

Average Time From Arrest To Sentence For Persistent Young Offenders: November 2008

Ministry of Justice
Statistics bulletin

Published: 12 February 2009

Executive summary

Background

This Bulletin presents the latest figures on the average time from arrest to sentence for persistent young offenders.

These figures are used to monitor the pledge to halve the average time from arrest to sentence for persistent young offenders in England and Wales from 142 days in 1996 to 71 days.

Main Points

- The average time from arrest to sentence for persistent young offenders in England and Wales was 58 days in November 2008, 2 days higher than in October 2008.
- The overall average time from arrest to sentence for cases sentenced in magistrates' courts was 45 days in November 2008 – 2 days lower than the figure for the previous month.
- Cases sentenced in the Crown Court took an average of 222 days from arrest to sentence during November 2008, up 38 days from October 2008.

Conclusion of the Persistent Young Offenders pledge

On 10 December 2008, the Secretary of State for Justice announced to Parliament that the Persistent Young Offenders pledge would be discontinued with effect from the end of the 2008 calendar year. The full text of his statement can be seen on the UK Parliament website at the following link:

<http://www.publications.parliament.uk/pa/cm200809/cmhansrd/cm081210/wmstext/81210m0002.htm#08121029000071>

This monthly bulletin, whose purpose is to monitor the pledge, will therefore cease with effect from the edition covering December 2008, due for publication on 12 March 2009.

Arrest-to-Charge survey

In previous years, the figures presented in this bulletin have been updated retrospectively to take account of results from the annual 'Arrest to Charge' survey. This exercise generates estimates (at police force area level) of the average time interval between arrest and charge, for the minority of cases where this information is not recorded on the Police National Computer.

This annual survey is normally carried shortly after the completion of a calendar year. However, in the light of the announced discontinuation of the Persistent Young Offenders pledge, we will not be running an 'Arrest to Charge' survey covering 2008, and we will instead be rolling forward the most recent pre-existing survey results for the year 2007.

During 2008 (up to and including November data), some 89% of cases had full information on the arrest to charge interval recorded on the Police National Computer. The survey results are therefore only applied to the remaining 11%. For this reason, and based on recent years' experience of applying these retrospective updates, we expect the absence of a 2008 survey to have a minimal effect on reported 'pledge' statistics.

Average Interval from Arrest to Sentence

The bulletin

This bulletin contains statistics on the average time from arrest to sentence for persistent young offenders in England and Wales.

This bulletin presents figures for November 2008. In-year figures for 2008 will be revised as more data is entered onto the Police National Computer – please see the Notes section for further details.

The main body of the bulletin is organised in three parts. This first part contains commentary on the latest figures, the second has detailed tables of results, and the final part comprises of notes on the pledge and methodology used and also includes contact points for enquires.

England and Wales

The average time between arrest and sentence for persistent young offenders during November 2008 was 58 days, 2 days higher than in the previous month.

Further figures can be found in table 1 (page 7). A graph showing monthly progress from January 1997 is shown in figure 1 below.

Figure 1: Average time (days) between arrest and sentence for persistent young offenders – England and Wales, January 1997 to November 2008



Cases sentenced at Magistrates' Courts

For November 2008, cases sentenced at magistrates' courts represented 93 per cent of all persistent young offender cases. As table 2 (page 8) shows, the overall average time from arrest to sentence for these cases was 45 days, 2 days lower than the figure for the previous month.

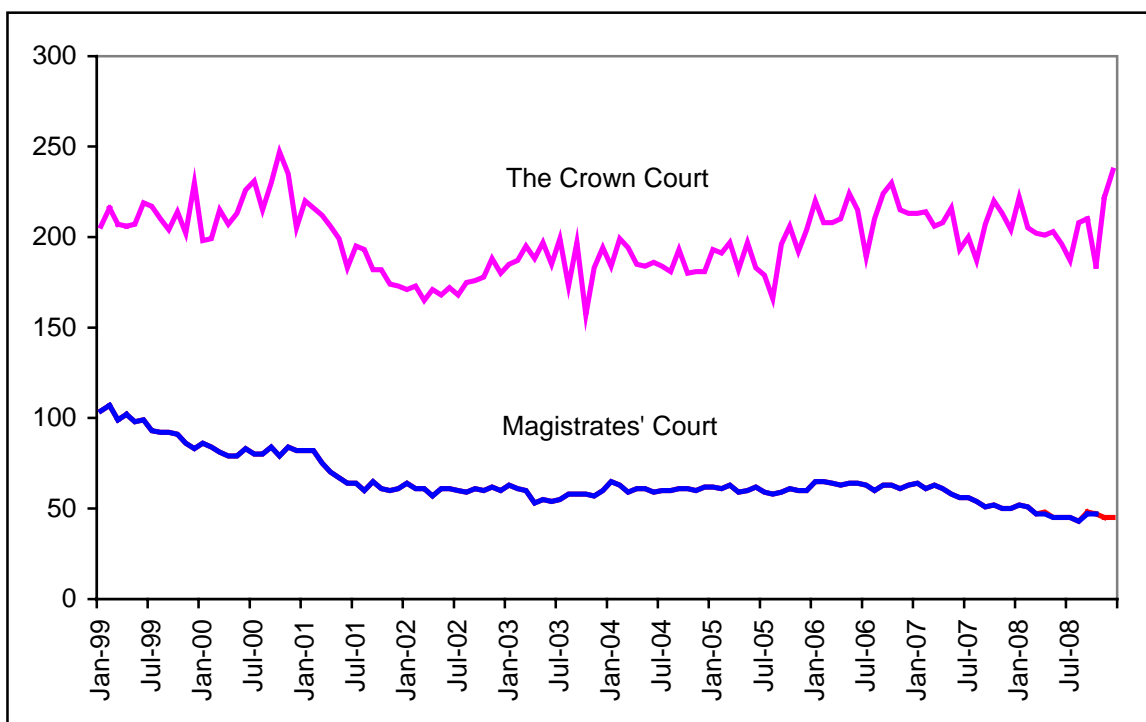
Cases sentenced at the Crown Court

The average time from arrest to sentence for cases sentenced at the Crown Court during November 2008 was 222 days, up 38 days from the previous month. For further figures please see table 3 (page 9).

Cases sentenced at the Crown Court include both time spent in magistrates' courts before committal to the Crown Court and time spent in Crown Court proceedings after committal. However, it is not possible to provide a breakdown of these periods separately.

The average arrest to sentence times for cases sentenced at the Crown Court and magistrates' courts between January 1999 and November 2008 are shown separately in figure 2 below.

Figure 2: Average time (days) from arrest to sentence for persistent young offenders by sentencing court – England and Wales, January 1999 to November 2008



Criminal Justice System Areas

A breakdown by criminal justice area on a three-month rolling average basis is shown in table 4 (page 10).

On this basis, the number of areas achieving the 71-day target in the latest period (September – November 2008) was 39, as shown in figure 3 and 4 below.

Figure 3: Number of Criminal Justice System areas within target by rolling three-month arrest to sentence averages – April 2008 to November 2008

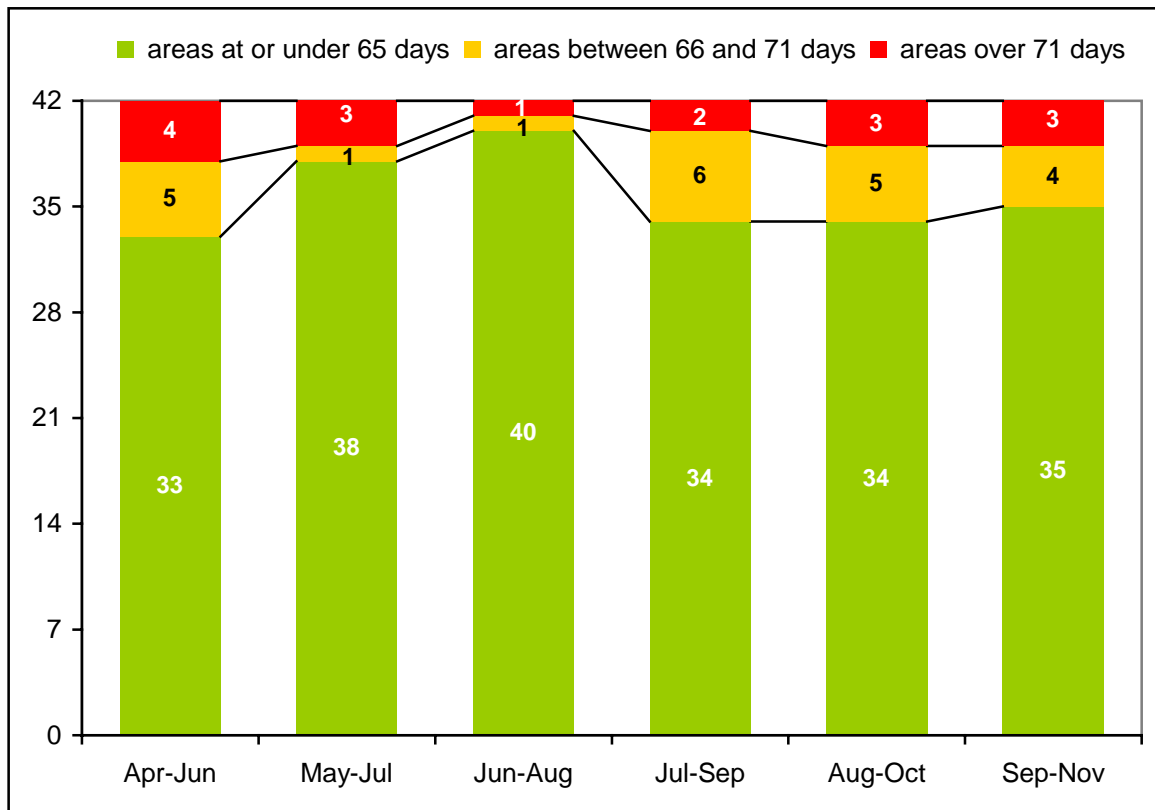


Figure 4: Geographical spread of Criminal Justice System areas within target by rolling three-month arrest to sentence averages – rolling quarter ending November 2008

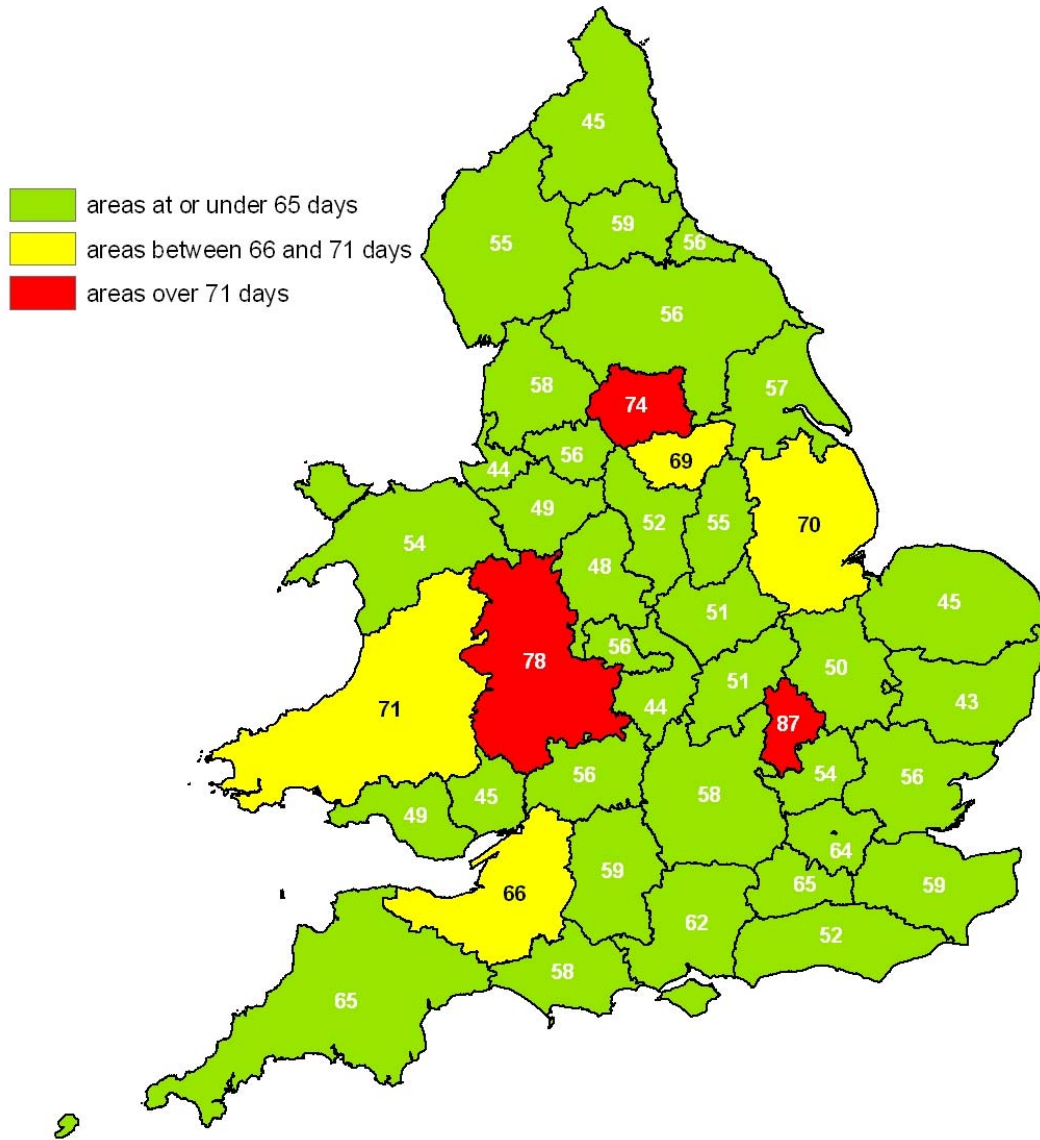


Table 1: Average number of days from arrest to sentence for persistent young offenders in England and Wales

| Period | Days | Number of cases | |
|---------------------|----------------------|-----------------|-------------|
| 1996 | 142 | - | |
| 1997 | 141 | 16,010 | |
| 1998 | 125 | 18,605 | |
| 1999 | 108 | 21,151 | |
| 2000 ⁽¹⁾ | 95 | 23,131 | |
| 2001 | 76 | 25,393 | |
| 2002 | 68 | 26,116 | |
| 2003 ⁽¹⁾ | 66 | 26,086 | |
| 2004 | 69 | 26,363 | |
| 2005 | 68 | 27,037 | |
| 2006 | 72 | 28,252 | |
| 2007 | 65 | 30,683 | |
| <hr/> | | | |
| 2007 | January – March | 72 | 7,813 |
| | April – June | 67 | 7,928 |
| | July – September | 62 | 7,766 |
| | October – December | 60 | 7,176 |
| 2008 | January – March (r) | 61(+1) | 7,312 (+19) |
| | April – June (r) | 57 | 7,507 (+14) |
| | July – September (r) | 55 | 7,205 (+34) |
| <hr/> | | | |
| 2008 ⁽¹⁾ | January (r) | 62 | 2,651 (+8) |
| | February (r) | 63 | 2,442 (+5) |
| | March (r) | 57 | 2,219 (+6) |
| | April (r) | 57 | 2,674 (+4) |
| | May (r) | 57 | 2,440 (+5) |
| | June (r) | 56 | 2,393 (+5) |
| | July (r) | 54 | 2,711 (+13) |
| | August (r) | 53 | 2,197 (+9) |
| | September (r) | 59 | 2,297 (+12) |
| | October (r) | 56 | 2,564 (+18) |
| | November (r) | 58 | 2,145 (+94) |
| | December (p) | 58 | 1,995 |

Notes:

All period figures denoted by - are not applicable.

All period figures denoted by (r) are based on revised data and replace those provided in the last bulletin in the series.

All period figures denoted by (p) are based on provisional data.

- (1) Full application of the new methodology (to remove double counting of Arrest to Charge survey time) required the re-calculating of time-series figures. This has resulted in the substantive changes on the previously published numbers. However, the results of the 2007 Arrest to Charge survey will be applied to both 2007 and 2008 data since, unlike earlier years, an Arrest to Charge survey will not operate for 2008.

Table 2: Average number of days from arrest to sentence for persistent young offenders sentenced at Magistrates' Courts in England and Wales

| Period | Days | Number of cases | |
|---------------------|----------------------|-----------------|-------------|
| 1999 | 96 | 18,851 | |
| 2000 ⁽¹⁾ | 83 | 21,146 | |
| 2001 | 68 | 23,752 | |
| 2002 ⁽¹⁾ | 63 | 24,280 | |
| 2003 ⁽¹⁾ | 58 | 24,481 | |
| 2004 | 61 | 24,698 | |
| 2005 ⁽¹⁾ | 61 | 25,498 | |
| 2006 | 63 | 26,529 | |
| 2007 | 57 | 28,904 | |
| <hr/> | | | |
| 2007 | January – March | 63 | 7,351 |
| | April – June | 58 | 7,469 |
| | July – September | 54 | 7,332 |
| | October – December | 51 | 6,752 |
| 2008 | January – March (r) | 50 | 6,839 (+18) |
| | April – June (r) | 46 | 6,991 (+12) |
| | July – September (r) | 45 | 6,734 (+35) |
| <hr/> | | | |
| 2008 ⁽¹⁾ | January (r) | 52 | 2,496 (+7) |
| | February (r) | 51 | 2,263 (+5) |
| | March (r) | 47 | 2,080 (+6) |
| | April (r) | 48 (+1) | 2,509 (+2) |
| | May (r) | 45 | 2,259 (+5) |
| | June (r) | 45 | 2,223 (+5) |
| | July (r) | 45 | 2,535 (+13) |
| | August (r) | 43 | 2,064 (+9) |
| | September (r) | 48 (+1) | 2,135 (+13) |
| | October (r) | 47 | 2,388 (+15) |
| | November (r) | 45 (-1) | 1,994 (+86) |
| | December (p) | 45 | 1,854 |

Notes:

All period figures denoted by (r) are based on revised data and replace those provided in the last bulletin in the series.

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- (1) Full application of the new methodology (to remove double counting of Arrest to Charge survey time) required the re-calculating of time-series figures. This has resulted in the substantive changes on the previously published numbers. However, the results of the 2007 Arrest to Charge survey will be applied to both 2007 and 2008 data since, unlike earlier years, an Arrest to Charge survey will not operate for 2008.

Table 3: Average number of days from arrest to sentence for persistent young offenders sentenced at the Crown Court in England and Wales

| Period | Days | Number of cases | |
|---------------------|----------------------|-----------------|----------|
| 1999 | 212 | 2,271 | |
| 2000 | 218 | 1,976 | |
| 2001 | 196 | 1,632 | |
| 2002 ⁽¹⁾ | 178 | 1,829 | |
| 2003 ⁽¹⁾ | 188 | 1,590 | |
| 2004 | 186 | 1,653 | |
| 2005 ⁽¹⁾ | 192 | 1,526 | |
| 2006 | 214 | 1,704 | |
| 2007 | 206 | 1,769 | |
| <hr/> | | | |
| 2007 | January – March | 210 | 459 |
| | April – June | 206 | 456 |
| | July – September | 197 | 433 |
| | October – December | 213 | 421 |
| 2008 | January – March (r) | 209 | 457 (+1) |
| | April – June (r) | 200 | 507 (+2) |
| | July – September (r) | 201 | 469 (-1) |
| <hr/> | | | |
| 2008 ⁽¹⁾ | January (r) | 222 | 147 (+1) |
| | February | 205 | 176 |
| | March | 202 | 134 |
| | April (r) | 201 | 164 (+2) |
| | May | 203 | 178 |
| | June | 196 | 165 |
| | July | 187 | 176 |
| | August | 208 | 133 |
| | September (r) | 210 | 160 (-1) |
| | October (r) | 184 | 175 (+3) |
| | November | 222 | 151 |

Notes:

All period figures denoted by (r) are based on revised data and replace those provided in the last bulletin in the series. All period figures denoted by (p) are based on provisional data.

- (1) Full application of the new methodology (to remove double counting of Arrest to Charge survey time) required the re-calculating of time-series figures. This has resulted in the substantive changes on the previously published numbers. However, the results of the 2007 Arrest to Charge will be applied to both 2007 and 2008 data since, unlike earlier years, an Arrest to Charge survey will not operate for 2008.

Table 4: Average number of days from arrest to sentence (three-month rolling averages) for persistent young offenders in England and Wales and by Criminal Justice Area from April 2008 to November 2008⁽²⁾

| Area ⁽¹⁾ | Apr 08 to Jun 08 (r) | May 08 to Jul 08 (r) | Jun 08 to Aug 08 (r) | Jul 08 to Sep 08 (r) | Aug 08 to Oct 08 (r) | Sep 08 to Nov 08 |
|--------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|---------------------|
| Avon and Somerset | 76 | 75 | 73 | 69 | 70 | 66 |
| Bedfordshire | 68 | 57 | 51 | 67 | 79 | 87 |
| Cambridgeshire | 65 | 67 | 58 | 52 | 44 | 50 |
| Cheshire | 45 | 44 | 38 | 42 | 42 | 49 |
| Cleveland | 53 | 50 | 55 | 54 | 61 | 56 |
| Cumbria | 46 | 51 | 51 | 51 | 48 | 55 |
| Derbyshire | 53 | 48 | 49 | 49 | 58 | 52 |
| Devon and Cornwall | 43 | 45 | 46 | 47 | 54 | 65 |
| Dorset | 53 | 45 | 41 | 48 | 51 | 58 |
| Durham | 42 | 41 | 50 | 49 | 54 | 59 |
| Dyfed-Powys | 38 | 39 | 49 | 52 | 57 | 71 |
| Essex | 47 | 53 | 55 | 59 | 55 | 56 |
| Gloucestershire | 62 | 72 | 65 | 66 | 52 | 56 |
| Greater Manchester | 54 | 51 | 50 | 51 | 53 | 56 |
| Gwent | 72 | 64 | 53 | 52 | 39 | 45 |
| Hampshire | 61 | 63 | 62 | 63 | 64 | 62 |
| Hertfordshire | 66 | 60 | 57 | 60 | 50 | 54 |
| Humberside | 51 | 48 | 50 | 48 | 51 | 57 |
| Kent | 75 | 65 | 61 | 52 | 55 | 59 |
| Lancashire | 48 | 52 | 52 | 52 | 56 | 58 |
| Leicestershire | 75 | 65 | 51 | 50 | 54 | 51 |
| Lincolnshire | 67 | 87 | 67 | 74 | 59 | 70 |
| Merseyside | 59 | 54 | 49 | 47 | 41 | 44 |
| Metropolitan | 70 | 65 | 64 | 66 | 68 | 64 |
| Norfolk | 54 | 52 | 41 | 41 | 43 | 45 |
| North Wales | 53 | 51 | 44 | 48 | 53 | 54 |
| North Yorkshire | 46 | 44 | 47 | 56 | 60 | 56 |
| Northamptonshire | 59 | 63 | 57 | 53 | 50 | 51 |
| Northumbria | 46 | 42 | 37 | 43 | 45 | 45 |
| Nottinghamshire | 64 | 59 | 62 | 60 | 57 | 55 |
| South Wales | 51 | 51 | 51 | 48 | 53 | 49 |
| South Yorkshire | 56 | 52 | 60 | 67 | 67 | 69 |
| Staffordshire | 47 | 49 | 52 | 50 | 48 | 48 |
| Suffolk | 43 | 47 | 43 | 44 | 42 | 43 |
| Surrey | 41 | 48 | 65 | 74 | 78 | 65 |
| Sussex | 44 | 51 | 54 | 59 | 51 | 52 |
| Thames Valley | 51 | 61 | 64 | 71 | 67 | 58 |
| Warwickshire | 31 | 38 | 42 | 37 | 39 | 44 |
| West Mercia | 55 | 52 | 53 | 60 | 72 | 78 |
| West Midlands | 57 | 56 | 52 | 46 | 48 | 56 |
| West Yorkshire | 68 | 64 | 63 | 62 | 66 | 74 |
| Wiltshire | 63 | 61 | 63 | 43 | 59 | 59 |
| British Transport Police | 68 | 62 | 55 | 50 | 46 | 64 |
| England and Wales | 57 | 55 | 54 | 55 | 56 | 58 |

Note:

All Figures denoted by * are based on 40 or fewer cases and should be interpreted with particular care.

All period figures denoted by (r) are based on revised data and replace those provided in the last bulletin in the series.

- (1) The area classification is based on the Police Force that investigated the offence and entered the charge or summons details on the Police National Computer. In a small proportion of cases, prosecution and court proceedings may have been handled in different areas to that which first recorded the cases.

Notes to the pledge

The pledge

1. The original Government pledge was to halve the time it takes to deal with persistent young offenders from arrest to sentence in England and Wales from 142 days in 1996 to 71 days by 2002. The timely process of these offenders at the target level remains an ongoing commitment.
2. Overall responsibility for the pledge is shared jointly by all Criminal Justice System departments and agencies. However, the agency with the lead responsibility for overseeing delivery nationally is the Office for Criminal Justice Reform.
3. From 2005, the pledge has been applied to all Criminal Justice System areas, who are required to achieve the compliance target on a consistent basis. The Local Criminal Justice Boards are responsible for delivery in the local areas.
4. Since 1997, this National Statistics bulletin published by the Ministry of Justice has presented national and local performance against the target.

Notes to the data and methodology

Data sources

5. The raw data used to identify persistent young offenders, and to calculate the average time interval from arrest to sentence across relevant cases are:
 - the Police National Computer, which is the police's central management information database. The source provides a full collection of cases, and all the variables needed to determine the offenders classification and to contribute to the calculation of performance against the target; and
 - the annual Arrest to Charge survey, which is an annual sample survey designed to enable the calculation of robust representative estimates of subsidiary time from the initial to the process stage.

Please see the definitional and calculation rules for details on data usage.

Paths through the system

6. Offenders can take two paths through the Criminal Justice System:
 - one where they are arrested and subsequently processed by the police, then listed to appear in court for however many hearings are necessary until the session where the sentence is passed on them; and

- another where they are reported and information is laid against them by the police, then they are summoned to appear in court for however many hearings until the final session where the sentence is passed on them.

Definitional rules

7. The data used to identify whether a defendant found guilty of an offence is a persistent young offender comes from the Police National Computer. Under the counting rules such an offender is:
 - a young person who is aged 10 to 17 at the point of process, and 18 or under at the start of the calendar year in which they are sentenced guilty of an offence;
 - who has been sentenced guilty of offences by any criminal court in the United Kingdom on three or more separate occasions in the past for one or more recordable offences on each of the occasions; and
 - within 3 years of the last of these sentencing occasion is subsequently arrested and then found guilty of at least one more recordable offence.

Under this definition, it is possible for young adults aged 18 and 19 years at sentence, but not those aged 20 years or over, to fall in the category.

Calculation rules

8. The full data used to calculate the overall interval between the initial stage (arrest or reporting / information laid) and the sentence stage for the cases of persistent young offenders comes from the Police National Computer in the main.
9. However, some additional data from the annual Arrest to Charge survey is used in the calculations for an ever-decreasing number of cases. For this minority of cases, survey results are used as proxy for time from the initial to process (charge or summons) stage, where that time is not recorded on the main data source. This time is then added to the usually larger interval from process to sentence stage derived from the aforementioned source.
10. The overall interval is commonly known as the average time from arrest to sentence, owing to the fact the vast majority of cases pass through that path. It can essentially be a national, sentencing court type jurisdiction or local area average of the intervals of all relevant cases in a given period.

Additional notes

National Statistics

11. This is a National Statistics publication produced by the Ministry of Justice. National Statistics are produced to high professional standards set out in the National Statistics Code of Practice. They undergo regular quality assurance reviews to ensure that they meet customer needs. They are produced free from any political interference.

The bulletin

12. The Ministry of Justice has produced the figures in this bulletin with assistance from the data source owner in the National Policing Improvement Agency.
13. The figures presented in this bulletin are obtained from separate monitoring exercises run on successive monthly data extractions from the Police National Computer from 1997.
14. In accordance with the counting rules, the bulletin covers all cases sentenced in magistrates' courts and the Crown Court in England and Wales that are recorded on the Police National Computer.

The definition

15. A persistent young offender was first defined in the inter-departmental circular 'Tackling delays in the Youth Justice System' issued on 15 October 1997:

"A persistent young offender is a young person aged 10-17 who has been sentenced by any criminal court in the UK on three or more separate occasions for one or more recordable offence, and within three years of the last sentencing occasion is subsequently arrested or has an information laid against them for a further recordable offence."

16. Individuals can fall within this definition at the date of sentence. This happens where offenders are brought into the group by virtue of one or more offences committed after but dealt with before the fourth sentencing occasion. Essentially, this rearranges the usual order of counting occasions, so that offences which would not be expected to fall on the final occasion do so; with the longest lasting case then contributing to the arrest to sentence averages.

The calculations

17. In the instance where an offender is sentenced for more than one offence on the fourth sentencing occasion, only the longest running of these cases will contribute to the arrest to sentence averages.

The extraction

18. All cases in the consecutive counting of sentencing occasions are extracted from the source. However, some of them are then excluded from the monitoring exercise because the offences were:

- committed outside the United Kingdom, Channel Islands and the Isle of Man;
- handled by a police force outside England and Wales, other than cases handled by the British Transport Police;
- proceeded with in courts outside England and Wales;
- resulted in no convictions being brought against the offender, for example where individuals were acquitted or cases against them discounted; and
- breaches of previous sentence order, for example probation orders.

However, from 1 January 2005 breaches of anti-social behaviour orders have been included in the exercise.

The amended methodology

19. From May 2006, all arrest to sentence figures have been calculated using an amended methodology. This new approach has been applied to remove the double counting of Arrest to Charge time for offences processed at arrest, or else that where overall time is recorded on the Police National Computer.

20. The new methodology has been retrospectively applied to backdated periods, so that all time-series are consistent within this bulletin and others released since the change. However, changes to statistics published prior to May 2006 may be partly or wholly due to this amendment and are not comparable.

The provisional statistics

21. From April 2007, more up to date statistics have been made available in this bulletin. The introduction of 2 months in arrears statistics has augmented the headline 3 month in arrears figures.

22. These provisional statistics were introduced after a longitudinal study of data collections from the Police National Computer, which revealed that from January 2005 around 95% of records are consistently inputted 2 months in arrears in England and Wales.

23. The collection of more data earlier has meant that 2 months in arrears statistics have become closer to the published National Statistics for England and Wales and for cases heard in magistrates' courts. These provisional statistics are adjusted in the order reflect observed historical and seasonal fluctuations.

The survey

24. The Arrest to Charge survey collects arrest or information laid dates in March for a representative sample of cases for the previous calendar year.
25. Respondents in each of the police constabularies and the British Transport Police complete the survey forms sent by the Ministry of Justice. Her Majesty's Inspectorate of Constabulary champions the survey, and helps to ensure its prompt completion.
26. In the instance where survey forms contain offenders with more than one offence sentenced on a single occasion, only the longest running of these cases will contribute to the survey results.
27. The previous year's survey estimates are used to calculate in-year arrest to sentence figures until the current survey results are available.
28. The results of the 2007 Arrest to Charge will be applied to both 2007 and 2008 data since, unlike earlier years, an Arrest to Charge survey will not operate for 2008 – please see page 2 of this bulletin.

Symbols and conventions

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

- Not applicable
- 0 Nil
- .. Not available
- (r) Revised data
- (p) Provisional data

Contact points for further information

Current and previous editions of this publication are available for download at:

www.justice.gov.uk/publications/averagetimearresttosentencepyo.htm

This bulletin, together with other information about delay in persistent young offender cases can also be found on the Youth Justice Board's reducing delays internet site at:

www.yjb.gov.uk/en-b/practitioners/MonitoringPerformance/ReducingDelays/

Press enquiries should be directed to the Ministry of Justice press office:

Press Office
Ministry of Justice
10th Floor
102 Petty France
London SW1H 9AJ

Tel: 020 3334 3536
Email: press.office@justice.gsi.gov.uk

Other enquires about the statistics and requests for additional copies of this bulletin should be directed to:

Trushar Pandya
Economics and Statistics Division
Ministry of Justice
8.02, 8th Floor
102 Petty France
London SW1H 9AJ

Tel: 020 3334 3095
Email: statistics.enquiries@justice.gsi.gov.uk

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