



Ministry of
JUSTICE



Criminal Justice Statistics
Quarterly Update to September 2011
Ministry of Justice
Statistics bulletin

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Introduction

This report presents the key trends on the latest twelve months (October 2010 to September 2011) of activity in the Criminal Justice System (CJS) for England and Wales. The court proceedings data for January to September 2011 is provisional.

For this edition of the publication there is an additional chapter containing updated statistics on defendants relating to the public disorder of 6th to 9th August 2011. This chapter presents information on numbers brought before the courts, initial outcomes and sentencing based on data available by midday on 1st February 2012.

Alongside the publication is a technical document titled "Criminal Justice Statistics: Background, Definitions and Measurement". This document provides users with detailed information on the concepts and methods used in compiling this bulletin, including the quality of the data. A copy of the technical document can be found at: www.justice.gov.uk/publications/statistics-and-data/criminal-justice/criminal-annual.htm

Where appropriate comparisons are made between different sources covering activity in the Criminal Justice System (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 British Crime Survey (BCS). The BCS 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 BCS and recorded crime are published together in statistical bulletins by the Home Office.

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 statistical revisions, forthcoming changes and 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.

Main findings [Tables Q1.1 – Q1.6]

Overview of the Criminal Justice System in the 12 months ending September 2011

In the 12 months ending September 2011 there were 2.02 million individuals¹ given an out of court disposal or proceeded against at court. Compared with the 12 months to September 2010 this was a decline of six per cent. This consisted of an 8.8 per cent fall in the use of out of court disposals from 480,800 to 438,400 and a 4.9 per cent fall in the number of defendants proceeded against at court.

Table 1.1: Activity in the Criminal Justice System, 12 months ending September 2010 to 12 months ending September 2011 ^(P)

England and Wales			
	12 months ending September 2010	12 months ending September 2011	Percentage change
Out of court disposals	480,818	438,414	-8.8%
<i>Cannabis warnings</i>	84,536	79,792	-5.6%
<i>Penalty notices for disorder⁽¹⁾</i>	145,686	127,965	-12.2%
<i>Cautions</i>	250,596	230,657	-8.0%
Defendants proceeded against	1,665,259	1,583,352	-4.9%
<i>Indictable offences</i>	433,089	423,053	-2.3%
<i>Summary offences</i>	1,232,170	1,160,299	-5.8%
Defendants convicted	1,375,491	1,318,735	-4.1%
<i>Indictable offences</i>	344,711	343,980	-0.2%
<i>Summary offences</i>	1,030,780	974,755	-5.4%
Prison receptions⁽²⁾	90,999	89,982	-1.1%
Probation starts⁽³⁾	182,778	178,149	-2.5%

(1) Number of Penalty notices for disorder issued to offenders aged 16 and over.

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

(3) 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.

Out of Court Disposals

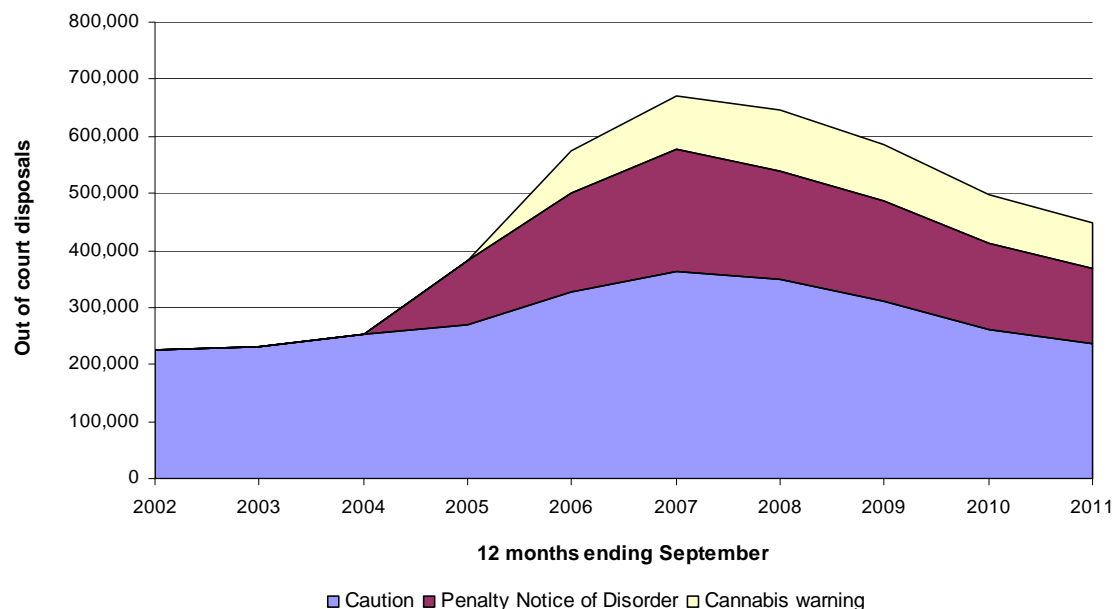
There were 438,400 out of courts disposals administered in the 12 months ending September 2011, 8.8 per cent fewer than the 480,800 in the 12 months ending September 2010.

Since 2007 the use of out of court disposals has decreased by 35 per cent. 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

¹ Includes people and companies.

removed in May 2010. There is evidence however, that the rate of decline in the use of out of court disposals is slowing.

Figure 1.1: Out of court disposals, 12 months ending September 2002 to 12 months ending September 2011



Police cautions

There were 230,700 cautions administered in the 12 months ending September 2011.

- This was eight per cent fewer than the 250,600 administered in the 12 months ending September 2010 and 37.2 per cent fewer than the 367,300 administered in the 12 months ending September 2007 when the use of cautions peaked.
- Fewer cautions were administered in all offence groups in the 12 months ending September 2011 except for drug offences which increased from 41,300 to 41,600, robbery which increased from 208 to 249 and sexual offences which increased from 1,364 to 1,446.
- The decrease in cautions was greatest for violence against person which fell 18.6 per cent from 22,600 to 18,400.

Penalty Notices for Disorder (PNDs)

There were 128,000 PNDs issued in the 12 months ending September 2011.

- This was 12.2 per cent fewer than the 145,700 issued in the 12 months ending September 2010 and 40.3 per cent fewer than the peak of 214,400 issued in the 12 months ending September 2007.

- There were declines in all offences except possession of cannabis, which increased by 13 per cent compared with the 15,400 in the 12 months ending September 2010. However, cannabis warnings decreased by 4,700 over the same period.
- There was a continued decrease of 15.8 per cent (to 34,900) in PNDs issued for retail theft (under £200) in the 12 months ending September 2011.

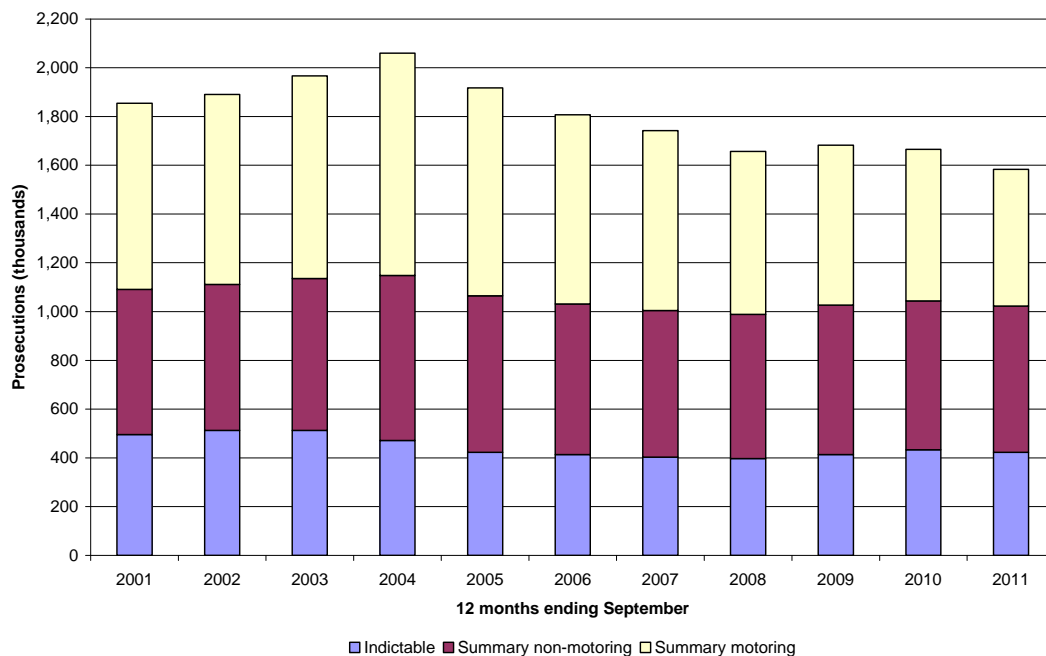
Cannabis warnings

There were 79,800 *cannabis warnings* issued in the 12 months ending September 2011, 5.6 per cent fewer than the 84,500 warnings issued in the 12 months ending September 2010.

Court proceedings and sentencing

In the 12 months ending September 2011 there were 1.58 million defendants proceeded against in magistrates' courts and 1.32 million offenders convicted and sentenced of a criminal offence at all courts. Prosecutions and convictions peaked in the 12 months ending September 2004, and both have since fallen by 23.1 per cent and 15.8 per cent respectively. These falls have largely been driven by declines in proceedings for summary non motoring and summary motoring offences. The public disorder of August 2011 has had little impact on these figures as those convicted for the public disorder account for less than one per cent in the 12 months ending September 2011.

Figure 1.2: Defendants proceeded against at magistrates' courts by offence type, 12 months ending September 2010 to 12 months ending September 2011



For the more serious indictable offences prosecutions have fallen by 10.2 per cent since 2004, but the number of convictions remained broadly flat giving a rise in the conviction ratio from 68.6 per cent in 2004 to 81.3 per cent in the 12 months ending September 2011 - the highest ratio in 11 years.

Looking over the past year, there were 4.9 per cent fewer proceedings in the 12 months ending September 2011, this compares to 1.67 million in the previous 12 month period. This in turn resulted in a decrease of 4.1 per cent in offenders convicted and sentenced. Again these trends were largely driven by summary motoring and summary non-motoring offences while indictable offences remained at similar levels. In the 12 months ending September 2011, there were:

- 423,100 prosecutions and 344,000 convictions for indictable offences - a decrease of 2.3 and 0.2 per cent over the previous 12 month period.
- 599,900 prosecutions and 489,500 convictions for summary non-motoring offences - a decrease of 1.8 per cent and 1.6 per cent respectively over the previous 12 month period.
- 560,400 prosecutions and 485,200 convictions for summary motoring offences - a decrease of 9.8 per cent and 9 per cent respectively over the previous 12 month period.

Figure 1.3a: Percentage change in convictions by offence type and offence group, 12 months ending September 2010 to 12 months ending September 2011

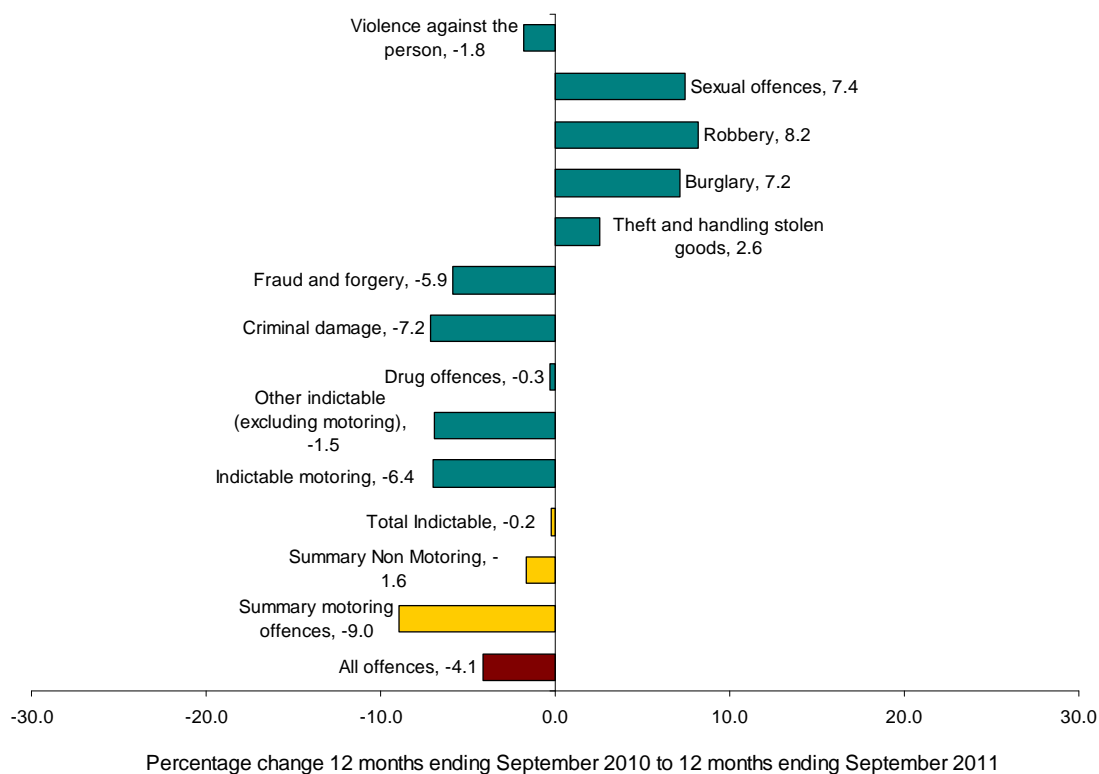
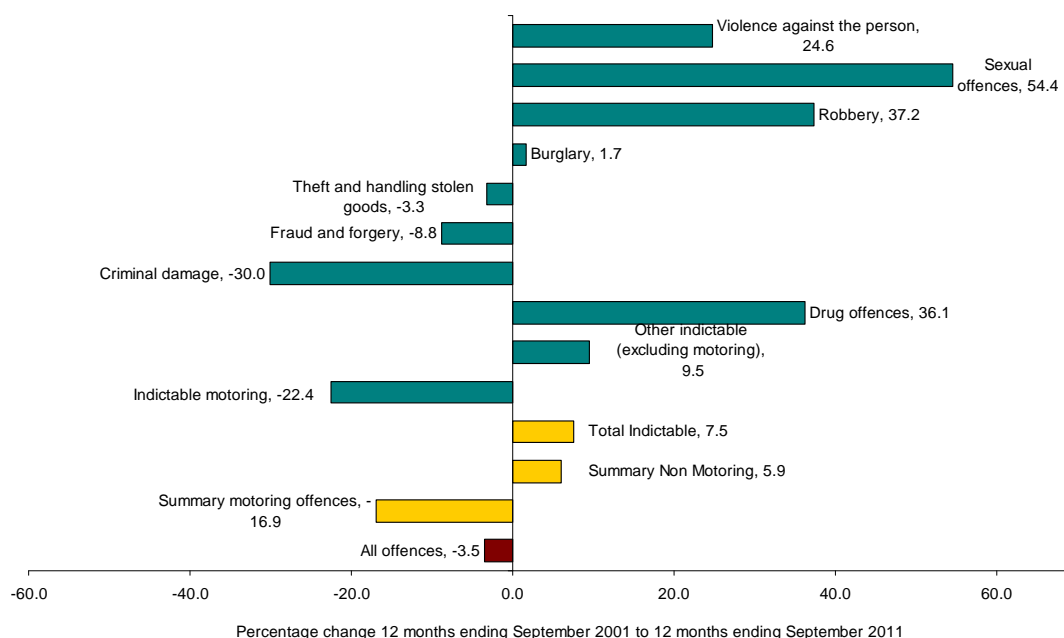


Figure 1.3b: Percentage change in convictions by offence type and offence group, 12 months ending September 2001 to 12 months ending September 2011



Immediate custody

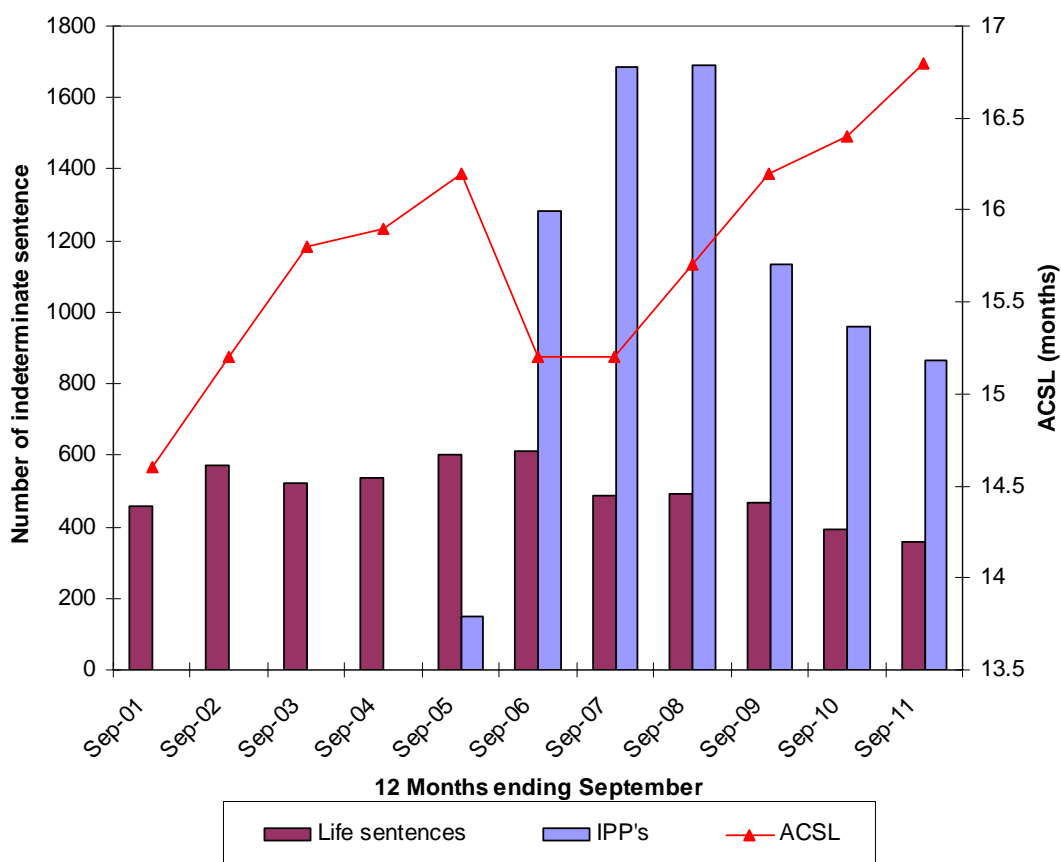
Of the 1.32 million offenders sentenced during the 12 months ending September 2011, 102,100 were sentenced to immediate custody, 1,756 more than the previous 12 months but 9,434 fewer than the peak in the 12 months ending September 2002. The custody rate was 7.8 per cent, up 0.4 percentage points on the previous 12 months, but 0.3 percentage points lower than the peak in 2002. The rise in immediate custody is driven by rises in immediate custodial sentences for indictable and summary non-motoring offences which are greater than the decrease in custodial sentences for summary motoring offences. In the 12 months ending September 2011, there were:

- 84,250 people sentenced to immediate custody for indictable offences, an increase of 3 per cent compared to the previous 12 months and the highest since the 12 months ending September 2002.
- 14,495 people sentenced to immediate custody for summary non-motoring offences, a rise of 1.1 per cent over the previous 12 months but down slightly from the peak of 14,824 in the 12 months ending September 2009.
- 3,319 people sentenced to immediate custody for summary motoring offences, a fall of 20.4 per cent over the previous 12 months and continuing year on year falls since the 12 months ending September 2003 when there were 17,187 immediate custodial sentences for these offences.

The Average Custodial Sentence Length (ACSL) in the 12 months ending September 2011 was 14.3 months, up by 0.5 months compared to the previous 12 months and up from 11.8 months in the 12 months ending September 2001. The rise in ACSL has been driven by;

- The change in the case mix of people getting custodial sentences.
 - In the 12 months ending September 2001 summary motoring offences accounted for 15.8 per cent of immediate custodial sentences with an ACSL of 3.4 months. By the latest 12 months they accounted for 3.3 per cent of immediate custodial sentences and the ACSL was 3.3 months.
 - In the 12 months ending September 2001 indictable offences accounted for 75.6 per cent of immediate custodial sentences. By the latest 12 months they accounted for 82.5 per cent immediate custodial sentences.
 - The rise in ACSL for indictable offences, particularly for sexual offences following the Sexual Offences Act 2003.
- There were 1,223 indeterminate sentences handed down in the 12 months ending September 2011, a decrease from 1,354 in the 12 months ending September 2010. Within this group the number of life sentences fell from 395 in the 12 months ending September 2010 to 359 in the 12 months ending September 2011, the lowest figure in the last eleven years.
- The decrease in indeterminate sentences coincides with an increase in long determinate sentences (10 years or more) of 23 per cent. During the 12 months ending September 2011 there were 621 persons sentenced to 10 years or more the highest number in the last 11 years.

Figure 1.4: Offenders receiving an indeterminate custodial sentence and average custodial sentence length for all offenders; 12 months ending September 2001 to 12 months ending September 2011



Suspended Sentences And Community Orders

In the 12 months ending September 2011, 178,763 people (or 13.6 per cent of those sentenced) were given a Community Sentence. This is a fall of 10,396 over the previous 12 months.

In the 12 months ending September 2011, 48,547 people (or 3.7 per cent of those sentenced) were given a Suspended Sentence Order. This is a rise of 1244 over the previous 12 months.

Fines

Fines are the most common sentence passed at court, accounting for around two-thirds (65.4 per cent) of all sentences handed out by the criminal courts. A slight decrease of 0.6 per cent compared to the previous 12 months and the lowest for 3 years. The decrease in the fine rate is due to the decline in prosecutions and subsequent conviction for summary motoring offences - the offence type for which fines are most commonly given.

Table 1.2: Offenders sentenced by principal sentence, 12 months ending September 2010 to 12 months ending September 2011, and percentage change

England and Wales			
	12 months ending September 2010	12 months ending September 2011 ^(P)	Percentage change ^(P)
Total offenders sentenced	1,373,317	1,317,621	-4.1%
Total persons sentenced	1,365,372	1,310,378	-4.0%
Immediate custody	100,308	102,064	1.8%
Suspended sentence	47,303	48,547	2.6%
Community sentence	189,159	178,763	-5.5%
Fines	905,965	861,705	-4.9%
Other disposals	130,582	126,542	-3.1%
Average custodial sentence length (months) ⁽¹⁾	13.8	14.3	3.3%
Percentage of those sentenced⁽²⁾			Percentage point change
Immediate custody (persons)	7.3	7.8	0.4
Suspended sentence (persons)	3.5	3.7	0.2
Community sentence (persons)	13.9	13.6	-0.2
Fines (all offenders)	66.0	65.4	-0.6
Other disposals (all offenders)	9.5	9.6	0.1

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

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

(P) Provisional

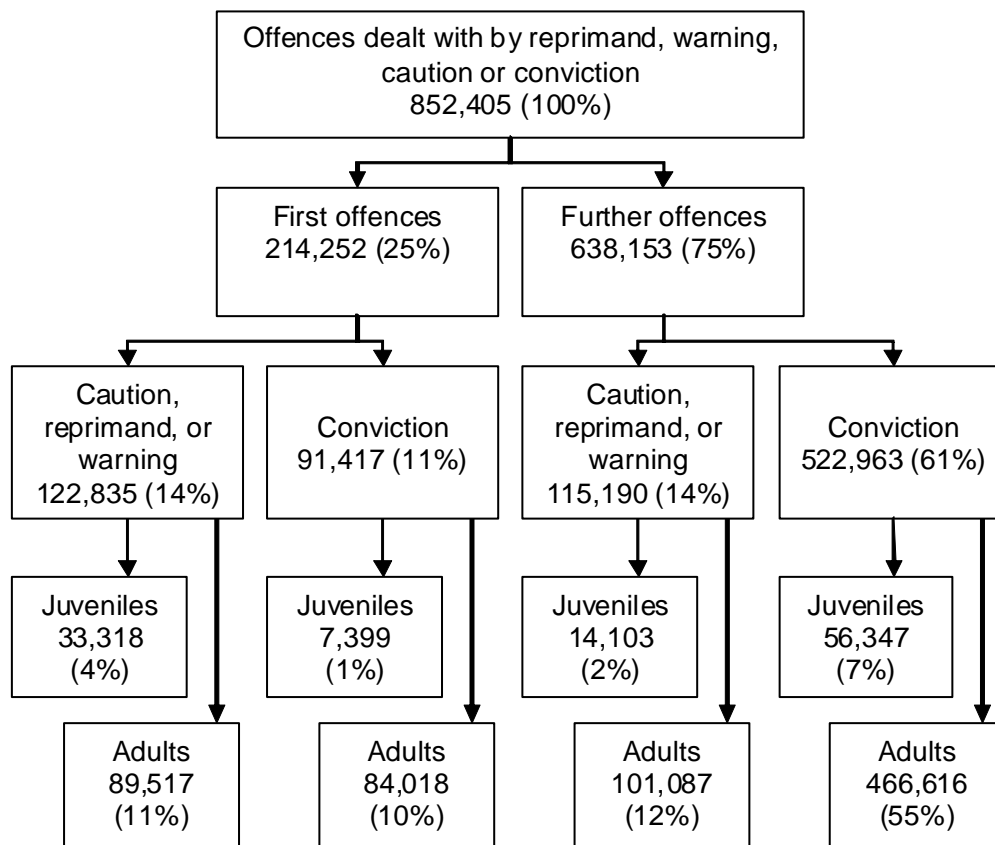
Offending Histories

This section provides an overview of the changing structure of the known offending population with information on the breakdown of offences committed by new offenders and repeat offenders, the trends in new entrants to the criminal justice system, and breakdowns of the criminal histories of cautioned and sentenced offenders.

- 25.1 per cent of proven offences were committed by offenders with no previous criminal offences, this compares to 26.6 per cent in the 12 months ending September 2010 and reflects a fall in the use of cautions
- There were 214,300 First Time Entrants (people who received their first conviction, caution, reprimand or warning). This is a fall of 9.8 per cent from the 237,600 first time entrants in the 12 months ending September 2010. This fall was driven by a reduction of 21.8 per cent in the number of Juvenile First Time Entrants. Adult first time entrants fell by 6.5 per cent.

- The differing trends in adult and juvenile first time entrants are largely due to the different disposals received. 51.6 per cent of adult first time entrants received an out of court disposal whereas 81.8 per cent of juvenile first time entrants received an out of court disposal. The use of out of court disposals has fallen since and this coincides with a change in target which placed more emphasis on bringing more serious crimes to justice.
- The rate of Juvenile First Time Entrants per 100,000 of population now stands at 788, a fall of 20.6 per cent from the 12 months ending September 2010.
- 10.2 per cent of offenders convicted of indictable offences had no previous criminal offences, whilst 30.7 per cent had 15 or more previous offences, these compare to 10.6 per cent and 28.4 per cent respectively in the 12 months ending September 2010.

Figure 1.5 : First offences and further offences in the 12 months ending September 2011



Offences

This section differs from the previous section in that it considers the total number of notifiable² offences.

Table 1.3: Recorded crime³ and notifiable offence outcomes, 12 months ending September 2010 to 12 months ending September 2011

England and Wales			
	12 months ending September 2010	12 months ending September 2011	Percentage change
Recorded Crime	4,223,100	4,052,866	-4.0%
Out of court disposals	440,544	401,456	-8.9%
Cannabis warnings ^(P)	84,536	79,792	-5.6%
Penalty notices for disorder ⁽¹⁾	96,197	82,194	-14.6%
Cautions	259,811	239,470	-7.8%
Prosecutions	1,019,472	979,113	-4.0%
Convictions	762,147	743,571	-2.4%
Offences taken into consideration	75,047	72,006	-4.1%
Proven offences⁽²⁾	1,277,738	1,217,033	-4.8%

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

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

(P) Provisional

Note: Figures for cannabis warnings 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 the 12 months ending September 2011, recorded crime decreased by 4 per cent from 4.2 million in the previous 12 months ending September 2010 to 4.1 million.

Over the same period, for the equivalent notifiable offences, the use of out of court disposals decreased by 8.9 per cent; penalty notices for disorder (PND) were down 14.6 per cent, cautions down 7.8 per cent and cannabis warnings down 5.6 per cent. Whilst convictions only declined by 2.4 per cent.

² 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.

³ www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/crime-research/hosb1011/?view=Standard&pubID=908823

Offence Group Summary

Violence against the person:

- The number of cautions administered in the 12 months ending September 2011 was 18,400, a decrease of 18.6 per cent on 2010, and a decrease of 5.6 per cent on the 12 months ending September 2001. The total has been falling since a peak in 2006 (57,300).
- The total number proceeded against at magistrates' courts in the year ending September 2011 was 62,100, this was a decrease of 6.6 per cent on the year ending September 2010.
- The total number of convictions at all courts in the 12 months ending September 2011 was 43,400, down 1.8 per cent on year ending September 2010.
- The average custodial sentence length in the year to September 2011 was 17.9 months, in the year to September 2010 it was 18.2 months and in the year to September 2001 it was 16.6 months.

Sexual Offences:

- A total of 1,400 cautions were administered for sexual offences across the period, a rise of 6 per cent on the 12 months ending September 2010, and up 15.7 per cent on the 12 months ending September 2001.
- The total number proceeded against at magistrates' courts was 10,000. This was a fall of 2.8 per cent from the 12 months ending September 2010.
- There were 6,000, convictions at all courts in the 12 months ending September 2011 up 7.4 per cent on the year ending September 2010.
- The average custodial sentence length in the year to September 2011 was 53.1 months, in the year to September 2010 it was 2010 48.4 months and in the year to September 2001 it was 38 months.

Burglary:

- A total of 3,300 cautions were administered in the year to September 2011, down 7.8 per cent on the 12 months ending September 2010, and a decrease of 48.9 per cent on the 12 months ending September 2001.
- The total number proceeded against at magistrates' courts was 32,900, this was this was an increase of 5.5 per cent from the 12 months ending September 2010.
- There were 25,000 convictions at all courts in the 12 months ending September 2011, up 7.2 per cent on year ending September 2010.

- The average custodial sentence length in the year to September 2011 was 18.9 months, in the year to September 2010 it was 18.7 months and in the years to September 2001 it was 16.4 months.

Robbery:

- The number of cautions for robbery has remained low with 249 in the 12 months ending September 2011, up from 208 in the 12 months ending September 2010 but down from 507 in the 12 months ending September 2001.
- There were 14,400 prosecutions at the magistrates' courts in the 12 months ending September 2011, this was an increase of 7.2 per cent from the 12 months ending September 2010.
- The total number of convictions at all courts in the year ending September 2011 was 9,100, up 8.2 per cent on year ending September 2010.
- The average custodial sentence length in the year to September 2011 was 35.8 months, in the year to September 2010 it was 34.1 months and in the year to September 2001 it was 35.4 months.

Theft and handling:

- In the 12 months ending September 2011 a total of 43,300 cautions were administered. It represents a decrease of 13.4 per cent on the 12 months ending September 2010 and 33 per cent on the 12 months ending September 2001.
- There were 135,400 prosecutions at magistrates' courts in the 12 months ending September 2011, this was an increase of 2.5 per cent on the 12 months ending September 2010.
- The total number of convictions at all courts in the 12 months to September 2011 was 121,300, up 2.6 per cent on year ending September 2010.
- The average custodial sentence length in the year to September 2011 was 4.2 months, in the year to September 2010 it was 4.2 months and in the year to September 2001 it was 4.2 months.

Fraud and Forgery:

- In the 12 months ending September 2011 a total of 5,500 cautions were administered, down 16 per cent on the 12 months ending September 2010, and a decrease of 6.4 per cent on the 12 months ending September 2001.
- There were 23,400 proceedings against at the magistrates' court in the year ending September 2011, this was a decrease of 11.3 per cent on the year ending September 2010.
- The total number of convictions at all courts in year ending September 2011 was 19,800, down 5.9 per cent on the year ending September 2010.

- The average custodial sentence in the year to September 2011 was 12.2 months, in the year to September 2010 it was 10.8 months and in the year to September 2001 it was 8.5 months.

Criminal Damage:

- A total of 4,700 cautions were administered in the 12 months ending September 2011. This is down 10.2 per cent on the 12 months ending September 2010, but represents an increase of 41.6 per cent on the 12 months ending September 2001.
- A total of 9,200 defendants were proceeded against at magistrates' courts in the 12 months ending September 2011, this was a decrease of 7.7 per cent from the 12 months ending September 2010.
- The total number of convictions at all courts in the 12 months to September 2011 was 7,200, down 7.2 per cent on year ending September 2010.
- The average custodial sentence in year to September 2011 was 18.9 months, in the year to September 2010 it was 18 months and in the year to September 2001 it was 15.9 months.

Drug Offences:

- In the 12 months ending September 2001 a total of 41,600 cautions were administered this was an increase of 0.8 per cent compared to the 12 months ending September 2010 and an increase of 6.6 per cent on the 12 months ending September 2001.
- There were 67,000 defendants proceeded against at magistrates' courts in the year ending September 2011, this was a decrease of 0.1 per cent from the 12 months ending September 2010.
- The total number of convictions at all courts in year ending September 2011 was 61,400, down 0.3 per cent on year ending September 2010.
- The average custodial sentence length in year to September 2011 was 30.6 months, in the year to September 2010 it was 31.4 months and in the year to September 2001 it was 32 months.

Other Indictable Offences:

- In the 12 months ending September 2011 a total of 6,400 cautions were administered, a decrease of 9.2 per cent on the 12 months ending September 2010, but an increase of 56.6 per cent on the 12 months ending September 2001.
- There were 65,000 defendants proceeded against in magistrates' courts in the year ending September 2011, this was a decrease of 10.1 per cent from the year ending September 2010.

- The total number of convictions at all courts in the 12 months to September 2011 was 47,600, down 6.9 per cent on year ending September 2010.
- The average custodial sentence in year to September 2011 was 10.1 months, in the year to September 2010 it was 9.6 months and in the year to September 2001 it was 9.1 months.

Indictable Motoring:

- There were 3,600 defendants proceeded against at magistrates' courts in the year ending September 2011, this was a fall of 6.9 per cent from the year ending September 2010.
- The total number of convictions at all courts in the year ending September 2010 was 3,200, down seven per cent on the 12 months to September 2010.
- The average custodial sentence in year to September 2011 was 9.6 months, in the year to September 2010 it was 9.4 months and in the year to September 2001 it was 8 months.

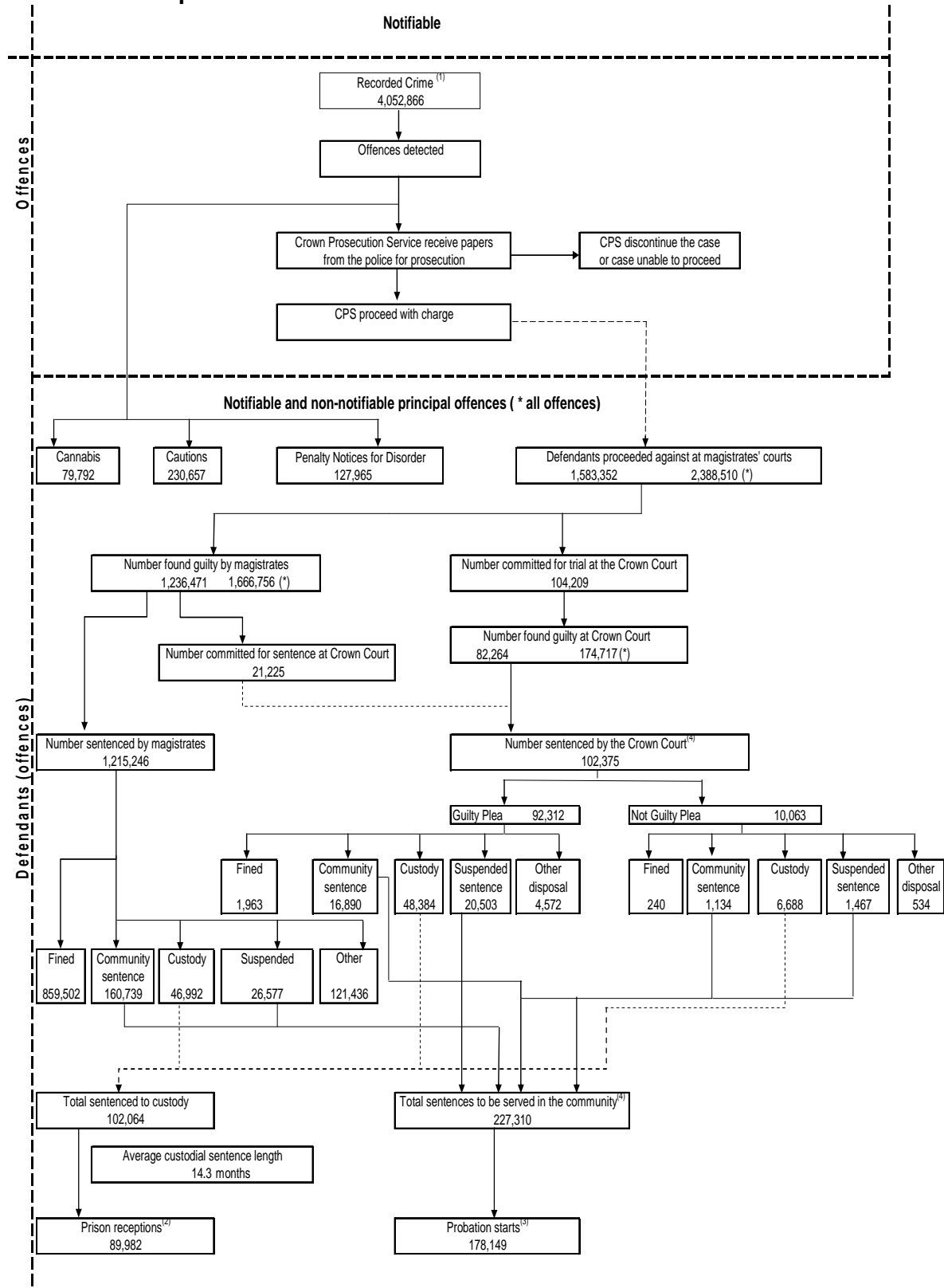
Summary Non-Motoring:

- The number of cautions administered for summary non-motoring offences in the 12 months ending September 2011 was 105,800, a decrease of 6.2 per cent on the 12 months ending September 2010, and an increase of 22.8 per cent on the 12 months ending September 2001.
- There were 599,900 defendants proceeded against at magistrates' courts in the year ending September 2011, down 1.8 per cent on year ending September 2010.
- The total number of convictions at all courts in the 12 months to September 2011 was 489,500 down 1.6 per cent on year ending September 2010.
- The average custodial sentence in year to September 2011 was 2.5 months, in the years to September 2010 it was 2.6 months and in the year to September 2001 it was 2.7 months.

Summary Motoring:

- There were 560,400 prosecutions at the magistrates courts in year ending September 2011, down 9.8 per cent on the 12 months to September 2010.
- The total number of convictions at all courts in the 12 months to September 2011 was 485,200, down nine per cent on year ending September 2010.
- The average custodial sentence in the year to September 2011 it was 3.1 months, in the year to September 2010 it was 3.1 months and in the year to September 2001 it was 3.4 months.

Figure 1.5: Flows through the Criminal Justice System, 12 months ending September 2011



(1) Covers all indictable, including triable either way, offences 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

(4) In a small number of cases the plea data is not recorded.

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

Table Q1.4 - Recorded crime and notifiable offence outcomes by offence group, 12 months ending September 2010 to 12 months ending September 2011

Offence Type	12 months ending	Recorded Crime	Cannabis Warnings ^(P)	Penalty Notices for Disorder ⁽¹⁾	Cautions	Proceedings	Convictions
Violence against the person	Sept 2010	849,751	-	34,370	103,582	340,611	231,505
	Sept 2011	782,267	-	26,736	95,967	319,706	221,303
Sexual offences	Sept 2010	55,125	-	-	1,647	30,085	16,278
	Sept 2011	54,482	-	-	1,319	29,807	17,927
Burglary	Sept 2010	524,470	-	-	3,901	44,562	31,006
	Sept 2011	514,289	-	-	3,880	45,659	31,953
Robbery	Sept 2010	74,626	-	-	212	19,034	12,159
	Sept 2011	77,510	-	-	256	20,310	12,419
Theft and handling stolen goods	Sept 2010	1,523,029	-	41,484	58,568	214,430	184,757
	Sept 2011	1,525,438	-	34,917	51,055	213,810	183,293
Fraud and forgery	Sept 2010	150,341	-	-	7,127	72,602	52,465
	Sept 2011	143,124	-	-	6,120	65,478	49,238
Criminal damage	Sept 2010	740,908	-	6,723	33,027	80,521	63,598
	Sept 2011	660,662	-	5,145	28,478	75,362	59,911
Drug offences	Sept 2010	235,166	84,536	13,620	43,811	109,659	96,603
	Sept 2011	232,060	79,792	15,396	44,928	110,037	95,998
Other notifiable offences	Sept 2010	69,684	-	-	7,936	107,968	73,776
	Sept 2011	63,034	-	-	7,467	98,944	71,529
All Notifiable Offences	Sept 2010	4,223,100	84,536	96,197	259,811	1,019,472	762,147
	Sept 2011	4,052,866	79,792	82,194	239,470	979,113	743,571

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

(P) Provisional

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

Table Q1.5 - Summary of criminal justice statistics, 12 months ending September 2011

	England and Wales												Thousands
	12 months ending											12 months ending	
	Sept 2001	Sept 2002	Sept 2003	Sept 2004	Sept 2005	Sept 2006	Sept 2007	Sept 2008	Sept 2009	Sept 2010	Sept 2011	Sept 2011 to 12 months ending	Sept 2010 (%)
Crime measured by British Crime Survey ⁽¹⁾	..	12,403	12,251	10,941	10,690	11,138	10,811	10,523	10,091	9,348	9,696		3.7 ⁽²⁾
Notifiable offences ⁽³⁾													
- offences recorded by the police	5,304	5,833	6,003	5,831	5,580	5,491	5,214	4,838	4,554	4,223	4,053		-4.0
Number of offenders cautioned ⁽⁴⁾	231	225	235	254	284	339	367	338	302	251	231		-8.0
of which <i>Indictable offences</i> ⁽⁵⁾	145	142	147	155	174	201	209	188	165	138	125		-9.4
Defendants proceeded against at magistrates' courts	1,854	1,890	1,967	2,060	1,917	1,807	1,742	1,657	1,682	1,665	1,583		-4.9
of which <i>Indictable offences</i> ⁽⁵⁾	495	513	512	471	423	414	403	397	413	433	423		-2.3
Defendants found guilty at magistrates' courts	1,311	1,333	1,401	1,505	1,439	1,378	1,352	1,304	1,325	1,292	1,236		-4.3
of which <i>Indictable offences</i> ⁽⁵⁾	267	278	279	266	251	252	248	249	256	266	266		0.0
Defendants sentenced at the Crown Court after summary conviction	12	16	16	16	17	18	16	18	18	17	20		17.3
Defendants tried at the Crown Court	75	74	78	78	76	75	80	86	93	104	102		-1.9
Defendants found guilty at the Crown Court	56	59	60	60	59	58	63	69	75	83	82		-1.3
of which <i>Indictable offences</i> ⁽⁵⁾	53	56	57	57	57	55	60	66	71	79	78		-0.8
Total offenders found guilty at both courts	1,367	1,392	1,461	1,565	1,498	1,436	1,415	1,373	1,400	1,375	1,319		-4.1
of which <i>Indictable offences</i> ⁽⁵⁾	320	335	336	323	307	307	308	315	328	345	344		-0.2
Total offenders found guilty or cautioned ⁽⁴⁾	1,597	1,617	1,695	1,819	1,782	1,775	1,782	1,711	1,702	1,626	1,549		-4.7
of which <i>Indictable offences</i> ⁽⁵⁾	465	476	484	479	482	508	517	503	493	483	469		-2.8
Total sentenced	1,366	1,390	1,459	1,564	1,496	1,435	1,414	1,372	1,399	1,373	1,318		-4.1
Magistrates' court	1,295	1,315	1,383	1,488	1,420	1,358	1,335	1,285	1,306	1,273	1,215		-4.5
Crown Court	71	75	76	76	76	76	79	87	93	101	102		1.9
Sentence													
Custody	104	111	108	107	103	98	93	100	100	100	102		1.8
Suspended Sentence	3	3	3	3	6	29	39	42	44	47	49		2.6
Community Sentence	163	179	192	199	203	195	194	191	198	189	179		-5.5
Fine	953	952	1,004	1,099	1,041	973	948	896	936	906	862		-4.9
Other Sentences	143	145	152	157	143	140	140	145	120	131	127		-3.1

(1) British Crime Survey estimates relate to crimes experienced in the 12 months prior to interview.

(2) Not statistically significant, see Section 8 of the User Guide to Home Office Crime Statistics:
[http://www.homeoffice.gov.uk/publications/science-research-statistics/crime-research-statistics/crime-research-statistics/crime-research-statistics/user-guide-crime-statistics?view=Binary](http://www.homeoffice.gov.uk/publications/science-research-statistics/crime-research-statistics/crime-research-statistics/user-guide-crime-statistics?view=Binary)

(3) Includes British Transport Police from April 2002. The National Crime Recording Standard was introduced in April 2002 and figures before and after that date are not directly comparable.

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

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

Table Q1.6 - "Proven Offenders" in the criminal justice system by offence groups and outcomes, 12 months ending September 2010 to 12 months ending September 2011

England and Wales

Offence Type	12 months ending	Cannabis warnings ^(P)	Penalty Notice for Disorder ^(P)	Caution	Proceedings	Convictions	Conviction Ratio (%)	Proven Offenders ^(P)	Sentenced ^(P)	Discharged	Fine	Community Sentence	Suspended Sentence	Otherwise dealt with	Custody Rate (%) ^(P)	Average Custodial Sentence Length
Violence against the person	Sept 2010	-	-	22,563	66,523	44,189	66.4	66,752	43,847	1,758	1,888	15,918	8,825	1,418	14,040	18.2
	Sept 2011	-	-	18,359	62,109	43,394	69.9	61,753	43,179	1,844	2,228	14,893	8,700	1,427	14,087	32.6
Sexual offences	Sept 2010	-	-	1,364	10,332	5,623	54.4	6,987	5,693	127	119	1,534	467	133	3,220	48.4
	Sept 2011	-	-	1,446	10,045	6,041	60.1	7,487	6,036	103	119	1,707	501	146	3,460	57.3
Burglary	Sept 2010	-	-	3,583	31,226	23,319	74.7	26,902	22,990	540	342	8,955	2,488	547	10,118	44.0
	Sept 2011	-	-	3,304	32,949	24,387	75.8	28,291	24,706	542	389	8,905	2,763	546	11,589	46.8
Robbery	Sept 2010	-	-	208	13,436	8,367	62.3	8,575	8,386	19	6	2,771	497	214	4,879	56.2
	Sept 2011	-	-	249	14,402	9,053	62.9	9,302	9,055	13	2	2,853	516	299	5,372	35.8
Theft and handling stolen goods	Sept 2010	-	41,484	50,008	132,089	118,261	89.5	209,753	117,680	24,677	16,314	41,856	7,752	5,685	21,396	18.2
	Sept 2011	-	34,917	43,319	135,441	121,309	89.6	199,545	121,021	24,853	17,028	42,271	8,453	5,897	22,519	4.2
Fraud and forgery	Sept 2010	-	-	6,490	26,391	21,082	79.9	27,572	20,925	2,477	2,937	7,005	3,175	386	4,945	23.6
	Sept 2011	-	-	5,451	23,416	19,942	84.7	25,293	19,778	2,241	2,685	6,587	3,504	378	4,383	22.2
Criminal damage	Sept 2010	-	-	5,260	9,914	7,769	78.4	13,029	7,730	1,586	818	3,297	420	499	1,110	14.4
	Sept 2011	-	-	4,725	9,155	7,212	78.8	11,957	7,152	1,400	800	2,879	457	509	1,107	15.5
Drug offences	Sept 2010	84,536	13,620	41,286	67,023	61,522	91.8	200,964	61,062	8,734	23,083	13,472	3,742	2,187	9,844	31.4
	Sept 2011	79,792	15,386	41,603	66,967	61,350	91.6	198,141	60,929	8,882	23,449	12,841	4,055	2,148	9,554	30.6
Indictable motoring offences	Sept 2010	-	-	-	3,859	3,421	88.6	3,859	3,436	53	293	976	897	42	1,175	34.2
	Sept 2011	-	-	-	3,592	3,181	88.6	3,181	3,187	39	250	900	861	32	1,105	34.7
Other indictable offences	Sept 2010	-	-	7,067	72,296	51,158	70.8	58,225	50,661	3,747	13,548	11,445	4,986	5,860	11,075	22.2
	Sept 2011	-	-	6,419	64,977	47,811	73.3	54,030	47,366	3,566	12,335	8,663	4,949	6,749	11,104	23.8
Indictable offences	Sept 2010	84,536	55,104	137,829	433,089	344,711	79.6	622,180	342,310	43,718	59,341	107,229	33,249	16,971	81,802	24.0
	Sept 2011	79,792	50,313	124,875	423,053	343,980	81.3	598,960	342,409	43,483	59,285	102,499	34,759	18,133	84,250	16.8
Summary non-motoring	Sept 2010	-	90,582	112,767	610,935	497,719	81.5	701,068	497,654	47,002	349,799	65,123	9,509	12,082	14,339	2.6
	Sept 2011	-	77,662	105,782	599,856	489,534	81.6	672,968	489,653	44,914	348,307	61,535	9,575	11,027	14,495	3.0
Summary motoring offences	Sept 2010	-	-	-	621,235	593,061	85.8	593,061	533,153	7,441	496,825	16,807	4,545	3,368	4,167	0.8
	Sept 2011	-	-	-	560,443	485,221	86.6	485,221	465,359	6,505	494,113	14,729	4,213	2,480	3,319	0.7
Summary Offences	Sept 2010	-	90,582	112,767	1,232,170	1,030,780	83.7	1,234,129	1,031,007	54,443	484,624	81,930	14,054	15,450	18,506	2.7
	Sept 2011	-	77,662	105,782	1,160,299	974,755	84.0	1,158,189	975,212	51,419	802,420	76,264	13,788	13,507	17,814	1.8
All Offences	Sept 2010	84,536	145,686	250,596	1,665,259	1,375,491	82.6	1,866,309	1,373,317	98,161	905,965	189,159	47,303	32,421	100,308	7.3
	Sept 2011	79,792	127,965	230,657	1,583,352	1,318,735	83.3	1,757,149	1,317,621	94,902	861,705	178,763	48,547	31,640	102,064	7.8

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

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

(3) 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

(4) Custody rate is calculated on the number of persons sentenced in each offence group.

(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.

Out of Court Disposals [Tables Q2.1 – Q2.5]

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^{4 5}.

Cannabis warnings

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

There were 79,800 cannabis warnings issued in the 12 months ending September 2011, 5.6 per cent fewer than the 84,500 warnings issued in the 12 months ending September 2010.

Penalty Notices for Disorder

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.

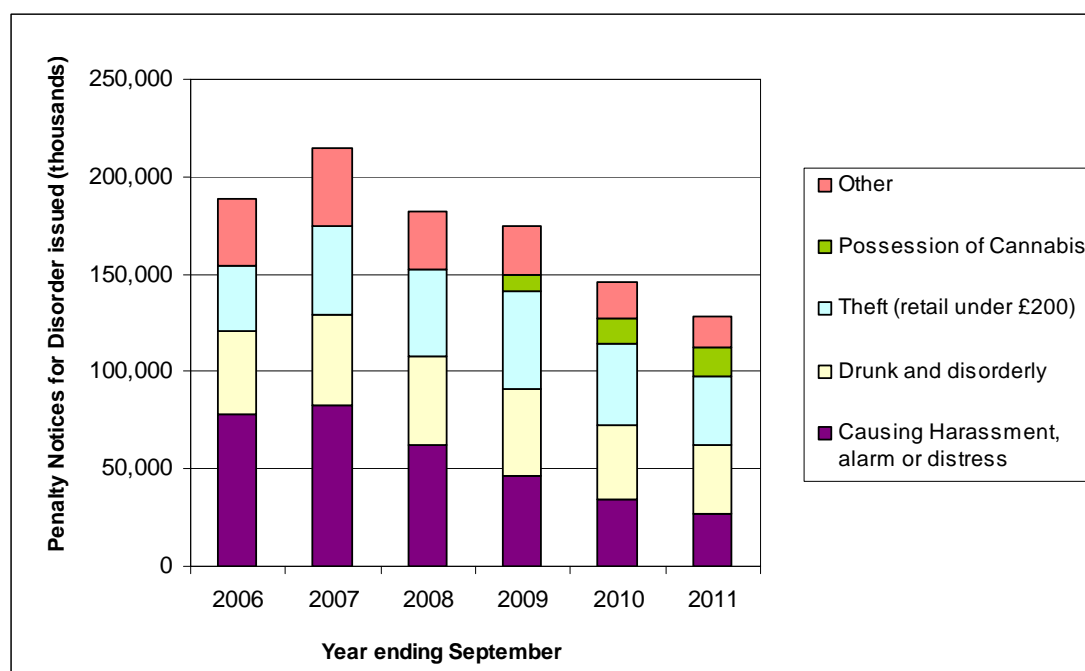
There were 128,000 PNDs issued for the 12 months ending September 2011, a decrease of 12.2 per cent compared with the 12 months ending September 2010 and a fall of 40.3 per cent when compared with the peak of 214,400 PNDs issued in the 12 months ending September 2007.

There were fewer PNDs issued in 32 of the 43 police force areas (including British Transport Police) in England and Wales compared with the 12 months ending September 2010. The largest fall was in the Metropolitan Police Force area where 17,000 PNDs were issued, a fall of 3,700 since the 12 months ending September 2010. The largest proportionate fall was in North Wales where 29.2 per cent fewer PNDs were issued, a fall from 1,990 to 1,410. The police force area with the largest increase in PNDs issued was Avon and Somerset, this rose from 3,040 in the 12 months ending September 2010 to 3,250 in the 12 months ending September 2011.

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

⁵ Including reprimands and warnings for juveniles.

Figure 2.1: Penalty Notices for Disorder issued, 12 months ending September 2006 to 12 months ending September 2011



In the 12 months ending September 2011 four offences accounted for 88.1 per cent of all PNDs issued. These were;

- ‘retail theft of goods under the value of £200’ - 27.3 per cent of all PNDs issued in this period (35,000);
- ‘drunk and disorderly’ - 27.9 per cent (35,700);
- ‘behaviour likely to cause harassment, alarm or distress’ – 20.9 per cent (26,700). Since the 12 months ending September 2007, when PND’s for this offence peaked at 82,500 and accounted for 38.5 per cent of all PND’s; there has been a fall of 67.6 per cent in PND’s issued
- ‘possession of cannabis’, this is the newest offences for which a PND can be issued and now accounts for 12 per cent (15,400) of PNDs issued. During the same period the use of cannabis warnings declined by 5.6 per cent.

Caution

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, the 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. A system of reprimands and warnings replaced cautioning for juveniles in September 2000.

During the 12 months ending in September 2011 there were 230,700 offenders cautioned⁶, including juveniles, given a reprimand or warning. This was an eight per cent decrease on the previous period (year ending September 2010) and continues the downward trend in the use of cautions from the peak in 2007. Of those offenders cautioned during the 12 months ending September 2011:

- Cautions for indictable (including triable-either-way offences) accounted for 54 per cent (124,900) of all cautions administered in the period. This is the lowest proportion and number of cautions administered for indictable offences over the last 11 years. The total number of cautions administered for indictable offences during the 12 months ending September 2011 is 40 per cent less than the peak of 209,100 administered during the same period in 2007.
- Cautions administered for offences involving *violence against the person* and *theft and handling* accounted for 84.1 per cent of the decrease in cautions for indictable offences.
- Cautions administered declined in all indictable offence groups except for *sexual offences*, *robbery offences* and *drug offences* which increased slightly.
- Cautions administered for summary offences decreased by 6.2 per cent (105,800) during the current period compared to the 12 months ending September 2010, the lowest since 2004.
- Cautions peaked in the 12 months ending September 2007 with 367,300 cautions administered. Since the 12 months ending September 2007 there has been a 37.2 per cent decline in the number administered. The decline coincides with the removal in April 2008 of a target to increase offences brought to justice, with one placing more emphasis on bringing serious crime to justice.

⁶ Excluding summary motoring offences

Figure 2.2: Offenders cautioned by offence type, in the 12 months ending September 2001 to the 12 months ending September 2011

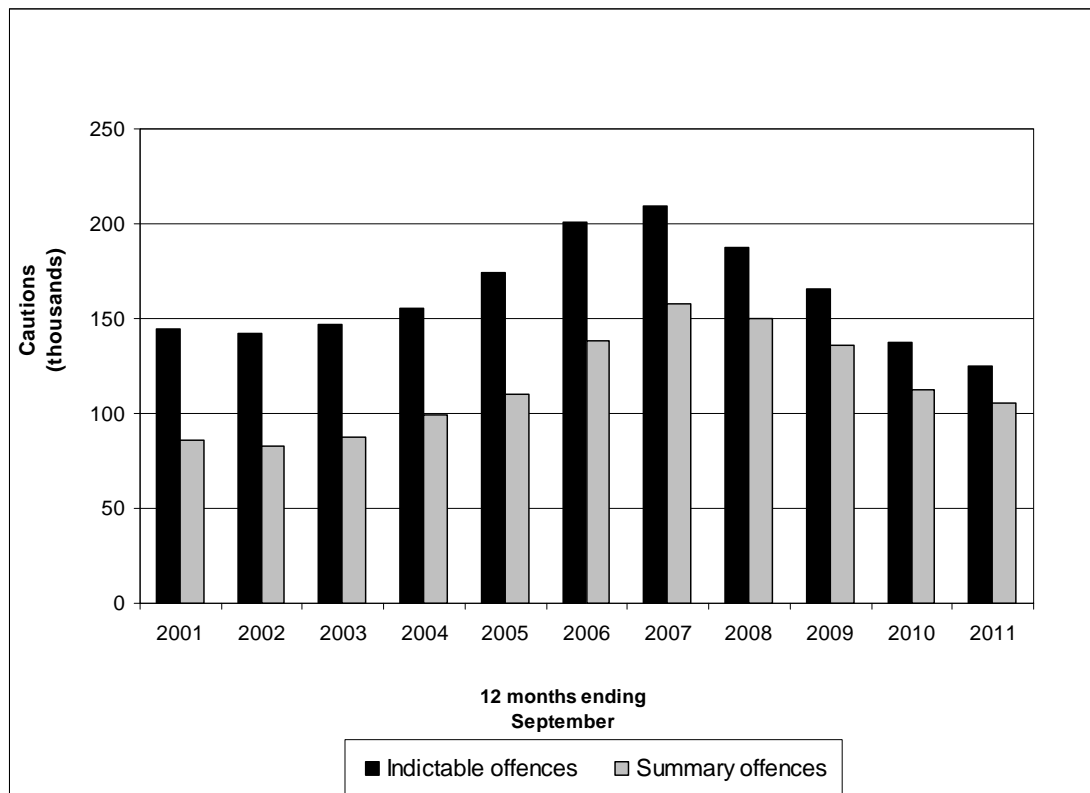


Table Q2.1 - Number of Penalty Notices for Disorder issued to offenders aged 16 and over by offence, 12 months ending September 2005 to 12 months ending September 2011

England and Wales	All Ages																									
	Age 16-17						Age 18 and over																			
	12 months ending																									
	September 2005	September 2006	September 2007	September 2008	September 2009	September 2010	September 2011	September 2005	September 2006	September 2007	September 2008	September 2009	September 2010	September 2011												
	2,279	3,529	4,170	3,600	3,126	2,911	2,787	160	362	338	278	212	173	142	2,119	3,167	3,832	3,322	2,914	2,738	2,645					
Higher Tier Offences (£80)																										
Wasting police time	350	742	1,201	974	798	667	716	22	51	114	93	59	48	48	328	691	1,087	881	739	619	668					
Misuse of public telecommunications system	92	93	101	77	88	52	52	10	16	16	6	9	5	6	82	77	85	71	79	47	46					
Giving false alarm to fire and rescue authority	59,245	77,615	82,486	62,682	46,865	34,370	26,736	5,206	7,665	7,746	5,251	3,540	2,351	1,586	54,039	70,050	74,740	57,431	43,325	32,019	25,150					
Causing Harassment, alarm or distress	467	649	633	612	443	320	362	56	87	99	96	76	49	57	411	562	534	516	367	271	305					
Throwing fireworks	35,166	42,748	46,829	45,297	44,367	38,163	35,656	2,206	2,878	3,084	2,671	2,318	1,828	1,394	32,960	39,870	43,745	42,626	42,049	36,335	34,262					
Drunk and disorderly	9,751	18,622	21,341	14,692	11,161	6,723	5,145	1,096	2,508	3,015	2,012	1,399	669	511	8,655	16,114	18,326	12,680	9,762	6,034	4,634					
Criminal Damage (under £500)	17,051	34,092	45,829	44,093	49,903	41,484	34,917	1,328	3,202	4,811	3,876	4,197	2,854	2,074	15,723	30,890	41,018	40,217	45,706	38,630	32,843					
Theft (retail under £200)	23	48	40	33	25	17	14	3	2	7	2	3	1	1	20	46	33	31	22	16	13					
Breach of fireworks curfew	19	14	28	20	63	20	23	4	3	5	4	7	*	8	15	11	23	16	56	20	15					
Possession of category 4 firework	24	49	81	106	65	64	52	19	46	75	99	61	50	45	5	3	6	7	4	14	7					
Possession by a person under 18 of adult firework	18	48	59	84	81	78	71	2	*	2	1	2	1	*	16	48	57	83	79	77	71					
Sale of alcohol to drunken person	*	42	54	74	112	70	39	*	3	3	1	4	2	1	*	39	51	73	108	68	38					
Supply of alcohol to a person under 18	977	3,419	3,768	2,874	3,047	2,220	1,652	40	119	70	56	42	33	19	937	3,300	3,698	2,818	3,005	2,187	1,633					
Sale of alcohol to a person under 18	154	358	550	536	441	374	258	19	42	52	38	20	20	12	135	316	498	498	421	354	246					
Purchasing alcohol for a person under 18	65	70	59	55	46	34	28	17	20	9	13	17	3	7	48	50	50	42	29	31	21					
Purchasing alcohol for a person under 18 for consumption on the premises	163	278	430	334	195	131	102	18	19	37	28	8	14	3	145	259	393	306	187	117	99					
Delivery of alcohol to a person under 18 or allowing such delivery	*	*	*	*	*	*	15,396	*	*	*	*	110	159	297	*	*	*	*	8,157	13,461	15,099					
Possession of Cannabis																										
	168	846	1,515	1,469	1,543	1,444	1,323	49	224	299	254	244	217	133	119	622	1,216	1,215	1,299	1,227	1,190					
Lower Tier Offences (£50)																										
Trespassing on a railway	40	16	20	27	26	10	9	4	5	8	8	10	7	1	36	11	12	19	16	3	8					
Throwing stones at a train / railway	3,226	2,867	2,238	1,624	1,066	828	668	85	142	125	80	30	12	18	3,141	2,725	2,113	1,544	1,036	816	650					
Drunk in a highway	648	996	1,380	1,812	1,712	1,089	1,193	40	114	185	120	113	36	55	608	882	1,195	1,692	1,599	1,053	1,138					
Consumption of alcohol in a designated public place	563	1,115	1,341	1,261	1,172	934	715	145	242	297	268	189	127	79	418	873	1,044	993	993	807	636					
Depositing and leaving litter	45	98	90	51	27	9	21	39	87	88	46	19	7	15	6	11	1	5	8	2	6					
Consumption of alcohol by a person under 18 on relevant premises	25	16	15	8	4	1	6	3	*	*	3	*	*	*	22	16	15	5	4	1	6					
Allowing consumption of alcohol by a person under 18 on relevant premises	7	65	145	124	77	53	24	4	54	144	113	68	45	21	3	11	1	11	9	8	3					
Buying or Attempting to buy alcohol by a person under 18																										
Totals																										
Total Higher Tier Offences	125,844	182,416	207,659	176,143	169,093	141,318	124,006	10,206	16,923	19,483	14,525	12,084	8,280	6,211	115,638	165,493	188,176	161,618	157,009	133,038	117,795					
Total Lower Tier Offences	4,722	6,019	6,744	6,376	5,627	4,368	3,959	369	868	1,147	892	673	451	322	4,353	5,151	5,597	5,484	4,954	3,917	3,637					
Total all offences	130,566	188,435	214,403	182,519	174,720	145,686	127,965	10,575	17,791	20,630	15,417	12,757	8,731	6,533	119,991	170,644	193,773	167,102	161,963	136,955	121,432					

Table Q2.2 - Number of Penalty Notices for Disorder issued to offenders age 16 and over by ethnicity, 12 months ending September 2011

England and Wales	White	Black	Asian	Other	Not Recorded/Not Known	Total
Offence						
Higher Tier Offences (£80)						
Wasting police time	1,919	29	128	257	454	2,787
Misuse of public telecommunications system	561	3	14	19	119	716
Giving false alarm to fire and rescue authority	40	3	1	1	7	52
Causing Harassment, alarm or distress	18,291	494	1,543	1,177	5,231	26,736
Throwing fireworks	232	9	8	42	71	362
Drunk and disorderly	27,781	264	629	541	6,441	35,656
Criminal Damage (under £500)	3,860	55	141	167	922	5,145
Theft (retail under £200)	24,991	777	1,751	1,420	5,978	34,917
Breach of fireworks curfew	12	0	1	0	1	14
Possession of category 4 fireworks	13	0	1	2	7	23
Possession by a person under 18 of adult fireworks	33	0	8	5	6	52
Sale of alcohol to drunken person	34	1	12	15	9	71
Supply of alcohol to a person under 18	23	1	0	5	10	39
Sale of alcohol to a person under 18	872	28	120	310	322	1,652
Purchasing alcohol for a person under 18	229	0	3	8	18	258
Purchasing alcohol for a person under 18 for consumption on the premises	21	0	1	2	4	28
Delivery of alcohol to a person under 18 or allowing such delivery	83	1	1	3	14	102
Possession of Cannabis	9,135	374	1,828	1,561	2,498	15,396
Lower Tier Offences (£50)						
Trespassing on a railway	855	50	53	20	345	1,323
Throwing stones at a train / railway	6	1	0	0	2	9
Drunk in a highway	484	9	9	14	152	668
Consumption of alcohol in a designated public place	816	84	57	60	176	1,193
Depositing and leaving litter	501	19	32	36	127	715
Consumption of alcohol by a person under 18 on relevant premises	13	0	2	0	6	21
Allowing consumption of alcohol by a person under 18 on relevant premises	4	0	0	0	2	6
Buying or Attempting to buy alcohol by a person under 18	20	0	1	0	3	24
Totals						
Total Higher Tier Offences	88,130	2,039	6,190	5,535	22,112	124,006
Total Lower Tier Offences	2,699	163	154	130	813	3,959
Total all offences	90,829	2,202	6,344	5,665	22,925	127,965

Table Q2.3 - Offenders cautioned by type of offence, 12 months ending September 2001 to 12 months ending September 2011

England and Wales	Number of offenders (thousands)										
	12 months ending										
Type of offence	Sep 2001	Sep 2002	Sep 2003	Sep 2004	Sep 2005	Sep 2006	Sep 2007	Sep 2008	Sep 2009	Sep 2010	Sep 2011
All offenders											
Indictable offences											
Violence against the person	19.4	21.9	27.6	34.4	46.9	57.3	54.4	42.7	28.7	22.6	18.4
Sexual offences	1.3	1.2	1.3	1.5	1.7	1.9	2.0	1.8	1.6	1.4	1.4
Burglary	6.5	5.8	5.6	5.5	6.3	7.4	7.4	5.8	4.6	3.6	3.3
Robbery	0.5	0.5	0.4	0.4	0.6	0.7	0.6	0.4	0.2	0.2	0.2
Theft and handling stolen goods	64.7	56.5	53.1	59.9	66.0	71.0	75.5	65.0	63.0	50.0	43.3
Fraud and forgery	5.8	5.3	5.5	5.9	6.7	7.9	8.6	8.3	7.4	6.5	5.5
Criminal damage	3.3	3.1	3.4	5.1	6.6	8.8	9.0	8.1	6.7	5.3	4.7
Drug offences	39.0	43.1	45.4	36.7	33.3	37.0	41.3	46.4	45.1	41.3	41.6
Other (excluding motoring offences)	4.1	4.3	4.9	5.9	6.4	8.8	10.1	9.1	8.1	7.1	6.4
Total (excluding motoring offences)	144.6	141.8	147.2	155.3	174.4	200.7	209.1	187.6	165.4	137.8	124.9
Summary offences											
(excluding motoring offences)	86.1	83.2	87.5	98.9	109.9	138.7	158.2	150.0	136.3	112.8	105.8
All offences											
(excluding motoring offences)	230.7	225.0	234.7	254.3	284.3	339.4	367.3	337.6	301.7	250.6	230.7

Table Q2.4 - Proportion of offenders cautioned who were cautioned or found guilty, by type of offence, 12 months ending September 2001 to 12 months ending September 2011

England and Wales	12 months ending											Percentages	
	Sep 2001	Sep 2002	Sep 2003	Sep 2004	Sep 2005	Sep 2006	Sep 2007	Sep 2008	Sep 2009	Sep 2010	Sep 2011		
All offenders													
Indictable offences													
Violence against the person	36	37	42	47	54	58	57	51	40	34	30		
Sexual offences	24	22	24	24	27	28	28	26	24	20	19		
Burglary	21	18	18	18	21	24	24	20	16	13	12		
Robbery	7	6	5	5	8	8	7	5	2	2	3		
Theft and handling stolen goods	34	31	30	35	39	41	42	37	36	30	26		
Fraud and forgery	21	20	21	22	25	28	30	29	26	24	22		
Criminal damage	24	22	24	30	37	41	41	44	45	40	40		
Drug offences	46	48	47	46	46	48	50	48	45	40	40		
Other (excluding motoring offences)	9	8	9	10	11	15	18	18	15	12	12		
Total (excluding motoring offences)	31	30	31	33	37	40	41	38	34	29	27		
Summary offences													
(excluding motoring offences)	16	15	15	16	18	22	24	23	21	18	18		
All offences													
(excluding motoring offences)	23	22	22	23	26	30	32	30	27	23	22		

Table Q2.5 - Persons cautioned for all offences by ethnicity, 12 months ending September 2001 to 12 months ending

England and Wales	Number of offenders (thousands)					
	Total	White	Black	Asian	Other	Unknown
12 months ending						
Sep 2001	230.7	197.8	13.0	9.9	2.5	7.6
Sep 2002	225.0	192.2	14.1	10.2	2.4	6.1
Sep 2003	234.7	199.5	14.6	10.4	2.8	7.5
Sep 2004	254.3	214.3	15.0	11.8	3.0	10.2
Sep 2005	284.3	238.2	16.0	13.8	4.2	12.3
Sep 2006	339.4	277.6	20.8	14.9	4.9	21.2
Sep 2007	367.3	303.0	23.7	16.3	5.2	19.0
Sep 2008	337.6	278.3	22.6	16.0	5.1	15.6
Sep 2009	301.7	250.1	20.7	14.9	5.0	11.0
Sep 2010	250.6	208.1	17.6	13.0	4.6	7.2
Sep 2011	230.7	192.1	16.9	11.9	3.6	6.1

Note: Totals may not sum due to rounding.

Court proceedings [Tables Q3.5 – Q3.7]

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

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

In the 12 months ending September 2011, 1.58 million defendants were proceeded against at magistrates' courts, 4.9 per cent less than the 1.67 million in the 12 months ending September 2010.

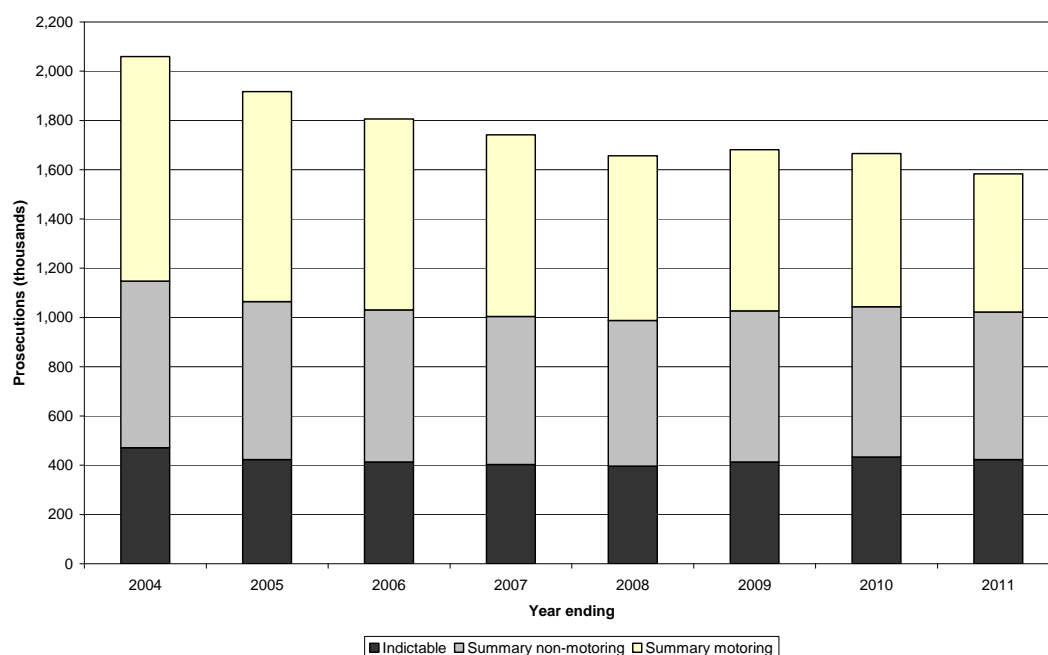
The main factor contributing to this decrease is a fall in defendants proceeded against for summary offences, a drop of 5.8 per cent from 1.23 million to 1.16 million between the 12 months ending September 2010 and the 12 months ending September 2011. Over the same period the number of proceedings for indictable offences (including triable-either-way offences) decreased 2.3 per cent from 433,100 to 423,100.

Summary proceedings, which cover the less serious offences such as TV license evasion and common assault, can be dealt with entirely within the magistrates' courts and make up around three quarters of cases. In the 12 months ending September 2011, 73.3 per cent (1.16 million) of the 1.58 million total proceedings at the magistrates' courts were for summary offences. Just under half (48 per cent) of these cases relate to summary motoring proceedings which include offences such as speeding, driving while disqualified and drunk driving.

The fall in proceedings for summary offences is not split evenly between summary motoring and summary non-motoring proceedings:

- Defendants proceeded against for summary motoring offences fell by 9.8 per cent from 621,200 in the 12 months ending September 2010 to 560,400 in the 12 months ending September 2011.
- Defendants proceeded against for summary non-motoring offences fell by 1.8 per cent from 610,900 in the 12 months ending September 2010 to 599,900 in the 12 months ending September 2011.

Figure 3.1 Defendants proceeded against at magistrates' courts by type of offence, 12 months ending September 2004 to 12 months ending September 2011



In the past decade defendants proceeded against peaked at 2.06 million in the 12 months ending September 2004. Compared to this peak there were 23.1 per cent fewer defendants proceeded against in the 12 months ending September 2011. This was made up of a fall of 10.2 per cent in those proceeded against for indictable offences; 11.4 per cent in those proceeded against for summary non-motoring offences and a fall of 38.5 per cent in those proceeded against for summary motoring offences.

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

During the 12 month period ending September 2011, there were 1.66 million⁷ defendants directed to appear at magistrates' courts, a decrease of 4.9 per cent

⁷ Including those who failed to appear

compared with the 12 month period ending September 2010. Of these, 32.9 per cent were granted bail by the police, 11.3 per cent were remanded in custody, and the remaining 55.9 per cent were directed to appear via summonses.

The proportion of defendants remanded in custody varies by offence type. During the 12 months ending September 2011 the proportions remanded in custody were:

- 28.3 per cent (132,300) for indictable offences, similar to the 12 months ending September 2010.
- 7.5 per cent (46,400) for summary non-motoring offences, 0.1 percentage points more than during the 12 months ending September 2010, and;
- 1.5 per cent (8,500) for summary motoring offences, similar to the proportions seen during the 12 months ending September 2010.

Magistrates' courts

During the 12 month period ending September 2011, 1.66 million⁸ defendants were proceeded against at magistrates' courts. Of these it was estimated that:

- 555,600 – 33.4 per cent were remanded on bail;
- 54,000 – 3.3 per cent were remanded in custody; and the remaining,
- 1.05 million – 63.3 per cent had their case concluded at the magistrates' courts without being remanded.

The proportion of defendants remanded into custody at magistrates' courts has remained broadly consistent over the last seven years at around three to four per cent.

The proportions of defendants remanded in custody by magistrates' by offence type during the 12 months ending September 2011 were:

- 9.7 per cent (45,200) for indictable cases;
- 1.3 per cent (7,800) for summary non-motoring offences;
- 0.2 per cent (1,000) for summary motoring offences.

Crown Court remands

In the 12 months ending September 2005, the proportion of defendants who were remanded on bail at the Crown Court was 42.8 per cent. This proportion increased in each of the following five years, reaching 53.5 per cent in the 12 months ending September 2010. In the year ending September 2011 it decreased from its highest level by 1.8 percentage points to 51.7 per cent.

⁸ Including those who failed to appear

During the 12 months ending September 2005 the corresponding proportion of defendants remanded in custody was 41.2 per cent, this decreased each year to 33.5 per cent during the 12 months ending September 2010. In the 12 months ending September 2011 it increased by 0.9 percentage points to 34.4 per cent.

Ethnicity

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

During the 12 months ending September 2011, the proportion of white defendants tried at the Crown Court for indictable offences who were remanded in custody was 33.9 per cent. This figure was 44.8 per cent for black defendants and 33.4 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*⁹.

Outcome of cases¹⁰

During the 12 months ending September 2011 approximately 11.7 per cent of those defendants remanded in custody at magistrates' courts were subsequently acquitted or not proceeded against, 13.9 per cent received an immediate custodial sentence, 2.8 per cent received a fine and five per cent a community sentence.

The remainder were either committed for trial or sentence at the Crown Court (56.7 per cent), received an absolute or conditional discharge (2 per cent), a suspended sentence (2.8 per cent), were otherwise dealt with (2.6 per cent) or failed to appear¹¹ (2.4 per cent).

Over the same period, of those remanded in custody during trial at the Crown Court 12 per cent were subsequently acquitted or not proceeded against, 72 per cent received an immediate custodial sentence, six per cent a community sentence and 5.4 per cent a suspended sentence. The remainder received an absolute or a conditional discharge (0.6 per cent), were otherwise dealt with (2.1 per cent) or failed to appear (1.8 per cent).

The much higher proportion of defendants receiving immediate custody at the Crown Court than at magistrates' courts reflects the more serious nature of cases tried or sentenced at the Crown Court compared to those cases concluded at magistrates' courts.

⁹ www.justice.gov.uk/publications/statistics-and-data/criminal-justice/race.htm

¹⁰ Some percentages may not sum due to rounding.

¹¹ Defendants may have been remanded in custody at one stage of proceedings and granted bail at a later stage; these are counted as 'remanded in custody' but it is possible for them to fail to appear.

Failure to appear

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

- Over the last six years the proportion of defendants who failed to appear to bail or summonses at magistrates' courts has decreased from 8.1 per cent (169,900) in the 12 months ending September 2005 to 4.7 per cent (78,500) in the 12 months ending September 2011.

In 2005, a centrally co-ordinated series of local initiatives on outstanding Failure to Appear warrants was initiated. Following on from this, guidance in relation to how failure to appear cases should be dealt with by courts was circulated. The resulting harder line taken by courts against those defendants who failed to appear plus much more rigorous enforcement of warrants coincides with the start of the reduction in the proportion of defendants failing to appear seen in the statistics.

- During the 12 months ending September 2011 approximately 3,100 defendants on bail failed to appear at the Crown Court, 2.5 per cent of those tried at the Crown Court. This compares with 2,600 defendants (2.1 per cent) in the period ending September 2010.

Table Q3.1 - Defendants directed to appear at magistrates' courts⁽¹⁾ by type of offence and how directed to appear, 12 months ending September 2005 to 12 months ending September 2011 (e)

England and Wales	Defendants (thousands and percentages)													
	Defendants (thousands)						Percentages							
	12 months ending September													
How directed to appear	2005 ⁽²⁾	2006 ⁽²⁾	2007 ⁽²⁾	2008 ⁽²⁾ (3)	2009	2010	2011	2005	2006	2007	2008 ⁽³⁾	2009	2010	2011
Indictable offences														
Summoned	47.7	48.9	47.8	43.9	39.6	39.4	41.3	9.5	10.1	10.1	9.6	8.5	8.2	8.8
Arrested and bailed	362.6	347.5	349.1	328.4	304.3	304.9	294.6	72.5	71.9	73.9	71.7	65.5	63.8	62.9
Arrested and held in custody ⁽⁴⁾	90.0	87.2	75.6	85.5	120.4	133.8	132.3	18.0	18.0	16.0	18.7	25.9	28.0	28.3
Total	500.3	483.6	472.4	457.7	464.2	478.1	468.1	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Summary offences (other than motoring)														
Summoned	441.7	411.2	393.1	380.3	404.0	390.5	393.2	65.9	63.8	62.3	61.9	63.6	62.1	63.8
Arrested and bailed	202.2	206.0	213.0	206.1	190.1	190.0	176.6	30.1	31.9	33.8	33.5	29.9	30.2	28.7
Arrested and held in custody ⁽⁴⁾	26.8	27.8	24.6	28.3	40.9	47.9	46.4	4.0	4.3	3.9	4.6	6.4	7.6	7.5
Total	670.7	645.0	630.7	614.7	635.0	628.4	616.1	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Summary motoring offences														
Summoned	742.8	662.7	622.8	567.8	568.1	546.1	493.9	81.0	80.1	80.6	81.4	83.4	85.2	85.5
Arrested and bailed	158.0	151.3	140.7	120.7	103.3	85.0	75.1	17.2	18.3	18.2	17.3	15.2	13.3	13.0
Arrested and held in custody ⁽⁴⁾	16.2	13.0	9.4	8.7	10.2	9.6	8.5	1.8	1.6	1.2	1.3	1.5	1.5	1.5
Total	917.0	827.0	772.9	697.2	681.5	640.7	577.6	100.0	100.0	100.0	100.0	100.0	100.0	100.0
All offences														
Summoned	1,232.1	1,122.8	1,063.7	992.0	1,011.7	975.9	928.3	59.0	57.4	56.7	56.1	56.8	55.9	55.9
Arrested and bailed	722.8	704.8	702.7	655.2	597.6	580.0	546.3	34.6	36.0	37.5	37.0	33.6	33.2	32.9
Arrested and held in custody ⁽⁴⁾	132.9	128.0	109.5	122.5	171.4	191.3	187.2	6.4	6.5	5.8	6.9	9.6	10.9	11.3
Total	2,087.7	1,955.7	1,875.8	1,769.8	1,780.7	1,747.3	1,661.8	100.0	100.0	100.0	100.0	100.0	100.0	100.0

(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 78,500 persons (4.7 per cent of those directed to appear) failed to appear in the 12 months ending September 2011.

(2) Data on bail and remand for the 12 months ending September 2005 to the 12 months ending September 2008 have been subject to a process used to generate estimates at England and Wales

(3) Excludes remands data for Cardiff magistrates' court for April, July, and August 2008. Data for 2008 have been revised and now include approximately 16,600 defendants who failed to appear which were omitted from previously published versions of this table.

(4) 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⁽¹⁾ who were remanded by magistrates, by type of offence and type of remand, 12 months ending September 2005 to 12 months ending September 2011 (e)

England and Wales	Defendants (thousands and percentages)													
	Defendants (thousands)						Percentages							
	12 months ending September													
Type of offence	2005 ⁽²⁾	2006 ⁽²⁾	2007 ⁽²⁾	2008 ⁽²⁾⁽³⁾	2009	2010	2011	2005	2006	2007	2008 ⁽³⁾	2009	2010	2011
Indictable offences														
Not remanded	198.6	194.0	198.8	183.9	120.5	122.4	129.1	39.7	40.1	42.0	40.3	26.0	25.6	27.6
Remanded on bail	258.0	248.2	236.9	225.8	293.7	301.5	293.8	51.6	51.4	50.1	49.4	63.3	63.1	62.7
Remanded in custody ⁽⁴⁾	43.2	41.0	37.5	47.2	50.0	54.3	45.2	8.6	8.5	7.9	10.3	10.8	11.3	9.7
Total	499.8	483.1	473.2	456.9	464.2	478.1	468.1	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Summary offences (other than motoring)														
Not remanded	520.4	491.7	473.9	457.9	434.3	423.7	426.6	77.4	76.1	75.3	74.4	68.4	67.4	69.2
Remanded on bail	142.0	144.6	145.3	145.6	189.8	193.6	181.7	21.1	22.4	23.1	23.7	29.9	30.8	29.5
Remanded in custody ⁽⁴⁾	9.7	10.2	10.0	11.8	10.9	11.1	7.8	1.4	1.6	1.6	1.9	1.7	1.8	1.3
Total	672.1	646.5	629.1	615.3	635.0	628.4	616.1	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Summary motoring offences														
Not remanded	806.3	725.9	687.7	606.8	572.2	547.5	496.4	87.7	87.9	88.7	87.2	84.0	85.4	85.9
Remanded on bail	106.0	94.4	83.8	85.2	107.0	91.6	80.2	11.5	11.4	10.8	12.3	15.7	14.3	13.9
Remanded in custody ⁽⁴⁾	6.7	5.3	3.9	3.6	2.4	1.7	1.0	0.7	0.6	0.5	0.5	0.3	0.3	0.2
Total	919.1	825.6	775.5	695.6	681.5	640.7	577.6	100.0	100.0	100.0	100.0	100.0	100.0	100.0
All offences														
Not remanded	1,525.2	1,411.6	1,360.3	1,248.8	1,127.0	1,093.5	1,052.2	72.9	72.2	72.4	70.6	63.3	62.6	63.3
Remanded on bail	506.0	487.2	466.1	456.6	590.4	586.7	555.6	24.2	24.9	24.8	25.8	33.2	33.6	33.4
Remanded in custody ⁽⁴⁾	59.6	56.5	51.4	62.6	63.3	67.0	54.0	2.8	2.9	2.7	3.5	3.6	3.8	3.3
Total	2,090.8	1,955.3	1,877.8	1,768.0	1,780.7	1,747.3	1,661.8	100.0	100.0	100.0	100.0	100.0	100.0	100.0

(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.

Wales level. The nature of this process means that there will be slight differences between the totals in this table and table Q3.1 except when these tables present data covering a 12 month period to the end of December. Data for 2009 onwards are not affected because an improved estimation process has been applied to data relating to those years.

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

(4) 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⁽¹⁾ by remand status during trial at the Crown Court by offence type, 12 months ending September 2005 to 12 months ending September 2011

England and Wales	Defendants (thousands and percentages)													
	Defendants (thousands)						Percentages							
	12 months ending September													
Type of offence	2005	2006	2007	2008 ⁽²⁾	2009	2010	2011	2005	2006	2007	2008 ⁽²⁾	2009	2010	2011
Indictable offences														
Not remanded	14.9	15.2	14.2	15.0	15.7	14.4	15.2	15.9	16.2	14.8	14.5	14.4	12.2	12.9
Remanded on bail	39.8	43.1	46.8	50.5	54.5	63.2	61.1	42.4	45.9	48.6	49.0	50.0	53.4	51.8
Remanded in custody ⁽²⁾	39.2	35.6	35.2	37.6	38.7	40.7	41.6	41.7	37.9	36.6	36.5	35.6	34.4	35.3
Total	93.9	93.9	96.3	103.1	109.0	118.3	117.9	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Summary offences (other than motoring)														
Not remanded	0.4	0.5	0.7	1.0	1.3	1.4	1.7	15.2	16.9	19.4	23.2	27.3	23.9	29.3
Remanded on bail	1.6	1.9	2.2	2.3	2.5	3.4	3.0	55.7	59.1	58.8	56.2	53.2	57.0	50.5
Remanded in custody ⁽²⁾	0.8	0.8	0.8	0.9	0.9	1.1	1.2	29.1	24.0	21.8	20.7	19.5	19.0	20.2
Total	2.8	3.2	3.7	4.2	4.7	5.9	5.9	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Summary motoring offences														
Not remanded	0.3	0.2	0.3	0.4	0.4	0.4	0.5	32.7	33.8	36.2	37.2	42.1	43.9	49.0
Remanded on bail	0.3	0.3	0.4	0.5	0.4	0.4	0.4	41.5	43.3	46.0	49.6	46.2	46.2	40.8
Remanded in custody ⁽²⁾	0.2	0.2	0.2	0.1	0.1	0.1	0.1	25.8	22.9	17.8	13.2	11.7	10.0	10.2
Total	0.8	0.7	0.9	1.1	0.9	1.0	0.9	100.0	100.0	100.0	100.0	100.0	100.0	100.0
All offences														
Not remanded	15.6	16	15.3	16.4	17.4	16.2	17.4	16.0	16.4	15.2	15.1	15.2	13.0	13.9
Remanded on bail	41.7	45.3	49.4	53.4	57.4	67.0	64.4	42.8	46.3	49.0	49.3	50.1	53.5	51.7
Remanded in custody ⁽²⁾	40.2	36.6	36.2	38.6	39.8	42.0	42.9	41.2	37.4	35.9	35.6	34.7	33.5	34.4
Total	97.6	97.9	100.9	108.3	114.6	125.2	124.7	100.0	100.0	100.0	100.0	100.0	100.0	100.0

(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.

(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.

Note: Some figures may not sum due to rounding.

Table Q3.4 - Defendants⁽¹⁾ tried at the Crown Court by ethnicity⁽²⁾, by remand status before trial or sentence and offence group, 12 months ending September 2011

England and Wales		Defendants (thousands)				
Offence group ⁽³⁾ and remand status	Ethnicity					Not recorded
	Total	White	Black	Asian	Other	
	Defendants (thousands)					
Violence against the person	28.2	21.0	2.7	1.8	0.8	1.9
Not remanded	0.0	0.0	0.0	0.0	0.0	0.0
Bailed	19.6	14.8	1.7	1.2	0.5	1.3
Remanded in custody ⁽⁴⁾	8.6	6.1	1.0	0.5	0.3	0.6
Sexual offences	7.6	5.5	0.6	0.6	0.2	0.6
Not remanded	0.0	0.0	-	-	-	0.0
Bailed	5.2	4.0	0.3	0.4	0.1	0.4
Remanded in custody ⁽⁴⁾	2.3	1.5	0.3	0.2	0.1	0.2
Burglary	13.3	10.8	1.0	0.4	0.3	0.9
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 ⁽⁴⁾	8.2	6.6	0.7	0.2	0.2	0.6
Robbery	7.9	4.8	1.6	0.5	0.3	0.7
Not remanded	0.0	0.0	0.0	-	-	0.0
Bailed	3.4	2.0	0.7	0.3	0.1	0.3
Remanded in custody ⁽⁴⁾	4.5	2.8	1.0	0.2	0.2	0.3
Theft and handling stolen goods	14.3	10.5	1.3	0.8	0.5	1.2
Not remanded	0.0	0.0	-	-	-	0.0
Bailed	9.8	7.2	0.9	0.6	0.3	0.8
Remanded in custody ⁽⁴⁾	4.5	3.3	0.4	0.2	0.2	0.4
Fraud and forgery	8.6	3.8	1.4	0.9	0.4	2.2
Not remanded	0.0	0.0	-	0.0	0.0	0.0
Bailed	6.3	2.9	0.8	0.6	0.3	1.8
Remanded in custody ⁽⁴⁾	2.3	0.9	0.6	0.2	0.2	0.3
Criminal damage	2.2	1.8	0.1	0.1	0.1	0.2
Not remanded	0.0	-	-	-	-	0.0
Bailed	1.3	1.1	0.1	0.1	0.0	0.1
Remanded in custody ⁽⁴⁾	0.9	0.7	0.1	0.0	0.0	0.1
Drug offences	16.8	10.9	2.3	1.6	0.7	1.3
Not remanded	0.0	0.0	0.0	0.0	0.0	0.0
Bailed	11.5	8.4	1.3	0.9	0.3	0.7
Remanded in custody ⁽⁴⁾	5.2	2.6	1.0	0.7	0.4	0.6
Other indictable offences	16.7	11.4	1.5	1.3	0.6	2.1
Not remanded	0.3	0.0	0.0	0.0	0.0	0.2
Bailed	12.0	8.5	0.8	0.9	0.4	1.4
Remanded in custody ⁽⁴⁾	4.4	2.8	0.6	0.4	0.2	0.4
Indictable motoring offences	2.3	1.6	0.2	0.2	0.1	0.2
Not remanded	-	-	-	-	-	-
Bailed	1.8	1.2	0.1	0.2	0.1	0.2
Remanded in custody ⁽⁴⁾	0.5	0.4	0.0	0.0	0.0	0.0
Total indictable offences	117.9	82.0	12.7	8.2	4.0	11.1
Total not remanded	0.4	0.1	0.0	0.0	0.0	0.3
Total bailed	76.1	54.2	7.0	5.4	2.3	7.2
Total remanded in custody⁽⁴⁾	41.4	27.8	5.7	2.7	1.7	3.6

(1) Includes those who failed to appear.

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

(3) Includes indictable offence groups only. In 2010, these accounted for 94 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.

Note: Some figures may not sum due to rounding.

Table Q3.5 - Defendants⁽¹⁾ proceeded against at magistrates' courts by type of offence and age group, 12 months ending September 2001 to 12 months ending September 2011

Type of offence		12 months ending												Number (thousands)		
		Sep 2001	Sep 2002	Sep 2003	Sep 2004	Sep 2005	Sep 2006	Sep 2007	Sep 2008	Sep 2009	Sep 2010	Sep 2011				
Aged 10-17																
England and Wales																
Number proceeded against (thousands)																
Indictable		84.3	82.4	75.5	71.5	67.2	66.2	67.8	60.4	57.8	55.1	49.4				
Summary non motoring		43.7	43.7	42.8	45.3	45.8	45.5	47.6	43.9	40.0	36.8	31.1				
Summary motoring		20.4	22.3	22.7	22.0	19.0	15.7	12.3	9.9	8.0	6.4	5.1				
All offences		148.4	148.5	141.1	138.8	132.1	127.3	127.7	114.2	105.9	98.3	85.5				
Aged 18 and over																
England and Wales																
Type of offence		12 months ending												Number (thousands)		
		Sep 2001	Sep 2002	Sep 2003	Sep 2004	Sep 2005	Sep 2006	Sep 2007	Sep 2008	Sep 2009	Sep 2010	Sep 2011				
Number proceeded against (thousands)																
Indictable		409.2	428.8	435.2	398.2	354.2	345.7	333.6	335.0	354.3	376.9	372.7				
Summary non motoring		548.7	552.6	577.3	628.5	592.9	568.9	551.6	545.6	571.3	572.1	566.9				
Summary motoring		733.7	747.3	799.5	878.9	824.2	753.2	718.0	651.1	638.9	607.1	548.4				
All offences		1,691.5	1,728.7	1,812.0	1,905.6	1,771.4	1,667.8	1,603.1	1,531.7	1,564.5	1,556.1	1,487.9				
All ages⁽¹⁾																
England and Wales																
Type of offence		12 months ending												Number (thousands)		
		Sep 2001	Sep 2002	Sep 2003	Sep 2004	Sep 2005	Sep 2006	Sep 2007	Sep 2008	Sep 2009	Sep 2010	Sep 2011				
Number proceeded against (thousands)																
Indictable		495.2	512.8	512.3	471.3	422.9	413.5	402.8	396.6	413.1	433.1	423.1				
Summary non-motoring		595.3	599.0	623.0	676.8	641.6	617.1	601.4	591.7	613.7	610.9	599.9				
Summary motoring		763.9	778.6	831.4	911.8	852.8	776.1	737.5	668.3	655.1	621.2	560.4				
All offences		1,854.4	1,890.4	1,966.7	2,060.0	1,917.3	1,806.7	1,741.7	1,656.7	1,681.9	1,665.3	1,583.4				

(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.

Offenders found guilty [Tables Q4.1 – Q4.3]

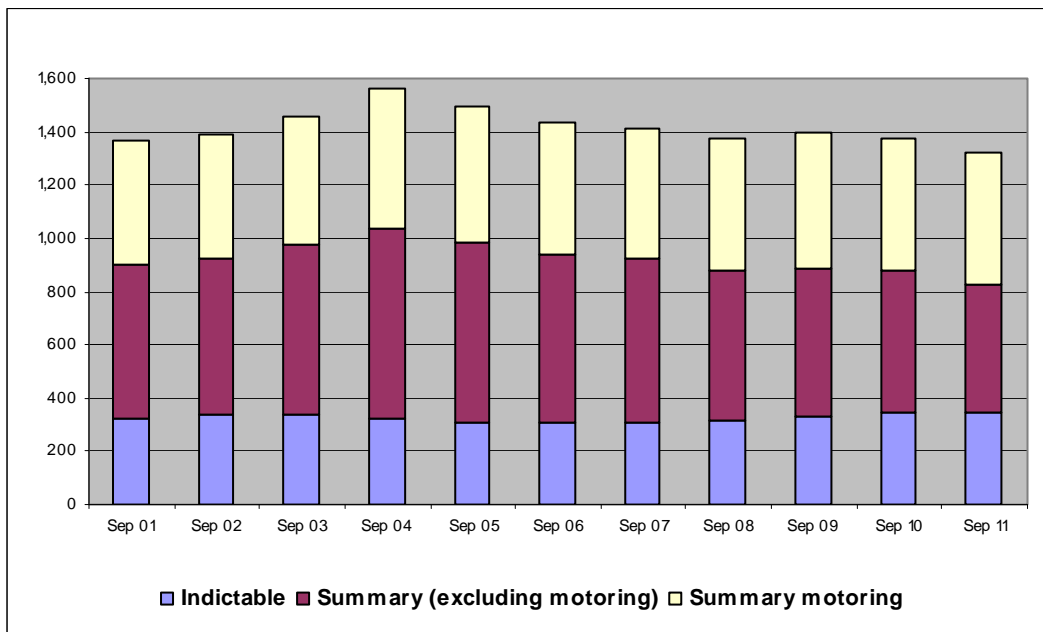
A conviction is where a person or a company is found guilty of a criminal offence at either the magistrates' courts or the Crown Court.

During the 12 months ending September 2011 there were 1.32 million offenders found guilty, a decrease of 4.1 per cent compared to the 12 months ending September 2010. Included in these figures are just under 500 people convicted by the end of September 2011 for their part in the August 2011 public disorder,

There was a slight decrease of 0.2 per cent (to 344,000) of offenders found guilty for indictable offences; a decrease of 1.6 per cent (to 489,500) of offenders found guilty of summary non motoring offences; and a decrease of nine per cent (to 485,200) of offenders found guilty of summary motoring offences.

Convictions for indictable offences accounted for 26.1 per cent of the total defendants found guilty, this is the highest proportion in the last eleven years and continues the trend of steady rises seen since the 12 months ending September 2005 when the percentage was 20.5 per cent. Summary non-motoring offences accounted for 37.1 per cent, and summary motoring offences for 36.8 per cent of convictions respectively.

Figure 4.1: Offenders found guilty by offence type, 12 months ending September 2001 to 12 months ending September 2011

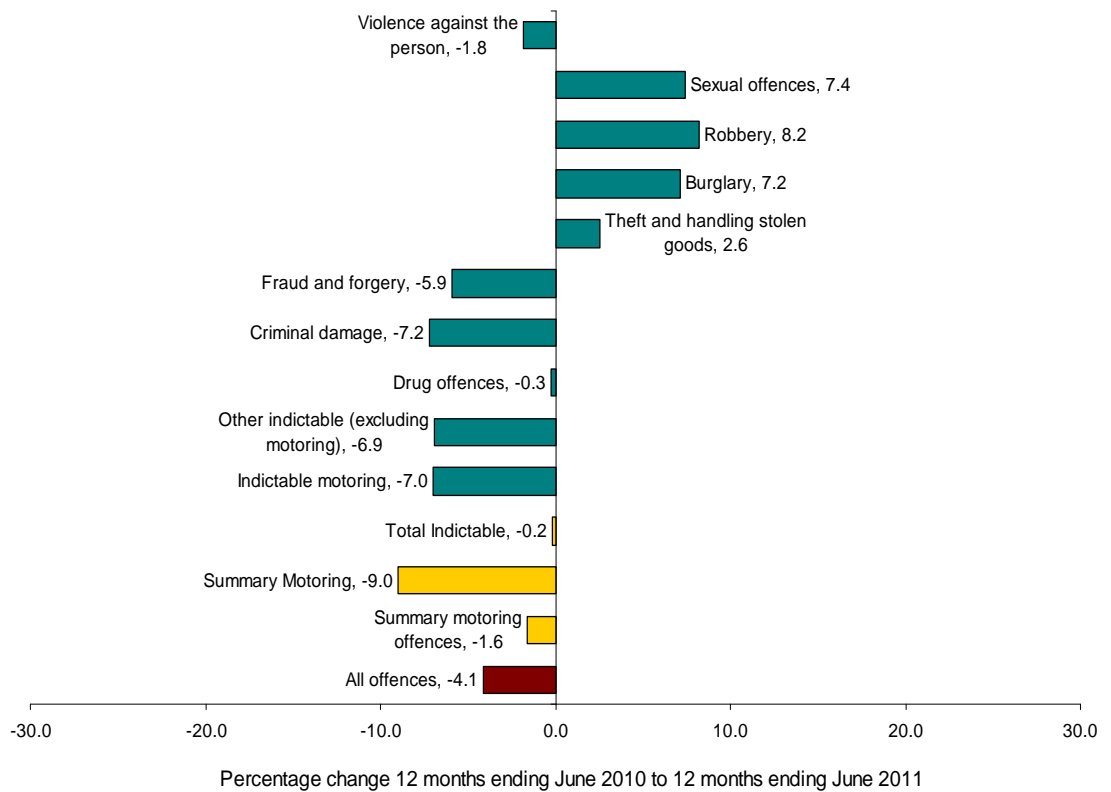


Convictions by offence group

Four of the ten indictable offence groups show increases compared to the 12 months ending September 2010. These include changes in the following offence groups:

- Convictions for *Sexual offences* increased by 7.4 per cent to 6,000 during the period ending 12 months to September 2011. This is the highest number of persons convicted for sexual offences in the last 11 years. This is reflected in the conviction rate for sexual offences which increased by 5.7 percentage points over the last 12 months and is the highest for 3 years.
- *Robbery offences* increased by 8.2 per cent from 8,400 to 9,100, and the conviction ratio increased by 0.6 percentage points.
- *Burglary* convictions increased by 7.2 per cent from 23,300 to 25,000, and the conviction ratio increased by 1.2 percentage points.
- *Theft and handling stolen goods* increased by 2.6 per cent from 118,300 to 121,300, with the conviction ratio remaining stable at 90 per cent.

Figure 4.2: Percentage change in offenders found guilty by offence type and offence group, 12 months ending September 2010 to 12 months ending September 2011



Conviction demographics

A total of 967,200 males were found guilty during the 12 months to September 2011, accounting for 76.3 per cent of all persons convicted. This compares with 299,600 females found guilty, 23.7 per cent of all persons¹². A total of 65,000 juveniles (males and females aged 10 to 17) were found guilty during the 12 months ending September 2011 (5.1 per cent of all persons found guilty).

In the 12 months ending September 2011 there were 344,000 offenders found guilty of an indictable offence, of which 90.3 per cent were of a known ethnicity. This is 40.2 percentage point increase since the 12 months ending September 2008, the year in which the LIBRA case management system was rolled out in magistrates' courts.

Three-quarters of the total persons found guilty of an indictable offence at all courts were white. Within offence types this ranged from 44.8 per cent for Fraud and Forgery to 86.2 per cent for criminal damage.

For all indictable offences 9.3 per cent of offenders were black, this ranged from 4.1 per cent for criminal damage to 26.3 per cent for robbery.

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

Conviction ratio

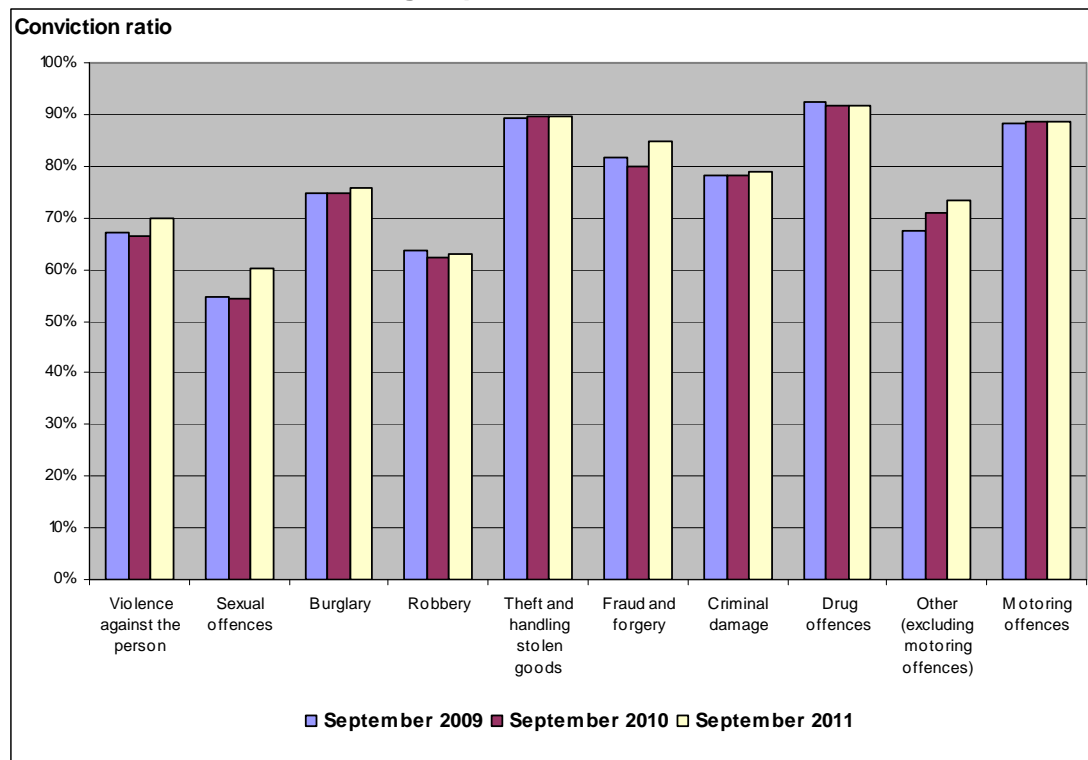
The conviction ratio is defined as the proportion of defendants proceeded against who were found guilty. During the 12 months ending September 2011, the conviction ratio for all offences was 83.3 per cent, an increase of 0.7 percentage point to 82.6 per cent in the previous 12 month period. In comparison with the 12 months ending September 2001, the overall conviction ratio has risen by 9.6 percentage points.

Comparing the 12 months ending September 2011 with the 12 months ending September 2010, there was:

- an increase of 1.7 percentage points in the conviction ratio for indictable offences (81.3 per cent in the 12 months ending September 2011).
- an increase of 0.1 percentage points in the conviction ratio for summary non-motoring offences (81.6 per cent in the 12 months ending September 2011).
- an increase of 0.8 percentage points in the conviction ratio for summary motoring offences (86.6 per cent in the 12 months ending September 2011).

¹² 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.

Figure 4.3: Conviction ratio by indictable offence group, 12 months ending September 2009, 12 months ending September 2010, and 12 months ending September 2011



In the 12 months ending September 2011;

- The conviction ratio increased for eight of the ten indictable offence groups compared to the 12 months ending September 2010.
- In comparison with the 12 months ending September 2001 conviction rates have risen for all indictable offence groups. The largest increase was for '*violence against the person*', which has increased by 24.3 percentage points from 45.6 per cent to 69.9 per cent across the 11 year period.

Table Q4.1 - Offenders⁽¹⁾ found guilty at all courts by offence group, 12 months ending September 2001 to 12 months ending September 2011⁽²⁾

England and Wales	Number of offenders (thousands)										
	12 months ending										
Offence group	Sep 01	Sep 02	Sep 03	Sep 04	Sep 05	Sep 06	Sep 07	Sep 08	Sep 09	Sep 10	Sep 11
Indictable offences											
Violence against the person	34.8	36.9	38.0	39.1	40.1	41.9	41.7	41.6	43.3	44.2	43.4
Sexual offences	3.9	4.4	4.2	4.7	4.8	4.9	5.0	5.2	5.0	5.6	6.0
Burglary	24.6	26.3	25.8	24.8	23.1	22.8	23.8	23.7	23.3	23.3	25.0
Robbery	6.6	7.4	7.6	7.3	7.2	7.9	8.6	8.6	8.8	8.4	9.1
Theft and handling stolen goods	125.5	128.0	121.1	112.5	104.5	100.7	102.9	108.9	113.5	118.3	121.3
Fraud and forgery	21.8	21.4	21.3	21.1	20.2	20.3	20.3	20.9	20.9	21.1	19.8
Criminal damage	10.3	11.0	11.1	11.7	11.5	12.6	12.8	10.3	8.1	7.8	7.2
Drug offences	45.1	47.5	51.3	42.4	38.4	40.3	42.0	51.0	55.8	61.5	61.4
Other (excluding motoring offences)	43.5	47.0	50.5	54.5	52.7	51.5	46.4	41.5	45.2	51.2	47.6
Motoring offences	4.1	4.7	5.4	5.4	4.9	4.5	4.2	3.9	3.6	3.4	3.2
Total	320.1	334.6	336.4	323.4	307.4	307.4	307.8	315.4	327.6	344.7	344.0
Summary offences											
Summary motoring	584.2	590.1	639.5	711.3	678.5	630.8	616.1	566.7	560.2	533.1	485.2
Summary non-motoring	462.2	467.2	484.7	530.4	512.1	497.7	491.4	491.0	512.6	497.7	489.5
Total	1,046.4	1,057.3	1,124.2	1,241.7	1,190.6	1,128.5	1,107.4	1,057.8	1,072.8	1,030.8	974.8
All offences⁽³⁾	1,366.5	1,391.9	1,460.6	1,565.1	1,498.0	1,435.9	1,415.2	1,373.2	1,400.4	1,375.5	1,318.7

(1) Offenders comprises persons and organisations i.e. companies and public bodies.

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

(3) May not sum due to rounding.

Table Q4.2 - Offenders found guilty at all courts by offence group, sex and age group, 12 months ending September 2011

England and Wales		Number of offenders (thousands)							
		All offenders	All ages	Aged 10-17	Aged 18 and over	All ages	Aged 10-17	Aged 18 and over	Other offenders ⁽¹⁾
Offence group									
Indictable offences									
Violence against the person	43.4	38.2	4.6	33.7	5.1	0.8	4.2	0.1	0.1
Sexual offences	6.0	6.0	0.5	5.5	0.1	0.0	0.1	0.0	0.0
Burglary	25.0	23.8	4.6	19.2	1.1	0.2	0.9	0.1	0.1
Robbery	9.1	8.3	3.3	5.0	0.7	0.4	0.4	0.0	0.0
Theft and handling stolen goods	121.3	95.6	10.2	85.4	25.2	2.2	23.0	0.5	0.5
Fraud and forgery	19.8	13.4	0.3	13.1	5.8	0.1	5.7	0.6	0.6
Criminal damage	7.2	6.3	1.2	5.1	0.8	0.2	0.6	0.0	0.0
Drug offences	61.4	56.6	5.1	51.5	4.6	0.2	4.4	0.2	0.2
Other (excluding motoring offences)	47.6	40.9	2.8	38.1	5.3	0.4	4.9	1.4	1.4
Motoring offences	3.2	3.0	0.2	2.8	0.2	0.0	0.2	0.0	0.0
Total	344.0	292.1	32.7	259.4	48.9	4.6	44.3	3.0	3.0
Summary offences									
Summary motoring	485.2	376.7	4.0	372.7	86.3	0.3	86.0	22.2	22.2
Summary non-motoring	489.5	298.4	18.6	279.9	164.5	4.9	159.6	26.6	26.6
Total	974.8	675.1	22.5	652.6	250.8	5.1	245.6	48.9	48.9
All offences⁽²⁾	1,318.7	967.2	55.2	912.0	299.6	9.7	289.9	51.9	51.9

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

(2) May not sum due to rounding.

Table Q4.3 - Conviction ratio⁽¹⁾ by offence group, 12 months ending September 2001 to 12 months ending September 2011⁽²⁾

England and Wales	Percentages											
	Sep 01	Sep 02	Sep 03	Sep 04	Sep 05	Sep 06	Sep 07	Sep 08	Sep 09	Sep 10	Sep 11	
Offence group	12 months ending											
Indictable offences												
Violence against the person	45.6	47.8	47.6	52.3	59.6	63.4	67.7	69.5	67.3	66.4	69.9	
Sexual offences	48.9	50.4	45.7	48.9	50.0	52.8	57.6	60.4	54.7	54.4	60.1	
Burglary	60.0	60.6	61.9	66.7	71.9	74.0	76.5	77.4	74.9	74.7	75.8	
Robbery	45.8	46.9	54.7	57.8	58.5	60.6	60.3	65.8	63.8	62.3	62.9	
Theft and handling stolen goods	77.5	77.7	78.4	81.0	84.0	85.0	86.3	89.0	89.4	89.5	89.6	
Fraud and forgery	70.3	72.0	72.0	74.5	78.5	78.9	80.6	85.8	81.5	79.9	84.7	
Criminal damage	58.0	58.8	60.0	63.9	69.8	72.5	73.9	78.5	78.2	78.4	78.8	
Drug offences	84.9	86.1	87.0	88.0	90.2	90.4	90.5	92.4	92.2	91.8	91.6	
Other (excluding motoring offences)	50.5	50.6	51.0	56.4	60.9	62.2	62.6	63.7	67.4	70.8	73.3	
Motoring offences	73.1	74.6	77.2	78.4	84.5	83.7	88.1	87.4	88.2	88.6	88.6	
Total	64.6	65.3	65.7	68.6	72.7	74.3	76.4	79.5	79.3	79.6	81.3	
Summary offences												
Summary motoring	76.5	75.8	76.9	78.0	79.6	81.3	83.5	84.8	85.5	85.8	86.6	
Summary non-motoring	77.6	78.0	77.8	78.4	79.8	80.7	81.7	83.0	83.5	81.5	81.6	
Total	77.0	76.8	77.3	78.2	79.7	81.0	82.7	83.9	84.6	83.7	84.0	
All offences	73.7	73.6	74.3	76.0	78.1	79.5	81.3	82.9	83.3	82.6	83.3	

(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 [Tables Q5.1 – Q5.9]

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.

There were 1.32 million¹³ offenders sentenced following a criminal conviction in the 12 months ending September 2011, a decrease of 4.1 per cent from the 12 months ending September 2010.

Compared to the previous 12 month period there was:

- a fall of 5.4 per cent in offenders sentenced for summary offences (975,200 in the 12 months ending September 2011); offenders sentenced for indictable offences remained at a similar level (at 342,400).
- an increase of 1.9 per cent in offenders sentenced at the Crown Court (to 102,400 in this period) and a decrease of 4.5 per cent in offenders sentenced at magistrates' courts (1.22 million offenders sentenced).

Sentence outcomes for all offences

Custodial sentences

There were 102,100 persons sentenced to immediate custody in the 12 months ending September 2011, an increase of 1.8 per cent compared to the same period 12 months earlier but a fall of 2.1 per cent since the 12 months ending September 2001. The custody rate¹⁴ of 7.8 per cent in the 12 months ending September 2011 is the highest since the 12 months ending September 2002 (when it was 8.1 per cent). The custody rate was 3.9 per cent at magistrates' courts and 53.8 per cent at the Crown Court.

Of the 102,100 persons sentenced to immediate custody in the 12 months ending September 2011:

- The average custodial sentence length (ACSL¹⁵) was 14.3 months. This was an increase of 0.5 months from the previous 12 month period and an increase of 2.5 months on the same period a decade earlier.
- There were 1,223 indeterminate sentences handed down in this period.
 - This was made up of 864 Indeterminate sentences for Public Protection (IPP's) – down from 959 in the 12 month period ending September 2010, and;
 - The number of life sentences fell from 395 in the 12 months ending September 2010 to 359 in the current 12 month period; this is the lowest figure in the last decade.

¹³ Includes 7,200 known organisations such as companies and public bodies.

¹⁴ Custody rate: proportion of persons convicted and sentenced who are given a custodial sentence.

¹⁵ ACSL excludes life/indeterminate sentences.

- The decrease in indeterminate sentences coincides with an increase in long determinate sentences (10 years or more) of 23 per cent. During the 12 months ending September 2011 there were 621 persons sentenced to 10 years or more the highest number in the last 11 years.
- By the end of September 2011¹⁶, just under 500 people (455) had been sentenced for their part in the August 2011 public disturbances across England and Wales.
 - Of those sentenced 275 (60 per cent) received an immediate custodial sentence.
 - The ACSL for those offenders convicted at the magistrates courts' was 5.4 months compared to 2.5 months for similar offences in 2010.
 - Compared to this the ACSL for those offenders convicted at the Crown Court was 17.9 months. For similar offences in 2010 the ACSL was 11.3 months.
 - As there was no widespread public disorder in 2010 it should be noted that the ACSL for those involved in the public disorder in 2011 cannot be directly compared to similar offences in the previous year.
- There were 47,000 custodial sentences handed down at magistrates' courts and 55,100 at the Crown Court; this was the third consecutive 12 month period where more custodial sentences were given at the Crown Court than at magistrates' courts.
- The custody rates vary by the seriousness of the offence; the custody rate for indictable (including triable-either-way offences) was 24.6 per cent while for summary offences the custody rate was 1.8 per cent – for summary offences this has changed little over the past decade.
- ACSL also varies depending on the seriousness of the offence; the ACSL for indictable offences was 16.8 months whilst for summary motoring offences the figure was 3.1 months and for summary non-motoring offences 2.5 months.
- Of the determinate custodial sentences handed down in the 12 months ending September 2011 there was a rise of 1 per cent in the number of sentences of 1 year or less compared to the previous period – from 69,800 to 70,500. There were also rises in the number of sentences of over 1 year to 4 years – from 23,700 to 24,400, 3 per cent more – and a rise of 9.4 per cent in the number of sentences over 4 years (excluding life and indeterminate sentences).

Suspended Sentence Orders

There were 48,500 Suspended Sentence Orders imposed in the 12 months ending September 2011, an increase of 2.6 per cent from the previous 12 month period. Of these sentences:

¹⁶ Cases brought before the courts by 28th September 2011

- 26,600 persons were given a suspended sentence at the magistrates' courts, an increase of 3.3 per cent on the previous 12 month period. Despite more than half (54.7 per cent) of suspended sentences being given at magistrates' courts they accounted for only 2.2 per cent of sentences handed down at magistrates' courts in the current 12 month period.
- 22,000 suspended sentences were given at the Crown Court, an increase of 1.9 per cent on the 12 months ending September 2010. Of those sentenced at the Crown Court, 21.5 per cent were given a suspended sentence; this was little change from the previous 12 month period.

Community sentences

There were 178,800 community sentences handed down in the 12 months ending September 2011, a 5.5 per cent decrease from 189,200 in the previous 12 month period. The community sentence rate for all ages was 13.6 per cent; this is down slightly from 13.9 per cent in the previous 12 month period but up from 12 per cent in the 12 months ending September 2001.

- There were 135,800 community sentences given to adults in the current period, this was 10.9 per cent of all adults sentenced.
- There were 43,000 community sentences given to juveniles in the current period, this was down by 12.6 per cent on the previous period. Community sentences were given to 65.6 per cent of juveniles sentenced. The majority of juveniles given a community sentence are given either a referral order (43.4 per cent of all juvenile community sentences) or a Youth Rehabilitation Order (YRO) (52.1 per cent of juvenile community sentences).
- Of the community sentences handed down 160,700 were given at a magistrates' court, a fall of 5.8 per cent on the previous period, and 18,000 were handed down at the Crown Court, a fall of 2.9 per cent on the previous period. Of all sentences given at magistrates' courts 13.2 per cent were community sentences. In contrast at the Crown Court 17.6 per cent of all offenders sentenced were given a community sentence.

Fines

Fines continue to be the most common sentence due to the large volumes issued at magistrates' courts for summary offences. In the 12 months ending September 2011 there were 861,700 fines handed down (99.7 per cent of these being issued at magistrates' courts). Of the offenders receiving fines in this period:

- The majority (93.1 per cent) were issued for summary offences.
- There were 59,300 fines issued for indictable offences, a third of which were for drug offences. The fine rate for indictable offences at all courts was 17.3 per cent which is a decrease from 24.2 per cent in the 12 months ending September 2001.

- The mean fine amount was £217 for all offences and the median fine amount was £175. These were similar to the averages in the 12 months ending September 2010 when the mean was £224 and the median £175 but they have risen since the 12 months ending September 2001 when the median fine amount was £100 and the mean £140.

Other sentences

Other sentences comprise absolute and conditional discharges and 'otherwise dealt with'. The latter category deals with a miscellaneous group containing: mental health disposals; ancillary orders (e.g. compensation or confiscation orders); and other procedural disposals. There were 126,500 other sentences handed down in this period. These comprised:

- 86,700 conditional discharges; a decrease of 2.7 per cent from 12 months earlier and a fall of 14.1 per cent since the 12 months ending September 2001.
- 8,200 absolute discharges; this was a fall of 9.8 per cent from the previous period and a fall of 46.3 per cent from the 12 months ending September 2001.
- 31,600 offenders 'otherwise dealt with', a decrease of 2.4 per cent from the previous period.

Sentence outcomes by age band

Adults:

There were 1.24 million adults sentenced in the 12 months ending September 2011; this was a 3.5 per cent fall from the number sentenced in the 12 months to September 2010 and a 1.3 per cent fall from the 12 months to September 2001. Of those adults sentenced:

- Sixty-eight per cent were given a fine; this is down from 69.1 per cent in the 12 months ending September 2010 and is down from 73.1 per cent in the 12 months ending September 2001.
- There were 98,000 immediate custodial sentences imposed, this was 7.9 per cent of all adults sentenced. The custody rate was up by 0.5 percentage points on the previous period.

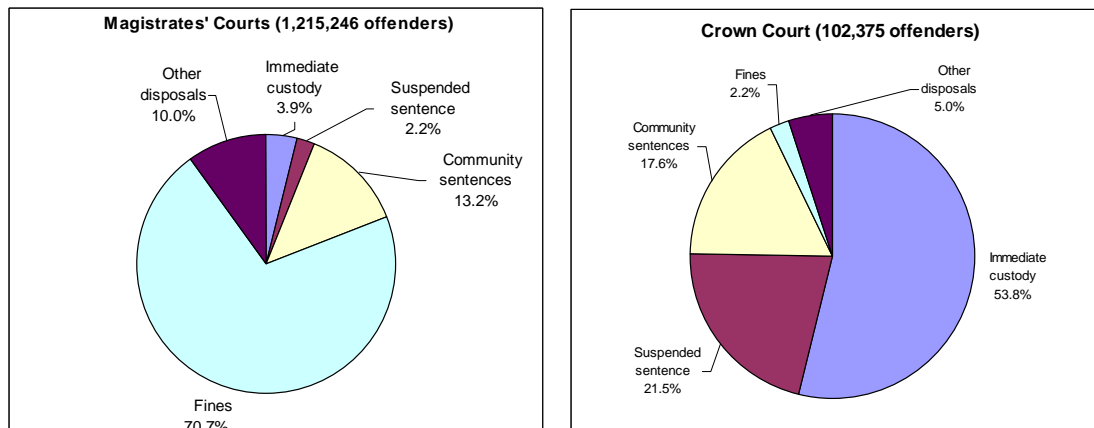
Juveniles:

There were 65,500 juveniles sentenced in the 12 months ending September 2011, this was a decrease of 13.2 per cent on the previous 12 month period and is down by 30.5 per cent on the 12 months ending September 2001. Of those sentenced:

- There were 4,100 custodial sentences handed down, this was 6.2 per cent of all juveniles sentenced. The percentage of juveniles sentenced to immediate custody has fallen from 8.1 per cent in the 12 months ending September 2001.

- There were 5,500 fines handed down, this has fallen by 21.3 per cent on the 12 months ending September 2010 and by 74.6 per cent since the 12 months ending September 2001. Over the same period the fine rate has fallen from 22.8 per cent in the 12 months ending September 2001, to 8.3 per cent in the current period.

Figure 5.1: Sentence outcomes handed down by courts, 12 months ending September 2011



Persons sentenced by ethnicity

Data on the ethnic appearance of offenders is currently only collated for indictable offences. This is because for a number of summary offences a defendant is not required to attend court (e.g. TV license evasion) and an observation regarding ethnicity can therefore not be made. In the 12 months ending September 2011 there were 341,600 persons sentenced for indictable offences of which 309,200 (90.5 per cent) had their ethnicity recorded.

- The immediate custody rate for indictable offences was 24.7 per cent. This varied between ethnicities with: White offenders having a custody rate of 23.9 per cent; Black offenders having a custody rate of 27.4 per cent; and Asian offenders having a custody rate of 29.5 per cent. These differences are likely to be a reflection of the different offences committed and different offender characteristics between ethnicities. For more information see the publication *Race and the Criminal Justice System*¹⁷.
- The community sentence rate also varied by ethnicity. The community sentence rate for all ethnicities sentenced for indictable offences was 30 per cent. This compares to 30.7 per cent for White offenders; 29.2 per cent for Black offenders; 26.1 per cent for Asian offenders; and 20.4 per cent for offenders of other ethnicities.

¹⁷ www.justice.gov.uk/publications/statistics-and-data/criminal-justice/race.htm

Persons sentenced for indictable offences

In the 12 months ending September 2011 there were 341,600 persons sentenced for indictable offences, similar to the 341,500 in the 12 months ending September 2010. Of these persons:

- Over half were sentenced for either theft and handling stolen goods (35.4 per cent) or drug offences (17.8 per cent).
- For theft and handling stolen goods the most common disposal is a community sentence, this disposal was given to 34.9 per cent of persons sentenced in this offence group in the 12 months ending September 2011. For drug offences the most used disposal is a fine, given to 38.5 per cent of offenders sentenced in the 12 months ending September 2011.
- The majority of offenders sentenced for sexual offences are sentenced to immediate custody – 57.3 per cent of all sentences

Figure 5.2: Percentage change in persons sentenced by indictable offence group, 12 months ending September 2010 to 12 months ending September 2011

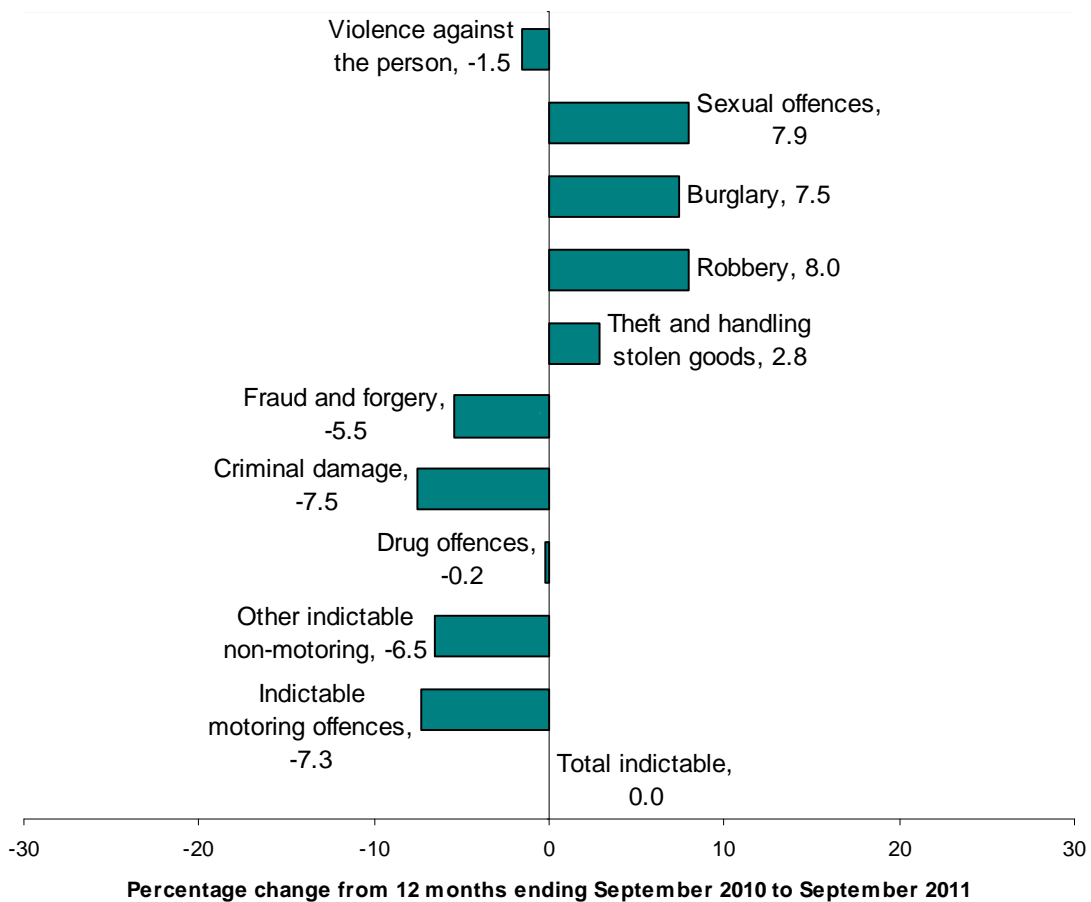


Table Q5.1 Offenders sentenced by offence group and outcome, all courts, 12 months ending September 2011

Offence group	Outcome	12 months ending												Number of offenders
		Sep 2001	Sep 2002	Sep 2003	Sep 2004	Sep 2005	Sep 2006	Sep 2007	Sep 2008 ⁽²⁾	Sep 2009	Sep 2010	Sep 2011		
All indictable offences	Total number sentenced	319,673	332,867	335,143	322,700	305,675	306,356	306,885	314,477	325,773	342,310	342,409		
	<i>Number given:</i>													
	Immediate custody	78,744	85,000	81,125	80,416	77,209	74,820	72,428	78,639	80,007	81,802	84,250		
	Suspended sentence	2,112	2,056	2,057	2,034	3,701	17,361	25,992	28,776	30,192	33,249	34,759		
	Community sentences	100,913	107,666	110,548	110,546	111,107	106,213	103,799	107,920	109,043	107,229	102,489		
	Fines	77,293	77,920	78,610	69,059	59,109	53,662	49,508	48,723	54,922	59,341	59,285		
	Absolute discharge	1,995	2,604	3,151	2,712	2,352	2,351	2,162	2,029	1,664	1,799	1,794		
	Conditional discharge	47,918	46,695	47,771	44,749	40,472	39,129	40,427	40,630	38,906	41,919	41,689		
	Otherwise dealt with	10,698	10,926	11,881	13,184	11,725	13,020	12,569	13,760	11,039	16,971	18,133		
	Average custodial sentence length (months) ⁽¹⁾	14.6	15.2	15.8	15.9	16.2	15.2	15.2	15.2	15.7	16.2	16.4	16.8	
Summary non-motoring offences	Total number sentenced	462,077	467,069	484,510	530,164	512,001	497,565	491,173	490,889	512,728	497,854	489,853		
	<i>Number given:</i>													
	Immediate custody	9,012	9,474	9,317	10,763	11,928	12,511	12,863	14,140	14,824	14,339	14,495		
	Suspended sentence	258	224	243	303	870	5,017	7,127	7,668	8,641	9,509	9,575		
	Community sentences	34,720	39,538	42,791	48,630	56,426	59,469	63,559	65,823	68,040	65,123	61,535		
	Fines	361,372	361,879	372,361	404,664	381,296	360,008	345,748	338,439	368,609	349,799	348,307		
	Absolute discharge	4,502	5,095	5,408	4,320	4,048	3,726	3,624	3,504	2,956	3,010	2,650		
	Conditional discharge	44,178	42,949	44,957	46,683	43,669	42,663	44,495	44,649	41,086	43,992	42,264		
	Otherwise dealt with	8,035	7,909	9,434	14,801	13,764	14,171	13,757	16,666	8,572	12,082	11,027		
	Average custodial sentence length (months) ⁽¹⁾	2.7	2.7	2.7	2.8	2.8	2.8	2.8	2.7	2.7	2.6	2.6	2.5	
Summary motoring offences	Total number sentenced	584,191	590,117	639,456	711,291	678,512	630,807	616,103	566,733	560,251	533,153	485,359		
	<i>Number given:</i>													
	Immediate custody	16,468	17,024	17,187	15,847	13,484	10,750	8,090	6,819	5,519	4,167	3,319		
	Suspended sentence	364	342	381	401	1,510	6,168	6,342	5,289	5,043	4,545	4,213		
	Community sentences	27,259	31,975	38,767	39,442	35,845	29,727	26,351	22,849	20,782	16,807	14,729		
	Fines	514,595	511,843	553,508	625,259	600,442	559,505	552,646	508,415	512,904	496,825	454,113		
	Absolute discharge	8,711	9,791	11,373	8,418	7,131	6,053	5,358	4,777	4,256	4,242	3,717		
	Conditional discharge	8,848	9,033	9,093	9,769	8,645	7,643	6,456	5,125	3,683	3,199	2,788		
	Otherwise dealt with	7,946	10,110	9,147	12,155	11,455	10,961	10,860	13,459	8,064	3,368	2,480		
	Average custodial sentence length (months) ⁽¹⁾	3.4	3.4	3.5	3.5	3.4	3.4	3.3	3.2	3.1	3.1	3.1		
All offences	Total number sentenced	1,365,941	1,390,053	1,459,109	1,564,155	1,496,188	1,434,728	1,414,161	1,372,099	1,398,752	1,373,317	1,317,621		
	<i>Number given:</i>													
	Immediate custody	104,224	111,498	107,629	107,026	102,621	97,881	93,381	99,598	100,350	100,308	102,064		
	Suspended sentence	2,734	2,622	2,681	2,738	6,081	28,546	39,461	41,733	43,876	47,303	48,547		
	Community sentences	162,892	179,179	192,106	198,618	203,378	193,409	193,709	190,592	197,865	189,159	178,763		
	Fines	953,260	951,641	1,004,479	1,098,982	1,040,847	973,175	947,902	895,577	936,435	905,965	861,705		
	Absolute discharge	15,208	17,490	19,932	15,450	13,531	12,130	11,144	10,310	8,876	9,051	8,161		
	Conditional discharge	100,944	98,677	101,821	101,201	92,786	89,435	91,378	90,404	83,675	89,110	86,741		
	Otherwise dealt with	26,679	28,945	30,462	40,140	36,944	38,152	37,186	43,885	27,675	32,421	31,640		
	Average custodial sentence length (months) ⁽¹⁾	11.8	12.4	12.7	12.7	12.9	12.3	12.4	13.0	13.4	13.8	14.3		

(1) Excludes life and indeterminate sentences.

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

Table Q5.2 Offenders sentenced by offence group and outcome, magistrates' courts, 12 months ending September 2011

England and Wales		12 months ending												Number of offenders
		Sep 2001	Sep 2002	Sep 2003	Sep 2004	Sep 2005	Sep 2006	Sep 2007	Sep 2008 ⁽¹⁾	Sep 2009	Sep 2010	Sep 2011		
Offence group	Outcome													
All indictable offences	Total number sentenced	251,526	260,789	262,279	249,935	233,178	233,626	231,920	232,147	238,661	248,443	246,629		
	<i>Number given:</i>													
	Immediate custody	35,411	39,333	37,492	36,458	33,442	32,664	30,452	31,879	30,543	30,966	31,084		
	Suspended sentence	510	518	492	565	1,722	9,449	12,219	11,949	12,208	12,840	13,807		
	Community sentences	82,889	87,905	88,604	88,909	89,714	88,612	90,012	88,341	94,489	90,558	86,327		
	Fines	75,429	76,070	76,548	67,121	57,292	52,066	47,791	47,132	53,347	57,602	57,810		
	Absolute discharge	1,921	2,526	3,090	2,648	2,301	2,295	2,115	1,975	1,602	1,734	1,714		
Conditional discharge	45,993	44,746	45,634	42,516	38,471	37,305	38,569	38,722	36,987	39,677	39,730			
Otherwise dealt with	9,373	9,691	10,419	11,718	10,236	11,235	10,762	12,149	9,485	15,066	16,157			
Average custodial sentence length (months)		3.0	3.0	3.0	3.0	2.9	2.9	2.9	2.8	2.6	2.5	2.5		
Summary non-motoring offences	Total number sentenced	459,672	464,622	482,078	527,517	509,236	494,491	487,556	486,864	508,220	492,148	484,154		
	<i>Number given:</i>													
	Immediate custody	8,483	8,914	8,819	10,204	11,264	11,812	12,003	13,051	13,538	12,933	12,823		
	Suspended sentence	235	207	229	290	850	4,833	6,778	7,236	7,967	8,514	8,705		
	Community sentences	33,826	38,582	41,878	47,699	55,344	58,431	62,482	64,586	66,767	63,374	59,830		
	Fines	361,039	361,532	371,988	404,279	380,960	359,670	345,310	338,072	368,234	349,357	347,859		
	Absolute discharge	4,493	5,092	5,402	4,315	4,043	3,717	3,613	3,498	2,943	2,994	2,636		
Conditional discharge	43,637	42,456	44,467	46,086	43,211	42,129	43,914	44,032	40,473	43,194	41,531			
Otherwise dealt with	7,959	7,838	9,296	14,644	13,564	13,899	13,456	16,389	8,298	11,782	10,770			
Average custodial sentence length (months)		2.7	2.7	2.6	2.7	2.8	2.7	2.7	2.6	2.6	2.5	2.5		
Summary motoring offences	Total number sentenced	583,424	589,317	638,662	710,511	677,743	630,116	615,199	565,669	559,337	532,215	484,463		
	<i>Number given:</i>													
	Immediate custody	16,187	16,722	16,912	15,584	13,246	10,542	7,881	6,567	5,287	3,942	3,085		
	Suspended sentence	360	341	374	399	1,503	6,123	6,260	5,177	4,945	4,379	4,065		
	Community sentences	27,056	31,750	38,509	39,205	35,624	29,574	26,207	22,704	20,621	16,668	14,582		
	Fines	514,375	511,636	553,305	625,017	600,218	559,296	552,348	508,026	512,591	496,514	453,833		
	Absolute discharge	8,709	9,791	11,372	8,417	7,128	6,053	5,357	4,777	4,254	4,242	3,713		
Conditional discharge	8,834	9,016	9,073	9,750	8,628	7,630	6,425	5,094	3,658	3,174	2,767			
Otherwise dealt with	7,903	10,062	9,117	12,139	11,396	10,898	10,721	13,324	7,981	3,296	2,418			
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			
All offences	Total number sentenced	1,294,622	1,314,728	1,383,019	1,487,963	1,420,157	1,358,233	1,334,675	1,284,680	1,306,218	1,272,806	1,215,246		
	<i>Number given:</i>													
	Immediate custody	60,081	64,969	63,223	62,246	57,952	55,018	50,336	51,497	49,368	47,841	46,992		
	Suspended sentence	1,105	1,066	1,095	1,254	4,075	20,405	25,257	24,362	25,120	25,733	26,577		
	Community sentences	143,771	158,237	168,991	175,813	180,682	176,617	178,701	175,631	181,877	170,600	160,739		
	Fines	950,843	949,237	1,001,841	1,096,417	1,038,470	971,032	945,449	893,230	934,172	903,473	859,502		
	Absolute discharge	15,123	17,409	19,864	15,380	13,472	12,065	11,085	10,250	8,799	8,970	8,063		
Conditional discharge	98,464	96,218	99,174	98,352	90,310	87,064	88,908	87,848	81,118	86,045	84,028			
Otherwise dealt with	25,235	27,591	28,832	38,501	35,196	36,032	34,939	41,862	25,764	30,144	29,345			
Average custodial sentence length (months)		3.1	3.1	3.1	3.1	3.0	3.0	2.9	2.8	2.7	2.6			

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

Table Q5.4 Offenders and persons sentenced by outcome and rate, 12 months ending September 2001 to 12 months ending September 2011

England and Wales	Number of offenders/persons and rates										
	12 months ending										
	Sep 2001	Sep 2002	Sep 2003	Sep 2004	Sep 2005	Sep 2006	Sep 2007	Sep 2008 ⁽²⁾	Sep 2009	Sep 2010	Sep 2011
Total persons sentenced	1,355,850	1,380,860	1,449,430	1,553,311	1,486,783	1,426,725	1,406,484	1,364,122	1,390,057	1,365,372	1,310,378
Males	1,109,769	1,131,743	1,191,103	1,273,555	1,203,529	1,148,519	1,120,251	1,064,594	1,043,501	1,021,706	966,384
Females	246,081	249,117	258,327	279,756	283,254	278,206	286,233	285,153	310,804	307,718	299,561
Not Stated	*	*	*	*	*	*	*	14,375	35,752	35,948	44,433
Total offenders sentenced of which: Others	1,365,941	1,390,053	1,459,109	1,564,155	1,496,188	1,434,728	1,414,161	1,372,099	1,398,752	1,373,317	1,317,621
	10,091	9,193	9,679	10,844	9,405	8,003	7,677	7,977	8,695	7,945	7,243
Sentence											
Immediate custody Rate ⁽¹⁾	104,224 7.7	111,498 8.1	107,629 7.4	107,026 6.9	102,621 6.9	97,881 6.9	93,381 6.6	99,598 7.3	100,350 7.2	100,308 7.3	102,064 7.8
Suspended sentence Rate ⁽¹⁾	2,734 0.2	2,622 0.2	2,681 0.2	2,738 0.2	6,081 0.4	28,546 2.0	39,461 2.8	41,733 3.1	43,876 3.2	47,303 3.5	48,547 3.7
Community sentences Rate ⁽¹⁾	162,892 12.0	179,179 13.0	192,106 13.3	198,618 12.8	203,378 13.7	195,409 13.7	193,709 13.8	190,592 14.0	197,865 14.2	189,159 13.9	178,763 13.6
Fine Rate	953,260 69.8	951,641 68.5	1,004,479 68.8	1,098,982 70.3	1,040,847 69.6	973,175 67.8	947,902 67.0	895,577 65.3	936,435 66.9	905,965 66.0	861,705 65.4
Absolute discharge Rate	15,208 1.1	17,490 1.3	19,932 1.4	15,450 1.0	13,531 0.9	12,130 0.8	11,144 0.8	10,310 0.8	8,876 0.6	9,051 0.7	8,161 0.6
Conditional discharge Rate	100,944 7.4	98,677 7.1	101,821 7.0	101,201 6.5	92,786 6.2	89,435 6.2	91,378 6.5	90,404 6.6	83,675 6.0	89,110 6.5	86,741 6.6
Otherwise dealt with Rate	26,679 2.0	28,945 2.1	30,462 2.1	40,140 2.6	36,944 2.5	38,152 2.7	37,186 2.6	43,885 3.2	27,675 2.0	32,421 2.4	31,640 2.4

(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, 12 months ending September 2001 to 12 months ending September 2011

Offence group	12 months ending												Persons sentenced
	England and Wales												
	Sep 2001	Sep 2002	Sep 2003	Sep 2004	Sep 2005	Sep 2006	Sep 2007	Sep 2008 ⁽²⁾	Sep 2009	Sep 2010	Sep 2011		
Violence against the person	11,253	11,718	11,324	12,190	12,842	12,491	12,325	13,109	14,053	14,040	14,087		
Sexual offences	2,392	2,560	2,457	2,770	2,777	2,766	2,802	2,954	2,913	3,220	3,460		
Burglary	12,494	13,281	12,028	11,236	9,846	9,196	9,266	9,711	10,035	10,118	11,559		
Robbery	4,712	5,573	5,473	5,012	4,576	4,709	4,713	5,031	5,240	4,879	5,372		
Theft and handling stolen goods	25,268	28,259	25,894	23,427	20,817	19,954	18,999	21,124	20,260	21,396	22,519		
Fraud and forgery	3,803	3,719	3,833	4,240	4,297	4,546	4,938	5,738	5,423	4,945	4,383		
Criminal damage	1,158	1,202	1,190	1,239	1,303	1,329	1,323	1,200	1,051	1,110	1,107		
Drug offences	8,276	8,394	8,169	7,964	7,924	7,608	7,759	9,363	9,259	9,844	9,554		
Other (excl motoring offences)	7,541	8,143	8,414	10,045	10,714	10,216	8,747	8,968	10,436	11,075	11,104		
Indictable motoring offences	1,847	2,151	2,343	2,293	2,113	1,805	1,556	1,441	1,337	1,175	1,105		
All indictable offences	78,744	85,000	81,125	80,416	77,209	74,620	72,428	78,639	80,007	81,802	84,250		
Summary non-motoring offences	9,012	9,474	9,317	10,763	11,928	12,511	12,863	14,140	14,824	14,339	14,495		
Summary motoring offences	16,468	17,024	17,187	15,847	13,484	10,750	8,090	6,819	5,519	4,167	3,319		
All summary offences	25,480	26,498	26,504	26,610	25,412	23,261	20,953	20,959	20,343	18,506	17,814		
All offences	104,224	111,498	107,629	107,026	102,621	97,881	93,381	99,598	100,350	100,308	102,064		

Offence group	12 months ending												Average custodial sentence length ⁽¹⁾
	England and Wales												
	Sep 2001	Sep 2002	Sep 2003	Sep 2004	Sep 2005	Sep 2006	Sep 2007	Sep 2008 ⁽²⁾	Sep 2009	Sep 2010	Sep 2011		
Violence against the person	16.6	17.5	18.5	18.7	18.4	17.0	16.9	16.8	17.6	18.2	17.9		
Sexual offences	38.0	39.5	39.7	39.6	41.8	41.1	42.6	43.5	47.1	48.4	53.1		
Burglary	16.4	17.2	17.3	17.3	17.7	17.1	16.8	17.3	18.1	18.7	18.9		
Robbery	35.4	38.0	39.7	38.5	35.9	32.8	30.6	33.1	33.1	34.1	35.8		
Theft and handling stolen goods	4.2	4.1	4.2	4.3	4.4	4.3	4.2	3.9	4.2	4.2	4.2		
Fraud and forgery	8.5	8.5	8.6	8.7	10.5	10.5	10.4	10.5	10.6	10.8	12.2		
Criminal damage	15.9	16.5	16.5	15.7	16.8	12.5	12.6	14.5	17.8	18.0	18.9		
Drug offences	32.0	34.1	35.4	36.7	36.0	34.4	32.4	32.7	31.9	31.4	30.6		
Other (excl motoring offences)	9.1	9.9	9.7	8.8	9.5	8.7	9.6	10.5	10.1	9.6	10.1		
Indictable motoring offences	8.0	8.3	8.2	8.8	8.7	8.7	9.0	9.3	9.3	9.4	9.6		
All indictable offences	14.6	15.2	15.8	15.9	16.2	15.2	15.2	15.7	16.2	16.4	16.8		
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		
All summary offences	3.2	3.2	3.2	3.2	3.1	3.1	3.0	2.9	2.8	2.7	2.6		
All offences	11.8	12.4	12.7	12.7	12.9	12.3	12.4	13.0	13.4	13.8	14.3		

(1) Excludes life and indeterminate sentences.

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

Table Q5.6 Persons sentenced to immediate custody at all courts by length of sentence and average custodial sentence length, 12 months ending September 2011 to 12 months ending September 2011

	12 months ending												Number of persons		
	Sep 2001	Sep 2002	Sep 2003	Sep 2004	Sep 2005	Sep 2006	Sep 2007	Sep 2008 ⁽¹⁾	Sep 2009	Sep 2010	Sep 2011				
England and Wales															
Persons given immediate custody and sentence length															
All offences															
Total persons sentenced	1,355,850	1,380,860	1,449,430	1,553,311	1,486,783	1,426,725	1,406,484	1,364,122	1,390,057	1,365,372	1,310,378				
Number given immediate custody	104,224	111,498	107,629	107,026	102,621	97,881	93,381	99,598	100,350	100,308	102,064				
<i>Percentage given immediate custody (%)</i>	7.7	8.1	7.4	6.9	6.9	6.9	6.6	7.3	7.2	7.3	7.8				
Up to and including 3 months	39,839	42,819	40,860	40,103	37,448	35,734	33,438	36,095	36,484	36,875	37,704				
Over 3 months and up to and including 6 months	28,540	29,457	29,174	29,045	27,121	25,220	22,902	22,914	21,463	20,197	19,804				
Over 6 months and less than 12 months	5,684	5,743	5,372	5,556	5,889	5,751	5,898	6,800	7,169	7,126	7,218				
12 months	5,494	5,676	5,294	5,203	5,416	5,322	5,412	5,578	5,783	5,650	5,792				
Over 12 months and up to and including 18 months	6,464	6,999	6,487	6,472	6,377	6,204	6,206	6,601	7,142	7,403	7,666				
Over 18 months and up to and including 3 years	10,105	11,116	10,638	10,604	10,653	10,327	10,375	11,198	11,866	12,470	12,698				
Over 3 years and less than 4 years	1,507	1,933	1,866	2,040	1,870	1,568	1,440	1,568	1,775	1,912	2,000				
4 years	1,894	2,185	2,136	2,201	1,896	1,575	1,558	1,850	1,935	1,950	2,082				
Over 4 years and up to and including 5 years	1,686	2,026	2,090	2,185	2,013	1,678	1,626	1,907	1,995	2,016	2,128				
Over 5 years and up to and including 10 years	2,253	2,595	2,763	2,706	2,816	2,278	2,058	2,503	2,686	2,850	3,128				
Over 10 years and less than life	299	379	428	374	374	330	296	399	451	505	621				
Indeterminate sentence ⁽¹⁾	:	:	:	:	147	1,283	1,687	1,691	1,132	959	864				
Life	459	570	521	537	601	611	485	494	469	395	359				
Average custodial sentence length (months) ⁽²⁾	11.8	12.4	12.7	12.7	12.9	12.3	12.4	13.0	13.4	13.8	14.3				
Indictable offences															
Total persons sentenced	318,344	331,615	333,828	321,374	304,593	305,304	305,807	313,500	324,957	341,509	341,644				
Number given immediate custody	78,744	85,000	81,125	80,416	77,209	74,620	72,428	78,639	80,007	81,802	84,250				
<i>Percentage given immediate custody (%)</i>	24.7	25.6	24.3	25.0	25.3	24.4	23.7	25.1	24.6	24.0	24.7				
Up to and including 3 months	25,649	28,264	26,590	25,863	23,840	23,080	21,672	23,745	23,870	25,056	26,119				
Over 3 months and up to and including 6 months	17,258	17,519	16,946	16,678	15,321	14,629	13,721	14,314	13,764	13,554	13,590				
Over 6 months and less than 12 months	5,679	5,739	5,368	5,554	5,886	5,749	5,895	6,794	7,154	7,100	7,211				
12 months	5,492	5,675	5,293	5,202	5,415	5,318	5,410	5,576	5,774	5,640	5,789				
Over 12 months and up to and including 18 months	6,463	6,999	6,486	6,472	6,377	6,201	6,206	6,600	7,137	7,398	7,664				
Over 18 months and up to and including 3 years	10,105	11,116	10,638	10,604	10,653	10,322	10,375	11,198	11,865	12,467	12,695				
Over 3 years and less than 4 years	1,507	1,933	1,866	2,040	1,870	1,567	1,440	1,568	1,775	1,912	2,000				
4 years	1,894	2,185	2,136	2,201	1,896	1,575	1,558	1,850	1,935	1,950	2,082				
Over 4 years and up to and including 5 years	1,686	2,026	2,090	2,185	2,013	1,678	1,626	1,907	1,995	2,016	2,128				
Over 5 years and up to and including 10 years	2,253	2,595	2,763	2,706	2,816	2,277	2,058	2,503	2,686	2,850	3,128				
Over 10 years and less than life	299	379	428	374	374	330	296	399	451	505	621				
Indeterminate sentence ⁽¹⁾	:	:	:	:	147	1,283	1,687	1,691	1,132	959	864				
Life	459	570	521	537	601	611	485	494	469	395	359				
Average custodial sentence length (months) ⁽²⁾	14.6	15.2	15.8	15.9	16.2	15.2	15.2	15.7	16.2	16.4	16.8				

(1) Sentences of imprisonment for public protection introduced by the Criminal Justice Act 2003 on 4 April 2005.
(2) Excludes life and indeterminate sentences.
(3) Excludes data for Cardiff magistrates' court for April, July and August 2008.

Table Q5.7 Juveniles sentenced for all offences by type of sentence (detailed), 12 months ending September 2001 to 12 months ending September 2011

Sentence	12 months ending										Persons sentenced		
	Sep 2001	Sep 2002	Sep 2003	Sep 2004	Sep 2005	Sep 2006	Sep 2007	Sep 2008 ⁽⁴⁾	Sep 2009	Sep 2010	Sep 2011		
Immediate custodial sentences													
S90-92 PCC(S) Act 2000	529	703	537	522	512	448	408	457	439	418	382	*	
Secure training order	0	*	*	*	*	*	*	*	*	*	*	*	
Detention and training order	7,087	6,818	5,877	5,722	5,643	5,510	5,325	5,006	4,707	3,837	3,622	*	
Young offender institution	-	1	2	8	-	-	-	-	-	-	-	-	
Extended sentence for public protection	*	*	*	*	39	114	97	77	15	11	28	*	
Indeterminate sentence for public protection (IPP)	*	*	*	*	9	46	64	70	38	36	27	*	
Total immediate custody	7,616	7,522	6,416	6,252	6,203	6,118	5,894	5,610	5,199	4,302	4,059		
Community sentences													
Community rehabilitation order	2,394	2,377	2,280	2,160	1,915	1,594	1,832	1,771	1,614	733	55	*	
Supervision order	10,709	10,840	9,905	10,129	10,366	11,000	12,118	10,094	8,573	3,409	85	*	
Community punishment order	4,517	3,556	2,829	2,624	2,531	1,965	1,865	1,797	1,661	599	13	*	
Attendance centre order	5,146	4,060	2,804	2,806	2,788	2,789	3,060	2,833	2,431	825	105	*	
Community punishment and rehabilitation order	1,841	1,680	1,533	1,329	1,302	1,159	1,327	1,322	1,566	757	23	*	
Curfew order	1,001	2,138	2,687	3,761	4,207	4,150	4,553	5,115	5,991	2,546	401	*	
Reparation order	7,719	6,129	3,174	3,070	3,153	3,646	3,970	4,122	3,707	2,819	1,251	*	
Action plan order	8,577	7,121	4,441	4,386	4,710	4,934	4,953	4,140	3,651	897	14	*	
Drug treatment and testing order	44	73	71	55	43	11	11	5	3	-	-	*	
Referral order ⁽¹⁾	*	12,955	25,682	25,683	28,830	30,010	32,144	29,955	28,571	26,535	22,367	*	
Community order ⁽²⁾	*	*	*	*	*	*	*	*	*	*	*	*	
Youth Rehabilitation order	*	*	*	*	*	*	*	*	*	*	*	*	
Total community sentences	41,948	50,929	55,406	56,003	59,845	61,258	65,833	61,154	57,768	49,178	42,961		
Other sentences													
Absolute or conditional discharge	17,897	14,781	14,248	12,978	12,116	11,845	12,059	11,211	10,296	10,072	9,097	*	
Fine	21,486	17,603	12,418	16,178	14,397	12,197	10,612	9,495	8,216	6,928	5,454	*	
Suspended sentence ⁽³⁾	-	-	-	-	1	2	1	-	-	-	-	-	
Otherwise dealt with	5,333	4,115	3,737	4,572	3,402	2,875	2,929	2,856	2,523	4,985	3,922	*	
Total other sentences	44,716	36,499	30,403	33,728	29,916	26,919	25,601	23,562	21,035	21,985	18,473		
Total sentenced	94,280	94,950	92,225	95,983	95,964	94,295	97,328	90,326	84,002	75,465	65,493		

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

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

(3) Suspended sentences are not available for juveniles.

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

Table Q5.8 Adults sentenced for all offences by type of sentence (detailed), 12 months ending September 2001 to 12 months ending September 2011

Sentence	12 months ending											Persons sentenced	
	Sep 2001	Sep 2002	Sep 2003	Sep 2004	Sep 2005	Sep 2006	Sep 2007	Sep 2008 ⁽⁴⁾	Sep 2009	Sep 2010	Sep 2011		
Immediate custodial sentences													
S90-92 PCC(S) Act 2000	-	-	7	6	10	14	7	10	17	9	6		
Young offender institution	17,812	17,775	15,622	14,798	14,264	13,664	13,552	13,471	13,734	13,391	11,698		
Unsuspected imprisonment	78,745	85,912	84,816	84,754	80,501	75,379	71,189	78,159	79,945	81,227	84,903		
Extended sentence of imprisonment (EPP)	51	289	768	1,141	1,321	1,361	1,108	727	361	456	561		
Indeterminate sentence for public protection (IPP)	*	*	*	*	138	1,237	1,623	1,621	1,094	923	837		
Intermittent custody	*	*	*	75	184	108	8	-	-	-	-		
Total immediate custody	96,608	103,976	101,213	100,774	96,418	91,763	87,487	93,988	95,151	96,006	98,005		
Community sentences													
Community rehabilitation order	54,909	60,111	62,004	58,854	43,455	4,451	552	224	195	146	38		
Community punishment order	45,394	46,520	47,894	50,319	41,363	6,857	842	402	227	122	20		
Attendance centre order	618	494	509	639	588	357	296	220	197	198	97		
Community punishment and rehabilitation order	14,240	12,875	13,775	14,385	12,289	1,867	326	167	154	122	5		
Curfew order	2,495	3,259	6,004	10,284	9,669	2,911	1,880	1,590	1,351	804	634		
Drug treatment and testing order	3,288	4,991	6,470	8,115	7,385	693	48	7	-	1	1		
Referral order ⁽¹⁾	*	*	44	19	-	-	-	-	-	-	-		
Community order ⁽²⁾	*	*	*	*	28,784	117,015	123,932	126,828	137,973	138,588	135,007		
Total community sentences	120,944	128,250	136,700	142,615	143,533	134,151	127,876	129,438	140,097	139,981	135,802		
Other sentences													
Absolute or conditional discharge	97,959	101,134	107,239	103,445	93,967	89,497	90,334	89,387	82,094	87,980	85,718		
Fine	922,027	925,166	982,811	1,072,434	1,017,375	953,260	929,851	878,396	919,829	891,226	849,118		
Suspended sentence ⁽³⁾	2,734	2,622	2,681	2,738	6,080	28,544	39,460	41,733	43,876	47,303	48,547		
Otherwise dealt with	21,298	24,762	26,561	35,322	33,446	35,215	34,148	40,854	25,008	27,411	27,695		
Total other sentences	1,044,018	1,053,683	1,119,292	1,213,939	1,150,868	1,106,516	1,093,793	1,050,370	1,070,807	1,053,920	1,011,078		
Total sentenced	1,261,570	1,285,909	1,357,204	1,457,328	1,390,819	1,332,430	1,309,156	1,273,796	1,306,055	1,289,907	1,244,885		

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

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

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

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

Table Q5.9 Persons⁽¹⁾ sentenced at all courts for indictable offences by ethnicity and result, 12 months ending September 2011

England and Wales	Offence type / group	Ethnicity					
		Total	White	Black	Asian	Other	Unknown
Indictable offences							
	Absolute discharge	1,788	1,392	135	65	17	179
	Conditional discharge	41,676	33,165	2,830	1,345	487	3,849
	Fine	58,551	42,381	5,943	3,123	608	6,496
	Community sentence	102,499	78,562	9,236	4,273	1,136	9,292
	Suspended sentence	34,759	25,980	2,700	1,771	728	3,580
	Immediate custody	84,250	61,155	8,661	4,831	2,315	7,288
	Otherwise dealt with	18,121	13,000	2,139	941	284	1,757
	Total	341,644	255,635	31,644	16,349	5,575	32,441

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

Offences

[Tables Q6.1 – Q6.4]

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 often deal with defendants charged with more than one offence.

Cautions (all offence basis)

In the 12 months ending September 2011, there were 255,600 cautions issued to 230,700 people for all offences. This represents a decrease of 7.7 per cent from the 12 months ending September 2010. This decrease continues the downward trend observed from the 12 months ending September 2007 when cautions peaked at 401,300.

Of all cautions administered in the 12 months ending September 2011:

- Cautions given for drug related offences rose 1.8 percentage points from 15.8 per cent in the 12 months ending September 2010 to 17.6 per cent.
- Theft and handling of stolen goods fell 1.1 percentage points from 20.4 per cent in the 12 months ending September 2010 to 19.2 per cent.
- Summary non-motoring offences now accounts for 46 per cent of all cautions administered. This is 9.3 percentage points greater than the 12 months ending September 2001

Convictions (all offence basis)

There were 1.83 million convictions on an all offence basis involving 1.32 million offenders in the 12 months ending September 2011, a fall of 5.4 per cent from the 12 months ending September 2010.

Of all convictions in the 12 months ending September 2011:

- Indictable offences accounted for 31.4 per cent of convictions, up 1.1 percentage points on the 12 months ending September 2010, representing the highest proportion of convictions for indictable offences across the eleven year period.
- Summary non-motoring offences showed an eleven year high of 32.9 per cent of all convictions, a rise of 7.8 percentage points compared with the 12 months ending September 2001.
- Summary motoring offences accounted for 35.7 per cent of all offences, the lowest proportion in the last eleven years. There has been a decrease of 2.3 per cent compared to the 12 months ending September 2010 and 14.1 per cent since the 12 months ending September 2001.

Offences per offender

The number of offences per offender remained stable across all offence groups compared to the previous 12 month period, with a total of 1.3 offences per offender in the 12 months ending September 2011. The offence groups with the highest number of offences per offender were:

- 3.3 offences per offender for sexual offences;
- 2.5 offences per offender for fraud & forgery, and;
- 2.4 other indictable offences (excluding motoring offences).

Indictable motoring offences have shown the largest fall across the eleven year period, falling from 3.2 offences per offender in the 12 months ending September 2001 to just 1.3 offences in the 12 months ending September 2011.

Offences Brought to Justice

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'¹⁸ 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. The number of OBTJ is in part affected by the number of recorded crimes in an area. If recorded crime in an area falls there will be fewer offences which can potentially be brought to justice.

In the 12 months ending September 2011, there were 1.21 million offences brought to justice, a decrease of 5 per cent compared to the previous 12 month period. Recorded crime totals for the same period fell by 4 per cent.

Of the total Offences Brought to Justice in the 12 months ending September 2011:

- Cautions and convictions made up the 81 per cent of OBTJ, convictions accounted for nearly two-thirds of all OBTJ (61.2 per cent or 744,000) and cautions made up a fifth (19.7 per cent or 239,000);
- Since their introduction in April 2004 formal warnings for cannabis possession peaked in the 12 months ending September 2008 with 104,000 warnings administered before falling consistently to current levels of 78,000 in the 12 months ending September 2011. This represents a 24.8 per cent decrease on the 2008 peak.
- Offences taken into consideration fell by 4.1 per cent on the previous 12 months, to an eleven year low of 72,000.
- Drug offences brought to justice have more than doubled from 115,000 in the 12 months ending September 2001 to 238,000 in the 12 months ending September 2011.

¹⁸ Notifiable offences are those crimes which are recorded by the police and notified to the Home Office as part of their regular statistical returns.

- The majority of OBTJs were given for:
 - Violence against the person – 28.7 per cent;
 - Theft and Handling of stolen goods – 24.3 per cent, and;
 - Drug offences – 19.6 per cent.

- Compared to the 12 months ending September 2010 the percentage of OBTJs for each offence type has remained stable, with annual differences of less than one percentage point. The largest difference was a 1.1 percentage point increase for drug offences.

Table 6.1 - Cautions administered by offence group, 12 months ending September 2001 to 12 months ending September 2011 ⁽¹⁾⁽²⁾⁽³⁾⁽⁴⁾⁽⁵⁾

England and Wales	Number of offences (thousands)											
	12 months ending											
	Sep-01	Sep-02	Sep-03	Sep-04	Sep-05	Sep-06	Sep-07	Sep-08	Sep-09	Sep-10	Sep-11	
Violence against the person	20.4	23.1	28.9	36.1	48.8	59.5	56.3	44.2	30.1	23.7	19.5	
Sexual offences	1.4	1.3	1.4	1.6	1.9	2.1	2.1	1.9	1.7	1.5	1.6	
Burglary	7.1	6.3	6.0	6.0	6.9	8.1	7.9	6.3	5.0	3.9	3.9	
Robbery	0.5	0.5	0.5	0.4	0.6	0.7	0.7	0.5	0.2	0.2	0.3	
Theft and handling stolen goods	74.3	64.5	59.8	68.3	75.5	80.8	85.1	74.1	71.9	56.5	49.2	
Fraud and forgery	7.1	6.5	6.7	7.0	7.8	9.2	9.7	9.4	8.2	7.1	6.1	
Criminal damage	3.9	3.6	3.8	5.4	7.2	9.6	9.9	9.0	7.2	5.6	5.2	
Drug offences	40.5	44.7	47.0	38.5	35.3	39.2	44.0	49.4	47.5	43.8	44.9	
Other indictable offences	4.5	4.7	5.3	6.2	6.9	9.3	10.7	9.5	8.6	7.5	7.0	
Summary non-motoring offences	93.0	89.8	94.3	108.2	121.0	152.8	174.8	165.8	149.0	127.2	117.9	
All offences ⁽⁶⁾	252.6	245.1	253.6	277.9	311.9	371.3	401.3	370.1	329.5	276.9	255.6	

(1) Excluding all motoring offences.

(2) Includes reprimands and final warnings for juveniles.

(3) On an all offence basis.

(4) All cautions data from April 2011 have been sourced from the Police National Computer.

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

(6) May not sum due to rounding.

Table 6.2 - Convictions by offence group, 12 months ending September 2001 to 12 months ending September 2011⁽¹⁾⁽²⁾

England and Wales	Number of offences (thousands)										
	12 months ending										
Offence group	Sep-01	Sep-02	Sep-03	Sep-04	Sep-05	Sep-06	Sep-07	Sep-08	Sep-09	Sep-10	Sep-11
Violence against the person	46.4	49.6	51.4	52.9	53.8	55.7	55.1	53.7	57.3	58.8	58.3
Sexual offences	11.2	13.0	12.1	13.6	14.3	14.7	15.5	15.7	16.5	17.8	19.7
Burglary	34.2	36.9	35.9	34.3	31.7	30.9	32.2	31.7	31.7	31.1	32.0
Robbery	9.7	11.5	11.8	11.5	11.0	11.8	13.1	12.8	13.0	12.2	12.5
Theft and handling stolen goods	192.4	197.5	190.0	177.9	163.7	158.8	160.0	168.4	178.8	176.3	176.5
Fraud and forgery	45.2	44.7	43.6	44.9	43.9	42.8	40.3	44.5	51.1	53.4	49.8
Criminal damage	16.6	17.8	18.2	19.4	19.3	21.1	20.7	16.1	12.8	12.0	10.9
Drug offences	72.9	78.2	85.0	73.9	68.2	70.9	71.7	84.6	89.1	96.7	96.1
Other indictable offences	112.4	126.2	139.1	144.3	134.0	125.2	120.6	117.1	119.7	124.2	116.2
Indictable motoring offences	13.1	13.3	14.1	13.5	10.5	9.4	8.0	7.8	5.1	4.4	4.1
Summary non-motoring offences	556.5	566.7	593.8	646.8	627.5	610.6	605.4	607.3	634.1	613.9	602.3
Summary motoring offences	1,102.9	1,150.0	1,243.7	1,350.2	1,234.8	1,105.7	972.7	843.8	803.7	735.9	654.6
All offences⁽³⁾	2,213.6	2,305.5	2,438.7	2,583.0	2,412.6	2,257.6	2,115.3	2,003.7	2,012.9	1,936.6	1,832.9

(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, 12 months ending September 2001 to 12 months ending September 2011 ⁽¹⁾

12 months ending	England and Wales							Recorded crimes ⁽⁷⁾
	Offences brought to justice (OBT.J)							
	Offences taken into consideration ⁽²⁾	Penalty notices for disorder ⁽³⁾	Formal warnings for cannabis possession ⁽⁴⁾	Cautions ⁽⁵⁾⁽⁶⁾	Convictions	Total OBTJs		
September 01	84.4	*	*	230.2	674.8	989.4	5,298.3	
September 02	97.9	*	*	224.3	702.1	1,024.7	5,787.3	
September 03	96.9	3.1	*	231.3	719.5	1,050.8	5,931.9	
September 04	102.4	15.7	10.6	258.3	713.0	1,100.0	5,751.6	
September 05	112.8	85.0	42.6	297.1	695.6	1,233.0	5,503.0	
September 06	120.6	131.8	73.1	358.0	698.2	1,381.7	5,414.3	
September 07	113.2	150.5	92.1	387.9	709.5	1,453.3	5,139.4	
September 08 ⁽⁸⁾	105.2	121.9	104.3	355.4	729.5	1,416.3	4,771.0	
September 09	91.6	115.3	95.1	316.0	755.1	1,373.1	4,492.4	
September 10	75.0	95.6	82.3	259.8	762.1	1,274.9	4,164.4	
September 11	72.0	81.1	78.4	239.5	743.6	1,214.6	3,996.3	

(1) Excludes British Transport Police.

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

(6) From December 2010 cautions data for Dyfed Powys 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. Finalised National Statistics will be published by the Home Office in July 2012 by financial year.

Table 6.4 - Number of offences brought to justice (notifiable) by offence group, 12 months ending September 2001 to 12 months ending September 2011⁽¹⁾⁽²⁾⁽³⁾⁽⁴⁾⁽⁵⁾

England and Wales	Number of offences (thousands)											
	12 months ending											
	Sep-01	Sep-02	Sep-03	Sep-04	Sep-05	Sep-06	Sep-07	Sep-08	Sep-09	Sep-10	Sep-11	
Violence against the person	213.2	225.2	249.2	291.7	375.0	442.0	470.8	432.9	400.0	368.7	348.9	
Sexual offences	13.8	16.0	15.1	15.9	16.1	16.8	17.0	16.8	17.1	18.0	19.3	
Burglary	71.2	80.6	79.2	74.8	72.4	77.2	75.0	72.9	68.0	62.8	63.0	
Robbery	11.5	13.5	13.6	12.9	12.7	14.0	15.2	14.3	13.9	13.0	13.5	
Theft and handling stolen goods	349.5	347.8	332.5	344.5	339.8	362.7	377.0	360.6	361.8	323.0	295.6	
Fraud and forgery	80.5	77.9	75.2	74.1	75.9	67.9	60.5	64.6	66.1	64.4	59.4	
Criminal damage	93.9	94.2	99.1	113.2	131.6	153.5	164.0	144.8	128.5	107.4	98.2	
Drug offences	115.0	124.8	131.3	116.0	147.3	184.3	208.9	239.3	239.7	235.8	237.7	
Other offences	40.8	44.5	55.5	56.9	62.2	63.5	64.9	70.0	78.0	81.9	79.1	
All offences⁽⁶⁾	989.4	1,024.7	1,050.8	1,100.0	1,233.0	1,381.7	1,453.3	1,416.3	1,373.1	1,274.9	1,214.6	

(1) Excludes British Transport Police.

(2) Includes estimates for incomplete data.

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

(4) All cautions data from April 2011 have been sourced from the Police National Computer.

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

(6) May not sum due to rounding.

Offending Histories [Tables Q7.1 – Q7.5, Q7a - Q7I]

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 an overview of the changing structure of the known offending population with information on the breakdown of offences committed by new offenders and repeat offenders, the trends in new entrants to the criminal justice system, and breakdowns of the criminal histories of cautioned and sentenced offenders.

Key points in the 12 months ending September 2011:

- 25.1 per cent of proven offences were committed by offenders with no previous criminal offences, this compares to 26.6 per cent in the 12 months ending September 2010 and reflects a fall in the use of cautions
- There were 214,300 First Time Entrants (people who received their first conviction, caution, reprimand or warning). This is a fall of 9.8 per cent from the 237,600 first time entrants in the 12 months ending September 2010. This fall was driven by a reduction of 21.8 per cent in the number of Juvenile First Time Entrants. Adult first time entrants fell by 6.5 per cent.
- The differing trends in adult and juvenile first time entrants are largely due to the different disposals received. 51.6 per cent of adult first time entrants received an out of court disposal whereas 81.8 per cent of juvenile first time entrants received an out of court disposal. Thus the trends in out of court disposals will affect Juvenile First Time entrants more than adults. See Pages 4 and 5 for details on trends in Out of Court Disposals.
- The rate of Juvenile First Time Entrants per 100,000 of population now stands at 788, a fall of 20.6 per cent from the 12 months ending September 2010.
- 10.2 per cent of offenders convicted of indictable offences had no previous criminal offences, whilst 30.7 per cent had 15 or more previous offences, these compare to 10.6 per cent and 28.4 per cent respectively in the 12 months ending September 2010.

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 the 12 months ending September 2011, a total of 852,400¹⁹ first offences and further offences were recorded, a decrease of 4.5 per cent compared with 892,200 recorded in the 12 months ending September 2010. Of these recorded offences:

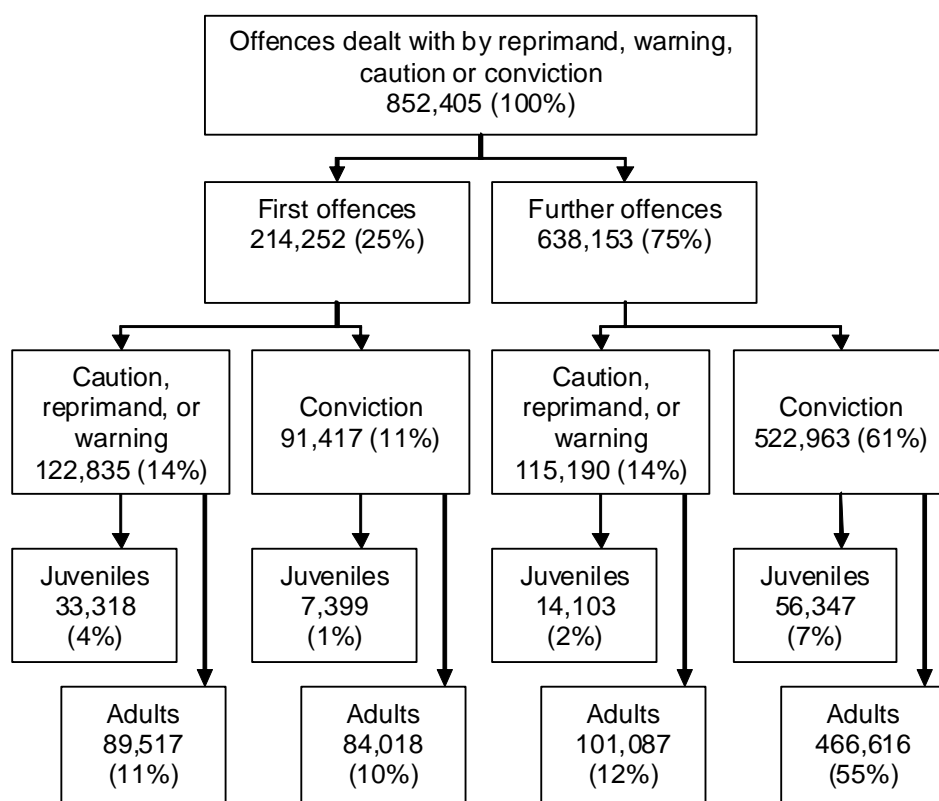
- First offences accounted for 25.1 per cent (214,300), a fall of around two percentage points compared with the 12 months ending September 2010;
- Further offences accounted for 74.9 per cent (638,200), a rise of around two percentage points compared with the 12 months ending September 2010.

Figure 7.1 shows the breakdown of all proven offences recorded in the 12 months ending September 2011. The percentages in the diagram relate to the total number of offences committed in the top box of the figure.

- 19 per cent of first offences (40,700 out of 214,300 first offences) are committed by juveniles, compared to 11 per cent of further offences (70,500 out of 638,200 further offences);
- Juveniles received 19.9 per cent of cautions, reprimands and warnings compared to 10.4 per cent of convictions.

¹⁹ 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 the 12 months ending September 2011



Figures 7.2 and 7.3 show the trends over time in first and further offending. Figure 7.2 shows the peak for juveniles in 2007 and the subsequent large falls in offending which are associated 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 falling back after the peak in 2007, but further offending continuing to rise.

Figure 7.2: Number of juvenile first and further offences in England and Wales between the 12 months ending September 2001 and the 12 months ending September 2011

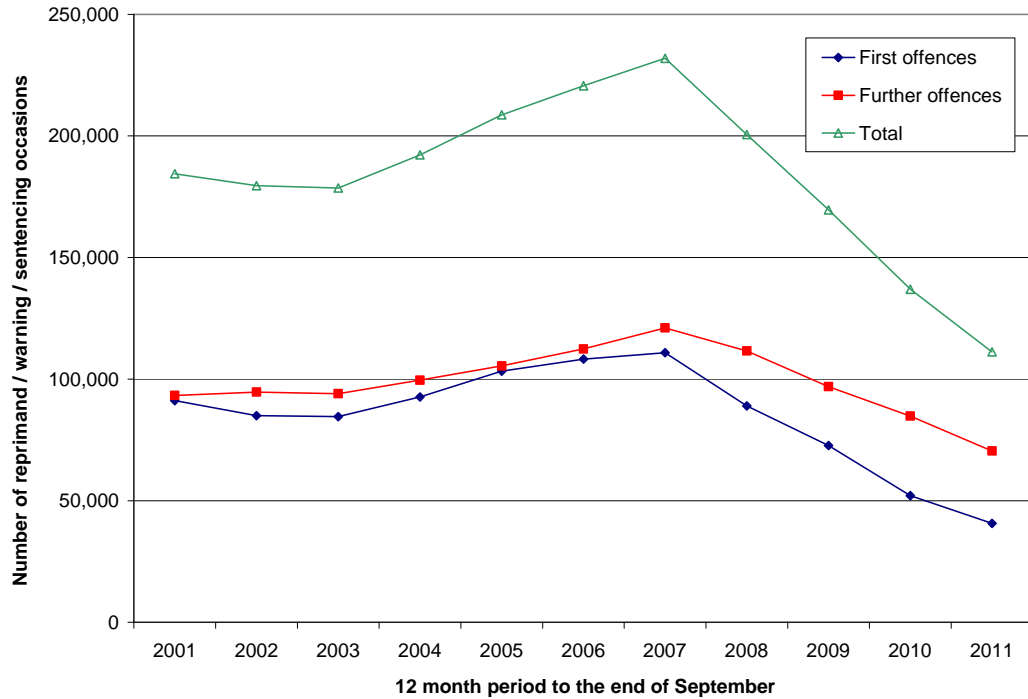
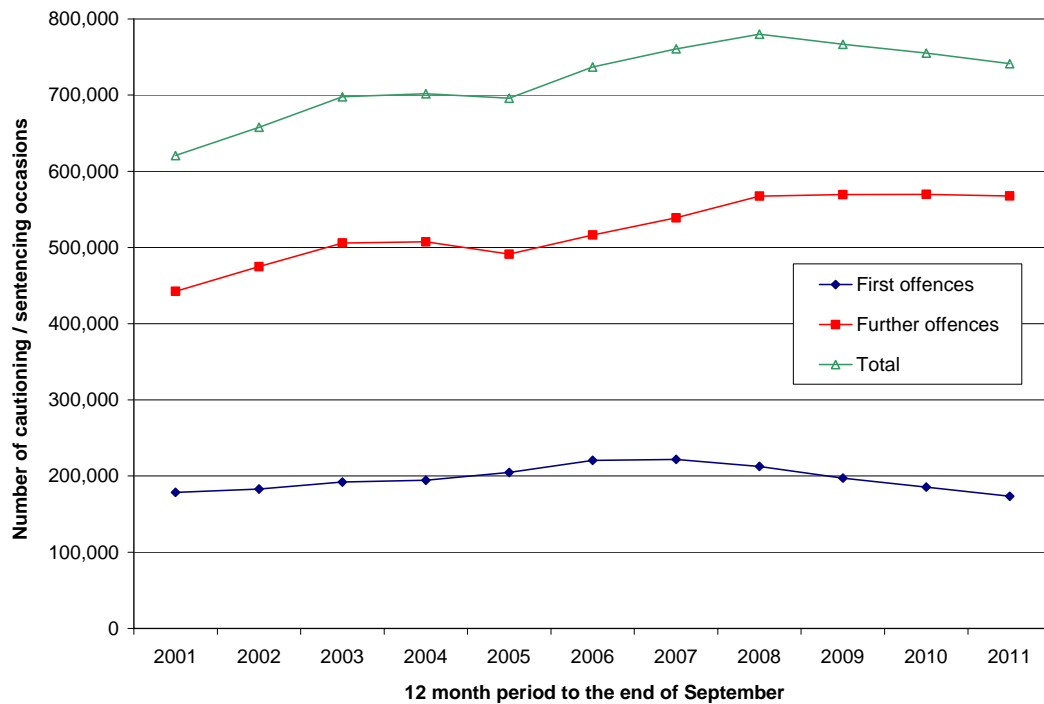


Figure 7.3: Number of adult first and further offences in England and Wales between the 12 months ending September 2001 and the 12 months ending September 2011



First time entrants to Criminal Justice system [Tables Q7.2, Q7.3, Q7c to Q7j]

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 the 12 months ending September 2011, there were 214,300 first time entrants (FTE) to the criminal justice system, a decrease of 9.8 per cent compared to the 12 months period ending September 2010, and 20.5 per cent when compared with the 12 months period ending September 2007.

- Juveniles first time entrants accounted for 19 per cent (40,700) of all first time entrants, a fall of three percentage points compared with 12 months ending September 2010, and 15 percentage points when compared with the 12 months ending September 2001.
 - The rate per 100,000 of population has fallen 20.6 per cent from 992 to 788 over the last 12 months
- Adult first time entrants to the criminal justice system in the 12 months ending September 2011 accounted for 81 per cent of all the new entrants, an increase of three percentage points compared to the 12 months ending September 2010. Of these:
 - The rate per 100,000 of population has fallen 7.4 per cent from 430 to 398 over the last 12 months
- The decline in the use of reprimands, warnings and cautions in dealing with FTEs is consistent with the reduction in the use of these disposals for all offenders and coincides with the increasing focus on more serious offending.

Criminal Histories [Tables Q7.4, Q7.5, Q7k, Q7l]

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 cautioned²⁰ for indictable offences on the PNC [Table Q7.4 and Q7.5]

In the 12 months ending September 2011, a total of 127,600 offenders received reprimands, warnings or cautions for indictable offences, a decrease of 9.7 per cent compared with the 12 months ending September 2010. Of these:

- 48.3 per cent (61,600) have at least one previous conviction/caution recorded compared to 45.4 per cent in 2010.

²⁰ Includes Juveniles receiving reprimands or warnings

- 3.6 per cent (4,600) of offenders who received warnings/reprimands or cautions for indictable offences had 15 or more previous convictions/cautions an increase of around half a percentage point compared with the 12 months ending September 2010, and over two percentage points compared to 12 months ending September 2001.

In the 12 months ending September 2011, a total of 330,800 offenders were sentenced for indictable offences, a slight increase compared with the 12 months ending September 2010. Of these:

- 30.7 per cent of all offenders sentenced for indictable offences had 15 or more previous convictions or cautions recorded against them, an increase of two percentage points against the 12 months ending 2010 and 13 percentage points compared with the 12 months ending September 2001;
- 10.2 per cent of all offenders sentenced for indictable offences had no previous convictions or cautions recorded against them, a fall of less than half a percentage point compared to the 12 months ending September 2010, and two percentage points lower than in the 12 months ending September 2001.

Criminal history by sentence type

The criminal history of offenders receiving different sentences varies by type of sentence, with custodial sentences associated with higher levels of previous offences. In the 12 months ending September 2011:

- 45.2 per cent of adult offenders receiving immediate custodial sentences had 15 or more previous convictions/cautions.
- 28.9 per cent of adult offenders receiving a community sentence had 15 or more previous convictions/cautions.

Table Q7.1 First offences and further offences committed by offenders of all ages⁽¹⁾ and resulting in a reprimand, warning, caution or conviction, England and Wales, 12 months ending September 2001 to 12 months ending September 2011

Number of offences and percentages									
	Males and females ⁽²⁾			Males			Females		
	First offences	Further offences	Total	First offences	Further offences	Total	First offences	Further offences	Total
12 month period to the end of September	Number of offences								
2001	269,633	535,597	805,230	198,814	464,687	663,501	69,477	70,862	140,339
2002	267,841	569,631	837,472	196,794	493,374	690,168	69,644	76,189	145,833
2003	276,556	599,893	876,449	203,653	517,961	721,614	71,523	81,817	153,340
2004	286,959	607,176	894,135	207,243	522,202	729,445	77,801	84,818	162,619
2005	307,858	596,784	904,642	219,657	512,498	732,155	86,152	84,111	170,263
2006	328,695	628,902	957,597	234,213	540,199	774,412	92,528	88,424	180,952
2007	332,730	660,122	992,852	235,163	565,718	800,881	95,515	94,055	189,570
2008	301,498	678,975	980,473	214,417	580,879	795,296	85,047	97,661	182,708
2009	269,908	666,464	936,372	190,215	570,276	760,491	77,556	95,726	173,282
2010	237,638	654,552	892,190	168,953	561,407	730,360	66,199	92,587	158,786
2011	214,252	638,153	852,405	153,781	547,660	701,441	57,848	89,851	147,699
12 month period to the end of September	Percentage of Total								
2001	33.5	66.5	100.0	30.0	70.0	100.0	49.5	50.5	100.0
2002	32.0	68.0	100.0	28.5	71.5	100.0	47.8	52.2	100.0
2003	31.6	68.4	100.0	28.2	71.8	100.0	46.6	53.4	100.0
2004	32.1	67.9	100.0	28.4	71.6	100.0	47.8	52.2	100.0
2005	34.0	66.0	100.0	30.0	70.0	100.0	50.6	49.4	100.0
2006	34.3	65.7	100.0	30.2	69.8	100.0	51.1	48.9	100.0
2007	33.5	66.5	100.0	29.4	70.6	100.0	50.4	49.6	100.0
2008	30.8	69.2	100.0	27.0	73.0	100.0	46.5	53.5	100.0
2009	28.8	71.2	100.0	25.0	75.0	100.0	44.8	55.2	100.0
2010	26.6	73.4	100.0	23.1	76.9	100.0	41.7	58.3	100.0
2011	25.1	74.9	100.0	21.9	78.1	100.0	39.2	60.8	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.

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

Table Q7.2 Number of first time entrants to the criminal justice system⁽¹⁾ in England and Wales, 12 months ending September 2001 to 12 months ending September 2011 by gender and age group

12 month period to the end of September	Numbers of offenders								
	Males and females ⁽²⁾			Males			Females		
	Juveniles	Adults	All ages	Juveniles	Adults	All ages	Juveniles	Adults	All ages
2001	91,159	178,474	269,633	66,152	132,662	198,814	24,941	44,536	69,477
2002	84,936	182,905	267,841	61,258	135,536	196,794	23,582	46,062	69,644
2003	84,537	192,019	276,556	61,084	142,569	203,653	23,346	48,177	71,523
2004	92,647	194,312	286,959	65,056	142,187	207,243	27,468	50,333	77,801
2005	103,258	204,600	307,858	71,165	148,492	219,657	31,905	54,247	86,152
2006	108,236	220,459	328,695	74,264	159,949	234,213	33,695	58,833	92,528
2007	110,879	221,851	332,730	75,228	159,935	235,163	35,242	60,273	95,515
2008	88,945	212,553	301,498	60,665	153,752	214,417	27,929	57,118	85,047
2009	72,651	197,257	269,908	48,420	141,795	190,215	23,949	53,607	77,556
2010	52,091	185,547	237,638	36,234	132,719	168,953	15,566	50,633	66,199
2011	40,717	173,535	214,252	29,798	123,983	153,781	10,702	47,146	57,848

(1) Offenders recorded on the Police National Computer (PNC) by an English or Welsh police force or by the British Transport Police operating in England and Wales 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 PNC.

Table Q7.3 First time entrants to the criminal justice system⁽¹⁾ in England and Wales, 12 months ending September 2001 to 12 months ending September 2011, as a rate per 100,000 of the population⁽²⁾, by gender and age group

12 month period to the end of September	Rates per 100,000 of the population								
	Males and females ⁽³⁾			Males			Females		
	Juveniles	Adults	All ages	Juveniles	Adults	All ages	Juveniles	Adults	All ages
2001	1,711	443	591	2,424	685	900	960	213	295
2002	1,570	451	583	2,207	694	883	895	219	294
2003	1,543	471	598	2,172	725	906	876	228	301
2004	1,685	473	616	2,303	718	915	1,027	237	325
2005	1,878	495	657	2,519	743	963	1,194	254	359
2006	1,977	528	696	2,640	792	1,017	1,266	273	382
2007	2,043	527	700	2,697	784	1,014	1,337	278	393
2008	1,650	501	630	2,190	746	917	1,065	261	348
2009	1,363	461	561	1,771	681	808	922	244	315
2010	992	436	491	1,346	631	713	608	229	268
2011	788	405	440	1,125	583	643	425	211	233

(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) 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 12 months ending September 2011

	England and Wales						Number and Percentage
	Number of previous convictions/cautions						All offenders (100%)
	0	1-2	3-6	7-10	11-14	15+	
	Juveniles						
Caution	70.8	27.9	1.1	0.2	0.1	0.0	28,028
Absolute discharge	9.2	40.8	34.5	7.1	3.8	4.6	862
Conditional discharge	2.5	17.0	47.8	18.1	7.8	6.8	3,091
Fine	1.0	17.9	52.0	17.8	5.9	5.4	1,452
Community sentence	17.0	37.5	31.9	8.1	3.1	2.4	25,955
Immediate custody	7.3	13.2	28.8	21.7	14.0	15.0	4,320
Other ⁽¹⁾	8.6	22.5	34.2	17.6	9.4	7.6	1,765
All court convictions ⁽²⁾	13.5	31.6	33.8	11.3	5.2	4.6	37,498
All disposals ⁽²⁾	38.0	30.0	19.8	6.6	3.0	2.7	65,526
	Adults						
Caution	46.4	25.9	14.8	5.5	2.8	4.6	99,594
Absolute discharge	9.5	10.9	14.2	9.7	9.3	46.4	838
Conditional discharge	9.6	19.0	19.5	11.7	8.8	31.5	34,855
Fine	6.2	16.1	24.2	14.7	10.3	28.6	56,467
Community sentence	10.6	16.3	21.5	13.3	9.4	28.9	71,118
Fully Suspended	16.1	17.5	20.4	12.4	8.2	25.4	32,129
Immediate custody	9.6	9.3	13.9	11.7	10.3	45.2	81,707
Other ⁽¹⁾	8.2	11.9	17.0	12.2	9.6	41.1	16,182
All court convictions	9.8	14.5	19.3	12.7	9.6	34.0	293,296
All disposals	19.1	17.4	18.2	10.9	7.9	26.6	392,890

(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 disposals figures include fully suspended sentences.

Table Q7.5 Offenders sentenced for indictable offences by previous criminal history and sentence received, 12 month ending September 2001 to 12 months ending September 2011

England & Wales		Number and percentage of offenders									
		12 Month period to the end of September									
Disposal and number of previous convictions or cautions	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
All ages											
Absolute discharge											
First time offenders	9.9	11.9	11.9	11.2	10.9	9.7	9.1	9.5	8.9	9.7	9.4
1-2 previous convictions/cautions	18.3	26.1	32.5	30.9	30.3	29.3	29.1	28.7	29.8	28.4	26.1
3-6 previous convictions/cautions	24.9	23.0	22.5	24.3	24.6	25.3	25.5	25.9	26.6	26.8	24.5
7-10 previous convictions/cautions	17.2	12.0	10.3	9.7	10.1	9.6	9.3	9.1	7.2	9.1	8.4
11-14 previous convictions/cautions	9.9	8.9	7.6	6.8	5.9	5.8	7.2	6.3	6.4	5.9	6.5
15 or more previous convictions/cautions	19.8	18.3	15.1	17.0	18.2	20.3	19.7	20.6	21.1	20.1	25.2
All offenders (100%)	1,615	2,334	2,972	2,600	2,169	2,150	2,127	1,986	1,653	1,709	1,700
Conditional discharge											
First time offenders	15.1	13.2	11.8	11.8	12.1	11.5	10.9	9.6	9.2	9.6	9.0
1-2 previous convictions/cautions	27.6	24.3	21.6	21.2	20.4	20.4	19.7	19.7	19.5	20.1	18.8
3-6 previous convictions/cautions	23.7	24.2	24.2	23.7	22.8	23.1	23.6	22.9	22.6	22.7	21.8
7-10 previous convictions/cautions	12.4	13.4	13.7	13.3	13.3	12.8	12.6	12.7	12.7	12.2	12.2
11-14 previous convictions/cautions	7.4	8.6	9.2	9.2	9.0	9.1	8.9	9.1	9.1	8.8	8.7
15 or more previous convictions/cautions	13.8	16.3	19.4	20.7	22.4	23.1	24.2	26.0	27.1	26.7	29.5
All offenders (100%)	49,638	48,038	49,474	46,214	41,580	38,308	36,924	36,260	34,842	37,129	37,946
Fine											
First time offenders	9.8	9.0	8.5	9.1	9.3	9.0	7.9	7.2	6.5	6.2	6.0
1-2 previous convictions/cautions	22.8	20.6	19.1	18.2	18.0	18.2	18.2	16.8	16.8	17.1	16.1
3-6 previous convictions/cautions	28.1	27.8	27.4	26.8	26.1	25.9	26.4	25.7	25.3	25.7	24.9
7-10 previous convictions/cautions	14.5	15.2	15.5	14.9	14.7	14.7	14.7	15.0	15.1	14.8	14.8
11-14 previous convictions/cautions	8.7	9.4	10.0	9.8	9.8	9.6	9.6	10.2	9.9	10.2	10.2
15 or more previous convictions/cautions	16.1	17.9	19.6	21.2	22.1	22.6	23.2	25.2	26.5	26.0	28.0
All offenders (100%)	73,590	75,889	78,042	69,393	58,432	52,198	49,032	51,908	56,370	57,293	57,919
Community sentence											
First time offenders	14.0	13.9	13.9	14.1	14.2	13.5	12.2	11.4	11.4	12.4	12.3
1-2 previous convictions/cautions	23.6	24.9	25.2	25.1	25.9	27.0	27.3	25.7	24.3	23.6	21.9
3-6 previous convictions/cautions	29.1	27.7	26.2	25.5	25.4	26.6	27.1	26.4	25.4	25.1	24.3
7-10 previous convictions/cautions	13.9	13.5	13.1	12.5	11.9	11.7	11.8	12.0	11.7	11.6	11.9
11-14 previous convictions/cautions	7.5	7.8	7.9	7.8	7.4	6.9	6.8	7.2	7.6	7.2	7.7
15 or more previous convictions/cautions	11.9	12.3	13.8	15.0	15.1	14.4	14.8	17.2	19.5	20.1	21.8
All offenders (100%)	99,164	104,919	106,979	106,966	106,066	100,860	99,045	100,459	100,491	96,855	97,073
Fully suspended											
First time offenders	33.1	31.5	29.2	27.1	18.7	14.2	14.2	14.8	15.0	16.0	16.1
1-2 previous convictions/cautions	18.7	17.4	16.5	15.9	13.8	14.8	16.1	16.7	17.5	18.0	17.5
3-6 previous convictions/cautions	18.1	18.4	18.4	19.7	18.7	20.6	21.6	20.7	20.1	20.9	20.4
7-10 previous convictions/cautions	11.1	11.0	11.4	11.4	13.2	13.8	13.6	13.2	12.7	12.1	12.4
11-14 previous convictions/cautions	7.3	7.7	7.9	8.1	9.8	10.2	9.5	9.1	9.0	8.6	8.2
15 or more previous convictions/cautions	11.6	14.0	16.5	17.8	25.9	26.5	25.1	25.5	25.7	24.4	25.4
All offenders (100%)	2,077	2,076	2,153	2,173	4,683	19,143	28,158	31,028	31,090	31,926	32,182
Immediate custody											
First time offenders	9.5	9.2	9.0	9.4	9.8	10.1	10.4	10.7	10.0	10.1	9.4
1-2 previous convictions/cautions	10.1	9.3	8.4	8.7	9.0	9.2	9.2	9.1	9.7	10.1	9.5
3-6 previous convictions/cautions	19.8	18.3	16.8	16.3	16.0	16.1	16.1	15.3	15.3	15.4	14.7
7-10 previous convictions/cautions	18.5	17.7	17.0	15.7	15.0	14.3	14.2	13.6	13.2	12.8	12.2
11-14 previous convictions/cautions	14.0	14.5	14.7	13.9	13.2	12.6	12.1	11.9	11.5	11.0	10.5
15 or more previous convictions/cautions	28.0	31.0	34.1	36.0	37.0	37.7	38.0	39.3	40.2	40.6	43.7
All offenders (100%)	78,540	85,846	86,600	89,793	86,122	84,389	83,718	91,940	90,058	87,421	86,027
Other⁽¹⁾											
First time offenders	10.2	9.0	7.5	7.7	7.4	8.2	8.7	9.7	10.7	9.6	8.3
1-2 previous convictions/cautions	17.4	15.4	13.8	13.7	13.6	14.0	13.6	12.9	14.6	15.0	13.0
3-6 previous convictions/cautions	24.0	24.5	23.5	23.2	22.2	22.3	22.4	20.3	19.9	19.5	18.7
7-10 previous convictions/cautions	16.1	16.7	16.2	15.0	15.0	14.9	14.4	14.2	12.7	12.8	12.7
11-14 previous convictions/cautions	11.6	11.8	12.6	11.8	11.6	10.8	10.8	10.1	10.0	9.6	9.5
15 or more previous convictions/cautions	20.7	22.5	26.3	28.6	30.2	29.7	30.2	32.8	32.0	33.5	37.8
All offenders (100%)	12,988	14,260	13,892	13,226	12,425	11,975	12,412	12,957	13,993	18,055	17,947
All disposals											
First time offenders	12.0	11.4	10.9	11.3	11.6	11.4	10.9	10.6	10.2	10.6	10.2
1-2 previous convictions/cautions	20.4	19.4	18.5	18.2	18.4	18.6	18.6	17.6	17.5	17.5	16.4
3-6 previous convictions/cautions	25.4	24.6	23.6	22.9	22.4	22.6	22.9	22.0	21.6	21.6	20.9
7-10 previous convictions/cautions	15.0	15.1	14.8	14.1	13.6	13.3	13.2	13.2	12.9	12.7	12.6
11-14 previous convictions/cautions	9.6	10.2	10.5	10.2	9.9	9.5	9.3	9.5	9.4	9.2	9.1
15 or more previous convictions/cautions	17.6	19.5	21.7	23.4	24.2	24.6	25.1	27.1	28.3	28.4	30.7
All offenders (100%)	317,612	333,362	340,112	330,365	311,477	309,023	311,416	326,538	328,497	330,388	330,794

Juvenile offenders

Absolute discharge

First time offenders	9.6	15.4	15.9	12.9	11.4	9.7	9.9	8.9	8.0	8.4	9.2
1-2 previous convictions/cautions	29.3	47.7	54.3	48.8	45.7	45.2	44.2	43.6	45.1	39.6	40.8
3-6 previous convictions/cautions	37.3	25.9	22.2	30.0	31.5	33.1	32.4	35.2	35.1	36.2	34.5
7-10 previous convictions/cautions	16.1	6.7	4.6	4.8	6.5	6.7	7.2	6.4	5.2	8.1	7.1
11-14 previous convictions/cautions	4.8	2.6	1.6	2.4	2.9	2.6	4.1	3.5	3.4	3.9	3.8
15 or more previous convictions/cautions	2.9	1.7	1.5	1.2	2.0	2.6	2.2	2.4	3.2	3.7	4.6
All juvenile offenders (100%)	416	831	1,413	1,359	1,161	1,114	1,168	1,055	915	964	862

Conditional discharge

First time offenders	18.6	13.5	5.5	5.3	5.4	5.2	4.5	3.5	2.9	3.1	2.5
1-2 previous convictions/cautions	45.0	37.7	26.4	26.5	24.0	25.0	23.0	22.4	19.9	20.5	17.0
3-6 previous convictions/cautions	26.2	33.4	44.9	45.6	47.0	45.9	48.1	47.3	47.9	48.0	47.8
7-10 previous convictions/cautions	7.3	10.0	14.3	14.3	15.4	15.4	14.9	16.4	17.2	15.5	18.1
11-14 previous convictions/cautions	2.0	3.6	5.9	5.4	5.4	5.7	6.6	6.8	7.4	7.4	7.8
15 or more previous convictions/cautions	0.9	1.8	3.0	3.0	2.8	2.9	2.8	3.7	4.7	5.5	6.8
All juvenile offenders (100%)	8,410	5,452	3,691	3,884	3,749	3,641	3,706	3,390	3,329	3,203	3,091

Fine

First time offenders	6.5	4.5	2.0	2.4	2.0	2.3	2.1	2.0	1.5	1.2	1.0
1-2 previous convictions/cautions	42.0	35.2	23.6	25.0	24.3	23.8	23.1	20.9	18.1	19.5	17.9
3-6 previous convictions/cautions	38.6	43.6	52.3	51.1	50.5	49.6	49.8	51.3	50.5	47.8	52.0
7-10 previous convictions/cautions	9.0	11.2	15.4	14.3	15.7	15.5	16.2	17.1	18.0	18.5	17.8
11-14 previous convictions/cautions	2.6	4.2	4.8	5.0	4.8	5.4	5.9	5.5	7.1	8.0	5.9
15 or more previous convictions/cautions	1.3	1.3	1.9	2.3	2.7	3.3	2.9	3.2	4.7	4.9	5.4
All juvenile offenders (100%)	5,957	4,793	3,567	3,349	3,088	2,578	2,507	2,497	2,101	1,860	1,452

Community sentence

First time offenders	13.1	14.2	14.7	15.1	14.6	13.6	12.4	12.5	12.8	14.5	17.0
1-2 previous convictions/cautions	37.1	40.6	42.7	43.2	43.3	42.7	41.8	40.5	40.7	39.1	37.5
3-6 previous convictions/cautions	37.0	33.0	31.2	30.6	31.3	32.0	33.2	33.3	32.7	32.4	31.9
7-10 previous convictions/cautions	9.4	8.7	7.8	7.8	7.3	8.0	8.7	8.9	8.5	8.5	8.1
11-14 previous convictions/cautions	2.4	2.6	2.5	2.3	2.4	2.4	2.7	3.3	3.2	3.2	3.1
15 or more previous convictions/cautions	0.8	0.9	1.0	1.1	1.1	1.3	1.2	1.5	2.1	2.3	2.4
All juvenile offenders (100%)	29,690	33,107	34,090	34,678	36,258	37,500	39,839	36,664	32,924	28,949	25,955

Immediate custody

First time offenders	6.5	7.1	5.8	6.2	5.8	5.5	5.5	6.1	6.4	7.3	7.3
1-2 previous convictions/cautions	15.5	16.2	14.4	15.9	14.8	14.7	14.2	14.4	15.7	13.9	13.2
3-6 previous convictions/cautions	37.7	35.3	35.1	34.2	33.7	32.5	32.9	32.1	30.2	31.1	28.8
7-10 previous convictions/cautions	26.5	24.5	25.6	23.8	24.3	25.4	24.9	23.7	21.8	21.7	21.7
11-14 previous convictions/cautions	10.1	11.3	12.2	12.3	12.9	12.6	13.7	13.8	13.5	12.3	14.0
15 or more previous convictions/cautions	3.6	5.6	6.9	7.6	8.5	9.3	8.7	9.9	12.3	13.6	15.0
All juvenile offenders (100%)	6,387	6,454	5,878	6,311	6,485	6,753	6,883	6,714	5,785	4,926	4,320

Other⁽¹⁾

First time offenders	12.4	10.9	6.0	6.0	5.4	6.5	5.5	5.7	8.5	10.5	8.6
1-2 previous convictions/cautions	33.3	28.6	25.9	23.6	25.8	23.7	21.4	20.9	25.8	26.3	22.5
3-6 previous convictions/cautions	34.0	37.3	42.1	44.3	40.2	40.7	44.4	40.8	35.5	34.0	34.2
7-10 previous convictions/cautions	14.3	15.4	15.6	15.6	16.9	17.4	17.5	18.1	16.2	14.7	17.6
11-14 previous convictions/cautions	4.3	5.6	6.8	6.4	7.5	8.3	7.0	8.2	8.1	8.0	9.4
15 or more previous convictions/cautions	1.6	2.2	3.5	4.0	4.2	3.4	4.2	6.4	5.9	6.5	7.6
All juvenile offenders (100%)	2,071	2,231	1,870	1,790	1,753	1,827	1,864	1,742	1,982	2,442	1,765

All disposals⁽²⁾

First time offenders	12.4	12.3	11.8	12.1	11.7	11.1	10.3	10.3	10.5	11.9	13.5
1-2 previous convictions/cautions	36.1	36.4	36.6	36.8	36.8	36.4	35.7	34.4	34.6	33.2	31.6
3-6 previous convictions/cautions	35.4	34.3	34.3	34.0	34.1	34.2	35.2	35.2	34.5	34.3	33.8
7-10 previous convictions/cautions	11.4	11.3	11.1	10.9	10.8	11.4	11.7	12.0	11.4	11.4	11.3
11-14 previous convictions/cautions	3.4	4.0	4.2	4.1	4.2	4.3	4.6	5.1	5.2	5.1	5.2
15 or more previous convictions/cautions	1.3	1.7	2.0	2.2	2.4	2.6	2.5	3.0	3.8	4.3	4.6
All juvenile offenders (100%)	52,931	52,868	50,510	51,373	52,525	53,494	56,078	52,179	47,160	42,407	37,498

Adult offenders

Absolute discharge

First time offenders	10.0	9.9	8.3	9.3	10.3	9.7	8.1	10.1	10.0	11.3	9.5
1-2 previous convictions/cautions	14.4	14.2	12.8	11.4	12.7	12.3	10.6	11.7	10.8	13.8	10.9
3-6 previous convictions/cautions	20.6	21.4	22.8	18.1	16.7	16.8	17.2	15.4	16.0	14.6	14.2
7-10 previous convictions/cautions	17.6	14.8	15.5	15.1	14.3	12.7	11.9	12.1	9.6	10.5	9.7
11-14 previous convictions/cautions	11.7	12.3	13.1	11.8	9.2	9.2	11.1	9.5	10.2	8.5	9.3
15 or more previous convictions/cautions	25.7	27.4	27.5	34.2	36.8	39.3	41.1	41.2	43.4	41.3	46.4
All adult offenders (100%)	1,199	1,503	1,559	1,241	1,008	1,036	959	931	738	745	838

Conditional discharge

First time offenders	14.4	13.2	12.4	12.4	12.8	12.2	11.7	10.2	9.8	10.2	9.6
1-2 previous convictions/cautions	24.0	22.6	21.2	20.7	20.1	19.9	19.3	19.4	19.4	20.0	19.0
3-6 previous convictions/cautions	23.2	23.0	22.5	21.7	20.4	20.7	20.9	20.4	19.9	20.3	19.5
7-10 previous convictions/cautions	13.4	13.8	13.7	13.2	13.1	12.5	12.3	12.4	12.2	11.8	11.7
11-14 previous convictions/cautions	8.5	9.2	9.5	9.6	9.4	9.5	9.2	9.3	9.2	8.9	8.8
15 or more previous convictions/cautions	16.4	18.2	20.7	22.3	24.4	25.3	26.6	28.3	29.4	28.7	31.5
All adult offenders (100%)	41,228	42,586	45,783	42,330	37,831	34,667	33,218	32,870	31,513	33,926	34,855

Fine

First time offenders	10.1	9.3	8.8	9.4	9.7	9.3	8.2	7.4	6.7	6.4	6.2
1-2 previous convictions/cautions	21.1	19.7	18.8	17.9	17.7	17.9	17.9	16.6	16.8	17.0	16.1
3-6 previous convictions/cautions	27.1	26.7	26.2	25.6	24.8	24.7	25.2	24.4	24.3	24.9	24.2
7-10 previous convictions/cautions	14.9	15.5	15.5	14.9	14.6	14.7	14.6	14.9	15.0	14.7	14.7
11-14 previous convictions/cautions	9.2	9.8	10.2	10.0	10.0	9.8	9.7	10.4	10.0	10.3	10.3
15 or more previous convictions/cautions	17.4	19.0	20.5	22.1	23.2	23.6	24.3	26.3	27.3	26.7	28.6
All adult offenders (100%)	67,633	71,096	74,475	66,044	55,344	49,620	46,525	49,411	54,269	55,433	56,467

Community sentence

First time offenders	14.3	13.7	13.5	13.7	14.0	13.4	12.0	10.8	10.8	11.5	10.6
1-2 previous convictions/cautions	17.8	17.6	17.0	16.4	16.9	17.8	17.6	17.2	16.4	16.9	16.3
3-6 previous convictions/cautions	25.7	25.3	23.8	23.1	22.4	23.3	23.0	22.4	21.9	22.0	21.5
7-10 previous convictions/cautions	15.8	15.7	15.6	14.7	14.3	13.9	13.9	13.7	13.3	13.0	13.3
11-14 previous convictions/cautions	9.7	10.2	10.4	10.4	10.0	9.5	9.5	9.5	9.7	8.9	9.4
15 or more previous convictions/cautions	16.6	17.6	19.8	21.6	22.4	22.2	24.0	26.2	28.0	27.7	28.9
All adult offenders (100%)	69,474	71,812	72,889	72,288	69,808	63,360	59,206	63,795	67,567	67,906	71,118

Fully suspended

First time offenders	33.1	31.5	29.2	27.1	18.8	14.2	14.2	14.9	15.0	16.1	16.1
1-2 previous convictions/cautions	18.7	17.4	16.4	15.9	13.7	14.8	16.0	16.6	17.4	17.9	17.5
3-6 previous convictions/cautions	18.1	18.4	18.4	19.7	18.5	20.5	21.5	20.6	20.0	20.9	20.4
7-10 previous convictions/cautions	11.1	11.0	11.4	11.4	13.0	13.8	13.5	13.2	12.7	12.1	12.4
11-14 previous convictions/cautions	7.3	7.7	7.9	8.1	9.8	10.2	9.5	9.1	9.0	8.6	8.2
15 or more previous convictions/cautions	11.6	14.0	16.5	17.8	26.1	26.5	25.2	25.6	25.8	24.4	25.4
All adult offenders (100%)	2,077	2,076	2,152	2,171	4,652	19,062	28,047	30,911	30,966	31,863	32,129

Immediate custody

First time offenders	9.8	9.4	9.2	9.6	10.1	10.5	10.9	11.1	10.3	10.3	9.6
1-2 previous convictions/cautions	9.7	8.7	8.0	8.2	8.5	8.7	8.8	8.7	9.3	9.8	9.3
3-6 previous convictions/cautions	18.2	16.9	15.5	14.9	14.6	14.7	14.5	14.0	14.3	14.4	13.9
7-10 previous convictions/cautions	17.8	17.2	16.3	15.1	14.3	13.3	13.3	12.9	12.6	12.3	11.7
11-14 previous convictions/cautions	14.3	14.8	14.9	14.0	13.2	12.6	11.9	11.8	11.3	10.9	10.3
15 or more previous convictions/cautions	30.2	33.0	36.1	38.2	39.3	40.2	40.6	41.6	42.1	42.2	45.2
All adult offenders (100%)	72,153	79,392	80,722	83,482	79,637	77,636	76,835	85,226	84,273	82,495	81,707

Other⁽¹⁾

First time offenders	9.7	8.6	7.8	8.0	7.7	8.5	9.2	10.3	11.1	9.5	8.2
1-2 previous convictions/cautions	14.4	13.0	11.9	12.2	11.5	12.3	12.2	11.7	12.8	13.3	11.9
3-6 previous convictions/cautions	22.1	22.1	20.6	19.8	19.2	19.0	18.5	17.2	17.4	17.2	17.0
7-10 previous convictions/cautions	16.5	17.0	16.3	14.9	14.7	14.4	13.8	13.6	12.1	12.5	12.2
11-14 previous convictions/cautions	13.0	12.9	13.5	12.6	12.3	11.2	11.4	10.4	10.4	9.8	9.6
15 or more previous convictions/cautions	24.3	26.3	29.9	32.4	34.5	34.5	34.8	36.9	36.3	37.8	41.1
All adult offenders (100%)	10,917	12,029	12,022	11,436	10,672	10,148	10,548	11,215	12,011	15,613	16,182

All disposals

First time offenders	12.0	11.2	10.8	11.1	11.5	11.4	11.1	10.7	10.2	10.4	9.8
1-2 previous convictions/cautions	17.3	16.2	15.4	14.7	14.7	14.9	14.8	14.4	14.6	15.2	14.5
3-6 previous convictions/cautions	23.4	22.7	21.7	20.9	20.0	20.2	20.2	19.5	19.4	19.8	19.3
7-10 previous convictions/cautions	15.8	15.8	15.5	14.7	14.2	13.7	13.6	13.4	13.2	12.8	12.7
11-14 previous convictions/cautions	10.8	11.3	11.6	11.4	11.0	10.6	10.3	10.3	10.1	9.8	9.6
15 or more previous convictions/cautions	20.8	22.8	25.1	27.3	28.7	29.2	30.0	31.7	32.4	32.0	34.0
All adult offenders (100%)	264,681	280,494	289,602	278,992	258,952	255,529	255,338	274,359	281,337	287,981	293,296

(1) For 12 months ending September 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.

Public Disorder 6th to 9th August 2011 (February 2012 update)

Introduction

The following section provides updated information on those brought before the courts for offences relating to the public disorder of 6th to 9th August 2011. Information is provided on those individuals brought before the courts; their initial outcomes and sentencing based on data available by midday on 1st February 2012. When reading this section please bear in mind that:

- 1) the group of people brought before the courts is only a subset of all people who took part in the public disorder of 6th to 9th August 2011. It is therefore possible that there are differences between the people brought before the courts to date and all those who took part in the disorder;
- 2) some of the people brought before the courts will have their charges dropped or be acquitted;
- 3) there are new cases being brought before the courts for events relating to the disorder on a regular basis. It is possible that there may be differences in characteristics or age profiles of those brought before the courts later compared to those who have appeared so far;
- 4) The information released in this section updates the previous analysis published on 24th October 2011;
- 5) When comparing sentences given for public disorder offences with sentences given for indictable offences in 2010 it is important to remember there was no widespread public disorder in 2010. In this bulletin comparisons have been made with proceedings in 2010 covering similar offence types seen in the disorder – such as burglary, theft and violent disorder - to provide context to the sentences given.

Executive Summary

The public disorder began on 6th August 2011. On 7th and 8th August 2011 there were further outbreaks of disorder mainly in London. On 9th August the incidents were mainly outside of London.

The following presents court information on those who have appeared before the court by midday 1st February for offences relating to the disorder of 6th to 9th August. The police and courts agreed whether an offence was related to the disorder and the courts then returned details of the case centrally to the Ministry of Justice statistics team.

It is important to note that none of the factors explored imply causality with the public disorder events, but provide a background understanding of the characteristics of those brought before the courts. It is also the case that those brought before the courts may have different characteristics from those who took part and have yet to appear before the courts.

Cases by area

Of the 2,710 people who had appeared before the courts by midday on 1st February 2012 proceedings were held in the following areas:

- London – 1,896 first hearings
- West Midlands – 301 first hearings
- Nottingham – 64 first hearings
- Greater Manchester – 240 first hearings
- Merseyside – 92 first hearings
- Other areas – 117 first hearings

Gender, Age and Ethnicity

By midday on 1st February, 2,710 people had appeared before the courts for these offences. Of those brought before the courts 89 per cent were male and 11 per cent were female and the proportions are broadly similar across all areas. This compares with all first hearings for indictable offences in 2010 where 85 per cent were male and 15 per cent female.

Comparisons by age show that 27 per cent of those brought before the courts for offences relating to the public disorder were aged 10-17 (juveniles) and that a further 26 per cent were aged 18-20. Only six per cent of those appearing before the courts for the disorder were over 40 years old.

This is a different distribution compared to all those appearing before the courts for similar offences in 2010 when the proportion of juveniles was 16 per cent, the proportion of 18-20 year olds was 15 per cent and 15 per cent of offenders were over 40.

The details by area show differing age profiles for those appearing before the courts in London and West Midlands, with fewer juveniles than in other areas. The figures for each area were

- London – 25 per cent were juveniles and five per cent were over 40
- West Midlands – 29 per cent were juveniles and nine per cent were over 40
- Nottingham – 39 per cent were juveniles none were aged over 40

- Greater Manchester – 27 per cent were juveniles and 11 per cent were over 40
- Merseyside – 38 per cent were juveniles and four per cent were over 40
- Other areas – 33 per cent were juveniles and three per cent were over 40

Comparisons of the data collected on self-defined ethnicity (where ethnicity was recorded²¹) show that 41 per cent of those brought before the courts identified themselves as being from the White group, 39 per cent from the Black ethnic group, 12 per cent the Mixed ethnic group, six per cent the Asian ethnic group, and two per cent the Chinese or Other ethnic group.

Progress through the criminal justice system

The first stage of the court process is for those accused to have a first hearing at magistrates' courts. 2,710 people had appeared before the court by midday on 1st February 2012 for offences relating to the public disorder. Of these, 1,789 (66 per cent) have reached a final outcome.

The offences for which people were most commonly brought before the court were Burglary (49 per cent), violent disorder (21 per cent), theft (16 per cent), robbery (two per cent), and criminal damage (two per cent). The remaining offences covered small numbers of a wide range of offences.

As of midday 1st February 2012, there have been 1,483 persons found guilty and sentenced for their part in the disorder, 55 per cent of the 2,710 people brought before the courts so far. Of those sentenced, 945 have been sentenced to immediate custody with an average custodial sentence length of 14.2 months. This compares to an average custodial sentence length of 3.7 months for those convicted at magistrates' courts, but sentenced at any court for similar offences in 2010.

The proportion of offenders sentenced who received an immediate custodial sentence for offences related to the public disorder at magistrates' courts was 37 per cent. This compares with 12 per cent for offenders sentenced for similar offences in England and Wales in 2010. The average custodial sentence length for offences related to the public disorder at magistrates' courts was 6.4 months. This compares with 2.5 months for offenders sentenced for similar offences in England and Wales 2010. This difference is mainly down to the average custodial sentence lengths (ACSL) given for burglary, with offenders sentenced for the public disorder receiving 7.2 months, compared with 4.4 months for those sentenced in England and Wales in 2010, and theft and handling, which had 4.6 months compared to 2.0 months in 2010. Juveniles sentenced to immediate custody for burglary have an ACSL of 7.8 months and for adults it was 5.3 months – this includes two offenders given two consecutive six month sentences.

At the Crown Court, 827 people have been sentenced of whom 701 (85 per cent) received immediate custodial sentences;

- the average custodial sentence length was 16.9 months compared with 11.3 months in England and Wales in 2010 for cases which were sent for sentencing;
- 56 per cent of the sentenced offenders were sentenced at the Crown Court.

²¹ For 506 of the 2,710 defendants self-defined ethnicity was recorded as not stated or unknown (18.7 per cent of defendants).

Court proceedings [Tables 8.1 – 8.9]

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.

Key points (data as of midday 1st February 2012):

- 2,710 suspects have had an initial hearing at magistrates' courts. The majority of these hearings were in London (70 per cent).
- Of these cases, 27 per cent (720) were aged 10-17 and 73 per cent (1,990) were adults.
- 89 per cent of defendants were male.
- 33 per cent of defendants were from a White ethnic background, 31 per cent were from a Black ethnic background, 10 per cent were from a Mixed background, five per cent Asian, two per cent were of another ethnic background and 19 per cent were not stated or not recorded.
- Average custodial sentence length for offences related to the public disorder was 14.2 months.

Tables 8.1a and 8.1b: Defendants brought before the courts for offences relating to the public disorder between 6th and 9th August 2011, (data as of midday 1st February 2012)

Table 8.1a - Defendants awaiting final outcome

Age group	Hearing not yet completed			Outcome of hearing not recorded	Total
	Remanded on unconditional bail	Remand on conditional bail	Remanded in custody		
10 to 17	27	89	36	1	153
18 to 20	43	118	115	2	278
21 to 24	38	93	76	3	210
25 to 30	28	72	58	0	158
31 to 34	7	17	13	1	38
35 to 39	3	14	16	0	33
40 plus	12	18	21	0	51
Total	158	421	335	7	921

Table 8.1b: Final defendant outcome at court

Age group	Convicted and sentenced			Not convicted	
	Sentenced to immediate custody	Sentenced to non-custody	Total sentenced	Dismissed/acquitted	Total final outcomes
10 to 17	176	308	484	83	567
18 to 20	254	93	347	77	424
21 to 24	232	53	285	72	357
25 to 30	128	34	162	46	208
31 to 34	67	10	77	12	89
35 to 39	25	9	34	6	40
40 plus	63	31	94	10	104
Total	945	538	1,483	306	1,789

These tables show final outcome of cases and for those who have yet to be convicted/sentenced, the outcome of the first hearing at magistrates' courts. Subsequent hearings may mean that some individuals who were remanded initially have had their cases dropped or released on conditional bail.

For those cases where the defendant was not sentenced 36 per cent were remanded in custody, as at midday 1st February 2012.

Table 8.2: Defendants proceeded against at magistrates' courts, found guilty and sentenced at all courts for offences relating to the public disorder between 6th and 9th August 2011, (data as of midday 1st February 2012)

Offence	First hearing	Found guilty	Sentenced	Sentence breakdown					
				Absolute / conditional discharge	Fine	Community sentence	Suspended sentence	Immediate custody	Otherwise dealt with
Burglary	1324	808	788	6	0	156	59	566	1
Robbery	49	18	18	0	0	6	0	12	0
Criminal damage	46	29	29	2	2	12	4	9	0
Theft	440	274	266	6	8	60	45	147	0
Violent disorder ⁽¹⁾	578	248	244	10	5	52	4	153	20
Other riot offences ⁽²⁾	273	142	138	8	19	35	16	58	2
Total	2,710	1,519	1,483	32	34	321	128	945	23

(1) Violent disorder (includes following offences: Violent disorder, Riot, Affray, Summary causing intentional harassment, alarm or distress, Summary harassment, alarm or distress, Assault with intent to resist apprehension or assault a person assisting a constable, Common assault offences, Assaulting a constable and offences under Public Order Act and Justice of the Peace Act).

(2) Other offence type (includes following offences: Having an article with a blade or point in public place, Possession of offensive weapons without lawful authority or reasonable excuse, Having possession of a controlled drug (Cannabis)).

Figure 8.1: First hearings for offences relating to the public disorder between 6th and 9th August 2011 at magistrates' courts by offence category

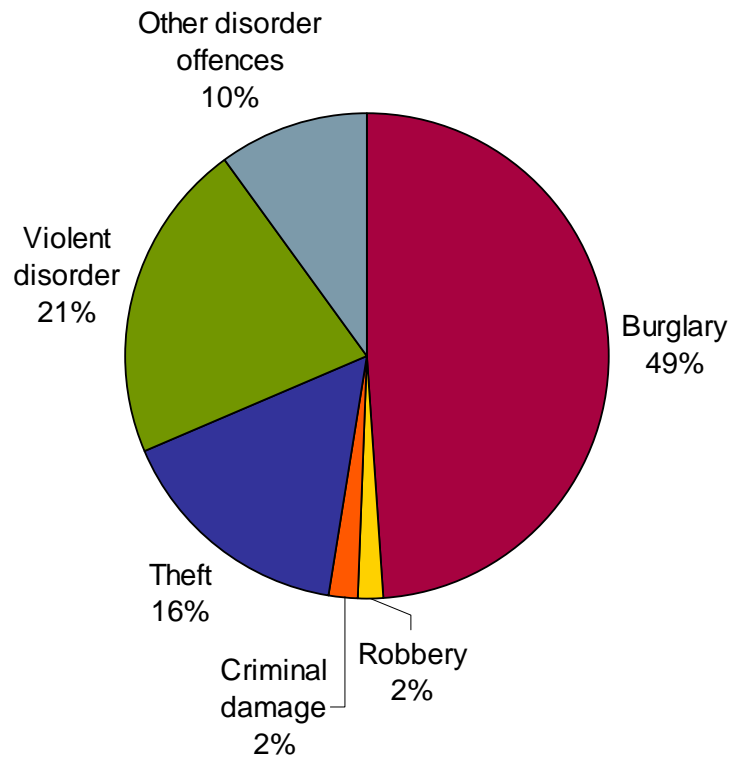


Table 8.3: Defendants proceeded against at magistrates' courts, found guilty and sentenced at all courts for offences relating to the public disorder between 6th and 9th August 2011, (data as of midday 1st February 2012)

Sex / Age group	First hearing	Found guilty	Sentenced	Sentence breakdown					
				Absolute / conditional discharge	Fine	Community sentence	Suspended sentence	Immediate custody	Otherwise dealt with ⁽²⁾
Males									
10 to 17	619	406	402	8	3	227	3	158	3
18 to 20	634	314	309	9	7	7	40	231	15
21 to 24	521	266	260	5	5	7	27	214	2
25 to 30	335	151	144	2	8	3	10	119	2
31 to 34	110	68	64	0	1	1	4	58	0
35 to 39	61	29	27	0	1	1	6	19	0
40 plus	132	85	80	3	6	4	11	55	1
Total	2,412	1,319	1,286	27	31	250	101	854	23
Females									
10 to 17	101	82	82	1	0	62	1	18	0
18 to 20	68	38	38	0	2	2	11	23	0
21 to 24	46	26	25	0	0	4	3	18	0
25 to 30	31	18	18	0	0	2	7	9	0
31 to 34	17	13	13	1	0	1	2	9	0
35 to 39	12	7	7	1	0	0	0	6	0
40 plus	23	16	14	2	1	0	3	8	0
Total	298	200	197	5	3	71	27	91	0
Total									
Aged 10 to 17	720	488	484	9	3	289	4	176	3
Aged 18 to 20	702	352	347	9	9	9	51	254	15
Aged 21 to 24	567	292	285	5	5	11	30	232	2
Aged 25 to 29	366	169	162	2	8	5	17	128	2
Aged 30 to 34	127	81	77	1	1	2	6	67	0
Aged 35 to 39	73	36	34	1	1	1	6	25	0
Aged 40 and over	155	101	94	5	7	4	14	63	1
Total	2,710	1,519	1,483	32	34	321	128	945	23

For cases which reached a final outcome, a total of 1,483 offenders have been sentenced, the largest proportion of these were for burglary (53 per cent), violent disorder (16 per cent) and theft (18 per cent).

The proportion of offenders sentenced who received an immediate custodial sentence for offences related to the public disorder at magistrates' courts was 37 per cent. This compares with 12 per cent for offenders sentenced for similar offences in England and Wales 2010.

Table 8.4: Immediate custody rate⁽¹⁾ for offences related to the disorder between 6th and 9th August, (data as of midday 1st February 2012)

Court type / Offence category	Offences related to the public disorder of 6th to 9th August 2011		Immediate custody rate in England and Wales 2010 for similar offences
	Immediate custodial sentences	Immediate custody rate for those sentenced	
<u>Magistrates' courts</u>			
Burglary	114	42%	23%
Robbery	-	*	13%
Criminal damage	4	17%	16%
Theft	55	41%	2%
Violent disorder ⁽²⁾	53	38%	13%
Other disorder offences ⁽³⁾	18	22%	2%
Total	244	37%	12%
<u>Crown Court</u>			
Burglary	452	87%	68%
Robbery	12	92%	41%
Criminal damage	5	*	52%
Theft	92	69%	46%
Violent disorder ⁽²⁾	100	96%	42%
Other disorder offences ⁽³⁾	40	73%	36%
Total	701	85%	33%

To note: Crown Court data for 2010 are based on cases that were found guilty at the magistrates' courts and committed for sentence at the Crown Court in order to give the most reliable comparison with disorder cases which have been sentenced so far.

* = Not applicable.

(1) Proportion of offenders sentenced who received an immediate custodial sentence.

(2) Violent disorder includes following offences: Violent disorder, Riot, Affray, Summary causing intentional harassment, alarm or distress, Summary harassment, alarm or distress, Assault with intent to resist apprehension or assault a person assisting a constable, Common assault offences, Assaulting a constable and offences under Public Order Act and Justice of the Peace Act.

(3) Other disorder offence types includes following offences: Having an article with a blade or point in public place, Possession of offensive weapons without lawful authority or reasonable excuse, Having possession of a controlled drug (Cannabis).

The average custodial sentence length (ACSL) for offences related to the public disorder at magistrates' courts was 6.4 months. This compares with 2.5 months for offenders sentenced for similar offences in England and Wales in 2010. This difference is mainly down to the average custodial sentence lengths given for burglary, with offenders sentenced for the public disorder receiving 7.2 months, compared with 4.4 months for those sentenced in England and Wales in 2010, and theft and handling, which compared 4.6 months to 2.0 months. Juveniles sentenced to immediate custody for burglary have an ACSL of 7.8 months and for adults it was 5.3 months – this includes two offenders given two consecutive six month sentences.

At the Crown Court the average custodial sentence length was 16.9 months compared with 11.3 months for offenders sentenced at the Crown Court following committal for sentence for similar offences in England and Wales in 2010.

Table 8.5: Sentencing Comparison for offenders convicted following the August 2011 public disorder, with similar offences committed in 2010

	For offences committed during the public disorder				During 2010			
	Total sentenced	Sentenced to custody	Immediate custody rate (%)	Average custodial sentence length (months)	Total sentenced	Sentenced to custody	Immediate custody rate (%)	Average custodial sentence length (months)
Juvenile (youth courts)	444	144	32.4	7.9	34,796	1,843	5.3	7.3
Adult - magistrates' courts	212	100	47.2	4.3	166,746	22,867	13.7	2.1
All ages - magistrates' courts	656	244	37.2	6.4	201,542	24,710	12.3	2.5

Table 8.6: Average custodial sentence length (months) for offences related to the disorder between 6th and 9th August, (data as of midday 1st February 2012)

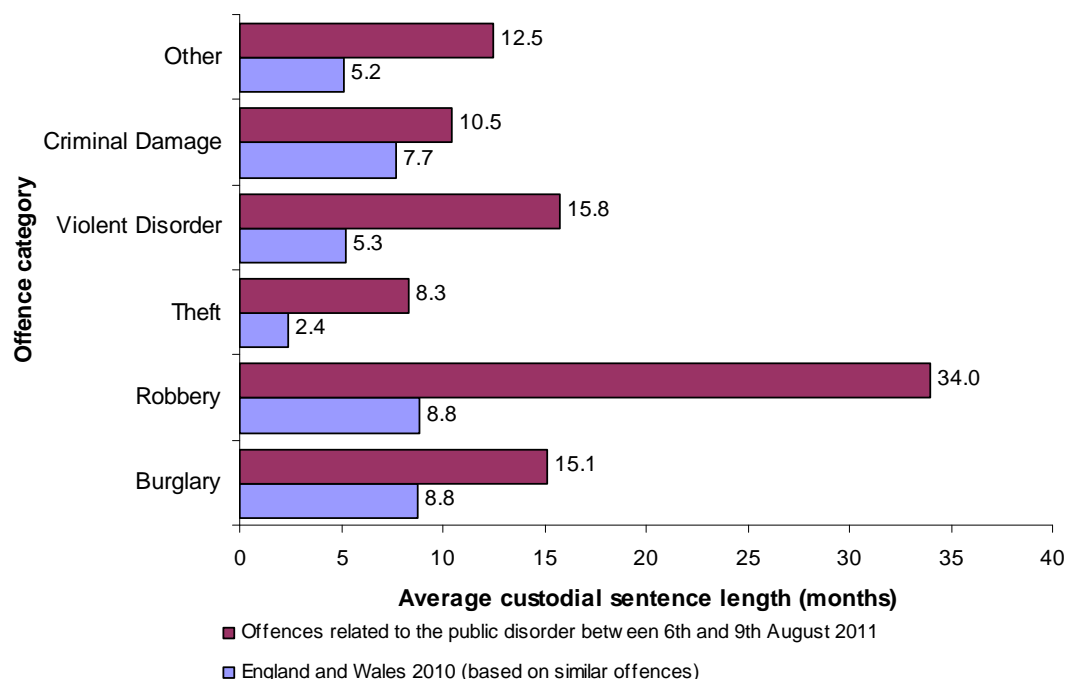
<u>Court type / Offence category</u>	<u>Completed court cases relating to the disorder</u>	<u>England and Wales 2010 (based on similar offences)</u>
<u>Magistrates' courts</u>		
Burglary	7.2	4.4
Robbery	*	8.8
Criminal damage	3.3	6.8
Theft	4.6	2.0
Violent disorder ⁽¹⁾	7.4	3.1
Other disorder offences ⁽²⁾	4.6	3.1
Total	6.4	2.5
<u>Crown Court</u>		
Burglary	17.1	16.2
Robbery	34.0	10.8
Criminal damage	16.2	7.7
Theft	10.5	6.6
Violent disorder ⁽¹⁾	20.2	9.9
Other disorder offences ⁽²⁾	16.0	7.6
Total	16.9	11.3

To note: Crown Court data for 2010 are based on cases that were found guilty at the magistrates' courts and committed for sentence at the Crown Court in order to give the most reliable comparison with disorder cases which have been sentenced so far.

(1) Violent disorder (includes following offences: Violent disorder, Riot, Affray, Summary causing intentional harassment, alarm or distress, Summary harassment, alarm or distress, Assault with intent to resist apprehension or assault a person assisting a constable, Common assault offences, Assaulting a constable and offences under Public Order Act and Justice of the Peace Act).

(2) Other disorder offences includes following offences: Having an article with a blade or point in public place, Possession of offensive weapons without lawful authority or reasonable excuse, Having possession of a controlled drug (Cannabis).

Figure 8.2: Average custodial sentence length (months) for offences related to the public disorder between 6th and 9th August 2011, (data as of midday 1st February 2012)



As of the 1st February 2011, details of 18 successful appeals against sentences given at the magistrates' courts and four successful appeals against sentences given at the Crown Court have been received. The appeal results are included in the statistics, including four custodial sentences being commuted to community sentences.

Ethnicity

The ethnicity statistics included in this publication are based on each defendant's self-defined ethnicity, as recorded by the courts. This approach uses the Office for National Statistics 2001 Census classifications, which allows an individual to choose how their ethnicity is recorded from a list of 16 options, or not to declare it. Due to small numbers in some categories the 16 point ethnicity classification was then collapsed to the 5 point classification in this section. Information is presented on the following ethnic groupings: 'White'²², 'Black'²³, 'Asian'²⁴, 'Mixed'²⁵, 'Other'²⁶ and 'Not Stated'. The fuller 16 point classification can be found in the tables.

²² From the Census 5 point ethnicity classification White includes: - White – British, White – Irish, and White – Other

²³ From the Census 5 point ethnicity classification Black includes: - Black – African, Black – Caribbean, and Black – Other.

²⁴ From the Census 5 point ethnicity classification Asian includes: - Asian – Bangladeshi, Asian – Indian, Asian – Pakistani, and Asian – Other.

²⁵ From the Census 5 point ethnicity classification Mixed includes: - White and Black African, White and Black Caribbean, White and Asian, and Any other mixed background.

²⁶ From the Census 5 point ethnicity classification Other includes: - Chinese and Other.

For those defendants whose ethnicity is known²⁷ 41 per cent were from the White ethnic group, 39 per cent were from a Black ethnic background, 12 per cent were from the Mixed group, six per cent the Asian ethnic group, and two per cent self-defined as being from a Chinese or Other ethnic background.

For those cases which have yet to come to a final conclusion at court, 16 per cent of defendants from the White ethnic group and 12 per cent of defendants from the Black ethnic group were remanded on unconditional bail, whereas 43 per cent of defendants of White ethnicity were remanded on conditional bail, compared to 50 per cent of defendants of Black ethnicity. When considering custodial remands 39 per cent of defendants of Black ethnicity and 39 per cent of defendants of White ethnicity were remanded in custody. During 2010, at the Crown Court, 45 per cent of Black defendants tried were remanded in custody, compared to 33 per cent of White defendants.

Where defendants have been sentenced 61 per cent of those in the White ethnic group and 67 per cent of those in the Black ethnic group were given an immediate custodial sentence. This compares to 23 per cent and 26 per cent respectively, sentenced to immediate custody for indictable offences during the 12 months ending March 2011.

Where the proceedings are complete 14 per cent of White and 23 per cent of Black defendants were not found guilty. This includes cases where proceedings were discontinued by the prosecution, acquittals, and proceedings dismissed by the judge or magistrates.

²⁷ Excludes 506 defendants whose ethnicity was given as Not Stated or not recorded at court.

Tables 8.7a(ii) and 8.7b(ii): Defendants brought before the courts for offences relating to the public disorder between 6th and 9th August 2011, by self-defined ethnicity⁽¹⁾ - data as of 1st February 2012

Table 8.7a(ii) - Defendants awaiting final outcome

Ethnicity	Hearing not yet completed			Outcome of hearing not recorded	Total
	Remanded on unconditional bail	Remand on conditional bail	Remanded in custody		
White – British	37	98	89	3	227
White – Irish	1	4	2	-	7
White – Other	6	12	14	1	33
Black – Caribbean	16	80	53	-	149
Black – African	12	35	32	-	79
Black – Other	8	39	36	-	83
Asian – Indian	4	3	5	-	12
Asian – Pakistani	6	4	1	-	11
Asian – Bangladeshi	1	7	2	-	10
Asian – Other	3	9	9	-	21
White and Black Caribbean	9	31	21	2	63
White and Black African	-	1	2	-	3
White and Asian	-	2	-	-	2
Any other mixed background	3	11	2	-	16
Chinese	-	-	-	-	-
Other	2	7	6	-	15
Not Stated	50	78	61	1	190
Total	158	421	335	7	921

Table 8.7b(ii): Final defendant outcome at court

Ethnicity	Convicted and sentenced			Not convicted	
	Sentenced to immediate custody	Sentenced to non-custody	Total sentenced	Dismissed / acquitted	Total final outcomes
White – British	283	185	468	72	540
White – Irish	9	3	12	1	13
White – Other	40	20	60	14	74
Black – Caribbean	133	61	194	67	261
Black – African	78	44	122	31	153
Black – Other	69	32	101	27	128
Asian – Indian	6	5	11	1	12
Asian – Pakistani	16	8	24	7	31
Asian – Bangladeshi	4	4	8	2	10
Asian – Other	23	7	30	4	34
White and Black Caribbean	48	41	89	23	112
White and Black African	17	4	21	3	24
White and Asian	3	1	4	-	4
Any other mixed background	16	20	36	5	41
Chinese	1	1	2	2	4
Other	21	5	26	6	32
Not Stated	178	97	275	41	316
Total	945	538	1483	306	1789

(1) Ethnicity is self defined ethnicity reported on the 16+1 scale used in the 2001 census.

Table 8.8: Defendants proceeded against at magistrates' courts, found guilty and sentenced at all courts for offences relating to the public disorder of 6th to 9th August 2011, by self-defined ethnicity⁽¹⁾ - data as of 1st February 2012

Ethnicity	First hearing	Found guilty	Sentenced	Sentence breakdown						Average Custodial Sentence Length (Magistrates)	Average Custodial Sentence Length (Crown)
				Absolute / conditional discharge	Fine	Community sentence	Suspended sentence	Immediate custody	Otherwise dealt with		
White – British	767	481	468	16	14	100	41	283	14	5.5	18.4
White – Irish	20	12	12	-	-	2	1	9	-	10.0	17.3
White – Other	107	62	60	1	1	11	7	40	-	8.4	15.1
Black – Caribbean	410	197	194	2	5	36	18	133	-	7.0	15.5
Black – African	232	126	122	1	4	23	15	78	1	6.2	18.5
Black – Other	211	105	101	1	1	20	8	69	2	6.5	17.4
Asian – Indian	24	12	11	-	-	3	1	6	1	*	16.2
Asian – Pakistani	42	24	24	1	1	5	1	16	-	2.7	13.4
Asian – Bangladeshi	20	8	8	1	-	2	1	4	-	9.0	14.5
Asian – Other	55	31	30	-	-	5	1	23	1	8.5	14.7
White and Black Caribbean	175	91	89	1	-	25	14	48	1	8.0	19.6
White and Black African	27	22	21	-	-	3	1	17	-	8.0	16.7
White and Asian	6	4	4	-	-	1	-	3	-	*	18.0
Any other mixed background	57	37	36	2	3	12	3	16	-	6.4	14.4
Chinese	4	2	2	-	-	1	-	1	-	*	36.0
Other	47	26	26	-	1	3	1	21	-	6.8	18.8
Not Stated	506	279	275	6	4	69	15	178	3	6.6	15.1
Total	2,710	1,519	1,483	32	34	321	128	945	23	6.4	16.9

(1) Ethnicity is self defined ethnicity reported on the 16+1 scale used in the 2001 census.

The ethnic backgrounds of those appearing before the courts vary significantly by area. In London 33 per cent of defendants, where ethnicity was known, were from White ethnic groups, whereas in Merseyside 78 per cent of defendants were from White ethnic groups. By contrast 11 per cent of defendants in Merseyside were from Black ethnic groups, compared to London where 45 per cent were from Black ethnic groups.

Table 8.9a(ii): Defendants brought before the courts for offences relating to the public disorder between 6th and 9th August 2011, by self-defined ethnicity⁽¹⁾ and region - data as of 1st February 2012

Ethnicity	Region						Total
	London	West Midlands	Nottingham	Greater Manchester	Merseyside	Other	
White – British	429	63	22	136	51	66	767
White – Irish	17	1	-	2	-	-	20
White – Other	92	3	1	8	-	3	107
Black – Caribbean	348	37	11	5	1	8	410
Black – African	205	8	-	15	2	2	232
Black – Other	183	8	10	4	4	2	211
Asian – Indian	18	5	-	-	-	1	24
Asian – Pakistani	27	11	-	3	-	1	42
Asian – Bangladeshi	19	1	-	-	-	-	20
Asian – Other	49	4	-	-	2	-	55
White and Black Caribbean	120	17	16	13	3	6	175
White and Black African	22	-	-	5	-	-	27
White and Asian	4	1	-	1	-	-	6
Any other mixed background	48	4	2	1	1	1	57
Chinese	3	-	-	1	-	-	4
Other	40	2	1	2	1	1	47
Not Stated	272	136	1	44	27	26	506
Total	1,896	301	64	240	92	117	2,710

Table 8.9b(ii): Proportions of defendants of known ethnicity brought before the courts for offences relating to the public disorder between 6th and 9th August 2011, by self-defined ethnicity⁽¹⁾ and region - data as of 1st February 2012

Ethnicity	Region						Total
	London	West Midlands	Nottingham	Greater Manchester	Merseyside	Other	
White – British	26%	38%	35%	69%	78%	73%	35%
White – Irish	1%	1%	-	1%	-	-	1%
White – Other	6%	2%	2%	4%	-	3%	5%
Black – Caribbean	21%	22%	17%	3%	2%	9%	19%
Black – African	13%	5%	-	8%	3%	2%	11%
Black – Other	11%	5%	16%	2%	6%	2%	10%
Asian – Indian	1%	3%	-	-	-	1%	1%
Asian – Pakistani	2%	7%	-	2%	-	1%	2%
Asian – Bangladeshi	1%	1%	-	-	-	-	1%
Asian – Other	3%	2%	-	-	3%	-	2%
White and Black Caribbean	7%	10%	25%	7%	5%	7%	8%
White and Black African	1%	-	-	3%	-	-	1%
White and Asian	0%	1%	-	1%	-	-	0%
Any other mixed background	3%	2%	3%	1%	2%	1%	3%
Chinese	0%	-	-	1%	-	-	0%
Other	2%	1%	2%	1%	2%	1%	2%
Total	100%	100%	100%	100%	100%	100%	100%

(1) Ethnicity is self defined ethnicity reported on the 16+1 scale used in the 2001 census.

Data sources and data quality

The data presented in this publication are drawn from administrative IT systems. Although care is taken when processing and analysing the returns, the detail collected is subject to the inaccuracies inherent in any large scale recording system. While the figures shown have been checked as far as practicable, they should be regarded as approximate and not necessarily accurate to the last whole number shown in the tables. Where figures in the tables have been rounded to the nearest whole number, the rounded components do not always add to the totals, which are calculated and rounded independently

Court hearings

Justice Statistics Analytical Services within the Ministry of Justice received manual returns from the individual courts who were dealing with defendants identified as being involved in the public disorder. They provided summary information on key details taken from court registers to meet the needs of the courts service, National Offender Management Service (NOMS) and other Criminal Justice agencies for planning purposes.

The offence shown in the tables on court proceedings is the one for which the court took its final decision and is not necessarily the same as the offence for which the defendant was initially prosecuted, for example when the court accepts a guilty plea from the defendant on a lesser charge.

Ethnicity data

Data for the main ethnicity section and tables is based on the information available as at 1st February 2012. The ethnicity statistics are based on each defendant's self-defined ethnicity, as recorded by the courts. This approach uses the Office for National Statistics 2001 Census classification, which allows an individual to choose how their ethnicity is recorded from a list of 16 options, or not to declare it. Due to small numbers in some categories the 16 point ethnicity classification was then collapsed to the 5 point classification in this section for reporting purposes. The report therefore presents information on the following ethnic groups: 'White'²⁸, 'Black'²⁹, 'Asian'³⁰, 'Mixed'³¹, 'Other'³² and 'Not Stated'.

The executive summary includes a breakdown based on known ethnicity only, so the 506 (19 per cent) not stated/not known cases have been removed – therefore there are some differences between proportions reported. In each case we have stated what approach has been used.

²⁸ From the Census 5 point ethnicity classification White includes: - White – British, White – Irish, and White – Other.

²⁹ From the Census 5 point ethnicity classification Black includes: - Black – African, Black – Caribbean, and Black – Other.

³⁰ From the Census 5 point ethnicity classification Asian includes: - Asian – Bangladeshi, Asian – Indian, Asian – Pakistani, and Asian – Other.

³¹ From the Census 5 point ethnicity classification Mixed includes: - White and Black African, White and Black Caribbean, White and Asian, and any other mixed background.

³² From the Census 5 point ethnicity classification Other includes: - Chinese and Other.

Explanatory notes

The statistics in this bulletin relate to cases in the Crown and magistrates' courts in England and Wales during 12 months ending September 2011. This is the third set of combined quarterly criminal statistics to be published by the Ministry of Justice. 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:

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

Contacts

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

Tel: 020 3334 3536

Email: newsdesk@justice.gsi.gov.uk

Other enquiries about these statistics should be directed to the Justice Statistics Analytical Services division of the Ministry of Justice:

Iain Bell
Chief Statistician
Ministry of Justice
7th Floor
102 Petty France
London
SW1H 9AJ
Email: statistics.enquiries@justice.gsi.gov.uk

General enquiries about the statistical work of the Ministry of Justice can be e-mailed to: statistics.enquiries@justice.gsi.gov.uk

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