

Criminal Justice Statistics Quarterly Update to December 2012

England and Wales

Ministry of Justice
Statistics bulletin

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Introduction

This report presents the key statistics on activity in the Criminal Justice System (CJS) for England and Wales. It provides information for the latest twelve months (January 2012 to December 2012) with accompanying commentary, analysis and presentation of longer term trends.

The data provides users with information about proven offending and its outcomes in England and Wales. 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 different sources covering activity in the CJS – in particular, numbers of crimes recorded by the police, often the starting point for crimes dealt with by other CJS agencies¹.

The information in this publication for 2012 in relation to court proceedings and outcomes is provisional. Magistrates' remands information for 2012 was not available in time to be included in this publication. More guidance can be found in Section 3.3.

Further, following further validation and receipt of additional magistrates' court records, a number of revisions have been made to the previously published 2011 information.

The total numbers of convictions and associated sentences for principal offences at the Crown Court in 2012 reported in this statistical release differ from the totals reported in the Sentencing Council's publication 'Crown Court Sentencing Survey, 2012'². The latter presents statistics from an ongoing data collection exercise of sentencing decisions made in the Crown Court.

Further details on these differences are included as part of a technical document accompanying this bulletin titled "A Guide to Criminal Justice Statistics". This document also provides users with detailed information on the concepts and methods used in compiling this bulletin, including the quality of the data, along with guidance on statistical revisions and forthcoming changes. A copy of the technical document can be found at:

www.gov.uk/government/publications/criminal-justice-statistics-quarterly-update-to-december-2012

Guidance on the symbols and conventions used in the bulletin is provided in the 'Explanatory notes' section.

If you have any feedback, questions or requests for further information about this statistical bulletin, please direct them to the appropriate contact given at the end of this report.

¹ Findings from the Crime Survey for England and Wales and recorded crime data are published together in statistical bulletins by the Office for National Statistics.

² <http://sentencingcouncil.judiciary.gov.uk/facts/sentencing-survey.htm>

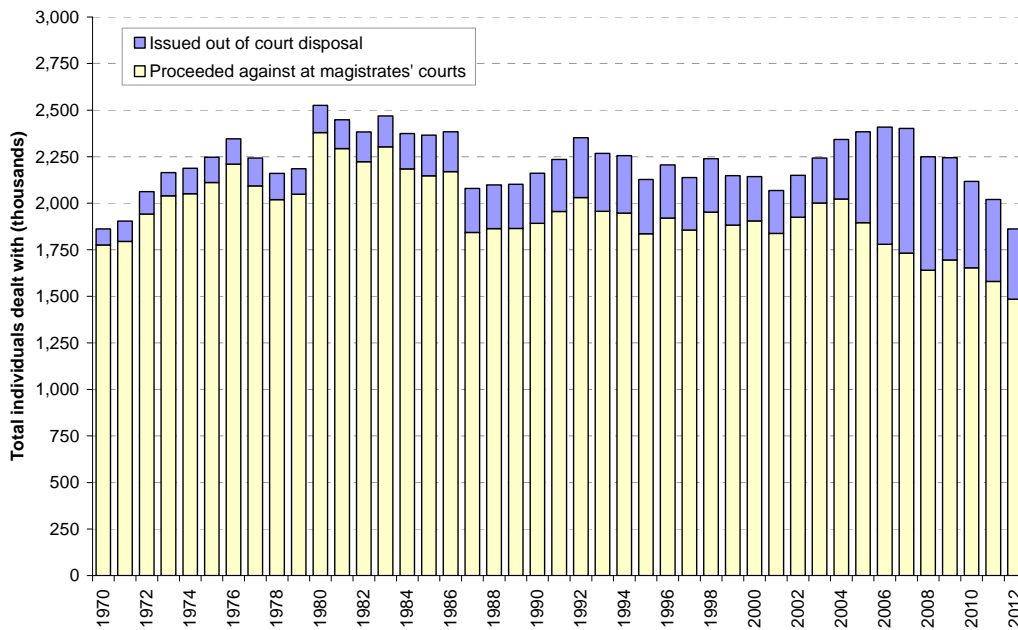
1 Executive Summary

This summary explains how the various criminal justice agencies deal with an defendant once identified, presents the recent trends on how the Criminal Justice System (CJS) response to offending is changing, and identifies factors that may be causing the changes, where identifiable.

Once a suspect has been identified by the police, charged and arrested, the police work with the Crown Prosecution Service (CPS) in deciding the most appropriate course of action in each case. The decision can be made to not take the offender to court, through a number of available “out-of-court disposals”, or to proceed against the defendant at a magistrates’ court.

The total number of individuals, which includes people and companies, who have been dealt with formally by the CJS in England and Wales, in either of these ways, has been declining since 2007, and is now at its lowest level since 1970. Police recorded crime peaked in 2003/04, and that recorded offences are now lower than at any time over the past decade.

Figure 1.1 Individuals³ dealt with formally by the CJS, 1970 to 2012



The number of individuals dealt with formally by the CJS for the first time has also fallen since 2007. The reduction has been much sharper for juveniles, reflecting both a decreasing number of juvenile offenders reprimanded or issued with a warning and the decreasing numbers of juveniles found guilty in all courts. However, per head of population, the rate of juvenile first time entrants remains higher than for adults.

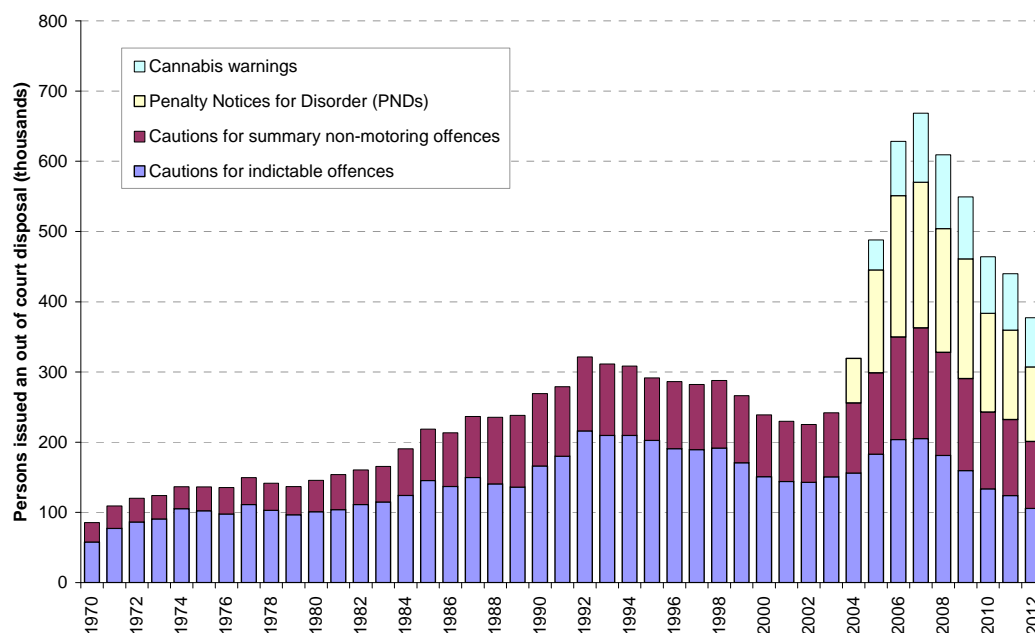
Until the introduction of Penalty Notices for Disorder in 2004 and formal warnings for possession of cannabis in 2005, the only out of court disposal available to police was a caution. The use of cautions increased steadily during the 1970s and 1980s, before declining from 1993 until 2002. This decrease followed a circular issued to police

³ Includes people and companies. Note also that a single individual can be counted more than once in a given year if they are dealt with by the Criminal Justice System on more than one separate occasion.

forces in March 1994, which discouraged both multiple cautions and the use of cautions for the most serious offences.

From 2002, the use of out of court disposals increased rapidly and peaked in 2007, before decreasing year on year to 2012. The increase coincided with the introduction in 2001 of a target to increase offences brought to justice, and the decrease coincided with the replacement in April 2008 of the target with one placing more emphasis on bringing serious crimes to justice. The latter target was subsequently removed in May 2010.

Figure 1.2 Out of court disposals issued, by disposal type, 1970 to 2012



All criminal cases in England and Wales start in a magistrates' court. Criminal proceedings brought before the courts are divided into three main offence groups:

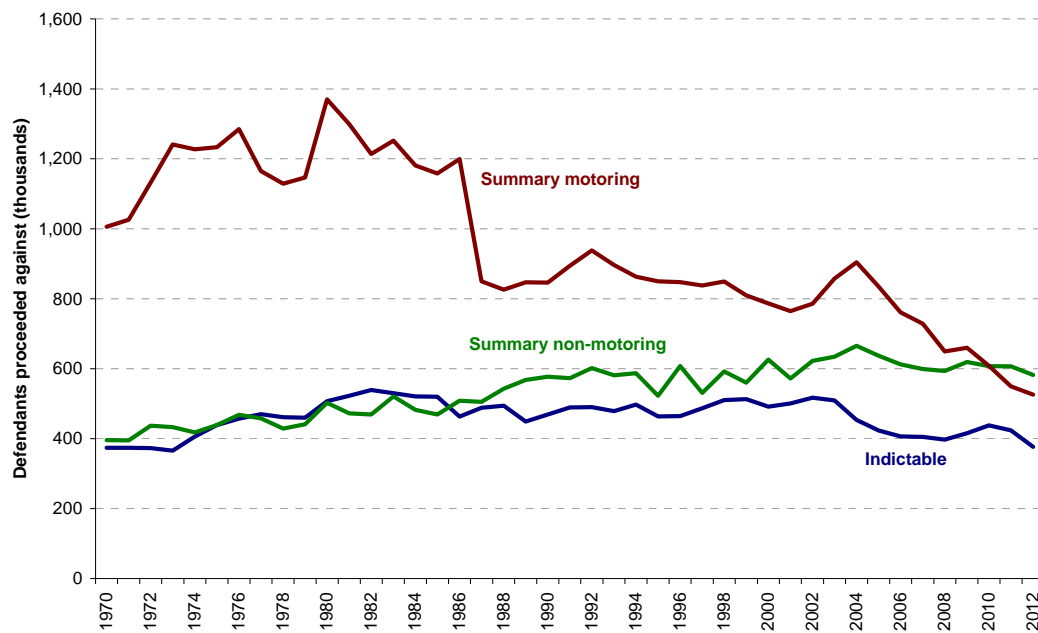
- **Indictable** proceedings, which cover the more serious offences such as violent and sexual offences and robbery, and tend to be passed on to the Crown Court, either for sentencing or for a full trial with a judge and jury;
- Summary proceedings, which cover less serious offences, are almost always handled entirely in the magistrates' courts, with the majority completed at the first hearing. They are split into two categories:
 - **Summary non-motoring** proceedings, such as TV license evasion and less serious criminal damage; and
 - **Summary motoring** proceedings, such as speeding and driving whilst disqualified.

The number of defendants proceeded against at magistrates' courts increased during the 1970s up to the mid 1980s, with a gradual increase in prosecutions in all three main offence groups. In 1987 however, prosecutions decreased due to a significant drop in summary motoring offences brought before magistrates. This was partly due to the introduction in October 1986 of the extended fixed penalty notice system, which increased the range of summary motoring offences which could be handled

out of court, and partly due to the removal of the need to instigate criminal court proceedings to register fines for unpaid penalties.

From 1987 to 2004, the number of defendants proceeded against in court remained broadly stable, between 1.8 and 2.0 million. Since 2004, prosecutions declined almost year on year to 2012, driven by decreases in summary motoring offences brought before magistrates. The biggest decreases were for vehicle insurance offences, with large decreases also for driving licence related offences, speed limit offences, and driving after consuming alcohol or taking drugs.

Figure 1.3 Defendants proceeded against at magistrates' courts, by offence group, 1970 to 2012



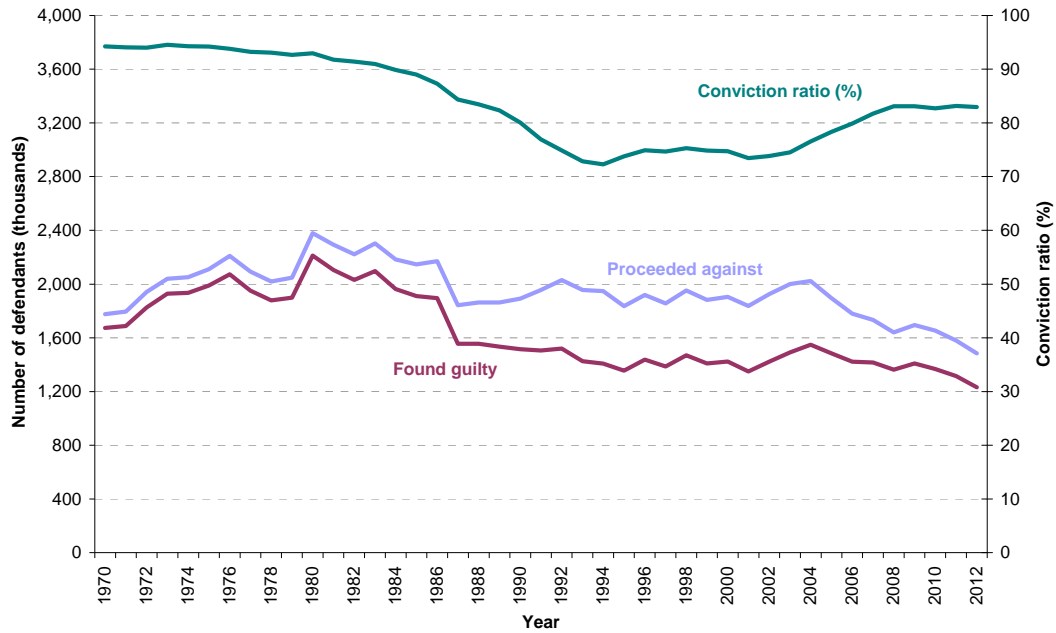
Around six per cent of all defendants proceeded against are committed to the Crown Court for trial, virtually all for the more serious offences. The number of defendants appearing in the Crown Court for trial increased between 2005 and 2010 as a result of a greater proportion of cases being committed and sent for trial. Since 2010, this trend has reversed, with the volume of defendants tried at the Crown Court on the decline.

Trends in the number of offenders convicted – that is, defendants who plead or are found guilty – and sentenced at all courts are driven by two factors, namely the number of individuals dealt with through the courts (the trend in prosecutions) and the proportion of those individuals who are found guilty. Conviction ratios are calculated as the number of convictions as a proportion of the number of proceedings, and give a measure of the relative number of defendants who are found guilty within a given year when compared with the number who are prosecuted that year.

Over the last decade, convictions have declined almost year on year, in line with declining numbers of individuals proceeded against. However, the decline in convictions has not been as steep as for proceedings, as a greater proportion of proceedings have resulted in convictions (reflected in the increasing conviction ratio over the period). The complex nature of the CJS means there are a number of possible factors contributing to this change – for example, changes in guilty plea

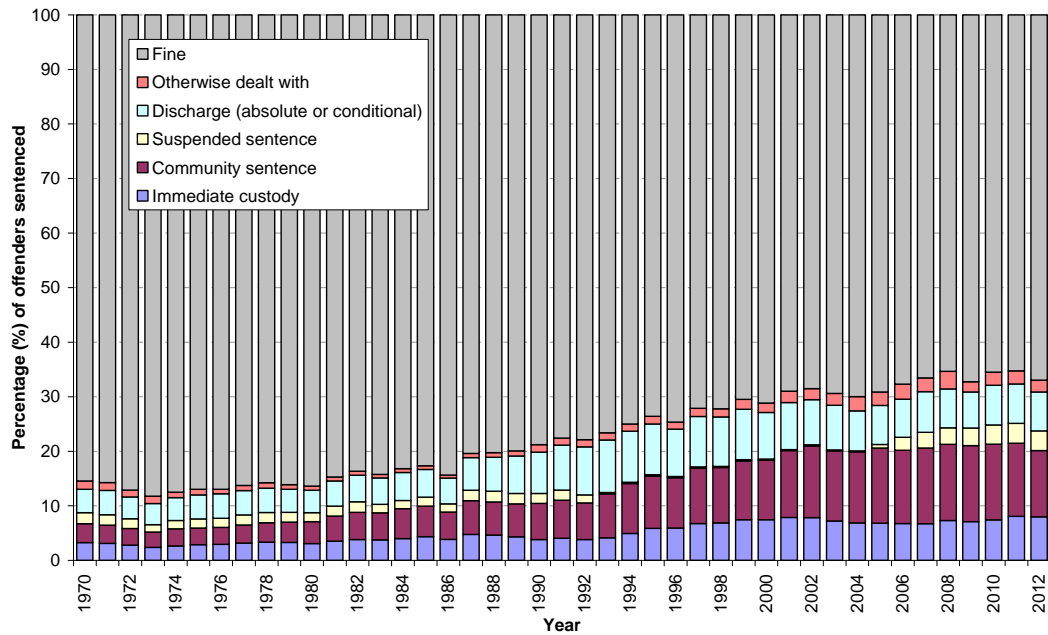
rates, the mix of cases handled in and out of court, impacts of operational changes, and so on – and it is difficult to separately identify the impacts of different factors.

Figure 1.4 Prosecutions against at magistrates' courts and convictions at all courts, with conviction ratio, 1970 to 2012



Fines are the most common sentence given to offenders at all courts, accounting for two thirds of offenders sentenced, due in the main to the large volumes of fines issued at the magistrates' court. The proportion of offenders sentenced with a fine has decreased since the 1970s, at which point as high as 88 per cent of offenders received fines.

Figure 1.5 Sentencing outcomes (percentages of all offenders sentenced) at all courts, 1970 to 2012



A greater share of offenders have sentenced to community sentences and immediate custody (that is, to prison or other form of secure detention) since the 1990s, and the use of Suspended Sentence Orders (SSOs) has risen steadily since 2005, as a result of the Criminal Justice Act 2003, which made SSOs more readily available.

The courts sentenced a higher volume of offenders to immediate custody each year between 1993 and 2002, partly due to an increase in total numbers being sentenced. Since 2002, volumes decreased to 2007 before rising again up to 2011. Between 2007 and 2011, the immediate custody rate (the proportion of all persons sentenced receiving immediate custody) increased, resulting in numbers sent to prison or other forms of secure detention increasing despite the overall fall in offenders sentenced. In 2012 however, the immediate custody rate levelled off at 8 per cent.

The average length of custodial sentences has increased over the last decade, driven mainly by changes in the case mix of people getting custodial sentences, with summary offences increasingly dealt with through other sentence types, and longer sentences being given for indictable offences. Further, legislative changes have made sentence lengths longer for certain offences – for example, a third domestic burglary.

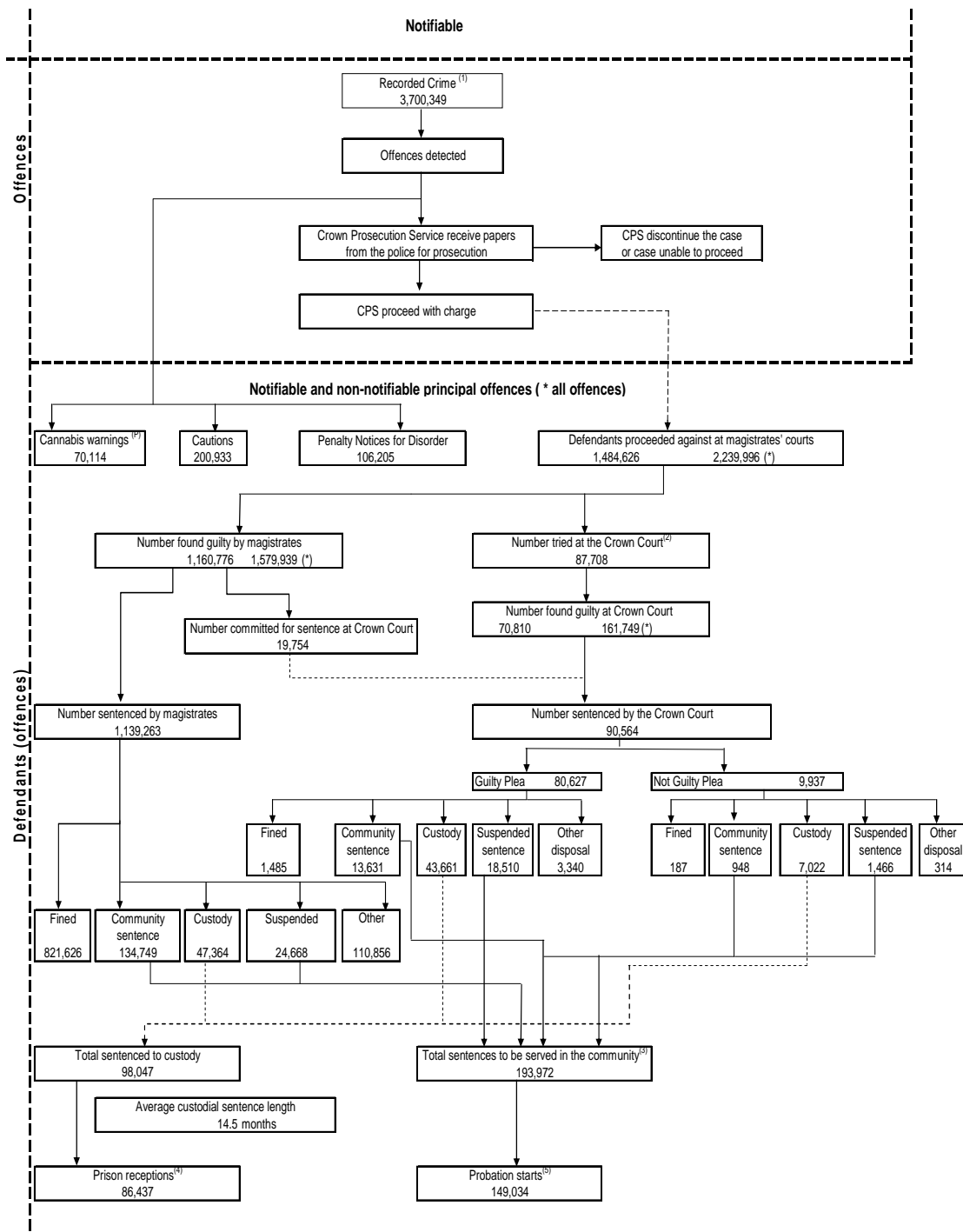
The introduction of the Criminal Justice and Immigration Act (CJIA) in 2008 restricted the use of Indeterminate sentences for Public Protection (IPPs). This has coincided with an increase in long determinate sentences (defined as for 10 years or more), which may also have contributed to the increase in the average length of custodial sentences since 2008.

Males account for seven out of every ten individuals proceeded against in court, but nine out of every ten offenders sentenced to immediate custody.

This difference in sentence outcomes reflects the different types of offences being committed by males and females, with males more frequently proceeded against for the more serious indictable offences.

The gender split for defendant dealt with at court has been changing over the last decade, with the number of prosecutions of males decreasing while prosecutions of females have remained broadly stable. The differences in the trends by gender relate to summary non-motoring offences, and in particular large increases in prosecutions for TV licence evasion offences for females. The change in the gender profile of defendants has influenced the trends in sentencing, where the number of male offenders sentenced is falling at a faster rate than the number of female offenders sentenced.

Figure 1.6 Flows through the Criminal Justice System, 2012



(1) Covers all indictable offences, including triable either way, plus a few closely associated summary offences.
 (2) Defendants tried at the Crown Court in a given year may have been committed for trial by a magistrate in a previous year.
 (3) Includes community sentences and suspended sentence orders.
 (4) Receptions for offenders given a custodial sentence (figures include fine defaulters).
 (5) Offenders starting Community Order or Suspended Sentence Order supervision by the Probation Service.
 * Total number of all offences in comparison with the total number of defendants on a principal offence basis.

Table Q1.1 - Individuals entering the Criminal Justice System, 2008 to 2012

England and Wales						Percentage change 2011 to 2012
	2008	2009	2010	2011	2012	
Out of court disposals	609,316	549,365	464,139	439,745	377,252	-14.2%
<i>Cannabis warnings</i>	105,260	88,327	80,539	80,029 ^(P)	70,114 ^(P)	-12.4%
<i>Penalty Notices for Disorder⁽¹⁾</i>	176,164	170,393	140,769	127,530	106,205	-16.7%
<i>Cautions</i>	327,892	290,645	242,831	232,186	200,933	-13.5%
Defendants proceeded against	1,640,023	1,694,410	1,653,190	1,580,023	1,484,626	-6.0%
<i>Indictable offences⁽²⁾</i>	397,450	415,616	438,026	424,006	376,984	-11.1%
<i>Summary offences</i>	1,242,573	1,278,794	1,215,164	1,156,017	1,107,642	-4.2%
Offenders convicted	1,363,218	1,408,437	1,367,475	1,314,176	1,231,586	-6.3%
<i>Indictable offences</i>	316,869	329,171	350,639	344,522	308,945	-10.3%
<i>Summary offences</i>	1,046,349	1,079,266	1,016,836	969,654	922,641	-4.8%
Prison receptions⁽³⁾⁽⁴⁾	100,348	94,964	..	90,955	86,437	-5.0%
Probation starts⁽⁵⁾	166,245	169,693	166,598	160,092	149,034	-6.9%

(1) Number of Penalty Notices for Disorder issued to offenders aged 16 and over.

(2) Indictable offences include those triable-either-way.

(3) Receptions for offenders given a custodial sentence (includes fine defaulters).

(4) Data for 2010 is unavailable due to problems in the supply of data for statistical purposes - see the 'Offender management statistics: definitions and measurement' document for more details:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/192439/omsq-definitions.pdf

(5) Offenders starting Community Order or Suspended Sentence Order supervision by the Probation Service.

(P) Provisional

Note: Figures for cannabis warnings appearing in this publication are provisional and may be revised following Home Office validation. National Statistics for the financial year 2012/13 are expected to be published during 2013 by the Home Office.

Table Q1.2 - Offenders sentenced by principal sentence, 2008 to 2012

England and Wales						Percentage change 2011 to 2012
	2008	2009	2010	2011 ⁽¹⁾	2012	
Total offenders sentenced⁽¹⁾	1,362,064	1,406,905	1,365,347	1,312,739	1,229,827	-6.3%
Total persons sentenced⁽²⁾	1,353,937	1,398,278	1,357,600	1,305,670	1,223,252	-6.3%
Immediate custody (persons)	99,525	100,231	101,513	106,170	98,047	-7.7%
Suspended sentence (persons)	41,151	45,157	48,118	48,153	44,644	-7.3%
Community sentence (persons)	190,171	195,903	189,321	175,525	149,328	-14.9%
Fines (all offenders)	890,296	946,146	893,931	856,808	823,298	-3.9%
Other disposals (all offenders)	140,921	119,468	132,464	126,083	114,510	-9.2%
Average custodial sentence length (months) ⁽³⁾	13.3	13.7	13.7	14.3	14.5	1.2%
Percentage of those sentenced⁽⁴⁾						Percentage point change
Immediate custody (persons)	7.4	7.2	7.5	8.1	8.0	-0.1
Suspended sentence (persons)	3.0	3.2	3.5	3.7	3.6	0.0
Community sentence (persons)	14.0	14.0	13.9	13.4	12.2	-1.2
Fines (all offenders)	65.4	67.3	65.5	65.3	66.9	1.7
Other disposals (all offenders)	10.3	8.5	9.7	9.6	9.3	-0.3

(1) The time lag between conviction and sentencing for cases committed for sentence at Crown Court can result in small differences between total offenders convicted and sentenced within reporting years.

(2) For sentences of immediate custody, suspended sentence and community sentence, 'persons' is the same as 'offenders', as 'others' (such as companies or public bodies) cannot receive these sentences.

(3) Average custodial sentence length excludes life and indeterminate sentences.

(4) May not sum to 100 per cent as all rates are not calculated on the same basis.

Table Q1.3 - Recorded crime and notifiable offence outcomes, 2008 to 2012

England and Wales						
	2008	2009	2010	2011 ⁽¹⁾	2012	Percentage change 2011 to 2012
Recorded Crime	4,788,657	4,447,490	4,159,914	4,043,157	3,700,349	-8.5%
Out of court disposals	566,681	505,489	431,910	405,449	346,739	-14.5%
Cannabis warnings	105,260	88,327	88,327	80,029 ^(P)	70,114 ^(P)	-12.4%
Penalty Notices for Disorder ⁽¹⁾	116,816	113,135	92,656	81,449	65,127	-20.0%
Cautions	344,605	304,027	250,927	243,971	211,498	-13.3%
Proceedings	952,915	995,767	1,026,998	961,366	909,345	-5.4%
Convictions	747,080	755,648	766,908	734,054	699,613	-4.7%
Offences taken into consideration	105,148	85,604	74,089	69,989	57,187	-18.3%
Proven offences⁽²⁾	1,418,909	1,346,741	1,272,907	1,209,492	1,103,539	-8.8%

(1) Number of Penalty Notices for Disorder issued to offenders aged 16 and over.

(2) Includes out of court disposals, convictions and offences taken into consideration.

(P) Provisional

Note: Figures for cannabis warnings & offences taken into consideration appearing in this publication are provisional and may be revised following Home Office validation. National Statistics for the financial year 2012/13 are expected to be published during 2013 by the Home Office.

Table Q1.4 - Recorded crime and notifiable offence outcomes by offence group, 2011 and 2012

Offence Group	Year	Recorded crime	Cannabis warnings ^(P)	Penalty Notices for Disorder ⁽¹⁾	Cautions	Proceedings	Convictions
Violence against the person	2011 ⁽¹⁾	775,000	-	25,575	97,582	306,269	209,173
	2012	728,802	-	17,515	86,581	284,755	193,773
Sexual offences	2011 ⁽¹⁾	54,716	-	-	1,782	32,136	19,617
	2012	53,203	-	-	1,725	30,268	19,827
Burglary	2011 ⁽¹⁾	512,269	-	-	3,940	45,813	32,167
	2012	468,217	-	-	2,811	42,157	30,092
Robbery	2011 ⁽¹⁾	77,270	-	-	276	20,305	12,820
	2012	67,462	-	-	193	17,238	12,010
Theft and handling stolen goods	2011 ⁽¹⁾	1,534,276	-	34,688	52,272	218,811	186,074
	2012	1,424,564	-	28,363	41,731	215,323	184,553
Fraud and forgery	2011 ⁽¹⁾	142,715	-	-	6,357	62,433	47,546
	2012	136,141	-	-	5,734	58,443	42,416
Criminal damage	2011 ⁽¹⁾	651,443	-	4,909	28,709	74,092	59,151
	2012	553,356	-	3,633	24,209	69,761	54,898
Drug offences	2011 ⁽¹⁾	233,721	80,029	16,277	46,295	108,521	94,694
	2012	211,791	70,114	15,616	42,860	101,649	90,364
Other notifiable offences	2011 ⁽¹⁾	61,747	-	-	6,758	92,986	72,812
	2012	56,813	-	-	5,654	89,751	71,680
All Notifiable Offences	2011 ⁽¹⁾	4,043,157	80,029	81,449	243,971	961,366	734,054
	2012	3,700,349	70,114	65,127	211,498	909,345	699,613

(1) Number of Penalty Notices for Disorder issued to offenders aged 16 and over.

(P) Provisional

Note: Figures for cannabis warnings appearing in this publication are provisional and may be revised following Home Office validation. National Statistics for the financial year 2012/13 are expected to be published during 2013 by the Home Office.

Table Q1.5 - Summary of criminal justice statistics, 2002 to 2012

England and Wales		Thousands											
		2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Percent change, 2011 to 2012
Crime measured by Crime Survey for England and Wales ⁽¹⁾		12,196	12,088	10,811	10,821	11,087	10,446	10,618	9,751	9,405	9,405	8,933	-5.0%
Notifiable offences													
- offences recorded by the police ⁽³⁾		5,908	6,004	5,764	5,572	5,464	5,053	4,789	4,447	4,160	4,043	3,700	-8.5%
- offences cautioned ⁽³⁾		225	242	256	299	350	363	328	291	243	232	201	-13.5%
of which for indictable offences ⁽⁵⁾		143	151	156	183	204	205	181	160	134	124	106	-14.7%
Number of offenders issued Penalty Notices for Disorder		..	..	64	146	201	208	176	170	141	128	106	-16.7%
of which for indictable offences ⁽⁵⁾		2	22	39	45	46	60	54	51	44	-13.7%
Number of offences detected by means of cannabis warnings (all indictable) ⁽³⁾		0	43	77	99	108	91	82	80	70	-12.4%
Defendants proceeded against at magistrates' courts		1,925	2,001	2,023	1,895	1,779	1,733	1,640	1,694	1,653	1,580	1,485	-6.0%
of which for indictable offences ⁽⁵⁾		517	509	453	423	406	405	397	416	438	424	377	-11.1%
Defendants found guilty at magistrates' courts		1,362	1,432	1,488	1,426	1,363	1,351	1,293	1,331	1,283	1,233	1,161	-5.8%
of which for indictable offences ⁽⁵⁾		281	278	260	253	248	252	250	256	271	267	241	-9.6%
Defendants sentenced at the Crown Court after summary conviction		17	16	16	17	18	17	18	17	18	21	20	-4.2%
Defendants tried at the Crown Court		75	78	78	75	76	82	87	96	105	101	88	-13.0%
Defendants found guilty at the Crown Court		60	60	60	58	58	65	71	77	84	82	71	-13.2%
of which for indictable offences ⁽⁵⁾		57	57	58	56	56	61	67	73	79	78	68	-12.8%
Total offenders found guilty at both courts		1,421	1,491	1,548	1,484	1,421	1,416	1,363	1,408	1,367	1,314	1,232	-6.3%
of which for indictable offences ⁽⁵⁾		338	335	318	308	303	313	317	329	351	345	309	-10.3%
Total offenders found guilty or cautioned ⁽⁴⁾		1,647	1,733	1,804	1,783	1,771	1,779	1,691	1,699	1,610	1,546	1,433	-7.4%
of which for indictable offences ⁽⁵⁾		481	486	474	491	507	518	498	489	484	468	415	-11.5%
Total sentenced (offenders)		1,420	1,490	1,547	1,482	1,421	1,415	1,362	1,407	1,365	1,313	1,230	-6.3%
Magistrates' court		1,343	1,414	1,471	1,407	1,344	1,333	1,273	1,312	1,263	1,211	1,139	-5.9%
Crown Court		76	76	76	76	77	82	89	95	102	102	91	-11.4%
Sentence													
Custody		112	108	106	101	96	95	100	100	102	106	98	-7.7%
Suspended Sentence		3	3	3	10	34	41	41	45	48	48	45	-7.3%
Community Sentence		187	191	202	204	191	196	190	196	189	176	149	-14.9%
Fine		973	1,034	1,083	1,025	962	942	890	946	894	857	823	-3.9%
Other Sentences		146	154	154	142	139	141	141	119	132	126	115	-9.2%

(1) The offenders dealt with outside of court and defendants proceeded against at magistrates' court in a given year may not relate to the same cases measured by the Crime Survey for England and Wales (known until 1 April 2012 as the British Crime Survey) or those recorded to the police within the same year. The Crime Survey for England and Wales estimates relate to crimes experienced in the 12 months prior to interview. Further, offenders found guilty in a given year may have been proceeded against in an earlier year.

(2) Not statistically significant, see Section 8 of the User Guide to Crime Statistics for England and Wales: <http://www.ons.gov.uk/ons/taxonomy/index.html?nscl=Crime+in+England+and+Wales>

(3) Includes British Transport Police.

(4) Cautions, written warnings and all fixed penalties for summary motoring offences are not covered in this volume but are published in the Home Office Statistical Bulletin, 'Motoring offences and breath tests'.

(5) Indictable offences include those triable-either-way.

Note: Figures for cannabis warnings appearing in this publication are provisional and may be revised following Home Office validation. National Statistics for the financial year 2012/13 are expected to be published during 2013 by the Home Office.

Table Q1.6 - "Proven Offenders" in the criminal justice system by offence group and outcomes, 2011 and 2012

England and Wales

Offence Group	Year	Cannabis warnings ^(P)	Penalty Notices for Disorder ⁽¹⁾	Cautions	Proceedings	Convictions	Conviction Ratio (%) ⁽²⁾	Proven Offenders ⁽³⁾	Sentenced ⁽⁴⁾	Discharged	Fine	Community Sentence	Suspended Sentence	Otherwise dealt with	Custody Rate (%) ⁽⁵⁾	Average Custodial Sentence Length ⁽⁶⁾
Violence against the person	2011	-	-	16,099	60,490	42,799	70.8	58,898	42,562	1,790	2,245	14,102	8,365	1,336	14,724	18.4
	2012	-	-	13,317	50,475	36,757	72.8	50,074	36,433	1,566	1,280	10,773	7,288	971	13,555	19.9
Sexual offences	2011	-	-	1,532	10,150	6,018	59.3	7,950	5,989	97	121	3,280	2,188	149	3,453	53.0
	2012	-	-	1,483	9,413	5,769	61.3	7,252	5,756	100	102	1,513	1,488	130	3,423	59.5
Burglary	2011	-	-	3,359	33,353	25,446	76.3	28,805	25,189	539	381	8,795	2,769	488	12,181	54.2
	2012	-	-	2,531	29,180	22,427	76.9	24,958	22,083	353	270	6,973	2,600	465	11,422	48.4
Robbery	2011	-	-	269	14,384	9,328	64.8	9,597	9,333	13	1	2,537	541	257	5,584	35.4
	2012	-	-	188	12,267	8,337	68.0	8,525	8,343	19	1	2,584	555	182	5,002	35.8
Theft and handling stolen goods	2011	-	34,688	43,467	136,539	122,231	89.5	200,406	121,908	24,758	17,028	42,154	8,571	5,686	23,711	19.4
	2012	-	28,363	35,025	124,779	111,678	89.5	175,066	111,025	23,001	16,103	35,224	8,210	5,625	22,862	20.6
Fraud and forgery	2011	-	-	5,602	23,928	19,522	81.6	25,124	19,422	2,160	2,600	6,382	3,440	367	4,473	23.0
	2012	-	-	4,818	20,798	16,437	79.0	21,255	16,241	1,635	2,119	4,966	3,250	349	3,922	24.2
Criminal damage	2011	-	-	4,712	9,046	7,098	78.5	11,810	7,027	1,345	771	2,826	442	474	1,169	16.6
	2012	-	-	3,863	7,956	6,013	75.6	9,676	5,927	1,172	735	2,216	348	468	988	22.1
Drug offences	2011	80,029	16,277	42,686	67,650	61,657	91.1	200,649	61,094	8,773	23,317	12,724	4,205	2,287	9,788	30.7
	2012	70,114	15,616	39,344	63,618	58,125	91.4	183,199	57,601	9,223	21,344	11,513	4,215	2,295	9,011	15.6
Indictable motoring offences	2011	-	-	-	3,568	3,140	88.0	3,140	3,142	40	235	850	844	32	1,143	36.4
	2012	-	-	-	3,252	2,943	90.5	2,943	2,990	27	225	754	844	25	1,115	37.3
Other indictable offences	2011	-	-	6,142	64,898	47,283	72.9	53,425	47,040	3,516	12,412	7,865	4,729	7,186	11,332	24.5
	2012	-	-	5,061	55,246	40,459	73.2	45,520	40,529	3,058	11,272	6,300	4,087	6,030	9,782	24.6
Indictable offences ⁽⁷⁾	2011	80,029	50,965	123,888	424,006	344,522	81.3	599,404	342,706	43,031	59,111	100,286	34,422	18,298	87,558	25.6
	2012	70,114	43,979	105,630	376,984	308,945	82.0	528,668	306,928	40,154	54,451	82,816	31,885	16,540	81,082	17.0
Summary non-motoring	2011	-	76,565	108,298	606,457	494,032	81.5	678,895	494,300	45,108	352,968	60,670	9,510	10,883	15,161	3.1
	2012	-	62,226	95,303	581,874	470,059	80.8	627,988	470,247	41,598	343,358	53,678	9,007	8,653	13,953	3.0
Summary motoring offences	2011	-	-	-	549,560	475,622	86.5	475,622	475,733	6,391	444,729	14,569	4,221	2,372	3,451	0.7
	2012	-	-	-	525,768	452,582	86.1	452,582	452,652	5,688	452,489	12,834	3,752	1,877	3,012	0.7
Summary Offences	2011	-	76,565	108,298	1,156,017	969,654	83.9	1,154,517	970,033	51,499	797,697	75,239	13,731	13,255	18,612	1.9
	2012	-	62,226	95,303	1,107,642	922,641	83.3	1,080,170	922,899	47,286	768,847	66,512	12,759	10,530	16,965	1.8
All Offences	2011	80,029	127,530	232,166	1,560,023	1,314,176	83.2	1,753,921	1,312,739	94,530	856,808	175,525	48,153	31,553	106,170	14.3
	2012	70,114	106,205	200,933	1,484,626	1,231,586	83.0	1,608,938	1,229,827	87,440	823,298	149,328	44,644	27,070	98,047	8.0

(1) Number of Penalty Notices for Disorder issued to offenders aged 16 and over.

(2) Conviction ratio is calculated as the number of convictions as a proportion of the number of proceedings.

(3) Defendants who have been proven to have committed an offence (includes convictions, cautions, cannabis warnings and Penalty Notices for Disorder).

(4) Figures are based on defendants sentenced each year. Some of those sentenced may have been found guilty in a previous year so the number of offenders sentenced may exceed the number of guilty defendants.

(5) Custody rate is calculated as the proportion of the total number of persons sentenced who are sentenced to immediate custody.

(6) Average custodial sentence length excludes life and indeterminate sentences.

(7) Indictable offences include those triable-either-way.

(P) Provisional

Note: Figures for cannabis warnings appearing in this publication are provisional and may be revised following Home Office validation. National Statistics for the financial year 2012/13 are expected to be published during 2013 by the Home Office.

2 Out of court disposals

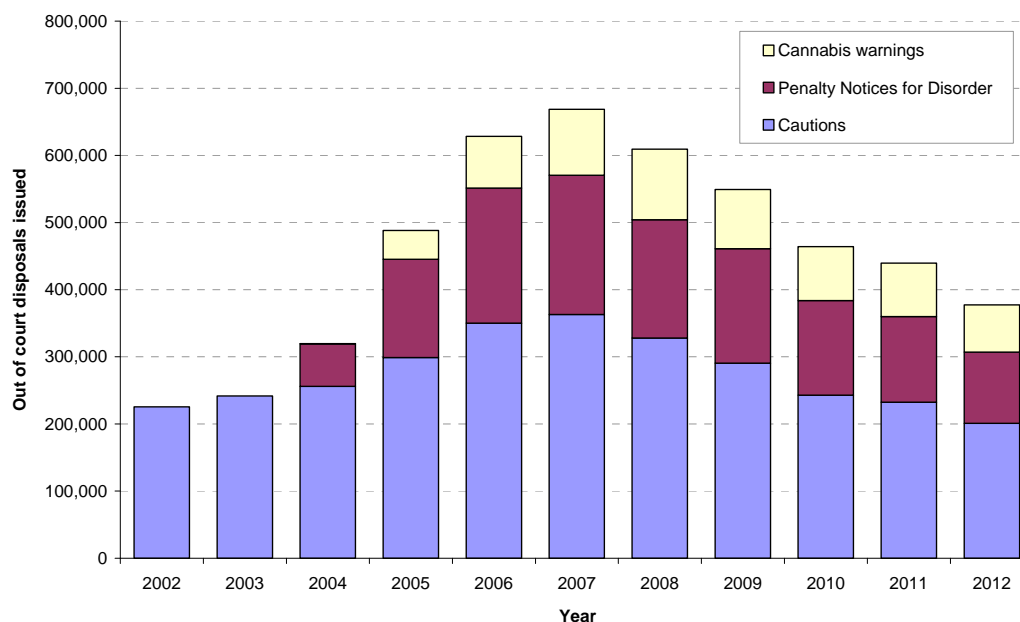
Out of court disposals allow the police to deal quickly and proportionately with low-level, often first-time offending which could more appropriately be resolved without a prosecution at court. Out-of-court disposals are not intended for serious, persistent or contested cases, where court will always be the right forum for deliberation and adjudication. The decision to offer a particular out-of-court disposal must be made in accordance with the national guidance⁴ on the individual disposal. The out of court disposals available to the police and Crown Prosecution Service (CPS) up to the end of 2012 included⁵:

- Cannabis warnings (available to adults only);
- Penalty Notices for Disorder (PNDs) (available to all offenders);
- Simple and conditional cautions (available to adults only);
- Reprimands and warnings for youths.

Simple cautions, conditional cautions and reprimands and warnings for youths form part of an offender's criminal record, and may be disclosed in any future criminal proceedings. PNDs and cannabis warnings do not form part of an individual's criminal record but may be disclosed to a prospective employer as part of a standard and enhanced Disclosure and Barring Service (DBS) check.

The use of out of court disposals has decreased in the last year, by 14 per cent down to 377,200 out of court disposals in 2012. This continues the decline in the use of out of court disposals since 2007, which has coincided with the replacement in April 2008 of a target to increase offences brought to justice, with one placing more emphasis on bringing serious crime to justice. The latter target was subsequently removed in May 2010.

Figure 2.1 Out of court disposals issued, 2002 to 2012



⁴ Available on the Ministry of Justice website at www.justice.gov.uk/out-of-court-disposals.

⁵ Note that cautions, written warnings and all fixed penalties for summary motoring offences are not covered in this volume but are published in the Home Office Statistical Bulletin 'Motoring offences and breath tests'.

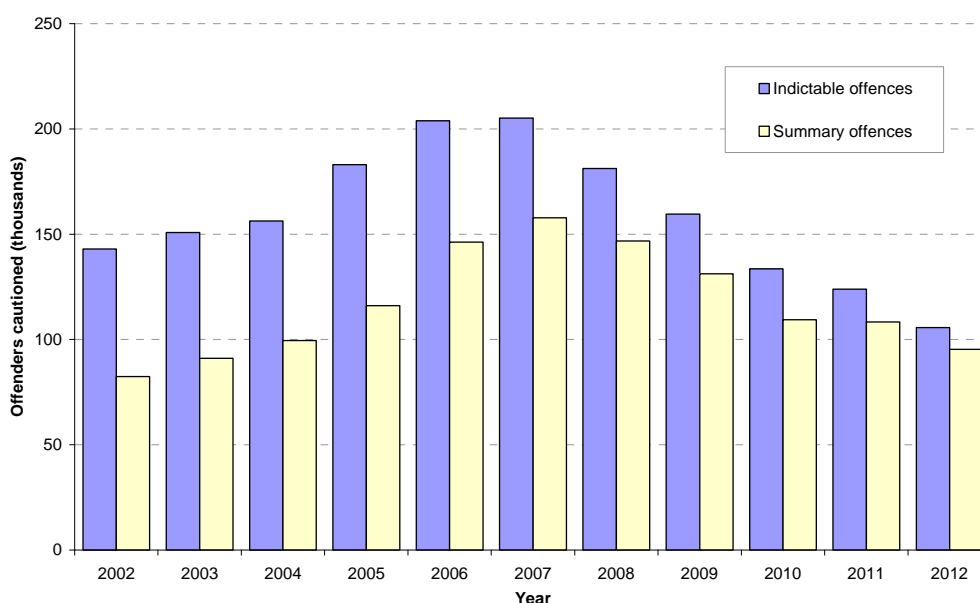
2.1 Police cautions

A simple caution can be given when there is sufficient evidence for a prosecution and it is not considered to be in the public interest to charge the offender. Additionally, an offender must admit guilt and consent to a caution in order for one to be administered. A caution may be given by, or on the instructions of, a senior police officer, for summary and either way offences, and the CPS must authorise the decision to administer a caution in indictable only cases. A conditional caution can be given when there is sufficient evidence for a prosecution, it is in the public interest to prosecute, but the offending behaviour is better dealt with through compliance with a conditional caution. Again, the offender must admit guilt and consent to a conditional caution being administered. The conditions must be completed within a reasonable period (12 weeks) or the offender may be prosecuted for the original offence. They are administered by the police, using their own discretion, for summary and either way offences, but the CPS must authorise their use for indictable only offences

Cautions have traditionally been mostly used for juvenile and first time offenders. A system of reprimands and final warnings replaced cautioning for juveniles in June 2000.

There were 200,900 cautions administered in 2012 (including juveniles given a reprimand or final warning), representing a 13 per cent decrease compared with 2011 (232,200). This continues the downward trend in the use of cautions observed since a peak in 2007, with the 2012 figure representing a 45 per cent decrease since 2007.

Figure 2.2 Offenders cautioned by offence type, 2002 to 2012



Five offences accounted for just over half of all cautions administered in 2012, namely:

- Common assault and battery;
- Shoplifting;
- Possession of cannabis;
- Causing summary criminal damage;
- Possession of cocaine.

There were 16 cautions administered for rape offences in 2012, compared with 19 cautions in 2011. All 16 cautions in 2012 were for rape or attempted rape offences against a male or female child aged under 13. Of the 16 offenders in 2012:

- Nine were for males aged under 15 with a male or female victim aged under 13;
- Six were for males aged 15-17 with a female victim aged under 13;
- The remaining caution was a male aged 21 (at time of caution) with a female victim aged under 13.

The 13 per cent decrease in total offenders cautioned between 2011 and 2012 was largely driven by declining cautions administered for indictable offences. Cautions for indictable offences decreased by 15 per cent over the last year, compared with a 12 per cent decrease for summary offences.

The largest decreases in cautions for indictable offences compared with 2011 were for burglary offences (down 25 per cent), theft and handling of stolen goods (down 20 per cent), and violence against the person offences (17 per cent). Four in every five cautions issued for indictable offences are for these three offence groups.

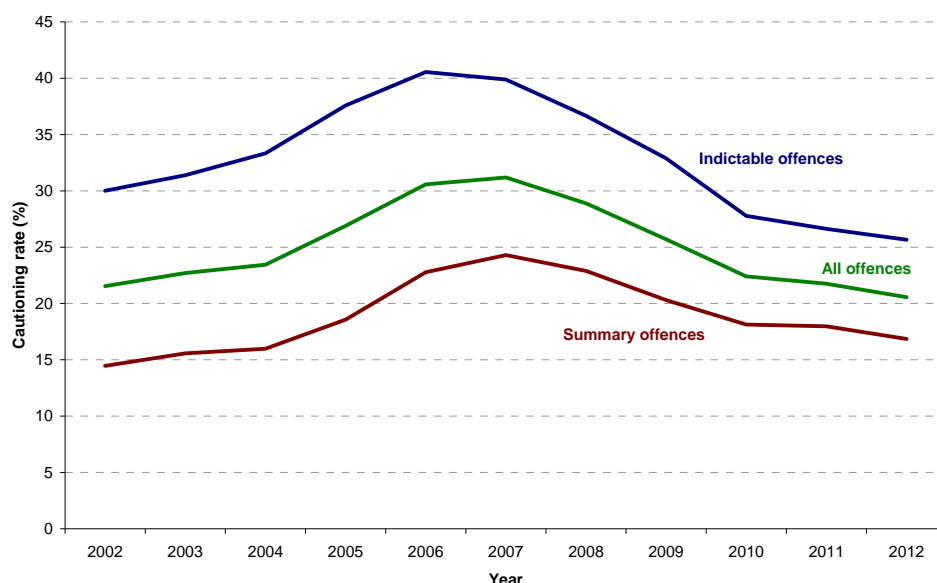
There were 32,700 juvenile offenders reprimanded or issued with a warning in 2012. This was 26 per cent fewer than in 2011 and 75 per cent fewer than the peak of 129,100 reprimands and warnings issued to juveniles in 2006.

Cautions rates

Cautions rates present the proportion of offenders either cautioned or convicted that are given a caution. This gives a measure of the share of all offenders either admitting guilt or being found guilty in a given year who are dealt with by a caution out of court as opposed to being processed through the courts.

The overall cautioning rate for 2012 was 21 per cent, which has declined from a peak of 31 per cent in 2007. This coincided with the replacement in April 2008 of a target to increase offences brought to justice with one placing more of an emphasis on targeting serious crime.

Figure 2.3 Cautions rates by offence type, 2002 to 2012



The cautioning rate varies across offence group and is higher for indictable offences than summary offences – 26 per cent compared with 17 per cent in 2012. Within indictable offences, the 2012 cautioning rate was highest for drug offences (40 per cent), criminal damage (39 per cent) and violence against the person (27 per cent). The lowest cautioning rate was for robbery, at two per cent.

The cautioning rates have decreased across all indictable offences groups since 2007, with violence against the person offences showing the largest decrease, of 29 percentage points between 2007 and 2012. Over the last year, seven out of nine indictable offence group saw decreases in cautioning rates, with marginal increases in the sexual offence and fraud and forgery offences groups.

2.2 Penalty Notices for Disorder (PNDs) and cannabis warnings

Penalty Notices for Disorder (PNDs) are commonly known as ‘on the spot fines’. PNDs are a fixed penalty of £50 or £80 designed to tackle low-level, anti-social and nuisance offending for offenders aged 16 or over and are issued for a range of minor offences.

For a first time offence of cannabis possession, an adult is usually issued with a ‘cannabis warning’.

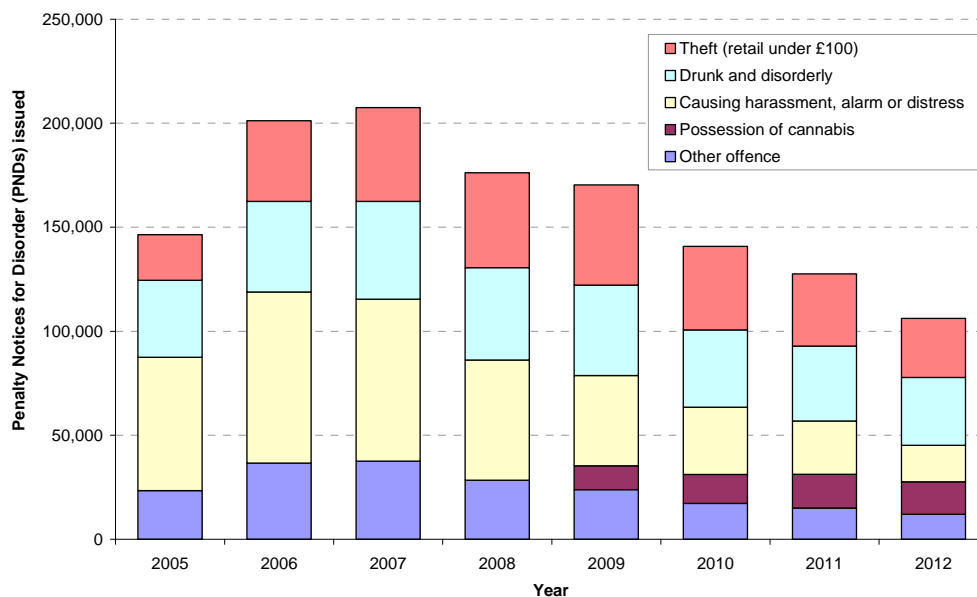
Trends in PNDs issued

There were 106,200 PNDs issued in 2012, a decrease of 17 per cent compared with 2011 and a fall of 49 per cent when compared with the peak of 207,500 PNDs issued in 2007.

Four offences accounted for 89 per cent of all PNDs issued in 2012, namely:

- Retail theft of goods under the value of £100;
- Drunk and disorderly behaviour;
- Behaviour likely to cause harassment, alarm or distress;
- Possession of cannabis.

Figure 2.4 Penalty Notices for Disorder issued, 2005 to 2012



In 2012, around three quarters of PNDs were issued to males. A third of the PNDs issued to males were for drunk and disorderly behaviour. Over half of the PNDs issued to females were for retail theft of goods under the value of £100.

In 2012, three new PNDs were enforced, namely depositing and leaving litter in a Royal Park, using a pedal cycle in a Royal Park and failing to remove animal faeces from a Royal Park. Less than 200 PNDs have been issued to date for these new offences.

There has been a year-on-year decrease in PNDs since their peak in 2007. This decreasing trend has been observed in all offence groups except possession of cannabis.

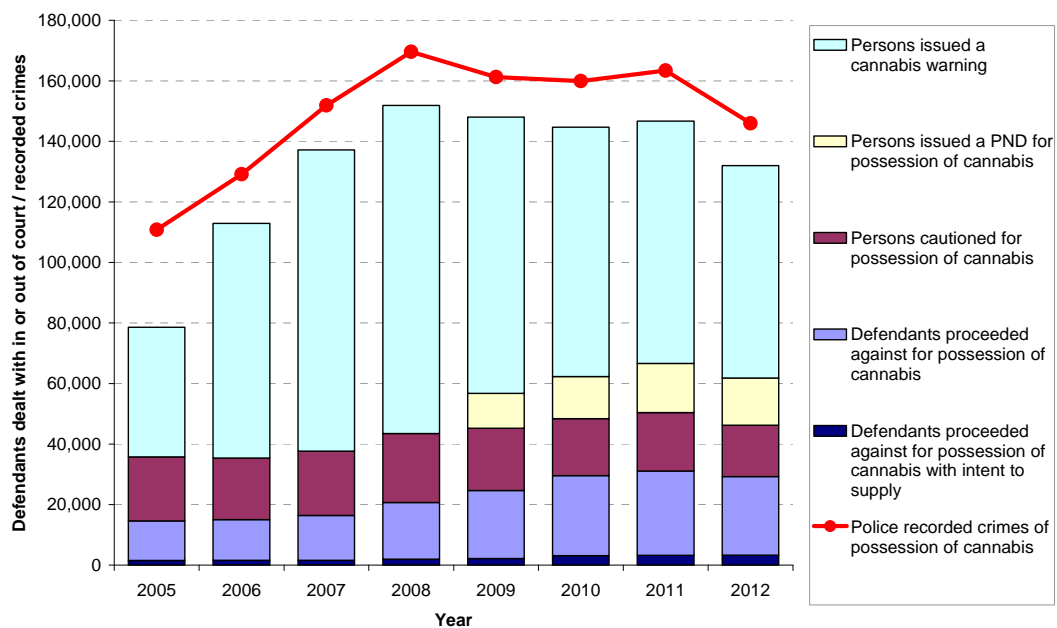
PNDs for cannabis possession and cannabis warnings

The PND for cannabis possession came into effect in January 2009, with 11,500 issued in the first year. The use of the disposal increased up to 16,300 in 2011 – however, in 2012, issues of the PND decreased to 15,600.

Cannabis warnings for adults were introduced in April 2004. The use of cannabis warnings peaked in 2008, when 108,300 first time offenders received a warning. Since 2008, cannabis warnings have decreased, to 70,100 issued in 2012, a 12 per cent decrease since 2011.

Prior to 2012, the use of out of court disposals for those in possession of cannabis remained stable, but with an increased usage of PNDs rather than formal cannabis warnings. However, in the latest year, we have observed decline in both PNDs issued and warnings.

Figure 2.5 Police recorded crime and justice outcomes for possession of cannabis offences, 2005 to 2012



PND payment, court hearings and related fines

Once a PND has been issued the recipient has 21 days, the Suspended Enforcement Period (SEP), in which to either pay the penalty or request a court hearing. No admission of guilt is required and by paying the penalty the recipient discharges liability for conviction for the offence. Rather than paying the penalty, PND recipients can request a court hearing. If a recipient fails to pay a PND or elect a court hearing within the SEP, a fine of one and half times the penalty amount is registered by the court.

In 2012, a number of forces have moved to a new system for reporting data on PNDs issued and their outcomes. Due to technical problems, for these forces, it is not possible to separate between those PNDs paid in full within 21 days and those paid in full outside the 21 day period. Further, there is a backlog of unprocessed PND payments which has resulted in a larger than anticipated figure with "outcome unknown". Both of these issues are under investigation by Ministry of Justice statisticians and, when resolved, will be corrected in future publications.

In 2012, 53 per cent of PNDs were paid in full before enforcement action commenced (in the form of the registration of a fine by the court). The payment rate for PNDs has fluctuated only slightly since their introduction in 2004, between the 51 and 55 per cent marks.

The payment rate for juveniles (aged 16 and 17) was 55 per cent in 2012 compared to 53 per cent for adults. The payment rate for juveniles has remained consistently higher than for adults since the start of the scheme.

Less than one per cent of penalty notices have been contested at court in each year since PNDs were introduced. This figure is consistent among all age groups and offences.

Figure 2.6 Penalty Notices for Disorder by outcome, 2005 to 2012

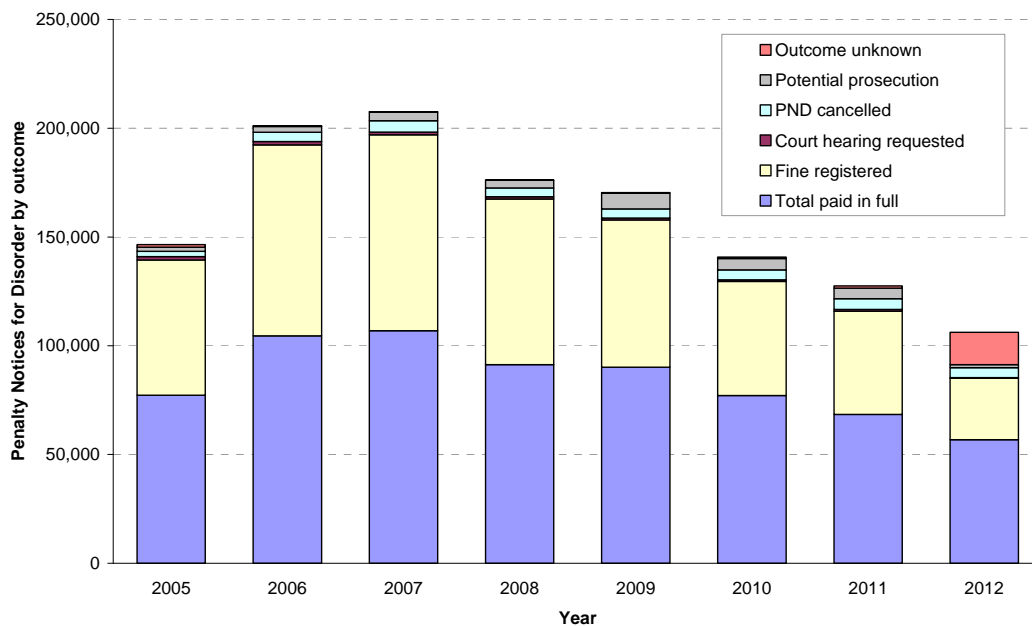


Table Q2.1 - Number of Penalty Notices for Disorder issued to offenders aged 16 and over by offence, 2005 to 2012

Offence	Age 16 and over															
	2005	2006	2007	2008	2009	2010	2011	2012	2005	2006	2007	2008	2009	2010	2011	2012
Higher Tier Offences (£80)																
Wasting police time	2,525	3,933	3,966	3,443	3,109	2,852	2,810	2,586	2,15	353	327	254	212	157	147	95
Misuse of public telecommunications system	405	909	1,193	888	747	696	745	702	24	79	106	88	45	53	50	26
Giving false alarm to fire and rescue authority	81	135	99	77	69	66	77	58	5,846	8,121	7,483	4,672	3,199	2,174	1,511	681
Causing alarm or distress	64,002	82,395	77,632	57,771	43,399	32,310	25,375	17,535	30	101	102	82	57	65	53	24
Throwing fireworks	642	882	649	531	353	340	335	229	30	101	102	82	57	65	53	24
Drunk and disorderly	37,038	43,656	46,996	44,411	43,570	37,119	36,001	32,648	2,354	3,009	2,941	2,538	2,244	1,710	1,294	784
Criminal Damage (under £500) ⁽¹⁾	12,168	20,620	19,946	13,427	10,145	6,253	4,909	3,633	1,408	2,866	2,798	1,815	1,241	659	456	211
Theft (retail under £200) ⁽¹⁾	21,987	38,772	45,146	45,616	48,161	40,170	34,688	28,363	1,806	3,861	4,474	4,040	3,817	2,682	1,862	1,151
Breach of fireworks curfew	33	53	39	23	15	23	10	10	4	7	3	3	2	2	1	1
Possession of category 4 fireworks	13	28	22	23	56	22	23	22	2	6	5	6	2	3	4	4
Possession of category 5 fireworks	17	16	10	16	11	11	11	11	2	6	5	6	2	3	4	4
Supply of alcohol to a person under 18	32	47	81	66	80	74	78	94	2	91	103	57	47	36	27	17
Sale of alcohol to a person under 18	3	60	54	83	104	59	49	58	5	5	1	2	4	1	1	1
Supply of alcohol to a person under 18	2,058	3,195	3,583	2,824	3,002	2,098	1,546	1,395	79	91	77	42	40	30	18	11
Purchasing alcohol for a person under 18	170	407	555	524	429	330	265	150	20	45	51	33	22	18	11	5
Purchasing alcohol for a person under 18 for consumption on the premises	83	60	64	50	46	33	35	13	21	17	13	10	15	4	12	5
Delivery of alcohol to a person under 18 or allowing such delivery	209	297	431	286	139	150	109	66	20	24	36	23	9	11	6	3
Possession of Cannabis ⁽²⁾	-	-	-	11,491	13,916	16,277	15,616	-	-	-	-	-	148	163	301	385
Lower Tier Offences (£50)																
Trespassing on a railway	220	1,642	1,527	1,468	1,552	1,454	1,331	1,093	73	256	291	287	240	186	145	65
Throwing stones at a train / railway	20	15	25	21	11	11	8	8	5	4	10	8	8	6	2	1
Drunk in a highway	3,138	2,712	2,099	1,499	999	758	699	517	103	149	108	57	31	13	20	17
Drunk in a designated public place	1,189	1,189	1,189	1,189	1,189	1,189	1,189	1,189	1,189	1,189	1,189	1,189	1,189	1,189	1,189	1,189
Depositing and leaving litter	737	1,169	1,374	1,202	1,148	903	707	592	185	253	241	181	181	119	75	46
Consumption of alcohol by a person under 18 on relevant premises	84	175	85	36	27	14	26	8	74	67	85	31	19	9	23	5
Allowing consumption of alcohol by a person under 18 on relevant premises	27	14	11	6	4	4	2	2	2	2	1	2	2	2	2	2
Buying or Attempting to buy alcohol by a person under 18	21	73	158	114	61	48	30	15	17	62	158	100	52	42	24	10
Buying or Attempting to buy alcohol by a person under 18 on relevant premises	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Depositing and leaving litter in a Royal Park	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Depositing and leaving litter in a Royal Park	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Failure to remove animal faeces from a Royal Park	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Totals	141,522	195,098	200,754	170,112	164,985	136,542	123,530	103,163	11,939	18,671	18,122	13,675	11,119	7,776	5,888	3,322
Total Higher Tier Offences	4,359	6,161	6,750	6,052	5,408	4,227	4,000	3,042	515	927	1,124	822	618	416	341	145
Total Lower Tier Offences	146,481	201,197	207,544	176,164	170,393	140,769	127,530	106,205	12,454	19,598	19,246	14,497	11,737	8,192	6,229	3,467
Total all offences	150,840	207,358	214,294	182,216	175,803	144,991	131,530	109,247	13,993	20,273	20,368	15,172	12,856	8,988	7,177	3,812

(1) Offence added with effect from 1 November 2004. Penalty notices are no longer available for theft of goods valued at over £100 and may only be used for criminal damage up to a value of £300 from July 2009 onwards.

(2) Offence added with effect from 27 January 2006.

* = Not applicable. - = nil.

Table Q2.2 - Number and outcomes of Penalty Notices for Disorder issued to all persons aged 16 and over, by age group and year, 2005 to 2012

England and Wales		Of those paid										Other outcomes					
		Number issued	Total paid in full	Paid in full within 21 days		Paid in full outside 21 day period		Paid in full - Timing unknown		Fine registered	Court hearing requested	PND cancelled	Potential prosecution	Outcome unknown			
Year and age group			%	days	%	day period	%	unknown	%	registered	%	requested	%	cancelled	%	%	%
2005																	
16-17 year olds	12,454	7,024	56	5,182	42	1,842	15	*	*	4,549	37	144	1	266	2	157	1
18 and over	134,027	70,223	52	51,641	39	18,582	14	*	*	57,630	43	1,444	1	2,171	2	1,648	1
All ages	146,481	77,247	53	56,823	39	20,424	14	*	*	62,179	42	1,588	1	2,437	2	1,805	1
2006																	
16-17 year olds	19,598	11,096	57	8,135	42	2,961	15	*	*	7,598	39	125	1	486	2	250	1
18 and over	181,599	93,450	51	68,456	38	24,994	14	*	*	80,198	44	1,355	1	3,782	2	2,460	1
All ages	201,197	104,546	52	76,591	38	27,955	14	*	*	87,796	44	1,480	1	4,268	2	2,710	1
2007																	
16-17 year olds	19,246	11,096	58	8,437	44	2,659	14	*	*	7,120	37	99	1	638	3	289	2
18 and over	188,298	95,829	51	73,696	39	22,133	12	*	*	82,937	44	1,154	1	4,611	2	3,691	2
All ages	207,544	106,925	52	82,133	40	24,792	12	*	*	90,057	43	1,253	1	5,249	3	3,980	2
2008																	
16-17 year olds	14,497	8,368	58	6,371	44	1,997	14	*	*	5,474	38	82	1	362	2	205	1
18 and over	161,667	82,921	51	64,873	40	18,048	11	*	*	70,661	44	980	1	3,727	2	3,309	2
All ages	176,164	91,289	52	71,244	40	20,045	11	*	*	76,155	43	1,062	1	4,089	2	3,514	2
2009																	
16-17 year olds	11,737	6,961	59	5,383	46	1,578	13	*	*	3,898	33	61	1	297	3	509	4
18 and over	158,656	83,155	52	64,451	41	18,704	12	*	*	63,748	40	836	1	3,889	2	6,748	4
All ages	170,393	90,116	53	69,834	41	20,282	12	*	*	67,646	40	897	1	4,186	2	7,257	4
2010																	
16-17 year olds	8,192	4,756	58	3,708	45	1,048	13	*	*	2,706	33	38	0	326	4	326	4
18 and over	132,577	72,340	55	57,388	43	14,952	11	*	*	49,716	37	710	1	4,260	3	4,963	4
All ages	140,769	77,096	55	61,096	43	16,000	11	*	*	52,422	37	748	1	4,586	3	5,289	4
2011																	
16-17 year olds	6,229	3,504	56	2,649	43	855	14	*	*	2,001	32	35	1	412	7	244	4
18 and over	121,301	64,915	54	49,659	41	15,256	13	*	*	45,531	38	750	1	4,473	4	4,667	4
All ages	127,530	68,419	54	52,308	41	16,111	13	*	*	47,532	37	785	1	4,885	4	4,911	4
2012																	
16-17 year olds	3,467	1,917	55	788	23	336	10	793	23	840	24	8	0	281	8	39	1
18 and over	102,738	54,867	53	23,184	23	9,476	9	22,207	22	27,526	27	225	0	4,335	4	1,352	1
All ages	106,205	56,784	53	23,972	23	9,812	9	23,000	22	28,366	27	233	0	4,616	4	1,391	1

(1) Percentages may not add up due to rounding.

* = Not applicable. - = nil.

Table Q2.3 - Offenders cautioned by type of offence, 2002 to 2012

Type of offence	Number of offenders (thousands)											
	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	
England and Wales												
Indictable offences												
Violence against the person	23.6	28.8	36.6	51.0	57.2	52.3	37.9	27.3	21.9	16.1	13.3	
Sexual offences	1.2	1.3	1.5	1.7	1.9	1.9	1.7	1.5	1.4	1.5	1.5	
Burglary	5.8	5.6	5.6	6.5	7.7	7.0	5.4	4.4	3.5	3.4	2.5	
Robbery	0.4	0.4	0.5	0.6	0.7	0.6	0.4	0.2	0.2	0.3	0.2	
Theft and handling stolen goods	54.2	54.5	61.9	67.6	72.4	72.8	64.0	60.7	47.5	43.5	35.0	
Fraud and forgery	5.3	5.5	6.0	6.9	8.0	8.6	8.3	7.2	6.1	5.6	4.8	
Criminal damage	3.1	3.7	5.5	7.2	9.0	8.8	7.9	6.4	5.1	4.7	3.9	
Drug offences	44.9	45.7	32.6	34.4	37.4	43.1	47.0	43.8	40.7	42.7	39.3	
Other (excluding motoring offences)	4.4	5.3	6.0	6.9	9.4	10.0	8.6	8.0	7.2	6.1	5.1	
Total (excluding motoring offences)	142.9	150.7	156.3	182.9	203.8	205.1	181.2	159.5	133.5	123.9	105.6	
Summary offences (excluding motoring offences)	82.4	91.1	99.5	116.0	146.2	157.8	146.7	131.1	109.3	108.3	95.3	
All offences (excluding motoring offences)	225.4	241.8	255.8	298.9	350.0	362.9	327.9	290.6	242.8	232.2	200.9	

Table Q2.4 - Proportion of offenders who were either cautioned or convicted that were given a caution, by type of offence, 2002 to 2012

Type of offence	England and Wales											
	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	
												Percentages
Indictable offences												
Violence against the person	38.5	43.1	48.3	55.5	57.8	55.5	47.7	38.6	32.8	27.3	26.6	
Sexual offences	21.3	23.7	24.4	26.7	28.1	27.8	24.7	22.4	19.1	20.3	20.4	
Burglary	17.8	17.8	18.8	21.9	25.1	22.6	18.5	16.1	12.7	11.7	10.1	
Robbery	5.0	5.5	5.7	8.1	8.1	6.5	4.3	2.3	2.4	2.8	2.2	
Theft and handling stolen goods	29.9	31.4	35.9	39.5	42.2	40.7	36.6	35.2	28.1	26.2	23.9	
Fraud and forgery	19.9	20.5	22.5	25.4	28.9	29.0	28.7	25.5	22.5	22.3	22.7	
Criminal damage	22.0	24.9	31.9	38.2	41.6	41.3	45.0	45.0	39.5	39.9	39.1	
Drug offences	47.8	47.2	45.4	46.8	48.6	49.1	47.0	43.5	39.7	40.9	40.4	
Other (excluding motoring offences)	8.4	9.3	9.9	11.6	15.9	18.1	17.7	14.3	12.2	11.5	11.1	
Total (excluding motoring offences)	30.0	31.4	33.3	37.6	40.5	39.9	36.7	32.9	27.8	26.6	25.7	
Summary offences												
(excluding motoring offences)	14.5	15.6	16.0	18.6	22.8	24.3	22.9	20.3	18.1	18.0	16.9	
All offences												
(excluding motoring offences)	21.5	22.7	23.4	26.9	30.6	31.2	28.9	25.7	22.4	21.7	20.6	

Table Q2.5 - Persons cautioned for all offences by ethnicity, 2002 to 2012

Year	Ethnicity					Persons (thousand)
	Total	White	Black	Asian	Other	
2002	225.4	192.1	14.4	10.3	2.4	6.2
2003	241.8	205.3	15.1	10.6	2.9	7.9
2004	255.8	214.5	13.3	13.1	3.5	11.4
2005	298.9	250.4	18.3	13.2	4.0	13.0
2006	350.0	285.5	21.7	15.4	5.1	22.3
2007	362.9	300.0	23.2	16.4	5.1	18.2
2008	327.9	270.7	22.6	15.8	5.2	13.5
2009	290.6	240.6	19.9	14.3	4.9	10.9
2010	242.8	201.7	17.2	12.7	4.5	6.6
2011	232.2	194.4	17.0	11.8	3.3	5.7
2012	200.9	168.3	14.3	10.4	2.8	5.1

Note: Totals may not sum due to rounding.

3 Court proceedings

If there is sufficient evidence against the defendant and none of the out of court disposals are appropriate, the police will formally charge the suspect. The law then requires the defendant to be brought before a magistrates' court as soon as possible. The defendant can be summoned to appear in court or remanded on bail or custody.

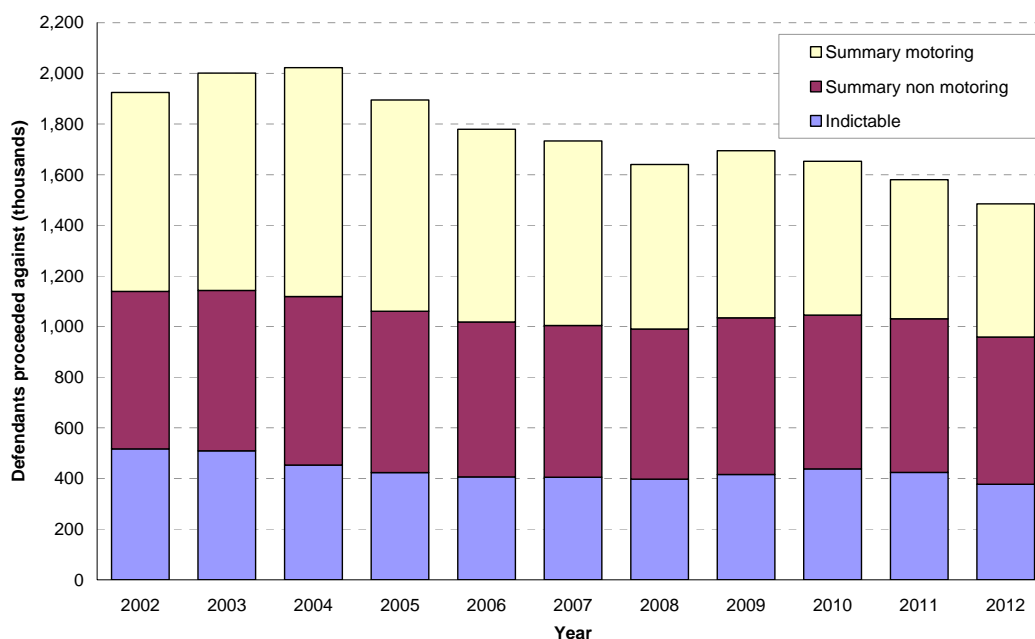
3.1 Magistrates' courts

Virtually all criminal court cases start in a magistrates' court and less serious offences can be handled entirely within this court.

In 2012, there were 1.48 million defendants proceeded against in magistrates' courts – a decrease of 6 per cent compared with 2011. This continued the decline observed in total prosecutions since the peak over the last decade of 2.02 million in 2004.

Summary proceedings can be dealt with entirely within the magistrates' courts and make up around three quarters of all proceedings – with summary motoring accounting for 35 per cent and summary non-motoring for 39 per cent in 2012.

Figure 3.1 Defendants proceeded against at magistrates' courts by type of offence, 2002 to 2012



The decreasing trend in prosecutions since 2004 has largely been driven by declines in summary motoring proceedings, which reduced by 42 per cent by 2012. The biggest decreases were for vehicle insurance offences, with large decreases also for driving licence related offences, speed limit offences, and driving after consuming alcohol or taking drugs.

Summary non-motoring and indictable prosecutions have also declined between 2004 and 2012, albeit at slower rates of 13 per cent and 17 per cent respectively over the same period.

The decline in prosecutions for indictable offences has largely been driven by decreases in violence against the person offences and 'other indictable offences', which have decreased by 23 per cent and 38 per cent respectively since 2004.

Within the violence against the person category, the largest declines were in prosecutions for assaults occasioning actual bodily harm (ABH), possession of weapon offences, making threats to kill, and wounding or inflicting grievous bodily harm (GBH) both with and without intent. However, there was also a large increase in the number of prosecutions for a breach of a Restraining Order since 2008. The start of the rise coincided with the publication by the Sentencing Guidelines Council of a definitive guideline for sentencing for breaches of protection orders in December 2006⁶.

The decrease in the 'other indictable offence' category was driven by decreases in prosecutions for the offences of failing to surrender to bail and affray.

In the latest year, prosecutions declined across all indictable and summary offence groups. The number of proceedings has decreased since 2004 across all offence groups with the exception of indictable drug offences, which increased by 53 per cent up to 2011 but declined in 2012 – now 44 per cent higher than in 2004. This trend in drug offences has been driven in particular by increasing numbers of prosecutions for cannabis possession since 2007, as out of court disposals for the offence decreased – as discussed in Section 2.2 (see Figure 2.5).

Prosecution demographics

Prosecutions of juveniles have decreased from 126,500 in 2007 down to 62,800 in 2012, with juveniles accounting for 4 per cent of defendants prosecuted in 2012. The proportion of prosecutions accounted for by juveniles has decreased from 7 per cent in 2007. This shift is due to the fact that volumes of prosecutions of juveniles have decreased at a faster pace than prosecutions of adults over the last decade.

Prosecutions of males have decreased for both indictable and both summary offence categories since 2004, and accounted for 71 per cent of prosecutions in 2012. However, volumes of prosecutions of females have remained largely flat overall across the period. This is accounted for by a balance between declining volumes of prosecutions of females for indictable and summary motoring offences and an increasing volume of prosecutions of females for summary non-motoring offences.

Trends in summary non motoring prosecutions are influenced chiefly by two large volumes offences – motor vehicle licence evasion and TV licence evasion offences.

Prosecutions for motor vehicle licence evasion offences have decreased significantly since 2002, and drove the declining trend for prosecutions of males for summary non-motoring offences. However, prosecutions for TV licence evasion offences increased significantly over the same period, particularly for females, and drove the increasing trend for prosecutions of females for summary non-motoring offences.

Cases heard in the magistrates' courts

In 2012, 80 per cent of defendants proceeded against at magistrates' courts were dealt with entirely within the magistrates' court. The remaining 20 per cent were cases that were discontinued, where the charge was withdrawn, where the defendant

⁶ http://sentencingcouncil.judiciary.gov.uk/docs/web_breach_of_protective_order.pdf

failed to appear, or the case was committed for trial to the Crown Court. This proportion has remained stable over recent years.

The proportion of defendants proceeded against who were dealt with entirely within the magistrates' court varies by offence type – 84 per cent of defendants proceeded against for summary offences, compared with 66 per cent of defendants proceeded against for indictable offences. There is further variation within the indictable category – between 20 per cent of defendants proceeded against for sexual offences, up to 86 per cent for defendants proceeded against for theft and handling stolen goods.

3.2 Trials at the Crown Court

There are two types of offence that may be committed by a magistrate to be tried to the Crown Court. Indictable only offences are offences that are considered to be of such gravity that they can only be dealt with at the Crown Court. Triable-either-way offences can be dealt with at the magistrates' court or the Crown Court, and the magistrates' court will decide whether it can deal with the case or whether it needs to be sent to the Crown Court. This decision will be based on a number of factors – the plea of the defendant, the facts of the case that are known to the magistrate, the likely sentence if the offender is convicted, and so on. If the magistrate decides that the case is too serious to be dealt with by them, they will commit the case to the Crown Court for trial by judge and jury. If the magistrate decides that a case is suitable to be tried in their court, the offender is also given the opportunity to ask for their case to be tried at the Crown Court (meaning they will receive a trial by jury). If they ask for this to happen, the case will also be committed for trial.

In 2012, 88,600 defendants appeared in the Crown Court for trial, of which 96 per cent were for indictable offences.

The number of defendants appearing in the Crown Court for trial was stable at around 78,000 between 2002 and 2005, before increasing by 40 per cent between 2005 and 2010. This was a result of a greater proportion of cases being committed and sent for trial. Since 2010, the upward trend has reversed with two consecutive annual decreases, with 2012 levels representing a 13 per cent decrease compared with 2011. The main driver of this change is the decline in the volume of triable-either-way cases (part of the indictable offence category) being committed to the Crown Court for trial.

This trend is mirrored in caseload statistics⁷ presenting volumes of completed cases at the Crown Court.

3.3 Remands

Police remands are the decisions made by a police officer on whether to detain or bail a defendant pending their first appearance in court or send a notice summoning them to appear in court. Court remands are the court's decision on whether a defendant charged with a criminal offence should be held in custody or released on bail during the period up to and including the trial, or while awaiting sentence.

The remand status at magistrates' courts in previous editions of this bulletin have been estimated, because they were either based on incomplete returns, or because

⁷ See Table 3.2 in 'Court statistics (quarterly)' bulletin, published on the Ministry of Justice website: www.gov.uk/government/publications/court-statistics-quarterly--2

of problems in the way central systems interfaced with the Libra case management system to identify the remand status. The latter issue was believed to have the greatest impact on the custody status, and work was undertaken to match the court data with the prison reception data to enable an estimate of those remanded to custody to be produced.

A solution to the interface problems was developed and introduced during 2012, commencing in May. Initial analysis of the data for 2012 highlighted the fact that the recording of the bail status had also been compromised. It has not been possible to resolve all the issues identified with remand status in time for the publication of this. MoJ statisticians are committed to fully resolving all the data problems with the remand status and plan to publish a comprehensive analysis in the *Criminal Justice Statistics Quarterly Update to March 2013*.

Previously published tables up to 2011 have been included in this publication, for reference purposes only.

3.4 Failure to appear warrants

Failure to appear (FTA) warrants are issued by courts when defendants do not attend court on a specified date having either been summonsed or granted bail at an earlier stage. Police forces attempt to execute warrants by locating and apprehending these defendants. These warrants may relate to defendants who failed to appear at court during a different period.

Categorisation of a warrant is the process that determines the executing agency and the timescales that it should be executed in. Generally, category A warrants relate to the most serious offences, such as violent and sexual offences, kidnapping, possession of firearms with criminal intent, producing or supplying controlled drugs etc. Some of the additional factors to be considered in categorisation are the risk to the public and the intelligence value⁸. Category A warrants have a shorter target timescale in which to be executed than category B or C warrants, and are generally relate to more serious cases and defendants deemed as posing an elevated level of risk to the public.

Warrants received by police forces

During 2012, police forces in England and Wales received a total of 72,800 FTA warrants from the courts. Of these, 15 per cent are designated as category A as relating to the most serious offences, two thirds were designated as category B, and the remaining 19 per cent as category C.

The number of FTA warrants received by each of the 42 police force areas in England and Wales varies quite considerably, with this variation broadly in line with the estimated population of each police force area. In 2012, Greater London police force area accounted for 14 per cent of all FTA warrants issued by courts in England and Wales.

⁸ For further information on the categorisation and target timescales for execution of FTA warrants, see the document 'A Guide to Criminal Justice Statistics'.

Warrants executed

During 2012, an overall total of 88 per cent of the FTA warrants received by police were executed, with 72 percent executed within their target timescales¹. The proportion of all warrants executed within their targets varied by police force area, ranging between 56 per cent and 88 per cent.

Numerous factors will affect what proportion of warrants are executed within their target timescales, including the relative proportion of each category of FTA warrant issued in each police force area, which varies considerably depending on the specific characteristics of police force areas (for example, whether the area is predominantly rural or contains large urban centres). For example, in 2012 just over one per cent of FTA warrants received in Wiltshire were categorised as category A, compared to 43 per cent in Leicestershire.

Given that Category A warrants have a shorter target timescale in which to be executed than category B or C warrants, and are generally relate to defendants deemed as posing an elevated level of risk to the public, it is possible that more police resources will be allocated to locating and apprehending those defendants than may be the case for defendants wanted for less serious offences for which category C warrants may have been issued.

Other factors which may influence the proportion of warrants executed within their target timescales include local police priorities, enforcement initiatives and the prevalence of different types of offences in different areas. Due to all these considerations, care should be taken when making comparisons of the relative performance of each police force.

Warrants outstanding

The overall number of FTA warrants outstanding – those that have been issued to a police force but have not been executed or withdrawn – in England and Wales has been steadily decreasing, from 24,600 at the end of 2008 to 16,700 at the end of 2012, a reduction of 32 per cent.

This decrease coincides with declining numbers of defendants who failed to appear to bail or summons at magistrates' courts observed over recent years. In turn, it is apparent that this decrease in failures to appears feeds through the system in driving the decrease in the number of prosecutions for the offences of failing to surrender to bail over the last decade, as noted in Section 3.1.

Between 2008 and 2012, the largest fall in FTA warrants outstanding at year end was observed for category C warrants, which decreased by over 50 per cent. The corresponding decreases for the number of outstanding category A and category B warrants were 10 per cent and nearly 30 per cent respectively.

Figure 3.2 Number of FTA warrants outstanding, by category, England & Wales, end of 2008 to end of 2012

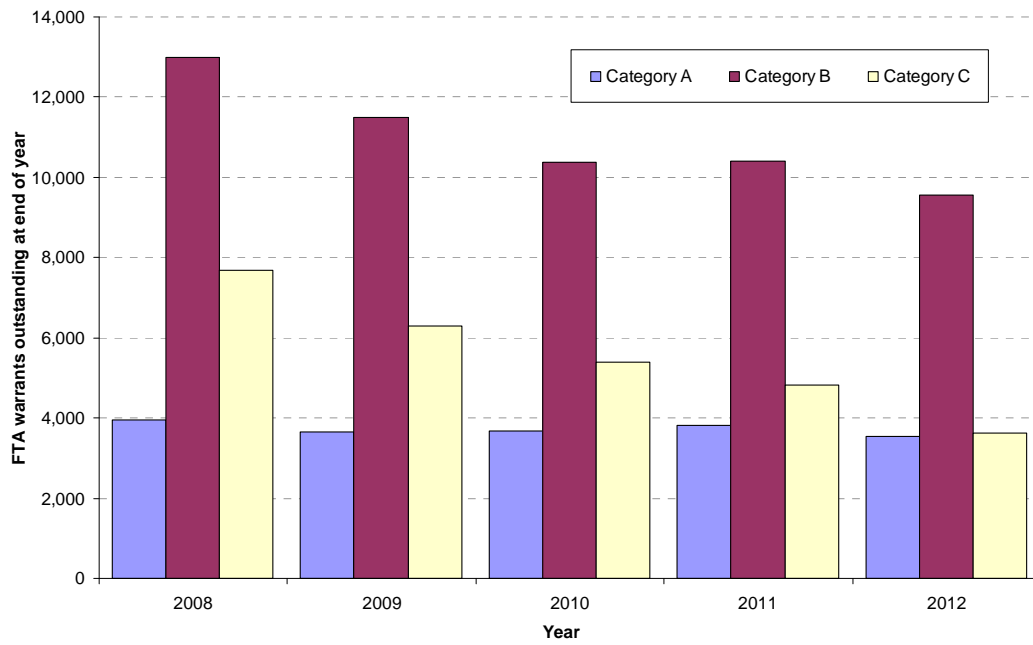


Table Q3.5 - Defendants proceeded against at magistrates' courts, by age group and type of offence, 2002 to 2012

Aged 10-17 England and Wales		Year Ending											Number (thousands)
		2002	2003	2004	2005	2006	2007	2008 ⁽²⁾	2009	2010	2011	2012	
Number proceeded against													
(thousands)													
Indictable	81.0	74.7	69.9	67.5	65.8	67.3	58.8	56.7	54.6	48.5	37.0		
Summary non motoring	43.3	43.4	45.5	45.9	45.7	47.5	42.9	39.1	35.8	29.7	22.3		
Summary motoring	22.2	22.8	21.3	18.3	14.7	11.8	9.2	7.7	6.0	4.9	3.5		
All offences	146.6	140.8	136.7	131.7	126.2	126.5	111.0	103.6	96.5	83.1	62.8		
Aged 18 and over													
England and Wales													
Number (thousands)													
Year Ending													
Type of offence	2002	2003	2004	2005	2006	2007	2008 ⁽²⁾	2009	2010	2011	2012		
Number proceeded against													
(thousands)													
Indictable	434.5	432.8	382.0	354.4	338.9	336.2	337.4	357.9	382.3	374.4	338.8		
Summary non motoring	576.0	587.9	616.7	588.4	563.7	549.6	548.1	577.6	569.2	574.9	558.1		
Summary motoring	754.6	825.4	871.9	807.0	739.5	709.1	632.6	643.8	594.5	537.9	515.8		
All offences	1,765.1	1,846.0	1,870.6	1,749.9	1,642.0	1,595.0	1,518.2	1,579.3	1,546.1	1,487.2	1,412.7		
All ages⁽¹⁾													
England and Wales													
Number (thousands)													
Year Ending													
Type of offence	2002	2003	2004	2005	2006	2007	2008 ⁽²⁾	2009	2010	2011	2012		
Number proceeded against													
(thousands)													
Indictable	517.1	509.2	453.3	423.4	406.2	404.9	397.5	415.6	438.0	424.0	377.0		
Summary non motoring	622.0	634.1	665.3	637.0	612.0	599.3	593.3	619.2	607.1	606.5	581.9		
Summary motoring	785.8	857.6	904.0	834.7	761.1	728.4	649.2	659.6	608.1	549.6	525.8		
All offences	1,924.8	2,000.8	2,022.6	1,895.0	1,779.3	1,732.5	1,640.0	1,694.4	1,653.2	1,580.0	1,484.6		

(1) Including "other defendants" such as companies and public bodies.

(2) Excludes data for Cardiff magistrates' court for April, July, and August 2008.

Note: Some figures may not sum due to rounding.

Table Q3.6 - Number of Failure to Appear (FTA) Warrants outstanding⁽¹⁾ in England and Wales, by category⁽²⁾ of warrant, as at end 2008 to as at end 2012

England and Wales				
Year	Category ⁽²⁾			Total
	A	B	C	
2008	3,952	13,000	7,677	24,629
2009	3,662	11,485	6,303	21,450
2010	3,672	10,381	5,396	19,449
2011	3,811	10,402	4,815	19,028
2012	3,550	9,559	3,615	16,724

(1) Includes outstanding domestic warrants and outstanding exported warrants. Every effort is made to ensure that the figures presented are accurate and complete. However, it is important to note that these data have been extracted from live systems used by police forces principally for operational reasons. As such, they are subject to change over time. For these reasons, care should be taken to ensure data collection processes and their inevitable limitations are taken into account when those data are used.

(2) Failure to Appear warrants are assigned a category depending on the seriousness of the offence for which the defendant or offender has failed to appear at court having been bailed or summonsed. Category A warrants are issued in relation to the most serious offences - see 'A Guide to Criminal Justice Statistics' for further information.

(3) West Midlands constabulary were unable to supply any FTA warrant data for the period covering 1 April 2012 - 31 December 2012. The figures presented in this table therefore exclude any outstanding warrants in this police force area which relate to that time period.

Note: These data are reported to the Ministry of Justice by police forces. As such, they are not directly comparable with other data presented in this chapter and other chapters in the Criminal Statistics bulletin, which are returned directly from administrative data systems used by magistrates' courts and the Crown Court.

4 Offenders found guilty

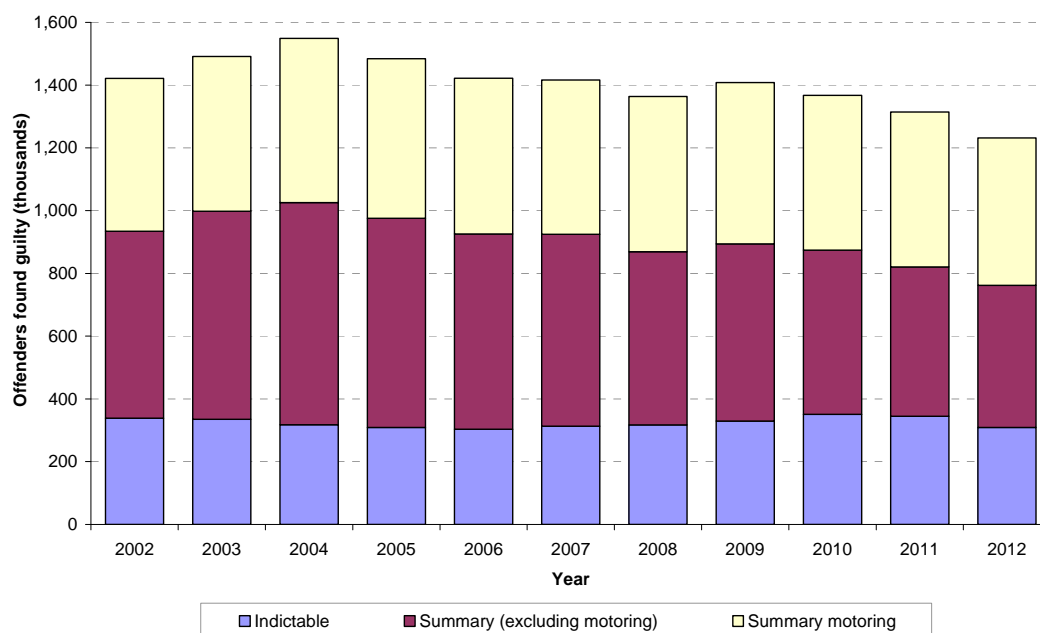
A conviction is where a person or a company is found or have pleaded guilty of a criminal offence at either the magistrates' courts or the Crown Court.

4.1 Trends in convictions

In 2012, the number of offenders found guilty at all courts decreased, in line with trends in decreasing prosecutions over recent years. There were 1.23 million convictions in 2012, a fall of six per cent compared to 2011 and 20 per cent compared to the peak in 2004. However, the conviction ratio (the number of convictions as a proportion of the number proceeded against) is relatively unchanged when comparing 2012 to 2011, but has increased by nine percentage points since 2002.

Convictions for indictable offences accounted for 25 per cent of the total offenders found guilty in 2012, with summary non-motoring and summary motoring offences accounting for 38 per cent and 37 per cent respectively.

Figure 4.1 Offences found guilty by offence type, 2002 to 2012

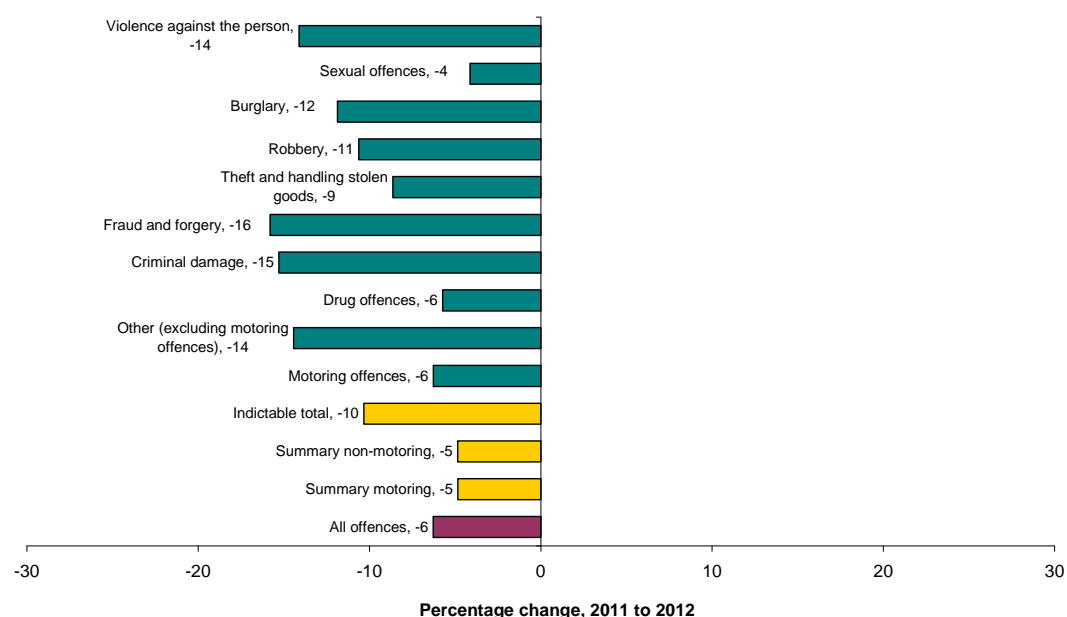


The total number of offenders found guilty of indictable offences fell by 10 per cent between 2011 and 2012 to 308,900. This is in line with a decrease of 11 per cent in proceedings in the magistrates' courts and a 13 per cent fall in Crown Court trials for indictable offences over the same period.

Both summary motoring and summary non motoring convictions fell by five per cent between 2011 and 2012, to 452,600 and 470,100 respectively. This decrease was in line with a four per cent fall in the number of prosecutions for the same offences over the same period.

All ten indictable and both summary offence types showed a decrease in number of convictions in 2012 when compared to 2011.

Figure 4.2 Percentage change in convictions by offence type and offence group, 2011 to 2012



A total of 880,000 males were found guilty in 2012, accounting for 75 per cent of all persons convicted. The proportion of convictions accounted for by females has increased by seven percentage points, from 18 per cent in 2002 to 25 per cent in 2012. This reflects the changing gender profile of defendants proceeded against at magistrates' courts over the period, as discussed in Section 3.1.

The number of juveniles found guilty at court has decreased from 97,400 in 2007 down to 47,600 in 2012, with juveniles accounting for 4 per cent of offenders convicted in 2012. The proportion of convictions accounted for by juveniles has decreased from 7 per cent in 2007, matching exactly the trend observed in prosecutions. The volumes of convictions of juveniles have decreased at a faster pace than convictions of adults over the last decade, due to the changes in demographics of defendants proceeded against.

4.2 Conviction ratios

Conviction ratios are calculated as the number of convictions as a proportion of the number of proceedings. This gives a measure of the relative number of defendants who are found guilty within a given year for a certain offence, when compared with the number who are prosecuted that year for the same offence.

It is worth noting that offenders found guilty in a given year may well have been proceeded against in a previous year. Similarly, defendants proceeded against in one year may not have received their final case outcome (i.e. found guilty or acquitted) in the same year. Further, defendants may be found guilty of a different offence to that for which they were originally proceeded against.

In 2012, the conviction ratio for all offences was 83 per cent, a decrease of less than one percentage point on 2011. The conviction ratio rose steadily between 2002 and 2008, and has been broadly stable since. Overall, the conviction ratio is nine percentage points higher in 2012 than in 2002.

The conviction ratio for indictable offences stood at 82 per cent in 2012, with the ratio for summary non-motoring and summary motoring at 81 per cent and 86 per cent respectively.

Since 2002, the conviction ratio for indictable offences has seen a more rapid increase than for the summary motoring groups – an increase of 17 percentage points, compared with increases of 2 percentage points for summary non-motoring offences and 10 percentage points for summary motoring offences.

As outlined in Section 3.1, over the last decade, an increasing proportion of defendants appearing before magistrates' courts are proceeded against for indictable offences. This increase in both indictable prosecutions and the conviction ratio for indictable offences has resulted in the proportion of all convictions accounted for by indictable convictions increasing from 20 per cent in 2005 to 25 per cent in 2012.

In 2012, the conviction ratio increased for eight of the ten indictable offence groups compared to 2011. Compared to 2002, conviction ratios have risen for all indictable offence groups. The largest increases have been for a 25 percentage point increase for violence against the person offences, a 22 percentage point increase for 'other indictable offences', and a 19 percentage point increase for robbery.

Figure 4.3 Conviction ratio by indictable offence group, 2002 to 2012

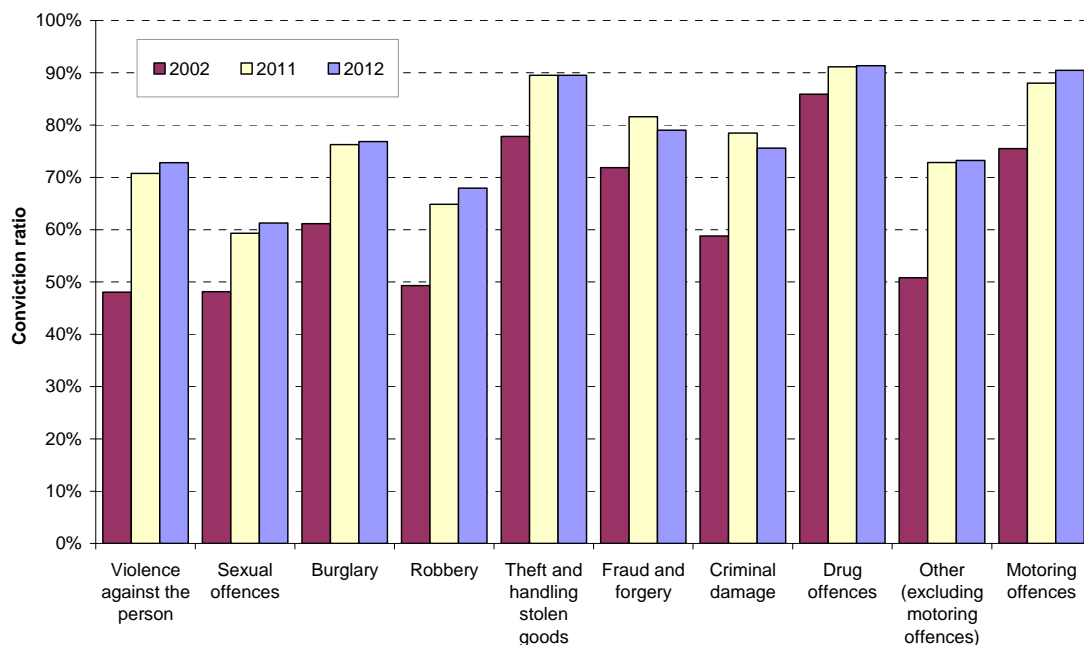


Table Q4.1 - Offenders found guilty at all courts by offence group, 2002 to 2012

England and Wales		Number of offenders (thousands)										
Offence group	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	
Indictable offences												
Violence against the person	37.7	38.0	39.1	40.9	41.9	42.0	41.5	43.5	44.8	42.8	36.8	
Sexual offences	4.4	4.3	4.8	4.8	4.9	5.1	5.1	5.1	5.8	6.0	5.8	
Burglary	26.7	25.7	24.3	23.0	23.0	23.8	23.9	23.0	23.9	25.4	22.4	
Robbery	7.7	7.3	7.5	7.1	8.1	8.8	8.5	8.6	8.5	9.3	8.3	
Theft and handling stolen goods	127.3	119.1	110.6	103.8	99.0	106.0	110.9	112.0	121.8	122.2	111.7	
Fraud and forgery	21.5	21.3	20.8	20.4	19.7	21.0	20.6	21.0	21.0	19.5	16.4	
Criminal damage	11.0	11.2	11.7	11.7	12.7	12.5	9.6	7.9	7.8	7.1	6.0	
Drug offences	49.0	51.2	39.2	39.1	39.6	44.6	52.9	56.8	62.0	61.7	58.1	
Other (excluding motoring offences)	48.0	51.5	54.5	53.1	50.0	45.3	40.1	47.7	51.6	47.3	40.5	
Motoring offences	4.9	5.5	5.4	4.7	4.4	4.3	3.7	3.6	3.4	3.1	2.9	
Total	338.3	335.1	317.8	308.5	303.2	313.3	316.9	329.2	350.6	344.5	308.9	
Summary offences												
Offences (excluding motoring offences)	487.2	493.5	522.8	508.9	495.7	491.5	494.2	514.7	493.5	494.0	470.1	
Motoring offences	595.8	662.6	707.9	667.1	622.5	611.1	552.2	564.6	523.4	475.6	452.6	
Total	1,083.0	1,156.1	1,230.7	1,175.9	1,118.2	1,102.6	1,046.3	1,079.3	1,016.8	969.7	922.6	
All offences ⁽²⁾	1,421.3	1,491.2	1,548.5	1,484.4	1,421.4	1,415.9	1,363.2	1,408.4	1,367.5	1,314.2	1,231.6	

(1) Excludes convictions data for Cardiff magistrates' court for April, July, and August 2008.

(2) May not sum due to rounding.

Table Q4.2 - Offenders found guilty at all courts by offence group, sex and age group, 2012

England and Wales	Number of offenders (thousands)						
	All offenders	Males			Females		
		All ages	Aged 10-17	Aged 18 & over	All ages	Aged 10-17	Aged 18 & over	Other offenders^{(1)}
Indictable offences							
Violence against the person	36.8	32.5	3.1	29.5	4.1	0.5	3.6
Sexual offences	5.8	5.7	0.4	5.3	0.1	0.0	0.1
Burglary	22.4	21.3	3.3	17.9	1.0	0.2	0.8
Robbery	8.3	7.6	2.9	4.7	0.7	0.3	0.4
Theft and handling stolen goods	111.7	87.8	7.5	80.4	23.1	1.6	21.5
Fraud and forgery	16.4	11.5	0.3	11.2	4.5	0.1	4.3
Criminal damage	6.0	5.2	0.9	4.4	0.7	0.2	0.6
Drug offences	58.1	53.9	4.2	49.7	4.0	0.2	3.8
Other (excluding motoring offences)	40.5	34.5	1.9	32.6	4.3	0.2	4.1
Motoring offences	2.9	2.8	0.1	2.7	0.2	0.0	0.2
Total	308.9	262.9	24.6	238.3	42.7	3.3	39.4
Summary offences							
Offences (excluding motoring offences)	470.1	275.9	13.2	262.7	169.7	3.2	166.5
Motoring offences	452.6	341.1	2.6	338.5	82.1	0.2	81.9
Total	922.6	617.0	15.8	601.2	251.8	3.4	248.4
All offences⁽²⁾	1,231.6	879.9	40.4	839.5	294.5	6.7	287.8

(1) Includes sex 'not stated' and other offenders, i.e. companies, public bodies, etc.

(2) May not sum due to rounding.

Table Q4.3 - Conviction ratio⁽¹⁾ by offence group, 2002 to 2012

England and Wales	Percentages											
	2002	2003	2004	2005	2006	2007	2008 ⁽²⁾	2009	2010	2011	2012	
Offence group												
Indictable offences												
Violence against the person	48.1	47.8	54.6	60.0	64.6	68.7	69.3	66.4	67.2	70.8	72.8	
Sexual offences	48.2	47.7	49.8	49.4	54.0	58.7	60.8	54.5	54.8	59.3	61.3	
Burglary	61.2	62.3	68.6	72.2	74.9	76.7	77.4	74.4	75.2	76.3	76.9	
Robbery	49.3	53.2	60.3	56.5	61.3	62.9	64.7	63.3	62.0	64.8	68.0	
Theft and handling stolen goods	77.9	78.5	82.2	84.3	85.0	86.9	89.5	89.2	89.7	89.5	89.5	
Fraud and forgery	71.9	72.0	75.8	78.7	79.1	81.9	85.2	80.5	80.7	81.6	79.0	
Criminal damage	58.8	60.4	65.8	70.6	72.5	74.9	78.7	78.8	78.1	78.5	75.6	
Drug offences	85.9	87.5	88.8	90.1	90.0	91.1	93.0	92.1	91.5	91.1	91.4	
Other (excluding motoring offences)	50.8	51.4	58.2	61.3	62.1	63.0	62.9	69.3	71.7	72.9	73.2	
Motoring offences	75.5	77.0	80.3	84.4	85.0	87.3	89.0	86.4	90.1	88.0	90.5	
Total	65.4	65.8	70.1	72.9	74.6	77.4	79.7	79.2	80.0	81.3	82.0	
Summary offences												
Offences (excluding motoring offences)	78.3	77.8	78.6	79.9	81.0	82.0	83.3	83.1	81.3	81.5	80.8	
Motoring offences	75.8	77.3	78.3	79.9	81.8	83.9	85.1	85.6	86.1	86.5	86.1	
Total	76.9	77.5	78.4	79.9	81.4	83.0	84.2	84.4	83.7	83.9	83.3	
All offences	73.8	74.5	76.6	78.3	79.9	81.7	83.1	83.1	82.7	83.2	83.0	

(1) Proportion of defendants proceeded against who were found guilty.

(2) Excludes convictions data for Cardiff magistrates' court for April, July, and August 2008.

5 Sentencing

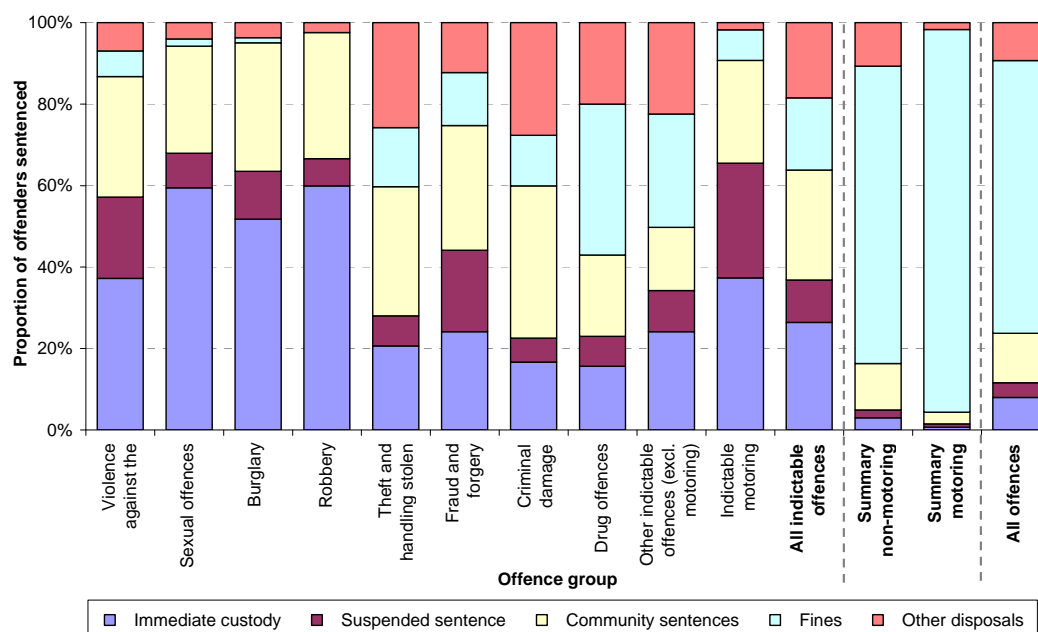
When someone is convicted of a crime, they will be given a sentence by a court which reflects the seriousness of the offence or offences committed by the offender. Sentences are generally time spent in prison, a community sentence, a fine or discharge.

5.1 Sentence outcomes for all offences

In 2012, there were 1.23 million offenders sentenced following a criminal conviction, six per cent fewer than the previous year. This continues a decreasing trend in offenders sentenced since 2004, which reflects that fewer defendants are being proceeded against and fewer found guilty over the period.

Fines are the most common sentence given to offenders at all courts, due in the main to the large volumes of fines issued for summary offences at the magistrates' court. However, sentencing outcomes vary by offence group, with indictable offences more likely to carry heavier penalties such as an immediate custodial sentence, a suspended sentence or a community sentence. Over half of offenders sentenced for sexual offences, burglary and robbery offences in 2012 received a custodial sentence – in contrast, nearly all (94 per cent) offenders sentenced for summary motoring offences were fined.

Figure 5.1 Sentencing outcomes (percentages of all offenders sentenced) at all courts, by offence group, 2012

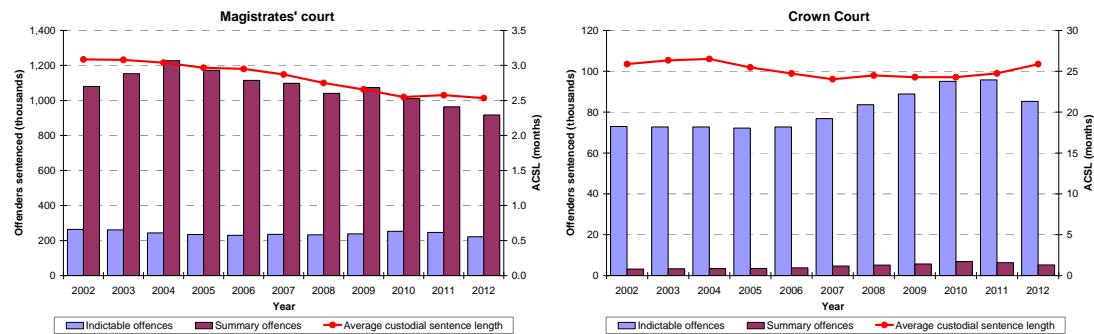


The majority of offenders sentenced at the magistrates' court (81 per cent in 2012) are sentenced for summary offences. The most common outcome for all offenders sentenced at the magistrates' court is a fine, with 72 per cent of offenders fined in 2012. For those offenders sentenced to immediate custody by magistrates in 2012, with an average custodial sentence length (ACSL) of 2.5 months.

In contrast, the majority of offenders sentenced at the Crown Court (94 per cent in 2012) are sentenced for indictable offences. The most common outcome for all offenders sentenced at the Crown Court is immediate custody, representing 56 per

cent of all sentences in 2012, with an ACSL of 25.9 months. The significantly higher ACSL at the Crown Court than the magistrates' court is due to the more serious nature of offences heard.

Figure 5.2 Offenders sentenced by court type and offence category, with average custodial sentence length, 2002 to 2012

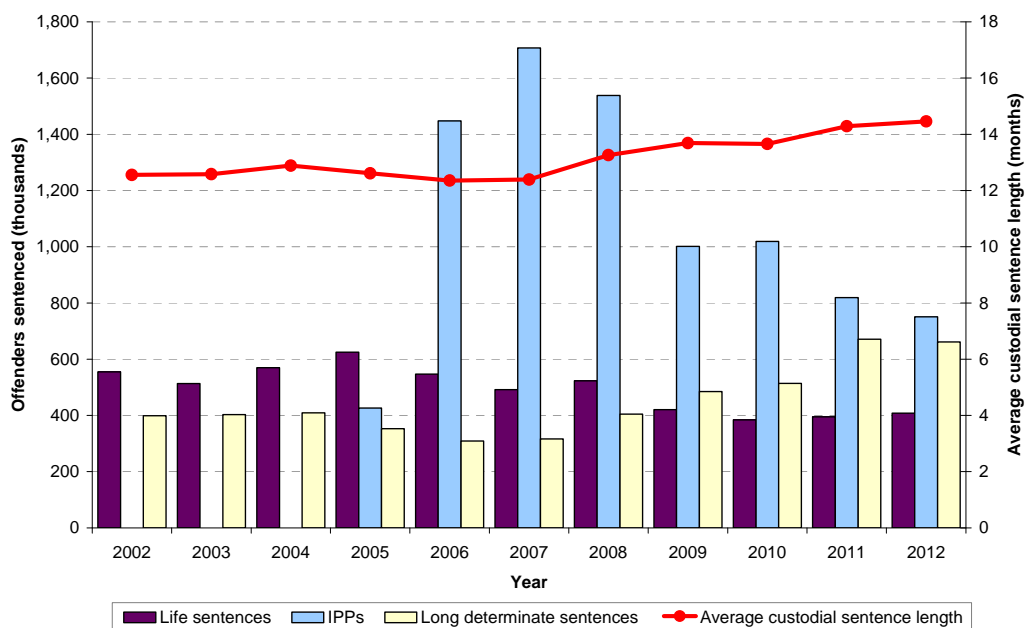


Immediate custodial sentences

While the number of offenders sentenced overall has decreased since 2004, the number of offenders sentenced to immediate custody has shown a different pattern. The immediate custody rate (the proportion of all persons sentenced receiving immediate custody) in 2012 was 8.0 per cent. The custody rate decreased from 7.9 per cent to 6.7 per cent between 2002 and 2007 but thereafter increased to 8.1 per cent in 2011, with a marginal decrease by 0.1 percentage points in 2012.

There were 1,159 indeterminate sentences (either a life sentence or an Indeterminate sentence for Public Protection – an IPP) handed down in 2012 – a decrease from 1,214 in 2011 and 2,199 in 2007. This continued the fall since the introduction of the Criminal Justice and Immigration Act (CJIA) in 2008, which restricted the use of IPPs.

Figure 5.3 Offenders receiving indeterminate or long determinate custodial sentences, with average custodial sentence length, 2002 to 2012



The decrease in indeterminate sentences coincides with an increase in long determinate sentences (defined as for 10 years or more), from 316 in 2007 to 671 in 2011 and similar figure of 661 in 2012.

In 2012, the average custodial sentence length (ACSL) for all offenders sentenced at all courts was 14.5 months, an increase of 0.2 months compared to 2011, and up from 12.6 months in 2002. The rise in ACSL has been driven by changes in the case mix of people getting custodial sentences and longer sentences for indictable offences.

- In 2002, summary motoring offences accounted for 15 per cent of immediate custodial sentences, with an ACSL of 3.4 months. By 2012, they accounted for just 3 per cent of immediate custodial sentences, with a reduction in ACSL to 3.1 months.
- In 2002, indictable offences accounted for 76 per cent of immediate custodial sentences, with an ACSL of 15.5 months. By 2012, they accounted for 83 per cent of immediate custodial sentences, with an ACSL of 17.0 months. In particular, sexual offences saw a rise in ACSL from 40.0 months in 2004 to 54.2 months in 2012, following the implementation of the Sexual Offences Act 2003.
- The increase in long determinate sentences mentioned above may have also contributed to the increase in average custodial sentence length since 2008.

Further, legislative changes have made sentence lengths longer for certain offences – for example, the powers to sentence offenders convicted of a third domestic burglary offence to a mandatory minimum sentence of three years custody, as introduced by the Crime (Sentences) Act 1997 for offences committed after 30th November 1999, have been used increasingly in the last decade.

The Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act, which was passed on 3rd December 2012, abolished IPPs and replaced them with new Extended Determinate Sentences (EDS). Further, it legislated that adult offenders will receive mandatory life sentences for a second serious sexual or violent offence. In the time since the LASPO Act was commenced, no offenders had received either sentence type. However, both of these measures could potentially impact upon ACSL in future.

Other sentences

While the number of offenders issued each type of sentence has decreased in the last year, the level of decline has varied between each sentence type.

Community sentences have relatively decreased the most from 2011 (15 per cent) from 176,000 offenders to 149,328 offenders receiving this type of outcome. The decrease in community sentences has been driven most by particular indictable offence groups including violence against the person down 24 per cent, fraud and forgery down 22 per cent and burglary down 21 per cent.

The use of Suspended Sentence Orders (SSO) has risen steadily since 2005 as a result of a change in the law implemented on 4th April 2005 under the Criminal Justice Act 2003, which made SSOs more readily available. However in 2012 for the

first time fewer offenders received this outcome than in the previous year representing a 7 per cent decrease.

Despite a decreasing trend in the number of offenders sentenced, the proportion of offenders receiving fines has remained broadly stable since 2004. While the number of offenders sentenced to a fine fell by 24 per cent compared to the peak in 2004, the fine rate (the number of fines as a proportion of all sentences) decreased by three percentage points over the same period.

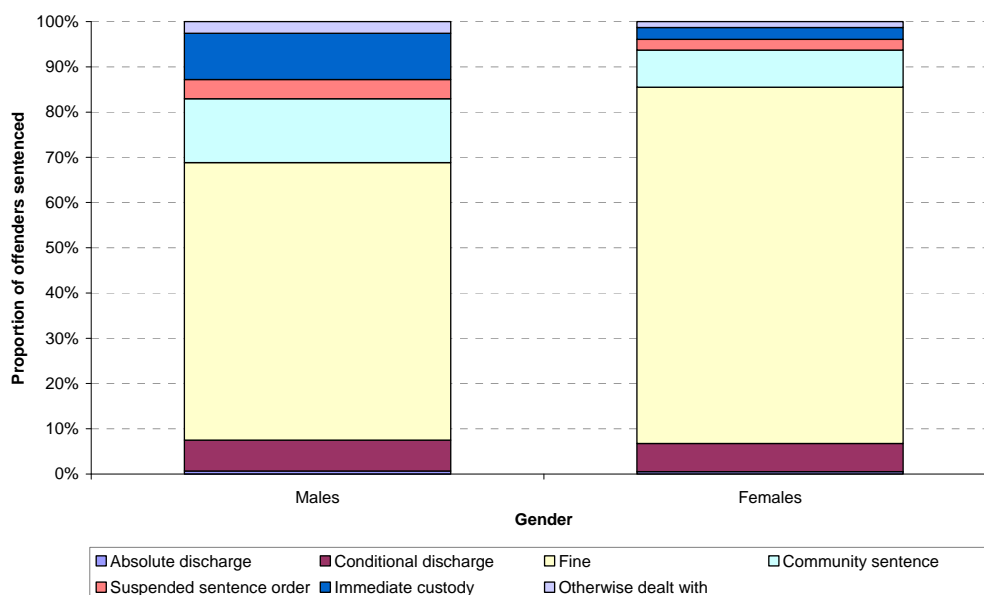
5.2 Sentence outcomes by gender and age band

Males form the majority of all offenders sentenced at court. However, since 2004, there has been an increasing trend in the proportion of females sentenced at all courts. This reflects that the number of male offenders sentenced is falling at a faster rate than the number of female offenders sentenced. This is a result of the changing gender profile for both defendants proceeded against at magistrates' courts and in convictions over the period, as discussed in sections 3.1 and 4.1 respectively.

Different sentencing outcomes are observed between males and females – for example, a higher proportion of males than females receive community and custodial sentences, whilst a higher proportion of females receive fines than males.

The difference in sentence outcomes reflects the different types of offences being committed by males and females. Indictable offences carry a greater variation of sentencing outcomes than summary offences, the majority of which attract a fine. In 2012, 30 per cent of males sentenced were being sentenced for indictable offences, compared to 14 per cent of females. As such, the higher proportion of females receiving fines than males is a consequence of a greater proportion of females than males being sentenced for summary offences.

Figure 5.4 Sentencing outcomes (percentages of all offenders sentenced) at all courts, by gender, 2012



In 2012, there were 47,500 juveniles sentenced, representing a 25 per cent decrease compared to 2011. This is the largest year-on-year decrease in the past 11 years and higher than the corresponding decrease for adults at 7 per cent. This continues a decreasing trend since 2007, a consequence of fewer juveniles being arrested⁹ and being proceeded against at court, as discussed in section 3.1.

⁹ Table 3.01 'Number of arrests of juveniles and adults by gender, 2004/05–2008/09' (Women and the Criminal Justice System 2010)

Table Q5.1 - Offenders sentenced by offence group and outcome, all courts, 2002 to 2012

England and Wales		Number of offenders										
Offence group	Outcome	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
All indictable offences	Total number sentenced	336,744	333,930	316,937	306,598	302,537	312,258	315,900	327,361	348,220	342,706	306,928
	<i>Number given:</i>											
	Immediate custody	85,151	80,794	79,938	76,291	73,532	74,037	79,058	80,265	82,939	87,558	81,082
	Suspended sentence	1,963	2,055	2,143	5,610	20,799	27,254	28,455	31,131	34,176	34,422	31,885
	Community sentences	110,768	109,549	111,013	111,724	102,971	105,142	102,782	107,924	108,495	100,286	82,816
Fines		78,470	78,250	65,095	58,433	51,628	49,463	49,646	56,080	60,201	59,111	54,451
	Other disposals	60,392	63,282	58,748	54,540	53,607	56,362	55,959	51,961	62,409	61,329	56,694
	Average custodial sentence length (months) ⁽¹⁾	15.5	15.7	16.1	15.8	15.3	15.2	16.0	16.5	16.2	16.8	17.0
Summary non-motoring offences	Total number sentenced	487,028	493,286	522,498	508,729	495,520	491,345	493,943	514,883	493,652	494,300	470,247
	<i>Number given:</i>											
	Immediate custody	9,545	9,470	11,215	12,075	12,571	13,277	14,089	14,698	14,634	15,161	13,953
	Suspended sentence	216	264	320	1,515	6,041	7,266	7,696	8,970	9,560	9,510	9,007
	Community sentences	41,231	43,310	50,859	58,029	59,585	65,188	65,687	67,817	64,723	60,670	53,678
Fines		379,448	378,689	394,954	375,891	356,512	343,429	344,262	369,947	344,911	352,968	343,358
	Other disposals	56,588	61,553	65,150	61,219	60,811	62,185	62,209	53,451	59,824	55,991	50,251
	Average custodial sentence length (months) ⁽¹⁾	2.7	2.7	2.8	2.8	2.8	2.7	2.7	2.6	2.6	2.5	2.6
Summary motoring offences	Total number sentenced	595,836	662,611	707,917	667,126	622,514	611,139	552,221	564,661	523,475	475,733	452,652
	<i>Number given:</i>											
	Immediate custody	16,911	17,406	15,169	12,870	9,914	7,892	6,378	5,268	3,940	3,451	3,012
	Suspended sentence	340	398	392	2,541	6,669	6,168	5,000	5,056	4,382	4,221	3,752
	Community sentences	34,521	38,563	39,631	34,494	28,281	26,094	21,702	20,162	16,103	14,569	12,834
Fines		514,819	576,678	622,641	590,740	553,395	548,642	496,388	520,119	488,819	444,729	425,489
	Other disposals	29,245	29,566	30,084	26,481	24,255	22,343	22,753	14,056	10,231	8,763	7,565
	Average custodial sentence length (months) ⁽¹⁾	3.4	3.5	3.5	3.4	3.4	3.3	3.2	3.1	3.1	3.1	3.1
All offences	Total number sentenced	1,419,608	1,489,827	1,547,352	1,482,453	1,420,571	1,414,742	1,362,064	1,406,905	1,365,347	1,312,739	1,229,827
	<i>Number given:</i>											
	Immediate custody	111,607	107,670	106,322	101,236	96,017	95,206	99,525	100,231	101,513	106,170	98,047
	Suspended sentence	2,519	2,717	2,855	9,666	33,509	40,688	41,151	45,157	48,118	48,153	44,644
	Community sentences	186,520	191,422	201,503	204,247	190,837	196,424	190,171	195,903	189,321	175,525	149,328
Fines		972,737	1,033,617	1,082,690	1,025,064	961,535	941,534	890,296	946,146	893,931	856,808	823,298
	Other disposals	146,224	154,401	153,982	142,240	138,673	140,890	140,921	119,468	132,464	126,083	114,510
	Average custodial sentence length (months) ⁽¹⁾	12.6	12.6	12.9	12.6	12.4	12.4	13.3	13.7	13.7	14.3	14.5

(1) Excludes life and indeterminate sentences.

Note: Excludes data for Cardiff magistrates' court for April, July and August 2008.

Table Q5.2 - Offenders sentenced by offence group and outcome, magistrates' courts, 2002 to 2012

England and Wales		Number of offenders											
Offence group	Outcome	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	
All indictable offences	Total number sentenced	263,748	261,188	244,151	234,410	229,796	235,442	232,255	238,470	253,128	246,911	221,609	
	<i>Number given:</i>												
	Immediate custody	39,286	37,304	35,848	33,221	31,879	31,118	31,263	30,023	30,023	32,050	32,809	31,830
	Suspended sentence	475	513	604	3,074	10,877	12,477	11,572	12,296	12,296	13,394	13,850	12,846
	Community sentences	90,272	87,635	89,438	90,584	86,886	91,610	88,833	93,279	93,279	91,228	84,964	69,820
	Fines	76,638	76,171	63,246	56,618	50,066	47,728	48,076	54,466	54,466	58,466	57,732	53,289
Other disposals	57,077	59,565	55,015	50,913	50,088	52,509	52,511	48,386	48,386	57,990	57,556	53,824	
	Average custodial sentence length (months) ⁽¹⁾	3.0	3.0	3.0	2.9	2.9	2.8	2.7	2.6	2.5	2.6	2.5	
Summary non-motoring offences	Total number sentenced	484,637	490,767	519,825	505,915	492,347	487,648	489,828	510,079	487,741	488,781	465,700	
	<i>Number given:</i>												
	Immediate custody	9,018	8,953	10,642	11,385	11,835	12,377	12,964	13,381	13,381	13,123	13,490	12,669
	Suspended sentence	200	253	306	1,479	5,784	6,912	7,244	8,166	8,166	8,591	8,650	8,211
	Community sentences	40,309	42,383	49,867	56,976	58,570	64,061	64,445	66,436	66,436	62,908	59,040	52,234
	Fines	379,127	378,293	394,586	375,554	356,146	343,019	343,897	369,542	369,542	344,452	352,556	343,047
Other disposals	55,983	60,885	64,424	60,521	60,012	61,279	61,278	52,554	52,554	58,667	55,045	49,539	
	Average custodial sentence length (months) ⁽¹⁾	2.7	2.7	2.7	2.7	2.7	2.7	2.6	2.6	2.5	2.5	2.5	
Summary motoring offences	Total number sentenced	595,032	661,809	707,122	666,387	621,842	610,146	551,153	563,766	522,527	474,883	451,954	
	<i>Number given:</i>												
	Immediate custody	16,609	17,139	14,894	12,644	9,717	7,677	6,121	5,025	5,025	3,731	3,208	2,865
	Suspended sentence	338	393	390	2,528	6,613	6,082	4,889	4,946	4,946	4,206	4,084	3,611
	Community sentences	34,283	38,310	39,391	34,284	28,149	25,936	21,554	20,014	20,014	15,947	14,431	12,695
	Fines	514,619	576,454	622,404	590,538	553,182	548,299	496,003	519,816	519,816	488,502	444,488	425,290
Other disposals	29,183	29,513	30,043	26,393	24,181	22,152	22,586	13,965	13,965	10,141	8,672	7,493	
	Average custodial sentence length (months) ⁽¹⁾	3.4	3.5	3.5	3.4	3.4	3.3	3.2	3.1	3.1	3.1	3.1	
All offences	Total number sentenced	1,343,417	1,413,764	1,471,098	1,406,712	1,343,985	1,333,236	1,273,236	1,312,315	1,263,396	1,210,575	1,139,263	
	<i>Number given:</i>												
	Immediate custody	64,913	63,396	61,384	57,250	53,431	51,172	50,348	48,429	48,429	48,904	49,507	47,364
	Suspended sentence	1,013	1,159	1,300	7,081	23,274	25,471	23,705	25,408	25,408	26,191	26,584	24,668
	Community sentences	164,864	168,328	178,696	181,844	173,605	181,607	174,832	179,729	179,729	170,083	158,435	134,749
	Fines	970,384	1,030,918	1,080,236	1,022,710	959,394	939,046	887,976	943,844	943,844	891,420	854,776	821,626
Other disposals	142,242	149,963	149,482	137,827	134,281	135,940	136,375	114,905	114,905	126,798	121,273	110,856	
	Average custodial sentence length (months) ⁽¹⁾	3.1	3.1	3.0	3.0	3.0	2.9	2.7	2.7	2.5	2.6	2.5	

(1) Excludes life and indeterminate sentences.

Note: Excludes data for Cardiff magistrates' court for April, July and August 2008.

Table Q5.3 - Offenders sentenced by offence group and outcome, the Crown Court, 2002 to 2012

England and Wales		Number of offenders										
Offence group	Outcome	2002	2003	2004	2005	2006	2007	2008 ⁽¹⁾	2009	2010	2011	2012
All indictable offences	Total number sentenced	72,996	72,742	72,786	72,188	72,741	76,816	83,645	88,891	95,092	95,795	85,319
	<i>Number given:</i>											
	Immediate custody	45,865	43,490	44,090	43,070	41,653	42,919	47,795	50,242	50,889	54,749	49,252
	Suspended sentence	1,488	1,542	1,539	2,536	9,922	14,777	16,883	18,835	20,782	20,572	19,039
	Community sentences	20,496	21,914	21,575	21,140	16,085	13,532	13,949	14,645	17,267	15,322	12,996
Fines	1,832	2,079	1,849	1,815	1,562	1,735	1,570	1,594	1,735	1,379	1,162	
Other disposals	3,315	3,717	3,733	3,627	3,519	3,853	3,448	3,575	4,419	3,773	2,870	
Average custodial sentence length (months) ⁽¹⁾	26.3	26.8	27.0	25.9	25.2	24.6	25.1	25.0	25.0	25.5	26.5	
Summary non-motoring offences	Total number sentenced	2,391	2,519	2,673	2,814	3,173	3,697	4,115	4,804	5,911	5,519	4,547
	<i>Number given:</i>											
	Immediate custody	527	517	573	690	736	900	1,125	1,317	1,511	1,671	1,284
	Suspended sentence	16	11	14	36	257	354	452	804	969	860	796
	Community sentences	922	927	992	1,053	1,015	1,127	1,242	1,381	1,815	1,630	1,444
Fines	321	396	368	337	366	410	365	405	459	412	311	
Other disposals	605	668	726	698	799	906	931	897	1,157	946	712	
Average custodial sentence length (months) ⁽¹⁾	3.4	3.4	3.5	3.7	3.9	3.5	3.3	3.2	3.3	3.0	3.1	
Summary motoring offences	Total number sentenced	804	802	795	739	672	993	1,068	895	948	850	698
	<i>Number given:</i>											
	Immediate custody	302	267	275	226	197	215	257	243	209	243	147
	Suspended sentence	2	5	2	13	56	86	111	110	176	137	141
	Community sentences	238	253	240	210	132	158	148	148	156	138	139
Fines	200	224	237	202	213	343	385	303	317	241	199	
Other disposals	62	53	41	88	74	191	167	91	90	91	72	
Average custodial sentence length (months) ⁽¹⁾	3.7	4.0	3.8	3.7	3.7	3.5	3.3	3.2	3.3	3.1	3.2	
All offences	Total number sentenced	76,191	76,063	76,254	75,741	76,586	81,506	88,828	94,590	101,951	102,164	90,564
	<i>Number given:</i>											
	Immediate custody	46,694	44,274	44,938	43,986	42,586	44,034	49,177	51,802	52,609	56,663	50,683
	Suspended sentence	1,506	1,558	1,555	2,585	10,235	15,217	17,446	19,749	21,927	21,569	19,976
	Community sentences	21,656	23,094	22,807	22,403	17,232	14,817	15,339	16,174	19,238	17,090	14,579
Fines	2,353	2,699	2,454	2,354	2,141	2,488	2,320	2,302	2,511	2,032	1,672	
Other disposals	3,982	4,438	4,500	4,413	4,392	4,950	4,546	5,666	5,666	4,810	3,654	
Average custodial sentence length (months) ⁽¹⁾	25.9	26.3	26.5	25.5	24.7	24.0	24.5	24.3	24.3	24.7	25.9	

(1) Excludes life and indeterminate sentences.

Table Q5.4 - Offenders and persons sentenced by outcome and rate, 2002 to 2012

England and Wales	Number of offenders/persons and rates										
	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
Total persons sentenced	1,410,504	1,479,812	1,536,825	1,473,275	1,412,940	1,406,788	1,333,561	1,395,278	1,357,600	1,305,670	1,223,252
Males	1,151,909	1,219,195	1,257,340	1,190,661	1,135,228	1,117,283	1,045,223	1,047,038	1,013,770	959,606	878,475
Females	258,595	260,617	279,485	282,614	277,712	289,505	288,338	314,815	305,094	299,865	294,392
Not Stated	*	*	*	*	*	*	*	36,425	38,736	46,199	50,385
Total offenders sentenced of which: Others	1,419,608	1,489,827	1,547,352	1,482,453	1,420,571	1,414,742	1,362,064	1,406,905	1,365,347	1,312,739	1,229,827
Others	9,103	10,015	10,527	9,178	7,631	7,954	8,127	8,627	7,747	7,069	6,575
Sentence											
Immediate custody Rate ⁽¹⁾	111,607	107,670	106,322	101,236	96,017	95,206	99,525	100,231	101,513	106,170	98,047
	7.9	7.3	6.9	6.9	6.8	6.8	7.5	7.2	7.5	8.1	8.0
Suspended sentence Rate ⁽¹⁾	2,519	2,717	2,855	9,666	33,509	40,688	41,151	45,157	48,118	48,153	44,644
	0.2	0.2	0.2	0.7	2.4	2.9	3.1	3.2	3.5	3.7	3.6
Community sentences Rate ⁽¹⁾	186,520	191,422	201,503	204,247	190,837	196,424	190,171	195,903	189,321	175,525	149,328
	13.2	12.9	13.1	13.9	13.5	14.0	14.3	14.0	13.9	13.4	12.2
Fines Rate ⁽¹⁾	972,737	1,033,617	1,082,690	1,025,064	961,535	941,534	890,296	946,146	893,931	856,808	823,298
	68.5	69.4	70.0	69.1	67.7	66.6	65.4	67.3	65.5	65.3	66.9
Other disposals Rate ⁽¹⁾	146,224	154,401	153,982	142,240	138,673	140,890	140,921	119,468	132,464	126,083	114,510
	10.3	10.4	10.0	9.6	9.8	10.0	10.3	8.5	9.7	9.6	9.3

(1) Rates are calculated on persons for sentences of immediate custody, suspended sentence and community sentence as 'others' cannot receive this sentence.

Note: Excludes data for Cardiff magistrates' court for April, July and August 2008.

Table Q5.5 - Persons sentenced to immediate custody and average custodial sentence length at all courts by offence group, 2002 to 2012

England and Wales		Persons sentenced												
		2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012		
Offence group														
Violence against the person		11,792	11,467	12,274	12,842	12,354	12,535	13,380	14,085	13,982	14,724	13,555		
Sexual offences		2,561	2,502	2,832	2,697	2,806	2,807	3,000	2,987	3,287	3,453	3,423		
Burglary		13,350	11,820	10,814	9,550	9,229	9,237	9,960	10,028	10,447	12,181	11,422		
Robbery		5,881	5,150	5,063	4,407	4,802	4,772	5,095	5,155	4,946	5,584	5,002		
Theft and handling stolen goods		27,945	25,517	22,759	20,472	19,631	19,612	21,008	19,958	22,284	23,711	22,862		
Fraud and forgery		3,774	3,903	4,173	4,582	4,410	5,196	5,675	5,388	4,713	4,473	3,922		
Criminal damage		1,178	1,201	1,266	1,282	1,333	1,330	1,157	1,037	1,096	1,169	988		
Drug offences		8,284	8,140	7,981	7,783	7,532	8,186	9,488	9,426	9,693	9,788	9,011		
Other (excl motoring offences)		8,178	8,725	10,470	10,685	9,715	8,790	8,902	10,886	11,346	11,332	9,782		
Indictable motoring offences		2,208	2,369	2,306	1,991	1,720	1,572	1,393	1,315	1,145	1,143	1,115		
All indictable offences		85,151	80,794	79,938	76,291	73,532	74,037	79,058	80,265	82,939	87,558	81,082		
Summary non-motoring offences		9,545	9,470	11,215	12,075	12,571	13,277	14,089	14,698	14,634	15,161	13,953		
Summary motoring offences		16,911	17,406	15,169	12,870	9,914	7,892	6,378	5,268	3,940	3,451	3,012		
All summary offences		26,456	26,876	26,384	24,945	22,485	21,169	20,467	19,966	18,574	18,612	16,965		
All offences		111,607	107,670	106,322	101,236	96,017	95,206	99,525	100,231	101,513	106,170	98,047		

England and Wales		Average custodial sentence length ⁽¹⁾											
		2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	
Offence group													
Violence against the person		17.6	18.8	18.8	17.8	16.8	16.9	17.2	17.7	17.8	18.4	19.9	
Sexual offences		39.6	40.0	40.0	41.6	41.0	42.9	44.0	48.7	48.7	53.0	54.2	
Burglary		17.5	17.1	17.5	17.4	17.1	16.7	17.4	18.4	18.7	18.6	19.3	
Robbery		38.9	39.3	38.4	35.0	32.3	31.3	32.5	33.6	34.5	35.4	36.8	
Theft and handling stolen goods		4.1	4.2	4.3	4.3	4.3	4.1	4.0	4.2	4.1	4.3	4.1	
Fraud and forgery		8.4	8.7	9.1	10.3	10.8	10.0	10.8	10.4	11.0	12.7	12.7	
Criminal damage		16.4	16.5	16.7	15.1	12.9	12.6	14.9	18.9	18.0	18.7	22.1	
Drug offences		34.5	35.2	37.3	35.8	33.8	31.9	32.7	32.1	30.7	30.7	28.7	
Other (excl motoring offences)		9.9	9.9	8.6	9.2	9.0	9.5	10.9	9.9	9.6	10.3	10.4	
Indictable motoring offences		8.3	8.5	8.7	8.5	9.1	8.8	9.4	9.1	9.6	9.7	9.8	
All indictable offences		15.5	15.7	16.1	15.8	15.3	15.2	16.0	16.5	16.2	16.8	17.0	
Summary non-motoring offences		2.7	2.7	2.8	2.8	2.8	2.7	2.7	2.6	2.6	2.5	2.6	
Summary motoring offences		3.4	3.5	3.5	3.4	3.4	3.3	3.2	3.1	3.1	3.1	3.1	
All summary offences		3.2	3.2	3.2	3.1	3.0	3.0	2.8	2.8	2.7	2.6	2.7	
All offences		12.6	12.6	12.9	12.6	12.4	12.4	13.3	13.7	13.7	14.3	14.5	

(1) Excludes life and indeterminate sentences.

Note: Excludes data for Cardiff magistrates' court for April, July and August 2008.

Table Q5.6 - Persons sentenced to immediate custody at all courts by length of sentence and average custodial sentence length, 2002 to 2012

England and Wales

Persons given immediate custody and sentence length	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
All offences											
Total persons sentenced	1,410,504	1,479,812	1,536,825	1,473,275	1,412,940	1,406,788	1,353,937	1,398,278	1,357,600	1,305,670	1,223,252
Number given immediate custody	111,607	107,670	106,322	101,236	96,017	95,206	99,525	100,231	101,513	106,170	98,047
Percentage given immediate custody (%)	7.9	7.3	6.9	6.9	6.8	6.8	7.4	7.2	7.5	8.1	8.0
Up to and including 3 months	42,542	40,748	39,707	37,100	34,712	34,427	35,738	36,071	38,316	39,418	36,444
Over 3 months and up to and including 6 months	29,419	29,504	28,492	26,756	24,422	23,109	22,338	21,321	20,181	20,270	19,333
Over 6 months and less than 12 months	5,724	5,340	5,678	5,851	5,728	6,154	6,920	7,177	7,052	7,891	6,787
12 months	5,683	5,256	5,244	5,414	5,245	5,479	5,652	5,837	5,618	5,947	4,788
Over 12 months and up to and including 18 months	7,046	6,518	6,366	6,258	6,232	6,271	6,751	7,289	7,343	8,022	7,343
Over 18 months and up to and including 3 years	11,241	10,562	10,695	10,385	10,374	10,470	11,516	12,077	12,358	13,138	12,621
Over 3 years and less than 4 years	1,969	1,861	2,082	1,745	1,533	1,458	1,629	1,811	1,937	1,990	1,973
4 years	2,251	2,128	2,146	1,745	1,607	1,603	1,903	1,977	1,934	2,094	1,787
Over 4 years and up to and including 5 years	2,099	2,090	2,161	1,920	1,670	1,611	1,998	1,980	2,061	2,208	1,913
Over 5 years and up to and including 10 years	2,679	2,747	2,772	2,658	2,190	2,109	2,614	2,784	2,796	3,307	3,238
Over 10 years and less than life	399	403	409	353	309	316	405	485	514	671	661
Indeterminate sentence ⁽¹⁾	:	:	:	426	1,448	1,707	1,538	1,001	1,019	819	751
Life	555	513	570	625	547	492	523	421	384	395	408
Average custodial sentence length (months) ⁽²⁾	12.6	12.6	12.9	12.6	12.4	12.4	13.3	13.7	13.7	14.3	14.5
Indictable offences											
Total persons sentenced	335,523	332,466	315,806	305,502	301,488	311,191	314,941	326,592	347,422	341,858	306,116
Number given immediate custody	85,151	80,794	79,938	76,291	73,532	74,037	79,058	80,265	82,939	87,558	81,082
Percentage given immediate custody (%)	25.4	24.3	25.3	25.0	24.4	23.8	25.1	24.6	23.9	25.6	26.5
Up to and including 3 months	28,093	26,439	25,437	23,808	22,381	22,421	23,533	23,692	26,290	27,245	25,679
Over 3 months and up to and including 6 months	17,418	16,942	16,380	15,109	14,285	13,952	14,083	13,768	13,684	13,900	13,146
Over 6 months and less than 12 months	5,720	5,336	5,677	5,848	5,725	6,150	6,916	7,158	7,023	7,824	6,778
12 months	5,682	5,255	5,243	5,412	5,241	5,477	5,650	5,828	5,607	5,947	4,786
Over 12 months and up to and including 18 months	7,045	6,518	6,366	6,257	6,230	6,271	6,750	7,284	7,337	8,020	7,341
Over 18 months and up to and including 3 years	11,241	10,562	10,695	10,385	10,369	10,470	11,516	12,076	12,353	13,138	12,621
Over 3 years and less than 4 years	1,969	1,861	2,082	1,745	1,532	1,458	1,629	1,811	1,937	1,990	1,973
4 years	2,251	2,128	2,146	1,745	1,607	1,603	1,903	1,977	1,934	2,094	1,787
Over 4 years and up to and including 5 years	2,099	2,090	2,161	1,920	1,670	1,611	1,998	1,980	2,061	2,208	1,913
Over 5 years and up to and including 10 years	2,679	2,747	2,772	2,658	2,189	2,109	2,614	2,784	2,796	3,307	3,238
Over 10 years and less than life	399	403	409	353	309	316	405	485	514	671	661
Indeterminate sentence ⁽¹⁾	*	*	*	426	1,447	1,707	1,538	1,001	1,019	819	751
Life	555	513	570	625	547	492	523	421	384	395	408
Average custodial sentence length (months) ⁽²⁾	15.5	15.7	16.1	15.8	15.3	15.2	16.0	16.5	16.2	16.8	17.0

(1) Sentences of imprisonment for public protection introduced by the Criminal Justice Act 2003 on 4 April 2005.

(2) Excludes life and indeterminate sentences.

Note: Excludes data for Cardiff magistrates' court for April, July and August 2008.

Table Q5.7 - Juveniles sentenced for all offences by type of sentence (detailed), 2002 to 2012

Sentence	Persons sentenced											
	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	
Immediate custodial sentences												
S90-92 PCC(S) Act 2000	729	474	560	469	448	389	500	417	411	402	291	
Detention and training order	6684	5726	5757	5447	5587	5279	4875	4479	3757	3747	2758	
Young offender institution	3	-	8	-	-	-	-	-	-	-	-	
Extended sentence for public protection	*	*	*	*	103	101	53	17	10	27	6	
Indeterminate sentence for public protection (IPP) ⁽⁴⁾	*	*	*	*	45	61	70	27	41	29	30	
Total immediate custody	7416	6200	6325	5916	6183	5,830	5,498	4,940	4,219	4,205	3,085	
Community sentences												
Community rehabilitation order	2,325	2,231	2,121	1,836	1,584	1,851	1,800	1,547	375	44	17	
Supervision order	10,502	9,870	10,119	10,600	11,196	11,952	9,642	8,080	1,701	37	23	
Community punishment order	3,331	2,770	2,586	2,445	1,878	1,915	1,711	1,622	240	3	0	
Attendance centre order	3,551	2,757	2,781	2,807	2,789	3,199	2,658	2,301	364	110	48	
Community punishment and rehabilitation order	1,663	1,509	1,316	1,234	1,184	1,327	1,429	1,546	386	7	0	
Curfew order	2,353	2,940	4,050	4,141	4,173	4,690	5,237	5,837	1,495	277	56	
Reparation order	5,004	3,111	3,087	3,217	3,745	4,055	4,066	3,562	2,414	1,099	565	
Action plan order	6,181	4,348	4,486	4,832	4,867	4,865	4,074	3,245	307	6	0	
Drug treatment and testing order	69	69	47	36	12	11	3	2	0	0	1	
Referral order ⁽¹⁾	*	25,347	26,122	29,958	30,070	32,142	29,423	28,154	25,780	21,627	16,382	
Community order ⁽²⁾	*	*	*	*	*	*	*	59	-	-	-	
Youth Rehabilitation order	*	*	*	*	*	*	*	*	14,684	18,403	14,835	
Total community sentences	34979	54952	56715	61106	61498	66007	60043	55955	47746	41,613	31,927	
Other sentences												
Absolute or conditional discharge	14,187	14,116	12,683	12,055	11,641	12,207	10,993	10,019	10,099	8,799	6,838	
Fine	15,120	13,508	15,666	14,054	11,599	10,453	9,047	7,955	6,503	5,228	3,715	
Suspended sentence ⁽³⁾	*	*	*	3	*	1	*	*	*	*	*	
Otherwise dealt with	3,638	3,755	4,799	2,970	2,885	2,889	2,794	2,675	5,299	3,579	1,950	
Total other sentences	32,945	31,379	33,148	29,082	26,125	25,550	22,834	20,649	21,901	17,606	12,503	
Total Juveniles Sentenced	75,340	92,531	96,188	96,104	93,806	97,387	88,375	81,544	73,866	63,424	47,515	

(1) Referral orders now include numbers of extension of referral orders, and may therefore not be the same as previously published figures.

(2) Community orders were introduced by the Criminal Justice Act 2003 for offences committed from 4 April 2005.

(3) Suspended sentence orders are not available for juveniles. However, small volumes may be presented in some years due to recording issues on administrative data systems.

(4) IPP Sentences of imprisonment for public protection introduced by the Criminal Justice Act 2003 on 4 April 2005.

Note: Excludes data for Cardiff magistrates' court for April, July and August 2008.

Table Q5.8 - Adults sentenced for all offences by type of sentence (detailed), 2002 to 2012

Sentence	England and Wales											Persons sentenced	
	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2011	2012
Immediate custodial sentences													
S90-92 PCC(S) Act 2000	-	11	5	10	13	9	10	19	4	7	8	7	8
Young offender institution	17,363	15,427	14,631	14,039	13,518	13,831	13,113	13,815	13,052	12,109	9,838	12,109	9,838
Unsuspected imprisonment	86,377	85,158	84,058	79,166	73,624	72,861	78,818	80,066	82,817	88,438	84,064	88,438	84,064
Extended sentence of imprisonment (EPP)	451	874	1,194	1,420	1,196	1,029	618	417	443	621	331	621	331
Indeterminate sentence for public protection (IPP) ⁽⁴⁾	*	*	*	*	1,403	1,646	1,468	974	978	790	721	790	721
Intermittent custody	*	*	*	*	80	-	-	-	-	-	-	-	-
Total immediate custody	104,191	101,470	99,888	94,821	89,834	89,376	94,027	95,291	97,294	101,965	94,962	101,965	94,962
Community sentences													
Community rehabilitation order	61,456	60,971	58,540	31,747	2,270	431	233	175	117	29	15	29	15
Community punishment order	47,460	47,612	51,300	32,363	3,954	626	359	197	84	15	5	15	5
Attendance centre order	480	526	651	498	380	256	210	216	155	88	37	88	37
Community punishment and rehabilitation order	13,821	13,650	14,656	9,578	1,084	261	169	163	78	3	1	3	1
Curfew order	3,913	6,659	11,092	7,988	2,338	1,904	1,473	1,243	788	516	226	516	226
Drug treatment and testing order	5,203	6,989	8,549	5,505	294	27	7	1	-	1	1	1	1
Referral order ⁽¹⁾	*	*	63	-	-	-	-	-	-	-	-	-	-
Community order ⁽²⁾	*	*	*	*	119,019	126,912	127,677	137,953	140,353	133,260	117,115	133,260	117,115
Total community sentences	132,333	136,407	144,851	87,679	129,339	130,417	130,128	139,948	141,575	133,912	117,400	133,912	117,400
Other sentences													
Absolute or conditional discharge	102,954	107,580	100,336	93,611	87,465	92,790	86,334	82,764	89,146	85,652	80,525	85,652	80,525
Fine	948,857	1,010,657	1,056,835	1,002,154	942,563	923,364	873,457	929,802	879,818	844,608	813,121	844,608	813,121
Suspended sentence ⁽³⁾	2,519	2,717	2,855	9,663	33,509	40,687	41,151	45,157	48,118	48,153	44,642	48,153	44,642
Otherwise dealt with	25,102	28,387	35,826	33,282	36,424	32,767	40,465	23,772	27,783	27,956	25,087	27,956	25,087
Total other sentences	1,079,433	1,149,341	1,195,852	1,138,710	1,099,961	1,089,608	1,041,407	1,081,495	1,044,865	1,006,369	963,375	1,006,369	963,375
Total Adults Sentenced	1,315,957	1,387,218	1,440,591	1,321,210	1,319,134	1,309,401	1,265,562	1,316,734	1,283,734	1,242,246	1,175,737	1,242,246	1,175,737

(1) Referral orders now include numbers of extension of referral orders, and may therefore not be the same as previously published figures.

(2) Community orders were introduced by the Criminal Justice Act 2003 for offences committed from 4 April 2005.

(3) Fully suspended sentence for offences committed prior to 4 April 2005, suspended sentence order for offences committed from 4 April 2005.

(4) IPP Sentences of imprisonment for public protection introduced by the Criminal Justice Act 2003 on 4 April 2005.

Note: Excludes data for Cardiff magistrates' court for April, July and August 2008.

Table Q5.9 - Persons⁽¹⁾ sentenced at all courts for indictable offences by ethnicity and result, 2012

England and Wales	Offence type / group	Ethnicity					
		Total	White	Black	Asian	Other	Unknown
Indictable offences							
	Absolute discharge	1,603	1,266	109	57	17	154
	Conditional discharge	38,537	30,806	2,620	1,126	402	3,583
	Fine	53,667	38,553	5,571	2,690	616	6,237
	Community sentence	82,815	63,404	7,553	3,653	1,040	7,165
	Suspended sentence	31,883	23,530	2,331	1,639	709	3,674
	Immediate custody	81,082	58,660	8,162	4,481	2,353	7,426
	Otherwise dealt with	16,529	12,526	1,661	747	223	1,372
	Total	306,116	228,745	28,007	14,393	5,360	29,611

(1) Includes cases reported to the Ministry of Justice as sex 'not stated'.

6 Offences

This section differs from the others in the publication in that it considers **all offences** for which an offender was dealt with at that time. The other sections of the bulletin focus on the most serious “principal” offence for which a defendant or offender was dealt with.

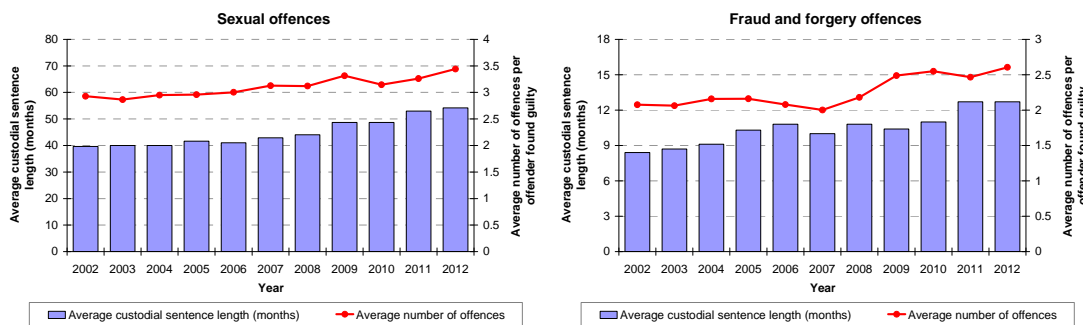
6.1 Cautions and convictions (all offence basis)

Courts and the police typically deal with offenders that have committed more than one offence – for example, offenders found guilty in 2012 were convicted of an average of 1.4 offences. The average number of offences per offender found guilty has decreased slightly year on year since 2003, when it stood at an average of 1.7.

The average number of offences per offender found guilty differs across offence groups. In 2012, this ranged from 1.2 offences per offender for summary non-motoring offences up to 3.4 offences per offender for sexual offences.

The average number of offences per offender found guilty has remained fairly stable over the past 11 years for all offence groups except sexual offences and fraud and forgery. The average has increased over the period for both sexual offences and fraud and forgery offences by 0.5 offences per offender, and in 2012 offenders were convicted on average of 3.4 and 2.6 offences, respectively. These changes have coincided with increases in the average custodial sentence length (ACSL) for offenders committing these types of offences, which may reflect that courts are taking into account an increasingly prolific nature of offenders when making sentencing decisions.

Figure 6.1 Average number of offences and average custodial sentence length (ACSL), in months, for sexual offences and fraud and forgery offences, 2002 to 2012



For cautions, the average number of offences has remained constant over the past ten years at 1.1 per offender. This is consistent across offence groups, indicating that cautions tend not to be used for offenders committing multiple offences.

6.2 Offences Brought to Justice (notifiable offences)

One measure of justice outcomes is Offences Brought to Justice (OBTJ). An offence is said to have been brought to justice when a ‘notifiable offence’¹⁰ (collectively

¹⁰ Notifiable offences are those offences which require the police to record an incident as a crime and report the occurrence to the Home Office.

known as recorded crime) results in an offender being convicted, cautioned, issued with a Penalty Notice for Disorder (PND) or a cannabis warning, or having an offence taken into consideration at court.

Much of the activity in the Criminal Justice System starts with the police, when a crime is reported, investigated and detected. The Home Office publish statistics on police activity and the crimes they deal with¹¹.

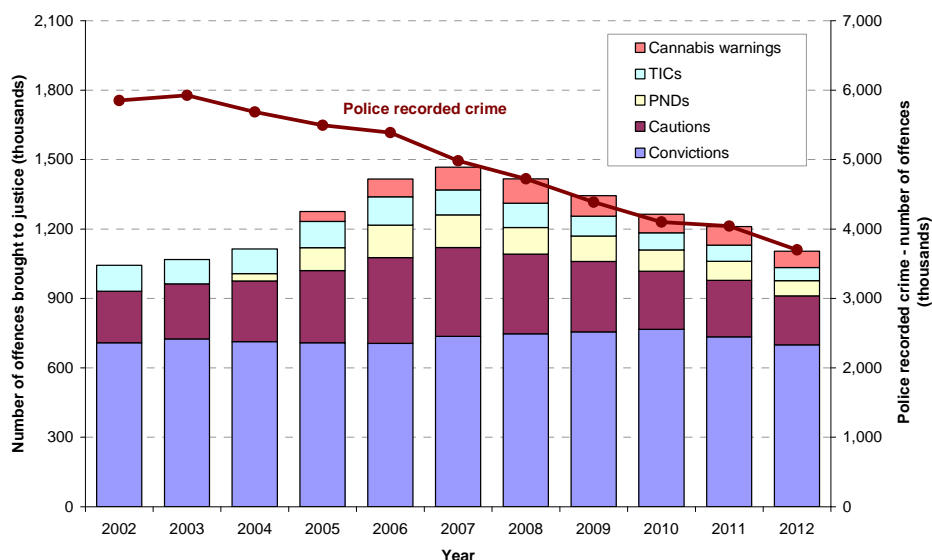
Between 2002 and 2007, overall police recorded crime levels decreased by 15 per cent, whereas the number of OBTJ increased by 41 per cent. The rise in the number of OBTJ coincided with the introduction in 2001 of a target to increase offences brought to justice¹².

The rise in OBTJ was largely driven by a 72 per cent increase in cautions for notifiable offences between 2002 and 2007, and the introduction of PNDs in 2004. In terms of offence groups, the number of 'violence against the person' OBTJ more than doubled across the period, and contributed more to the increase than any other offence group.

Between 2007 and 2010, there was a decrease in the use of out of court disposals and an increase in convictions for notifiable offences. This decline coincided with the replacement in April 2008 of the OBTJ target with one placing more emphasis on bringing serious crime to justice. However, since 2010, convictions for notifiable offences have decreased alongside continuing decline in the use of out of court disposals. This coincided with the removal of the latter target in May 2010.

Since 2007, police recorded crime levels decreased by 26 per cent, alongside a 25 per cent decline in OBTJ. As such, the proportion of OBTJ has remained relatively constant between 29 and 31 per cent since 2007.

Figure 6.2 Number of offences brought to justice (notifiable) by outcome and numbers of recorded crimes, 2002 to 2012



¹¹ www.gov.uk/government/organisations/home-office/series/crime-statistics
www.ons.gov.uk/ons/taxonomy/index.html?nscl=Crime+in+England+and+Wales

¹² Chapter 6 of the PSA 2004 (6.3):
http://webarchive.nationalarchives.gov.uk/20071204130111/http://hm-treasury.gov.uk/media/3/1/sr04_psa_ch6.pdf

Table Q6.1 - Cautions administered by offence group, 2002 to 2012⁽¹⁾⁽²⁾⁽³⁾

England and Wales	Number of offences (thousands)										
	2002	2003	2004	2005	2006	2007	2008	2009	2010 ⁽⁴⁾	2011 ⁽⁵⁾	2012
Violence against the person	24.8	30.2	38.3	53.1	59.4	54.1	39.4	28.6	23.0	17.2	14.2
Sexual offences	1.3	1.5	1.7	1.9	2.1	2.1	1.8	1.6	1.4	1.7	1.7
Burglary	6.2	5.9	6.1	7.1	8.4	7.5	6.0	4.8	3.8	3.9	2.8
Robbery	0.4	0.4	0.5	0.6	0.7	0.6	0.4	0.2	0.2	0.3	0.2
Theft and handling stolen goods	61.5	61.3	71.0	77.4	81.9	82.2	73.4	68.8	53.7	50.3	40.2
Fraud and forgery	6.6	6.6	7.2	8.2	9.3	9.6	9.2	8.0	6.8	6.3	5.7
Criminal damage	3.5	4.1	5.9	7.9	9.9	9.7	8.7	6.9	5.4	5.1	4.1
Drug offences	46.5	47.4	34.4	36.5	39.7	45.9	50.0	46.1	43.3	46.3	42.9
Other indictable offences	4.7	5.6	6.3	7.4	9.9	10.5	9.0	8.4	7.6	6.8	5.7
Summary non-motoring offences	88.7	98.1	109.8	127.3	161.3	174.7	161.5	147.4	119.5	122.4	108.4
All offences	244.3	261.1	281.2	327.3	382.8	397.0	359.4	320.8	264.7	260.4	225.8

(1) On an all offence basis.

(2) Excluding all motoring offences.

(3) Includes reprimands and final warnings for juveniles (e.g. those aged 10 to 17).

(4) December 2010 cautions data for Dyfed Powys and Lancashire have been sourced from Police National Computer.

(5) All cautions data from January 2011 have been sourced from the Police National Computer.

Table Q6.2 - Convictions by offence group, 2002 to 2012⁽¹⁾

England and Wales	Number of offences (thousands)										
	2002	2003	2004	2005	2006	2007	2008 ⁽²⁾	2009	2010	2011	2012
Violence against the person	50.6	51.6	52.9	54.7	55.5	55.3	53.5	57.9	59.6	57.1	52.1
Sexual offences	12.8	12.4	14.0	14.2	14.7	15.8	16.0	16.9	18.2	19.6	19.8
Burglary	37.0	36.0	33.5	31.2	31.2	32.0	32.1	31.1	31.5	32.3	30.2
Robbery	12.0	11.5	11.7	10.8	12.1	13.4	12.6	12.9	12.0	12.9	12.0
Theft and handling stolen goods	196.7	188.2	174.2	162.7	156.6	163.5	172.5	175.4	179.5	176.0	175.7
Fraud and forgery	44.6	43.9	44.9	44.0	40.9	42.1	44.9	52.4	53.7	48.1	42.8
Criminal damage	17.8	18.5	19.6	19.5	21.2	20.0	15.0	12.3	11.9	10.7	9.1
Drug offences	80.2	85.3	69.8	69.2	69.7	75.2	87.3	89.9	97.5	94.8	90.5
Other indictable offences	128.3	143.5	141.4	133.6	120.8	121.5	115.2	121.5	124.9	113.0	108.1
Indictable motoring offences	13.5	14.1	12.9	10.1	9.0	7.9	7.5	4.7	4.4	4.0	3.9
Summary non-motoring offences	588.8	604.8	639.3	625.3	607.0	607.2	610.0	635.8	609.1	601.4	585.3
Summary motoring offences	1,161.8	1,285.2	1,331.3	1,201.8	1,075.9	943.3	810.9	806.0	716.3	636.3	595.8
All offences	2,344.1	2,495.0	2,545.6	2,377.1	2,214.6	2,097.1	1,977.3	2,016.7	1,918.7	1,806.1	1,725.3

(1) On an all offence basis.

(2) Excludes convictions data for Cardiff magistrates' court for April, July, and August 2008.

Table Q6.3 - Number of offences brought to justice (notifiable) by outcome and numbers of recorded crimes, 2002 to 2012⁽¹⁾

England and Wales	Number of offences (thousands)						
	Offences taken into consideration ⁽²⁾	Penalty Notices for Disorder ⁽³⁾	Formal warnings for cannabis possession ⁽⁴⁾	Cautions ⁽⁵⁾⁽⁶⁾	Convictions	Total OBTJs	Recorded crimes ⁽⁷⁾
2002	111.5	*	*	222.9	708.7	1,043.1	5,850.3
2003	104.3	*	*	238.2	725.2	1,067.7	5,924.6
2004	106.9	32.1	0.1	261.5	713.6	1,114.1	5,685.1
2005	113.9	98.2	42.8	311.9	708.9	1,275.7	5,495.1
2006	122.8	140.1	77.1	370.0	706.4	1,416.4	5,387.1
2007	108.2	140.4	98.2	383.4	736.8	1,466.9	4,983.2
2008 ⁽⁸⁾	105.1	114.7	105.3	344.6	747.1	1,416.8	4,722.5
2009	85.6	110.3	88.3	304.0	755.6	1,343.9	4,386.6
2010	74.1	91.9	80.5	250.9	766.9	1,264.4	4,101.8
2011	70.0	82.3	80.0	244.0	734.1	1,210.4	4,043.2
2012	57.2	65.3	70.1	211.5	699.6	1,103.7	3,700.3

(1) Data for British Transport Police have been included from 2011 onwards.

(2) Offences taken into consideration by the court and previously recorded by the police, figures for April 2004 onwards include offences not previously recorded.

(3) Piloted in 2002 and introduced nationally in 2004.

(4) Introduced in April 2004.

(5) December 2010 cautions data for Dyfed Powys and Lancashire have been sourced from Police National Computer.

(6) All cautions data from January 2011 have been sourced from the Police National Computer.

(7) The introduction of the National Crime Recording Standards (NCRS) in April 2002 resulted in significant increases in the number of crimes recorded.

(8) Excludes convictions data for Cardiff magistrates' court for April, July, and August 2008.

Note - figures for cannabis warnings & offences taken into consideration appearing in this publication are provisional and may be revised following Home Office validation. National Statistics for the financial year 2012/13 are expected to be published during 2013 by the Home Office.

Table Q6.4 - Number of offences brought to justice (notifiable) by offence group, 2002 to 2012⁽¹⁾⁽²⁾⁽³⁾⁽⁴⁾

England and Wales	Number of offences (thousands)										
	2002	2003	2004	2005	2006	2007	2008 ⁽⁵⁾	2009	2010 ⁽⁶⁾	2011 ⁽⁷⁾	2012
Violence against person	229.5	254.2	319.8	403.1	466.3	478.7	427.7	394.2	363.3	340.4	305.4
Sexual Offences	15.4	15.0	16.2	16.4	16.3	17.3	16.9	17.3	18.3	19.3	19.0
Burglary	82.6	78.4	73.7	73.0	78.2	72.4	73.7	66.2	63.3	61.4	54.1
Robbery	13.6	13.1	13.3	12.6	14.2	15.5	14.0	13.8	12.8	13.8	12.9
Theft and handling stolen goods	322.0	307.1	299.2	311.6	327.2	338.3	329.4	321.8	298.8	284.8	281.3
Fraud and forgery	82.3	80.3	78.4	74.7	64.8	61.5	64.2	66.4	63.7	58.1	51.1
Criminal damages	93.8	101.1	118.1	137.4	156.8	159.9	139.0	123.0	104.8	96.2	84.8
Drug offences	128.2	133.9	105.3	149.6	187.7	220.5	243.3	235.3	234.7	237.4	219.0
Other notifiable offences	75.7	84.6	90.1	97.3	105.0	103.0	108.6	105.9	104.9	98.9	76.0
All offences⁽⁸⁾	1,043.1	1,067.7	1,114.1	1,275.7	1,416.4	1,466.9	1,416.8	1,343.9	1,264.4	1,210.4	1,103.7

(1) Data in this table has been refreshed and therefore may not match previously published information.

(2) PNDs are included from when they were introduced nationally in 2004.

(3) Data for British Transport Police have been included from 2011 onwards.

(4) Includes estimates for incomplete data.

(5) Excludes convictions data for Cardiff magistrates' court for April, July, and August 2008.

(6) December 2010 cautions data for Dyfed Powys and Lancashire have been sourced from Police National Computer.

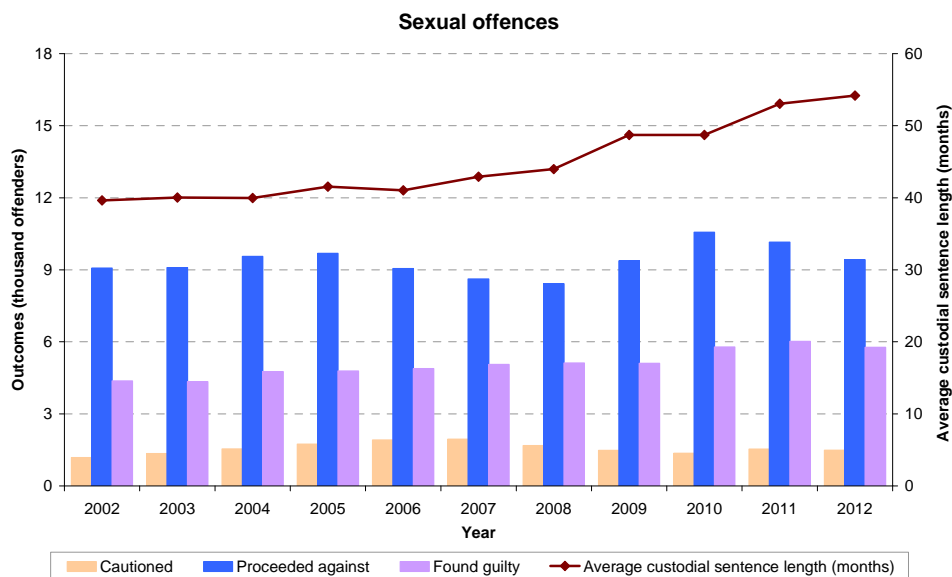
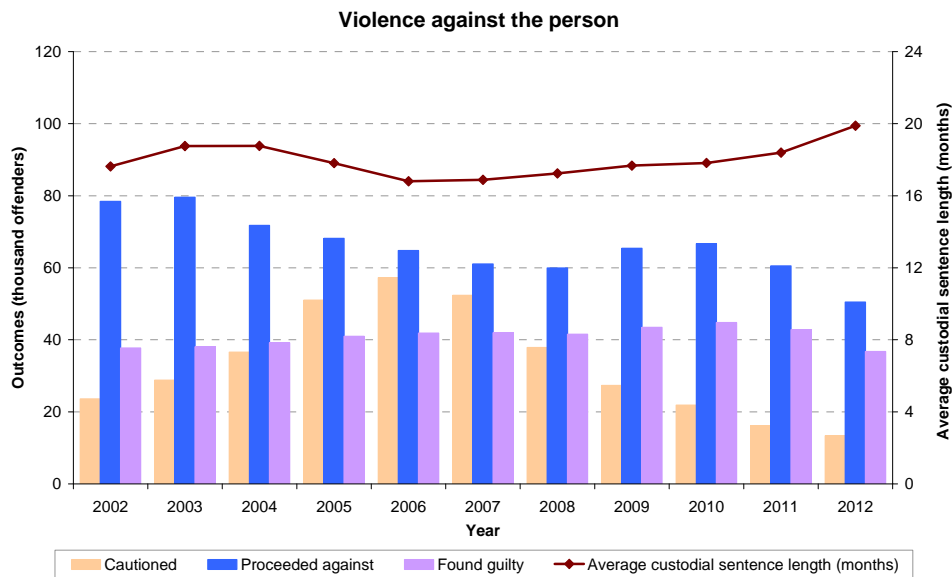
(7) All cautions data from January 2011 have been sourced from the Police National Computer.

(8) May not sum due to rounding.

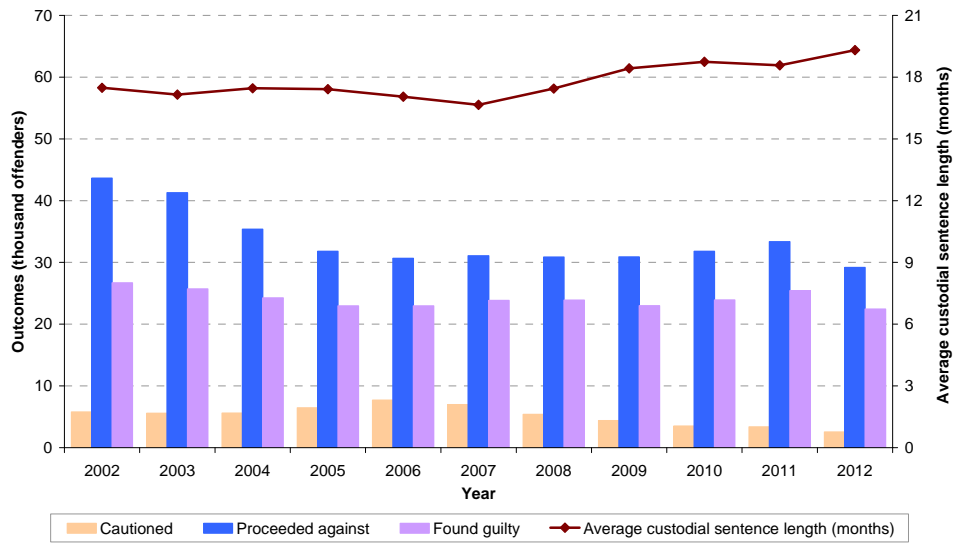
6.3 Offence group summary charts

The following summary charts present the number of offenders cautioned (excluded for motoring offences), the numbers of defendants proceeded against at magistrates' courts, the number of offenders found guilty at all courts, and the average custodial sentence length (in months) for each indictable and summary offence group.

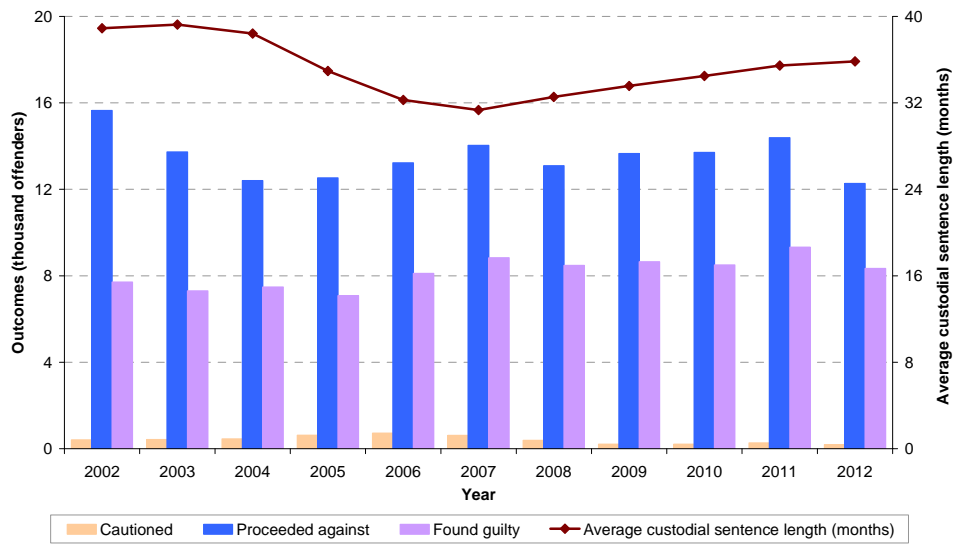
Note that volume figures for cautions, prosecutions and convictions are read from the left hand axis, and average custodial sentence lengths are read from the right hand axis on each chart. Note also that the scales for each chart differ.



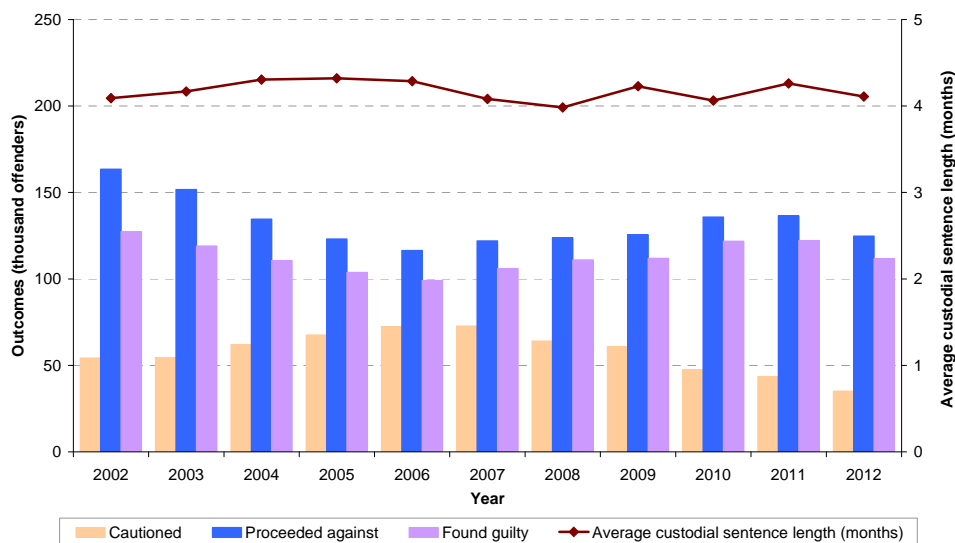
Burglary



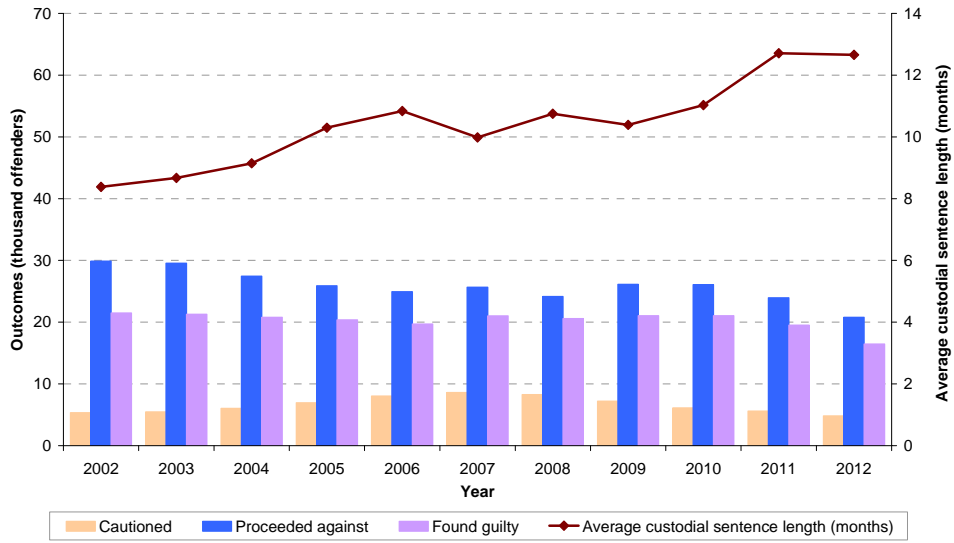
Robbery



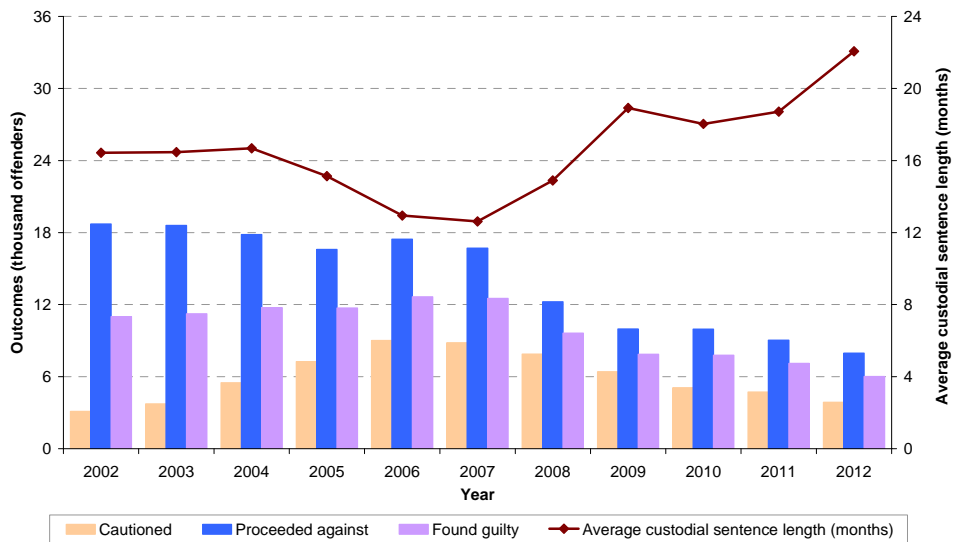
Theft and handling stolen goods



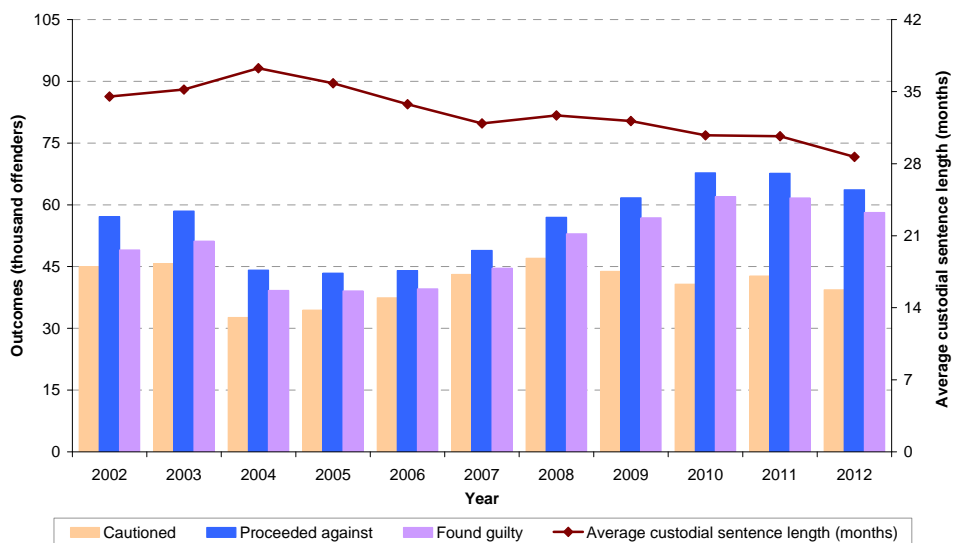
Fraud and Forgery



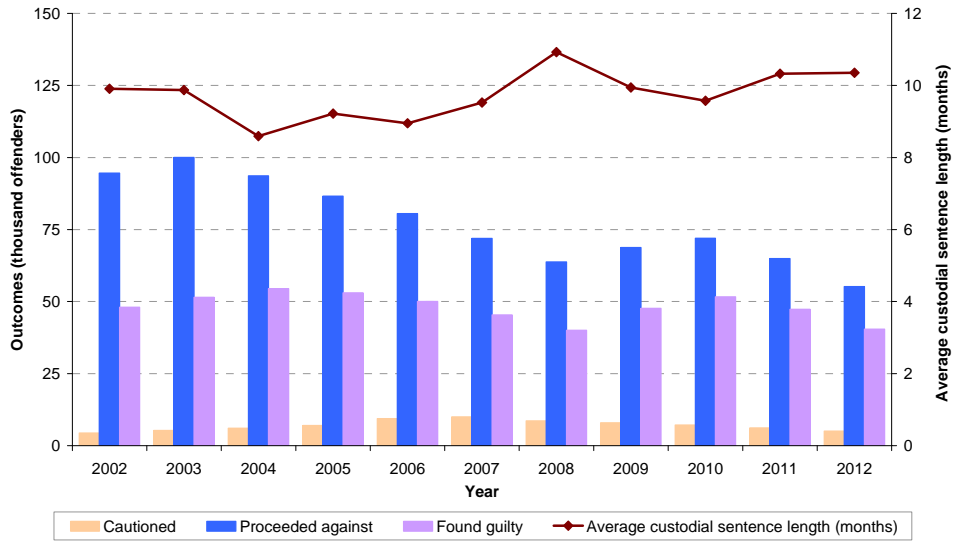
Criminal Damage



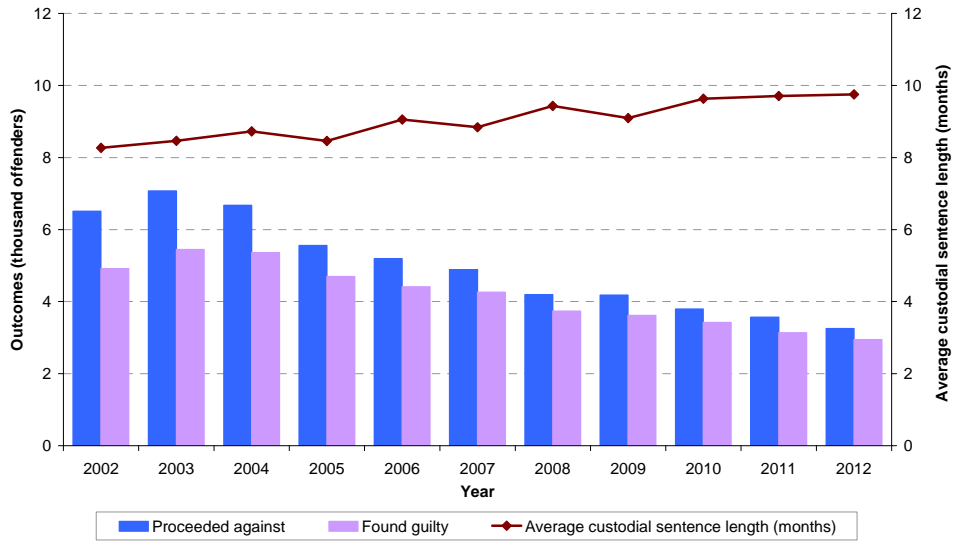
Drug offences



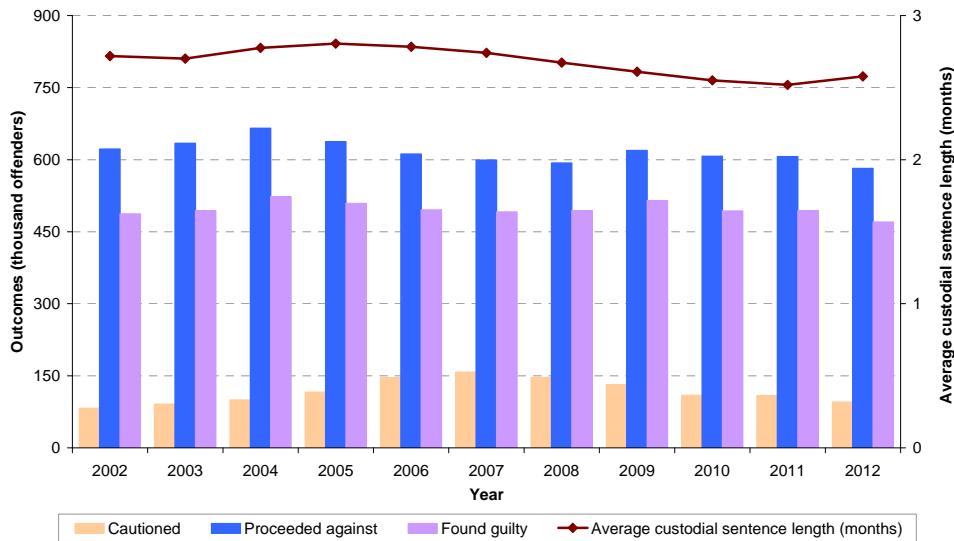
Other indictable offences (excl. motoring offences)

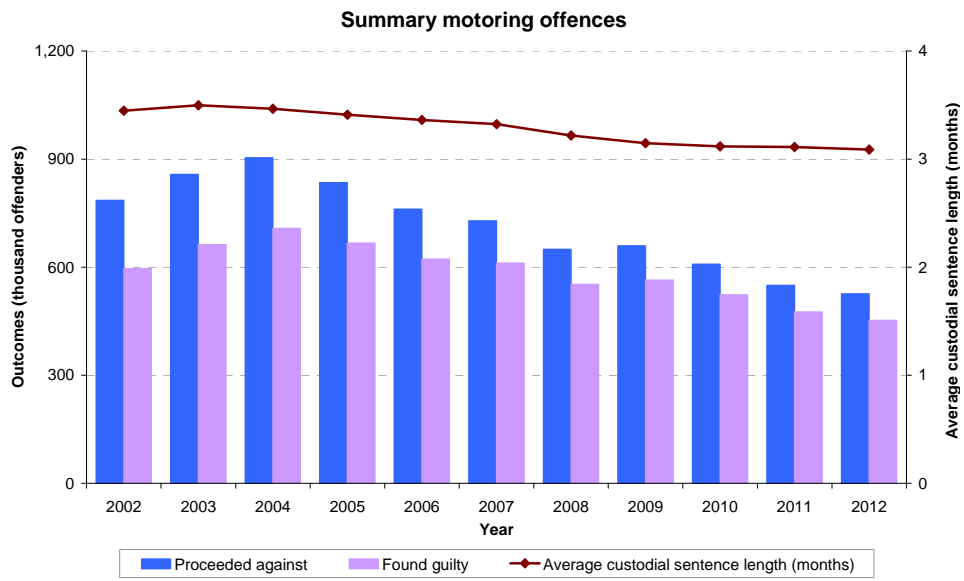


Indictable motoring offences



Summary non motoring offences





7 Offending histories

This section provides statistics about the offending histories of offenders cautioned or convicted in England and Wales over the last 10 years.

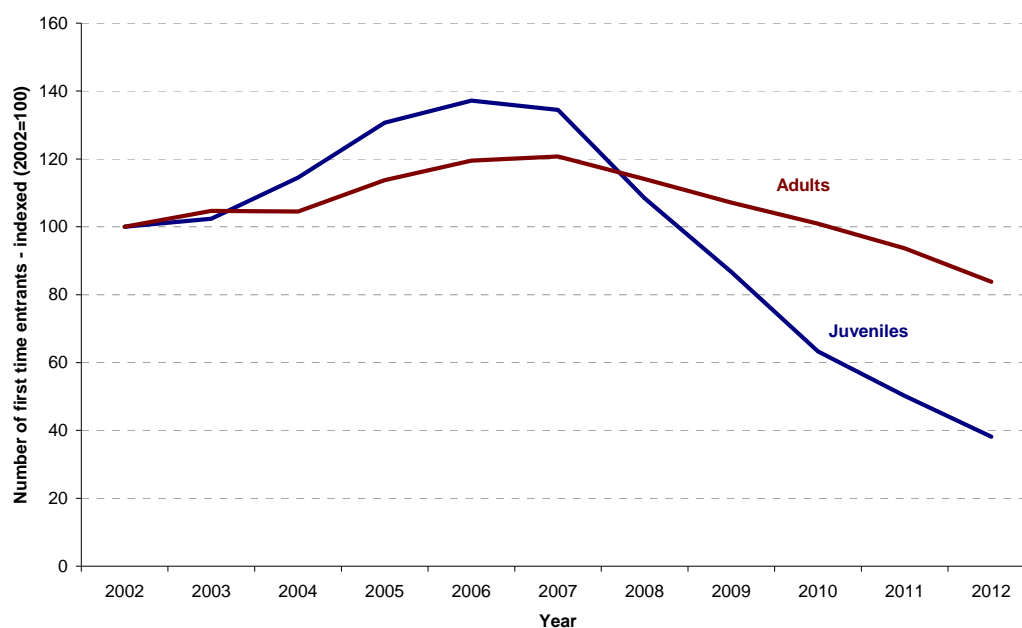
Information presented in this section differs from previous sections on convictions, cautions and sentencing, in that all information in this chapter is taken from the Police National Computer (PNC). The main difference is that the PNC does not include a range of less serious summary offences (such as TV licence evasion and a range of motoring offences) and so the figures reported are not comparable or match figures reported in the previous chapters.

The number of first time entrants to the criminal justice system in England and Wales (offenders receiving their first conviction or caution) continues to fall and, at just over 176 thousand in 2012, is now 44 per cent below the levels seen in 2007 – the peak year over the last decade.

These reductions are likely to be related, at least in part, with the replacement in April 2008 of a target to increase the number of offences brought to justice with one placing more emphasis on serious offending. The latter target was subsequently removed in May 2010.

The reductions in the number of offenders receiving their first conviction or caution in England and Wales have been much sharper for juveniles – down 72 per cent since 2007. This reflects both the decreasing numbers of juveniles offenders reprimanded or issued with a warning since 2006, as discussed in Section 2.1, and the decreasing numbers of juveniles found guilty in all courts since 2007 as discussed in Section 4.1. However, per head of population, the rate of juvenile first time entrants remains higher than for adults.

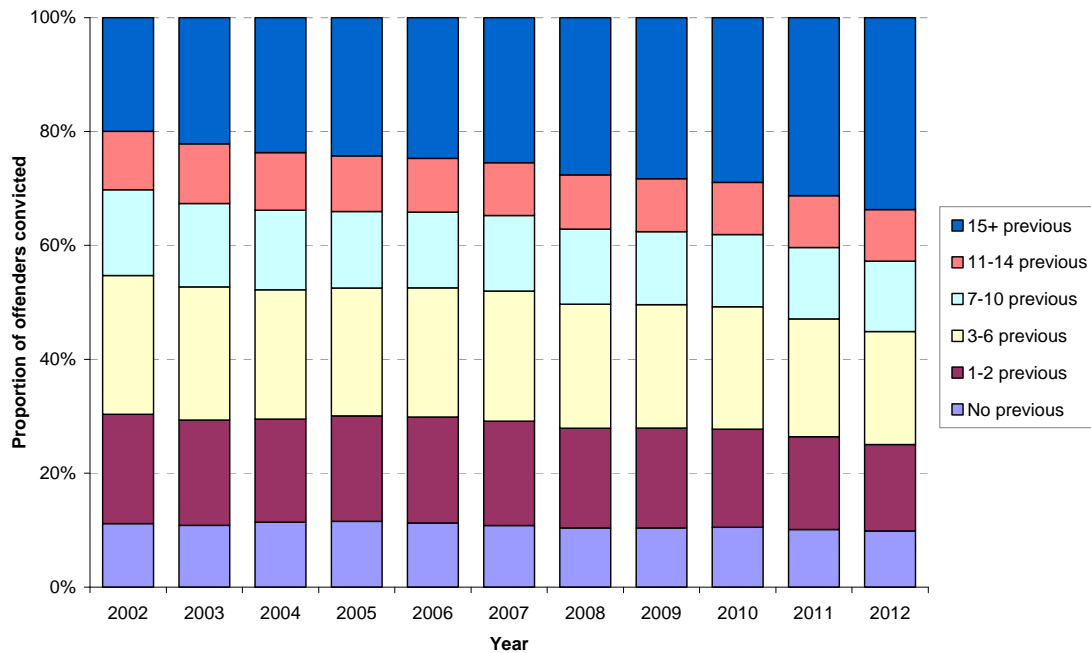
Figure 7.1 Change in number of juvenile and adult first time entrants to the criminal justice system, 2002 (index=100) to 2012



While the number of new entrants to the criminal justice system has fallen recently, the number and proportion of convicted offenders who have long criminal records has been increasing over the last 10 years.

During 2012, over 102 thousand offenders convicted of an indictable offence had 15 or more previous convictions or cautions at the time. This equates to around a third of all convicted offenders in the year and is up from a fifth in 2002 (67 thousand offenders).

Figure 7.2 Percentage of offenders convicted of indictable offences, by number of previous convictions or cautions, 2002 to 2012

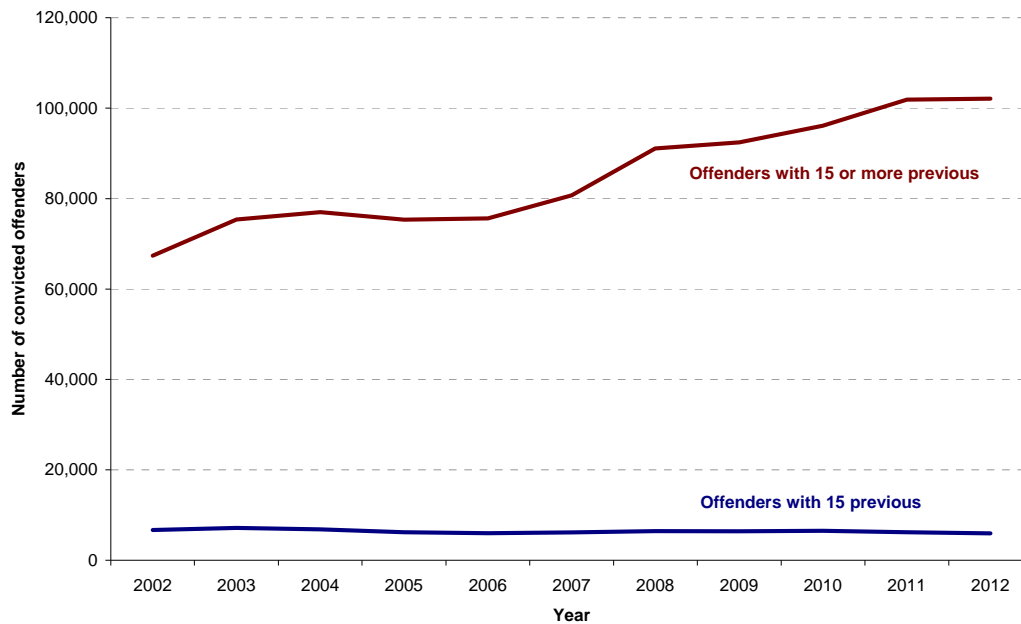


It is difficult to isolate any firm reasons for these increases in the number of prolific offenders convicted each year. However, it is interesting to note that the number of offenders entering this specific group (ie. receiving their 16th conviction or caution) has not shown the same level of increase over the last 10 years.

Indeed, as a proportion of all convicted offenders with 15 or more previous, the group receiving their 16th conviction or caution has been falling. This suggests that the increasing numbers of convictions for those with long criminal records are being driven by groups of offenders who already have in excess of 15 previous sanctions and not merely by those progressing from their 15th to their 16th offence.

More work is required in order to fully explore the reasons behind this increase in the number of prolific offenders convicted each year and we aim to include additional analyses on this topic in subsequent releases of this bulletin.

Figure 7.3 Number of offenders convicted of indictable offences with exactly 15, or 15 or more, previous convictions or cautions, 2002 to 2012



As might be expected, given that sentencing decisions will typically take into account previous offending history, the proportion of offenders receiving immediate custody for an indictable offence is higher for those groups of offenders with longer criminal histories. In 2012, 38 per cent of adults with 15 or more previous received a custodial sentence compared to 11 per cent for adults with no previous history of offending. The equivalent figures for juveniles were 40 per cent and 2 per cent respectively.

The most common disposal given in 2012 for offenders committing an indictable offence with no previous criminal history was a caution, with this accounting for 77 of juveniles in this group and 60 per cent of adults.

Figure 7.4 Flow chart showing number of adult offenders convicted of indictable offences in England and Wales in 2012, by previous criminal history and type of disposal received

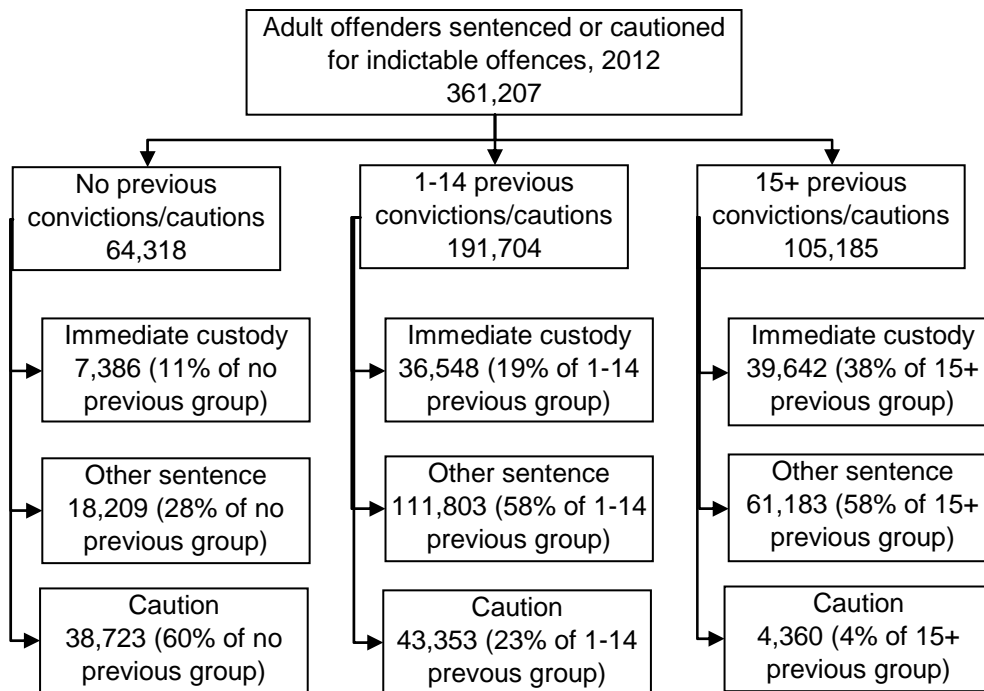


Figure 7.5 Flow chart showing number of juvenile offenders convicted of indictable offences in England and Wales in 2012, by previous criminal history and type of disposal received

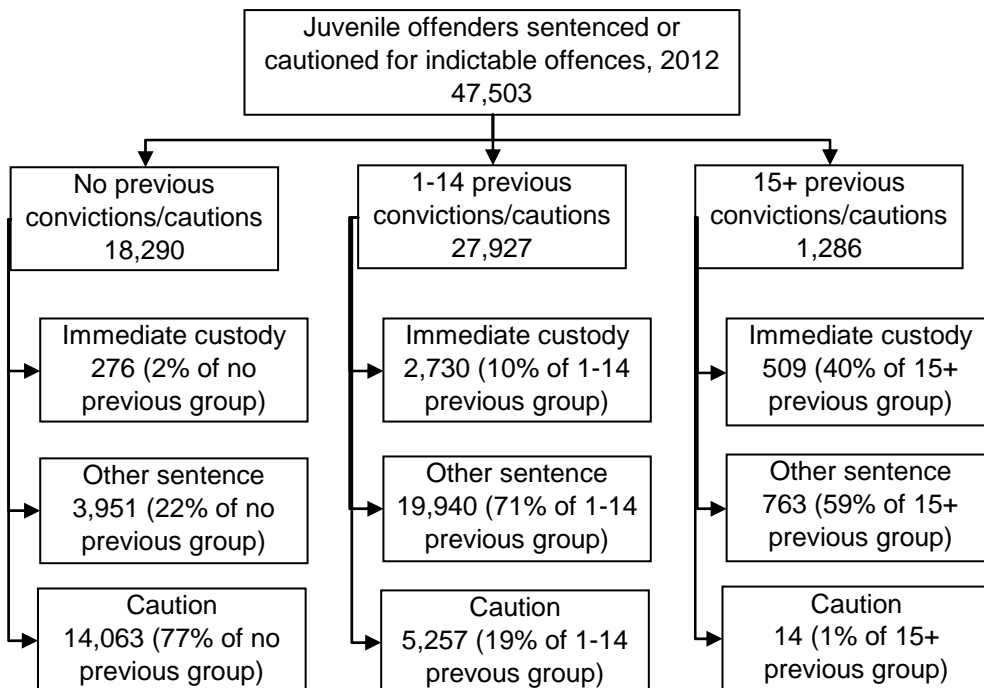


Table Q7.1 - First offences⁽¹⁾ and further offences⁽²⁾ committed by offenders of all ages and resulting in a reprimand, warning, caution or conviction, 2002 to 2012

Year	Number of offences and percentages								
	Males and females ⁽³⁾			Males			Females		
	First offences	Further offences	Total	First offences	Further offences	Total	First offences	Further offences	Total
	Number of offences								
2002	251,065	579,305	830,370	185,032	501,390	686,422	64,832	77,834	142,666
2003	261,123	606,565	867,688	191,572	523,421	714,993	68,001	83,030	151,031
2004	269,893	600,976	870,869	193,871	516,353	710,224	74,191	84,466	158,657
2005	298,348	604,366	902,714	211,882	518,733	730,615	84,513	85,440	169,953
2006	313,331	633,273	946,604	223,048	544,215	767,263	88,402	88,772	177,174
2007	313,399	671,439	984,838	221,425	574,641	796,066	90,078	96,419	186,497
2008	282,222	678,707	960,929	200,952	580,873	781,825	79,396	97,428	176,824
2009	253,624	664,623	918,247	178,452	569,029	747,481	73,138	95,130	168,268
2010	225,061	651,647	876,708	160,093	558,926	719,019	62,297	92,179	154,476
2011	202,451	635,468	837,919	145,731	545,021	690,752	54,555	89,799	144,354
2012	176,065	577,974	754,039	127,647	496,869	624,516	46,428	80,397	126,825
	Percentage of total								
2002	30.2	69.8	100.0	27.0	73.0	100.0	45.4	54.6	100.0
2003	30.1	69.9	100.0	26.8	73.2	100.0	45.0	55.0	100.0
2004	31.0	69.0	100.0	27.3	72.7	100.0	46.8	53.2	100.0
2005	33.1	66.9	100.0	29.0	71.0	100.0	49.7	50.3	100.0
2006	33.1	66.9	100.0	29.1	70.9	100.0	49.9	50.1	100.0
2007	31.8	68.2	100.0	27.8	72.2	100.0	48.3	51.7	100.0
2008	29.4	70.6	100.0	25.7	74.3	100.0	44.9	55.1	100.0
2009	27.6	72.4	100.0	23.9	76.1	100.0	43.5	56.5	100.0
2010	25.7	74.3	100.0	22.3	77.7	100.0	40.3	59.7	100.0
2011	24.2	75.8	100.0	21.1	78.9	100.0	37.8	62.2	100.0
2012	23.3	76.7	100.0	20.4	79.6	100.0	36.6	63.4	100.0

(1) The first occasion on which offenders received a reprimand, warning, caution or conviction for offences committed in England and Wales. Where there were multiple offences on the same occasion, the primary offence as recorded on the Police National Computer would be counted.

(2) Subsequent occasions on which offenders received a further reprimand, warning, caution or conviction for offences committed in England and Wales. Where there were multiple offences on the same occasion, the primary offence as recorded on the Police National Computer would be counted.

(3) Includes offenders whose gender is not recorded on the Police National Computer.

Table Q7.2 - Number of first time entrants to the criminal justice system⁽¹⁾, by gender and age group, 2002 to 2012, England and Wales

Year	Numbers of offenders								
	Males and females ⁽²⁾			Males			Females		
	Juveniles	Adults	All ages	Juveniles	Adults	All ages	Juveniles	Adults	All ages
2002	75,264	175,801	251,065	54,306	130,726	185,032	20,867	43,965	64,832
2003	77,058	184,065	261,123	54,996	136,576	191,572	21,971	46,030	68,001
2004	86,171	183,722	269,893	59,902	133,969	193,871	26,144	48,047	74,191
2005	98,359	199,989	298,348	67,208	144,674	211,882	30,970	53,543	84,513
2006	103,228	210,103	313,331	70,756	152,292	223,048	32,171	56,231	88,402
2007	101,192	212,207	313,399	68,637	152,788	221,425	32,193	57,885	90,078
2008	81,592	200,630	282,222	55,720	145,232	200,952	25,551	53,845	79,396
2009	65,267	188,357	253,624	43,552	134,900	178,452	21,482	51,656	73,138
2010	47,627	177,434	225,061	33,595	126,498	160,093	13,772	48,525	62,297
2011	37,787	164,664	202,451	27,889	117,842	145,731	9,697	44,858	54,555
2012	28,711	147,354	176,065	21,697	105,950	127,647	6,791	39,637	46,428

(1) Offenders recorded on the Police National Computer by an English or Welsh police force as having received their first conviction, caution, reprimand or warning for offences committed in England and Wales. Offences resulting in Penalty Notices for Disorder are not counted as first offences.

(2) Includes offenders whose gender is not recorded on the Police National Computer.

Table Q7.3 - First time entrants to the criminal justice system⁽¹⁾ as a rate per 100,000 of the population⁽²⁾, by gender and age group, 2002 to 2012

Year	Rates per 100,000 of the population								
	Males and females ⁽³⁾			Males			Females		
	Juveniles	Adults	All ages	Juveniles	Adults	All ages	Juveniles	Adults	All ages
2002	1,391	434	546	1,957	670	830	792	209	274
2003	1,411	451	564	1,967	694	853	825	218	286
2004	1,573	447	579	2,140	675	857	976	226	310
2005	1,793	483	636	2,400	724	929	1,154	250	351
2006	1,882	502	662	2,524	753	969	1,200	260	364
2007	1,850	503	657	2,451	748	954	1,206	266	368
2008	1,490	471	587	1,988	704	858	957	245	322
2009	1,197	438	523	1,562	647	755	806	233	295
2010	881	409	461	1,214	601	672	521	217	250
2011	705	376	412	1,015	554	607	371	199	217
2012	541	333	356	797	493	527	262	175	184

(1) Offenders recorded on the Police National Computer by an English or Welsh police force as having received their first conviction, caution, reprimand or warning for offences committed in England and Wales. Offences resulting in Penalty Notices for Disorder are not counted as first offences.

(2) Population has been based on mid-year population estimates for each age group supplied by the Office for National Statistics. The previous year's estimate has been used for calculating the rate in the subsequent year. For example, the 2001 mid-year estimate has been used for calculating the rate for 2002 and so on.

(3) Includes offenders whose gender is not recorded on the Police National Computer.

Table Q7.4 - Proportion of offenders sentenced or cautioned for indictable offences by previous criminal history and sentence received, 2012

Number of previous convictions / cautions ⁽³⁾	Number and percentage									
	Caution	Absolute discharge	Conditional discharge	Fine	Community sentence	Fully Suspended	Immediate custody	Other ⁽¹⁾	All Disposals(100%) ⁽²⁾	
Juveniles										
0	76.9	0.4	0.4	0.1	20.2		*	1.5	0.6	18,290
1-2	35.8	2.0	3.5	1.4	51.8		*	3.8	1.7	13,988
3-6	2.2	3.1	11.8	5.3	61.9		*	10.9	4.7	9,380
7-10	1.0	1.7	12.7	5.3	50.1		*	23.5	5.5	3,182
11-14	0.7	1.7	12.2	6.2	41.8		*	31.2	5.9	1,377
15+	1.1	2.6	10.1	4.7	34.6		*	39.6	7.1	1,286
All offenders	40.7	1.6	5.0	2.1	40.8		*	7.4	2.4	47,503
Adults										
0	60.2	0.1	4.3	4.6	10.1		7.7	11.5	1.5	64,318
1-2	37.7	0.2	9.8	12.7	16.0		8.5	12.5	2.7	59,345
3-6	21.0	0.2	9.9	18.5	20.4		9.2	17.6	3.3	64,485
7-10	12.4	0.2	10.0	19.2	20.8		9.0	24.3	4.1	39,175
11-14	9.1	0.2	10.4	18.1	20.1		9.0	28.7	4.4	28,699
15+	4.1	0.4	10.7	15.0	18.7		7.8	37.7	5.6	105,185
All offenders	23.9	0.2	9.2	14.1	17.3		8.4	23.1	3.7	361,207

(1) The 'Other' category includes some deferred sentences that the police will update on the Police National computer

(2) For juveniles the All disposals figures include fully suspended sentences, therefore the percentages may not add up to 100

(3) Figures are based on counting the number of occasions on which offenders have previously received a conviction, caution, reprimand or warning for any offences recorded on the Police National Computer, including some offences committed outside of England and Wales. Where there were multiple offences on the same occasion, only the primary offence as recorded on the Police National Computer would be counted.

Table Q7.5 - Offenders sentenced for indictable offences by previous criminal history and sentence received, 2002 to 2012

Disposal and number of previous convictions or cautions ⁽³⁾	Number and percentage of offenders										
	Year										
	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
Offenders of All ages											
Absolute discharge											
First time offenders	11.8	11.9	11.3	10.5	9.7	8.9	9.5	9.0	9.2	9.8	8.9
1-2 previous convictions/cautions	29.3	31.8	31.1	30.0	28.6	28.9	29.2	30.3	27.5	24.7	23.0
3-6 previous convictions/cautions	22.7	23.0	24.6	24.6	26.2	25.4	25.3	26.4	27.3	25.1	26.0
7-10 previous convictions/cautions	11.1	10.0	9.6	10.0	9.7	9.8	8.7	7.1	9.5	7.7	8.1
11-14 previous convictions/cautions	8.4	7.5	6.2	5.9	6.1	6.8	6.4	6.2	6.6	6.1	5.3
15 or more previous convictions/cautions	16.8	15.7	17.2	19.1	19.6	20.2	20.9	21.1	19.9	26.7	28.8
All offenders (100%)	2,590	2,901	2,505	2,146	2,077	2,196	1,855	1,619	1,755	1,732	1,599
Conditional discharge											
First time offenders	12.8	11.7	12.0	11.9	11.5	10.6	9.2	9.4	9.7	8.7	7.9
1-2 previous convictions/cautions	23.4	21.5	21.0	20.2	20.2	19.5	19.7	19.6	20.1	19.1	17.8
3-6 previous convictions/cautions	24.3	24.1	23.6	22.9	23.3	23.5	22.9	22.6	22.5	21.8	21.1
7-10 previous convictions/cautions	13.6	13.8	13.2	13.1	12.7	12.8	12.7	12.3	12.1	12.4	12.2
11-14 previous convictions/cautions	8.9	9.3	9.1	9.2	9.0	8.9	9.2	8.9	8.7	8.8	8.9
15 or more previous convictions/cautions	17.1	19.8	21.0	22.7	23.3	24.8	26.3	27.1	26.9	29.3	32.1
All offenders (100%)	47,873	49,698	44,661	40,976	37,111	37,327	35,924	35,077	37,649	36,153	35,454
Fine											
First time offenders	8.7	8.6	9.2	9.2	8.8	7.8	6.9	6.3	6.2	5.8	5.8
1-2 previous convictions/cautions	20.1	19.0	17.9	18.1	18.4	17.9	16.7	16.9	17.0	15.9	14.8
3-6 previous convictions/cautions	27.8	27.4	26.4	26.1	26.0	26.3	25.6	25.4	25.4	24.8	23.9
7-10 previous convictions/cautions	15.4	15.3	14.9	14.7	14.6	14.8	15.2	15.0	14.8	14.7	14.8
11-14 previous convictions/cautions	9.6	9.9	9.8	9.8	9.5	9.6	10.2	9.9	10.2	10.3	10.2
15 or more previous convictions/cautions	18.5	19.8	21.7	22.0	22.8	23.6	25.5	26.5	26.5	28.5	30.5
All offenders (100%)	76,763	77,958	65,514	57,116	50,175	49,767	53,606	56,234	58,250	57,592	51,888
Community sentence											
First time offenders	13.8	13.8	14.2	14.1	13.2	11.9	11.3	11.6	12.5	12.7	12.4
1-2 previous convictions/cautions	25.2	25.2	25.1	26.3	27.3	27.0	25.3	24.2	23.1	22.2	20.4
3-6 previous convictions/cautions	27.4	25.8	25.4	25.8	26.6	27.2	26.0	25.4	24.9	24.1	23.1
7-10 previous convictions/cautions	13.3	13.0	12.3	11.6	11.8	11.8	12.0	11.6	11.7	11.8	11.9
11-14 previous convictions/cautions	7.8	7.9	7.7	7.3	6.8	6.9	7.2	7.5	7.3	7.6	7.8
15 or more previous convictions/cautions	12.6	14.2	15.2	14.9	14.2	15.3	18.1	19.7	20.4	21.7	24.5
All offenders (100%)	107,330	105,923	107,381	105,788	98,504	100,057	101,451	98,500	96,531	91,078	81,990
Fully suspended											
First time offenders	29.6	27.8	28.1	16.4	14.3	14.0	14.9	15.4	16.1	16.5	16.4
1-2 previous convictions/cautions	17.3	16.9	15.4	13.4	15.2	16.2	17.1	17.6	17.9	17.9	16.7
3-6 previous convictions/cautions	18.7	18.1	19.7	19.3	20.8	21.5	20.3	20.4	21.1	20.1	19.7
7-10 previous convictions/cautions	11.6	11.7	11.1	13.8	13.7	13.5	13.0	12.5	12.2	11.9	11.7
11-14 previous convictions/cautions	8.2	8.1	7.6	10.7	9.9	9.4	9.1	8.8	8.5	8.2	8.5
15 or more previous convictions/cautions	14.8	17.4	18.0	26.5	26.2	25.3	25.5	25.3	24.1	25.5	27.0
All offenders (100%)	2,023	2,172	2,305	7,001	22,612	29,332	30,979	31,342	31,596	30,356	30,298
Immediate custody											
First time offenders	9.2	8.9	9.5	10.0	10.0	10.7	10.4	10.2	9.7	9.0	8.8
1-2 previous convictions/cautions	9.1	8.5	8.7	9.1	9.2	9.2	9.2	9.9	9.9	9.6	9.1
3-6 previous convictions/cautions	17.9	16.6	16.2	15.9	16.2	16.0	15.2	15.5	15.3	14.9	14.2
7-10 previous convictions/cautions	17.6	16.6	15.6	14.8	14.4	14.1	13.5	13.2	12.7	12.2	11.8
11-14 previous convictions/cautions	14.6	14.7	13.7	13.0	12.5	11.9	11.9	11.3	11.0	10.4	10.0
15 or more previous convictions/cautions	31.7	34.8	36.2	37.2	37.8	38.1	39.8	39.9	41.4	43.9	46.1
All offenders (100%)	86,528	87,684	89,482	85,209	83,860	85,532	92,866	89,213	88,345	92,330	87,091
Other⁽¹⁾											
First time offenders	8.4	7.4	7.5	7.9	8.2	8.8	9.9	10.7	9.2	8.6	7.4
1-2 previous convictions/cautions	14.7	14.0	13.6	14.0	13.9	13.0	13.5	15.1	14.7	13.0	12.6
3-6 previous convictions/cautions	24.3	23.5	23.0	21.8	22.5	22.2	20.0	20.0	19.3	18.8	17.6
7-10 previous convictions/cautions	16.9	15.8	15.2	14.7	15.0	14.4	13.4	12.8	12.9	12.4	12.2
11-14 previous convictions/cautions	12.0	12.3	11.7	11.6	10.8	10.4	10.3	9.6	9.5	9.1	9.1
15 or more previous convictions/cautions	23.6	27.0	29.0	29.9	29.6	31.2	32.8	31.9	34.4	38.0	41.2
All offenders (100%)	14,343	13,706	12,988	12,330	11,764	12,701	13,155	14,987	18,119	16,959	14,620
All disposals											
First time offenders	11.2	10.9	11.4	11.5	11.3	10.8	10.4	10.4	10.5	10.1	9.8
1-2 previous convictions/cautions	19.2	18.5	18.1	18.5	18.6	18.3	17.5	17.5	17.3	16.3	15.2
3-6 previous convictions/cautions	24.4	23.4	22.7	22.5	22.7	22.8	21.8	21.7	21.5	20.7	19.8
7-10 previous convictions/cautions	15.0	14.6	14.0	13.4	13.3	13.3	13.2	12.8	12.6	12.5	12.4
11-14 previous convictions/cautions	10.3	10.5	10.1	9.8	9.4	9.3	9.5	9.3	9.2	9.1	9.1
15 or more previous convictions/cautions	20.0	22.2	23.7	24.3	24.7	25.5	27.6	28.3	28.9	31.2	33.7
Total offenders of All ages (100%)	337,450	340,042	324,836	310,566	306,103	316,912	329,836	326,972	332,245	326,200	302,940

Disposal and number of previous convictions or cautions ⁽³⁾	Year										
	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
Juvenile offenders											
Absolute discharge											
First time offenders	15.0	15.6	12.5	10.9	10.0	9.4	8.3	7.9	8.1	9.7	8.8
1-2 previous convictions/cautions	51.4	53.4	47.6	45.6	43.9	44.5	44.7	44.3	38.7	39.2	37.0
3-6 previous convictions/cautions	24.4	23.4	31.0	31.7	34.2	32.3	34.6	35.6	36.8	35.8	39.1
7-10 previous convictions/cautions	5.8	4.1	5.2	6.8	7.0	7.2	5.9	6.0	8.1	7.0	7.5
11-14 previous convictions/cautions	2.0	2.0	2.2	2.7	3.0	4.3	3.6	2.7	4.8	3.6	3.1
15 or more previous convictions/cautions	1.4	1.6	1.4	2.3	2.0	2.3	2.8	3.5	3.6	4.8	4.5
All juvenile offenders (100%)	1,069	1,401	1,331	1,132	1,092	1,187	999	896	981	860	737
Conditional discharge											
First time offenders	10.3	5.8	5.0	5.3	5.4	4.2	3.2	2.8	3.1	2.4	2.8
1-2 previous convictions/cautions	33.7	25.6	26.1	24.7	24.0	22.7	21.8	20.4	20.1	18.8	20.6
3-6 previous convictions/cautions	37.7	45.2	46.4	46.4	46.4	47.9	47.8	48.2	47.2	47.7	46.8
7-10 previous convictions/cautions	11.7	14.7	14.1	15.7	15.1	15.6	16.7	16.2	17.0	16.7	17.2
11-14 previous convictions/cautions	4.6	5.5	5.4	5.3	6.0	6.8	6.8	7.6	7.2	7.6	7.1
15 or more previous convictions/cautions	2.1	3.1	2.9	2.7	3.1	2.9	3.7	4.9	5.3	6.8	5.5
All juvenile offenders (100%)	4,572	3,743	3,874	3,728	3,604	3,673	3,403	3,230	3,271	2,954	2,358
Fine											
First time offenders	3.5	2.1	2.3	2.6	2.0	2.0	1.9	1.4	1.4	1.0	1.5
1-2 previous convictions/cautions	30.5	23.5	24.5	24.4	24.1	22.8	19.7	17.6	19.4	19.2	18.8
3-6 previous convictions/cautions	47.5	52.2	51.2	49.9	49.3	50.1	50.6	51.2	48.1	50.8	48.8
7-10 previous convictions/cautions	12.5	15.1	15.0	15.3	15.9	16.2	17.5	18.9	18.2	17.8	16.6
11-14 previous convictions/cautions	4.6	5.0	4.7	5.0	5.4	6.0	6.3	6.3	8.2	5.8	8.5
15 or more previous convictions/cautions	1.3	2.1	2.3	2.9	3.3	2.8	4.0	4.6	4.9	5.5	5.9
All juvenile offenders (100%)	4,315	3,549	3,208	3,045	2,452	2,554	2,435	2,023	1,751	1,440	1,015
Community sentence											
First time offenders	14.7	14.6	15.1	14.4	13.3	12.3	12.3	13.2	15.1	18.3	19.1
1-2 previous convictions/cautions	41.5	43.1	43.0	43.3	42.6	41.3	40.6	40.3	38.8	38.0	37.4
3-6 previous convictions/cautions	32.0	30.9	31.0	31.4	32.2	33.5	33.1	32.7	32.3	31.0	30.0
7-10 previous convictions/cautions	8.4	7.9	7.6	7.3	8.3	8.7	8.9	8.4	8.4	7.7	8.2
11-14 previous convictions/cautions	2.5	2.5	2.2	2.4	2.4	2.9	3.3	3.2	3.1	2.9	3.0
15 or more previous convictions/cautions	0.9	1.0	1.1	1.2	1.2	1.3	1.7	2.1	2.3	2.2	2.3
All juvenile offenders (100%)	34,278	33,971	34,851	37,056	37,580	39,680	36,069	31,621	27,800	24,071	19,363
Immediate custody											
First time offenders	7.1	6.0	6.3	5.6	5.3	5.7	6.0	6.8	6.9	7.4	7.9
1-2 previous convictions/cautions	15.6	15.3	15.3	14.5	14.8	14.1	14.9	15.2	14.2	14.5	15.1
3-6 previous convictions/cautions	34.8	34.5	34.5	33.2	32.8	32.4	31.9	30.0	31.5	30.3	29.1
7-10 previous convictions/cautions	24.6	24.6	23.7	24.7	25.5	25.0	23.1	21.7	21.6	20.9	21.3
11-14 previous convictions/cautions	11.8	12.4	12.5	13.1	12.5	13.9	13.6	13.3	12.7	13.0	12.2
15 or more previous convictions/cautions	6.0	7.2	7.7	9.0	9.1	8.9	10.4	12.9	13.2	13.8	14.5
All juvenile offenders (100%)	6,437	5,853	6,445	6,435	6,830	6,834	6,688	5,414	4,952	5,009	3,515
Other⁽¹⁾											
First time offenders	8.5	6.0	6.1	5.9	6.2	5.5	6.5	9.4	10.1	10.9	9.4
1-2 previous convictions/cautions	27.2	26.0	23.7	25.9	23.1	20.6	21.3	27.4	25.5	22.9	21.4
3-6 previous convictions/cautions	40.1	41.8	42.7	40.2	42.0	44.4	38.9	34.8	33.7	34.2	38.9
7-10 previous convictions/cautions	15.9	15.5	16.0	17.0	17.5	17.3	17.6	15.3	15.9	15.6	15.2
11-14 previous convictions/cautions	6.0	6.8	7.2	7.5	7.5	7.6	8.9	7.3	8.6	8.4	7.1
15 or more previous convictions/cautions	2.3	3.9	4.3	3.6	3.7	4.5	6.8	5.8	6.2	8.0	8.0
All juvenile offenders (100%)	2,134	1,822	1,811	1,743	1,819	1,853	1,739	2,182	2,412	1,892	1,141
All disposals⁽²⁾											
First time offenders	12.2	11.8	12.0	11.7	10.9	10.2	10.1	10.9	12.1	14.2	15.0
1-2 previous convictions/cautions	36.4	36.8	36.5	36.9	36.2	35.2	34.4	34.3	32.7	31.7	31.9
3-6 previous convictions/cautions	34.3	34.1	34.3	34.0	34.4	35.4	35.0	34.5	34.3	33.3	32.6
7-10 previous convictions/cautions	11.2	11.0	10.8	10.8	11.6	11.8	11.9	11.3	11.5	11.1	11.2
11-14 previous convictions/cautions	4.1	4.2	4.1	4.2	4.3	4.8	5.2	5.1	5.1	5.1	4.9
15 or more previous convictions/cautions	1.7	2.1	2.2	2.4	2.6	2.5	3.3	3.9	4.2	4.7	4.5
Total All juvenile offenders (100%)	52,806	50,339	51,525	53,183	53,462	55,897	51,458	45,466	41,238	36,298	28,169

Disposal and number of previous convictions or cautions ⁽³⁾	Year										
	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
Adult offenders											
Absolute discharge											
First time offenders	9.6	8.5	10.0	10.1	9.4	8.3	11.0	10.2	10.7	9.9	8.9
1-2 previous convictions/cautions	13.7	11.7	12.3	12.5	11.7	10.5	11.1	12.9	13.2	10.3	10.9
3-6 previous convictions/cautions	21.4	22.6	17.3	16.6	17.4	17.3	14.4	15.1	15.2	14.4	14.7
7-10 previous convictions/cautions	14.8	15.6	14.7	13.6	12.8	12.8	12.0	8.4	11.4	8.4	8.7
11-14 previous convictions/cautions	12.9	12.7	10.8	9.5	9.5	9.7	9.6	10.5	8.9	8.6	7.1
15 or more previous convictions/cautions	27.5	28.9	35.0	37.8	39.2	41.3	41.9	42.9	40.6	48.4	49.7
All adult offenders (100%)	1,521	1,500	1,174	1,014	985	1,009	856	723	774	872	862
Conditional discharge											
First time offenders	13.0	12.1	12.7	12.5	12.1	11.3	9.9	10.0	10.3	9.3	8.3
1-2 previous convictions/cautions	22.3	21.1	20.5	19.8	19.8	19.1	19.5	19.6	20.0	19.1	17.6
3-6 previous convictions/cautions	22.9	22.4	21.5	20.5	20.8	20.8	20.3	20.0	20.2	19.5	19.2
7-10 previous convictions/cautions	13.8	13.7	13.1	12.9	12.5	12.5	12.3	12.0	11.6	12.0	11.8
11-14 previous convictions/cautions	9.3	9.6	9.5	9.6	9.3	9.2	9.4	9.1	8.8	8.9	9.0
15 or more previous convictions/cautions	18.7	21.1	22.7	24.7	25.5	27.2	28.6	29.4	29.0	31.3	34.0
All adult offenders (100%)	43,301	45,955	40,787	37,248	33,507	33,654	32,521	31,847	34,378	33,199	33,096
Fine											
First time offenders	9.0	8.9	9.6	9.6	9.1	8.1	7.1	6.5	6.4	5.9	5.9
1-2 previous convictions/cautions	19.4	18.7	17.6	17.8	18.1	17.6	16.5	16.9	16.9	15.8	14.8
3-6 previous convictions/cautions	26.6	26.2	25.1	24.8	24.8	25.0	24.4	24.4	24.7	24.1	23.4
7-10 previous convictions/cautions	15.6	15.3	14.9	14.7	14.5	14.8	15.0	14.8	14.7	14.6	14.8
11-14 previous convictions/cautions	9.8	10.2	10.1	10.1	9.7	9.8	10.4	10.0	10.2	10.4	10.2
15 or more previous convictions/cautions	19.5	20.7	22.7	23.1	23.8	24.7	26.5	27.3	27.2	29.1	31.0
All adult offenders (100%)	72,448	74,409	62,306	54,071	47,723	47,213	51,171	54,211	56,499	56,152	50,873
Community sentence											
First time offenders	13.5	13.5	13.8	13.9	13.2	11.6	10.8	10.9	11.4	10.7	10.3
1-2 previous convictions/cautions	17.5	16.8	16.5	17.1	17.9	17.6	16.9	16.6	16.8	16.5	15.1
3-6 previous convictions/cautions	25.2	23.4	22.8	22.8	23.2	23.0	22.0	21.9	21.9	21.6	21.0
7-10 previous convictions/cautions	15.6	15.5	14.6	14.0	13.9	13.8	13.8	13.1	13.0	13.2	13.0
11-14 previous convictions/cautions	10.3	10.4	10.3	10.0	9.5	9.5	9.4	9.5	9.0	9.3	9.2
15 or more previous convictions/cautions	18.0	20.4	22.0	22.3	22.3	24.5	27.1	27.9	27.8	28.7	31.3
All adult offenders (100%)	73,052	71,952	72,530	68,732	60,924	60,377	65,382	66,879	68,731	67,007	62,627
Fully suspended											
First time offenders	29.6	27.8	28.1	16.5	14.3	14.1	14.9	15.4	16.1	16.5	16.4
1-2 previous convictions/cautions	17.2	16.9	15.4	13.3	15.2	16.2	17.1	17.6	17.9	17.9	16.7
3-6 previous convictions/cautions	18.7	18.1	19.7	19.1	20.8	21.4	20.3	20.3	21.1	20.0	19.7
7-10 previous convictions/cautions	11.6	11.7	11.1	13.7	13.6	13.5	13.0	12.5	12.2	11.9	11.7
11-14 previous convictions/cautions	8.2	8.1	7.6	10.8	9.9	9.4	9.1	8.8	8.6	8.2	8.5
15 or more previous convictions/cautions	14.8	17.4	18.0	26.6	26.2	25.4	25.6	25.4	24.2	25.5	27.0
All adult offenders (100%)	2,022	2,172	2,300	6,957	22,527	29,216	30,854	31,242	31,525	30,284	30,258
Immediate custody											
First time offenders	9.3	9.1	9.7	10.3	10.4	11.1	10.8	10.4	9.9	9.1	8.8
1-2 previous convictions/cautions	8.6	8.0	8.2	8.7	8.7	8.8	8.7	9.6	9.7	9.3	8.9
3-6 previous convictions/cautions	16.6	15.3	14.8	14.5	14.7	14.5	13.9	14.5	14.3	14.0	13.6
7-10 previous convictions/cautions	17.0	16.0	15.0	14.0	13.4	13.1	12.8	12.7	12.1	11.7	11.4
11-14 previous convictions/cautions	14.8	14.8	13.8	13.0	12.5	11.8	11.8	11.1	10.9	10.3	9.9
15 or more previous convictions/cautions	33.7	36.8	38.4	39.6	40.4	40.7	42.1	41.7	43.1	45.6	47.4
All adult offenders (100%)	80,091	81,831	83,037	78,774	77,030	78,698	86,178	83,799	83,393	87,321	83,576
Other⁽¹⁾											
First time offenders	8.4	7.6	7.7	8.3	8.6	9.3	10.4	10.9	9.1	8.3	7.2
1-2 previous convictions/cautions	12.5	12.2	12.0	12.0	12.2	11.7	12.3	13.0	13.1	11.8	11.8
3-6 previous convictions/cautions	21.6	20.7	19.8	18.8	19.0	18.4	17.2	17.5	17.0	16.9	15.8
7-10 previous convictions/cautions	17.1	15.8	15.0	14.4	14.5	13.9	12.8	12.3	12.4	12.0	11.9
11-14 previous convictions/cautions	13.0	13.2	12.4	12.3	11.4	10.9	10.6	10.0	9.6	9.2	9.3
15 or more previous convictions/cautions	27.3	30.5	33.0	34.3	34.3	35.8	36.8	36.3	38.7	41.8	44.0
All adult offenders (100%)	12,209	11,884	11,177	10,587	9,945	10,848	11,416	12,805	15,707	15,067	13,479
All disposals											
First time offenders	11.0	10.7	11.3	11.5	11.3	10.9	10.4	10.3	10.3	9.6	9.3
1-2 previous convictions/cautions	16.0	15.3	14.6	14.7	14.9	14.7	14.4	14.8	15.1	14.4	13.5
3-6 previous convictions/cautions	22.6	21.5	20.5	20.1	20.2	20.1	19.3	19.6	19.7	19.1	18.5
7-10 previous convictions/cautions	15.7	15.3	14.6	14.0	13.7	13.6	13.4	13.1	12.8	12.7	12.5
11-14 previous convictions/cautions	11.4	11.6	11.3	11.0	10.5	10.3	10.3	10.0	9.8	9.6	9.5
15 or more previous convictions/cautions	23.3	25.7	27.7	28.8	29.4	30.4	32.1	32.2	32.4	34.6	36.7
Total All adult offenders (100%)	284,644	289,703	273,311	257,383	252,641	261,015	278,378	281,506	291,007	289,902	274,771

(1) For 2012, the 'Other' category includes some deferred sentences that the police will update on the Police National Computer at a later date when the final decision is known.

(2) For juveniles the All disposals figures include fully suspended sentences.

(3) Figures are based on counting the number of occasions on which offenders have previously received a conviction, caution, reprimand or warning for any offences recorded on the Police National Computer, including some offences committed outside of England and Wales. Where there were multiple offences on the same occasion, only the primary offence as recorded on the Police National Computer would be counted.

Guest chapter – criminal offences introduced in 2012

In 2012, a number of new criminal offences were introduced in England and Wales. This chapter summarises the court activity during 2012 relating to a range of these new offences.

Causing serious injury by dangerous driving

A new offence of causing serious injury by dangerous driving was introduced by Section 139AA of the Road Traffic Act 1988, as inserted by Section 143 of the LASPO Act 2012, which commenced on 3rd December 2012. Between this point and the end of December 2012, one defendant was proceeded against at magistrates' court for this offence. The defendant was found guilty at the magistrates' court, and sentenced to immediate custody.

Stalking

There were new triable-either-way offences for stalking introduced by Sections 4A of the Protection from Harassment Act 1997, as inserted by Section 111 of the Protection of Freedoms Act 2012, which commenced on 25th November 2012. Between this point and the end of December 2012, there were no defendants proceeded against under this legislation.

Possession of mobile phones in prison

A new offence of the unauthorised possession in a prison of mobile phones, other electronic communications devices and related items was introduced by Section 40D of the Prison Act 1952, as inserted by Section 45 of the Crime and Security Act 2010, which commenced on 26th March 2012. Between this point and the end of December 2012, 110 defendants were proceeded against at magistrates' courts for this offence. Over the same period, 93 offenders were found guilty of the offence at all courts, and 81 offenders were sentenced. Of these offenders:

- 71 were sentenced to immediate custody;
- two were given a suspended sentence order;
- one was issued a fine;
- one was given a community sentence;
- five were given a conditional discharge;
- one was otherwise dealt with.

'Squatting'

A new 'squatting' offence (knowingly as a trespasser living or intending to live in a residential building) was introduced by Section 144 of the Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act, which commenced on 1st September 2012. Between this point and the end of December 2012, 38 defendants were proceeded against at magistrates' courts for this offence. Over the same period, 32 offenders were found guilty of and sentenced for the offence at all courts. Of these offenders:

- 14 were issued a fine;
- 10 were given a conditional discharge;
- five were given a community sentence;
- one was sentenced to immediate custody;
- two were otherwise dealt with.

Payment for scrap metal

A new offence for scrap metal dealers paying for scrap metal other than by cheque or electronic transfer of funds was introduced by Section 3A of the Scrap Metal Dealers Act 1964, as inserted by the Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act, which commenced on 3rd December 2012. Between this point and the end of December 2012, there were no defendants proceeded against under this legislation.

New offensive weapon and knife offences

New offences of threatening with an offensive weapon or a blade or sharply pointed article in a public place or on school premises were introduced by Section 1A of the Prevention of Crime Act 1953 and Section 139AA of the Criminal Justice Act 1988, as inserted by the Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act, which all commenced on 3rd December 2012.

Court activity relating to these new offences has not been covered here and will instead be included in the next *Knife possession sentencing quarterly* brief, currently scheduled for release on 6 June 2013.

Out of court disposals for the above

Note there were no cautions administered for any of the new offences discussed above.

Explanatory notes

The statistics in this bulletin relate to cases in the Crown and magistrates' courts in England and Wales during 12 months ending December 2012. This bulletin subsumes a number of previous bulletins including Criminal Statistics: England & Wales, Quarterly Sentencing Statistics, and Young people aged 10-17 receiving their first reprimand, warning or conviction.

Symbols and conventions

The following symbols have been used throughout the tables in this bulletin:

- = Nil
- * = Not applicable
- .. = Not available
- (R) = Revised data
- (P) = Provisional data

Guidance on tables and supplementary volumes

This bulletin is supported by a range of Excel spreadsheet workbooks, presenting statistics for the latest rolling twelve month reference period, alongside back series for previous years where applicable.

The supporting Excel workbooks are numbered to relate to each chapter in the bulletin – for example, “2 Out of court disposals.xls” contains a range of tables providing statistics supporting the commentary in Chapter 2. The main tables in each workbook are reproduced within this bulletin to support the commentary text, and additional detailed tables are available in the supporting workbooks.

As part of the final release of calendar year data (year ending December), additional “supplementary volume” annexes are published containing more detailed breakdowns of criminal justice statistics. The content of these supplementary volumes, published as Excel spreadsheet workbooks, is summarised as follows:

- **Volume 1** – *Proceedings in magistrates' courts* – breakdowns of defendants proceeded against at magistrates' courts, by age, offence, sex, and result; breakdowns of sentences given at magistrates' courts, by age, offence, and sex.
- **Volume 2** – *Proceedings in the Crown Court* – breakdowns of defendants tried and/or sentenced at the Crown Court, by age, offence, sex and result, and separately by Crown Court; breakdowns of sentences given at the Crown Court, by age, offence, and sex.
- **Volume 3** – *Cautions, Penalty Notice for Disorder (PND) and Offences Brought to Justice (OBTJ)* – breakdowns of defendants proceeded against and offenders found guilty at magistrates' courts, by police force area, sex and offence category; breakdowns of defendants tried and/or sentenced at the Crown Court and offenders found guilty at the Crown Court, by police force area, sex and offence category; persons cautioned by police force area, offence, sex and age; number of offences brought to justice, by police force area; Penalty Notices for Disorder (PNDs) issued by police force area and

month, and by offence type; PND outcomes by police force area and by offence type.

- **Volume 4** – *Various offences* – breakdowns of prosecutions and sentences, with sentence disposal, for various offence groups, by criminal justice area (indictable offences totals broken down by age and sex).
- **Volume 5** – *Proceedings at all courts* – breakdowns of defendants proceeded, found guilty and sentenced at all courts, by age, offence, sex, and result.
- **Volume 6** – *Motoring* – breakdowns of proceedings, findings of guilt and sentence outcomes, separately for magistrates' courts and Crown Courts, for detailed motoring offences, by age and sex; driving licence endorsements and disqualifications imposed at magistrates' courts and Crown Courts; findings of guilt for drink or drug driving offences, by age group; breakdowns of proceedings and findings of guilt for detailed motoring offences by police force area.

In addition to the supplementary volumes, and in line with the Ministry of Justice's commitment to provide information in a reusable format, four CSV files are published containing raw data for further manipulation by users. The first three of these CSV files contain prosecutions, convictions, and sentencing outcomes by offence class, offence group, gender and age band, at all courts, magistrates' courts and Crown Courts respectively. The fourth CSV file contains data on persons cautioned by offence class, offence group, gender and age band.

Finally, two files are released containing detailed disaggregated data, as follows:

- A court level sentencing breakdown, including convictions and sentencing outcomes, by grouped offence classifications, by police force area and court, for a run of recent years;
- Record level sentencing information for adult offenders, including offender age group, gender and ethnicity, sentencing outcome, offence type, police force area and court, and banded time from offence to completion (where known).

All these workbooks and CSV files can be accessed at:

www.gov.uk/government/publications/criminal-justice-statistics-quarterly-update-to-december-2012

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General information about the official statistics system of the UK is available from: www.statistics.gov.uk

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