



Ministry of  
**JUSTICE**



**Criminal Justice Statistics**  
**Quarterly Update to December 2011**  
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# Contents

Contents.....	1
Introduction .....	2
Main findings.....	3
Out of court disposals .....	22
Court proceedings.....	31
Remands.....	32
Offenders found guilty .....	43
Sentencing .....	50
Sentence outcomes for all offences .....	50
Sentence outcomes by age band.....	53
Offenders sentenced by ethnicity.....	54
Sentence outcomes and offence types by gender .....	54
Offences.....	65
Offending histories .....	71
First time entrants to Criminal Justice system.....	73
Criminal histories.....	74
Explanatory notes .....	82
Contacts.....	83

## 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 2011 to December 2011) with accompanying commentary, analysis and presentation of longer term trends.

The information in this publication for 2011 in relation to court proceedings and outcomes is provisional. The total numbers of convictions and associated sentences for principal offences at the Crown Court in 2011 reported in this statistical release differ from the totals reported in the Sentencing Council's publication 'Crown Court Sentencing Survey, 2011'<sup>1</sup>. The latter presents statistics from an ongoing data collection exercise of sentencing decisions made in the Crown Court. Further details are provided on page 50.

Alongside the publication is a technical document titled "A Guide to Criminal Justice Statistics". This document 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.justice.gov.uk/statistics/criminal-justice/criminal-justice-statistics](http://www.justice.gov.uk/statistics/criminal-justice/criminal-justice-statistics)

Where appropriate, comparisons are made between different sources covering activity in the CJS. In particular, comparisons are made to numbers of crimes recorded by the police (often the starting point for crimes dealt with by other CJS agencies) rather than estimates from the Crime Survey for England and Wales (known until 1 April 2012 as the British Crime Survey). The Crime Survey for England and Wales provides robust estimates of trends in crimes against the population resident in households, including those never reported to the police, but excludes other crimes such as those against businesses or so-called 'victimless' crime. Therefore police recorded crime provides a more meaningful comparison for measures relating to the wider CJS. 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.

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 Criminal Justice System.

Information about the symbols and conventions used in the bulletin are given 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.**

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<sup>1</sup>[sentencingcouncil.judiciary.gov.uk/facts/sentencing-survey.htm](http://sentencingcouncil.judiciary.gov.uk/facts/sentencing-survey.htm)

# Main findings

## Overview of the Criminal Justice System in 2011

In the calendar year 2011, there were 2.00 million individuals<sup>2</sup> given an out of court disposal or proceeded against at court. This compares with 2.12 million individuals in the calendar year 2010, a decline of 5.7 per cent. This included a 5.7 per cent fall in the use of out of court disposals (from 466,000 to 439,400) – continuing the fall in use of out of court disposals since 2007.

There was also a 5.7 per cent fall in the number of defendants proceeded against at court (from 1,653,200 to 1,559,000). This continues the decrease observed since 2004, which has been driven by falls in prosecutions for summary offences, which have fallen by 27.0 per cent since 2004. Prosecutions for indictable offences have fallen by 8.7 per cent since 2004 and are higher now than in 2007 and 2008.

Since 2004, convictions for summary offences have fallen largely in line with trends in prosecutions. Convictions for indictable offences have not followed this pattern however, and since 2001 have fluctuated between 303,000 and 351,000, giving a broadly flat trend in convictions for indictable offences over the last decade.

**Table Q1.1: Activity in the Criminal Justice System, 2007 to 2011**

England and Wales						Percentage change 2010 to 2011
	2007	2008	2009	2010	2011	
<b>Out of court disposals</b>	669,914	612,402	526,022	465,979	439,373	-5.7%
<i>Cannabis warnings</i>	99,475	108,346	64,984	82,379 <sup>(P)</sup>	79,657 <sup>(P)</sup>	-3.3%
<i>Penalty Notices for Disorder <sup>(1)</sup></i>	207,544	176,164	170,393	140,769	127,530	-9.4%
<i>Cautions</i>	362,895	327,892	290,645	242,831	232,186	-4.4%
<b>Defendants proceeded against</b>	1,732,506	1,640,023	1,694,410	1,653,190	1,558,965	-5.7%
<i>Indictable offences <sup>(2)</sup></i>	404,855	397,450	415,616	438,026	414,003	-5.5%
<i>Summary offences</i>	1,327,651	1,242,573	1,278,794	1,215,164	1,144,962	-5.8%
<b>Defendants convicted</b>	1,415,904	1,363,218	1,408,437	1,367,475	1,300,309	-4.9%
<i>Indictable offences</i>	313,324	316,869	329,171	350,639	338,587	-3.4%
<i>Summary offences</i>	1,102,580	1,046,349	1,079,266	1,016,836	961,722	-5.4%
<b>Prison receptions <sup>(3)</sup></b>	91,736	100,348	94,964	90,482	90,955	0.5%
<b>Probation starts <sup>(4)</sup></b>	162,281	166,245	169,693	166,598	160,092	-3.9%

(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).

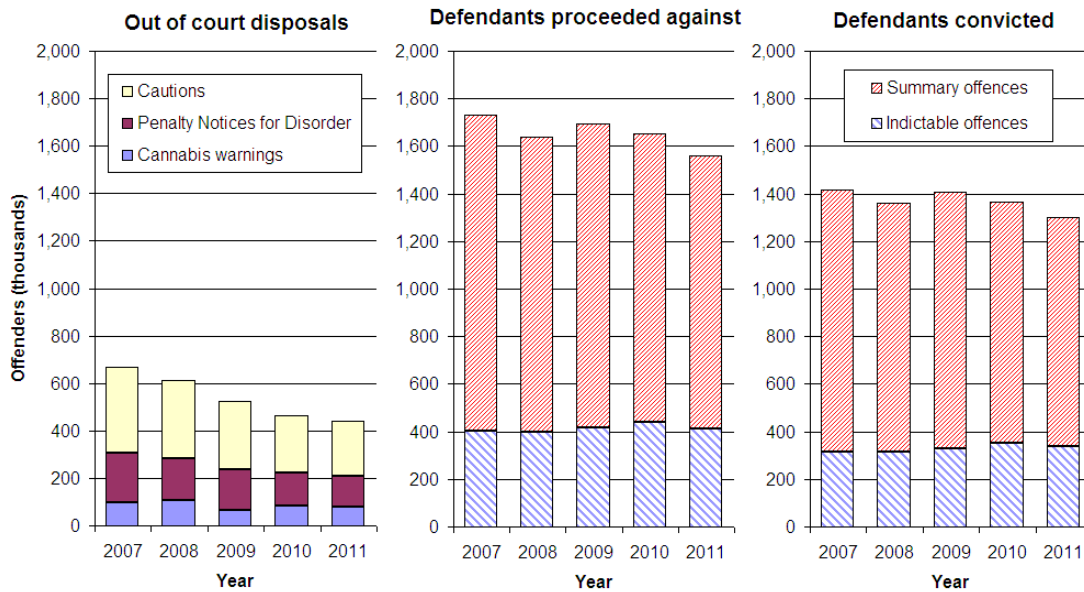
(4) Offenders starting Community Order or Suspended Sentence Order supervision by the Probation Service.

(P) Provisional

**Note:** Figures for cannabis warnings appearing in this publication are provisional and may be revised following Home Office validation. Finalised National Statistics will be published by the Home Office in July 2012 by financial year.

<sup>2</sup> Includes people and companies.

**Figure 1.1: Summary of activity in the Criminal Justice System, 2007 to 2011**



### Out of Court Disposals

Since 2007, the use of out of court disposals has decreased by 34.4 per cent (from 669,900 to 439,400 in 2011). The decline in the use of out of court disposals 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.

There is evidence, however, that the rate of decline in the use of out of court disposals is slowing. The 5.7 per cent decline between 2010 and 2011 compares to an average annual fall of 10.0 per cent between 2007 and 2010.

#### Police cautions

There were 232,200 cautions administered in 2011 (including juveniles given a reprimand or final warning), representing a 4.4 per cent decrease compared with 2010 (242,800). This continues the downward trend in the use of cautions observed since a peak in 2007, with the 2011 figure representing a 36.0 per cent decrease compared with the 2007 total (362,900).

The decrease in cautions between 2010 and 2011 was largely driven by declining cautions administered for indictable offences. In particular, the largest relative decrease was observed for the indictable offence *violence against the person*, which fell by 26.4 per cent (from 21,900 to 16,100).

Four in every five cautions issued for indictable offences are for *violence against the person, theft and handling or drug offences*.

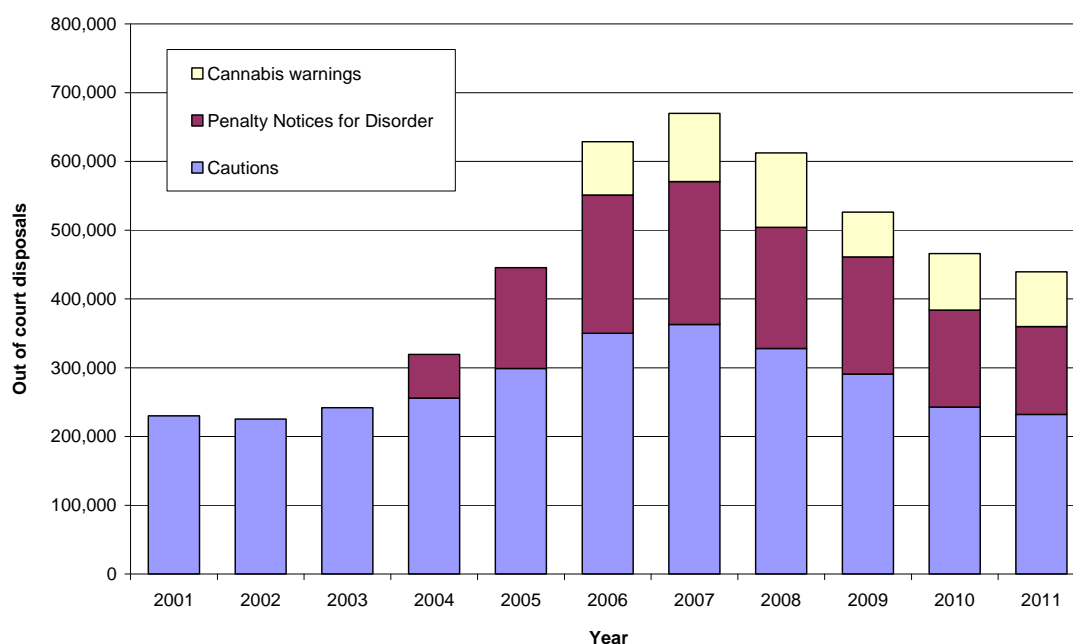
#### Penalty Notices for Disorder (PNDs) and cannabis warnings

There were 127,500 PNDs issued in 2011, a decrease of 9.4 per cent compared with 2010 (140,800). Similar to cautions, this continues the downward trend in issues of PNDs observed since a peak in 2007, with the 2011 figure representing a 38.6 per cent decrease compared with the 2007 total (207,500).

This decrease between 2010 and 2011 has been observed in all offence groups except for *possession of cannabis*, for which the issuing of PNDs has increased year-on-year since coming into effect in 2009.

PNDs issued for *possession of cannabis* increased by 2,400 (from 13,900 to 16,300, a 17.0 per cent rise) between 2010 and 2011. However, cannabis warnings decreased by 2,700 (from 82,400 to 79,700, a 3.3 per cent decline) over the same period. This suggests that the use of out of court disposals for those in possession of cannabis has remained constant but with an increased usage of PNDs rather than cannabis warnings.

**Figure 1.2: Out of court disposals, 2001 to 2011**



### Court proceedings and sentencing

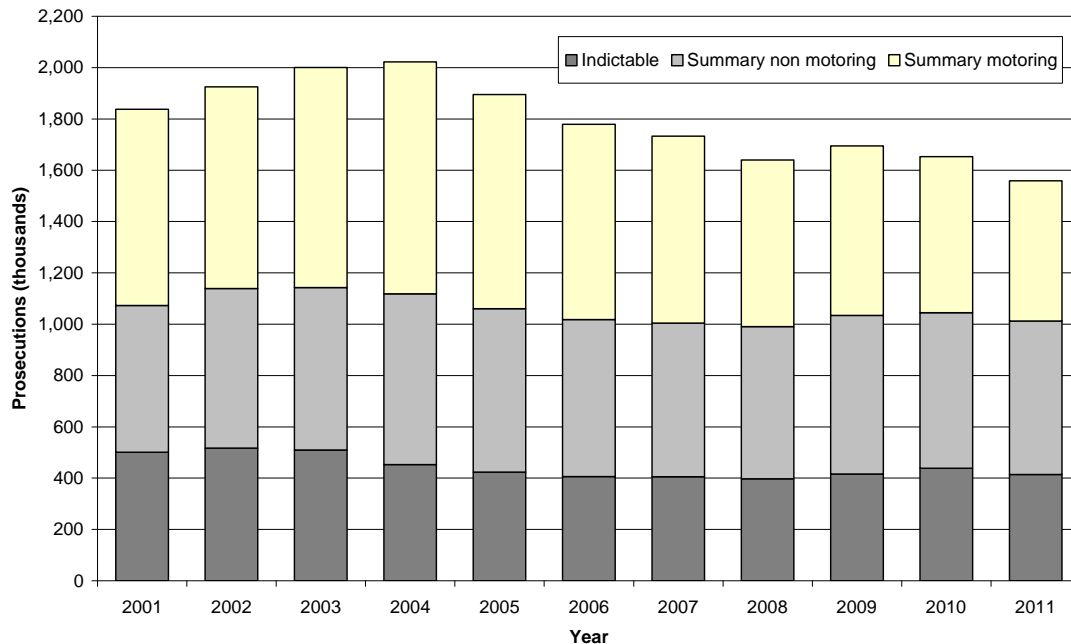
In 2011, there were 1.56 million defendants proceeded against in magistrates' courts and 1.30 million offenders convicted and sentenced of a criminal offence at all courts.

Prosecutions and convictions peaked in 2004 and have both since fallen, by 22.9 per cent and 16.0 per cent respectively. These falls have largely been driven by declines in proceedings for summary non motoring and summary motoring offences.

For the more serious indictable offences, prosecutions have fallen by 8.7 per cent since 2004. The number of convictions for indictable offences have remained broadly flat over the same period, resulting in a rise in the conviction ratio from 70.1 per cent in 2004 to 81.8 per in 2011 – the highest ratio in 11 years.

Looking over the past year, the 1.56 million proceedings in 2011 compares with 1.65 million in 2010, a decrease of 5.7 per cent. There were 4.9 per cent fewer offenders convicted and sentenced, the 1.30 million in 2011 comparing with 1.37 million in 2010.

**Figure 1.3: Defendants proceeded against at magistrates' courts by offence type, 2001 to 2011**

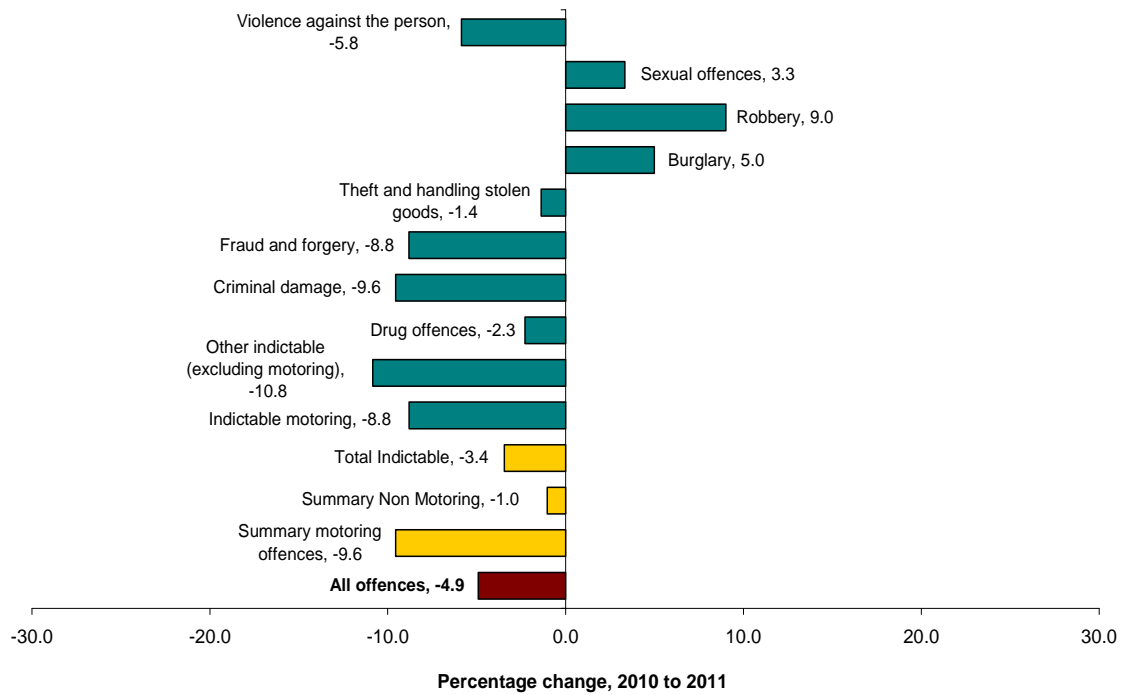


In 2011, there were:

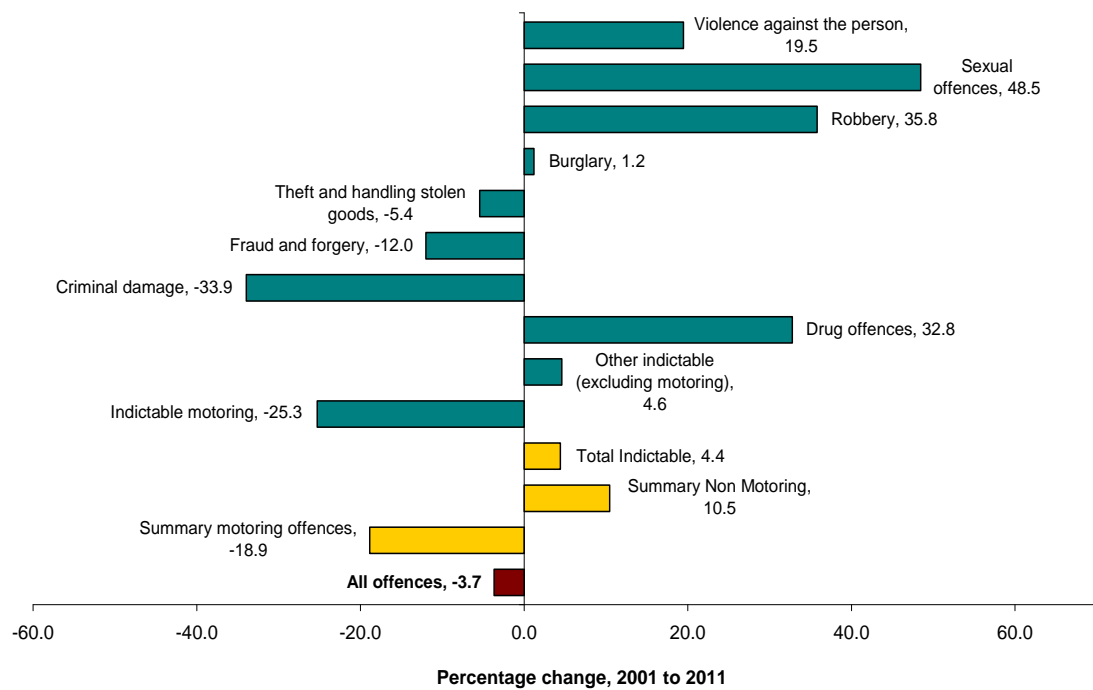
- 414,000 prosecutions and 338,600 convictions for indictable offences – a decrease of 5.5 and 3.4 per cent respectively since 2010. Looking over the decade, prosecutions for indictable offences peaked at 517,100 in 2002 and have fallen by 19.9 per cent since, while convictions have fluctuated over the entire decade between 303,000 and 351,000.
- 598,400 prosecutions and 488,400 convictions for summary non-motoring offences – a decrease of 1.4 per cent and 1.0 per cent respectively since 2010, continuing the decrease in both prosecutions and convictions since 2004.
- 546,600 prosecutions and 473,400 convictions for summary motoring offences – a decrease of 10.1 per cent and 9.6 per cent respectively since 2010 and a continuation of the large falls in both prosecutions and convictions for summary motoring offences since 2004.

The public disorder of August 2011 is included in these figures. Those convicted for the public disorder by the end of December 2011 account for less than one per cent of all people convicted in 2011.

**Figure 1.4a: Percentage change in convictions by offence type and offence group, 2010 to 2011**



**Figure 1.4b: Percentage change in convictions by offence type and offence group, 2001 to 2011**





## Immediate custody

In 2011, there were 102,700 persons sentenced to immediate custody, an increase of 1.2 per cent from 101,500 persons in 2010 but 8.0 per cent lower than the peak of 111,600 persons sentenced in 2002. The immediate custody rate declined from 7.9 per cent in 2002 to a low of 6.7 per cent in 2007 and has increased back to the 2002 level of 7.9 per cent in 2011.

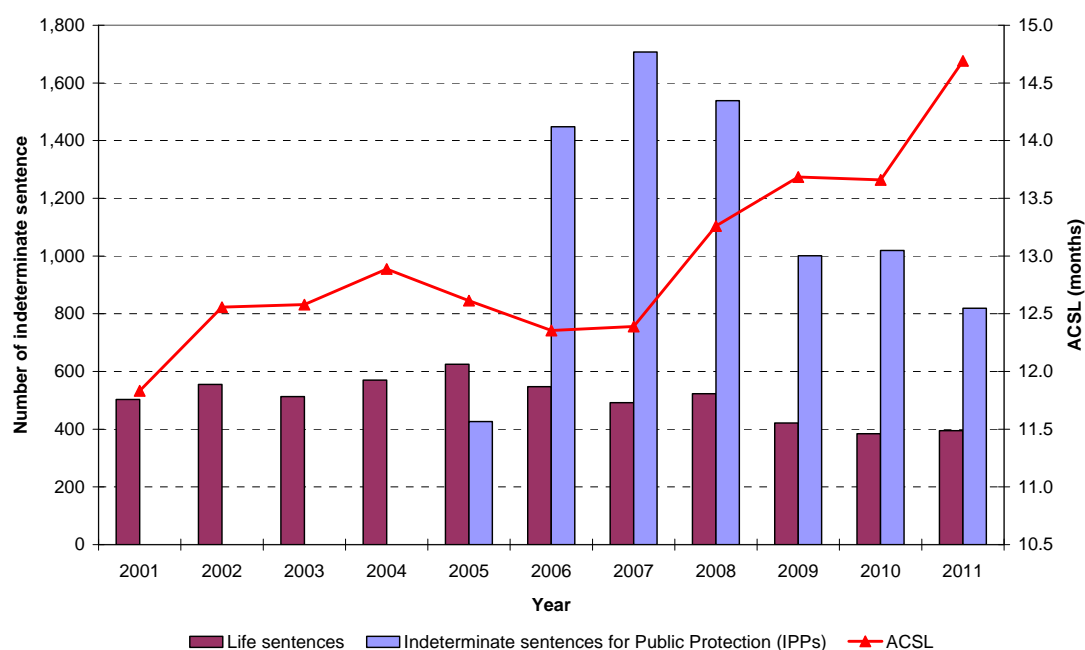
In 2011, there were:

- 85,200 people sentenced to immediate custody for indictable offences, an increase of 2.8 per cent compared to 2010 and the highest since 2002.
- 14,300 people sentenced to immediate custody for summary non-motoring offences, a decrease of 2.6 per cent compared to 2010. This continues the decline from the peak of 14,700 in 2009, which was the turning point after a steady rise since 2002.
- 3,200 people sentenced to immediate custody for summary motoring offences, a fall of 18.8 per cent since 2010 and continuing year on year falls since 2003 when there were 17,400 immediate custodial sentences for these offences.
- There were 1,214 indeterminate sentences (either a life sentence or an Indeterminate sentence for Public Protection – an IPP) handed down in 2011, a 13.5 per cent decrease from 1,403 in 2010. This continued the fall since the Criminal Justice and Immigration Act (CJIA) 2008 was introduced, which restricted the use of IPPs. Within this group, the number of life sentences increased from 384 during 2010 to 395 during 2011, the first annual increase since 2008.

In 2011, the Average Custodial Sentence Length (ACSL) was 14.7 months, an increase of 1.0 month compared to 2010, and up from 11.8 months in 2001. The rise in ACSL has been driven by the change in the case mix of people getting custodial sentences and longer sentences for indictable offences.

- In 2001, summary motoring offences accounted for 15.9 per cent of immediate custodial sentences, with an ACSL of 3.4 months. By 2011, they accounted for just 3.1 per cent of immediate custodial sentences, with a reduction in ACSL to 3.1 months.
- In 2001, indictable offences accounted for 75.5 per cent of immediate custodial sentences, with an ACSL of 14.7 months. By 2011 they accounted for 83.0 per cent of immediate custodial sentences, with an increase in ACSL to 17.2 months. In particular, *sexual offences* saw a rise in ACSL from 40.0 months in 2004 to 53.2 months in 2011, following the implementation of the Sexual Offences Act 2003
- The decrease in indeterminate sentences mentioned above coincides with an increase in long determinate sentences (10 years or more) from 514 in 2010 to 671 in 2011, a 30.5 per cent increase, and the highest number in the last 11 years. This may also have contributed to the increase in average custodial sentence length since 2008.

**Figure 1.5: Offenders receiving an indeterminate custodial sentence and average custodial sentence length for all offenders; 2001 to 2011**



**Table Q1.2: Offenders sentenced by principal sentence, 2007 to 2011**

England and Wales						Percentage change 2010 to 2011
	2007	2008	2009	2010	2011	
<b>Total offenders sentenced<sup>(1)</sup></b>	1,414,742	1,362,064	1,406,905	1,365,347	1,299,251	-4.8%
<b>Total persons sentenced<sup>(2)</sup></b>	1,406,788	1,353,937	1,398,278	1,357,600	1,292,302	-4.8%
Immediate custody (persons)	95,206	99,525	100,231	101,513	102,698	1.2%
Suspended sentence (persons)	40,688	41,151	45,157	48,118	47,798	-0.7%
Community sentence (persons)	196,424	190,171	195,903	189,321	173,434	-8.4%
Fines (all offenders)	941,534	890,296	946,146	893,931	851,607	-4.7%
Other disposals (all offenders)	140,890	140,921	119,468	132,464	123,714	-6.6%
Average custodial sentence length (months) <sup>(3)</sup>	12.4	13.3	13.7	13.7	14.7	7.6%
<b>Percentage of those sentenced<sup>(4)</sup></b>						<b>Percentage point change</b>
Immediate custody (persons)	6.8	7.4	7.2	7.5	7.9	0.5
Suspended sentence (persons)	2.9	3.0	3.2	3.5	3.7	0.2
Community sentence (persons)	14.0	14.0	14.0	13.9	13.4	-0.5
Fines (all offenders)	66.6	65.4	67.3	65.5	65.5	0.1
Other disposals (all offenders)	10.0	10.3	8.5	9.7	9.5	-0.2

(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.

## Fines

Fines are the most common sentence passed at court, accounting for around two-thirds of all sentences handed out by the criminal courts (65.5 per cent in 2011). The fine rate is consistent with that seen in 2010, and has declined from a peak of 70.0 per cent in 2004. The decline has been due to a decline in prosecutions and subsequent conviction for summary motoring offences – the offence type for which fines are most commonly given.

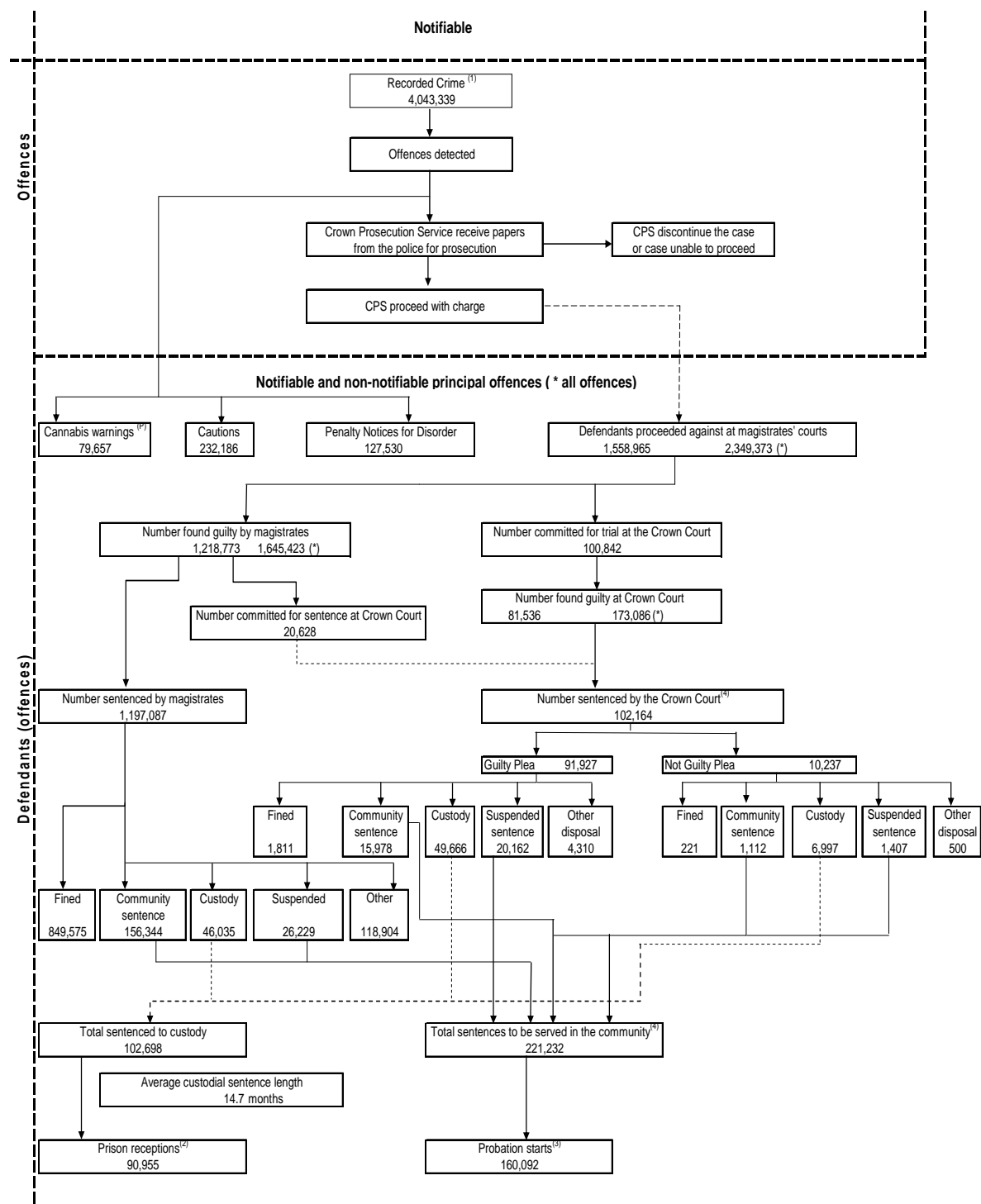
The 2011 figure of 851,600 fines represents a decrease of 4.7 per cent compared to 2010, and the lowest number of fines handed out over the last 11 years.

## Suspended Sentences and Community Orders

In 2011, 173,400 people (or 13.3 per cent of those sentenced) were given a Community Sentence, an 8.4 per cent decrease compared with 2010.

In 2011, 47,800 people (or 3.7 per cent of those sentenced) were given a Suspended Sentence Order, a 0.7 per cent decrease compared with 2010.

**Figure 1.6: Flows through the Criminal Justice System, 2011**



(1) Covers all indictable offences, including triable either way, plus a few closely associated summary offences.

(2) Receptions for offenders given a custodial sentence (figures include fine defaulters)

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

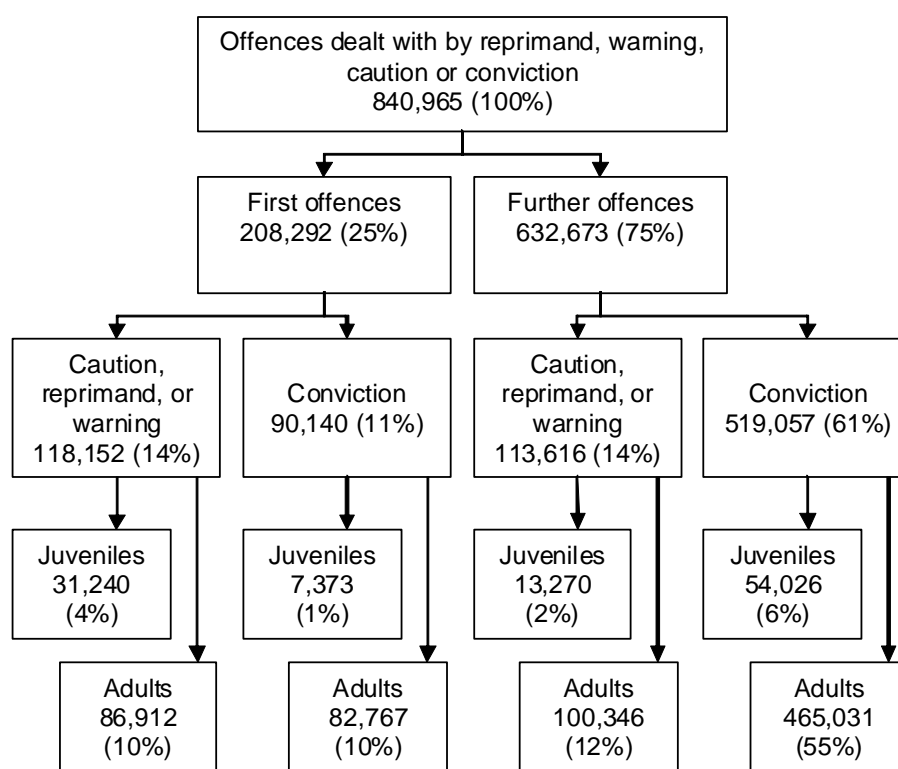
\* Total number of all offences in comparison with the total number of defendants on a principal offence basis.

## Offending Histories

This section provides information on the breakdown of offences committed by new and repeat offenders, the trends in new entrants to the criminal justice system, and breakdowns of the criminal histories of cautioned and sentenced offenders.

24.8 per cent of offences in 2011 were committed by offenders with no previous criminal offences, a decrease by almost 10 percentage points since 2006. There were 208,300 first time entrants to the criminal justice system in 2011, continuing the year on year decline observed since 2006 – the 2011 figure representing a 36.8 per cent decrease compared to 2006 levels. This is driven by the decline since 2006 in the use of cautions<sup>3</sup> in dealing with first time entrants.

**Figure 1.7 : First offences and further offences in 2011**



The number of juvenile first time entrants to the criminal justice system has fallen much more sharply than for adult offenders in recent years – down 64.7 per cent in 2011 from 2006 levels compared with a 23.0 per cent decrease for adults since 2006.

The differing trends in adult and juvenile first time entrants are largely due to the different disposals received. The majority of juvenile first time entrants received a reprimand or final warning – 80.9 per cent in 2011 – while roughly half of adult first time entrants receive a caution – 51.2 per cent in 2011.

10.1 per cent of offenders convicted of indictable offences in 2011 had no previous criminal offences. 31.2 per cent had 15 or more previous offences, a proportion which has grown year on year over the last decade – the 2011 proportion representing an increase of 13.3 percentage points since 2001.

<sup>3</sup> Includes reprimands and final warnings received by juvenile offenders.

## Offences

This section differs from the previous section in that it considers the total number of notifiable<sup>4</sup> offences.

**Table Q1.3: Recorded crime and notifiable offence outcomes, 2007 to 2011**

England and Wales						Percentage change 2010 to 2011
	2007	2008	2009	2010	2011	
<b>Recorded Crime</b>	5,053,088	4,788,657	4,447,491	4,159,553	4,043,339	-2.8%
<b>Out of court disposals</b>	625,768	569,767	482,146	425,962	405,077	-4.9%
Cannabis warnings	99,475	108,346	64,984	82,379 <sup>(P)</sup>	79,657 <sup>(P)</sup>	-3.3%
Penalty Notices for Disorder <sup>(1)</sup>	142,919	116,816	113,135	92,656	81,449	-12.1%
Cautions	383,374	344,605	304,027	250,927	243,971	-2.8%
<b>Proceedings</b>	984,751	952,915	995,767	1,026,998	961,366	-6.4%
<b>Convictions</b>	736,847	747,080	755,648	766,908	734,054	-4.3%
<b>Offences taken into consideration</b>	108,734	105,587	86,060	74,402	69,989	-5.9%
<b>Proven offences<sup>(2)</sup></b>	1,471,349	1,422,434	1,323,854	1,267,272	1,209,120	-4.6%

(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 and offences taken into consideration appearing in this publication are provisional and may be revised following Home Office validation. Finalised National Statistics will be published by the Home Office in July 2012 by financial year.

Much of the activity in the Criminal Justice System starts with the police, when a crime is reported, investigated and detected. The Home Office report on the police activity and the crimes they deal with. In 2011, recorded crime decreased by 2.8 per cent, from 4.16 million in 2010 down to 4.04 million offences.

Over the same period, for the equivalent notifiable offences, the use of out of court disposals decreased by 4.9 per cent. Specifically, Penalty Notices for Disorder (PNDs) were down 12.1 per cent, cautions decreased 2.8 per cent and cannabis warnings reduced by 3.3 per cent. Convictions for notifiable offences also decreased, by 4.3 per cent.

<sup>4</sup> Notifiable offences include all offences that could possibly be tried by jury (i.e. indictable and triable-either-way offences) plus a few additional closely related summary offences, such as assault without injury. Offence groups in notifiable offence tables in this section therefore differ from groups shown in other sections which may be restricted to indictable offences only.

**Table Q1.4 - Recorded crime and notifiable offence outcomes by offence group, 2010 and 2011**

Offence Group	Year	Recorded crime	Cannabis warnings <sup>(P)</sup>	Penalty Notices for Disorder <sup>(1)</sup>	Cautions	Proceedings	Convictions
Violence against the person <sup>(2)</sup>	2010	833,081	-	32,317	99,893	332,515	222,635
	2011	775,345	-	25,575	97,582	306,269	209,173
Sexual offences <sup>(2)</sup>	2010	54,562	-	-	1,857	34,235	18,429
	2011	54,794	-	-	1,782	32,136	19,617
Burglary	2010	519,388	-	-	3,808	45,192	31,462
	2011	512,269	-	-	3,940	45,813	32,167
Robbery	2010	75,155	-	-	209	19,250	11,941
	2011	77,248	-	-	276	20,305	12,820
Theft and handling stolen goods <sup>(2)</sup>	2010	1,514,062	-	40,170	55,877	225,284	191,007
	2011	1,534,652	-	34,688	52,272	218,811	186,074
Fraud and forgery <sup>(2)</sup>	2010	148,137	-	-	6,771	72,373	52,664
	2011	142,991	-	-	6,357	62,433	47,546
Criminal damage <sup>(2)</sup>	2010	714,863	-	6,253	31,577	80,276	63,237
	2011	651,541	-	4,909	28,709	74,092	59,151
Drug offences <sup>(2)</sup>	2010	231,929	82,379	13,916	43,328	111,602	97,381
	2011	232,834	79,657	16,277	46,295	108,521	94,694
Other notifiable offences <sup>(2)</sup>	2010	68,376	-	-	7,607	106,271	78,152
	2011	61,665	-	-	6,758	92,986	72,812
<b>All Notifiable Offences</b>	<b>2010</b>	<b>4,159,553</b>	<b>82,379</b>	<b>92,656</b>	<b>250,927</b>	<b>1,026,998</b>	<b>766,908</b>
	<b>2011</b>	<b>4,043,339</b>	<b>79,657</b>	<b>81,449</b>	<b>243,971</b>	<b>961,366</b>	<b>734,054</b>

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

(2) These offence groups include a number of notifiable summary offences. For example, violence against the person contains common assault, and sexual offences contain "kerb crawling".

(P) Provisional

**Note:** Figures for cannabis warnings appearing in this publication are provisional and may be revised following Home Office validation. Finalised National Statistics will be published by the Home Office in July 2012 by financial year.

Table Q1.5 - Summary of criminal justice statistics, 2001 to 2011

	Year											Percent change, 2010 to 2011
	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	
England and Wales	Thousands											
Crime measured by Crime Survey for England and Wales <sup>(1)</sup>	..	12,196	12,088	10,811	10,653	10,885	10,236	10,392	9,690	9,405	9,409	0.0%
Notifiable offences	..	5,908	6,004	5,764	5,572	5,464	5,053	4,789	4,447	4,160	4,043	-2.8%
- offences recorded by the police <sup>(2)</sup>	230	225	242	256	299	350	363	328	291	243	232	-4.4%
Number of offenders cautioned <sup>(3)</sup>	144	143	151	156	183	204	205	181	160	134	124	-7.2%
of which for indictable offences <sup>(4)</sup>	..	..	..	64	146	201	208	176	170	141	128	-9.4%
Number of offenders issued Penalty Notices for Disorder	..	..	..	2	22	39	45	46	60	54	51	-5.8%
of which for indictable offences <sup>(4)</sup>	..	..	..	..	..	77	99	108	65	82	80	-3.3%
Number of offenders issued cannabis warnings (all indictable)	1,838	1,925	2,001	2,023	1,895	1,779	1,733	1,640	1,694	1,653	1,559	-5.7%
Defendants proceeded against at magistrates' courts	501	517	509	453	423	406	405	397	416	438	414	-5.5%
of which for indictable offences <sup>(4)</sup>	1,293	1,362	1,432	1,488	1,426	1,363	1,351	1,293	1,331	1,283	1,219	-5.0%
Defendants found guilty at magistrates' courts	270	281	278	260	253	248	252	250	256	271	261	-3.8%
of which for indictable offences <sup>(4)</sup>	16	17	16	16	17	18	17	18	17	18	21	15.8%
Defendants sentenced at the Crown Court after summary conviction	76	75	78	78	75	76	82	87	96	105	101	-4.1%
Defendants tried at the Crown Court	56	60	60	60	58	58	65	71	77	84	82	-3.1%
Defendants found guilty at the Crown Court	54	57	57	58	56	56	61	67	73	79	78	-2.3%
of which for indictable offences <sup>(4)</sup>	1,350	1,421	1,491	1,548	1,484	1,421	1,416	1,363	1,408	1,367	1,300	-4.9%
<b>Total offenders found guilty at both courts</b>	324	338	335	318	308	303	313	317	329	351	339	-3.4%
of which for indictable offences <sup>(4)</sup>	1,580	1,647	1,733	1,804	1,783	1,771	1,779	1,691	1,699	1,610	1,532	-4.8%
Total offenders found guilty or cautioned <sup>(3)</sup>	468	481	486	474	491	507	518	498	489	484	462	-4.5%
<b>Total sentenced (offenders)</b>	1,348	1,420	1,490	1,547	1,482	1,421	1,415	1,362	1,407	1,365	1,299	-4.8%
Magistrates' court	1,276	1,343	1,414	1,471	1,407	1,344	1,333	1,273	1,312	1,263	1,197	-5.2%
Crown Court	72	76	76	76	76	77	82	89	95	102	102	0.2%
Sentence	106	112	108	106	101	96	95	100	100	102	103	1.2%
Custody	3	3	3	3	10	34	41	41	45	48	48	-0.7%
Suspended Sentence	165	187	191	202	204	191	196	190	196	189	173	-8.4%
Community Sentence	930	973	1,034	1,083	1,025	962	942	890	946	894	852	-4.7%
Fine	144	146	154	154	142	139	141	141	119	132	124	-6.6%
Other Sentences												

(1) The Crime Survey for England and Wales (known until 1 April 2012 as the British Crime Survey) estimates relate to crimes experienced in the 12 months prior to interview.

(2) Includes British Transport Police.

(3) 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'.

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



Table Q1.6 - "Proven Offenders" in the criminal justice system by offence group and outcomes, 2010 and 2011

Offence Group	Year	Cannabis warnings <sup>(f)</sup>	Penalty Notices for Disorder <sup>(1)</sup>	Cautions	Proceedings	Convictions	Conviction Ratio (%) <sup>(2)</sup>	Proven Offenders <sup>(3)</sup>	Sentenced <sup>(4)</sup>	Discharged	Fine	Community Sentence	Suspended Sentence	Otherwise dealt with	Custody Rate (%) <sup>(5)</sup>	Average Custodial Sentence Length <sup>(6)</sup>	
																	2010
Violence against the person	2010	-	-	21,871	66,644	44,794	67.2	66,665	44,458	1,869	2,032	16,127	8,938	1,510	13,982	31.4	17.8
	2011	-	-	16,099	59,454	42,174	70.9	58,273	41,975	1,771	2,221	13,961	8,315	1,312	14,395	34.3	18.8
Sexual offences	2010	-	-	1,364	10,564	5,784	54.8	7,148	5,772	134	108	1,647	465	131	3,287	56.9	48.7
	2011	-	-	1,532	9,919	5,955	60.3	7,509	5,955	119	119	1,640	517	144	3,441	57.8	53.2
Burglary	2010	-	-	3,484	31,811	23,909	75.2	27,393	23,599	558	373	9,004	2,600	617	10,447	44.3	18.7
	2011	-	-	3,359	32,884	25,103	76.3	28,462	24,870	534	380	8,688	2,761	521	11,986	48.2	18.8
Robbery	2010	-	-	207	13,704	8,499	62.0	8,706	8,514	17	4	2,768	505	274	4,946	58.1	34.5
	2011	-	-	269	14,255	9,265	65.0	9,534	9,271	13	1	2,900	541	255	5,561	60.0	35.6
Theft and handling stolen goods	2010	-	40,170	47,538	135,726	121,794	89.7	209,502	121,230	25,232	16,737	42,818	8,105	6,054	22,284	18.4	4.1
	2011	-	34,688	43,487	134,029	120,115	89.6	198,290	119,839	24,638	16,922	41,720	8,489	5,607	22,463	18.7	4.4
Fraud and forgery	2010	-	-	6,126	26,074	21,049	80.7	27,175	20,865	2,432	2,967	7,053	3,287	413	4,713	22.6	11.0
	2011	-	-	5,602	22,343	19,195	85.9	24,797	19,145	2,134	2,559	6,299	3,410	355	4,388	22.9	12.9
Criminal damage	2010	-	-	5,075	9,961	7,778	78.1	12,853	7,754	1,596	816	3,265	432	549	1,096	14.1	18.0
	2011	-	-	4,712	8,936	7,035	78.7	11,747	6,965	1,336	764	2,804	441	471	1,149	16.5	19.0
Drug offences	2010	82,379	13,916	40,721	67,772	61,979	91.5	198,995	61,435	8,951	23,354	13,418	3,820	2,199	9,693	15.8	30.7
	2011	79,657	16,277	42,686	66,188	60,569	91.5	199,189	60,075	8,636	22,951	12,492	4,185	2,130	9,681	16.1	31.0
Indictable motoring offences	2010	-	-	-	3,794	3,420	90.1	3,420	3,410	51	299	991	885	39	1,145	33.6	9.6
	2011	-	-	-	3,537	3,119	88.2	3,119	3,123	40	230	842	841	32	1,138	36.5	9.7
Other indictable offences	2010	-	-	7,155	71,976	51,633	71.7	58,788	51,183	3,820	13,511	11,404	5,139	5,963	11,346	22.5	9.6
	2011	-	-	6,142	62,458	46,035	73.7	52,177	45,884	3,436	11,934	7,751	4,702	7,016	11,045	24.5	10.5
<b>Indictable offences<sup>(7)</sup></b>	2010	82,379	54,086	133,541	438,026	350,639	80.0	620,645	348,220	44,660	60,201	108,495	34,176	17,749	82,939	23.9	16.2
	2011	79,657	50,965	123,888	414,003	338,587	81.8	593,097	337,102	42,632	58,081	99,097	34,202	17,843	85,247	25.3	17.2
Summary non-motoring	2010	-	86,683	109,290	607,056	493,465	81.3	689,438	493,652	47,544	344,911	64,723	9,560	12,280	14,634	3.0	2.6
	2011	-	76,565	108,298	598,406	488,360	81.6	673,223	488,672	44,063	350,526	59,920	9,416	10,496	14,251	2.9	2.5
Summary motoring offences	2010	-	-	-	608,108	523,371	86.1	523,371	523,475	7,154	488,819	16,103	4,382	3,077	3,940	0.8	3.1
	2011	-	-	-	546,556	473,362	86.6	473,362	473,477	6,338	443,000	14,417	4,180	2,342	3,200	0.7	3.1
<b>Summary Offences</b>	2010	-	86,683	109,290	1,215,164	1,016,836	83.7	1,212,809	1,017,127	54,698	833,730	80,826	13,942	15,357	18,574	1.8	2.7
	2011	-	76,565	108,298	1,144,962	961,722	84.0	1,146,565	962,149	50,401	793,526	74,337	13,596	12,838	17,451	1.8	2.6
<b>All Offences</b>	2010	82,379	140,769	242,831	1,653,190	1,367,475	82.7	1,833,454	1,365,347	99,358	893,931	189,321	48,118	33,106	101,513	7.5	13.7
	2011	79,657	127,530	232,186	1,558,965	1,300,309	83.4	1,739,682	1,299,251	93,033	851,607	173,434	47,798	30,681	102,698	7.9	14.7

(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.

(f) Provisional

**Note:** Figures for cannabis warnings appearing in this publication are provisional and may be revised following Home Office validation. Finalised National Statistics will be published by the Home Office in July 2012 by financial year.

## **Offence Group Summary**

### **Violence against the person:**

- The number of cautions administered in 2011 was 16,100, a decrease of 26.4 per cent from 21,900 in 2010. Cautions for the offence increased from 19,600 in 2001 to a peak of 57,300 in 2006, and have fallen each year since.
- The total number proceeded against at magistrates' courts in 2011 was 59,500, a decrease of 10.7 per cent from 66,600 in 2010, and the lowest number over the last decade. Proceedings for the offence decreased from a peak of 79,600 in 2003 to 59,900 in 2008, followed by two consecutive years of increase before the drop in 2011.
- There were 42,200 convictions at all courts in 2011, a decrease of 5.8 per cent from 44,800 in 2010. Convictions for the offence increased from a low over the decade of 35,300 in 2001 to 42,000 in 2007, and have fluctuated since.
- The average custodial sentence length (ACSL) in 2011 was 18.8 months, an increase of 5.3 per cent from 17.8 months in 2010. ACSL for the offence has increased year on year since 2006 when it stood at 16.8 months.

### **Sexual Offences:**

- The number of cautions administered in 2011 was 1,500, an increase of 12.3 per cent from 1,400 in 2010, and a reversal of a decreasing trend in recent years. Cautions for the offence increased from 1,200 in 2001 to a peak of 1,900 in 2007, before falling each year to 2010.
- The total number proceeded against at magistrates' courts in 2011 was 9,900, a decrease of 6.1 per cent from 10,600 in 2010. Proceedings for the offence fluctuated between 2001 and 2008, before rising to a peak over the last decade in 2010. The 2011 figure represents an 18.1 per cent increase since 2001.
- There were 6,000 convictions at all courts in 2011, an increase of 3.3 per cent from 5,800 in 2010, continuing the trend of virtually year on year increases since the 4,000 convictions for the offence in 2001.
- The average custodial sentence length (ACSL) in 2011 was 53.2 months, an increase of 9.3 per cent from 48.7 months in 2010. ACSL for the offence has increased virtually year on year since 2001, when it stood at 37.8 months.

### **Burglary:**

- The number of cautions administered in 2011 was 3,400, a decrease of 3.6 per cent from 3,500 in 2010. Cautions for the offence increased from 6,400 in 2001 to a peak of 7,700 in 2006, and have fallen each year since.
- The total number proceeded against at magistrates' courts in 2011 was 32,900, an increase of 3.4 per cent from 31,800 in 2010. Proceedings for the offence peaked at 43,600 in 2002 before decreasing to 30,600 in 2006. The

- There were 25,100 convictions at all courts in 2011, an increase of 5.0 per cent from 23,900 in 2010. Convictions for the offence have fluctuated over the past decade, falling as low as 23,000 in 2005 and 2006 and rising as high as 26,700 in 2002, with 2011 numbers broadly in line with 2001 levels.
- The average custodial sentence length (ACSL) in 2011 was 18.8 months, an increase of 0.3 per cent from 18.7 months in 2010. ACSL for the offence has increased year on year in recent years, from 16.7 months in 2007.

### **Robbery:**

- The number of cautions administered in 2011 was 269, an increase of 30.0 per cent from 207 in 2010, and a reversal of a decreasing trend in recent years. Cautions for the offence increased from 548 in 2001 to a peak of 712 in 2006, before falling to 205 in 2009.
- The total number proceeded against at magistrates' courts in 2011 was 14,300, an increase of 4.0 per cent from 13,700 in 2010. Proceedings for the offence have gradually increased since a low over the last decade of 12,400 in 2004.
- There were 9,300 convictions at all courts in 2011, an increase of 9.0 per cent from 8,500 in 2010. Convictions for the offence have generally been increasing over the last decade, with the 2011 numbers representing a 35.8 per cent increase since 2001.
- The average custodial sentence length (ACSL) in 2011 was 35.6 months, an increase of 3.0 per cent from 34.5 months in 2010. ACSL for the offence decreased from a peak for the last decade of 39.3 months in 2003 to a low of 31.3 months in 2007, before increasing year on year since.

### **Theft and handling:**

- The number of cautions administered in 2011 was 43,500, a decrease of 8.5 per cent from 47,500 in 2010. Cautions for the offence increased from 63,500 in 2001 to a peak of 72,800 in 2007, and have fallen each year since.
- The total number proceeded against at magistrates' courts in 2011 was 134,000, a decrease of 1.3 per cent from 135,700 in 2010, potentially reversing an upward trend in recent years. Proceedings for the offence decreased from 163,500 in 2001 to a low of 116,500 in 2006, before increasing year on year to 2010.
- There were 120,100 convictions at all courts in 2011, a decrease of 1.4 per cent from 121,800 in 2010, and a potential reversal of the increasing trend in recent years. Over the last decade, convictions for the offence have decreased from a peak of 127,300 in 2002 to a low of 99,000 in 2006, before increasing each year to 2010.

- The average custodial sentence length (ACSL) in 2011 was 4.4 months, an increase of 8.1 per cent from 4.1 months in 2010. ACSL for the offence has fluctuated only slightly over the past decade.

#### **Fraud and Forgery:**

- The number of cautions administered in 2011 was 5,600, a decrease of 8.6 per cent from 6,100 in 2010. Cautions for the offence increased from 5,800 in 2001 to a peak of 8,600 in 2007, and have fallen each year since.
- The total number proceeded against at magistrates' courts in 2011 was 22,300, a decrease of 14.3 per cent from 26,100 in 2010 and the lowest number over the past decade. Proceedings for the offence decreased from a peak of 30,700 in 2001 to 24,900 in 2006, and remained broadly stable until the drop observed in 2011.
- There were 19,200 convictions at all courts in 2011, a decrease of 8.8 per cent from 21,000 in 2010, and a reversal of an increasing trend in recent years. Over the last decade, convictions for the offence decreased from a peak of 21,800 in 2001 to a low of 19,700 in 2006, before broadly increasing to 2010.
- The average custodial sentence length (ACSL) in 2011 was 12.9 months, an increase of 16.9 per cent from 11.0 months in 2010. ACSL for the offence increased from a low for the past decade of 8.4 months in 2002 to 10.8 months in 2006, and was then stable until the rise in 2011.

#### **Criminal Damage:**

- The number of cautions administered in 2011 was 4,700, a decrease of 7.2 per cent from 5,100 in 2010. Cautions for the offence increased from 3,400 in 2001 to a peak of 9,000 in 2006, and have fallen each year since.
- The total number proceeded against at magistrates' courts in 2011 was 8,900, a decrease of 10.3 per cent from 10,000 in 2010. Proceedings for the offence have decreased from a peak of 18,700 in 2002, with the 2011 number the lowest observed over the past decade.
- There were 7,000 convictions at all courts in 2011, a decrease of 9.6 per cent from 7,800 in 2010, and a continuation of a decreasing trend in recent years. Convictions for the offence increased from 10,700 in 2001 to a peak of 12,700 in 2006, and have fallen year on year since.
- The average custodial sentence length (ACSL) in 2011 was 19.0 months, an increase of 5.5 per cent from 18.0 months in 2010, and of 20.0 per cent from 15.9 months in 2001.

#### **Drug Offences:**

- The number of cautions administered in 2011 was 42,700, an increase of 4.8 per cent from 40,700 in 2010. Cautions for the offence have fluctuated over the past decade, falling as low as 32,600 in 2004 and rising as high as 47,000 in 2008.

- The total number proceeded against at magistrates' courts in 2011 was 66,200, a decrease of 2.3 per cent from 67,800 in 2010. This potentially reverses an upward trend observed since 2005, when proceedings stood at 43,400, a low for the past decade.
- There were 60,600 convictions at all courts in 2011, a decrease of 2.3 per cent from 62,000 in 2010, and a potential reversal of the year on year increasing trend observed since 2005 (when convictions for the offence stood at 39,100, the lowest number over the past decade).
- The average custodial sentence length (ACSL) in 2011 was 31.0 months, an increase of 0.8 per cent from 30.7 months in 2010. ACSL for the offence has been broadly decreasing since a peak over the last decade of 37.3 months in 2004.

**Other Indictable Offences (excluding motoring offences):**

- The number of cautions administered in 2011 was 6,100, a decrease of 14.2 per cent from 7,200 in 2010. Cautions for the offence increased from 4,200 in 2001 to a peak of 10,000 in 2007, and have fallen each year since.
- The total number proceeded against at magistrates' courts in 2011 was 62,500, a decrease of 13.2 per cent from 72,000 in 2010, and the lowest number observed over the last decade. Proceedings for the offence decreased from a peak of 100,000 in 2003 to 63,700 in 2008, followed by two consecutive years of increase before the drop in 2011.
- There were 46,000 convictions at all courts in 2011, a decrease of 10.8 per cent from 51,600 in 2010. Convictions for the offence have fluctuated over the past decade, rising as high as 54,500 in 2004 and falling as low as 40,100 in 2008.
- The average custodial sentence length (ACSL) in 2011 was 10.5 months, an increase of 10.0 per cent from 9.6 months in 2010. ACSL for the offence has fluctuated only slightly over the past decade.

**Indictable Motoring:**

- The total number proceeded against at magistrates' courts in 2011 was 3,500, a decrease of 6.8 per cent from 3,800 in 2010, and the lowest number observed over the last decade. Proceedings for the offence have decreased year on year since a peak of 7,100 in 2003.
- There were 3,100 convictions at all courts in 2011, a decrease of 8.8 per cent from 3,400 in 2010, and a continuation of a decreasing trend in recent years. Convictions for the offence increased from 4,200 in 2001 to a peak of 5,500 in 2003, and have fallen year on year since.
- The average custodial sentence length (ACSL) in 2011 was 9.7 months, an increase of 0.8 per cent from 9.6 months in 2010. ACSL for the offence has been broadly increasing since a low for the last decade of 7.9 months in 2001.

### **Summary Non-Motoring:**

- The number of cautions administered in 2011 was 108,300, a decrease of 0.9 per cent from 109,300 in 2010. Cautions for the offence increased from 85,900 in 2001 to a peak of 157,800 in 2007, and have fallen each year since.
- The total number proceeded against at magistrates' courts in 2011 was 598,400, a decrease of 1.4 per cent from 607,100 in 2010. Proceedings for the offence peaked for the decade at 665,300 in 2004 and have broadly decreased since, aside a small increase between 2008 and 2009.
- There were 488,400 convictions at all courts in 2011, a decrease of 1.0 per cent from 493,500 in 2010. Convictions for the offence have been broadly stable since 2002.
- The average custodial sentence length (ACSL) in 2011 was 2.5 months, a decrease of 1.0 per cent from 2.6 months in 2010. ACSL for the offence has decreased year on year since a peak over the last decade of 2.8 months in 2005.

### **Summary Motoring:**

- The total number proceeded against at magistrates' courts in 2011 was 546,600, a decrease of 10.1 per cent from 608,100 in 2010. Proceedings for the offence peaked for the decade at 904,000 in 2004 and have decreased virtually year on year since.
- There were 473,400 convictions at all courts in 2011, a decrease of 9.6 per cent from 523,400 in 2010, and a continuation of a decreasing trend in recent years. Convictions for the offence increased from 583,300 in 2001 to a peak of 707,900 in 2004, and have fallen virtually year on year since.
- The average custodial sentence length (ACSL) in 2011 was 3.1 months, the same as in 2010. ACSL for the offence has decreased since a peak over the last decade of 3.5 months in 2003.

## Out of court disposals

*Out of Court Disposals aim to deal with low risk, low-level and mostly first-time offenders outside of the court system in appropriate circumstances. Out of Court Disposals are not suitable for contested or more serious cases. They would not normally be considered for those who offend repeatedly (subject to relevant guidance). Out of court disposals can include cannabis warnings, penalty notices for disorder and cautions<sup>5 6</sup>.*

### **Cannabis warnings [Table Q1.6]**

*For a first time offence of cannabis possession an adult is usually issued with a 'cannabis warning'.*

There were 79,700 cannabis warnings issued in 2011. This was 3.3 per cent fewer than the 82,400 warnings issued in 2010.

### **Penalty Notices for Disorder issues [Tables Q2.1-Q2.2]**

*Penalty Notices for Disorder (PNDs) are more 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.*

There were 127,500 PNDs issued in 2011, a decrease of 9.4 per cent compared with 2010 and a fall of 38.6 per cent when compared with the peak of 207,500 PNDs issued in 2007.

Four offences accounted for 88.2 per cent of all PNDs issued in 2011, namely:

- 'Retail theft of goods under the value of £100' – 27.2 per cent of all PNDs issued in 2011 (34,700);
- 'Drunk and disorderly' – 28.2 per cent (36,000);
- 'Behaviour likely to cause harassment, alarm or distress' – 20.1 per cent (25,600);
- 'Possession of cannabis' - 12.8 per cent (16,300) of all PNDs issued.

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, which has increased year-on-year since coming into effect in 2009. However, the decrease in cannabis warnings over the same period suggests that the use of out of court disposals for those in possession of cannabis has remained constant, but with an increased usage of PNDs rather than cannabis warnings.

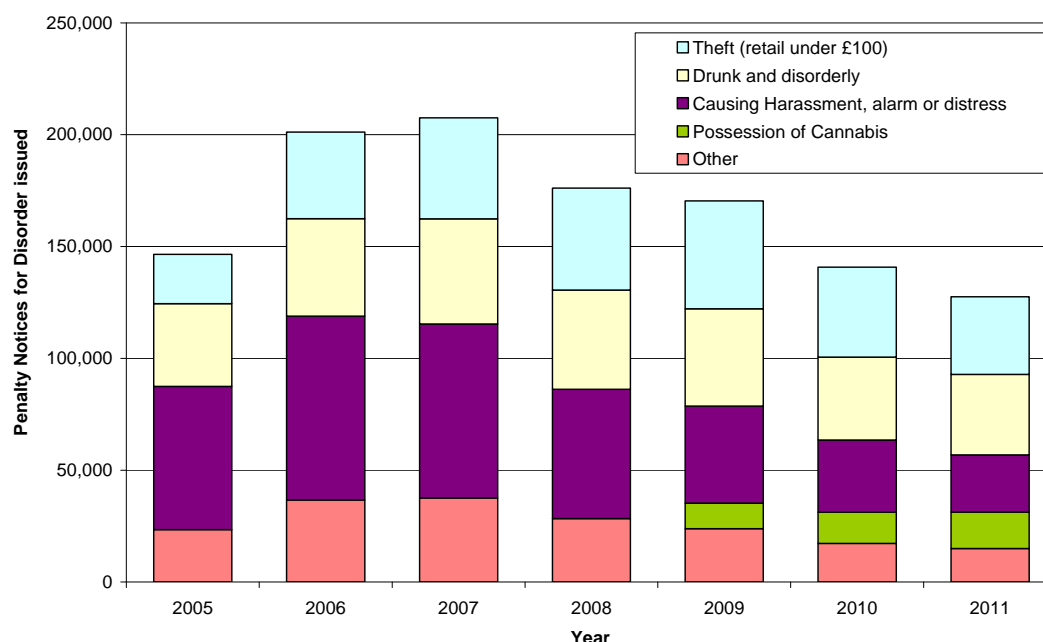
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<sup>5</sup> Cautions, written warnings and all fixed penalties for summary motoring offences are not covered in this volume but are published in the Home Office Statistical Bulletin 'Motoring offences and breath tests'.

<sup>6</sup> Including reprimands and warnings for juveniles.

In 2011, 121,300 (95.1 per cent) of PNDs were issued to persons aged 18 and over (adults), with 6,200 (4.9 per cent) issued to persons aged 16 to 17. The proportion of PNDs issued to adults has increased year on year since 2007, due to larger decreases in issues of PNDs for the main offence categories listed above for persons aged 16 to 17 than for adults.

**Figure 2.1: Penalty Notices for Disorder issued, 2005 to 2011**



In 2011, 97,300 (76.3 per cent) of PNDs were issued to males and 30,300 (23.7 per cent) to females. The four most common offences committed by males were:

- 'Drunk and disorderly' – 29,800 (30.7 per cent);
- 'Causing Harassment, alarm or distress' – 22,000 (22.6 per cent);
- 'Theft (retail under £100)' – 18,300 (18.8 per cent); and
- 'Possession of Cannabis' – 15,400 (15.9 per cent).

The four most common offences committed by females were:

- 'Theft (retail under £100)' – 16,400 (54.2 per cent);
- 'Drunk and disorderly' – 6,200 (20.3 per cent);
- 'Causing Harassment, alarm or distress' – 3,600 (11.8 per cent); and
- 'Wasting police time' – 1,000 (3.5 per cent).

In 2011, 90,300 (70.8 per cent) PNDs were issued to white people, 2,500 (2.0 per cent) to black people, and 6,600 (5.2 per cent) to Asian people. The remaining 22,700 PNDs (17.8 per cent) had no recorded or unknown ethnicity. This split has remained fairly constant over the years for the high volume offences.



There were fewer PNDs issued in 32 of the 44 police force areas (including British Transport Police) in England and Wales compared with 2010. The largest absolute decrease was in the Merseyside Police Force area, where 8,390 PNDs were issued, a fall of 2,671 (24.1 per cent) since 2010. The largest proportionate decrease was in North Wales, where 27.0 per cent fewer PNDs were issued, a fall from 1,829 to 1,335. The police force area with the largest absolute increase was West Midlands, where 3,830 PNDs were issued, an increase of 762 (24.8 per cent) since 2010.

### **Penalty Notices for Disorder payments, court hearings and related fines [Supplementary table Q2c]**

*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 2011, 41.6 per cent of PNDs were paid within the SEP and a further 12.6 per cent were paid before a fine was registered. 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 56.5 per cent in 2011 compared to 54.1 per cent for adults. The payment rate for juveniles has remained consistently higher than for adults since the start of the scheme.

Around 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.

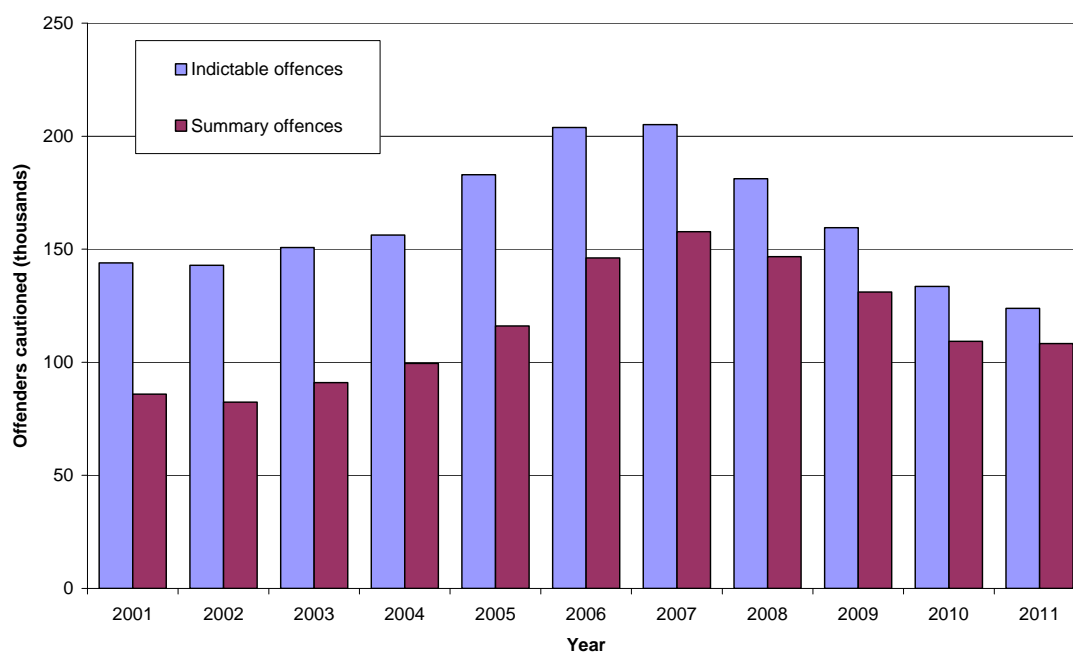
In 2011, of the total number of PNDs issued, 36.8 per cent were registered as fines (37.1 per cent for adults and 32.0 per cent for juveniles). The number and proportion of PNDs for which a fine was registered has declined year-on-year since 2007, from 90,100 in 2007 (43.4 per cent of 2007 total issued) to 47,000 in 2011 (36.8 per cent of 2011 total issued).

### **Cautions [Tables Q2.3-Q2.5]**

*A caution can be given when there is sufficient evidence for a conviction and it is not considered to be in the public interest to institute criminal proceedings. Additionally, an offender must admit guilt and consent to a caution in order for one to be given. A formal caution may be given by, or on the instructions of, a senior police officer. 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.*

In 2011 there were 232,200 offenders cautioned, including juveniles given a reprimand or final warning. This represented a 4.4 per cent decrease from 242,800 in 2010, continuing a downward trend in the use of cautions since a peak of 362,900 in 2007. Compared with 2010, there were decreases in cautions issued for both indictable (a 7.2 per cent decrease) and summary offence types (a 0.9 per cent decrease).

**Figure 2.2: Offenders cautioned by offence type, 2001 to 2011**



Fewer cautions were administered in all offence groups in 2011 compared with 2010, except for *drug offences* which increased from 40,700 to 42,700, *robbery* which increased from 207 to 269 and *sexual offences* which increased from 1,364 to 1,532. The largest decrease compared with 2010 was in cautions issued for the indictable offence *violence against the person*, which decreased by 26.4 per cent.

Four in every five cautions issued for indictable offences are for *violence against the person*, *theft and handling* or *drug offences*. Of the 123,900 cautions issued for indictable offences in 2011, 35.1 per cent were for *theft and handling*, 34.5 per cent for *drug offences* and 13.0 per cent for *violence against the person*.

### Cautioning ratio

In 2011, the *cautioning ratio* – the proportion of offenders who are either cautioned or convicted that are given a caution – was 21.9 per cent, which has declined from a peak of 31.1 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.

The cautioning ratio varies across offence group and is typically higher for indictable offences than summary offences.

Within indictable offences in 2011, the cautioning ratio was highest for *drug offences* (41.3 per cent) and *criminal damage* (40.1 per cent), and was lowest for *robbery* (2.8 per cent).

The cautioning ratio for *violence against the person* offences in 2011 (27.6 per cent) is the lowest it has been in the series back to 2001, and has decreased year-on-year since a peak of 57.8 per cent in 2006.

Table Q2.1 - Number of Penalty Notices for Disorder issued to offenders aged 16 and over by offence, 2005 to 2011

Offence	All Ages											Age 16-17						Age 18 and over														
	2005		2006		2007		2008		2009		2010		2011		2005		2006		2007		2008		2009		2010		2011					
	2005	2006	2005	2006	2007	2008	2009	2010	2011	2005	2006	2007	2008	2009	2010	2011	2005	2006	2007	2008	2009	2010	2011	2005	2006	2007	2008	2009	2010	2011		
<b>Higher Tier Offences (£30)</b>																																
Wasting police time	2,525	3,933	3,966	3,443	3,109	2,852	2,810	2,15	353	327	254	212	157	147	2,310	3,580	3,639	3,189	2,897	2,695	2,663											
Misuse of public telecommunications system	405	909	1,193	888	747	696	745	24	79	106	88	45	53	50	381	830	1,087	800	702	702	643	695										
Giving false alarm to fire and rescue authority	92	106	96	77	80	59	37	6	15	15	7	9	7	3	86	91	81	70	71	71	52	34										
Causing Harassment, alarm or distress	64,007	82,235	77,827	57,773	43,338	32,317	25,575	5,846	8,122	7,068	4,673	3,199	2,174	1,511	58,161	74,113	70,759	53,100	40,139	30,143	24,064											
Throwing fireworks	642	682	649	353	340	335	340	90	101	102	82	57	55	53	552	561	547	449	296	285	282											
Drink and disorder	37,038	43,556	46,996	44,411	43,570	37,119	36,001	2,354	3,009	2,941	2,538	2,244	1,710	1,294	34,684	40,547	44,055	41,873	41,326	35,409	34,707											
Criminal Damage (under £500) <sup>(1)</sup>	12,168	20,620	19,946	13,427	10,145	6,253	4,909	1,408	2,866	2,796	1,815	1,241	669	456	10,760	17,754	17,150	11,612	8,904	5,594	4,453											
Theft (retail under £200) <sup>(1)</sup>	21,997	38,772	45,146	45,616	48,161	40,170	34,688	1,806	3,861	4,474	4,040	3,817	2,662	1,982	20,191	34,911	40,672	41,576	44,344	37,468	32,706											
Breach of fireworks curfew	33	53	39	23	15	23	10	4	7	3	3	-	2	1	29	46	36	20	15	21	9											
Possession of category A fireworks	13	28	22	23	23	22	23	2	6	5	6	2	3	4	11	22	17	17	54	19	19											
Possession by a person under 18 of adult fireworks	47	76	106	67	59	61	41	42	69	106	57	53	47	38	5	7	7	10	6	6	14											
Sale of alcohol to drunken person	32	47	81	66	90	74	78	2	1	1	2	2	-	-	30	46	80	64	88	74	78											
Supply of alcohol to a person under 18	3	60	54	83	104	59	49	-	5	1	2	4	1	1	3	55	53	81	100	58	48											
Sale of alcohol to a person under 18	2,058	3,195	3,583	2,824	3,002	2,098	1,546	79	91	77	42	40	30	18	1,979	3,104	3,506	2,782	2,962	2,068	1,528											
Purchasing alcohol for a person under 18	170	407	555	524	429	330	265	20	45	51	33	22	18	11	150	362	504	491	407	312	254											
Purchasing alcohol for a person under 18 for consumption on the premises	83	60	64	50	46	33	35	21	17	13	10	15	4	12	62	43	51	40	31	29	23											
Delivery of alcohol to a person under 18 or allowing such delivery	209	297	431	286	190	120	106	20	24	36	23	9	11	6	189	273	395	263	181	109	100											
Possession of Cannabis <sup>(2)</sup>	-	-	-	-	11,491	13,916	16,277	-	-	-	-	-	-	148	163	301	-	-	-	11,343	-	-										
<b>Lower Tier Offences (£50)</b>																																
Trespassing on a railway	220	1,042	1,527	1,468	1,552	1,454	1,331	73	256	291	257	240	196	145	147	786	1,236	1,211	1,312	1,258	1,186											
Throwing stones at a train / railway	20	15	25	27	21	11	8	5	4	10	8	8	6	2	15	11	15	19	13	5	6											
Drink in a highway	3,138	2,712	2,066	1,438	999	758	669	103	149	106	57	31	13	20	3,035	2,563	1,960	1,381	968	745	649											
Consumption of alcohol in a designated public place	712	1,061	1,544	1,761	1,596	1,036	1,227	56	136	172	126	87	31	52	656	925	1,372	1,635	1,509	1,005	1,175											
Depositing and leaving litter	737	1,169	1,374	1,202	1,148	903	707	185	253	301	241	181	119	75	552	916	1,073	961	967	784	632											
Consumption of alcohol by a person under 18 on relevant premises	84	75	85	36	27	14	26	74	67	85	31	19	9	23	10	8	-	-	8	5	3											
Allowing consumption of alcohol by a person under 18 on relevant premises	27	14	11	6	4	3	2	2	-	1	2	-	-	-	25	14	10	4	4	3	2											
Buying or Attempting to buy alcohol by a person under 18	21	73	158	114	61	48	30	17	62	158	100	52	42	24	4	11	-	-	14	9	6											
<b>Totals</b>																																
Total Higher Tier Offences	141,522	195,036	200,754	170,112	164,985	136,542	123,530	11,939	18,671	18,122	13,675	11,119	7,776	5,888	129,583	176,365	182,632	156,437	153,866	128,766	117,642											
Total Lower Tier Offences	4,959	6,161	6,790	6,052	5,408	4,227	4,000	515	927	1,124	822	618	416	341	4,444	5,234	5,666	5,230	4,790	3,811	3,659											
<b>Total all offences</b>	<b>146,481</b>	<b>201,197</b>	<b>207,544</b>	<b>176,164</b>	<b>170,393</b>	<b>140,769</b>	<b>127,530</b>	<b>12,454</b>	<b>19,598</b>	<b>19,246</b>	<b>14,497</b>	<b>11,737</b>	<b>8,192</b>	<b>6,229</b>	<b>134,027</b>	<b>181,599</b>	<b>188,298</b>	<b>161,667</b>	<b>158,656</b>	<b>132,577</b>	<b>121,301</b>											

(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 2008.

\* = Not applicable. - = nil.

Table Q2.2 - Number of Penalty Notices for Disorder issued to offenders age 16 and over by ethnicity, 2011

England and Wales	White	Black	Asian	Other	Not Recorded/Not Known	Total
<b>Offence</b>						
<b>Higher Tier Offences (£80)</b>						
Wasting police time	1,934	42	148	241	445	2,810
Misuse of public telecommunications system	577	5	11	21	131	745
Giving false alarm to fire and rescue authority	28	1	2	-	6	37
Causing Harassment, alarm or distress	17,550	529	1,486	1,073	4,937	25,575
Throwing fireworks <sup>(1)</sup>	210	10	26	21	68	335
Drunk and disorderly <sup>(2)</sup>	28,010	318	663	553	6,457	36,001
Criminal Damage (under £500) <sup>(3)</sup>	3,687	62	132	152	876	4,909
Theft (retail under £200) <sup>(3)</sup>	24,580	924	1,873	1,339	5,972	34,688
Breach of fireworks curfew <sup>(4)</sup>	8	-	-	-	2	10
Possession of category 4 fireworks <sup>(4)</sup>	12	1	1	1	8	23
Possession by a person under 18 of adult fireworks <sup>(4)</sup>	19	1	8	3	10	41
Sale of alcohol to drunken person <sup>(5)</sup>	33	2	11	19	13	78
Supply of alcohol to a person under 18	24	-	1	5	19	49
Sale of alcohol to a person under 18 <sup>(3)</sup>	826	41	168	231	280	1,546
Purchasing alcohol for a person under 18 <sup>(3)</sup>	232	-	3	7	23	265
Purchasing alcohol for a person under 18 for consumption on the premises	26	-	2	1	6	35
Delivery of alcohol to a person under 18 or allowing such delivery <sup>(3)</sup>	80	1	2	5	18	106
Possession of Cannabis <sup>(6)</sup>	9,694	449	1,951	1,561	2,622	16,277
<b>Lower Tier Offences (£50)</b>						
Trespassing on a railway	853	47	43	21	367	1,331
Throwing stones at a train / railway	5	-	-	-	3	8
Drunk in a highway	487	11	11	13	147	669
Consumption of alcohol in a designated public place	848	79	57	57	186	1,227
Depositing and leaving litter <sup>(3)</sup>	496	23	45	25	118	707
Consumption of alcohol by a person under 18 on relevant premises <sup>(3)</sup>	16	-	1	1	8	26
Allowing consumption of alcohol by a person under 18 on relevant premises <sup>(3)</sup>	2	-	-	-	-	2
Buying or Attempting to buy alcohol by a person under 18 <sup>(6)</sup>	24	-	1	-	5	30
<b>Totals</b>						
Total Higher Tier Offences	87,530	2,386	6,488	5,233	21,893	123,530
Total Lower Tier Offences	2,731	160	158	117	834	4,000
<b>Total all offences</b>	<b>90,261</b>	<b>2,546</b>	<b>6,646</b>	<b>5,350</b>	<b>22,727</b>	<b>127,530</b>

(1) Offence moved from the lower tier (£50) to the upper tier (£80) on 5th March 2004.

(2) Offence moved from the lower tier (£50) to the upper tier (£80) on 1st November 2004.

(3) 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.

(4) Offence added with effect from 11 October 2004.

(5) Offence added with effect from 04 April 2005.

(6) Offence added with effect from 27 January 2009.

- = nil.

**Table Q2.3 - Offenders cautioned by type of offence, 2001 to 2011**

England and Wales	Number of offenders (thousands)										
Type of offence	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
<b>All offenders</b>											
<b>Indictable offences</b>											
Violence against the person	19.6	23.6	28.8	36.6	51.0	57.3	52.3	37.9	27.3	21.9	16.1
Sexual offences	1.2	1.2	1.3	1.5	1.7	1.9	1.9	1.7	1.5	1.4	1.5
Burglary	6.4	5.8	5.6	5.6	6.5	7.7	7.0	5.4	4.4	3.5	3.4
Robbery	0.5	0.4	0.4	0.5	0.6	0.7	0.6	0.4	0.2	0.2	0.3
Theft and handling stolen goods	63.5	54.2	54.5	61.9	67.6	72.4	72.8	64.0	60.7	47.5	43.5
Fraud and forgery	5.8	5.3	5.5	6.0	6.9	8.0	8.6	8.3	7.2	6.1	5.6
Criminal damage	3.4	3.1	3.7	5.5	7.2	9.0	8.8	7.9	6.4	5.1	4.7
Drug offences	39.4	44.9	45.7	32.6	34.4	37.4	43.1	47.0	43.8	40.7	42.7
Other (excluding motoring offences)	4.2	4.4	5.3	6.0	6.9	9.4	10.0	8.6	8.0	7.2	6.1
<b>Total (excluding motoring offences)</b>	<b>143.9</b>	<b>142.9</b>	<b>150.7</b>	<b>156.3</b>	<b>182.9</b>	<b>203.8</b>	<b>205.1</b>	<b>181.2</b>	<b>159.5</b>	<b>133.5</b>	<b>123.9</b>
<b>Summary offences</b>											
(excluding motoring offences)	85.9	82.4	91.1	99.5	116.0	146.2	157.8	146.7	131.1	109.3	108.3
<b>All offences</b>											
(excluding motoring offences)	229.9	225.4	241.8	255.8	298.9	350.0	362.9	327.9	290.6	242.8	232.2

**Table Q2.4 - Proportion of offenders who were either cautioned or convicted that were given a caution, by type of offence, 2001 to 2011**

England and Wales		Percentages									
Type of offence	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
<b>All offenders</b>											
<b>Indictable offences</b>											
Violence against the person	35.7	38.5	43.1	48.3	55.5	57.8	55.5	47.7	38.6	32.8	27.6
Sexual offences	23.3	21.3	23.7	24.4	26.7	28.1	27.8	24.7	22.4	19.1	20.4
Burglary	20.5	17.8	17.8	18.8	21.9	25.1	22.6	18.5	16.1	12.7	11.8
Robbery	7.4	5.0	5.5	5.7	8.1	8.1	6.5	4.3	2.3	2.4	2.8
Theft and handling stolen goods	33.3	29.9	31.4	35.9	39.5	42.2	40.7	36.6	35.2	28.1	26.6
Fraud and forgery	20.9	19.9	20.5	22.5	25.4	28.9	29.0	28.7	25.5	22.5	22.6
Criminal damage	24.0	22.0	24.9	31.9	38.2	41.6	41.3	45.0	45.0	39.5	40.1
Drug offences	46.4	47.8	47.2	45.4	46.8	48.6	49.1	47.0	43.5	39.7	41.3
Other (excluding motoring offences)	8.6	8.4	9.3	9.9	11.5	15.8	18.1	17.7	14.3	12.2	11.8
<b>Total (excluding motoring offences)</b>	<b>30.7</b>	<b>29.7</b>	<b>31.0</b>	<b>33.0</b>	<b>37.2</b>	<b>40.2</b>	<b>39.6</b>	<b>36.4</b>	<b>32.6</b>	<b>27.6</b>	<b>26.8</b>
<b>Summary offences</b>											
(excluding motoring offences)	16.3	14.5	15.6	16.0	18.6	22.8	24.3	22.9	20.3	18.1	18.2
<b>All offences</b>											
(excluding motoring offences)	23.1	21.4	22.6	23.3	26.8	30.5	31.1	28.8	25.6	22.3	21.9

**Table Q2.5 - Persons cautioned for all offences by ethnicity, 2001 to 2011**

Year	England and Wales					Persons (thousand)
	Total	White	Black	Asian	Other	
2001	229.9	197.3	13.1	9.9	2.5	7.0
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

Note: Totals may not sum due to rounding.

## 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.*

### **Magistrates' courts [Table Q3.5]**

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

There were 1.56 million defendants proceeded against at magistrates' courts in 2011, a decrease of 5.7 per cent from the 1.65 million proceedings in 2010.

The total proceedings figure can be split into two offence groups – summary proceedings, which cover the less serious offences such as TV license evasion and common assault, and indictable proceedings (including triable-either-way offences), which cover the more serious offences. Proceedings for both offence groups decreased in 2011 – a drop of 5.8 per cent from 2010 for summary offences (from 1.22 million to 1.14 million) and a drop of 5.5 per cent from 2010 for indictable offences (from 438,000 to 414,000).

Summary proceedings can be dealt with entirely within the magistrates' courts and make up around three quarters of all proceedings. Of the 1.14 million summary proceedings in 2011, just under half (546,600, or 47.7 per cent) of these proceedings related to summary motoring proceedings, which include offences such as speeding, driving while disqualified and drunk driving. This year is the first time over the last 11 years that summary non-motoring offences account for more than half of all summary offences (598,400 in 2011, or 52.3 per cent).

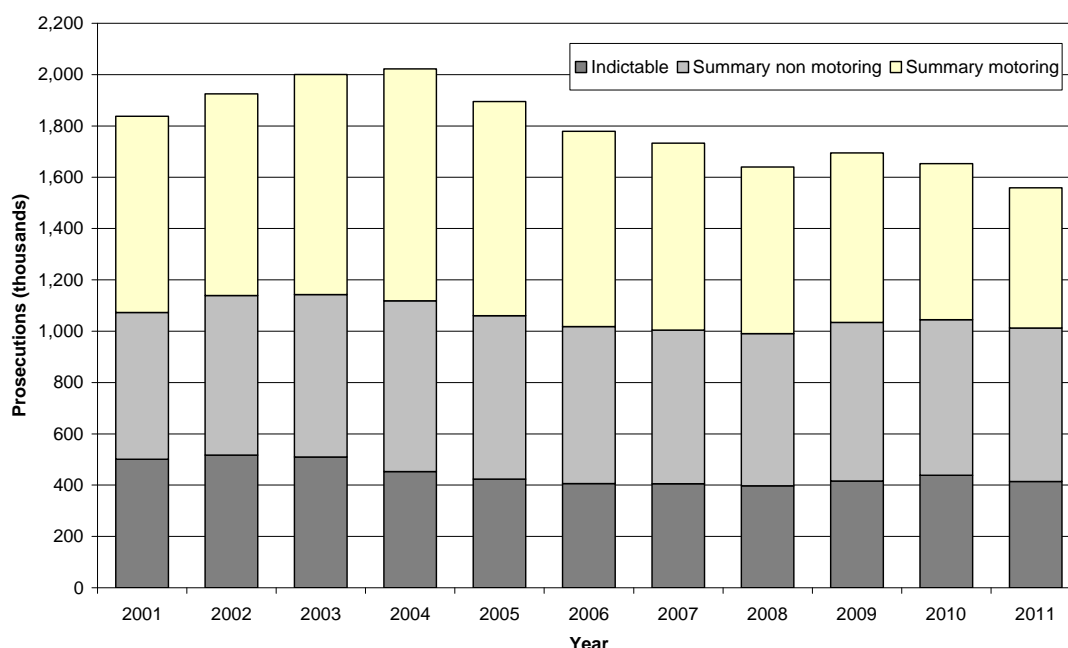
The 5.8 per cent drop in proceedings for summary offences between 2010 and 2011 is not split evenly between summary motoring and summary non-motoring proceedings:

- Defendants proceeded against for summary motoring offences fell by 10.1 per cent from 608,100 during 2010 to 546,600 during 2011.
- Defendants proceeded against for summary non-motoring offences fell by 1.4 per cent from 607,100 during 2010 to 598,400 during 2011.

Over the past decade, defendants proceeded against peaked at 2.02 million in 2004. Compared to this peak, there were 22.9 per cent fewer defendants proceeded against in 2011. This was made up of an 8.7 per cent decrease in those proceeded against for indictable offences, a 10.1 per cent decrease in those proceeded against for summary non-motoring offences and a 39.5 per cent decrease in those proceeded against for summary motoring offences.



**Figure 3.1 Defendants proceeded against at magistrates' courts by type of offence, 2001 to 2011**



## 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.*

Defendants are more likely to be remanded in custody for indictable offences than summary offences. As a result the proportion of defendants remanded in custody at the Crown Court is higher than at magistrates' courts.

### Police remands [Table 3.1]

In 2011, there were 1.64 million defendants directed to appear at magistrates' courts<sup>7</sup>, a decrease of 5.7 per cent compared with the 2010 total (1.73 million). Of these, 32.4 per cent were granted bail by the police, 11.4 per cent were remanded in custody, with the remaining 56.3 per cent directed to appear via summonses.

The proportion of defendants remanded in custody has increased every year since 2007, driven mainly by the rise in defendants remanded in custody for indictable offences. The proportion remanded in custody varies by offence type:

- 28.4 per cent (130,000) for indictable offences in 2011, 0.3 percentage points higher than in 2010 and 12.4 percentage points higher than in 2007;
- 7.5 per cent (46,000) for summary non-motoring offences in 2011, 0.2 percentage points lower than in 2010; and;

<sup>7</sup> Including here those who failed to appear.

- 2.0 per cent (11,000) for summary motoring offences, 0.6 percentage points higher than in 2010.

### **Magistrates' courts [Table 3.2]**

In 2011, 1.64 million defendants were proceeded against at magistrates' courts<sup>8</sup>. Of these it was estimated<sup>9</sup> that:

- Bail was granted to 33.0 per cent, 0.9 percentage points lower than in 2010. This decrease in proportion granted bail represented a reversal of the upward trend since 2003, when bail was granted to 23.5 per cent of defendants;
- 3.4 per cent were remanded in custody, 0.1 per cent lower than in 2010; and
- the remaining 63.7 per cent had their case concluded at the magistrates' courts without being remanded, 1.0 percentage points higher than in 2010.

The proportion of defendants remanded into custody at magistrates' courts has remained broadly consistent since 2001.

The proportion of defendants remanded in custody by magistrates' courts by offence type in 2011 was:

- For indictable cases 10.0 per cent (45,600);
- For summary non-motoring offences 1.3 per cent (8,300);
- For summary motoring offences 0.2 per cent (992).

### **Outcomes of cases dealt with by magistrates' courts [Table Q3a]**

Of the 1.04 million defendants not remanded by magistrates in 2011:

- A custodial sentence was given to 2.4 per cent (24,600), the same proportion as in 2010;
- 2.7 per cent (27,800) were committed to the Crown Court for sentence or trial;
- Those acquitted or not proceeded against accounted for 14.8 per cent (153,700);
- A further 77.5 per cent (806,500) were given a non-custodial sentence.

Of the 539,100 defendants remanded on bail:

- A custodial sentence was given to 2.6 per cent (13,800);
- 11.4 per cent (61,600) were committed to the Crown Court for sentence or trial;

<sup>8</sup> Including here those who failed to appear.

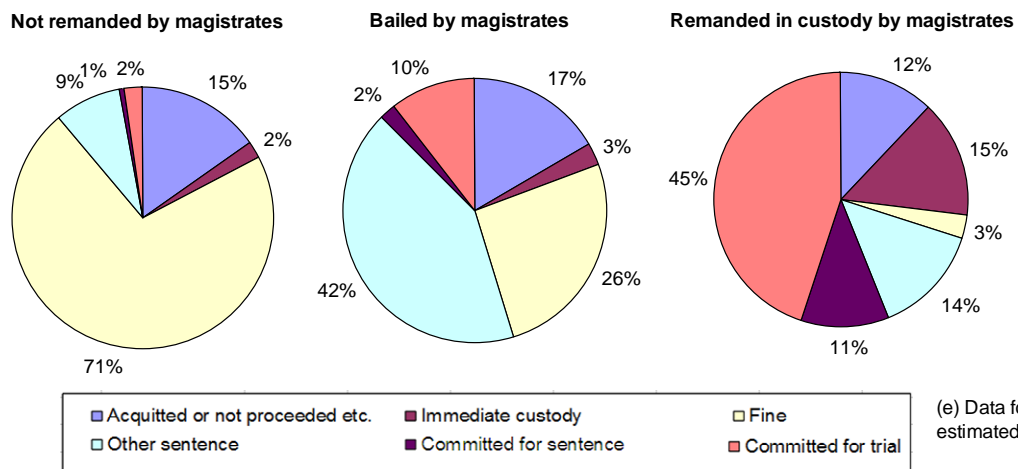
<sup>9</sup> Remand figures are estimated through a matching process with prisons remand reception data – see the 'Remands' section of technical document "A Guide to Criminal Justice Statistics" for more details.

- 15.2 per cent (82,000) were acquitted or not proceeded against, a decrease of 1.6 percentage points on 2010;
- a further 62.3 per cent (335,700) were given a non-custodial sentence, a decrease of 5.7 percentage points on 2010.

Of the 54,900 defendants remanded in custody:

- A custodial sentence was given to 14.0 per cent (7,700) given, a decrease of 1.0 percentage points on 2010;
- 55.2 per cent (30,400) were committed to the Crown Court for sentence or trial;
- Those acquitted or not proceeded against accounted for 11.8 per cent (6,500);
- a further 16.1 per cent (8,900) were given a non-custodial sentence.

**Figure 3.2 Proportion of all defendants<sup>(1)</sup> proceeded against at magistrates' courts, by type of court remand and outcome of proceedings, 2011 (e)**



(e) Data for 2011 are estimated.

(1) Proportions of final outcome of proceedings excludes those defendants who failed to appear.

### Committals [Table A3.5]

More serious (indictable) offences are sent by magistrates' courts to the Crown Court for either trial or sentence.

- 97,600 defendants were committed for trial at the Crown Court in 2011. This represented a decrease of 8.3 per cent from 2010 (106,400), and reversed the upward trend seen since 2006 (79,500).
- Over the same period the proportion of cases committed for trial where the defendant was remanded in custody has remained broadly consistent between 30.2 to 32.6 per cent;

- The highest proportions of defendants committed for trial and remanded in custody in 2011 were for the offences of *burglary* (54.1 per cent), *robbery* (51.0 per cent) and *criminal damage* (47.1 per cent). These proportions are almost unchanged compared with 2010 with the exception of *criminal damage* which increased by 8.2 percentage points to 47.1 per cent in 2011.

### **Crown court remands [Table Q3.3]**

In 2011, the proportion of defendants tried at the Crown Court who were remanded on bail was 50.4 per cent. This represented a decrease of 3.2 percentage points from 2010 (53.6 per cent), and reversed the upward trend seen since 2006 (47.3 per cent). By contrast, between 2010 and 2011, the proportion of defendants remanded in custody increased from 33.6 per cent to 34.7 per cent.

### **Outcomes of cases dealt with at the Crown Court [Table Q3a]**

Of the 43,600 defendants remanded in custody by the Crown Court in 2011:

- A custodial sentence was given to 73.0 per cent (31,900);
- Those acquitted or not proceeded against accounted for 11.5 per cent (5,000).

Of the 63,400 defendants remanded on bail by the Crown Court in 2011:

- A custodial sentence was given to 23.8 per cent (15,100);
- Those acquitted or not proceeded against accounted for 24.3 per cent (15,400)

### **Ethnicity [Table A3.10b]**

Data on the ethnic appearance of offenders is currently only collated for indictable offences. This is because a defendant is not required to attend court for a number of summary offences (e.g. TV license evasion) hence an observation regarding ethnicity can therefore not be made.

During 2011, the proportion of white defendants tried at the Crown Court for indictable offences who were remanded in custody was 34.9 per cent. This figure was 45.0 per cent for black defendants and 33.5 per cent for Asian defendants.

These differences are likely to be a reflection of the different offences tried and different defendant characteristics between ethnicities. For more information see the publication '*Race and the Criminal Justice System*'<sup>10</sup>.

### **Failure to appear [Table Q3a]**

Each year a proportion of defendants fail to appear in court having been summonsed to appear or granted bail.

<sup>10</sup> [www.justice.gov.uk/publications/statistics-and-data/criminal-justice/race.htm](http://www.justice.gov.uk/publications/statistics-and-data/criminal-justice/race.htm)

In 2011, approximately 76,100 defendants failed to appear to bail or summons at magistrates' courts; 4.7 per cent of those directed to appear. This proportion has remained relatively stable since 2009, at between 5.1 and 4.7 per cent.

In 2011, approximately 3,100 defendants failed to appear to bail at the Crown Court, compared with 2,600 in 2010, an increase of 19.2 per cent. This follows on from a decrease between 2009 and 2010 of 10.3 per cent in the number of defendants who failed to appear.

Table Q3.1 - Defendants directed to appear at magistrates' courts<sup>(1)</sup> by type of offence and how directed to appear, 2001 to 2011 (e)

England and Wales	Defendants (thousands and percentages)											
	Percentages											2011
	Year											
How directed to appear	2001	2002	2003	2004	2005	2006	2007	2008 <sup>(2)</sup>	2009	2010	2011	2011
<b>Indiciable offences</b>												
Summonsed	48	51	54	56	47	48	48	43	39	40	43	43
Arrested and bailed	448	462	448	395	360	343	351	322	299	308	284	284
Arrested and held in custody <sup>(3)</sup>	91	99	101	93	91	84	76	92	125	136	130	130
<b>Total</b>	<b>587</b>	<b>611</b>	<b>602</b>	<b>544</b>	<b>498</b>	<b>475</b>	<b>474</b>	<b>458</b>	<b>462</b>	<b>484</b>	<b>458</b>	<b>458</b>
<b>Summary offences (other than motoring)</b>												
Summonsed	368	408	410	459	435	407	387	386	407	386	398	398
Arrested and bailed	215	233	241	212	203	207	215	201	188	190	171	171
Arrested and held in custody <sup>(3)</sup>	23	24	31	25	28	27	25	30	43	48	46	46
<b>Total</b>	<b>606</b>	<b>665</b>	<b>682</b>	<b>695</b>	<b>666</b>	<b>641</b>	<b>626</b>	<b>617</b>	<b>638</b>	<b>624</b>	<b>614</b>	<b>614</b>
<b>Summary motoring offences</b>												
Summonsed	684	695	751	798	722	647	615	542	574	536	479	479
Arrested and bailed	140	152	162	161	157	148	139	110	99	81	73	73
Arrested and held in custody <sup>(3)</sup>	14	18	21	16	16	12	9	9	10	9	11	11
<b>Total</b>	<b>838</b>	<b>865</b>	<b>934</b>	<b>976</b>	<b>895</b>	<b>807</b>	<b>763</b>	<b>661</b>	<b>684</b>	<b>626</b>	<b>563</b>	<b>563</b>
<b>All offences</b>												
Summonsed	1,101	1,154	1,215	1,313	1,205	1,102	1,049	971	1,020	961	920	920
Arrested and bailed	803	846	851	768	719	698	705	633	586	579	529	529
Arrested and held in custody <sup>(3)</sup>	128	141	153	135	135	123	110	131	179	194	186	186
<b>Total</b>	<b>2,032</b>	<b>2,141</b>	<b>2,219</b>	<b>2,215</b>	<b>2,060</b>	<b>1,923</b>	<b>1,864</b>	<b>1,736</b>	<b>1,784</b>	<b>1,734</b>	<b>1,635</b>	<b>1,635</b>

(e) Magistrates' courts data are estimated.

(1) Total number of persons proceeded against includes those who failed to appear to a summons, or to bail, who are excluded from the proceedings figures given in other chapters.

Approximately 76,100 persons (4.7 per cent of those directed to appear) failed to appear in 2011.

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

(3) Includes those remanded for part of the time in custody and part on bail.

Note: Some figures may not sum due to rounding.

Table Q3.2 - Defendants proceeded against at magistrates' courts<sup>(1)</sup> who were remanded by magistrates, by type of offence and type of remand, 2001 to 2011 (e)

Type of offence	Year											Percentages										
	2001	2002	2003	2004	2005	2006	2007	2008 <sup>(2)</sup>	2009	2010	2011	2001	2002	2003	2004	2005	2006	2007	2008 <sup>(2)</sup>	2009	2010	2011
<b>Indictable offences</b>																						
Not remanded	209	240	259	207	199	191	201	168	116	128	128	35.6	39.3	43.0	38.1	40.0	40.2	42.4	36.7	25.1	26.4	27.9
Remanded on bail	319	309	289	289	256	244	235	237	297	305	284	54.3	50.6	48.0	53.1	51.4	51.4	49.6	51.7	64.3	63.0	62.0
Remanded in custody <sup>(3)</sup>	60	62	55	48	43	40	38	53	49	50	46	10.2	10.1	9.1	8.8	8.6	8.4	8.0	11.6	10.6	10.3	10.0
<b>Total</b>	<b>587</b>	<b>611</b>	<b>602</b>	<b>544</b>	<b>498</b>	<b>475</b>	<b>474</b>	<b>458</b>	<b>462</b>	<b>484</b>	<b>458</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
<b>Summary offences (other than motoring)</b>																						
Not remanded	474	534	539	542	515	487	471	452	435	421	430	78.2	80.3	79.0	78.0	77.3	76.0	75.2	73.1	68.2	67.5	70.0
Remanded on bail	125	123	133	144	142	144	146	153	193	194	176	20.6	18.5	19.5	20.7	21.3	22.5	23.3	24.8	30.3	31.1	28.7
Remanded in custody <sup>(3)</sup>	7	7	10	10	9	10	10	13	10	9	8	1.2	1.1	1.5	1.4	1.4	1.6	1.6	2.1	1.6	1.4	1.3
<b>Total</b>	<b>606</b>	<b>665</b>	<b>682</b>	<b>695</b>	<b>666</b>	<b>641</b>	<b>626</b>	<b>618</b>	<b>638</b>	<b>624</b>	<b>614</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
<b>Summary motoring offences</b>																						
Not remanded	748	773	825	864	783	709	673	585	575	537	484	89.3	89.4	88.3	87.5	87.5	87.9	88.2	86.3	84.1	85.8	86.0
Remanded on bail	79	78	99	113	106	92	86	89	107	88	78	9.4	9.0	10.6	11.6	11.8	11.4	11.3	13.1	15.6	14.1	13.9
Remanded in custody <sup>(3)</sup>	11	13	10	9	6	5	4	4	2	1	1	1.3	1.5	1.1	0.9	0.7	0.6	0.5	0.6	0.3	0.2	0.2
<b>Total</b>	<b>838</b>	<b>865</b>	<b>934</b>	<b>976</b>	<b>895</b>	<b>807</b>	<b>763</b>	<b>678</b>	<b>684</b>	<b>626</b>	<b>563</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
<b>All offences</b>																						
Not remanded	1,431	1,548	1,622	1,603	1,496	1,388	1,345	1,205	1,127	1,087	1,041	70.4	72.3	73.1	72.4	72.6	72.2	72.2	68.7	63.2	62.7	63.7
Remanded on bail	523	510	521	546	505	480	467	479	597	587	539	25.7	23.8	23.5	24.7	24.5	25.0	25.1	27.3	33.5	33.9	33.0
Remanded in custody <sup>(3)</sup>	78	82	76	67	59	55	52	70	61	60	55	3.8	3.8	3.4	3.0	2.9	2.9	2.8	4.0	3.4	3.5	3.4
<b>Total</b>	<b>2,032</b>	<b>2,141</b>	<b>2,219</b>	<b>2,215</b>	<b>2,060</b>	<b>1,923</b>	<b>1,864</b>	<b>1,754</b>	<b>1,784</b>	<b>1,734</b>	<b>1,635</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

(e) Magistrates' courts data are estimated.

(1) Total number of persons proceeded against includes those who failed to appear to a summons, or to bail, who are excluded from the proceedings figures given in other chapters.

Approximately 76,100 persons (4.7 per cent of those proceeded against) failed to appear in 2011.

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

(3) Including those remanded in custody at any stage of proceedings at magistrates' courts who may also have been given bail at some stage of those proceedings.

Note: Some figures may not sum due to rounding.

**Table Q3.3 - Defendants tried at the Crown Court<sup>(1)</sup> by remand status during trial at the Crown Court by offence type, 2006 to 2011**

England and Wales	Defendants (thousands and percentages)											
	2006	2007	2008	2009	2010	2011	2006	2007	2008	2009	2010	2011
<b>Type of offence</b>												
<b>Indictable offences</b>												
Not remanded	15.0	14.2	15.2	15.8	14.4	16.5	16.0	14.5	14.6	14.2	12.0	13.8
Remanded on bail	44.0	48.1	51.0	56.5	64.2	60.2	46.9	49.0	48.9	50.8	53.5	50.6
Remanded in custody <sup>(2)</sup>	34.9	35.8	38.1	39.0	41.4	42.4	37.2	36.5	36.6	35.1	34.5	35.6
<b>Total</b>	<b>93.9</b>	<b>98.1</b>	<b>104.3</b>	<b>111.3</b>	<b>119.9</b>	<b>119.1</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
<b>Summary offences (other than motoring)</b>												
Not remanded	0.6	0.8	1.0	1.3	1.5	1.8	17.1	21.1	23.1	26.7	24.5	31.5
Remanded on bail	1.9	2.2	2.4	2.7	3.4	2.8	59.1	57.9	56.7	54.3	55.6	48.9
Remanded in custody <sup>(2)</sup>	0.8	0.8	0.9	1.0	1.2	1.1	23.9	21.1	20.3	19.0	19.9	19.6
<b>Total</b>	<b>3.3</b>	<b>3.8</b>	<b>4.3</b>	<b>5.0</b>	<b>6.1</b>	<b>5.8</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
<b>Summary motoring offences</b>												
Not remanded	0.2	0.4	0.4	0.4	0.4	0.4	34.4	36.6	37.8	42.1	45.6	47.3
Remanded on bail	0.3	0.5	0.5	0.4	0.4	0.4	45.3	46.5	48.8	46.0	45.5	41.6
Remanded in custody <sup>(2)</sup>	0.1	0.2	0.1	0.1	0.1	0.1	20.3	16.9	13.3	11.9	8.9	11.0
<b>Total</b>	<b>0.7</b>	<b>1.0</b>	<b>1.0</b>	<b>0.9</b>	<b>1.0</b>	<b>0.9</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
<b>All offences</b>												
Not remanded	15.8	15.4	16.6	17.5	16.3	18.7	16.1	14.9	15.1	14.9	12.8	14.9
Remanded on bail	46.3	50.8	53.9	59.6	68.0	63.4	47.3	49.3	49.2	50.9	53.6	50.4
Remanded in custody <sup>(2)</sup>	35.8	36.8	39.1	40.1	42.7	43.6	36.6	35.7	35.7	34.2	33.6	34.7
<b>Total</b>	<b>97.9</b>	<b>103.0</b>	<b>109.6</b>	<b>117.2</b>	<b>127.0</b>	<b>125.8</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

(1) Total number of persons proceeded against includes those who failed to appear to bail, who are excluded from the proceedings figures given in other chapters.

(2) Including those remanded in custody at any stage of proceedings at the Crown Court who may also have been given bail at some stage of those proceedings. Remand status of defendants shown is based on decisions made during proceedings at the Crown Court which may be different to that recorded in Table Q3.4, A3.1, A3.6, A3.7, A3.8, A3.9, A3.10 and A3.11.

Note: Some figures may not sum due to rounding.



**Table Q3.4 - Defendants<sup>(1)</sup> tried at the Crown Court by ethnicity<sup>(2)</sup>, by remand status before trial or sentence and offence group, 2011**

England and Wales		Defendants (thousands)				
Offence group <sup>(3)</sup> and remand status	Ethnicity					
	Total	White	Black Defendants (thousands)	Asian	Other	Not recorded
<b>Violence against the person</b>	<b>28.1</b>	<b>21.0</b>	<b>2.7</b>	<b>1.7</b>	<b>0.8</b>	<b>1.9</b>
Not remanded	0.0	0.0	0.0	0.0	0.0	0.0
Bailed	19.0	14.4	1.7	1.2	0.5	1.2
Remanded in custody <sup>(4)</sup>	9.1	6.6	1.1	0.5	0.3	0.6
<b>Sexual offences</b>	<b>7.4</b>	<b>5.5</b>	<b>0.6</b>	<b>0.6</b>	<b>0.2</b>	<b>0.5</b>
Not remanded	0.0	0.0	-	-	-	0.0
Bailed	5.1	3.9	0.3	0.4	0.1	0.3
Remanded in custody <sup>(4)</sup>	2.3	1.5	0.3	0.2	0.1	0.2
<b>Burglary</b>	<b>13.7</b>	<b>10.9</b>	<b>1.2</b>	<b>0.4</b>	<b>0.4</b>	<b>0.9</b>
Not remanded	0.0	0.0	0.0	-	-	0.0
Bailed	5.2	4.2	0.4	0.2	0.1	0.3
Remanded in custody <sup>(4)</sup>	8.4	6.7	0.7	0.2	0.2	0.6
<b>Robbery</b>	<b>8.1</b>	<b>4.9</b>	<b>1.6</b>	<b>0.6</b>	<b>0.3</b>	<b>0.7</b>
Not remanded	0.0	0.0	0.0	-	-	-
Bailed	3.5	2.0	0.7	0.3	0.1	0.4
Remanded in custody <sup>(4)</sup>	4.6	2.9	1.0	0.3	0.2	0.3
<b>Theft and handling stolen goods</b>	<b>14.3</b>	<b>10.4</b>	<b>1.4</b>	<b>0.8</b>	<b>0.5</b>	<b>1.2</b>
Not remanded	0.0	0.0	-	-	-	0.0
Bailed	9.7	7.1	0.9	0.6	0.3	0.8
Remanded in custody <sup>(4)</sup>	4.6	3.4	0.5	0.2	0.2	0.4
<b>Fraud and forgery</b>	<b>8.5</b>	<b>3.8</b>	<b>1.3</b>	<b>0.9</b>	<b>0.4</b>	<b>2.2</b>
Not remanded	0.0	0.0	0.0	-	0.0	0.0
Bailed	6.3	2.9	0.7	0.6	0.2	1.8
Remanded in custody <sup>(4)</sup>	2.1	0.9	0.5	0.3	0.2	0.3
<b>Criminal damage</b>	<b>2.2</b>	<b>1.8</b>	<b>0.1</b>	<b>0.1</b>	<b>0.1</b>	<b>0.1</b>
Not remanded	0.0	-	-	-	-	0.0
Bailed	1.3	1.0	0.1	0.1	0.0	0.1
Remanded in custody <sup>(4)</sup>	0.9	0.7	0.1	0.0	0.0	0.1
<b>Drug offences</b>	<b>17.0</b>	<b>11.2</b>	<b>2.3</b>	<b>1.6</b>	<b>0.7</b>	<b>1.2</b>
Not remanded	0.0	0.0	0.0	0.0	0.0	0.0
Bailed	11.9	8.7	1.3	0.9	0.3	0.7
Remanded in custody <sup>(4)</sup>	5.1	2.5	0.9	0.7	0.4	0.6
<b>Other indictable offences</b>	<b>17.4</b>	<b>11.8</b>	<b>1.6</b>	<b>1.3</b>	<b>0.6</b>	<b>2.2</b>
Not remanded	0.3	0.0	0.0	0.0	0.0	0.2
Bailed	12.1	8.4	0.9	0.9	0.4	1.5
Remanded in custody <sup>(4)</sup>	5.1	3.4	0.7	0.4	0.2	0.5
<b>Indictable motoring offences</b>	<b>2.3</b>	<b>1.6</b>	<b>0.2</b>	<b>0.3</b>	<b>0.1</b>	<b>0.2</b>
Not remanded	-	-	-	-	-	-
Bailed	1.8	1.2	0.1	0.2	0.1	0.2
Remanded in custody <sup>(4)</sup>	0.5	0.4	0.0	0.0	0.0	0.0
<b>Total indictable offences</b>	<b>119.1</b>	<b>82.8</b>	<b>12.9</b>	<b>8.3</b>	<b>4.0</b>	<b>11.2</b>
<b>Total not remanded</b>	<b>0.4</b>	<b>0.1</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.3</b>
<b>Total bailed</b>	<b>75.9</b>	<b>53.8</b>	<b>7.1</b>	<b>5.5</b>	<b>2.2</b>	<b>7.3</b>
<b>Total remanded in custody<sup>(4)</sup></b>	<b>42.8</b>	<b>28.9</b>	<b>5.8</b>	<b>2.8</b>	<b>1.7</b>	<b>3.6</b>

(1) Includes those who failed to appear to bail.

(2) Third party observed (4+1) ethnicity data.

(3) Includes indictable offence groups only. In 2011, these accounted for 95 per cent of all cases tried at the Crown Court.

(4) Includes those remanded for part of the time in custody and part on bail. Remand status shown is that recorded at the point of committal from the magistrates' court to the Crown Court for trial or sentence which may differ from that recorded in Table Q3.3 and Q3a.

Note: Some figures may not sum due to rounding.

**Table Q3.5 - Defendants<sup>1</sup> proceeded against at magistrates' courts by type of offence and age group, 2001 - 2011**

<b>Aged 10-17</b>		Year Ending										
England and Wales		2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Type of offence	Number proceeded against (thousands)											
Indictable	84.5	81.0	74.7	69.9	67.5	65.8	67.3	58.8	56.7	54.6	47.7	
Summary non motoring	44.1	43.3	43.4	45.5	45.9	45.7	47.5	42.9	39.1	35.8	29.2	
Summary motoring	21.4	22.2	22.8	21.3	18.3	14.7	11.8	9.2	7.7	6.0	4.9	
All offences	150.1	146.6	140.8	136.7	131.7	126.2	126.5	111.0	103.6	96.5	81.7	
<b>Aged 18 and over</b>		Year Ending										
England and Wales		2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Type of offence	Number proceeded against (thousands)											
Indictable	414.8	434.5	432.8	382.0	354.4	338.9	336.2	337.4	357.9	382.3	365.3	
Summary non motoring	525.0	576.0	587.9	616.7	588.4	563.7	549.6	548.1	577.6	569.2	567.4	
Summary motoring	733.5	754.6	825.4	871.9	807.0	739.5	709.1	632.6	643.8	594.5	535.0	
All offences	1,673.3	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	1,467.8	
<b>All ages<sup>(1)</sup></b>		Year Ending										
England and Wales		2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Type of offence	Number proceeded against (thousands)											
Indictable	500.9	517.1	509.2	453.3	423.4	406.2	404.9	397.5	415.6	438.0	414.0	
Summary non motoring	572.0	622.0	634.1	665.3	637.0	612.0	599.3	593.3	619.2	607.1	596.4	
Summary motoring	764.8	785.8	857.6	904.0	834.7	761.1	728.4	649.2	659.6	608.1	546.6	
All offences	1,837.7	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	1,559.0	

(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 Q3a Defendants proceeded against by court type, type of remand and outcome of proceedings, 2011**

Final outcome	Defendants (thousands) and percentage					
	Magistrates' courts (e)			The Crown Court <sup>(1)</sup>		
	Not remanded	Bailed	Remanded in custody <sup>(2)</sup>	Not remanded	Bailed	Remanded in custody <sup>(2)</sup>
<b>Defendants (thousands)</b>						
Acquitted or not proceeded etc.	153.7	82.0	6.5	0.0	15.4	5.0
Convicted:						
Discharge	30.2	59.2	1.1	0.3	2.0	0.3
Fine	720.1	127.7	1.7	0.5	1.5	0.1
Community sentence <sup>(3)</sup>	34.7	118.6	3.0	3.1	11.5	2.5
Fully suspended sentence	8.2	16.5	1.6	3.9	15.4	2.3
Immediate custody <sup>(4)</sup>	24.6	13.8	7.7	9.7	15.1	31.9
Otherwise dealt with <sup>(5)</sup>	13.3	13.7	1.5	0.7	0.7	0.9
Total offenders sentenced	831.0	349.5	16.6	18.1	46.2	37.8
Committed for sentence	5.8	9.8	6.2	*	*	*
Committed for trial	22.0	51.8	24.2	*	*	*
Failed to appear	28.5	46.1	1.5	0.5	1.8	0.8
<b>Total</b>	<b>1,041.0</b>	<b>539.1</b>	<b>54.9</b>	<b>18.7</b>	<b>63.4</b>	<b>43.6</b>
<b>Percentages</b>						
Acquitted or not proceeded etc.	14.8	15.2	11.8	0.3	24.3	11.5
Convicted:						
Discharge	2.9	11.0	2.0	1.8	3.2	0.6
Fine	69.2	23.7	3.1	2.6	2.3	0.2
Community sentence <sup>(3)</sup>	3.3	22.0	5.5	16.6	18.1	5.7
Fully suspended sentence	0.8	3.1	2.8	20.7	24.3	5.2
Immediate custody <sup>(4)</sup>	2.4	2.6	14.0	51.7	23.8	73.0
Otherwise dealt with <sup>(5)</sup>	1.3	2.5	2.7	3.5	1.0	2.0
Total percentage sentenced	79.8	64.8	30.2	96.9	72.8	86.7
Committed for sentence	0.6	1.8	11.2	*	*	*
Committed for trial	2.1	9.6	44.0	*	*	*
Failed to appear	2.7	8.5	2.7	2.8	2.9	1.8
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

(e) Data for magistrates' courts are estimated.

(1) Crown Court cases are not necessarily concluded in the same year as the committal.

(2) Including those remanded in custody at any stage of proceedings at the Crown Court who may also have been given bail at some stage of those proceedings. Remand status of defendants shown is based on decisions made during proceedings at the Crown Court which may be different to that recorded in Table Q3.4, A3.1, A3.6, A3.7, A3.8, A3.9, A 3.10 and A3.11.

(3) Community rehabilitation orders, supervision orders, community punishment orders, attendance centre orders, community punishment and rehabilitation orders, curfew orders, reparation orders, action plan orders and drug treatment and testing orders.

(4) Includes detention in a young offender institution, detention and training orders and unsuspended imprisonment.

(5) Includes one day in police cells, disqualification order, restraining order, confiscation order, travel restriction order, disqualification from driving, recommendation for deportation and other miscellaneous disposals.

\* Not applicable - this outcome applies only to magistrates' courts cases.

Note: Some figures may not sum due to rounding.

## Offenders found guilty

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

### Trends in convictions [Table Q4.1]

There were 1.56 million proceedings in 2011 compares with 1.65 million in 2010, a decrease of 5.7 per cent. There were 4.9 per cent fewer offenders convicted and sentenced, the 1.30 million in 2011 comparing with 1.37 million in 2010.

In 2011, there were:

- 414,000 prosecutions and 338,600 convictions for indictable offences – a decrease of 5.5 and 3.4 per cent respectively since 2010. Looking over the decade, prosecutions for indictable offences peaked at 517,100 in 2002 and have fallen by 19.9 per cent since, while convictions have fluctuated over the entire decade between 303,000 and 351,000.
- 598,400 prosecutions and 488,400 convictions for summary non-motoring offences – a decrease of 1.4 per cent and 1.0 per cent respectively since 2010, continuing the decrease in both prosecutions and convictions since 2004.
- 546,600 prosecutions and 473,400 convictions for summary motoring offences – a decrease of 10.1 per cent and 9.6 per cent respectively since 2010 and a continuation of the large falls in both prosecutions and convictions for summary motoring offences since 2004.

The public disorder of August 2011 is included in these figures. Those convicted for the public disorder by the end of December 2011 account for less than one per cent of all people convicted in 2011.

Convictions for indictable offences accounted for 26.0 per cent of the total offenders found guilty in 2011. This represents the highest proportion in the last eleven years and continues the trend of year on year rises since 2004, when the percentage was 20.5 per cent. In 2011, summary non-motoring offences accounted for 37.6 per cent, and summary motoring offences for 36.4 per cent of convictions respectively.

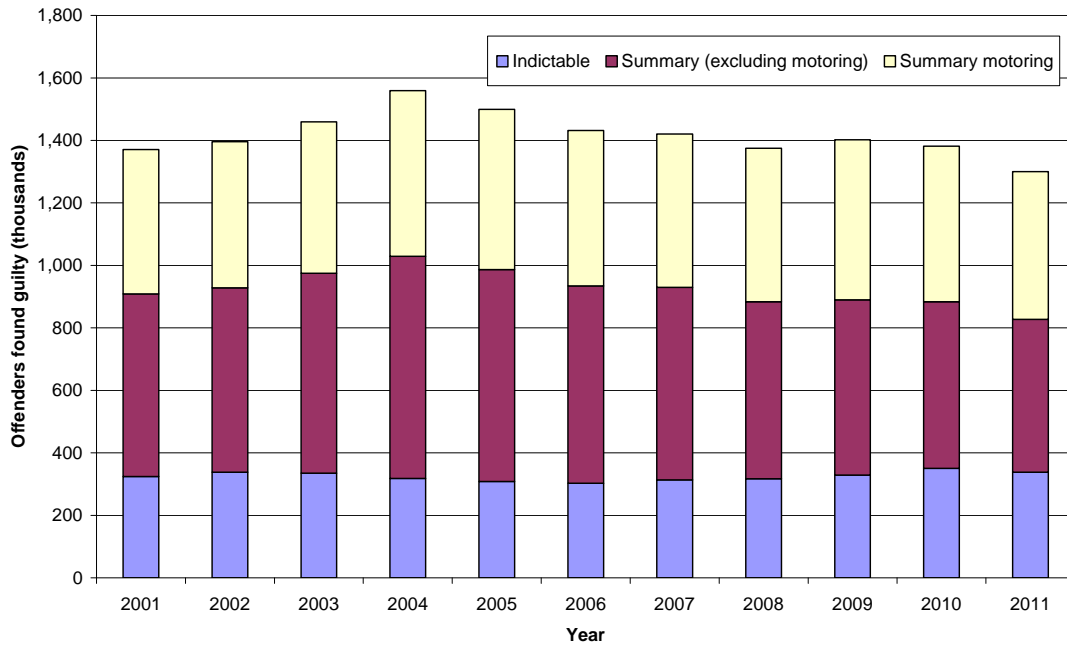
### Convictions by offence group [Tables Q4.1 and Q4.3]

Three of the ten indictable offence groups show an increased number of convictions in 2011 compared to 2010. These include changes in the following offence groups:

- Convictions for *Sexual offences* increased by 3.3 per cent from 5,800 to 6,000. This is a continuation of a general upward trend, and is the highest number of persons convicted for sexual offences in the last 11 years. This is reflected in the conviction ratio (the proportion of defendants proceeded against who were found guilty) of 60.3 per cent for sexual offences, which has increased by 5.5 percentage points since 2010 and is the highest for 3 years.
- *Robbery offences* increased by 9.0 per cent from 8,500 to 9,300, and the conviction ratio increased by 3.0 percentage points to 65.0 per cent.

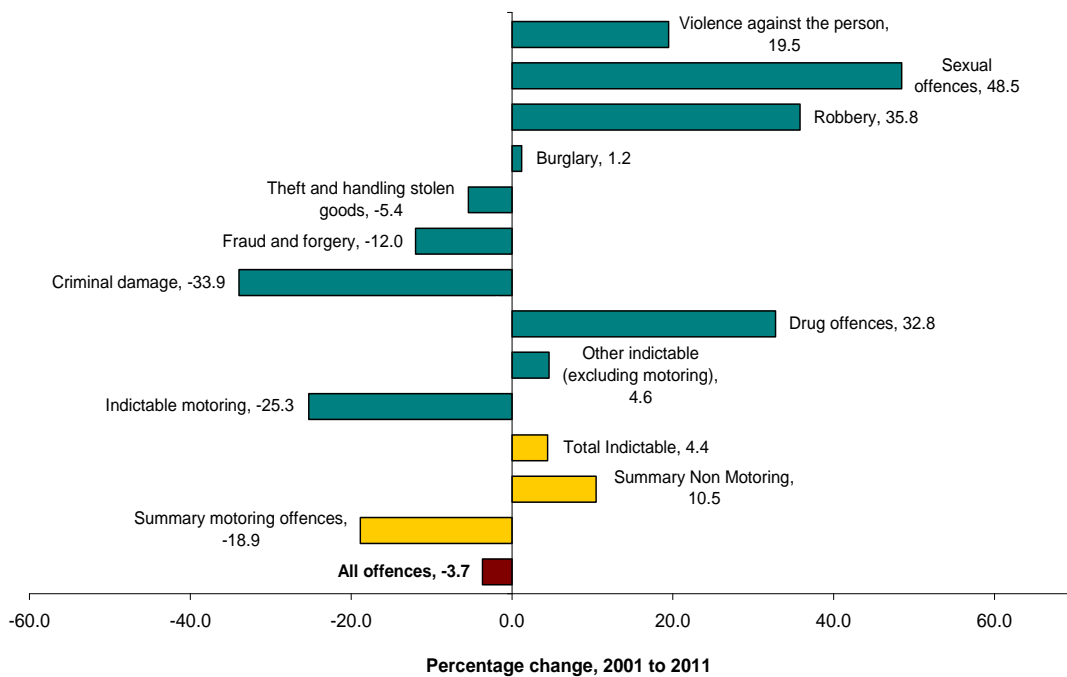
- *Burglary* convictions increased by 5.0 per cent from 24,000 to 25,100, and the conviction ratio increased by 1.1 percentage point to 76.3 per cent.

**Figure 4.1: Offenders found guilty by offence type, 2001 to 2011**



Convictions peaked in 2004 and have fallen by 16.0 per cent since. These falls have largely been driven by declines in convictions for summary motoring and summary non-motoring offences since 2004.

**Figure 4.2: Percentage change in offenders found guilty by offence type and offence group, 2001 to 2011**



## Conviction demographics [Table Q4.2]

A total of 949,100 males were found guilty in 2011, accounting for 76.1 per cent of all persons<sup>11</sup> convicted. This compares with 298,100 females found guilty, 23.9 per cent of all persons. The proportion of convictions accounted for by males has decreased 6.2 percentage points from 82.3 per cent in 2001. This trend has been driven by a decrease in males found guilty of summary motoring offences and an increase in females found guilty of summary non-motoring offences (including TV license evasion and common assault) over the period.

A total of 62,000 juveniles (males and females aged 10 to 17) were found guilty during 2011 (5.0 per cent of all persons found guilty).

In 2011 there were 338,600 offenders found guilty of an indictable offence, of which 90.2 per cent were of a known ethnicity. This represents a 31.6 percentage point increase in known ethnicity since 2008, the year in which the LIBRA case management system was rolled out in magistrates' courts.

Around three-quarters of the total persons found guilty of an indictable offence at all courts were white. Within offence types, this ranged from 45.4 per cent for *Fraud and forgery* to 85.3 per cent for *Criminal damage*.

For all indictable offences, 9.4 per cent of offenders were black, again varying by offence type – ranging from 4.3 per cent for *Criminal damage* to 25.7 per cent for *Robbery*.

Asian offenders made up 4.8 per cent of all offenders convicted for all indictable offences.

## Conviction ratio [Table Q4.3]

The conviction ratio is defined as the proportion of defendants proceeded against who were found guilty. In 2011, the conviction ratio for all offences was 83.4 per cent, an increase of 0.7 percentage points compared to 2010. The overall conviction ratio has risen by 10.0 percentage points since 2001.

Comparing 2011 with 2010, there was:

- an increase of 1.7 percentage points in the conviction ratio for indictable offences (81.8 per cent in 2011).
- an increase of 0.3 percentage points in the conviction ratio for summary non-motoring offences (81.6 per cent in 2011).
- an increase of 0.5 percentage points in the conviction ratio for summary motoring offences (86.6 per cent in 2011).

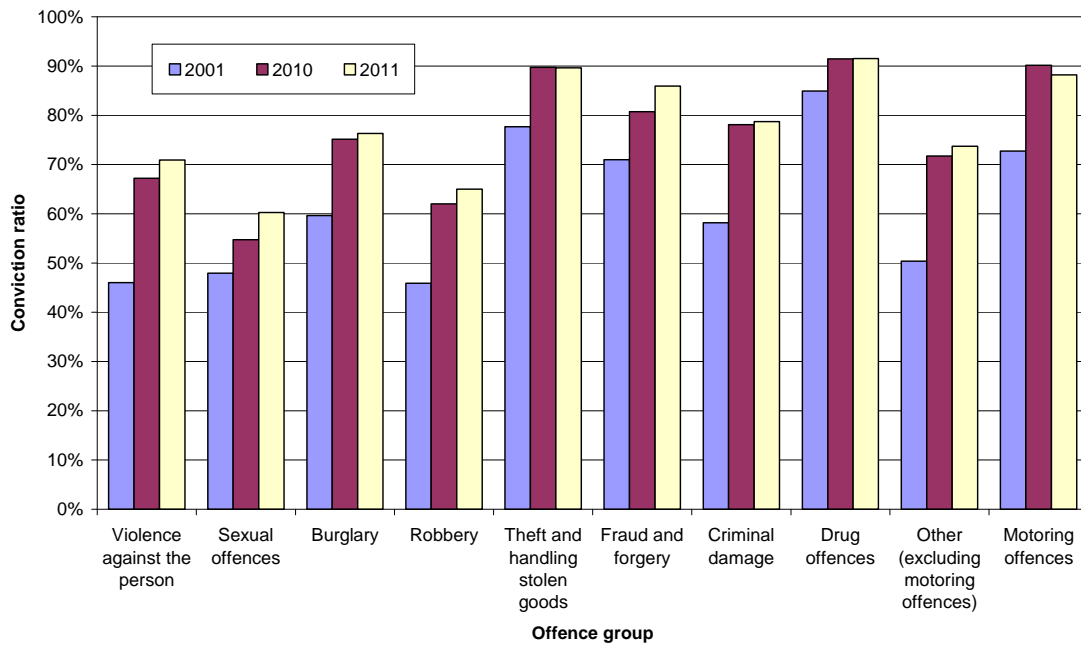
In 2011, the conviction ratio increased for eight of the ten indictable offence groups compared to 2010. Comparing with 2001, conviction rates have risen for all indictable offence groups. The largest increase has been for *Violence against the*

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<sup>11</sup> These figures are based on known 'males' and 'females'. Following the introduction of the Libra case management system during 2008, offenders at magistrates' courts can now be recorded as sex 'Not stated'. These figures have been excluded.

person, which has increased by 24.9 percentage points from a conviction rate of 46.0 per cent to 70.9 per cent across the 11 year period.

**Figure 4.3: Conviction ratio by indictable offence group, 2001 to 2011**



**Table Q4.1 - Offenders found guilty at all courts by offence group, 2001 - 2011**

England and Wales	Number of offenders (thousands)										
Offence group	2001	2002	2003	2004	2005	2006	2007	2008 <sup>(1)</sup>	2009	2010	2011
<b>Indictable offences</b>											
Violence against the person	35.3	37.7	38.0	39.1	40.9	41.9	42.0	41.5	43.5	44.8	42.2
Sexual offences	4.0	4.4	4.3	4.8	4.8	4.9	5.1	5.1	5.1	5.8	6.0
Burglary	24.8	26.7	25.7	24.3	23.0	23.0	23.8	23.9	23.0	23.9	25.1
Robbery	6.8	7.7	7.3	7.5	7.1	8.1	8.8	8.5	8.6	8.5	9.3
Theft and handling stolen goods	127.0	127.3	119.1	110.6	103.8	99.0	106.0	110.9	112.0	121.8	120.1
Fraud and forgery	21.8	21.5	21.3	20.8	20.4	19.7	21.0	20.6	21.0	21.0	19.2
Criminal damage	10.7	11.0	11.2	11.7	11.7	12.7	12.5	9.6	7.9	7.8	7.0
Drug offences	45.6	49.0	51.2	39.2	39.1	39.6	44.6	52.9	56.8	62.0	60.6
Other (excluding motoring offences)	44.0	48.0	51.5	54.5	53.1	50.0	45.3	40.1	47.7	51.6	46.0
Motoring offences	4.2	4.9	5.5	5.4	4.7	4.4	4.3	3.7	3.6	3.4	3.1
<b>Total</b>	<b>324.2</b>	<b>338.3</b>	<b>335.1</b>	<b>317.8</b>	<b>308.5</b>	<b>303.2</b>	<b>313.3</b>	<b>316.9</b>	<b>329.2</b>	<b>350.6</b>	<b>338.6</b>
<b>Summary offences</b>											
Offences (excluding motoring offences)	442.1	487.2	493.5	522.8	508.9	495.7	491.5	494.2	514.7	493.5	488.4
Motoring offences	583.3	595.8	662.6	707.9	667.1	622.5	611.1	552.2	564.6	523.4	473.4
<b>Total</b>	<b>1,025.5</b>	<b>1,083.0</b>	<b>1,156.1</b>	<b>1,230.7</b>	<b>1,175.9</b>	<b>1,118.2</b>	<b>1,102.6</b>	<b>1,046.3</b>	<b>1,079.3</b>	<b>1,016.8</b>	<b>961.7</b>
<b>All offences <sup>(2)</sup></b>	<b>1,349.7</b>	<b>1,421.3</b>	<b>1,491.2</b>	<b>1,548.5</b>	<b>1,484.4</b>	<b>1,421.4</b>	<b>1,415.9</b>	<b>1,363.2</b>	<b>1,408.4</b>	<b>1,367.5</b>	<b>1,300.3</b>

(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, 2011**

England and Wales		Number of offenders (thousands)							
		Males			Females				
		All offenders	All ages	Aged 10-17	Aged 18 & over	All ages	Aged 10-17	Aged 18 & over	Other offenders <sup>(1)</sup>
<b>Indictable offences</b>									
Violence against the person	42.2	37.2	4.4	32.9	4.8	0.7	4.1	0.1	0.1
Sexual offences	6.0	5.9	0.5	5.4	0.1	0.0	0.1	0.0	0.0
Burglary	25.1	23.8	4.5	19.3	1.2	0.3	0.9	0.1	0.1
Robbery	9.3	8.5	3.4	5.1	0.8	0.4	0.4	0.0	0.0
Theft and handling stolen goods	120.1	94.7	9.9	84.8	24.9	2.1	22.8	0.5	0.5
Fraud and forgery	19.2	13.0	0.3	12.7	5.5	0.1	5.4	0.7	0.7
Criminal damage	7.0	6.2	1.2	5.0	0.8	0.2	0.6	0.0	0.0
Drug offences	60.6	55.9	4.9	51.0	4.4	0.2	4.3	0.2	0.2
Other (excluding motoring offences)	46.0	39.5	2.7	36.9	5.1	0.4	4.7	1.4	1.4
Motoring offences	3.1	3.0	0.1	2.8	0.2	0.0	0.2	0.0	0.0
<b>Total</b>	<b>338.6</b>	<b>287.7</b>	<b>31.8</b>	<b>256.0</b>	<b>47.8</b>	<b>4.3</b>	<b>43.5</b>	<b>3.0</b>	<b>3.0</b>
<b>Summary offences</b>									
Offences (excluding motoring offences)	488.4	295.0	17.3	277.7	165.9	4.6	161.3	27.5	27.5
Motoring offences	473.4	366.4	3.8	362.6	84.4	0.3	84.1	22.6	22.6
<b>Total</b>	<b>961.7</b>	<b>661.4</b>	<b>21.1</b>	<b>640.3</b>	<b>250.3</b>	<b>4.8</b>	<b>245.4</b>	<b>50.1</b>	<b>50.1</b>
<b>All offences<sup>(2)</sup></b>	<b>1,300.3</b>	<b>949.1</b>	<b>52.8</b>	<b>896.3</b>	<b>298.1</b>	<b>9.2</b>	<b>288.9</b>	<b>53.1</b>	<b>53.1</b>

(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<sup>(1)</sup> by offence group, 2001 - 2011**

England and Wales		Percentages									
Offence group	2001	2002	2003	2004	2005	2006	2007	2008 <sup>(2)</sup>	2009	2010	2011
<b>Indictable offences</b>											
Violence against the person	46.0	48.1	47.8	54.6	60.0	64.6	68.7	69.3	66.4	67.2	70.9
Sexual offences	47.9	48.2	47.7	49.8	49.4	54.0	58.7	60.8	54.5	54.8	60.3
Burglary	59.6	61.2	62.3	68.6	72.2	74.9	76.7	77.4	74.4	75.2	76.3
Robbery	45.9	49.3	53.2	60.3	56.5	61.3	62.9	64.7	63.3	62.0	65.0
Theft and handling stolen goods	77.7	77.9	78.5	82.2	84.3	85.0	86.9	89.5	89.2	89.7	89.6
Fraud and forgery	71.0	71.9	72.0	75.8	78.7	79.1	81.9	85.2	80.5	80.7	85.9
Criminal damage	58.2	58.8	60.4	65.8	70.6	72.5	74.9	78.7	78.8	78.1	78.7
Drug offences	84.9	85.9	87.5	88.8	90.1	90.0	91.1	93.0	92.1	91.5	91.5
Other (excluding motoring offences)	50.4	50.8	51.4	58.2	61.3	62.1	63.0	62.9	69.3	71.7	73.7
Motoring offences	72.7	75.5	77.0	80.3	84.4	85.0	87.3	89.0	86.4	90.1	88.2
<b>Total</b>	<b>64.7</b>	<b>65.4</b>	<b>65.8</b>	<b>70.1</b>	<b>72.9</b>	<b>74.6</b>	<b>77.4</b>	<b>79.7</b>	<b>79.2</b>	<b>80.0</b>	<b>81.8</b>
<b>Summary offences</b>											
Offences (excluding motoring offences)	77.3	78.3	77.8	78.6	79.9	81.0	82.0	83.3	83.1	81.3	81.6
Motoring offences	76.3	75.8	77.3	78.3	79.9	81.8	83.9	85.1	85.6	86.1	86.6
<b>Total</b>	<b>76.7</b>	<b>76.9</b>	<b>77.5</b>	<b>78.4</b>	<b>79.9</b>	<b>81.4</b>	<b>83.0</b>	<b>84.2</b>	<b>84.4</b>	<b>83.7</b>	<b>84.0</b>
<b>All offences</b>	<b>73.4</b>	<b>73.8</b>	<b>74.5</b>	<b>76.6</b>	<b>78.3</b>	<b>79.9</b>	<b>81.7</b>	<b>83.1</b>	<b>83.1</b>	<b>82.7</b>	<b>83.4</b>

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

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

## 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.*

In 2011 there were 1.30 million<sup>12</sup> offenders sentenced following a criminal conviction, a decrease of 4.8 per cent from 1.37 million offenders in 2010. The public disorder of August 2011 had little impact on these figures as those convicted for the public disorder accounted for less than one per cent of offenders in 2011. Compared to 2010 there was:

- a decrease of 5.4 per cent in offenders sentenced for summary offences (962,100 compared to 1,017,100 in 2010) and a decrease of 3.2 per cent for offenders sentenced for indictable offences (337,100 compared to 348,200 in 2010).
- a decrease of 5.2 per cent in offenders sentenced at magistrates' courts (1,197,100 compared to 1,263,400 in 2010) and an increase of 0.2 per cent in offenders sentenced at the Crown Court (102,200 compared to 102,000 in 2010).

The total number of Crown Court sentences reported in this publication differs from the total reported in the Sentencing Council's publication: Crown Court Sentencing Survey (CCSS), 2011. The CCSS release presents a national total of 95,032 sentences for principal offences across England and Wales at the Crown Court in 2011. The reasons for the difference are as follows:

- A provisional version of the Ministry of Justice database of all Crown Court sentences was used to conduct the matching and subsequent analysis of the Crown Court Sentencing Survey data. This was necessary to allow a timely release of the CCSS data; and
- Whilst completing the CCSS matching exercise, a number of records were found in the Ministry of Justice database which warranted further inspection. For consistency with previous years, these records have been included in this edition of the Criminal Justice System statistical release, whereas they have been excluded from the CCSS publication. Once investigations have been completed, any necessary revisions will be made.

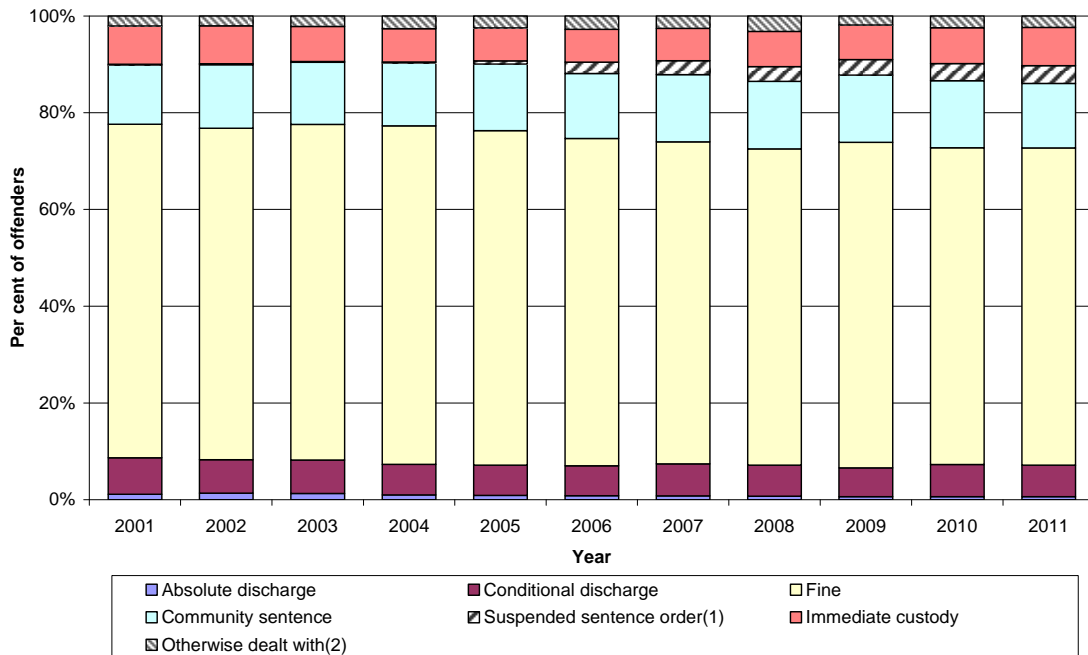
### Sentence outcomes for all offences

In the long term, there has been an increase in the number of Suspended Sentence Orders (SSO) reflecting the change in legislation when it was introduced on 4 April 2005. Although the SSO should only be used where the court is minded to pass a custodial sentence of less than 12 months, the increase in offenders sentenced with a SSO has not been offset by a similar decrease in offenders sentenced with a custodial sentence of less than 12 months.

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<sup>12</sup> Includes 6,950 organisations such as companies and public bodies.

**Figure 6.1: Sentence outcomes handed down by courts, 2011**



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

(2) Includes outcomes such as compensation, hospital and guardianship orders, police cells, and recognizances.

### Custodial sentences

In 2011, there were 102,700 persons sentenced to immediate custody, an increase of 1.2 per cent from 101,500 persons in 2010 but 8.0 per cent lower than the peak of 111,600 persons sentenced in 2002. Of these 46,000, custodial sentences were imposed at magistrates' courts and 56,700 were imposed at Crown Courts, a decrease of 5.9 per cent and an increase of 7.7 per cent respectively compared to 2010.

The immediate custody rate declined from 7.9 per cent in 2002 to a low of 6.8 per cent in 2006 and 2007, and has since increased back to 7.9 per cent in 2011.

There were 1,214 indeterminate sentences (either a life sentence or an Indeterminate sentence for Public Protection – an IPP) handed down in 2011, a 13.5 per cent decrease from 1,403 in 2010. This continued the fall since the Criminal Justice and Immigration Act (CJIA) 2008 was introduced, which restricted the use of IPPs. Within this group, the number of life sentences increased from 384 in 2010 to 395 in 2011, the first annual increase since 2008.

In 2011, the Average Custodial Sentence Length (ACSL) was 14.7 months, an increase of 1.0 months compared to 2010, and up from 11.8 months in 2001. The rise in ACSL has been driven by the change in the case mix of people getting custodial sentences and longer sentences for indictable offences.

- In 2001, summary motoring offences accounted for 15.9 per cent of immediate custodial sentences, with an ACSL of 3.4 months. By 2011, they accounted for just 3.1 per cent of immediate custodial sentences, with a reduction in ACSL to 3.1 months.

- In 2001, indictable offences accounted for 75.5 per cent of immediate custodial sentences, with an ACSL of 14.7 months. By 2011 they accounted for 83.0 per cent of immediate custodial sentences, with an increase in ACSL to 17.2 months. In particular, *sexual offences* saw a rise in ACSL from 40.0 months in 2004 to 53.2 months in 2011, following the implementation of the Sexual Offences Act 2003.
- The decrease in indeterminate sentences mentioned above coincides with an increase in long determinate sentences (10 years or more) from 514 in 2010 to 671 in 2011, a 30.5 per cent increase, and the highest number in the last 11 years. This may also have contributed to the increase in average custodial sentence length since 2008.

At the magistrates' courts, the ACSL increased by 0.03 months from 2010 to 2.6 months, whilst at the Crown Court the ACSL increased by 0.4 months from 2010 to 24.7 months.

### Suspended Sentence Orders

In 2011 there were 47,800 Suspended Sentence Orders handed down, a decrease of 0.7 per cent from 2010. Of these sentences:

- 26,200 persons received their sentence at the magistrates' courts, the same as in 2010. This type of sentence was given to 2.2 per cent of persons in a magistrate's court in 2011, an increase from 1.7 per cent of persons in 2006.
- 21,600 suspended sentences were given at the Crown Court, a decrease of 1.6 per cent compared to 2010. Just over one fifth (21.1 per cent) of persons were given a suspended sentence at the Crown Court, an increase from 13.4 per cent in 2006. Between 2001 and 2005 only 2.0 to 3.4 per cent of persons were given a suspended sentence at the Crown Court.

### Community sentences

There were 173,400 community sentences handed down in 2011, a decrease of 8.4 per cent from 2010. For adults, Community Orders accounted for nearly all the community sentences given to adults (99.5 per cent) while for juveniles the Referral Order was still the most common sentence (accounting for 52.1 per cent of all juvenile community sentences). The Youth Rehabilitation Order (YRO) introduced in 2010 accounted for a further 44.1 per cent of all juvenile community sentences in 2011. Of the 173,400 community sentences handed down:

- 156,300 persons received their sentence at magistrates' courts; this was an 8.1 per cent fall from 2010 (down 13,700 sentences). Over the past ten years, the magistrates' court community sentence rate (the proportion of all persons sentenced at the magistrates' court receiving a community sentence) has ranged between 11.4 per cent in 2001 and 13.7 per cent in 2008 and 2009.
- 17,100 persons received their sentence at the Crown Court. This was an 11.2 per cent decrease from 2010 (down by 2,100 sentences). The Crown Court community sentence rate decreased by 2.1 per cent from 2010 to 16.7 per cent.

## Fines

Fines continue to be the most common sentence due to the large volumes issued at magistrate's courts. In 2011 there were 851,600 fines handed down (99.8 per cent of these being issued at magistrates' courts). Of the offenders receiving fines in 2011:

- The majority were issued for summary offences, with only 6.8 per cent issued for indictable offences.
- The fine rate for indictable offences at all courts was 17.2 per cent, a similar proportion to 2009 and 2010. This has decreased from 24.0 per cent in 2001.
- The median fine for all offences was £175, the same as 2010 and 2009. The mean fine decreased to £215 compared with £223 in 2010. [*Annual supplementary tables: A5.44a, A5.44b*].

## Other sentences [*Annual supplementary table A5.4*]

Other sentences comprise absolute and conditional discharges and 'otherwise dealt with' sentences. The latter category deals with a miscellaneous group containing: mental health disposals; ancillary orders; and other procedural disposals. There were 123,700 other sentences handed down in 2011. These comprised:

- 85,000 conditional discharges; a decrease of 6.1 per cent from 2010 and a fall of 16.1 per cent from 2001.
- 8,100 absolute discharges; a decrease of 8.8 per cent from 2010 and a fall of 46.9 per cent from 2001.
- 30,700 offenders 'otherwise dealt with', a decrease of 7.3 per cent from 2010 but an increase of 10.0 per cent from 2001.

## **Sentence outcomes by age band**

In 2011 there were 1.23 million adults (aged 18 and over) sentenced, a decrease of 4.2 per cent from 2010 and 14.6 per cent from 2004 when the highest number of adults were sentenced over the ten year period (1.44 million).

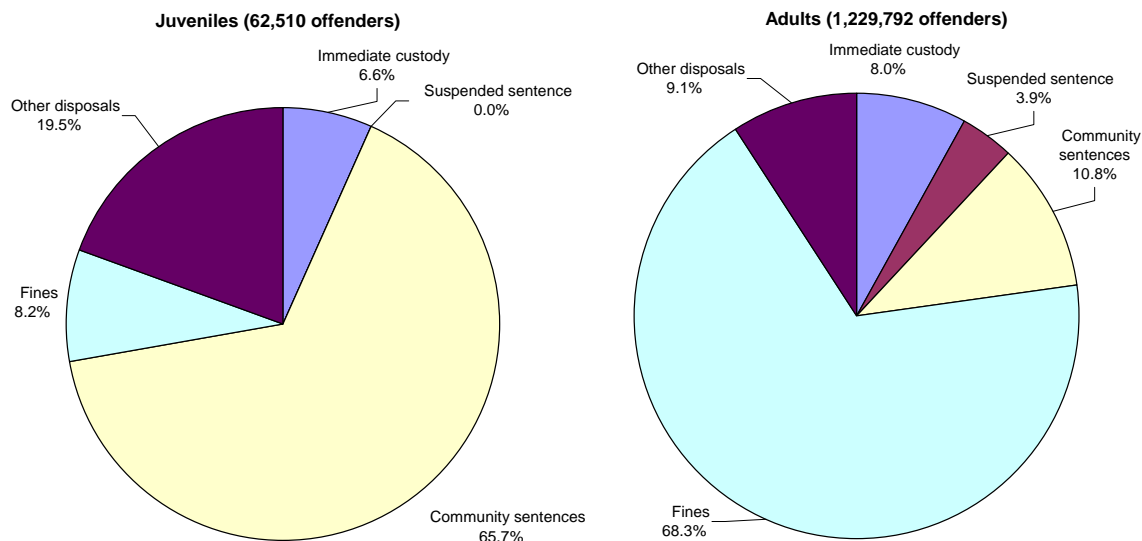
The proportion of adult offenders receiving fines decreased 4.0 percentage points over the last decade, from 72.3 per cent in 2001 to 68.3 per cent in 2011.

In 2011 there were 62,500 juveniles (aged 10-17) sentenced, a decrease of 15.4 per cent from 2010 and 34.5 per cent from 2001. The number of juveniles sentenced remained relatively constant between 2001 and 2007 but the number and proportion of community sentences increased; from 42,859 in 2001 to 66,007 in 2007 (up 54.0 per cent). While the number of juveniles sentenced has decreased since 2007, the community sentence rate for juveniles has remained between 64.6 and 68.6 per cent.

The large increase in the community sentence rate for juveniles over the last decade has been offset by decreases in the fine rate (from 23.1 per cent in 2001 to 8.2 per cent in 2011) and the discharge rate (from 18.3 per cent in 2001 to 13.8 per cent in 2011).

Figure 6.2 provides a breakdown of all the sentence outcomes for juveniles and adults, showing how offences committed by juveniles and adults are dealt with differently by the courts.

**Figure 6.2: Sentence outcomes by age band, 2011**



## Offenders sentenced by ethnicity

Data on the ethnicity of offenders is currently held for offenders who have been convicted of an indictable offence. In 2011 there were 336,300 persons sentenced for indictable offences of which 90.4 per cent were of a known ethnicity. Of these persons:

- 74.6 per cent were White; 9.4 per cent were Black; and 4.8 per cent were Asian. The remaining 1.7 per cent were of 'other' ethnicity.
- The immediate custody rate for indictable offences for all ethnicities was 25.3 per cent. This varied between ethnicities with: White offenders having a custody rate of 24.6 per cent; Black offenders having a custody rate of 28.2 per cent; Asian offenders having a custody rate of 30.6 per cent; and 'other' having a custody rate of 42.8 per cent.

These differences are likely to relate to a range of factors including variations in the offences committed and the plea entered by people from different ethnic backgrounds. For more information see the publication '*Race and the Criminal Justice System*'<sup>13</sup>.

## Sentence outcomes and offence types by gender

In 2011, there were 948,400 sentences given to males and 298,000 to females. This represents a decrease for both males and females since 2010 (6.4 per cent and 2.3 per cent decreases respectively). While for males this represents a continuing decrease since 2004, for females this is a rare decrease in what has otherwise been an upward trend since 2001 (up by 25.4 per cent since 2001).

<sup>13</sup> [www.justice.gov.uk/publications/statistics-and-data/criminal-justice/race.htm](http://www.justice.gov.uk/publications/statistics-and-data/criminal-justice/race.htm)

Sentencing outcomes are different for males and females. For example, immediate custody accounted for 9.9 percent of sentence outcomes in males and 2.7 per cent in females in 2011. A higher proportion of community sentences were also given to males – 15.1 per cent compared to 9.6 per cent to females in 2011. Conversely, a higher proportion of females receive fines, 76.6 per cent compared to 60.6 per cent of males in 2011.

The difference between males and females in the type of sentence outcomes is likely to reflect the types of offences being committed. For example, in 2011, 19.4 per cent of males were sentenced for drug related offence, compared to 9.3 per cent of females. Conversely, 52.1 per cent of females committed an offence relating to theft and handling stolen goods, compared to 33.0 per cent of males.



Table Q5.1 Offenders sentenced by offence group and outcome, all courts, 2001-2011

England and Wales		Number of offenders										
Offence group	Outcome	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
<b>All indictable offences</b>	<b>Total number sentenced</b>	<b>323,203</b>	<b>336,744</b>	<b>333,930</b>	<b>316,937</b>	<b>306,598</b>	<b>302,537</b>	<b>312,258</b>	<b>315,900</b>	<b>327,361</b>	<b>348,220</b>	<b>337,102</b>
	<i>Number given:</i>											
	Immediate custody	80,273	85,151	80,794	79,938	76,291	73,532	74,037	79,058	80,265	82,939	85,247
	Suspended sentence	2,139	1,963	2,055	2,143	5,610	20,799	27,254	28,455	31,131	34,176	34,202
	Community sentences	102,063	110,768	109,549	111,013	111,724	102,971	105,142	102,782	107,924	108,495	99,097
Fines	77,466	78,470	78,250	65,095	58,433	51,628	49,463	49,646	56,080	60,201	58,081	
Other disposals	61,262	60,392	63,282	58,748	54,540	53,607	56,362	55,959	51,961	62,409	60,475	
Average custodial sentence length (months) <sup>(1)</sup>	14.7	15.5	15.7	16.1	15.8	15.3	15.2	16.0	16.5	16.2	16.2	
<b>Summary non-motoring offences</b>	<b>Total number sentenced</b>	<b>441,946</b>	<b>487,028</b>	<b>493,286</b>	<b>522,498</b>	<b>508,729</b>	<b>495,520</b>	<b>491,345</b>	<b>493,943</b>	<b>514,883</b>	<b>493,652</b>	<b>488,672</b>
	<i>Number given:</i>											
	Immediate custody	9,051	9,545	9,470	11,215	12,075	12,571	13,277	14,089	14,698	14,634	14,251
	Suspended sentence	259	216	264	320	1,515	6,041	7,266	7,696	8,970	9,560	9,416
	Community sentences	35,079	41,231	43,310	50,859	58,029	59,585	65,188	65,687	67,817	64,723	59,920
Fines	341,296	379,448	378,689	394,954	375,891	356,512	343,429	344,262	369,947	344,911	350,526	
Other disposals	56,261	56,588	61,553	65,150	61,219	60,811	62,185	62,209	53,451	59,824	54,559	
Average custodial sentence length (months) <sup>(1)</sup>	2.7	2.7	2.7	2.8	2.8	2.8	2.8	2.7	2.7	2.6	2.6	
<b>Summary motoring offences</b>	<b>Total number sentenced</b>	<b>583,345</b>	<b>595,836</b>	<b>662,611</b>	<b>707,917</b>	<b>667,126</b>	<b>622,514</b>	<b>611,139</b>	<b>552,221</b>	<b>564,661</b>	<b>523,475</b>	<b>473,477</b>
	<i>Number given:</i>											
	Immediate custody	16,949	16,911	17,406	15,169	12,870	9,914	7,892	6,378	5,268	3,940	3,200
	Suspended sentence	357	340	398	392	2,541	6,669	6,168	5,000	5,056	4,382	4,180
	Community sentences	27,855	34,521	38,563	39,631	34,494	28,281	26,094	21,702	20,162	16,103	14,417
Fines	511,359	514,819	576,678	622,641	590,740	553,395	548,642	496,388	520,119	488,819	443,000	
Other disposals	26,825	29,245	29,566	30,084	26,481	24,255	22,343	22,753	14,056	10,231	8,680	
Average custodial sentence length (months) <sup>(1)</sup>	3.4	3.4	3.5	3.5	3.4	3.4	3.4	3.3	3.2	3.1	3.1	
<b>All offences</b>	<b>Total number sentenced</b>	<b>1,348,494</b>	<b>1,419,608</b>	<b>1,489,827</b>	<b>1,547,352</b>	<b>1,482,453</b>	<b>1,420,571</b>	<b>1,414,742</b>	<b>1,362,064</b>	<b>1,406,905</b>	<b>1,365,347</b>	<b>1,299,251</b>
	<i>Number given:</i>											
	Immediate custody	106,273	111,607	107,670	106,322	101,236	96,017	95,206	99,525	100,231	101,513	102,698
	Suspended sentence	2,755	2,519	2,717	2,855	9,666	33,509	40,688	41,151	45,157	48,118	47,798
	Community sentences	164,997	186,520	191,422	201,503	204,247	190,837	196,424	190,171	195,903	189,321	173,434
Fines	930,121	972,737	1,033,617	1,082,690	1,025,064	961,535	941,534	890,296	946,146	893,931	851,607	
Other disposals	144,348	146,224	154,401	153,982	142,240	138,673	140,890	140,921	119,468	132,464	123,714	
Average custodial sentence length (months) <sup>(1)</sup>	11.8	12.6	12.6	12.9	12.6	12.4	12.4	13.3	13.7	13.7	13.7	

(1) Excludes life and indeterminate sentences.

Table Q5.2 Offenders sentenced by offence group and outcome, magistrates' courts, 2001-2011

England and Wales		Number of offenders											
Offence group	Outcome	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	
<b>All indictable offences</b>	<b>Total number sentenced</b>	<b>254,355</b>	<b>263,748</b>	<b>261,188</b>	<b>244,151</b>	<b>234,410</b>	<b>229,796</b>	<b>235,442</b>	<b>232,255</b>	<b>238,470</b>	<b>253,128</b>	<b>241,307</b>	
	<i>Number given:</i>												
	Immediate custody	36,674	39,286	37,304	35,848	33,221	31,879	31,118	31,118	31,263	30,023	32,050	30,498
	Suspended sentence	534	475	513	604	3,074	10,877	12,477	12,477	11,572	12,296	13,394	13,630
	Community sentences	83,685	90,272	87,635	89,438	90,584	86,886	91,610	88,833	88,833	93,279	91,228	83,775
<b>Summary non-motoring offences</b>	Fines	75,500	76,638	76,171	63,246	56,618	50,066	47,728	48,076	54,486	58,466	56,702	
	Other disposals	57,962	57,077	59,565	55,015	50,913	50,088	52,509	52,511	48,386	57,990	56,702	
	Average custodial sentence length (months)	3.0	3.0	3.0	3.0	2.9	2.9	2.8	2.7	2.7	2.6	2.6	
	<b>Total number sentenced</b>	<b>439,504</b>	<b>484,637</b>	<b>490,767</b>	<b>519,825</b>	<b>505,915</b>	<b>492,347</b>	<b>487,648</b>	<b>487,648</b>	<b>489,828</b>	<b>510,079</b>	<b>487,741</b>	<b>483,153</b>
	<i>Number given:</i>												
Immediate custody	8,519	9,018	8,953	10,642	11,385	11,835	12,377	12,377	12,964	13,381	13,123	12,580	
Suspended sentence	236	200	253	306	1,479	5,784	6,912	6,912	7,244	8,166	8,591	8,556	
Community sentences	34,139	40,309	42,383	49,867	56,976	58,570	64,061	64,061	64,445	66,436	62,908	58,290	
Fines	340,942	379,127	378,293	394,586	375,554	356,146	343,019	343,019	343,897	369,542	344,452	350,114	
Other disposals	55,668	55,983	60,885	64,424	60,521	60,012	61,279	61,279	61,278	52,554	58,667	53,613	
Average custodial sentence length (months)	2.7	2.7	2.7	2.7	2.7	2.7	2.7	2.7	2.6	2.6	2.5	2.5	
<b>Summary motoring offences</b>	<b>Total number sentenced</b>	<b>582,567</b>	<b>595,032</b>	<b>661,809</b>	<b>707,122</b>	<b>666,387</b>	<b>621,842</b>	<b>610,146</b>	<b>551,153</b>	<b>563,766</b>	<b>522,527</b>	<b>472,627</b>	
	<i>Number given:</i>												
	Immediate custody	16,675	16,609	17,139	14,894	12,644	9,717	7,677	7,677	6,121	5,025	3,731	2,957
	Suspended sentence	352	338	393	390	2,528	6,613	6,082	6,082	4,889	4,946	4,206	4,043
	Community sentences	27,645	34,283	38,310	39,391	34,284	28,149	25,936	25,936	21,554	20,014	15,947	14,279
<b>All offences</b>	Fines	511,129	514,619	576,454	622,404	590,538	553,182	548,299	496,003	519,816	488,502	442,759	
	Other disposals	26,766	29,183	29,513	30,043	26,393	24,181	22,152	22,586	13,965	10,141	8,589	
	Average custodial sentence length (months)	3.4	3.4	3.5	3.5	3.4	3.4	3.3	3.2	3.1	3.1	3.1	
	<b>Total number sentenced</b>	<b>1,276,426</b>	<b>1,343,417</b>	<b>1,413,764</b>	<b>1,471,098</b>	<b>1,406,712</b>	<b>1,343,985</b>	<b>1,333,236</b>	<b>1,333,236</b>	<b>1,273,236</b>	<b>1,312,315</b>	<b>1,263,396</b>	<b>1,197,087</b>
	<i>Number given:</i>												
Immediate custody	61,868	64,913	63,396	61,384	57,250	53,431	51,172	51,172	50,348	48,429	48,904	46,035	
Suspended sentence	1,122	1,013	1,159	1,300	7,081	23,274	25,471	25,471	23,705	25,408	26,191	26,229	
Community sentences	145,469	164,864	168,328	178,696	181,844	173,605	181,607	174,832	174,832	179,729	170,083	156,344	
Fines	927,571	970,384	1,030,918	1,080,236	1,022,710	959,394	939,046	939,046	887,976	943,844	891,420	849,575	
Other disposals	140,396	142,242	149,963	149,482	137,827	134,281	135,940	135,940	136,375	114,905	126,798	118,904	
Average custodial sentence length (months)	3.1	3.1	3.1	3.0	3.0	3.0	2.9	2.9	2.7	2.7	2.5	2.6	

Table Q5.3 Offenders sentenced by offence group and outcome, the Crown Court, 2001-2011

England and Wales		Number of offenders										
Offence group	Outcome	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
<b>All indictable offences</b>	<b>Total number sentenced</b>	<b>68,848</b>	<b>72,996</b>	<b>72,742</b>	<b>72,786</b>	<b>72,188</b>	<b>72,741</b>	<b>76,816</b>	<b>83,645</b>	<b>88,891</b>	<b>95,092</b>	<b>95,795</b>
	<i>Number given:</i>											
	Immediate custody	43,599	45,865	43,490	44,090	43,070	41,653	42,919	47,795	50,242	50,889	54,749
	Suspended sentence	1,605	1,488	1,542	1,539	2,536	9,922	14,777	16,883	18,835	20,782	20,572
	Community sentences	18,378	20,496	21,914	21,575	21,140	16,085	13,532	13,949	14,645	17,267	15,322
Fines	1,966	1,832	2,079	1,849	1,815	1,562	1,735	1,570	1,594	1,735	1,379	
Other disposals	3,300	3,315	3,717	3,733	3,627	3,519	3,853	3,448	3,575	4,419	3,773	
Average custodial sentence length (months) <sup>(1)</sup>	24.5	26.3	26.8	27.0	25.9	25.2	24.6	25.1	25.0	25.0	25.0	
<b>Summary non-motoring offences</b>	<b>Total number sentenced</b>	<b>2,442</b>	<b>2,391</b>	<b>2,519</b>	<b>2,673</b>	<b>2,814</b>	<b>3,173</b>	<b>3,697</b>	<b>4,115</b>	<b>4,804</b>	<b>5,911</b>	<b>5,519</b>
	<i>Number given:</i>											
	Immediate custody	532	527	517	573	690	736	900	1,125	1,317	1,511	1,671
	Suspended sentence	23	16	11	14	36	257	354	452	804	969	860
	Community sentences	940	927	927	992	1,053	1,015	1,127	1,242	1,381	1,815	1,630
Fines	354	321	396	368	337	366	410	410	365	405	459	
Other disposals	593	605	668	726	698	799	906	906	931	897	1,157	
Average custodial sentence length (months) <sup>(1)</sup>	3.3	3.4	3.4	3.5	3.7	3.9	3.5	3.5	3.3	3.2	3.3	
<b>Summary motoring offences</b>	<b>Total number sentenced</b>	<b>778</b>	<b>804</b>	<b>802</b>	<b>795</b>	<b>739</b>	<b>672</b>	<b>993</b>	<b>1,068</b>	<b>895</b>	<b>948</b>	<b>850</b>
	<i>Number given:</i>											
	Immediate custody	274	302	267	275	226	197	215	257	243	209	243
	Suspended sentence	5	2	5	2	13	56	86	111	110	176	137
	Community sentences	210	238	253	240	210	132	158	148	148	156	138
Fines	230	200	224	237	202	213	343	385	303	317	241	
Other disposals	59	62	53	41	88	74	191	167	91	90	91	
Average custodial sentence length (months) <sup>(1)</sup>	3.8	3.7	4.0	3.8	3.7	3.7	3.5	3.3	3.2	3.3	3.1	
<b>All offences</b>	<b>Total number sentenced</b>	<b>72,068</b>	<b>76,191</b>	<b>76,063</b>	<b>76,254</b>	<b>75,741</b>	<b>76,586</b>	<b>81,506</b>	<b>88,828</b>	<b>94,590</b>	<b>101,951</b>	<b>102,164</b>
	<i>Number given:</i>											
	Immediate custody	44,405	46,694	44,274	44,938	43,986	42,586	44,034	49,177	51,802	52,609	56,663
	Suspended sentence	1,633	1,506	1,558	1,555	2,585	10,235	15,217	17,446	19,749	21,927	21,569
	Community sentences	19,528	21,656	23,094	22,807	22,403	17,232	14,817	15,339	16,174	19,238	17,090
Fines	2,550	2,353	2,699	2,454	2,354	2,141	2,488	2,320	2,302	2,511	2,032	
Other disposals	3,952	3,982	4,438	4,500	4,413	4,392	4,950	4,546	4,563	5,666	4,810	
Average custodial sentence length (months) <sup>(1)</sup>	24.2	25.9	26.3	26.5	25.5	24.7	24.0	24.5	24.3	24.3	24.7	

(1) Excludes life and indeterminate sentences.

**Table Q5.4 Offenders and persons sentenced by outcome and rate, 2001-2011**

England and Wales		Number of offenders/persons and rates										
		2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
<b>Total persons sentenced</b>		<b>1,338,522</b>	<b>1,410,504</b>	<b>1,479,812</b>	<b>1,536,825</b>	<b>1,473,275</b>	<b>1,412,940</b>	<b>1,406,788</b>	<b>1,353,937</b>	<b>1,398,278</b>	<b>1,357,600</b>	<b>1,292,302</b>
Males		1,101,025	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	948,382
Females		237,497	258,595	260,617	279,485	282,614	277,712	289,505	288,338	314,815	305,094	297,938
Not Stated		*	*	*	*	*	*	*	20,376	36,425	38,736	45,982
<b>Total offenders sentenced of which:</b>		<b>1,348,494</b>	<b>1,419,608</b>	<b>1,489,827</b>	<b>1,547,352</b>	<b>1,482,453</b>	<b>1,420,571</b>	<b>1,414,742</b>	<b>1,362,064</b>	<b>1,406,905</b>	<b>1,365,347</b>	<b>1,299,251</b>
Others		9,972	9,103	10,015	10,527	9,178	7,631	7,954	8,127	8,627	7,747	6,949
<b>Sentence</b>												
Immediate custody		106,273	111,607	107,670	106,322	101,236	96,017	95,206	99,525	100,231	101,513	102,698
Rate <sup>(1)</sup>		7.9	7.9	7.3	6.9	6.9	6.8	6.8	7.4	7.2	7.5	7.9
Suspended sentence		2,755	2,519	2,717	2,855	9,666	33,509	40,688	41,151	45,157	48,118	47,798
Rate <sup>(1)</sup>		0.2	0.2	0.2	0.2	0.7	2.4	2.9	3.0	3.2	3.5	3.7
Community sentences		164,997	186,520	191,422	201,503	204,247	190,837	196,424	190,171	195,903	189,321	173,434
Rate <sup>(1)</sup>		12.3	13.2	12.9	13.1	13.9	13.5	14.0	14.0	14.0	13.9	13.4
Fines		930,121	972,737	1,033,617	1,082,690	1,025,064	961,535	941,534	890,296	946,146	893,931	851,607
Rate		69.0	68.5	69.4	70.0	69.1	67.7	66.6	65.4	67.3	65.5	65.5
Other disposals		144,348	146,224	154,401	153,982	142,240	138,673	140,890	140,921	119,468	132,464	123,714
Rate		10.7	10.3	10.4	10.0	9.6	9.8	10.0	10.3	8.5	9.7	9.5

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

(2) 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, 2001-2011**

England and Wales Offence group	Persons sentenced										
	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Violence against the person	11,389	11,792	11,467	12,274	12,842	12,354	12,535	13,380	14,085	13,982	14,395
Sexual offences	2,398	2,561	2,502	2,832	2,697	2,806	2,807	3,000	2,987	3,287	3,441
Burglary	12,476	13,350	11,820	10,814	9,550	9,229	9,237	9,960	10,028	10,447	11,986
Robbery	4,775	5,881	5,150	5,063	4,407	4,802	4,772	5,095	5,155	4,946	5,561
Theft and handling stolen goods	26,205	27,945	25,517	22,759	20,472	19,631	19,612	21,008	19,958	22,284	22,463
Fraud and forgery	3,835	3,774	3,903	4,173	4,582	4,410	5,196	5,675	5,388	4,713	4,388
Criminal damage	1,202	1,178	1,201	1,266	1,282	1,333	1,330	1,157	1,037	1,096	1,149
Drug offences	8,499	8,284	8,140	7,981	7,783	7,532	8,186	9,488	9,426	9,693	9,681
Other (excl motoring offences)	7,585	8,178	8,725	10,470	10,685	9,715	8,790	8,902	10,886	11,346	11,045
Indictable motoring offences	1,909	2,208	2,369	2,306	1,991	1,720	1,572	1,393	1,315	1,145	1,138
<b>All indictable offences</b>	<b>80,273</b>	<b>85,151</b>	<b>80,794</b>	<b>79,938</b>	<b>76,291</b>	<b>73,532</b>	<b>74,037</b>	<b>79,058</b>	<b>80,265</b>	<b>82,939</b>	<b>85,247</b>
Summary non-motoring offences	9,051	9,545	9,470	11,215	12,075	12,571	13,277	14,089	14,698	14,634	14,251
Summary motoring offences	16,949	16,911	17,406	15,169	12,870	9,914	7,892	6,378	5,268	3,940	3,200
<b>All summary offences</b>	<b>26,000</b>	<b>26,456</b>	<b>26,876</b>	<b>26,384</b>	<b>24,945</b>	<b>22,485</b>	<b>21,169</b>	<b>20,467</b>	<b>19,966</b>	<b>18,574</b>	<b>17,451</b>
<b>All offences</b>	<b>106,273</b>	<b>111,607</b>	<b>107,670</b>	<b>106,322</b>	<b>101,236</b>	<b>96,017</b>	<b>95,206</b>	<b>99,525</b>	<b>100,231</b>	<b>101,513</b>	<b>102,698</b>

England and Wales Offence group	Average custodial sentence length <sup>(1)</sup>										
	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Violence against the person	16.7	17.6	18.8	18.8	17.8	16.8	16.9	17.2	17.7	17.8	18.8
Sexual offences	37.8	39.6	40.0	40.0	41.6	41.0	42.9	44.0	48.7	48.7	53.2
Burglary	16.6	17.5	17.1	17.5	17.4	17.1	16.7	17.4	18.4	18.7	18.8
Robbery	35.4	38.9	39.3	38.4	35.0	32.3	31.3	32.5	33.6	34.5	35.6
Theft and handling stolen goods	4.2	4.1	4.2	4.3	4.3	4.3	4.1	4.0	4.2	4.1	4.4
Fraud and forgery	8.6	8.4	8.7	9.1	10.3	10.8	10.0	10.8	10.4	11.0	12.9
Criminal damage	15.9	16.4	16.5	16.7	15.1	12.9	12.6	14.9	18.9	18.0	19.0
Drug offences	32.5	34.5	35.2	37.3	35.8	33.8	31.9	32.7	32.1	30.7	31.0
Other (excl motoring offences)	9.2	9.9	9.9	8.6	9.2	9.0	9.5	10.9	9.9	9.6	10.5
Indictable motoring offences	7.9	8.3	8.5	8.7	8.5	9.1	8.8	9.4	9.1	9.6	9.7
<b>All indictable offences</b>	<b>14.7</b>	<b>15.5</b>	<b>15.7</b>	<b>16.1</b>	<b>15.8</b>	<b>15.3</b>	<b>15.2</b>	<b>16.0</b>	<b>16.5</b>	<b>16.2</b>	<b>17.2</b>
Summary non-motoring offences	2.7	2.7	2.7	2.8	2.8	2.8	2.7	2.7	2.6	2.6	2.5
Summary motoring offences	3.4	3.4	3.5	3.5	3.4	3.4	3.3	3.2	3.1	3.1	3.1
<b>All summary offences</b>	<b>3.2</b>	<b>3.2</b>	<b>3.2</b>	<b>3.2</b>	<b>3.1</b>	<b>3.0</b>	<b>3.0</b>	<b>2.8</b>	<b>2.8</b>	<b>2.7</b>	<b>2.6</b>
<b>All offences</b>	<b>11.8</b>	<b>12.6</b>	<b>12.6</b>	<b>12.9</b>	<b>12.6</b>	<b>12.4</b>	<b>12.4</b>	<b>13.3</b>	<b>13.7</b>	<b>13.7</b>	<b>14.7</b>

(1) Excludes life and indeterminate sentences.

**Table Q5.6 Persons sentenced to immediate custody at all courts by length of sentence and average custodial sentence length, 2001-2011**

England and Wales		2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
<b>Persons given immediate custody and sentence length</b>												
<b>All offences</b>												
Total persons sentenced		1,338,522	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	1,292,302
Number given immediate custody		106,273	111,607	107,670	106,322	101,236	96,017	95,206	99,526	100,231	101,513	102,698
Percentage given immediate custody (%)		7.9	7.9	7.3	6.9	6.9	6.8	6.8	7.4	7.2	7.5	7.9
Up to and including 3 months		40,884	42,542	40,748	39,707	37,100	34,712	34,427	35,738	36,071	38,316	36,952
Over 3 months and up to and including 6 months		29,030	29,419	29,504	28,492	26,756	24,422	23,109	22,338	21,321	20,181	19,657
Over 6 months and less than 12 months		5,670	5,724	5,340	5,678	5,851	5,728	6,154	6,920	7,177	7,052	7,527
12 months		5,478	5,683	5,256	5,244	5,414	5,245	5,479	5,652	5,837	5,618	5,930
Over 12 months and up to and including 18 months		6,512	7,046	6,518	6,366	6,258	6,232	6,271	6,751	7,289	7,343	8,014
Over 18 months and up to and including 3 years		10,273	11,241	10,562	10,695	10,385	10,374	10,470	11,516	12,077	12,358	13,134
Over 3 years and less than 4 years		1,617	1,969	1,861	2,082	1,745	1,533	1,458	1,629	1,811	1,937	1,990
4 years		1,917	2,251	2,128	2,146	1,745	1,607	1,603	1,903	1,977	1,934	2,094
Over 4 years and up to and including 5 years		1,748	2,099	2,090	2,161	1,920	1,670	1,611	1,998	1,980	2,061	2,208
Over 5 years and up to and including 10 years		2,332	2,679	2,747	2,772	2,658	2,190	2,109	2,614	2,784	2,796	3,307
Over 10 years and less than life		309	399	403	409	353	309	316	405	485	514	671
Indeterminate sentence <sup>(1)</sup>		:	:	:	:	426	1,448	1,707	1,538	1,001	1,019	819
Life		503	555	513	570	625	547	492	523	421	384	395
Average custodial sentence length (months) <sup>(2)</sup>		11.8	12.6	12.6	12.9	12.6	12.4	12.4	13.3	13.7	13.7	14.7
<b>Indictable offences</b>												
Total persons sentenced		321,866	335,523	332,466	315,806	305,502	301,488	311,191	314,941	326,592	347,422	240,720
Number given immediate custody		80,273	85,151	80,794	79,938	76,291	73,532	74,037	79,058	80,265	82,939	85,247
Percentage given immediate custody (%)		24.9	25.4	24.3	25.3	25.0	24.4	23.8	25.1	24.6	23.9	35.4
Up to and including 3 months		26,428	25,093	26,439	25,437	23,808	22,381	22,421	23,533	23,692	26,290	25,599
Over 3 months and up to and including 6 months		17,494	17,418	16,942	16,380	15,109	14,285	13,952	14,083	13,768	13,684	13,559
Over 6 months and less than 12 months		5,664	5,720	5,336	5,677	5,848	5,725	6,150	6,916	7,158	7,023	7,527
12 months		5,477	5,682	5,255	5,243	5,412	5,241	5,477	5,650	5,828	5,607	5,930
Over 12 months and up to and including 18 months		6,511	7,045	6,518	6,366	6,257	6,230	6,271	6,750	7,284	7,337	8,014
Over 18 months and up to and including 3 years		10,273	11,241	10,562	10,695	10,385	10,369	10,470	11,516	12,076	12,353	13,134
Over 3 years and less than 4 years		1,617	1,969	1,861	2,082	1,745	1,532	1,458	1,629	1,811	1,937	1,990
4 years		1,917	2,251	2,128	2,146	1,745	1,607	1,603	1,903	1,977	1,934	2,094
Over 4 years and up to and including 5 years		1,748	2,099	2,090	2,161	1,920	1,670	1,611	1,998	1,980	2,061	2,208
Over 5 years and up to and including 10 years		2,332	2,679	2,747	2,772	2,658	2,189	2,109	2,614	2,784	2,796	3,307
Over 10 years and less than life		309	399	403	409	353	309	316	405	485	514	671
Indeterminate sentence <sup>(1)</sup>		:	:	:	:	426	1,447	1,707	1,538	1,001	1,019	819
Life		503	555	513	570	625	547	492	523	421	384	395
Average custodial sentence length (months) <sup>(2)</sup>		14.7	15.5	15.7	16.1	15.8	15.3	15.2	16.0	16.5	16.2	17.2

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

(2) Excludes life and indeterminate sentences.

**Table Q5.7 Juveniles sentenced for all offences by type of sentence (detailed), 2001 - 2011**

England and Wales	Persons sentenced											
	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	
<b>Sentence</b>												
<b>Immediate custodial sentences</b>												
S90-92 PCC(S) Act 2000	527	729	474	560	469	448	389	500	417	411	402	
Secure training order	*	*	*	*	*	*	*	*	*	*	*	
Detention and training order	7,069	6,684	5,726	5,757	5,447	5,587	5,279	4,875	4,479	3,757	3,646	
Young offender institution	-	3	-	8	-	-	-	-	-	-	-	
Extended sentence for public protection	*	*	*	*	73	103	101	53	17	10	27	
Indeterminate sentence for public protection (IPP)	*	*	*	*	26	45	61	70	27	41	29	
<b>Total immediate custody</b>	<b>7,596</b>	<b>7,416</b>	<b>6,200</b>	<b>6,325</b>	<b>6,015</b>	<b>6,183</b>	<b>5,830</b>	<b>5,498</b>	<b>4,940</b>	<b>4,219</b>	<b>4,104</b>	
<b>Community sentences</b>												
Community rehabilitation order	2,486	2,325	2,231	2,121	1,836	1,584	1,851	1,800	1,547	375	44	
Supervision order	11,083	10,502	9,870	10,119	10,600	11,196	11,952	9,642	8,080	1,701	37	
Community punishment order	4,313	3,331	2,770	2,586	2,445	1,878	1,915	1,711	1,622	240	3	
Attendance centre order	5,205	3,551	2,757	2,781	2,807	2,789	3,199	2,658	2,301	364	109	
Community punishment and rehabilitation order	1,788	1,663	1,509	1,316	1,234	1,184	1,327	1,429	1,546	386	7	
Curfew order	1,294	2,353	2,940	4,050	4,141	4,173	4,690	5,237	5,837	1,495	272	
Reparation order	7,975	5,004	3,111	3,087	3,217	3,745	4,055	4,066	3,562	2,414	1,085	
Action plan order	8,650	6,181	4,348	4,486	4,832	4,867	4,865	4,074	3,245	307	6	
Drug treatment and testing order	65	69	69	47	36	12	11	3	2	-	-	
Referral order <sup>(1)</sup>	*	19,208	25,347	26,122	29,958	30,070	32,142	29,423	28,154	25,780	21,405	
Community order <sup>(2)</sup>	*	*	*	*	*	-	-	-	59	-	-	
Youth Rehabilitation order	*	*	*	*	*	*	*	*	*	14,684	18,114	
<b>Total community sentences</b>	<b>42,859</b>	<b>54,187</b>	<b>54,952</b>	<b>56,715</b>	<b>61,106</b>	<b>61,498</b>	<b>66,007</b>	<b>60,043</b>	<b>55,955</b>	<b>47,746</b>	<b>41,082</b>	
<b>Other sentences</b>												
Absolute or conditional discharge	17,510	14,187	14,116	12,683	12,055	11,641	12,207	10,993	10,019	10,099	8,649	
Fine	22,039	15,120	13,508	15,666	14,054	11,599	10,453	9,047	7,955	6,503	5,150	
Suspended sentence <sup>(3)</sup>	-	-	-	-	3	-	1	-	-	-	-	
Otherwise dealt with	5,481	3,638	3,755	4,799	2,970	2,885	2,889	2,794	2,675	5,299	3,525	
<b>Total other sentences</b>	<b>45,030</b>	<b>32,945</b>	<b>31,379</b>	<b>33,148</b>	<b>29,082</b>	<b>26,125</b>	<b>25,550</b>	<b>22,834</b>	<b>20,649</b>	<b>21,901</b>	<b>17,324</b>	
<b>Total Juveniles Sentenced</b>	<b>95,485</b>	<b>94,548</b>	<b>92,531</b>	<b>96,188</b>	<b>96,203</b>	<b>93,806</b>	<b>97,387</b>	<b>88,375</b>	<b>81,544</b>	<b>73,866</b>	<b>62,510</b>	

(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 sentences are not available for juveniles

**Table Q5.8 Adults sentenced for all offences by type of sentence (detailed), 2001-2011**

Sentence	England and Wales											Persons sentenced
	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	
<b>Immediate custodial sentences</b>												
S90-92 PCC(S) Act 2000	-	-	11	5	10	13	9	10	19	4	7	
Young offender institution	17,948	17,363	15,427	14,631	14,039	13,518	13,831	13,113	13,815	13,052	11,879	
Unsuspended imprisonment	80,686	86,377	85,158	84,058	79,166	73,624	72,861	78,818	80,066	82,817	85,297	
Extended sentence of imprisonment (EPP)	43	451	874	1,194	1,420	1,196	1,029	618	417	443	621	
Indeterminate sentence for public protection (IPP)	*	*	*	*	400	1,403	1,646	1,468	974	978	790	
Intermittent custody	*	*	*	109	186	80	-	-	-	-	-	
<b>Total immediate custody</b>	<b>98,677</b>	<b>104,191</b>	<b>101,470</b>	<b>99,997</b>	<b>95,221</b>	<b>89,834</b>	<b>89,376</b>	<b>94,027</b>	<b>95,291</b>	<b>97,294</b>	<b>98,594</b>	
<b>Community sentences</b>												
Community rehabilitation order	56,461	61,456	60,971	58,540	31,747	2,270	431	233	175	117	27	
Community punishment order	45,451	47,460	47,612	51,300	32,363	3,954	626	359	197	84	15	
Attendance centre order	619	480	526	651	498	380	256	210	216	155	88	
Community punishment and rehabilitation order	12,874	13,821	13,650	14,656	9,578	1,084	261	169	163	78	3	
Curfew order	2,569	3,913	6,659	11,092	7,988	2,338	1,904	1,473	1,243	788	516	
Drug treatment and testing order	4,164	5,203	6,989	8,549	5,505	294	27	7	1	-	1	
Referral order <sup>(1)</sup>	*	*	63	-	-	-	-	-	-	-	-	
Community order <sup>(2)</sup>	*	*	*	*	55,462	119,019	126,912	127,677	137,953	140,353	131,702	
<b>Total community sentences</b>	<b>122,138</b>	<b>132,333</b>	<b>136,470</b>	<b>144,788</b>	<b>143,141</b>	<b>129,339</b>	<b>130,417</b>	<b>130,128</b>	<b>139,948</b>	<b>141,575</b>	<b>132,352</b>	
<b>Other sentences</b>												
Absolute or conditional discharge	98,673	102,954	107,580	100,336	93,611	87,465	92,790	86,334	82,764	89,146	84,306	
Fine	898,435	948,857	1,010,657	1,056,835	1,002,154	942,563	923,364	873,457	929,802	879,818	839,602	
Suspended sentence <sup>(3)</sup>	2,755	2,519	2,717	2,855	9,663	33,509	40,687	41,151	45,157	48,118	47,798	
Otherwise dealt with	22,359	25,102	28,387	35,826	33,282	36,424	32,767	40,465	23,772	27,783	27,140	
<b>Total other sentences</b>	<b>1,022,222</b>	<b>1,079,433</b>	<b>1,149,341</b>	<b>1,195,852</b>	<b>1,138,710</b>	<b>1,099,961</b>	<b>1,089,608</b>	<b>1,041,407</b>	<b>1,081,495</b>	<b>1,044,865</b>	<b>998,846</b>	
<b>Total Adults Sentenced</b>	<b>1,243,037</b>	<b>1,315,957</b>	<b>1,387,281</b>	<b>1,440,637</b>	<b>1,377,072</b>	<b>1,319,134</b>	<b>1,309,401</b>	<b>1,265,562</b>	<b>1,316,734</b>	<b>1,283,734</b>	<b>1,229,792</b>	

(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.



**Table Q5.9 Persons<sup>(1)</sup> sentenced at all courts for indictable offences by ethnicity and result, 2011**

England and Wales	Offence type / group	Ethnicity					
		Total	White	Black	Asian	Other	Unknown
<b>Indictable offences</b>							
	Absolute discharge	1,790	1,385	154	54	19	178
	Conditional discharge	40,828	32,487	2,805	1,285	459	3,792
	Fine	57,338	41,482	5,819	3,001	585	6,451
	Community sentence	99,097	75,589	9,068	4,124	1,134	9,182
	Suspended sentence	34,202	25,499	2,666	1,739	710	3,588
	Immediate custody	85,247	61,617	8,891	4,912	2,378	7,449
	Otherwise dealt with	17,834	12,834	2,090	944	270	1,696
	<b>Total</b>	<b>336,336</b>	<b>250,893</b>	<b>31,493</b>	<b>16,059</b>	<b>5,555</b>	<b>32,336</b>

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

## **Offences [Tables 6.1 – 6.4]**

*This chapter differs from the others in the publication by counting on an all offence basis, as opposed to a principal offence basis.*

Courts and the police typically deal with defendants charged with more than one offence; for example, in 2011 each defendant was charged with an average of 1.4 offences.

This average rate of offences per offender has decreased slightly year on year since 2003, when it stood at an average of 1.7.

In comparison with 2001, the number of convicted offences fell by 18.4 per cent to 1.81 million in 2011. However, over the same period, the total number of convicted offenders fell by 3.7 per cent to 1.30 million in 2011.

### **Convictions (all offence basis)**

In 2011, there were 1.81 million convicted offences, a decrease of 5.9 per cent from 1.92 million in 2010. Since a peak over the last decade of 2.55 million in 2004, there have been year on year decreases in total convicted offences, with an overall fall of 29.1 per cent when comparing the 2011 total with 2004. The decrease has been driven in the main by convictions for summary motoring offences, which have fallen by 52.2 per cent between 2004 and 2011 (from 1.33 million to 636,300).

Indictable offences accounted for 31.5 per cent of convicted offences in 2011. This represented a slight increase on 2010 and a continuation of an increasing trend observed since 2004 due to the decrease in summary motoring convictions.

Summary motoring offences accounted for 35.2 per cent of all offences in 2011, a series low over the last decade. In the series peak of 2004, summary motoring offences accounted for 52.3 per cent of all offences, with the proportion having fallen year on year since.

### **Cautions (all offence basis)**

In 2011, there were 260,400 cautions issued for all offences, an increase of 1.7 per cent from 264,700 in 2010. This decrease continues the downward trend observed since the peak of 397,000 offences cautioned in 2007.

There were 138,000 cautions for indictable offences in 2011, a 5.1 per cent decrease since 2010, continuing the decreasing trend since the peak over the last decade of 222,200 cautions for indictable offence in 2007. The remaining 122,400 cautions in 2011 were for summary non-motoring offences, a 2.5 per cent increase since 2010, and the reversal of a decreasing trend since the peak of 174,700 in 2007.

Indictable offences accounted for 53.0 per cent of cautions (138,000) in 2011. This proportion has been broadly declining since a peak of 63.7 per cent in 2002, due to the more rapid rate of decline of cautions for summary non-motoring offences.

## 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'<sup>14</sup> 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.

In 2011, there were 1.21 million OBTJs, a decrease of 4.3 per cent from 1.26 million in 2010. Recorded crime totals fell by 1.4 per cent over the same period.

Offences brought to justice increased from 1.00 million in 2001 to a series high of 1.46 million in 2007. The total has been steadily falling since 2007 with an average decrease of 4.5 per cent each year. Cautions and convictions account for the vast majority of all OBTJs.

Convictions accounted for 60.7 per cent of all OBTJs in 2011, the same proportion as in 2010. The proportion declined from a peak of 68.6 per cent in 2002 to 49.4 per cent in 2006, followed by a year on year increase to 2010. This trend is driven by the patterns in the use of out of court disposals.

Cautions accounted for 20.2 per cent of OBTJs in 2011, a 6.2 per cent decrease since 2006. PNDs made up 6.8 per cent of OBTJs, continuing a downward trend observed since 2006 when they accounted for 10.1 per cent of OBTJs. Formal warnings for cannabis possession accounted for 6.6 per cent of OBTJs (79,700).

Offences taken into consideration accounted for the remaining 5.8 per cent of OBTJs, the lowest reported proportional total in the series – compared to a peak of 9.6 per cent seen in 2002.

In 2011, the main offence groups which make up OBTJs were *violence against the person* (28.1 per cent), *theft and handling stolen goods* (25.3 per cent) and *drug offences* (19.6 per cent).

The proportion of all OBTJs accounted for by *violence against the person* has increased by 10.3 percentage points since 2001. Similarly, *drug offences* have increased in proportion by 9.9 percentage points since 2001. However, over the same period, *theft and handling stolen goods* decreased in proportion by 3.8 percentage points.

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<sup>14</sup> Notifiable offences are those offences which require the police to record an incident as a crime and report the occurrence to the Home Office.

**Table Q6.1 - Cautions administered by offence group, 2001 - 2011** <sup>(1)(2)(3)</sup>

England and Wales	Number of offences (thousands)										
	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010 <sup>(4)</sup>	2011 <sup>(5)</sup>
Violence against the person	20.6	24.8	30.2	38.3	53.1	59.4	54.1	39.4	28.6	23.0	17.2
Sexual offences	1.4	1.3	1.5	1.7	1.9	2.1	2.1	1.8	1.6	1.4	1.7
Burglary	7.0	6.2	5.9	6.1	7.1	8.4	7.5	6.0	4.8	3.8	3.9
Robbery	0.6	0.4	0.4	0.5	0.6	0.7	0.6	0.4	0.2	0.2	0.3
Theft and handling stolen goods	73.6	61.5	61.3	71.0	77.4	81.9	82.2	73.4	68.8	53.7	50.3
Fraud and forgery	7.1	6.6	6.6	7.2	8.2	9.3	9.6	9.2	8.0	6.8	6.3
Criminal damage	3.9	3.5	4.1	5.9	7.9	9.9	9.7	8.7	6.9	5.4	5.1
Drug offences	40.9	46.5	47.4	34.4	36.5	39.7	45.9	50.0	46.1	43.3	46.3
Other indictable offences	4.6	4.7	5.6	6.3	7.4	9.9	10.5	9.0	8.4	7.6	6.8
Summary non-motoring offences	93.3	88.7	98.1	109.8	127.3	161.3	174.7	161.5	147.4	119.5	122.4
<b>All offences <sup>(6)</sup></b>	<b>253.0</b>	<b>244.3</b>	<b>261.1</b>	<b>281.2</b>	<b>327.3</b>	<b>382.8</b>	<b>397.0</b>	<b>359.4</b>	<b>320.8</b>	<b>264.7</b>	<b>260.4</b>

(1) Excluding all motoring offences.

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

(3) On an all offence basis.

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

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

(6) May not sum due to rounding.

**Table Q6.2 - Convictions by offence group, 2001 - 2011** <sup>(1)</sup>

England and Wales	Number of offences (thousands)										
	2001	2002	2003	2004	2005	2006	2007	2008 <sup>(2)</sup>	2009	2010	2011
Violence against the person	47.2	50.6	51.6	52.9	54.7	55.5	55.3	53.5	57.9	59.6	57.1
Sexual offences	11.7	12.8	12.4	14.0	14.2	14.7	15.8	16.0	16.9	18.2	19.6
Burglary	34.6	37.0	36.0	33.5	31.2	31.2	32.0	32.1	31.1	31.5	32.3
Robbery	10.2	12.0	11.5	11.7	10.8	12.1	13.4	12.6	12.9	12.0	12.9
Theft and handling stolen goods	194.8	196.7	188.2	174.2	162.7	156.6	163.5	172.5	175.4	179.5	176.0
Fraud and forgery	45.3	44.6	43.9	44.9	44.0	40.9	42.1	44.9	52.4	53.7	48.1
Criminal damage	17.0	17.8	18.5	19.6	19.5	21.2	20.0	15.0	12.3	11.9	10.7
Drug offences	74.3	80.2	85.3	69.8	69.2	69.7	75.2	87.3	89.9	97.5	94.8
Other indictable offences	115.6	128.3	143.5	141.4	133.6	120.8	121.5	115.2	121.5	124.9	113.0
Indictable motoring offences	13.3	13.5	14.1	12.9	10.1	9.0	7.9	7.5	4.7	4.4	4.0
Summary non-motoring offences	537.2	588.8	604.8	639.3	625.3	607.0	607.2	610.0	635.8	609.1	601.4
Summary motoring offences	1,112.3	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
<b>All offences</b> <sup>(3)</sup>	<b>2,213.4</b>	<b>2,344.1</b>	<b>2,495.0</b>	<b>2,545.6</b>	<b>2,377.1</b>	<b>2,214.6</b>	<b>2,097.1</b>	<b>1,977.3</b>	<b>2,016.7</b>	<b>1,918.7</b>	<b>1,806.1</b>

(1) On an all offence basis.

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

(3) May not sum due to rounding.

**Table Q6.3 - Number of offences brought to justice (notifiable) by outcome and numbers of recorded crimes, 2001 - 2011<sup>(1)</sup>**

England and Wales	Number of offences (thousands)						
	Offences taken into consideration <sup>(2)</sup>	Penalty Notices for Disorder <sup>(3)</sup>	Formal warnings for cannabis possession <sup>(4)</sup>	Cautions <sup>(5)/(6)</sup>	Convictions	Total OBTJs	Recorded crimes <sup>(7)</sup>
2001	88.0	*	*	231.5	681.9	1,001.3	5,422.4
2002	99.3	*	*	223.2	707.7	1,031.2	5,843.6
2003	94.6	*	*	238.2	723.4	1,059.7	5,931.5
2004	106.9	30.3	*	264.2	707.2	1,127.4	5,685.1
2005	113.9	99.5	50.5	312.1	697.6	1,273.6	5,495.1
2006	122.8	141.7	77.1	370.0	693.6	1,405.3	5,387.1
2007	108.2	143.7	98.2	383.4	722.3	1,455.7	4,983.2
2008	105.2	117.2	105.3	344.6	731.4	1,403.7	4,721.6
2009	85.6	112.2	88.3	304.0	755.6	1,345.8	4,386.4
2010	74.1	91.9	80.5	250.9	766.9	1,264.4	4,101.5
2011	69.9	82.3	79.7	244.0	734.1	1,209.9	4,043.3

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

(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 2011/12 are expected to be published during 2012 by the Home Office.

**Table Q6.4 - Number of offences brought to justice (notifiable) by offence group, 2001 - 2011 <sup>(1)(2)</sup>**

Offence group	Number of offences (thousands)											
	2001	2002	2003	2004	2005	2006	2007	2008 <sup>(3)</sup>	2009	2010 <sup>(4)</sup>	2011 <sup>(5)</sup>	
England and Wales												
Violence against person	215.8	230.5	245.1	296.0	393.5	454.9	467.5	417.6	394.6	363.3	340.4	
Sexual Offences	14.6	15.5	14.7	15.0	16.4	16.2	17.3	16.9	17.3	18.3	19.3	
Burglary	73.0	82.3	75.0	38.9	73.0	78.2	72.4	73.6	66.2	63.3	61.4	
Robbery	12.2	13.7	12.6	44.2	12.6	14.2	15.5	14.0	13.8	12.8	13.8	
Theft and handling stolen goods	352.3	342.5	366.8	373.3	345.4	368.2	374.2	363.2	348.9	321.2	305.8	
Fraud and forgery	80.5	77.8	70.8	74.1	74.7	64.8	61.5	64.2	66.4	63.7	58.1	
Criminal damages	94.7	94.0	97.6	112.8	138.0	158.0	161.1	139.7	123.5	104.8	96.2	
Drug offences	116.7	128.9	122.3	118.5	157.3	187.7	220.5	243.3	235.3	234.7	237.1	
Other notifiable offences	41.4	45.9	54.7	54.5	62.8	63.0	65.9	71.2	79.9	82.5	77.9	
<b>All offences <sup>(6)</sup></b>	<b>1,001.3</b>	<b>1,031.2</b>	<b>1,059.7</b>	<b>1,127.4</b>	<b>1,273.6</b>	<b>1,405.3</b>	<b>1,455.7</b>	<b>1,403.7</b>	<b>1,345.8</b>	<b>1,264.4</b>	<b>1,209.9</b>	

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

(2) Includes estimates for incomplete data.

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

(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.

(6) May not sum due to rounding.

## Offending histories

*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.*

This section provides information on the breakdown of offences committed by new and repeat offenders, the trends in new entrants to the criminal justice system, and breakdowns of the criminal histories of cautioned and sentenced offenders.

### **First offences and further offences [Tables Q7.1, Q7a and Q7b]**

*An offence is defined as a first offence if it results in the offender receiving their first reprimand, warning, caution or conviction – i.e. they have no previous criminal history recorded on the PNC. Offences resulting in further reprimands, warnings, cautions or convictions are known as further offences since the offender already has a recorded criminal history.*

In 2011, a total of 841,000<sup>15</sup> first offences and further offences were recorded, a decrease of 4.7 per cent compared with 882,900 recorded in 2010. This continues the year on year decrease observed since 2007. Of these recorded offences in 2011:

- 24.8 per cent of offences were committed by offenders with no previous criminal offences, a decrease from 26.3 per cent in 2010. The proportion of offences were committed by offenders with no previous criminal offences has decreased by almost 10 percentage points since 2006.
- 18.5 per cent of first offences are committed by juveniles, compared to 10.6 per cent of further offences;
- Juveniles received 19.2 per cent of cautions, reprimands and warnings compared to 10.1 per cent of convictions.

Figure 7.1 shows the breakdown of all offences recorded in 2011. The percentages in the diagram relate to the total number of offences committed in the top box of the figure.

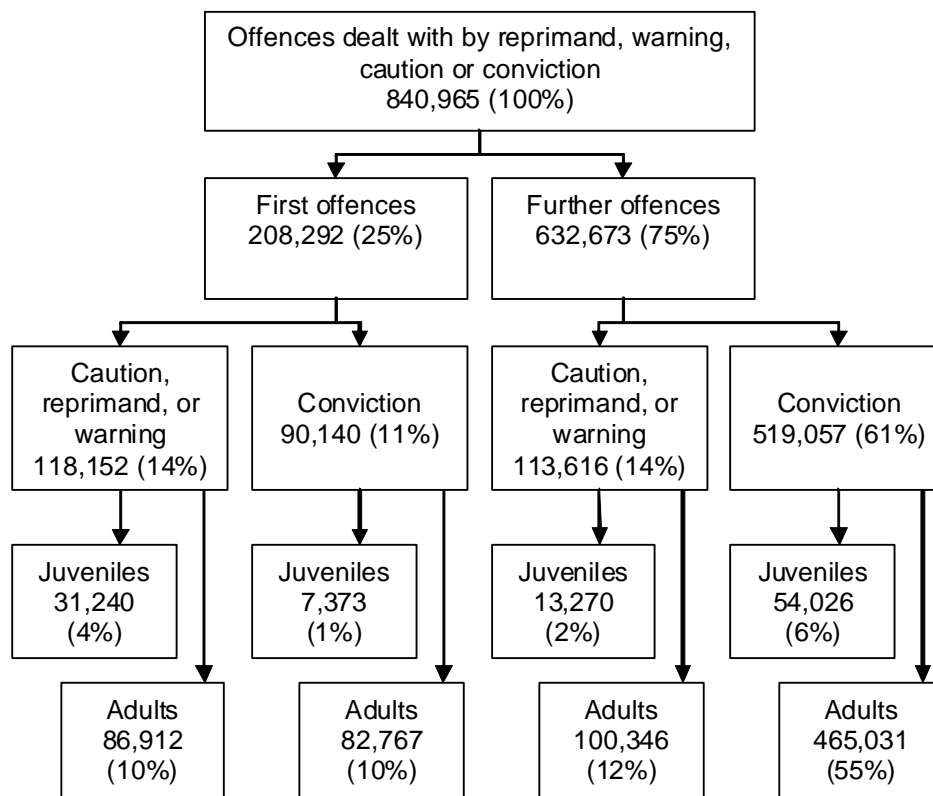
Figures 7.2 and 7.3 illustrate trends over time in first and further offending. Figure 7.2 shows the peak for juvenile first time entrants in 2006 and the subsequent large falls in offending, which coincided with the removal of a target in April 2008 to increase offences brought to justice and a move towards bringing more serious crimes to justice. Figure 7.3 shows a different pattern for adults, with first time entrants decreasing after a peak in 2007, but further offending continuing to rise.

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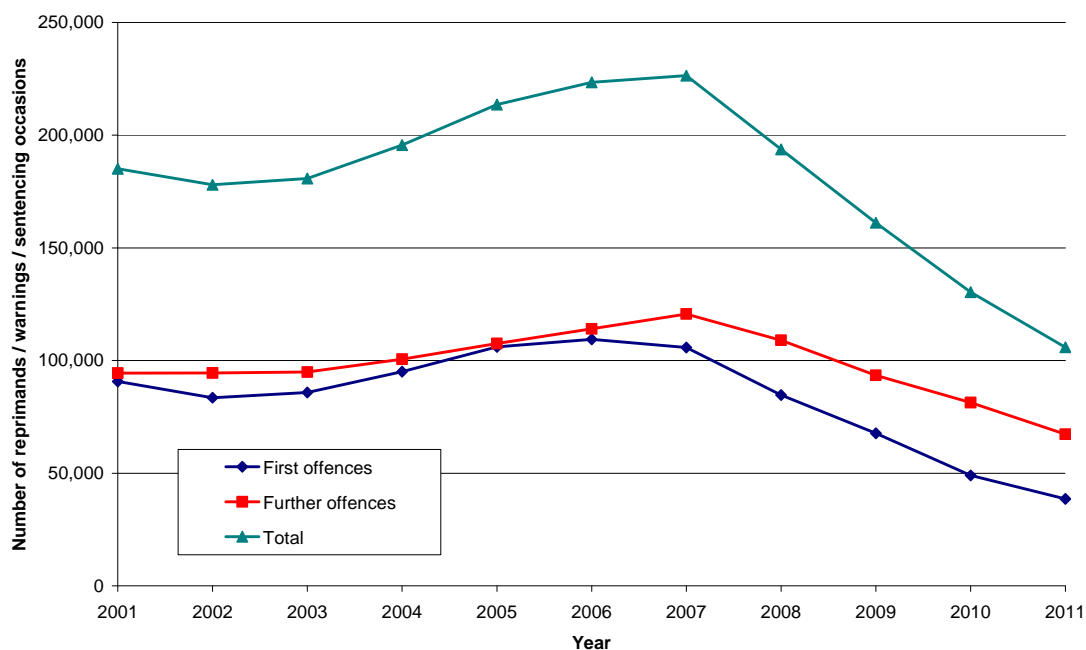
<sup>15</sup> When an offender has been cautioned or convicted of several offences on the same occasion only one offence has been counted; the figures therefore represent counts of separate cautioning or sentencing occasions as recorded on the PNC rather than counts of every proven offence. This means that the first offence figures described here are equal to the figures for first time entrants described below



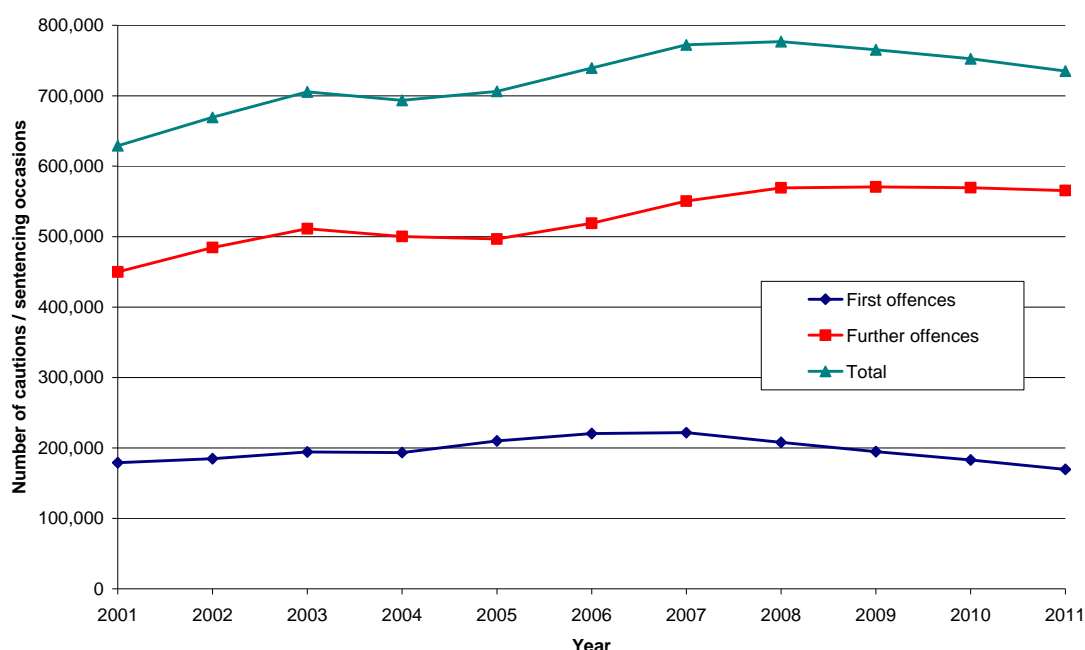
**Figure 7.1: First offences and further offences in 2011**



**Figure 7.2: Number of juvenile first and further offences in England and Wales, 2001 to 2011**



**Figure 7.3: Number of adult first and further offences in England and Wales, 2001 to 2011**



## First time entrants to Criminal Justice system

*First time entrants to the criminal justice are classified as offenders, resident in England and Wales, who received their first reprimand, warning, caution or conviction, based on data recorded by the police on the PNC.*

In 2011, there were 208,300 first time entrants to the criminal justice system. This represents a 10.2 per cent decrease on 2010 (231,900) and continues the year on year decline observed since 2006 – the 2011 figure representing a 36.8 per cent decrease compared to 2006 levels. This is driven by the decline since 2006 in the use of cautions<sup>16</sup> in dealing with first time entrants.

The number of juvenile first time entrants to the criminal justice system has fallen much more sharply than for adult offenders in recent years – down 21.2 per cent in 2011 from 2010 levels (a 64.7 per cent decrease since 2006), compared to a 7.2 per cent decrease for adults from 2010 levels (a 23.0 per cent decrease since 2006).

The differing trends in adult and juvenile first time entrants are largely due to the different disposals received. The majority of juvenile first time entrants receive a reprimand or final warning – 80.9 per cent in 2011 – while roughly half of adult first time entrants receive a caution – 51.2 per cent in 2011.

As mentioned previously, the decline in the use of cautions coincided with changes to a Government target. Increased funding was also made available to Youth Offending Teams for preventative and diversionary work with young people, which may also have had an impact (further work would have to be undertaken to assess the extent of any impact).

<sup>16</sup> Includes reprimands and final warnings received by juvenile offenders.

The rate of juvenile first time entrants per 100,000 of population has fallen from 933 to 747 over the last 12 months. This is roughly twice the equivalent rate for adult first time entrants, which has also fallen over the last 12 months, from 424 per 100,000 to 389.

## **Criminal histories**

*An offender is counted as having a criminal history if their PNC record shows that, at the time of receiving a reprimand, warning, caution or conviction, they had previously committed one or more offences that had resulted in one of these sanctions. The PNC data excludes a range of summary offences, and therefore unlike the other sections of offending histories, the criminal histories section focuses on the criminal histories of offenders cautioned or sentenced for indictable offences only.*

### **Offenders cautioned<sup>17</sup> for indictable offences on the PNC [Table Q7.4 and Q7k]**

In 2011, a total of 124,200 offenders received reprimands, warnings or cautions for indictable offences, a decrease of 9.9 per cent compared with 2010 and continuing a year on year decline since 2006. Of those in 2011:

- 51.0 per cent had no previous convictions, reprimands or warnings recorded, a decrease of 2.9 percentage points from 2010.
- 3.7 per cent had 15 or more previous convictions, reprimands or warnings, an increase of around 0.6 percentage points compared with 2010. This proportion has grown each year from the 1.3 per cent observed in 2001.

### **Offenders sentenced for indictable offences on the PNC [Table Q7.5, A7.1 to A7.13]**

In 2011, a total of 327,900 offenders were sentenced for indictable offences, a slight decrease (1.3 per cent) compared with 2010. Of those in 2011:

- 10.1 per cent had no previous convictions or cautions recorded against them, a fall of 0.4 percentage points compared with 2010, and 1.8 percentage points lower than in 2001;
- 31.2 per cent of all offenders sentenced for indictable offences had 15 or more previous convictions or cautions recorded against them, an increase of 2.3 percentage points from 2010 and 13.3 percentage points from 2001.

### Previous custodial sentences

68.5 per cent of offenders who received an immediate custodial sentence for an indictable offence in 2011 had had a previous custodial sentence. The proportion of those given a community sentence having had a previous community sentence was 63.8 per cent.

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<sup>17</sup> Includes Juveniles receiving reprimands or warnings

### Criminal history by sentence type

The criminal history of offenders receiving different sentences varies by sentence, with custodial sentences associated with higher levels of previous offences. In 2011:

- 45.5 per cent of adult offenders receiving custodial sentences for indictable offences had 15 or more previous convictions/cautions.
- 29.0 per cent of adult offenders receiving a fine had 15 or more previous convictions/cautions

However, caution should be taken in interpreting these figures on recent disposal and the number of previous convictions and cautions. There are many factors which influence the sentence given including the severity of the offence and whether a guilty plea is given. Full details of factors influencing sentencing are given in the Crown Court Sentencing Survey, 2011<sup>18</sup>.

### Criminal history by offence type

The criminal history of an offender varies with the type of offence. In 2011:

- 6.0 per cent of offenders convicted of *burglary*, 5.8 per cent of offenders convicted of *theft and handling stolen goods* and 6.7 per cent of offenders convicted of *drug offences* were first time offenders
- This compares with 39.1 per cent of those convicted of *sexual offences*, 32.0 per cent of those convicted of *fraud and forgery* and 23.0 per cent of those convicted of *indictable motoring offences*.
- 35.7 per cent of offenders sentenced for *burglary* had three or more previous convictions or cautions for *burglary*.
- 64.6 per cent of offenders who were sentenced for *shoplifting* had three or more previous convictions or cautions for *shoplifting*.

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<sup>18</sup>[sentencingcouncil.judiciary.gov.uk/facts/sentencing-survey.htm](http://sentencingcouncil.judiciary.gov.uk/facts/sentencing-survey.htm)

**Table Q7.1: First offences and further offences committed by offenders of all ages<sup>(1)</sup> and resulting in a reprimand, warning, caution or conviction, 2001 to 2011**

England and Wales			Number of offences and percentages						
Males and females			Males			Females			
First offences	Further offences	Total	First offences	Further offences	Total	First offences	Further offences	Total	
Number of offences									
2001	269,777	544,372	814,149	198,825	472,396	671,221	69,504	71,922	141,426
2002	268,345	578,979	847,324	197,800	501,110	698,910	69,294	77,783	147,077
2003	280,030	606,268	886,298	205,691	523,174	728,865	72,723	82,973	155,696
2004	288,488	600,702	889,190	207,491	516,127	723,618	79,104	84,417	163,521
2005	315,929	604,093	920,022	224,825	518,496	743,321	89,089	85,396	174,485
2006	329,813	632,940	962,753	234,982	543,941	778,923	92,823	88,709	181,532
2007	327,574	671,047	998,621	231,342	574,318	805,660	94,198	96,344	190,542
2008	292,432	678,251	970,683	208,184	580,489	788,673	82,257	97,339	179,596
2009	262,521	664,034	926,555	184,740	568,544	753,284	75,646	95,010	170,656
2010	231,928	650,940	882,868	165,128	558,303	723,431	64,008	92,073	156,081
2011	208,292	632,673	840,965	149,983	542,685	692,668	55,995	89,316	145,311
Percentage of Total									
2001	33.1	66.9	100.0	29.6	70.4	100.0	49.1	50.9	100.0
2002	31.7	68.3	100.0	28.3	71.7	100.0	47.1	52.9	100.0
2003	31.6	68.4	100.0	28.2	71.8	100.0	46.7	53.3	100.0
2004	32.4	67.6	100.0	28.7	71.3	100.0	48.4	51.6	100.0
2005	34.3	65.7	100.0	30.2	69.8	100.0	51.1	48.9	100.0
2006	34.3	65.7	100.0	30.2	69.8	100.0	51.1	48.9	100.0
2007	32.8	67.2	100.0	28.7	71.3	100.0	49.4	50.6	100.0
2008	30.1	69.9	100.0	26.4	73.6	100.0	45.8	54.2	100.0
2009	28.3	71.7	100.0	24.5	75.5	100.0	44.3	55.7	100.0
2010	26.3	73.7	100.0	22.8	77.2	100.0	41.0	59.0	100.0
2011	24.8	75.2	100.0	21.7	78.3	100.0	38.5	61.5	100.0

(1) Primary offences, as recorded on the Police National Computer, classified according to whether or not the offender had any previous reprimands, warnings, cautions or convictions

**Table Q7.2: Number of first time entrants to the criminal justice system<sup>(1)</sup> by gender and age group, 2001 to 2011**

England and Wales			Numbers of offenders						
	Males and females <sup>(2)</sup>			Males			Females		
	Juveniles	Adults	All ages	Juveniles	Adults	All ages	Juveniles	Adults	All ages
2001	90,720	179,057	269,777	65,895	132,930	198,825	24,743	44,761	69,504
2002	83,532	184,813	268,345	60,539	137,261	197,800	22,896	46,398	69,294
2003	85,829	194,201	280,030	61,662	144,029	205,691	24,066	48,657	72,723
2004	95,047	193,441	288,488	66,368	141,123	207,491	28,543	50,561	79,104
2005	106,071	209,858	315,929	72,785	152,040	224,825	33,088	56,001	89,089
2006	109,409	220,404	329,813	75,111	159,871	234,982	33,965	58,858	92,823
2007	105,825	221,749	327,574	71,694	159,648	231,342	33,742	60,456	94,198
2008	84,663	207,769	292,432	57,712	150,472	208,184	26,605	55,652	82,257
2009	67,698	194,823	262,521	45,098	139,642	184,740	22,348	53,298	75,646
2010	48,997	182,931	231,928	34,536	130,592	165,128	14,179	49,829	64,008
2011	38,613	169,679	208,292	28,461	121,522	149,983	9,933	46,062	55,995

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

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

**Table Q7.3: First time entrants to the criminal justice system<sup>(1)</sup> in England and Wales, 2001 to 2011, as a rate per 100,000 of the population<sup>(2)</sup>, by gender and age group**

England and Wales			Rates per 100,000 of the population						
	Males and females <sup>(3)</sup>			Males			Females		
	Juveniles	Adults	All ages	Juveniles	Adults	All ages	Juveniles	Adults	All ages
2001	1,703	444	591	2,415	686	900	952	214	295
2002	1,544	456	584	2,181	703	887	869	221	293
2003	1,567	476	605	2,193	732	915	903	230	306
2004	1,729	471	620	2,350	712	916	1,068	238	331
2005	1,929	508	674	2,577	761	986	1,238	262	371
2006	1,998	528	699	2,670	791	1,021	1,276	273	384
2007	1,950	527	689	2,570	783	998	1,280	279	387
2008	1,570	489	611	2,083	730	890	1,015	255	336
2009	1,270	455	545	1,650	671	784	861	242	308
2010	933	424	479	1,283	621	696	554	225	259
2011	747	389	427	1,075	572	628	395	206	225

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

(2) Based on mid-year population estimates for each age group supplied by the Office for National Statistics.

(3) Including offenders whose gender is not recorded on the PNC.

**Table Q7.4: Proportion of offenders cautioned or sentenced for indictable offences by previous criminal history and sentence received in 2011**

England and Wales		Number and percentage of offenders					
	Number of previous convictions / cautions						All Offenders(100 %)
	0	1-2	3-6	7-10	11-14	>=15	
Juveniles							
Caution	70.9	27.8	1.1	0.2	0.0	0.0	26,346
Absolute discharge	9.7	39.5	35.4	6.9	3.6	4.8	853
Conditional discharge	2.1	17.7	47.8	17.3	8.0	7.1	2,981
Fine	1.1	18.8	50.6	18.2	5.8	5.5	1,387
Community sentence	18.0	37.5	31.3	7.9	3.0	2.2	25,174
Immediate custody	7.9	13.4	29.0	21.3	13.6	14.9	4,410
Other <sup>(1)</sup>	8.7	21.2	34.9	16.8	9.4	8.9	1,609
All court convictions <sup>(2)</sup>	14.2	31.6	33.3	11.1	5.1	4.6	36,414
All disposals <sup>(2)</sup>	38.0	30.0	19.0	6.5	3.0	2.7	62,760
Adults							
Caution	45.7	26.1	15.1	5.4	2.9	4.7	97,888
Absolute discharge	9.7	10.3	14.5	8.5	8.6	48.5	858
Conditional discharge	9.1	18.8	19.3	11.9	8.9	32.0	34,290
Fine	6.0	15.8	24.1	14.6	10.4	29.0	55,679
Community sentence	10.4	16.1	21.4	13.3	9.4	29.4	69,688
Fully Suspended	16.2	17.6	20.0	12.0	8.3	26.0	31,657
Immediate custody	9.5	9.4	13.9	11.6	10.2	45.5	83,210
Other <sup>(1)</sup>	8.1	11.6	16.8	12.4	9.8	41.3	16,076
All court convictions	9.6	14.4	19.1	12.7	9.7	34.6	291,458
All disposals	18.7	17.3	18.1	10.9	8.0	27.1	389,346

(1) The 'Other' category includes some deferred sentences that the police will update on the PNC at a later date when the final decision is known.

(2) For juveniles the all convictions and all disposals figures include fully suspended sentences.

**Table Q7.5: Offenders sentenced for indictable offences by previous criminal history and sentence received, 2001 to 2011**

England and Wales	Number and percentage of offenders										
Age, Disposal and number of previous convictions or cautions	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
<b>All ages</b>											
<b>Absolute discharge</b>											
First time offenders	10.1	11.8	11.9	11.3	10.5	9.7	8.9	9.5	8.9	9.3	9.7
1-2 previous convictions/cautions	18.8	29.3	31.8	31.1	30.0	28.6	28.9	29.2	30.3	27.5	24.8
3-6 previous convictions/cautions	24.5	22.7	23.0	24.6	24.6	26.2	25.4	25.3	26.5	27.4	24.9
7-10 previous convictions/cautions	16.3	11.0	10.0	9.6	10.0	9.7	9.7	8.7	7.1	9.5	7.7
11-14 previous convictions/cautions	10.8	8.4	7.5	6.2	5.9	6.1	6.8	6.4	6.2	6.5	6.1
15 or more previous convictions/cautions	19.5	16.8	15.7	17.2	19.1	19.6	20.2	20.9	21.1	19.8	26.7
All offenders (100%)	1,728	2,590	2,901	2,505	2,146	2,077	2,197	1,854	1,618	1,746	1,711
<b>Conditional discharge</b>											
First time offenders	14.8	12.8	11.7	12.0	11.9	11.5	10.6	9.3	9.4	9.7	8.6
1-2 previous convictions/cautions	27.1	23.4	21.5	21.0	20.2	20.2	19.5	19.7	19.6	20.0	18.7
3-6 previous convictions/cautions	23.7	24.3	24.1	23.6	22.9	23.2	23.5	22.9	22.6	22.5	21.6
7-10 previous convictions/cautions	12.5	13.6	13.8	13.2	13.1	12.7	12.8	12.7	12.3	12.1	12.3
11-14 previous convictions/cautions	7.7	8.9	9.3	9.1	9.2	9.0	8.9	9.2	8.9	8.7	8.8
15 or more previous convictions/cautions	14.2	17.1	19.8	21.0	22.7	23.3	24.8	26.3	27.1	27.0	30.0
All offenders (100%)	49,938	47,871	49,696	44,654	40,972	37,109	37,323	35,914	35,058	37,692	37,271
<b>Fine</b>											
First time offenders	9.7	8.7	8.6	9.3	9.2	8.8	7.8	6.9	6.4	6.3	5.9
1-2 previous convictions/cautions	22.6	20.1	18.9	17.9	18.1	18.4	17.9	16.7	16.9	17.0	15.9
3-6 previous convictions/cautions	28.0	27.8	27.4	26.4	26.1	26.0	26.3	25.6	25.4	25.3	24.7
7-10 previous convictions/cautions	14.6	15.4	15.3	14.9	14.7	14.6	14.9	15.1	15.0	14.7	14.7
11-14 previous convictions/cautions	8.9	9.6	10.0	9.8	9.8	9.5	9.6	10.2	9.9	10.2	10.3
15 or more previous convictions/cautions	16.2	18.5	19.8	21.7	22.0	22.8	23.6	25.5	26.5	26.5	28.5
All offenders (100%)	74,165	76,760	77,950	65,509	57,108	50,170	49,759	53,597	56,204	58,159	57,066
<b>Community sentence</b>											
First time offenders	13.9	13.8	13.8	14.3	14.1	13.2	11.9	11.3	11.7	12.5	12.4
1-2 previous convictions/cautions	23.7	25.2	25.2	25.1	26.3	27.3	27.0	25.3	24.2	23.1	21.8
3-6 previous convictions/cautions	28.9	27.4	25.8	25.4	25.8	26.6	27.2	26.0	25.4	24.9	24.0
7-10 previous convictions/cautions	13.9	13.3	13.0	12.3	11.6	11.8	11.8	12.0	11.6	11.7	11.9
11-14 previous convictions/cautions	7.6	7.8	7.9	7.7	7.3	6.8	6.9	7.2	7.5	7.3	7.7
15 or more previous convictions/cautions	12.1	12.6	14.2	15.2	14.9	14.3	15.3	18.1	19.6	20.4	22.2
All offenders (100%)	100,257	107,328	105,924	107,379	105,788	98,526	100,055	101,459	98,545	97,014	94,862
<b>Fully suspended</b>											
First time offenders	34.2	29.6	27.9	28.1	16.4	14.3	14.0	14.9	15.4	16.0	16.2
1-2 previous convictions/cautions	18.5	17.2	16.9	15.4	13.4	15.2	16.2	17.1	17.6	17.8	17.6
3-6 previous convictions/cautions	17.5	18.6	18.1	19.7	19.3	20.8	21.5	20.3	20.4	21.1	20.0
7-10 previous convictions/cautions	11.0	11.7	11.6	11.2	13.8	13.7	13.5	13.0	12.5	12.2	12.0
11-14 previous convictions/cautions	7.1	8.2	8.1	7.7	10.7	9.9	9.4	9.1	8.8	8.6	8.3
15 or more previous convictions/cautions	11.8	14.8	17.4	18.0	26.5	26.2	25.3	25.5	25.3	24.2	26.0
All offenders (100%)	2,099	2,022	2,172	2,305	6,998	22,607	29,342	30,978	31,361	31,874	31,704
<b>Immediate custody</b>											
First time offenders	9.5	9.2	8.9	9.5	10.0	10.0	10.7	10.4	10.2	9.8	9.4
1-2 previous convictions/cautions	9.9	9.1	8.5	8.7	9.1	9.2	9.2	9.2	9.9	9.9	9.6
3-6 previous convictions/cautions	19.3	17.9	16.6	16.2	15.9	16.2	16.0	15.1	15.5	15.2	14.6
7-10 previous convictions/cautions	18.6	17.6	16.5	15.6	14.8	14.4	14.1	13.5	13.2	12.6	12.1
11-14 previous convictions/cautions	14.2	14.6	14.7	13.7	13.0	12.5	11.9	11.9	11.3	11.0	10.3
15 or more previous convictions/cautions	28.6	31.7	34.8	36.2	37.2	37.8	38.1	39.8	39.9	41.5	44.0
All offenders (100%)	80,437	86,535	87,680	89,479	85,214	83,856	85,522	92,855	89,117	87,701	87,620
<b>Other<sup>(1)</sup></b>											
First time offenders	10.2	8.4	7.4	7.5	7.9	8.2	8.8	10.0	10.7	9.2	8.2
1-2 previous convictions/cautions	16.8	14.7	14.0	13.6	14.0	13.9	13.0	13.4	15.0	14.7	12.4
3-6 previous convictions/cautions	24.0	24.3	23.5	23.0	21.8	22.5	22.2	20.0	20.0	19.3	18.4
7-10 previous convictions/cautions	16.4	16.9	15.8	15.2	14.7	15.0	14.4	13.4	12.8	12.8	12.8
11-14 previous convictions/cautions	11.5	12.0	12.3	11.7	11.7	10.8	10.4	10.3	9.7	9.5	9.8
15 or more previous convictions/cautions	21.0	23.6	27.0	29.1	29.9	29.6	31.2	32.8	31.8	34.4	38.4
All offenders (100%)	13,355	14,356	13,724	13,017	12,351	11,774	12,724	13,181	15,027	18,082	17,685
<b>All disposals</b>											
First time offenders	11.9	11.2	10.9	11.4	11.6	11.3	10.8	10.4	10.4	10.5	10.1
1-2 previous convictions/cautions	20.2	19.2	18.5	18.1	18.5	18.6	18.3	17.5	17.5	17.3	16.3
3-6 previous convictions/cautions	25.2	24.4	23.4	22.7	22.4	22.7	22.8	21.8	21.7	21.5	20.7
7-10 previous convictions/cautions	15.1	15.0	14.6	14.0	13.4	13.3	13.3	13.2	12.8	12.6	12.5
11-14 previous convictions/cautions	9.7	10.3	10.5	10.1	9.8	9.4	9.3	9.5	9.3	9.2	9.1
15 or more previous convictions/cautions	17.9	20.0	22.2	23.7	24.3	24.7	25.5	27.6	28.3	28.9	31.2
All offenders (100%)	321,979	337,462	340,047	324,848	310,577	306,119	316,922	329,838	326,930	332,268	327,919



## Juvenile offenders

### Absolute discharge

First time offenders	12.2	15.0	15.6	12.5	10.9	10.0	9.4	8.3	7.8	8.1	9.7
1-2 previous convictions/cautions	30.7	51.4	53.4	47.6	45.6	43.9	44.7	44.7	44.4	38.9	39.5
3-6 previous convictions/cautions	34.9	24.4	23.4	31.0	31.7	34.2	32.1	34.6	35.6	36.9	35.4
7-10 previous convictions/cautions	15.9	5.8	4.1	5.2	6.8	7.0	7.2	5.9	6.0	8.0	6.9
11-14 previous convictions/cautions	4.4	2.0	2.0	2.2	2.7	3.0	4.3	3.6	2.7	4.7	3.6
15 or more previous convictions/cautions	1.9	1.4	1.6	1.4	2.3	2.0	2.3	2.8	3.5	3.5	4.8
All juvenile offenders (100%)	427	1,069	1,401	1,331	1,132	1,092	1,187	999	895	978	853

### Conditional discharge

First time offenders	18.6	10.3	5.9	5.0	5.3	5.4	4.2	3.2	2.8	3.0	2.1
1-2 previous convictions/cautions	44.3	33.7	25.6	26.1	24.7	24.0	22.7	21.8	20.4	20.0	17.7
3-6 previous convictions/cautions	26.3	37.7	45.2	46.4	46.4	46.4	47.9	47.8	48.2	47.4	47.8
7-10 previous convictions/cautions	7.4	11.7	14.7	14.1	15.7	15.1	15.6	16.7	16.2	16.9	17.3
11-14 previous convictions/cautions	2.3	4.6	5.5	5.4	5.3	6.0	6.8	6.8	7.6	7.3	8.0
15 or more previous convictions/cautions	1.0	2.1	3.1	2.9	2.7	3.1	2.9	3.7	4.9	5.4	7.1
All juvenile offenders (100%)	8,127	4,572	3,743	3,874	3,727	3,601	3,674	3,404	3,228	3,269	2,981

### Fine

First time offenders	6.4	3.5	2.1	2.3	2.6	2.0	2.0	1.9	1.4	1.3	1.1
1-2 previous convictions/cautions	42.2	30.5	23.4	24.5	24.4	24.1	22.8	19.7	17.6	19.4	18.8
3-6 previous convictions/cautions	38.6	47.5	52.2	51.2	49.9	49.3	50.1	50.7	51.2	48.1	50.6
7-10 previous convictions/cautions	8.9	12.5	15.1	15.0	15.3	15.9	16.3	17.4	18.9	18.2	18.2
11-14 previous convictions/cautions	2.7	4.6	5.0	4.7	5.0	5.4	6.0	6.3	6.3	8.2	5.8
15 or more previous convictions/cautions	1.3	1.3	2.1	2.3	2.9	3.3	2.8	4.0	4.6	4.8	5.5
All juvenile offenders (100%)	5,886	4,315	3,548	3,208	3,045	2,451	2,553	2,435	2,019	1,745	1,387

### Community sentence

First time offenders	13.1	14.7	14.6	15.1	14.4	13.3	12.3	12.3	13.3	15.1	18.0
1-2 previous convictions/cautions	37.5	41.5	43.1	43.0	43.3	42.6	41.3	40.7	40.4	38.8	37.5
3-6 previous convictions/cautions	36.6	32.0	30.9	31.0	31.4	32.1	33.5	33.1	32.7	32.3	31.3
7-10 previous convictions/cautions	9.4	8.4	7.9	7.6	7.3	8.3	8.7	8.9	8.3	8.5	7.9
11-14 previous convictions/cautions	2.5	2.5	2.5	2.2	2.4	2.4	2.9	3.3	3.2	3.1	3.0
15 or more previous convictions/cautions	0.8	0.9	1.0	1.1	1.2	1.2	1.3	1.7	2.1	2.3	2.2
All juvenile offenders (100%)	30,163	34,276	33,971	34,848	37,051	37,585	39,674	36,065	31,613	27,914	25,174

### Immediate custody

First time offenders	6.0	7.1	6.0	6.3	5.6	5.3	5.8	6.0	6.8	6.9	7.9
1-2 previous convictions/cautions	15.7	15.6	15.3	15.3	14.5	14.8	14.1	14.9	15.2	14.1	13.4
3-6 previous convictions/cautions	37.0	34.8	34.5	34.5	33.2	32.8	32.4	31.9	30.0	31.4	29.0
7-10 previous convictions/cautions	27.2	24.6	24.6	23.7	24.7	25.5	25.0	23.1	21.7	21.6	21.3
11-14 previous convictions/cautions	10.2	11.8	12.4	12.5	13.1	12.5	13.9	13.6	13.3	12.7	13.6
15 or more previous convictions/cautions	4.0	6.0	7.2	7.7	9.0	9.1	8.9	10.4	12.9	13.3	14.9
All juvenile offenders (100%)	6,323	6,436	5,851	6,446	6,435	6,826	6,833	6,686	5,414	4,891	4,410

### Other<sup>(1)</sup>

First time offenders	12.9	8.5	6.0	6.1	5.9	6.1	5.5	6.4	9.4	10.2	8.7
1-2 previous convictions/cautions	32.2	27.2	26.1	23.7	26.0	23.1	20.6	21.4	27.2	25.4	21.2
3-6 previous convictions/cautions	33.8	40.1	41.8	42.8	40.0	42.0	44.4	38.9	34.9	33.7	34.9
7-10 previous convictions/cautions	14.6	15.9	15.5	16.0	17.1	17.5	17.4	17.6	15.3	15.8	16.8
11-14 previous convictions/cautions	4.6	6.0	6.7	7.2	7.4	7.5	7.6	8.9	7.3	8.6	9.4
15 or more previous convictions/cautions	1.9	2.3	3.9	4.2	3.6	3.7	4.5	6.8	5.9	6.4	8.9
All juvenile offenders (100%)	2,167	2,136	1,824	1,813	1,747	1,822	1,857	1,740	2,183	2,374	1,609

**Adult offenders**

**Absolute discharge**

First time offenders	9.4	9.6	8.5	10.0	10.1	9.4	8.3	10.9	10.2	10.8	9.7
1-2 previous convictions/cautions	14.9	13.7	11.7	12.3	12.5	11.7	10.5	11.1	12.9	13.2	10.3
3-6 previous convictions/cautions	21.1	21.4	22.6	17.3	16.6	17.4	17.5	14.4	15.1	15.2	14.5
7-10 previous convictions/cautions	16.4	14.7	15.6	14.7	13.6	12.8	12.7	12.0	8.4	11.3	8.5
11-14 previous convictions/cautions	12.9	13.0	12.7	10.7	9.5	9.5	9.7	9.6	10.5	8.9	8.6
15 or more previous convictions/cautions	25.3	27.5	28.9	35.1	37.8	39.2	41.3	42.0	42.9	40.6	48.5
All adult offenders (100%)	1,301	1,521	1,500	1,174	1,014	985	1,010	855	723	768	858

**Conditional discharge**

First time offenders	14.1	13.0	12.1	12.7	12.5	12.1	11.3	9.9	10.1	10.3	9.1
1-2 previous convictions/cautions	23.7	22.3	21.1	20.5	19.8	19.8	19.1	19.5	19.6	20.0	18.8
3-6 previous convictions/cautions	23.2	22.9	22.3	21.5	20.5	20.8	20.8	20.3	20.0	20.2	19.3
7-10 previous convictions/cautions	13.5	13.8	13.7	13.1	12.9	12.4	12.5	12.3	11.9	11.6	11.9
11-14 previous convictions/cautions	8.7	9.3	9.6	9.5	9.6	9.3	9.2	9.4	9.0	8.8	8.9
15 or more previous convictions/cautions	16.8	18.7	21.1	22.7	24.7	25.5	27.2	28.6	29.4	29.0	32.0
All adult offenders (100%)	41,811	43,299	45,953	40,780	37,245	33,508	33,649	32,510	31,830	34,423	34,290

**Fine**

First time offenders	10.0	9.1	8.9	9.6	9.6	9.2	8.1	7.1	6.5	6.4	6.0
1-2 previous convictions/cautions	20.9	19.4	18.7	17.6	17.8	18.1	17.6	16.5	16.9	16.9	15.8
3-6 previous convictions/cautions	27.0	26.6	26.2	25.1	24.8	24.8	25.0	24.4	24.4	24.6	24.1
7-10 previous convictions/cautions	15.1	15.5	15.3	14.9	14.7	14.5	14.8	15.0	14.8	14.6	14.6
11-14 previous convictions/cautions	9.4	9.8	10.2	10.1	10.1	9.7	9.8	10.4	10.0	10.2	10.4
15 or more previous convictions/cautions	17.5	19.5	20.7	22.7	23.1	23.8	24.7	26.5	27.3	27.2	29.0
All adult offenders (100%)	68,279	72,445	74,402	62,301	54,063	47,719	47,206	51,162	54,185	56,414	55,679

**Community sentence**

First time offenders	14.3	13.5	13.5	13.8	13.9	13.2	11.6	10.8	10.9	11.4	10.4
1-2 previous convictions/cautions	17.7	17.5	16.8	16.4	17.1	17.9	17.6	16.9	16.6	16.8	16.1
3-6 previous convictions/cautions	25.6	25.2	23.4	22.8	22.8	23.2	23.0	22.0	22.0	22.0	21.4
7-10 previous convictions/cautions	15.8	15.6	15.5	14.6	14.0	13.9	13.8	13.7	13.1	13.0	13.3
11-14 previous convictions/cautions	9.7	10.3	10.4	10.3	10.0	9.5	9.5	9.4	9.5	9.0	9.4
15 or more previous convictions/cautions	16.9	18.0	20.4	22.0	22.3	22.3	24.5	27.1	27.9	27.8	29.4
All adult offenders (100%)	70,094	73,052	71,953	72,531	68,737	60,941	60,381	65,394	66,932	69,100	69,688

**Fully suspended**

First time offenders	34.2	29.6	27.9	28.1	16.5	14.3	14.1	14.9	15.4	16.1	16.2
1-2 previous convictions/cautions	18.5	17.1	16.9	15.4	13.3	15.2	16.2	17.0	17.6	17.8	17.6
3-6 previous convictions/cautions	17.5	18.7	18.1	19.6	19.2	20.8	21.4	20.2	20.3	21.0	20.0
7-10 previous convictions/cautions	11.0	11.7	11.6	11.2	13.7	13.6	13.5	13.0	12.5	12.2	12.0
11-14 previous convictions/cautions	7.1	8.2	8.1	7.7	10.7	9.9	9.4	9.1	8.8	8.6	8.3
15 or more previous convictions/cautions	11.8	14.8	17.4	18.0	26.6	26.2	25.4	25.6	25.4	24.3	26.0
All adult offenders (100%)	2,099	2,021	2,172	2,300	6,954	22,522	29,226	30,853	31,258	31,800	31,657

**Immediate custody**

First time offenders	9.8	9.4	9.1	9.7	10.4	10.4	11.1	10.8	10.4	9.9	9.5
1-2 previous convictions/cautions	9.4	8.5	8.0	8.2	8.7	8.7	8.8	8.7	9.6	9.7	9.4
3-6 previous convictions/cautions	17.8	16.6	15.3	14.8	14.5	14.7	14.5	13.8	14.5	14.2	13.9
7-10 previous convictions/cautions	17.9	17.0	16.0	15.0	14.0	13.4	13.1	12.8	12.7	12.1	11.6
11-14 previous convictions/cautions	14.5	14.8	14.8	13.8	13.0	12.5	11.8	11.8	11.2	10.9	10.2
15 or more previous convictions/cautions	30.7	33.7	36.8	38.5	39.5	40.4	40.7	42.1	41.7	43.2	45.5
All adult offenders (100%)	74,114	80,099	81,829	83,033	78,779	77,030	78,689	86,169	83,703	82,810	83,210

**Other<sup>(1)</sup>**

First time offenders	9.7	8.4	7.6	7.7	8.2	8.6	9.3	10.6	10.9	9.0	8.1
1-2 previous convictions/cautions	13.9	12.5	12.1	11.9	12.0	12.2	11.8	12.2	12.9	13.1	11.6
3-6 previous convictions/cautions	22.1	21.6	20.7	19.8	18.8	18.9	18.4	17.1	17.5	17.1	16.8
7-10 previous convictions/cautions	16.7	17.1	15.8	15.0	14.4	14.5	13.8	12.8	12.4	12.4	12.4
11-14 previous convictions/cautions	12.9	13.1	13.2	12.4	12.4	11.4	10.9	10.6	10.1	9.7	9.8
15 or more previous convictions/cautions	24.7	27.3	30.5	33.1	34.3	34.3	35.8	36.8	36.2	38.7	41.3
All adult offenders (100%)	11,188	12,220	11,900	11,204	10,604	9,952	10,867	11,441	12,844	15,708	16,076

**All disposals**

First time offenders	11.9	11.0	10.7	11.3	11.5	11.3	10.9	10.5	10.3	10.3	9.6
1-2 previous convictions/cautions	17.0	16.0	15.3	14.6	14.7	14.9	14.7	14.4	14.8	15.1	14.4
3-6 previous convictions/cautions	23.2	22.5	21.5	20.5	20.1	20.2	20.1	19.3	19.6	19.7	19.1
7-10 previous convictions/cautions	15.8	15.7	15.3	14.6	14.0	13.7	13.6	13.4	13.1	12.8	12.7
11-14 previous convictions/cautions	10.9	11.4	11.6	11.3	11.0	10.5	10.3	10.4	10.0	9.8	9.7
15 or more previous convictions/cautions	21.2	23.4	25.7	27.8	28.8	29.4	30.4	32.1	32.2	32.4	34.6
All adult offenders (100%)	268,886	284,657	289,709	273,323	257,396	252,657	261,028	278,384	281,475	291,023	291,458

(1) For 2011 the 'Other' category includes some deferred sentences that the police will update on the PNC at a later date when the final decision is known.

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

## **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 2011. This is the second set of combined annual criminal statistics to be published by the Ministry of Justice, following the publication of the first three combined quarterly criminal statistics reports. 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

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