



# Criminal Justice Statistics quarterly, England and Wales, April 2016 to March 2017 (provisional)

## Main points

**1.71 million individuals dealt with by the CJS** ↓

The total number of individuals formally dealt with by the criminal justice system is at a record low level (period 1970 to the year to March 2017), at 1.71 million in the latest year.

**1.43 million defendants were prosecuted** ↓

The number prosecuted at magistrates' courts has declined by 4% over the latest year. This was driven by a fall in both indictable and summary non-motoring offences.

**The conviction ratio was 86%** ↑

The overall conviction ratio increased in the latest year to 86%, while it has fluctuated between 80% and 84% over the earlier years of the decade.

**For indictable offences, the custody rate was 31% and ACSL was 19.5 months** ↑

The custody rate for indictable offences has been increasing since March 2011, from 24% to 31%. Average custodial sentence length (ACSL) for these offences has increased from 15.3 months to 19.5 months since March 2007.

**First time offenders were more likely to be convicted than they were to be cautioned**

Offenders with no previous convictions and cautions are now more likely to go to court and be convicted (52%) than to receive a caution. Only 22% of these offenders were convicted 10 years ago.

This publication gives criminal justice statistics for the latest 12 month period alongside the same rolling 12 month periods for the previous 10 years. This enables the presentation of longer-term trends across comparable periods. Trends should be interpreted with caution as the data presented are provisional and subject to change for the 2017 Criminal Justice Statistics annual bulletin, which is scheduled for publication in May 2018. For full and detailed commentary, please refer to the annual publication, and for technical detail to the accompanying guide to criminal justice statistics.

A new interactive Sankey diagram for offending histories can be found at:

[moj-analytical-services.github.io/criminal\\_history\\_sankey/index.html](http://moj-analytical-services.github.io/criminal_history_sankey/index.html)

**We are changing how our quarterly bulletins look, and would welcome any feedback to [commentary.champions@justice.gsi.gov.uk](mailto:commentary.champions@justice.gsi.gov.uk)**

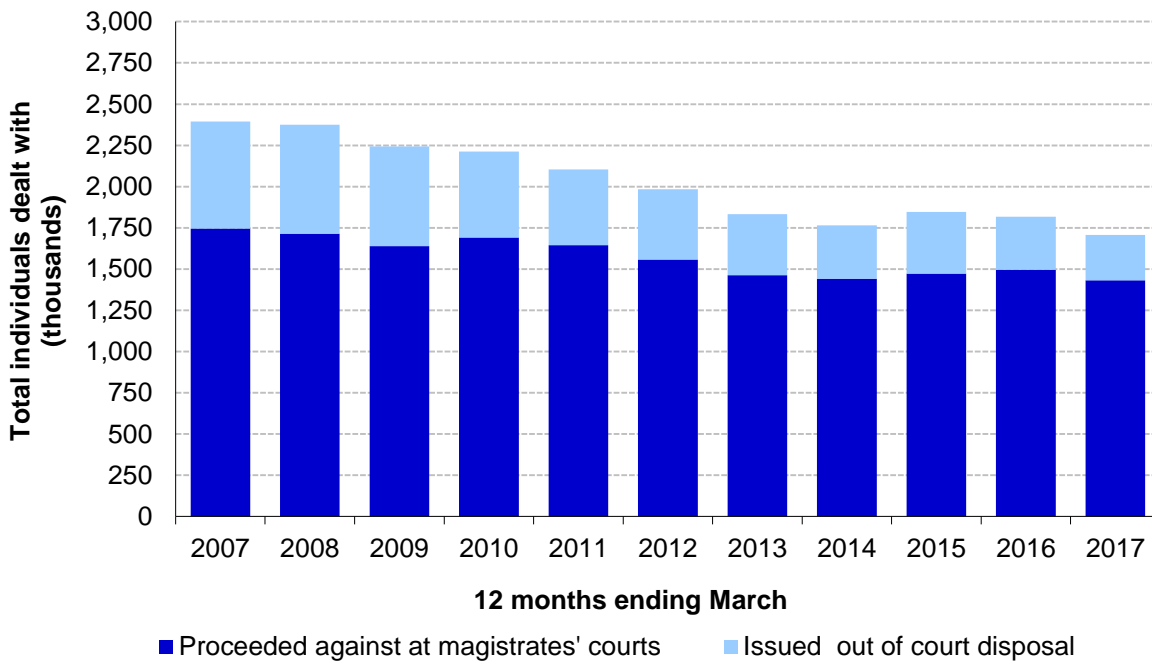
For other feedback related to the content of this publication, please let us know at [CJS\\_Statistics@justice.gsi.gov.uk](mailto:CJS_Statistics@justice.gsi.gov.uk)

# 1. Overview of the Criminal Justice System

## 1.71 million individuals were dealt with by the CJS in the latest year

The total number of individuals<sup>1</sup> formally dealt with by the Criminal Justice System in England and Wales has been declining since 2007 to a record low, with 1.71 million individuals dealt with in the year ending March 2017 (see Figure 1).

**Figure 1: Individuals dealt with formally by the CJS<sup>2</sup>, 12 months ending March 2007 to 12 months ending March 2017 (Source: Table Q1.1 and historic data)**



Latest figures from the Crime Survey for England and Wales<sup>3</sup> (CSEW) estimated 5.9 million incidents of crime in the latest year (to March 2017) experienced by adults aged 16 or over. This is a statistically significant decrease of 7% compared with the previous year's survey. The CSEW covers a broad range of victim based crimes and includes crimes which do not come to the attention of the police. It was estimated there were also 3.4 million fraud and 1.8 million computer misuse offences experienced by victims in the 12 months ending March 2017. In contrast to the CSEW, there was an 11% increase in police recorded crime compared with the previous year, to 5.0 million offences; however, this increase is believed to be associated with changes in recording practice, and is not directly comparable to crime survey data<sup>4</sup>.

<sup>1</sup> A single individual (includes people and companies) can be counted more than once in a given year if they are dealt with by the CJS on more than one separate occasion. Includes individuals prosecuted, given a caution, Penalty Notice for Disorder (PND) or cannabis/khat warning and community resolutions.

<sup>2</sup> Adding three years of community resolutions data causes the apparent increase in OOCs from the year ending March 2015, but the downward trend continued for each type of OOC throughout the period.

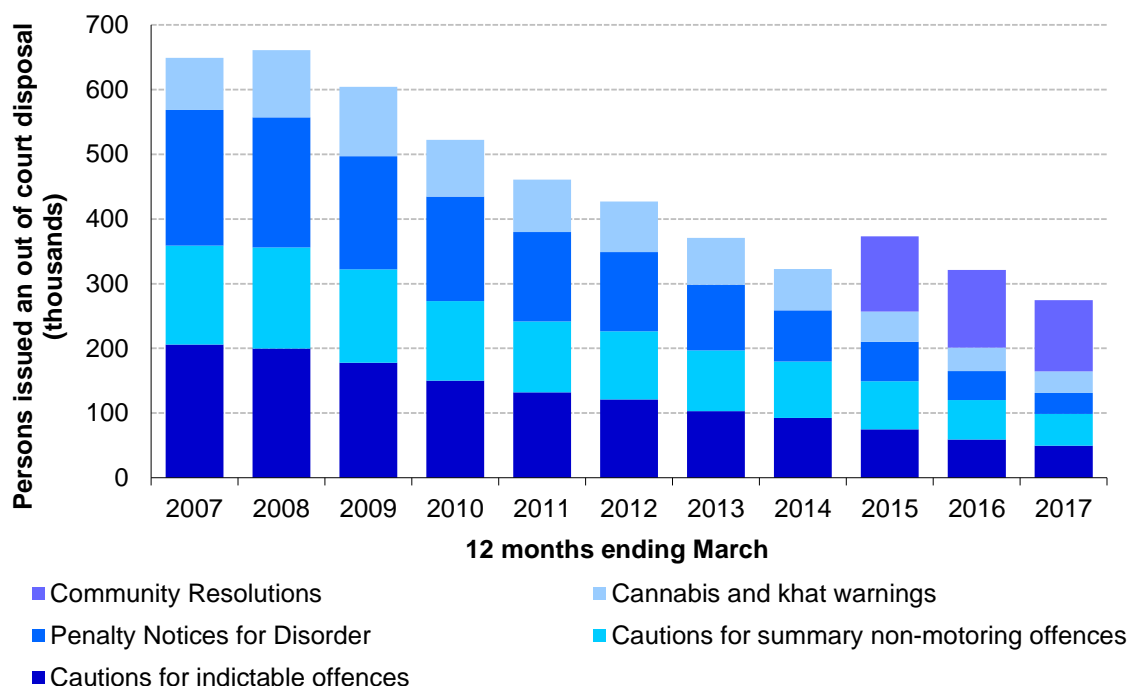
<sup>3</sup> Available at: [www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendingmar2017](http://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendingmar2017)

<sup>4</sup> This is the published figure for the overall change in police recorded crime. It may not align with the change shown in our overview tables, where we exclude fraud for consistent comparisons over our time series. See the annual version of this publication for further discussion of the trend in police recorded crime.

## 2. Out of Court Disposals

The use of out of court disposals (OOCs) decreased by 46,500 (14%) in the year ending March 2017, with 274,600 individuals issued an OOC. This decreasing trend can be seen across all OOC types and continues the steady decline in the use of OOCs since March 2008 (excluding Community Resolutions<sup>5</sup>, see Figure 2). The decrease in the number of OOCs followed a number of policy changes relating to police practice and OOC availability<sup>6</sup>.

**Figure 2: Out of court disposals issued, by disposal, 12 months ending March 2007 to 12 months ending March 2017 (Source: Tables Q.1.1, Q2.1 and Q2.2 and historic data)**



The number of Penalty Notices for Disorder (PNDs) administered was 32,600, falling 27% from the previous year. The most common offences that resulted in a PND were drunk and disorderly, theft and possession of cannabis, accounting for 78% of all PNDs.

The total number of cautions administered was 98,500, falling 18% from the previous year. Drug offences, theft and violence against the person were the most common indictable offences<sup>7</sup> for which an offender received a caution (accounting for 80% of all cautions for indictable offences). The overall cautioning rate (among those cautioned or convicted excluding summary motoring offences) fell in the latest year from 14% to 12%.

The number of Community Resolutions administered was 109,900, decreasing 8% since the previous year.

<sup>5</sup> Community resolutions were only incorporated into this trend from the previous annual publication, the first for which two full years of data were available.

<sup>6</sup> See the annual version of this publication for further detail.

<sup>7</sup> The majority of information presented in this publication is reported on the principal offence and principal sentence. Where prosecutions involve more than one offence, the principal offence is reported. See the accompanying technical guide for more information.

### 3. Court prosecutions and convictions

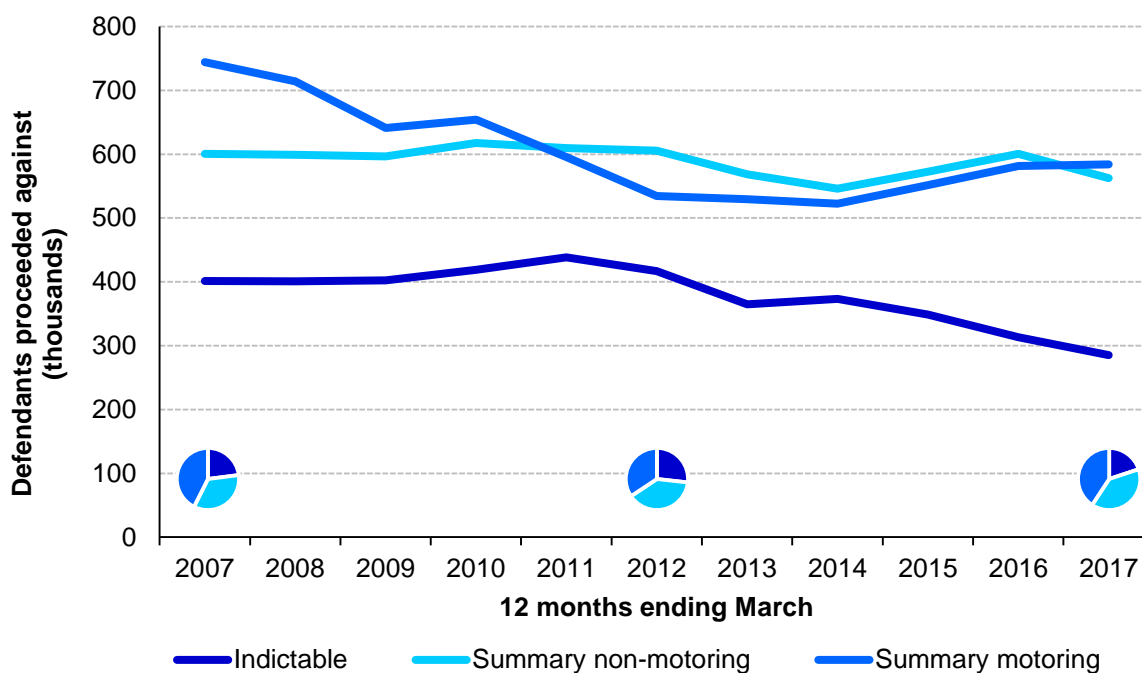
#### Overall, prosecutions fell to 1.43 million defendants

In the 12 months ending March 2017, 1.43 million defendants were prosecuted at magistrates' courts, down from 1.50 million defendants in the 12 months ending March 2016. This represents a fall of 4% overall which is driven by a fall in indictable and summary non-motoring offences (see Figure 3).

#### The conviction ratio saw a small increase to 86%.

Although the total number of offenders convicted also fell since the 12 months ending March 2016, the overall conviction ratio has increased by 2 percentage points to 86% (the highest in the decade) in latest year, and has fluctuated between 80% and 84% over the earlier years of the decade. The conviction ratio for indictable offences remains broadly stable compared to the previous year (83%).

**Figure 3: Defendants prosecuted at magistrates' courts, 12 months ending March 2007 to 12 months ending March 2017, by type of offence (Source: Table Q3.2)**



The decline in overall prosecutions since the year ending March 2016 is primarily driven by a decline in summary non-motoring and indictable offences. While summary motoring offences have seen a slight increase (less than 1%) in prosecutions, summary non-motoring and indictable offences have decreased by 6% and 9% respectively. There was also a decline in the overall number of convictions (falling 2% in the year ending March 2017). Similarly to prosecutions, this was also driven by convictions for summary non-motoring offences decreasing by 4%, and indictable offences decreasing 9% in the year ending March 2017.

## 4. Remands

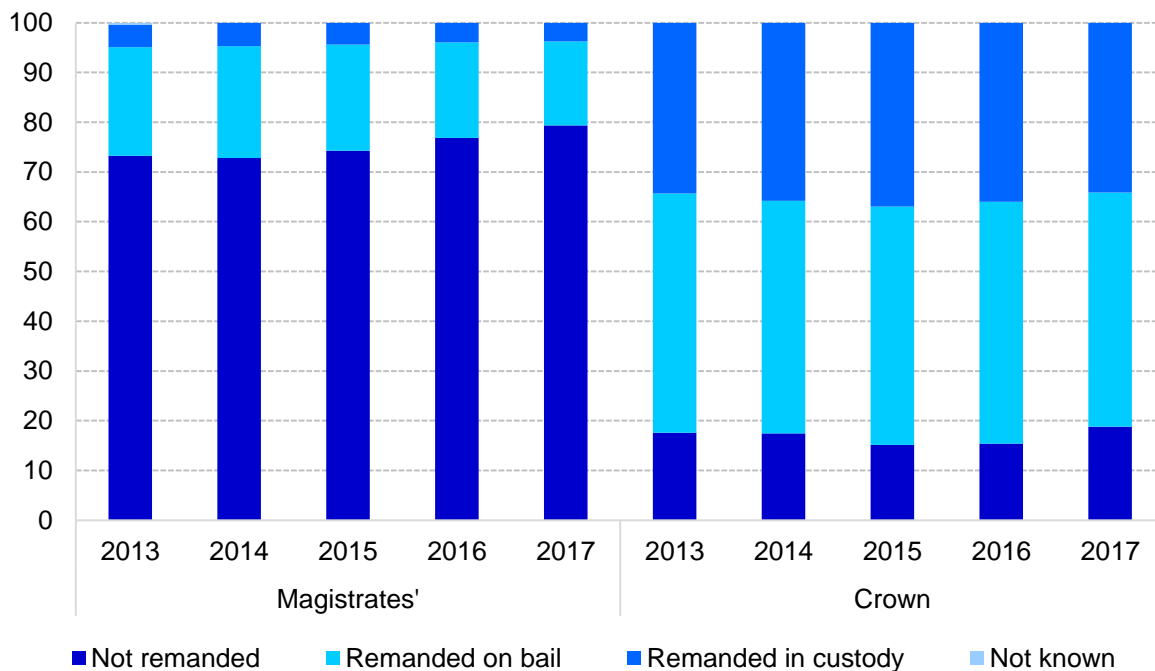
In the year ending March 2017 there were 1.50 million defendants directed to appear at magistrates' courts (including those who failed to appear).

The proportion of defendants being summonsed increased from 66% to 68%. The proportion remanded in custody by the police remained stable at 10% and the proportion arrested and bailed by police decreased from 24% to 22% in the latest year.

In the latest year, bail was granted to 17% of defendants prosecuted at magistrates' courts, falling from 19% in the previous year. The proportion of defendants remanded in custody remained stable at 4%, while 79% had their case concluded at magistrates' courts without being remanded, increasing from 77% in the previous year.

In the Crown Court there was an increase in the proportion of defendants not remanded in custody (increasing from 15% to 19%) in the most recent year. This was contrasted by a falling proportion of defendants remanded in custody (decreasing from 36% to 34%) and on bail (decreasing from 49% to 47%).

**Figure 4: Defendants' remand status in magistrates' courts and the Crown Court, 12 months ending March 2013 to 12 months ending March 2017 (Source: Table Q4.2 and Q4.3)**



Defendants are more likely to be remanded in custody for more serious, 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.

Of those defendants remanded in custody at the Crown Court in the year ending March 2017 72% were sentenced to immediate custody. 16% of defendants remanded in custody by magistrates' courts were sentenced there to immediate custody; and a further 58% of defendants remanded in custody in magistrates' courts were committed for trial or sentencing at the Crown Court.

## 5. Sentencing

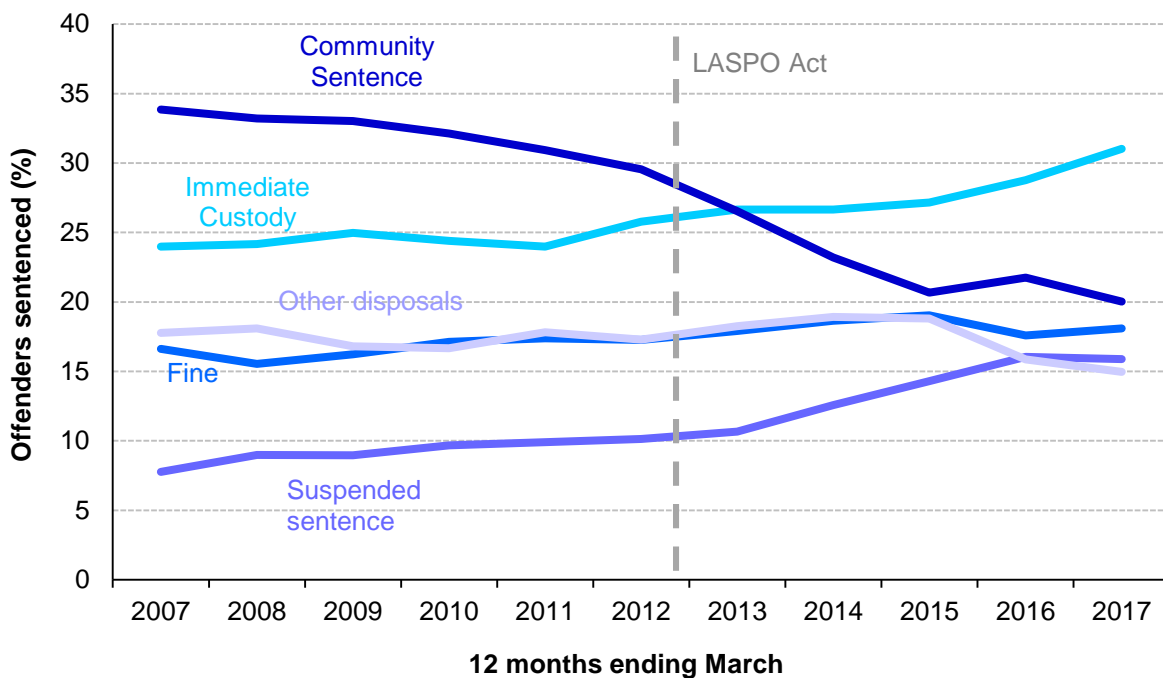
### For indictable offences, the custody rate rose to 31% and the ACSL increased to 19.5 months

The overall custody rate has remained unchanged at 7.2% since the year ending March 2016 while the custody rate for indictable offences has been increasing since the year ending March 2011, from 24% to 31%.

The average custodial sentence length (ACSL) has increased over the last decade, both overall (from 12.4 to 16.6 months) and for indictable offences (from 15.3 to 19.5 months). This is in part because more people have been sentenced for sexual offences, which have the highest ACSL, hence driving up the overall average. The total number of persons sentenced for sexual offences in the year ending March 2017 was 4,400, up from 2,800 in the year ending March 2007, while the ACSL for sexual offences increased by 18 months over the same period.

The most common sentence given for all offence groups is a fine, which accounted for 74% of offenders sentenced in the latest year, following a steady increase since 2011 of 9 percentage points in total. For indictable offences, a greater proportion of offenders (31%) received immediate custody than any other type of sentence (Figure 5). Furthermore, the proportion of offenders receiving immediate custody rose by 2 percentage points in the latest year while the proportion of community sentences decreased similarly. The proportion of offenders receiving a community sentence has steadily declined since 2007, while the proportion of offenders receiving a suspended sentence for indictable offences stabilised at 16% in the latest year following a continuous increase over the same period.

**Figure 5: Trends in sentencing outcomes for indictable offences at all courts, 12 months ending March 2007 to 12 months ending March 2017 (Source: Table Q5.3)**



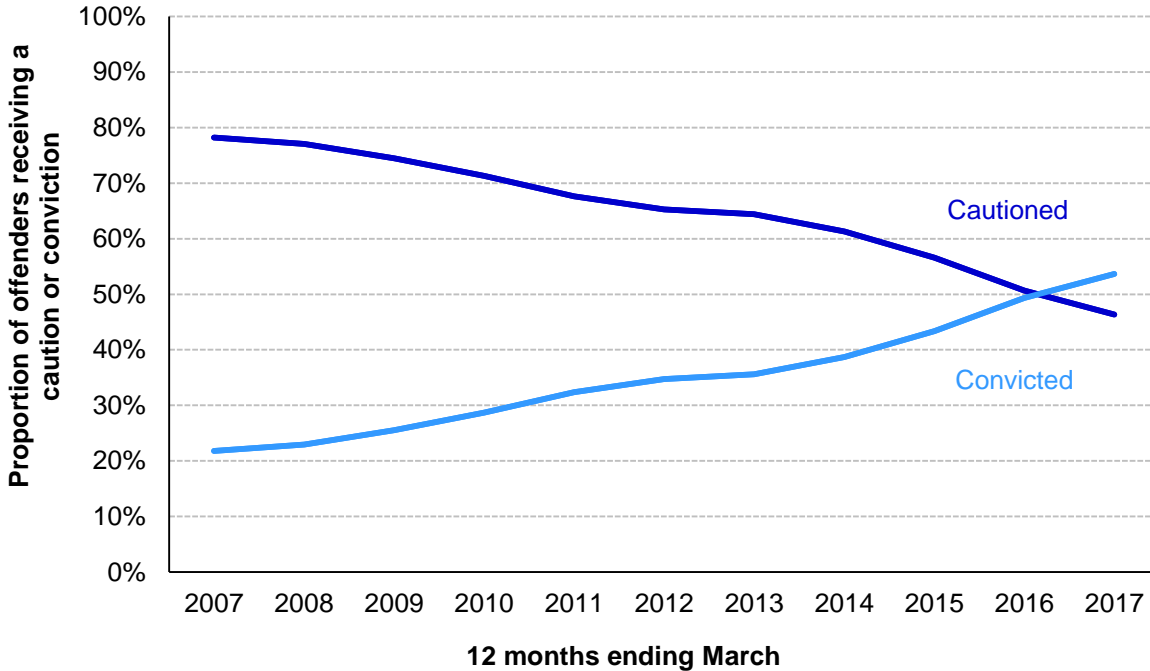
The number of offenders sentenced at all courts has fallen by 28,800 (2%) since 2016. Similarly to prosecutions and convictions, this is driven by a decline in indictable and summary non-motoring offences, which have seen a decline of 9% and 4% respectively.

## 6. Offending Histories

### Offenders dealt with for indictable offences with no criminal history are now more likely to go to court and be convicted than they are to receive a caution

Offenders dealt with for indictable offences with no previous convictions and cautions are now more likely to go to court and be convicted (54%) than they are to receive a caution. 22% of first time offenders went to court and were convicted 10 years ago.

**Figure 6: First time offenders dealt with for indictable offences, by outcome, 12 months ending March 2007 to 12 months ending March 2017 (Source: Table Q6.1)**



### Proportion of adults with long criminal records continues to rise

Adults convicted of an indictable offence are now more likely to receive some form of custody (52%), i.e. immediate custody or a suspended sentence, than a non-custodial sentence. For those with long criminal careers, i.e. 15 or more previous cautions or conviction, 59% were sentenced to some form of custody. Use of suspended sentences for this group increased by 5% over the last 12 months. Around 88,000 adult offenders convicted of an indictable offence had 15 or more previous convictions or cautions (long criminal records – on average 34 previous sanctions). 39% of adults convicted of an indictable offence had a long criminal record compared to 30% 10 years ago.

There were around 126,000 persistent offenders<sup>8</sup> in the 12 months ending March 2017 who have been responsible for around 3 million crimes through their criminal careers. Of these, 39% were given their first official sanction for a theft offence. The number of First Time Entrants peaked in 2007 and has fallen since then, the decline has been much sharper for juveniles. The number of juvenile FTEs is now around a tenth of that seen at the peak. This has in part been driven by the decline in the use of cautions as highlighted in chapter 2.

<sup>8</sup> A persistent offender is an offender with 8 or more convictions or cautions. The methodology to count the number of persistent offenders has been revised from previous publications – the figure now shows the actual number of individual offenders instead of the number of sanction occasions.

## Further information

The data presented in this publication are provisional. Final data for each calendar year is published in May each year in our Criminal Justice Statistics annual bulletin, following further data cleaning and the incorporation of additional cases not available in our original extracts of administrative data.

## Accompanying files

As well as this bulletin, the following products are published as part of this release:

- A technical guide providing further information on how the data is collected and processed, as well as information on the revisions policy and legislation relevant to sentencing trends and background on the functioning of the criminal justice system.
- A set of overview tables, covering each section of this bulletin.
- A set of offending histories tables, including a data tool.

## National Statistics status

National Statistics status means that official statistics meet the highest standards of trustworthiness, quality and public value.



All official statistics should comply with all aspects of the Code of Practice for Official Statistics. They are awarded National Statistics status following an assessment by the Authority's regulatory arm. The Authority considers whether the statistics meet the highest standards of Code compliance, including the value they add to public decisions and debate.

It is the Ministry of Justice's responsibility to maintain compliance with the standards expected for National Statistics. If we become concerned about whether these statistics are still meeting the appropriate standards, we will discuss any concerns with the Authority promptly. National Statistics status can be removed at any point when the highest standards are not maintained, and reinstated when standards are restored.

## Contact

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**URL:** [www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-march-2017](http://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-march-2017)

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