

Sentencing Statistics

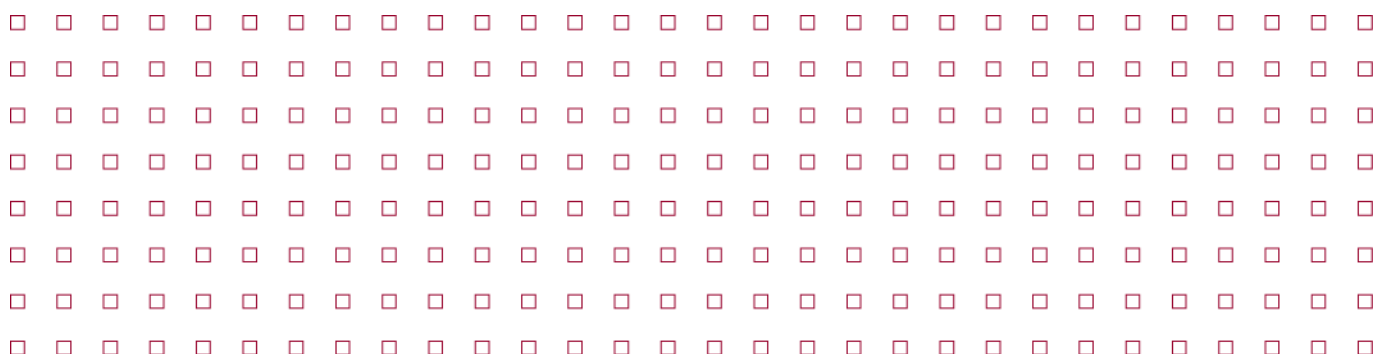
Quarterly brief

October to December 2009

England and Wales

Provisional data

May 2010



Sentencing Statistics October to December 2009

Introduction

This publication has been prepared by Justice Statistics Analytical Services (Sentencing Statistics and Offender Management Team) to provide the latest trends in sentencing in England and Wales, based on provisional sentencing data.

Key statistics for October to December 2009 are compared with October to December 2008 and are set in the context of sentencing patterns over the last two years.

This quarterly publication presents the total numbers sentenced for *indictable* offences. These include:

- *indictable only* offences (which are the most serious breaches of criminal law, and must be tried at the Crown Court) and
- *triable-either-way* offences (which may be tried at either the Crown Court or a magistrates' court).

Statistics are shown for magistrates' courts and the Crown Court separately with a focus primarily on use of fines, community sentences, immediate custody, suspended sentences and average custodial sentence lengths (ACSL). Average custodial sentence length is the length of the sentence given at court and will not represent the length of time spent in custody which will be determined by the various release arrangements. The ACSL does not include life and indeterminate sentences which have no fixed length. The ACSL is shown in months.

The data is provisional. Data goes through further quality checks before being finalised and published in the annual sentencing statistics publication.

Information by offence type and for individual sentences is provided in the accompanying tables, available for download here:

<http://www.justice.gov.uk/a-z/sentencingquarterly.htm>

Where figures have been quoted in the text they have been rounded to the nearest 100. Where percentage changes are shown in the text or accompanying tables they are a comparison with the same quarter of the previous year.

Changes in this edition

Due to coding problems relating to the re-classification of cannabis estimates have been made of the volume of some sentences, please see the technical note towards the rear of the document for more details.

Key points –October to December 2009

All key points relate to **indictable offences** and compare figures for the quarter October to December 2009 with October to December 2008.

- The number of persons sentenced fell by 2.0 per cent to 76,800. This comprised a 5.8 per cent fall at magistrates' courts (to 54,200) together with an 8.4 per cent rise in the number of people sentenced at the Crown Court (to 22,500).
- The percentage of persons sentenced to custody for indictable offences at all courts fell by 0.3 percentage points to 24.3 per cent.
- The number of juveniles and young adults sentenced fell by 14.5 per cent and 4.2 per cent respectively, while the number of adults sentenced increased by 0.9 per cent. The number of males sentenced fell by 1.4 per cent and for females it fell by 4.1 per cent.
- The overall changes were reflected in the numbers of people sentenced to immediate custody or given community sentences.
 - The numbers sentenced to immediate custody fell by 3.2 per cent to 18,700 persons. This was made up of a fall of 15.8 per cent at magistrates' courts together with a 4.4 per cent increase at the Crown Court. The number of juveniles sentenced to immediate custody fell by 27.8 per cent, for young adults it decreased by 15.3 per cent, but for adults there was a 0.6 per cent increase.
 - The number of community sentences fell by 9.0 per cent to 24,100. The community sentence rate fell 2.4 percentage points to 31.3 per cent. At magistrates' court the number of community sentences fell by 10.8 per cent to 20,400 while at the Crown court it rose 3.1 per cent to 3,700.
- In terms of offence types the largest proportionate fall was for criminal damage, which fell 15.2 per cent to 1,800. This is a continuation of the downward trend in terms of numbers sentenced for criminal damage; since the fourth quarter of 2007 there has been fall of 35.7 per cent. The offence group with the largest proportionate increase in numbers sentenced was other indictable (excluding motoring) offences, with an increase of 7.9 per cent to 9,700.

- The average custodial sentence length (ACSL, excluding life and indeterminate sentences) rose by 7.0 per cent to 17.7 months. There was a 3.5 per cent fall at magistrates' courts to 2.5 months and no change at the Crown Court at 25.3 months. While it may seem unlikely for ACSL to have fallen at magistrates' courts and remained stable at the Crown court yet have risen overall, the overall figure is a combination of not only the length of sentences from each court but also the proportion of persons receiving a custodial sentence from each type of court. So while ACSL has fallen at the Crown Court, as a greater proportion of all custodial sentences are from the Crown Court, where custodial sentences tend to be longer, the contribution from the Crown Court to the overall ACSL is greater and hence has caused the overall ACSL to rise.
- The overall ACSL of 17.7 months is the longest ACSL in the period since the fourth quarter of 2004, and it has risen by 2.3 months since the fourth quarter of 2007.
- The ACSL rose for seven of the ten indictable offence groups. The largest proportionate increase was for criminal damage, up 18.8 per cent to 19.4 months. There were also large proportionate increases for: other (excluding motoring) indictable offences rising 17.8 per cent to 13.2 months; sexual offences rising 13.4 per cent to 51.4 months; and burglary which rose 7.8 per cent to 18.9 months. The largest proportionate fall was for fraud and forgery which fell 8.5 per cent to 10.0 months.

Magistrates' courts – sentence rates

There were 54,200 persons sentenced at magistrates' courts, a fall of 5.8 per cent on the same quarter of 2008.

- The immediate custody rate fell 1.3 percentage points to 11.3 per cent.
- The suspended sentence rate rose 0.1 percentage points, to 5.0 per cent.
- The community sentence rate fell by 2.1 percentage points to 37.6 per cent.
- The fine rate rose 1.3 percentage points to 22.4 per cent.
- The average custodial sentence length fell from 2.6 months to 2.5 months.

Crown Court – sentence rates

There were 22,500 persons sentenced at the Crown Court, an increase of 8.4 per cent on the same quarter in 2008.

- The immediate custody rate fell by 2.1 percentage points to 55.6 per cent.

- The suspended sentence rate rose 1.9 percentage points to 21.4 per cent.
- The community sentence rate fell 0.8 percentage points to 16.4 per cent.
- The fine rate was unchanged at 1.6 per cent.
- The average custodial sentence length was unchanged at 25.3 months.

Table i: Persons sentenced by disposal

	Magistrates'	Crown	All Courts
Total Sentenced (all ages) <i>(comparing Q4 2009 with Q4 2008)</i>	54,247 -5.8%	22,515 8.4%	76,762 -2.0%
Fine	12,175 -0.1%	349 7.7%	12,524 0.1%
Community sentence	20,372 -10.8%	3,693 3.1%	24,065 -9.0%
Immediate custody	6,134 -15.8%	12,519 4.4%	18,653 -3.2%
Suspended sentence	2,727 -3.5%	4,826 19.2%	7,553 9.9%
Other sentence ⁽²⁾	12,840 3.4%	1,128 35.7% ⁽²⁾	13,968 5.4%
Average custodial sentence length (months) ⁽¹⁾	2.5 -3.5%	25.3 0.0%	17.7 7.0%

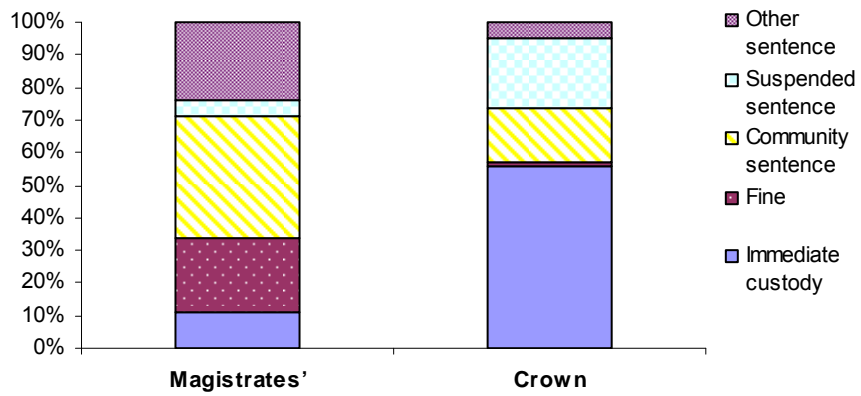
(1) Excludes life sentences and IPPs.

(2) The increase in other sentences is currently under investigation, however, while the percentage increase may seem large it represents an increase of approximately 300 sentences within a population of 22,500 and as such does not represent a significant portion of the population or a shift in sentencing practice. Pre sentence drug testing orders have been removed from this category as initial investigations have suggested that these may have been double counted.

Table ii: Persons sentenced by age

	Magistrates'	Crown	All Courts
Total Sentenced (all ages) <i>(comparing Q4 2009 with Q4 2008)</i>	54,247 -5.8%	22,515 8.4%	76,762 -2.0%
10-17	9,045 -15.0%	617 -6.1%	9,662 -14.5%
18-20	6,845 -4.9%	3,229 -2.7%	10,074 -4.2%
21 and over	38,358 -3.4%	18,669 11.1%	57,027 0.9%

Figure A: Distribution of disposals by court, 2009 Q4



Explanatory notes

Data sources

The source of the data for this publication is the Courts Proceedings Database, which covers details of every individual sentenced. Data referring to magistrates' courts comes either directly from magistrates' court computer systems, all of which went online with the new LIBRA system during 2008 and 2009, or from police forces. National implementation of LIBRA was completed in February 2009. Data on the Crown Court comes from the Court Service's CREST computer system.

All the statistics shown relate to the principal offence. In cases where the offender has been found guilty of more than one offence, the principal offence is the offence attracting the heaviest sentence. Where an offender has received an equal sentence for two or more offences the principal offence is the one for which the statutory maximum is the most severe.

Although care is taken in processing and analysing the returns, the detail collected is subject to the inaccuracies inherent in any large scale recording system. Therefore, the figures are not necessarily accurate to the last digit shown.

Where the number of offenders sentenced in a particular group is less than 50, we do not show the percentage change. This is because smaller numbers do not always give a meaningful percentage change. In these cases, the percentage change is denoted with a star (*).

Percentage changes have been calculated from figures with a greater level of accuracy than those displayed in cells. Displayed values are shown to one decimal place while the underlying data is available to several decimal places. The underlying data is available by highlighting the relevant cells in the Excel version of the tables.

Following the introduction of the Libra case management system during 2008, offenders at magistrates' courts can now be recorded as sex 'Not Stated'. In 2008 and 2009 less than one per cent of offenders sentenced were recorded as sex 'Not Stated'. Amendments to the data tables have been made to accommodate this new category. Tables split by gender are now formatted as males, females and then 'all persons' which includes the 'Not Stated' category. Detailed breakdowns by gender are no longer possible as the contribution made by 'not stated' could have a larger impact on small groups, and hence some figures/tables within the text which showed a gender breakdown in previous editions have been removed.

Technical note

As with the previous edition of this brief it has been necessary to impute a number of cannabis possession sentences. There has, however, been a refinement of the method used to estimate the number of 'missing' cases. Further investigation revealed that the problem only affected cases returned from the magistrates' courts. Therefore the imputation has been refined to only estimate magistrates' courts cases. The imputation for quarter one and two of 2009 have been recalculated on this basis. Further details of the method, reasoning and predicted values is shown below.

The problem arose due to coding changes brought about by the re-classification of cannabis from class C to class B in January 2009. These cases are still outstanding although it is envisaged that they will be retrieved shortly and will be available for publication in the next edition.

As a temporary solution and to ensure sentencing statistics for this period could be released, data was obtained from the Police National Computer (PNC) and a model of the number of cannabis possession sentences was created to estimate the shortfall in the data. This model has subsequently been used to impute the 'missing' sentences. The details of the imputed values and the associated 95% prediction intervals are shown in table (i) below. The weighting that has been applied to the existing data results in non-integer values - the values shown in the resultant tables are ultimately dependant on the point in the calculation that the figures are rounded, this may lead to minor differences in the values published in different tables. Full details of the method used are available on request.

Table (i) Predicted values for number of cannabis possession sentences on CPD January – December 2009 with associated prediction intervals

	Predicted value	Lower prediction interval	Upper prediction interval
January	1544.3	1415.4	1672.2
February	1423.3	1294.6	1551.0
March	1598.2	1469.1	1726.2
April	1456.5	1327.8	1584.2
May	1390.8	1262.2	1518.5
June	1674.2	1544.9	1802.5
July	1825.5	1695.4	1954.4
August	1547.3	1418.4	1675.2
September	1800.4	1670.5	1929.2
October	1834.3	1704.9	1962.9
November	1812.2	1682.8	1940.7
December	1601.9	1472.5	1730.4

Definitions

Juveniles: offenders aged 10-17 at sentence

Young adults: offenders aged 18-20 at sentence

Adults: offenders aged 21 or over at sentence

Average custodial sentence length (months): this excludes life and other indeterminate sentences. Average custodial sentence length is the length of the sentence given at court and will not represent the length of time spent in custody which will be determined by the various release arrangements.

Indictable only offences and **triable-either-way offences** are listed in Appendix 4 of Sentencing Statistics England and Wales 2008. This publication is available at <http://www.justice.gov.uk/publications/sentencingannual.htm>

Immediate custodial sentences include detention and training orders, young offender institution, unsuspended imprisonment, extended sentences for public protection and indeterminate sentences for public protection¹.

Community sentence – for **adults (18 and over)** the main community sentence, which is supervised by the Probation Service, is the community order introduced by the Criminal Justice Act 2003 for offences committed on or after 4 April 2005. The court must add at least one (but could potentially add all 12) of the following requirements: supervision, unpaid work, specified activities, prohibited activities, accredited programmes, curfew, exclusion, residence, mental health treatment, drug rehabilitation, alcohol treatment and attendance centre requirement for under 25s. For **juveniles** the main community sentences used are the referral order, for first-time offenders who plead guilty on their first court appearance and do not merit a discharge or custodial sentence, and the supervision order (up to 3 years, may have additional requirements) although curfew orders, reparation orders, action plan orders and attendance centre orders are also available. Youth Offending Teams supervise orders for juveniles.

Suspended Sentence – available for **adults (18 and over)** only. It is a sentence of custody of under 12 months, suspended for a period ranging from six months to two years. During the suspension period the court sets a number of requirements, from the same options as are available for the community order, and these are supervised by the Probation Service.

¹ Introduced by the Criminal Justice Act 2003 for offences committed on or after 4 April 2005

Contact points for further information

Current and previous editions of this publication are available for download at <http://www.justice.gov.uk/publications/sentencingquarterly.htm>

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Table 2 Females sentenced for indictable offences by type of court, age group, type of sentence and quarter, 2007-2009⁽¹⁾

England and Wales	Females sentenced										Percentage change ^(4,5)				
	Q4 2007	Q1 2008	Q2 2008	Q3 2008	Q4 2008	Q1 2009	Q2 2009	Q3 2009	Q4 2009	Q4 2008	Q1 2009	Q2 2009	Q3 2009	Q4 2009	
Magistrates' courts															
Juveniles (under 18)															
Number sentenced	1,616	1,578	1,563	1,565	1,563	1,548	1,523	1,472	1,337	-3.3	-1.9	-2.6	-5.9	-14.5	
Number given immediate custody	63	70	85	64	63	60	45	50	35	0.0	-14.3	*	*	*	
Number given fines	37	40	36	39	36	34	21	34	33	*	*	*	*	*	
Number given community sentences	1,321	1,276	1,238	1,280	1,271	1,267	1,258	1,214	1,091	-3.8	-0.7	1.6	-5.2	-14.2	
Number given suspended sentences ⁽³⁾	0	0	0	0	0	0	0	0	0	*	*	*	*	*	
Number given other sentences	195	192	204	182	193	187	198	174	178	-1.0	-2.6	-2.9	-4.4	-7.8	
Average custodial sentence length (months) ⁽²⁾	6.0	6.0	6.6	6.5	6.0	6.4	6.0	7.5	6.1	-0.5	6.3	-9.2	15.7	2.4	
Young Adults (18-20)															
Number sentenced	934	938	899	873	930	989	886	916	916	-0.4	5.4	-1.4	4.9	-1.5	
Number given immediate custody	77	67	80	65	67	59	35	37	32	-13.0	-11.9	*	*	*	
Number given fines	157	135	140	151	194	202	192	164	166	23.6	49.6	37.1	8.6	-14.4	
Number given community sentences	334	346	311	312	358	359	341	334	352	7.2	3.8	9.6	7.1	-1.7	
Number given suspended sentences	57	51	34	33	37	45	28	26	42	*	*	*	*	*	
Number given other sentences	309	339	334	312	274	324	290	354	323	-11.3	-4.4	-13.2	13.5	17.9	
Average custodial sentence length (months) ⁽²⁾	2.3	2.0	2.0	1.9	2.1	2.0	2.4	2.0	2.3	-10.5	3.3	19.5	6.8	8.7	
Adults (21 and over)															
Number sentenced	6,709	6,724	6,724	6,696	7,111	7,231	6,914	6,961	6,635	6.0	7.5	2.8	4.0	-6.7	
Number given immediate custody	798	843	821	846	763	765	728	687	651	-4.4	-9.3	-11.3	-18.8	-14.7	
Number given fines	1,122	1,085	1,114	1,186	1,244	1,386	1,335	1,329	1,236	10.9	27.7	19.8	12.1	-0.6	
Number given community sentences	2,119	2,069	2,040	2,084	2,369	2,497	2,306	2,191	2,078	11.8	20.7	13.0	5.1	-12.3	
Number given suspended sentences	468	448	420	371	440	474	478	440	452	-6.0	5.8	13.8	18.6	2.7	
Number given other sentences	2,202	2,279	2,329	2,209	2,295	2,109	2,067	2,313	2,219	4.2	-7.5	-11.2	4.7	-3.3	
Average custodial sentence length (months) ⁽²⁾	2.1	2.0	2.1	2.0	2.0	2.0	1.9	2.0	2.0	-6.1	-2.4	-7.2	1.2	4.5	
The Crown Court															
Juveniles (under 18)															
Number sentenced	57	42	62	49	40	54	55	47	51	*	*	-11.3	*	*	
Number given immediate custody	25	18	27	19	14	26	27	10	20	*	*	*	*	*	
Number given fines	0	0	0	0	0	0	0	0	0	*	*	*	*	*	
Number given community sentences	26	21	30	28	19	26	23	30	23	*	*	*	*	*	
Number given suspended sentences ⁽³⁾	0	0	0	0	0	0	0	0	0	*	*	*	*	*	
Number given other sentences	6	3	5	2	7	2	5	7	8	*	*	*	*	*	
Average custodial sentence length (months) ⁽²⁾	12.6	22.0	20.1	14.7	15.6	24.3	22.4	13.6	16.7	23.2	10.4	11.8	-7.6	7.2	
Young Adults (18-20)															
Number sentenced	244	236	278	253	265	255	251	252	260	8.6	8.1	-9.7	-0.4	-1.9	
Number given immediate custody	92	72	95	87	95	83	79	92	88	3.3	15.3	-16.8	5.7	-7.4	
Number given fines	1	1	1	2	3	2	2	3	1	*	*	*	*	*	
Number given community sentences	78	76	77	71	90	83	81	74	88	15.4	9.2	5.2	4.2	-2.2	
Number given suspended sentences	57	64	79	78	64	77	72	64	64	12.3	20.3	-8.9	-17.9	0.0	
Number given other sentences	16	23	26	15	13	10	17	19	19	*	*	*	*	*	
Average custodial sentence length (months) ⁽²⁾	21.8	19.4	19.6	20.1	18.0	22.2	17.8	19.8	19.7	-17.7	14.7	-8.9	-1.4	9.5	
Adults (21 and over)															
Number sentenced	1,847	2,038	2,093	1,918	1,894	2,106	2,046	2,092	2,120	2.5	3.3	-2.2	9.1	11.9	
Number given immediate custody	695	774	819	684	681	788	730	714	743	-2.0	1.8	-10.9	4.4	9.1	
Number given fines	28	28	20	37	25	21	35	31	30	*	*	*	*	*	
Number given community sentences	380	448	464	430	457	464	463	469	498	20.3	3.6	-0.2	9.1	9.0	
Number given suspended sentences	609	637	664	640	599	688	674	734	719	-1.6	8.0	1.5	14.7	20.0	
Number given other sentences	135	151	126	127	132	145	144	144	130	-2.2	-4.0	14.3	13.4	-1.5	
Average custodial sentence length (months) ⁽²⁾	18.6	20.7	19.3	19.8	22.4	22.5	18.3	18.8	20.2	20.6	8.5	-5.2	-5.2	-9.8	
All Courts															
Juveniles (under 18)															
Number sentenced	1,673	1,620	1,625	1,614	1,603	1,602	1,578	1,519	1,388	-4.2	-1.1	-2.9	-5.9	-13.4	
Number given immediate custody	88	88	112	83	77	86	72	60	55	-12.5	-2.3	-35.7	-27.7	-28.6	
Number given fines	37	40	36	39	36	34	21	34	33	*	*	*	*	*	
Number given community sentences	1,347	1,297	1,268	1,308	1,290	1,293	1,281	1,244	1,114	-4.2	-0.3	1.0	-4.9	-13.6	
Number given suspended sentences ⁽³⁾	0	0	0	0	0	0	0	0	0	*	*	*	*	*	
Number given other sentences	201	195	209	184	200	189	203	181	186	-0.5	-3.1	-2.9	-1.6	-7.0	
Average custodial sentence length (months) ⁽²⁾	7.9	9.3	9.5	8.3	7.7	11.5	12.1	8.4	10.0	-2.2	24.1	26.9	1.8	29.2	
Young Adults (18-20)															
Number sentenced	1,178	1,174	1,177	1,126	1,195	1,244	1,137	1,168	1,176	1.4	6.0	-3.4	3.7	-1.6	
Number given immediate custody	169	139	175	152	162	142	114	129	120	-4.1	2.2	-34.9	-15.1	-25.9	
Number given fines	158	136	141	153	197	204	194	167	167	24.7	50.0	37.6	9.2	-15.2	
Number given community sentences	412	422	388	383	448	442	422	408	440	8.7	4.7	8.8	6.5	-1.8	
Number given suspended sentences	114	115	113	111	101	122	100	90	106	-11.4	6.1	-11.5	-18.9	5.0	
Number given other sentences	325	362	360	327	287	334	307	373	342	-11.7	-7.7	-14.7	14.1	19.2	
Average custodial sentence length (months) ⁽²⁾	12.7	10.8	11.4	12.3	11.4	13.7	13.1	14.7	14.9	-10.4	27.1	14.9	19.4	31.2	
Adults (21 and over)															
Number sentenced	8,556	8,762	8,817	8,614	9,005	9,337	8,960	9,053	8,755	5.2	6.6	1.6	5.1	-2.8	
Number given immediate custody	1,493	1,617	1,640	1,530	1,444	1,553	1,458	1,401	1,394	-3.3	-4.0	-11.1	-8.4	-3.5	
Number given fines	1,150	1,113	1,134	1,223	1,269	1,407	1,370	1,360	1,266	10.3	26.4	20.8	11.2	-0.2	
Number given community sentences	2,499	2,517	2,504	2,514	2,826	2,961	2,769	2,660	2,576	13.1	17.6	10.6	5.8	-8.8	
Number given suspended sentences	1,077	1,085	1,084	1,011	1,039	1,162	1,152	1,174	1,171	-3.5	7.1	6.3	16.1	12.7	
Number given other sentences	2,337	2,430	2,455	2,336	2,427	2,254	2,211	2,457	2,349	3.9	-7.2	-9.9	5.2	-3.2	
Average custodial sentence length (months) ⁽²⁾	9.7	10.9	10.6	9.8	11.5	12.3	10.1	10.5	11.7	19.0	12.8	-4.7	6.9	1.5	

(1) 2009 data is provisional.

(2) Excludes life and indeterminate sentences.

(3) Suspended sentences are not available for juveniles

(4) A small number of cases from magistrates' courts are now reported to the Ministry as sex 'not stated' this may be the cause of some of the percentage change from 2008 to 2009

(5) Percentage changes are based on a comparison with the same quarter of the year before

* Number too small to give a meaningful percentage change

Table 6 Persons sentenced for indictable offences at all courts by offence group and quarter, and sentence length, 2007-2009⁽¹⁾

England and Wales		Persons sentenced								Percentage change ⁽⁴⁾				
Offence group	Q4 2007	Q1 2008	Q2 2008	Q3 2008	Q4 2008	Q1 2009	Q2 2009	Q3 2009	Q4 2009	Q4 2008	Q1 2009	Q2 2009	Q3 2009	Q4 2009
Violence against the person	10,456	10,507	10,178	10,333	10,424	10,867	10,406	10,869	10,593	-0.3	3.4	2.2	5.2	1.6
Sexual offences	1,294	1,274	1,324	1,286	1,256	1,193	1,198	1,305	1,344	-2.9	-6.4	-9.5	1.5	7.0
Burglary	5,667	5,787	5,814	6,207	5,843	5,578	5,419	5,758	5,471	3.1	-3.6	-6.8	-7.2	-6.4
Robbery	2,239	2,110	2,066	2,205	2,114	2,200	2,185	2,157	1,958	-5.6	4.3	5.8	-2.2	-7.4
Theft and handling stolen goods	26,255	27,328	27,285	27,500	28,235	28,294	27,072	27,070	26,256	7.5	3.5	-0.8	-1.6	-7.0
Fraud and forgery	4,940	5,348	5,118	4,705	4,752	5,408	4,973	4,724	4,784	-3.8	1.1	-2.8	0.4	0.7
Criminal damage	2,762	2,636	2,405	2,441	2,092	1,961	1,932	1,965	1,775	-24.3	-25.6	-19.7	-19.5	-15.2
Drug offences ⁽³⁾	11,655	12,602	13,273	13,454	13,580	13,358	12,687	13,433	13,890	16.5	6.0	-4.4	-0.2	2.3
Other (excluding motoring offences)	10,353	10,335	9,916	9,619	8,983	9,326	8,523	10,192	9,694	-13.2	-9.8	-14.0	6.0	7.9
Indictable motoring offences	1,275	1,240	1,234	1,074	1,058	1,114	1,100	978	997	-17.0	-10.2	-10.9	-8.9	-5.8
Total indictable offences	76,896	79,167	78,613	78,824	78,337	79,299	75,495	78,451	76,762	1.9	0.2	-4.0	-0.5	-2.0

England and Wales		Average custodial sentence length ⁽²⁾								Percentage change				
Offence group	Q4 2007	Q1 2008	Q2 2008	Q3 2008	Q4 2008	Q1 2009	Q2 2009	Q3 2009	Q4 2009	Q3 2008	Q4 2008	Q1 2009	Q2 2009	Q3 2009
Violence against the person	16.6	16.5	16.9	17.0	18.5	17.6	17.2	17.2	18.2	11.3	7.0	1.8	0.9	-1.9
Sexual offences	43.6	41.2	44.2	44.8	45.3	50.9	46.6	45.0	51.4	4.0	23.7	5.4	0.4	13.4
Burglary	16.8	16.1	17.3	18.7	17.5	18.2	19.0	18.5	18.9	4.5	12.9	9.7	-1.0	7.8
Robbery	34.8	30.9	33.3	33.2	32.6	32.8	33.1	33.7	34.0	-6.2	6.0	-0.5	1.6	4.1
Theft and handling stolen goods	3.9	3.9	4.0	4.0	4.1	4.2	4.3	4.0	4.3	5.1	8.4	8.7	1.2	4.1
Fraud and forgery	9.7	10.7	10.8	10.7	10.9	10.7	10.1	10.2	10.0	12.6	0.7	-6.4	-4.6	-8.5
Criminal damage	14.5	13.7	13.6	16.0	16.3	20.4	18.7	16.9	19.4	12.6	49.6	37.3	5.1	18.8
Drug offences ⁽³⁾	31.8	32.3	33.2	33.1	32.1	32.5	32.3	31.8	32.6	0.7	0.7	-2.8	-3.8	1.6
Other (excluding motoring offences)	9.6	10.8	11.3	10.3	11.2	12.6	12.6	11.7	13.2	16.5	16.4	11.3	13.8	17.8
Indictable motoring offences	9.0	9.2	9.3	9.5	9.7	9.1	9.1	9.3	8.9	7.0	-1.0	-2.0	-2.7	-7.9
Total indictable offences	15.3	15.1	16.1	16.4	16.5	16.7	16.8	16.7	17.7	7.7	10.7	4.1	1.9	6.8

(1) 2009 data is provisional.

(2) Excludes life and indeterminate sentences.

(3) Due to shortfalls in the recording of some drug offences this figure is partly based on estimations of the shortfall. More details are available in the technical note towards the rear of the publication

Table 7 Persons sentenced for indictable offences at all courts by quarter, type of sentence and offence group, 2007-2009⁽¹⁾

England and Wales		Persons sentenced and percentages										
Quarter and type of sentence		Violence against the person	Sexual offences	Burglary	Robbery	Theft and handling stolen goods	Fraud and forgery	Criminal damage	Drug offences	Other (excluding motoring offences)	Motoring offences	Total
Q4 2007	Total number sentenced	10,456	1,294	5,667	2,239	26,255	4,940	2,762	11,655	10,353	1,275	76,896
	% given immediate custody	30.5	54.1	39.4	54.5	19.5	27.3	11.5	18.5	21.1	30.1	24.5
	% given fines	4.6	2.9	1.9	0.4	12.6	11.4	9.7	31.8	27.2	20.9	15.0
	% given community sentences	37.7	27.0	41.3	38.0	37.4	30.3	44.4	23.5	23.9	25.2	33.3
	% given suspended sentences	17.7	8.5	11.8	5.7	6.9	13.4	4.6	6.0	8.9	18.0	9.4
	% given other sentences	9.5	7.5	5.6	1.4	23.6	17.5	29.9	20.2	18.9	5.8	17.8
	Average custodial sentence length (months) ⁽²⁾	16.6	43.6	16.8	34.8	3.9	9.7	14.5	31.8	9.6	9.0	15.3
Q1 2008	Total number sentenced	10,507	1,274	5,787	2,110	27,328	5,348	2,636	12,602	10,335	1,240	79,167
	% given immediate custody	30.0	57.1	42.1	57.6	20.1	28.4	11.6	18.7	22.5	29.5	25.1
	% given fines	4.5	1.6	1.7	0.0	12.5	11.1	9.9	31.0	26.3	20.2	14.8
	% given community sentences	37.6	27.7	38.8	35.8	36.3	28.1	43.2	23.1	23.5	27.7	32.3
	% given suspended sentences	18.5	9.2	10.6	5.1	6.7	13.2	4.7	6.2	9.7	18.7	9.4
	% given other sentences	9.4	4.3	6.7	1.5	24.5	19.1	30.6	21.1	18.0	3.8	18.4
	Average custodial sentence length (months) ⁽²⁾	16.5	41.2	16.1	30.9	3.9	10.7	13.7	32.3	10.8	9.2	15.1
Q2 2008	Total number sentenced	10,178	1,324	5,814	2,066	27,285	5,118	2,405	13,273	9,916	1,234	78,613
	% given immediate custody	32.7	58.7	41.7	60.1	19.5	29.5	11.8	19.2	23.4	30.1	25.6
	% given fines	3.8	2.3	1.6	0.2	12.5	11.2	10.6	31.2	26.1	19.7	14.9
	% given community sentences	37.1	26.7	40.6	32.3	36.3	27.7	44.4	23.1	23.7	25.6	32.2
	% given suspended sentences	17.6	7.3	10.4	5.6	6.1	14.4	4.6	5.8	10.0	18.6	9.0
	% given other sentences	8.9	5.0	5.8	1.8	25.6	17.2	28.6	20.7	16.7	6.0	18.3
	Average custodial sentence length (months) ⁽²⁾	16.9	44.2	17.3	33.3	4.0	10.8	13.6	33.2	11.3	9.3	16.1
Q3 2008	Total number sentenced	10,333	1,286	6,207	2,205	27,500	4,705	2,441	13,454	9,619	1,074	78,824
	% given immediate custody	33.3	58.5	42.1	61.4	18.9	28.6	12.0	17.1	22.2	30.9	25.1
	% given fines	3.8	1.6	1.7	0.0	13.1	12.9	12.2	35.2	28.8	20.8	16.2
	% given community sentences	37.6	25.7	39.3	32.9	36.7	28.3	43.2	23.0	23.7	25.6	32.4
	% given suspended sentences	18.2	9.2	10.6	4.5	5.8	14.2	4.4	5.5	9.9	18.2	8.9
	% given other sentences	7.0	5.0	6.3	1.1	25.4	16.0	28.1	19.2	15.3	4.5	17.4
	Average custodial sentence length (months) ⁽²⁾	17.0	44.8	18.7	33.2	4.0	10.7	16.0	33.1	10.3	9.5	16.4
Q4 2008	Total number sentenced	10,424	1,256	5,843	2,114	28,235	4,752	2,092	13,580	8,983	1,058	78,337
	% given immediate custody	33.2	59.5	42.5	60.8	17.7	27.2	13.1	16.8	23.5	31.5	24.6
	% given fines	4.1	1.6	1.2	0.0	12.5	12.1	10.9	36.1	28.7	17.5	16.0
	% given community sentences	38.3	26.4	40.3	32.3	38.5	32.0	44.5	23.5	25.1	28.0	33.7
	% given suspended sentences	18.1	7.3	9.6	5.7	6.1	14.1	5.3	5.0	9.4	18.2	8.8
	% given other sentences	6.3	5.2	6.4	1.2	25.1	14.6	26.2	18.7	13.3	4.8	16.9
	Average custodial sentence length (months) ⁽²⁾	18.5	45.3	17.5	32.6	4.1	10.9	16.3	32.1	11.2	9.7	16.5
Q1 2009	Total number sentenced	10,867	1,193	5,578	2,200	28,294	5,408	1,961	13,358	9,326	1,114	79,299
	% given immediate custody	32.9	58.3	44.5	60.6	18.3	26.1	13.3	16.5	23.9	29.8	24.8
	% given fines	4.1	1.3	1.3	0.0	14.1	12.3	13.0	37.5	29.7	17.1	16.9
	% given community sentences	38.2	26.8	39.4	33.8	38.6	32.2	44.3	24.7	24.8	28.9	33.9
	% given suspended sentences	18.6	8.5	10.6	4.6	6.2	15.0	5.5	5.0	10.5	20.5	9.3
	% given other sentences	6.4	4.9	4.2	1.0	22.8	14.4	24.0	16.2	11.1	3.7	15.1
	Average custodial sentence length (months) ⁽²⁾	17.6	50.9	18.2	32.8	4.2	10.7	20.4	32.5	12.6	9.1	16.7
Q2 2009	Total number sentenced	10,406	1,198	5,419	2,185	27,072	4,973	1,932	12,687	8,523	1,100	75,495
	% given immediate custody	32.3	59.2	44.5	59.2	17.7	27.1	12.2	17.2	23.6	33.2	24.8
	% given fines	4.0	1.3	1.3	0.0	14.0	11.6	11.1	37.3	30.2	17.6	16.7
	% given community sentences	37.4	29.1	39.4	33.8	38.2	32.3	46.8	22.5	23.6	27.5	33.3
	% given suspended sentences	19.6	6.4	10.6	5.8	6.3	15.0	5.0	5.9	11.4	19.8	9.7
	% given other sentences	6.6	3.9	4.1	1.2	23.7	14.0	24.9	17.0	11.1	1.9	15.5
	Average custodial sentence length (months) ⁽²⁾	17.2	46.6	19.0	33.1	4.3	10.1	18.7	32.3	12.6	9.1	16.8
Q3 2009	Total number sentenced	10,869	1,305	5,758	2,157	27,070	4,724	1,965	13,433	10,192	978	78,451
	% given immediate custody	32.0	55.8	43.5	59.4	17.5	26.3	12.7	17.9	21.8	31.9	24.4
	% given fines	3.7	2.2	1.5	0.1	13.5	12.1	12.2	37.0	25.5	15.5	16.2
	% given community sentences	36.6	28.5	40.7	32.5	36.6	30.9	45.8	21.3	21.4	28.0	31.8
	% given suspended sentences	20.1	8.6	10.3	6.0	6.3	16.3	4.7	5.8	10.3	21.4	9.7
	% given other sentences	7.5	4.9	4.1	2.0	26.1	14.5	24.6	18.1	21.1	3.2	17.9
	Average custodial sentence length (months) ⁽²⁾	17.2	45.0	18.5	33.7	4.0	10.2	16.9	31.8	11.7	9.3	16.7
Q4 2009	Total number sentenced	10,593	1,344	5,471	1,958	26,256	4,784	1,775	13,890	9,694	997	76,762
	% given immediate custody	32.6	58.5	44.7	60.1	17.4	25.1	13.6	17.0	21.8	31.0	24.3
	% given fines	3.8	1.9	1.0	0.1	13.6	11.7	10.2	37.4	24.7	14.9	16.3
	% given community sentences	35.5	25.0	40.2	31.9	35.8	33.1	43.4	21.9	21.8	25.0	31.3
	% given suspended sentences	20.4	8.3	10.1	5.6	6.4	15.7	5.9	5.9	10.6	24.9	9.8
	% given other sentences	7.7	6.3	4.1	2.3	26.9	14.4	26.9	17.8	21.1	4.2	18.2
	Average custodial sentence length (months) ⁽²⁾	18.2	51.4	18.9	34.0	4.3	10.0	19.4	32.6	13.2	8.9	17.7

(1) 2009 data is provisional.
(2) Excludes life and indeterminate sentences.

0.0 - Less than 0.05 per cent