June it increased to 53,700.

Fines remained the most common sentence, accounting for 78% of all sentences in the latest year, an increase of 5 percentage points in the last five years. For all offenders sentenced, 7% received a community sentence, 7% immediate custody, 4% a suspended sentence, and 3% were given a conditional discharge. A greater proportion of offenders (35%) received immediate custody for indictable offences than any other sentence outcome, up by 3 percentage points since 2019, making the custody rate the highest in a decade.

Figure 5: 1-year and 5-year percentage change for offenders sentenced at all courts to immediate custody, by offence type (Source: Table Q5.2a)



The average custodial sentence length was the highest in the decade at 19.5 months, an increase of 2 months from the previous year. This increase continues the longer term upward trend over the last ten years and in the latest year may be partly influenced by the prioritisation of cases likely to result in custody in response to the COVID-19 pandemic restrictions on movement. Across all offence types, the number of defendants given an immediate custodial sentence of less than six months was 31,400, 16% less than in the year ending June 2019, having continually decreased since 2012.

The number of offenders sentenced for summary offences decreased by 18%, driven by a 27% decrease in the number of offenders sentenced for summary non-motoring offences compared to June 2019. Indictable offences decreased by 15% compared to the year prior.

Further information

The data presented in this publication are provisional. Final data for each calendar year is published in May, 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. This bulletin recently underwent a compliance check with the Office for Statistics Regulation and retained its National Statistics status in May 2020¹⁰. 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 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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Next update: 18 February 2021

URL: <https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-june-2020>

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Alternative formats are available on request from ESD@justice.gov.uk

¹⁰ <https://osr.statisticsauthority.gov.uk/correspondence/mark-pont-to-david-blunt-proven-re-offending-and-criminal-justice-system-statistics/>