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| Ministry of Justice | Data Access & Compliance Unit  Ministry of Justice  102 Petty France  London  SW1H 9AJ  [data.access@justice.gsi.gov.uk](mailto:data.access@justice.gsi.gov.uk)  December 2017 |

**Freedom of Information Act (FOIA) Request –** 171109022

Thank you for your request in which you asked for the following information from the Ministry of Justice (MoJ):

**Yes, I would like the breakdowns by previous suspended sentences (in Question 1) and by previous convictions/cautions (in Question 2) to apply to both parts (a) and (b) of each question.**

**The difference between 1(a) and 1(b) is that 1(b) includes only those who received a custodial sentence, while 1(a) includes everyone found guilty, whether or not they received a custodial sentence.**

**For example, if the number of people with 0 previous suspended sentences who were found guilty of any offence was 400,000 and of them 50,000 went to prison and 350,000 did not, the answers for the first line of the table would be:**

**0 previous suspended sentences (a) 400,000 (b) 50,000.**

Which clarified your previous request

**please could you provide the following information:**

**1. In 2016,**

**(a) the number of individual offenders found guilty; and**

**(b) the number of individual offenders sentenced to immediate custody**

**(with each individual offender listed only once for the most recent court appearance which resulted in immediate custody, even if they were sentenced more than once in 2016), who had previously (at any point in time) been given:**

**• 0 suspended sentences**

**• 1 suspended sentence**

**• 2 suspended sentences**

**• 3 suspended sentences**

**• 4 suspended sentences**

**• 5 suspended sentences**

**• 6 suspended sentences**

**• 7 suspended sentences**

**• 8 suspended sentences**

**• 9 suspended sentences**

**• 10 suspended sentences**

**• 11 suspended sentences**

**• 12 suspended sentences**

**• 13 suspended sentences**

**• 14 suspended sentences**

**• 15 suspended sentences**

**• 16 suspended sentences**

**• 17 suspended sentences**

**• 18 suspended sentences**

**• 19 suspended sentences**

**• 20 suspended sentences**

**• 21 suspended sentences**

**• 22 suspended sentences**

**• 23 suspended sentences**

**• 24 suspended sentences**

**• 25 or more suspended sentences**

**You may wish to present the information in the form of a table, e.g.**

**Number of previous suspended sentences (a) Number of offenders found guilty (b) Number of offenders sentenced to immediate custody**

**0**

**1**

**2**

**In 2016,**

**(a) the number of individual offenders sentenced to immediate custody (listing each offender only once, for their most recent offence to result in immediate custody, no matter how many times they were sentenced to immediate custody in 2016); and**

**(b) the total number of times combined that the offenders in (a) had previously been sentenced to immediate custody (at any point in time)**

**(with each individual offender listed only once for the most recent court appearance which resulted in immediate custody, even if they were sentenced more than once in 2016), with the following offending histories:**

**• 0 previous convictions/cautions**

**• 1 previous conviction/caution**

**• 2 previous convictions/cautions**

**• 3 previous convictions/cautions**

**• 4 previous convictions/cautions**

**• 5 previous convictions/cautions**

**• 6 previous convictions/cautions**

**• 7 previous convictions/cautions**

**• 8 previous convictions/cautions**

**• 9 previous convictions/cautions**

**• 10 previous convictions/cautions**

**• 11-14 previous convictions/cautions**

**• 15-25 previous convictions/cautions**

**• 26-35 previous convictions/cautions**

**• 36-45 previous convictions/cautions**

**• 46-60 previous convictions/cautions**

**• 61-75 previous convictions/cautions**

**• 76 – 99 previous convictions/cautions**

**• 100 – 125 previous convictions/cautions**

**• 150-199 previous convictions/cautions**

**• 200 or more previous convictions/cautions**

**So, for example, if in 2016 there were 5,000 individual offenders sentenced to immediate custody with one previous conviction/caution, and half of those offenders had served a custodial sentence for their previous offence, the answers would be (a) 5,000 and (b) 2,500. In some cases, the number in (b) may exceed the number in (a) because it represents the same individuals receiving multiple previous custodial sentences.**

**You may wish to present the information in the form of a table, e.g.**

**Number of previous convictions/cautions (a) Number of offenders sentenced to immediate custody (b) Total number of previous custodial sentences served by the offenders in (a)**

**0 [This will be zero by definition]**

**1**

**2**

Your request has been handled under the FOIA.

I can confirm that the MoJ holds the information that you have requested and I have provided it attached.

Table 1 shows the number of offenders found guilty and the number sentenced to immediate custody in 2016 broken down by the number of previous suspended sentences. Please note that these should be treated as separate analyses.

Table 2 shows the number of offenders sentenced to immediate custody in 2016 broken down by the number of previous convictions/cautions and the total number of previous immediate custodial sentences given to those offenders.

Yours sincerely

Justice Statistics Analytical Services