



# Criminal Justice Statistics quarterly, England and Wales, year ending December 2022 (annual)

## Main points

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**1.4 million individuals were dealt with by the Criminal Justice System (CJS) in 2022**



The number of individuals formally dealt with by the Criminal Justice System in England and Wales increased by 7% in the latest year, although this figure is 11% below 2019.

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**Out of court disposals (OOCs) presented a slight overall increase by 1% in the latest year**



The total number of OOCs issued increased by 1% in the latest year, despite a decrease in most categories. This was driven by a 10% increase in community resolutions.

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**Prosecutions and convictions continued to recover following the impact of the COVID-19 pandemic, with prosecutions increasing by 8% and convictions by 9% in 2022**



Despite increases in the latest year, prosecutions remain 13% and convictions 12% lower than 2019. In the latest year, prosecutions for indictable offences were 3% lower than 2021, whereas prosecutions for summary offences were 11% higher.

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**The proportion of defendants remanded in custody at Crown Court increased**



In the latest year, 55% of defendants with known remand status at Crown Court were remanded in custody up from 52% in 2021; this trend was consistent across all offence types.

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**The average custodial sentence length (ACSL) for indictable offences decreased from 24.9 months in 2021, to 24.3 months in 2022**



ACSL for indictable offences has consistently risen throughout the last 10 years (from 17.0 months in 2012), aside from a 0.3 month decrease in 2020 and in the latest year.

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This is the 2022 Criminal Justice Statistics annual bulletin; it includes cases for previous periods that have become available since earlier publications. This publication provides criminal justice statistics for the latest 12-month period, presented alongside the same 12-month period for the previous year. Where appropriate, the latest figures are compared with the corresponding period three years ago to limit the impact of the pandemic when comparing trends. The bulletin is accompanied by overview tables, tools and experimental statistics providing additional insight for users. For technical detail about sources, quality and terminology, please refer to the accompanying technical guide to criminal justice statistics.

## Introduction

This report presents key statistics on activity in the Criminal Justice System (CJS) for England and Wales. It provides commentary for January to December 2022 (referred to as the 'latest year') with accompanying data tools providing offence level information. 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 CJS, trends in sentencing outcomes and the impacts of the COVID-19 pandemic. Most measures in this bulletin have been impacted by the COVID-19 response and the latest figures may continue to reflect the recovery from that. Quarterly figures may also show some impacts of the Criminal Bar Association action between April and October 2022.

## Changes and revisions in this publication

We are currently transitioning to more modern data processing methods to enable greater ownership and functionality that in turn can present further opportunities for more thorough, accurate and timely analysis and insight. As a result of this, the statistics published in this document are likely to be subject to small revisions in future publications – both to resolve known issues listed in the tables and tools but also where we are moving away from legacy systems to new, modern, and more resilient solutions. These revisions are unlikely to affect trends, and do not undermine the reliability of conclusions drawn from the data held in this publication.

We also anticipate that there may be some disruption to the next publication, due in August 2023. This is to allow us to devote sufficient resources to delivering the new dataflow, system and coding to deliver the full range of data in subsequent publications. This will also enable us to develop these statistics to meet new and developing user needs. We advise users to check announcements for revisions to statistics, especially where annual tools may be included in quarterly reports. Users can contact us via the email address below.

Another issue we are currently investigating is the high proportion of unknown remand status at Crown Court – early findings suggest that these cases are split broadly proportionally (to offence breakdowns) across those remanded at custody and those granted bail. We are working on a solution to fill in those unknown remand statuses with the actual status from a different source - whilst we continue to work on this, we have excluded those with an unknown remand status at Crown Court from the proportions in the commentary and tables.

Feedback from users on the annual tools highlighted that a longer time series was desirable in each excel pivot tool to enable comparisons. We have acted on this, and most tools have a time series of 2010 – 2022 (other than the remand and all offence tool). During this change, we have developed the annual tools to improve the accuracy of statistics and usability (see below). As a result, the tools produced in this publication should be seen as the true source of information on prosecutions, convictions, sentencing and remand decisions rather than those published in earlier versions of CJSQ. We will consider publishing tools with earlier time periods in future publications where feasible.

### Changes to the tools

- Offence groups and offence types have been updated in tables, tools and the Offence Group Classification
- 18+1 ethnicity classification is included alongside the 5+1 classification
- Detailed sentencing outcomes have been updated to reflect life sentences as a separate category
- Filters used for outcomes after being remanded at court have been updated to increase usability
- The motoring tool and motoring offence group classification has been discontinued – all the information can now be found in the Outcomes by Offence tool by using the motoring filters
- Removal of principal offence marker filter in All Offence tool to avoid duplication of figures

A [web-based data visualisation tool](#) was created alongside the September 2022 CJSQ publication as a prototype to seek user feedback. However, we are still looking for feedback on the prototype, via our email address, to enable us to decide whether moving our excel pivot tools to this dashboard format will improve user experience. Users should consult the excel pivot tools published in [this report](#) as these include the latest statistics (full list of tools in the User Guide). The prototype dashboard includes the Outcomes by Offence tool from year ending December 2021 and these figures have since been updated.

Experimental statistics previously published on the combination of offences for which a defendant has been prosecuted is not included in this publication. We are working on a methodology to include cases from the

Common Platform system (the new digital case management system for the magistrates' and Crown Court) and will update users in subsequent publications. Existing users of those experimental data can use older versions as an indication of the pattern of combinations of offences, though should note the volumes will change.

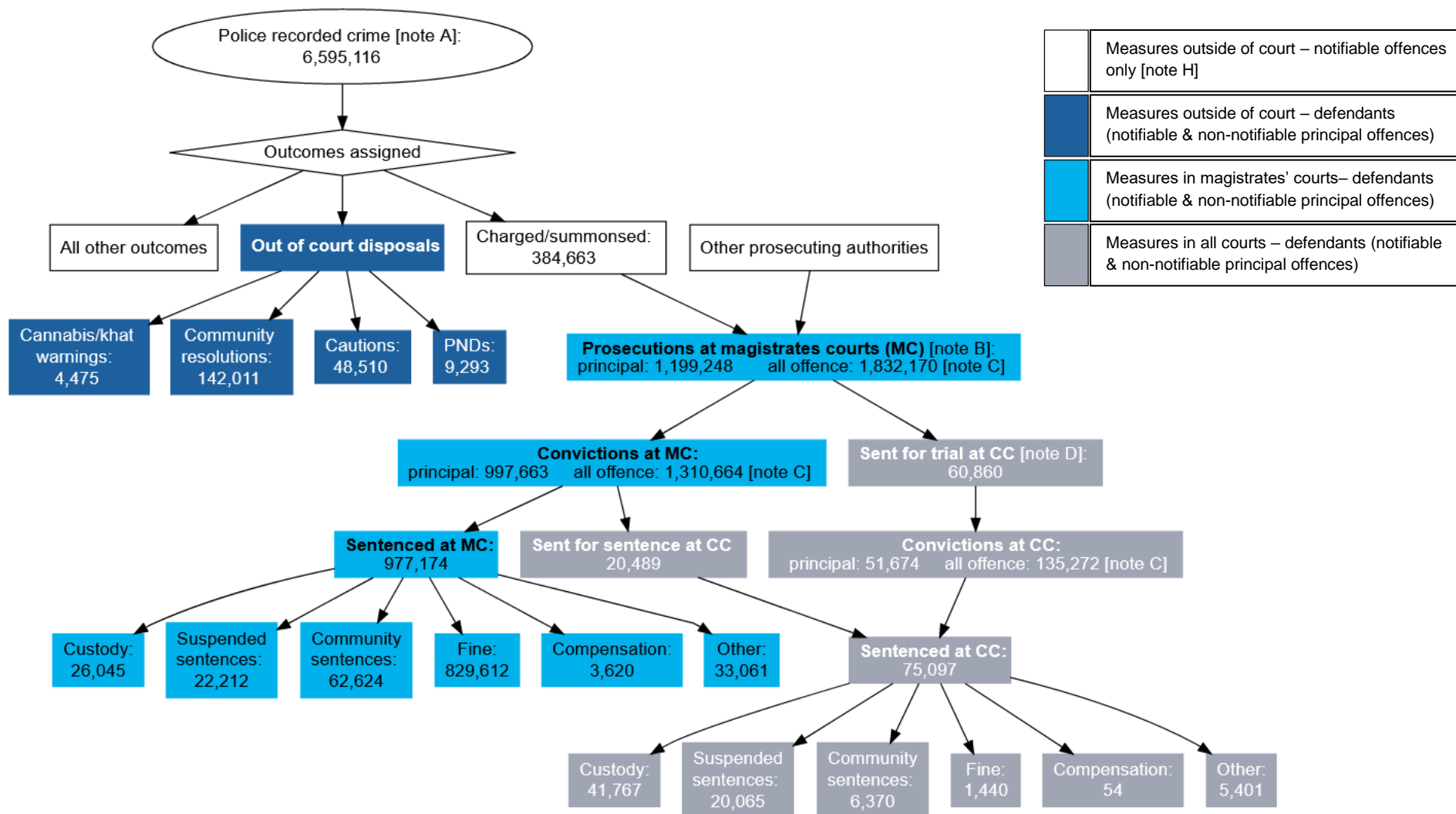
Statistics described in Figure 1 below relate to tables Q1.1 and Q2.2 in the Overview Tables accompanying this release. Those presented in coloured boxes indicate where we are responsible for the data described. Details on remaining figures' origin can be found in the Overview Tables.

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

## Statistician's comment

The figures published today, for 2022, demonstrate the continued recovery of the Criminal Justice System (CJS) since the impact of the COVID-19 pandemic in 2020 and covers the period of the Criminal Bar Association (CBA) action from April to October 2022, which may have impacted convictions at the Crown Court during the period. Prosecutions and convictions have increased in the latest year, however, they both remained below levels in 2019. The increase in the latest year was driven by summary offences, while prosecutions for indictable offences decreased. Prosecutions for theft increased for the first time since 2012 and sexual offences increased for the fourth consecutive year since 2018. Convictions for violence against the person decreased for the first time since 2020. The custody rate for indictable offences has risen to levels seen in 2020 at 34% in the latest year, after a fall in 2021. In the latest year, the average custodial sentence length (ACSL) for indictable offences has fallen slightly, although it has risen for most of the last 10 years.

**Figure 1: Flow through the Criminal Justice System, 2022, England and Wales**



	Measures outside of court – notifiable offences only [note H]
	Measures outside of court – defendants (notifiable & non-notifiable principal offences)
	Measures in magistrates' courts– defendants (notifiable & non-notifiable principal offences)
	Measures in all courts – defendants (notifiable & non-notifiable principal offences)

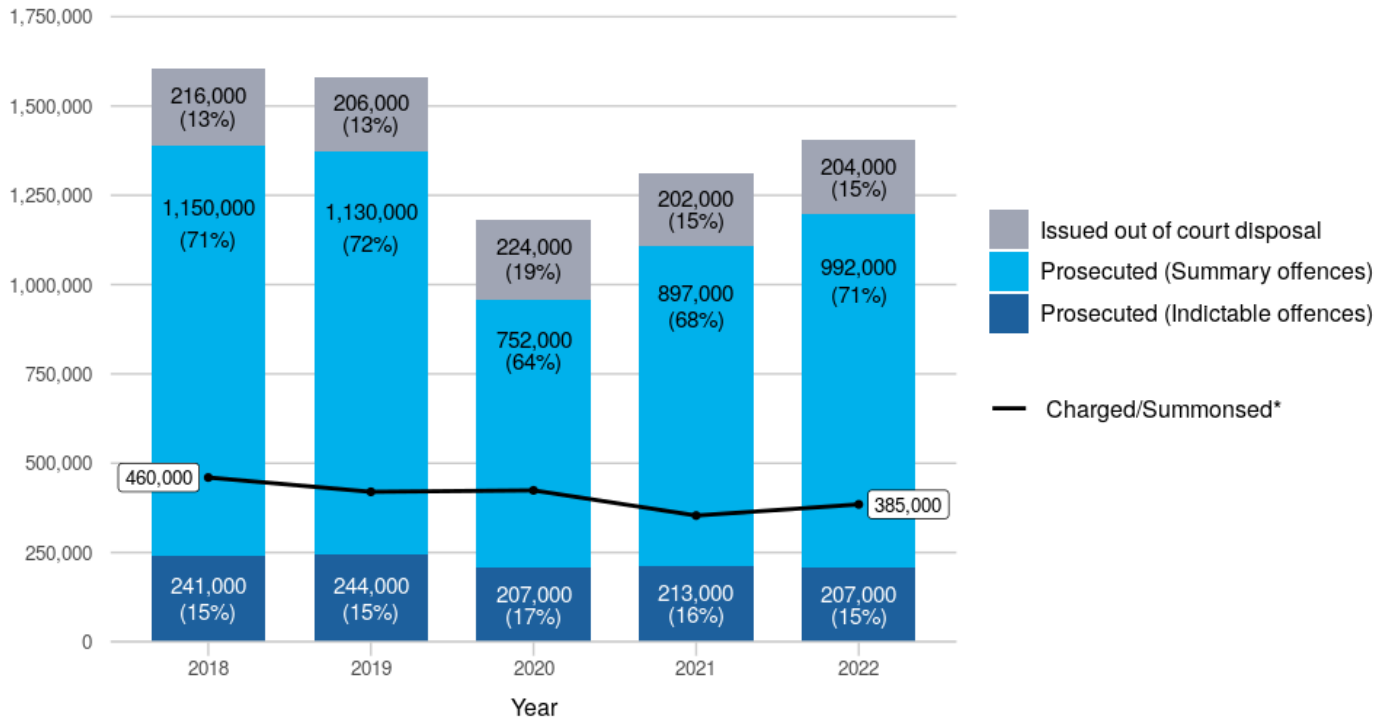
Note ref.	Note text
[note A]	Covers all indictable offences, including triable either way, plus a few closely associated summary offences.
[note B]	Includes males, females, persons where sex "Not Stated" and other offenders, i.e., companies, public bodies, etc.
[note C]	Figures relate to a count on an all-offence (principal and non-principal) basis, as opposed to a count of defendants against their principal (most serious) offence.
[note D]	Number of defendants sent for trial at Crown Court.
[note E]	The term 'notifiable' covers offences that are notified to the Home Office, and they are collectively known as 'recorded crime'. Notifiable offences include all indictable and triable-either-way offences (excluding section 6 of the Bail Act 1976), together with certain closely associated summary offences. Police recorded crime statistics cover notifiable offences.

# 1. Overview of the Criminal Justice System

## 1.4 million individuals were dealt with by the Criminal Justice System (CJS) in 2022

The number of individuals<sup>1</sup> formally dealt with by the CJS<sup>2</sup> in England and Wales, increased by 7% in the latest year, although this figure is 11% below 2019.

**Figure 2: Number of individuals formally dealt with by the CJS & offences resulting in a charge/summons**  
England and Wales, 2018 to 2022



Source: Table Q1.1 and Q1.2

\*Number of notifiable offences given a charged/summonsed outcome, excludes fraud

The number of defendants prosecuted increased by 8% in the latest year and a 9% increase was seen in convictions (see the Prosecutions and Convictions chapter). This displays the recovery of court processes after the impacts of the COVID-19 pandemic, despite both prosecutions and convictions remaining (13% and 12% respectively) lower than 2019. In the latest year, prosecutions increased by 11% for summary offences and decreased 3% for indictable offences. Figures for the latest year include the period of CBA action from April to October and are likely to have impacted convictions at Crown Court in particular.

In the latest year, police recorded crime<sup>3, 4, 5</sup> (including fraud) increased by 11% to 6.6 million, above pre-pandemic levels. The number of offences charged by the police (excluding fraud) increased by 9%, following a 17% decrease in the year prior.

<sup>1</sup> An individual (or company) can be counted more than once in a year if dealt with by the CJS on multiple separate occasions.

<sup>2</sup> The number of individuals formally dealt with by the CJS is the sum of all defendants prosecuted at magistrates' court plus all individuals issued an out of court disposal (including cautions, Penalty Notice for Disorder, cannabis/khat warning and community resolutions).

<sup>3</sup> Police recorded crime source: [Home Office – Police recorded crime and outcomes open data tables](#).

<sup>4</sup> The term 'notifiable' covers offences that are notified to the Home Office, and they are collectively known as 'recorded crime'. Notifiable offences include all indictable and triable-either-way offences (excluding section 6 of the Bail Act 1976), together with certain closely associated summary offences. Police recorded crime statistics cover notifiable offences.

<sup>5</sup> Following the implementation of a new IT system in November 2022, Devon and Cornwall Police have been unable to supply data for the quarter, October 2022 to December 2022. For that reason the data are excluded from the time series with the exception of fraud for year to March 2018 and Q1 2019.

## 2. Out of court disposals

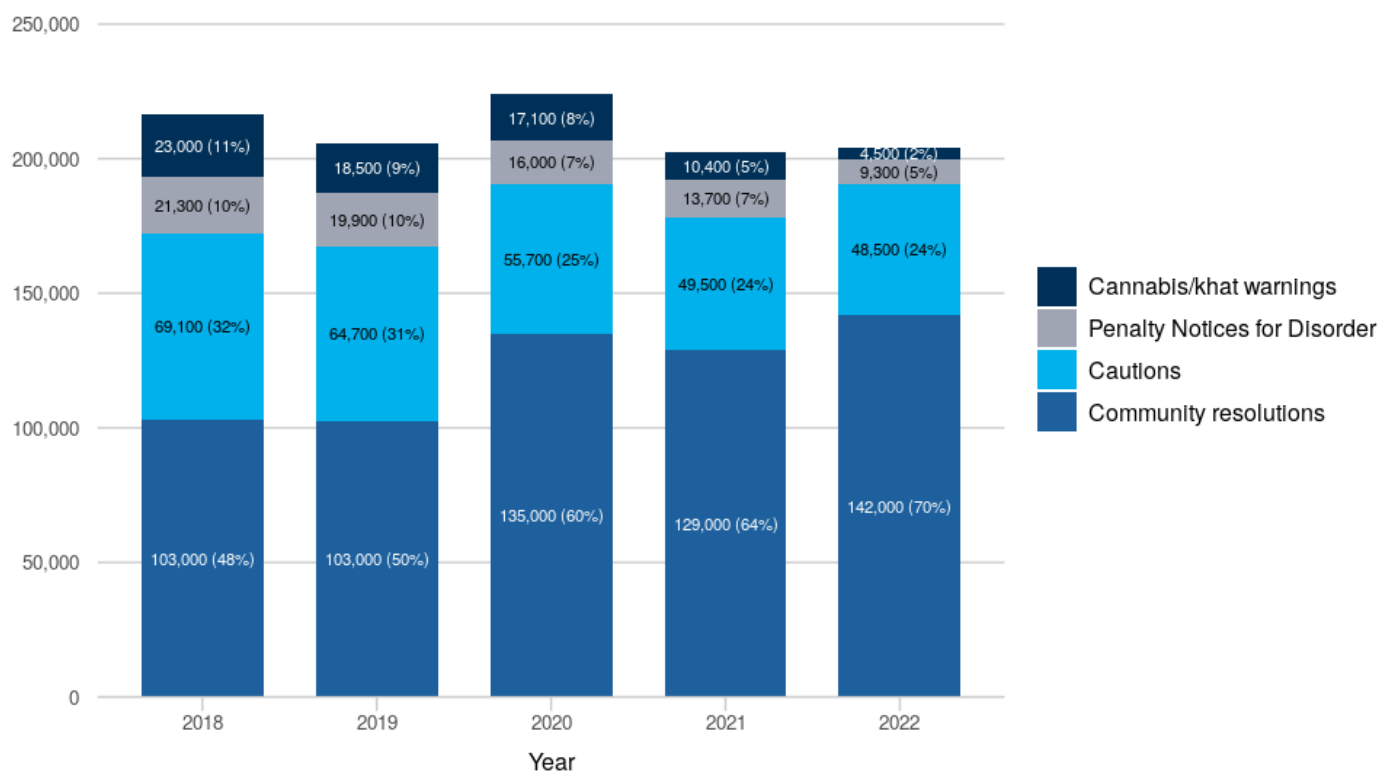
### Out of court disposals (OOCs) presented a slight overall increase by 1% in the latest year

The total number of OOCs issued increased by 1% in the latest year, despite a decrease in most categories. This was driven by a 10% increase in community resolutions.

Out of court disposals (OOCs) are sanctions used by the police to address offences without the need to be dealt with at court. There were 204,000 OOCs issued in 2022, which represented an overall increase of 1% compared to the previous year. This was driven by a 10% increase in community resolutions<sup>6</sup>, with over 142,000 issued in 2022. In contrast, there was a collective decrease of 11,300 across all other OOCs compared to the previous year. Cannabis/khat warnings and penalty notices for disorder (PNDs) decreased by 57% and 32%, respectively, while cautions decreased by 2%.

**Figure 3: Number of out of court disposals issued**

England and Wales, 2018 to 2022



Source: Table Q1.1

The use of PNDs continued to decline, by 32% compared to the previous year. 47% of the total PNDs issued were for offenders being drunk and disorderly, and 31% for possession of cannabis.

48,500 offenders received a simple or conditional caution<sup>7</sup> in 2022, decreasing by 2% compared to the previous year. However, cautions for theft and public order offences increased by 17% and 12%. Overall, the cautioning rate<sup>8</sup> was 11% in 2022, similar to levels observed over the last 5 years. Cautioning rates for drug offences and criminal damage and arson were the highest, at 20% and 19% respectively.

<sup>6</sup> Some police forces have moved to reduce the types of out of court disposals used for adult offenders. In these areas, the only out of court disposals used are community resolutions and conditional cautions. Cannabis/Khat warnings will not be used. Visit [Home Office \(see drug offences section\)](#) for further information.

<sup>7</sup> Cautions are presented on a principal offence and principal caution basis, where only the most serious caution received is reported. See the technical guide for more information.

<sup>8</sup> The cautioning rate is calculated as the proportion of offenders who were either cautioned or convicted (excluding convictions for motoring offences) that were given a caution.

### 3. Prosecutions and convictions

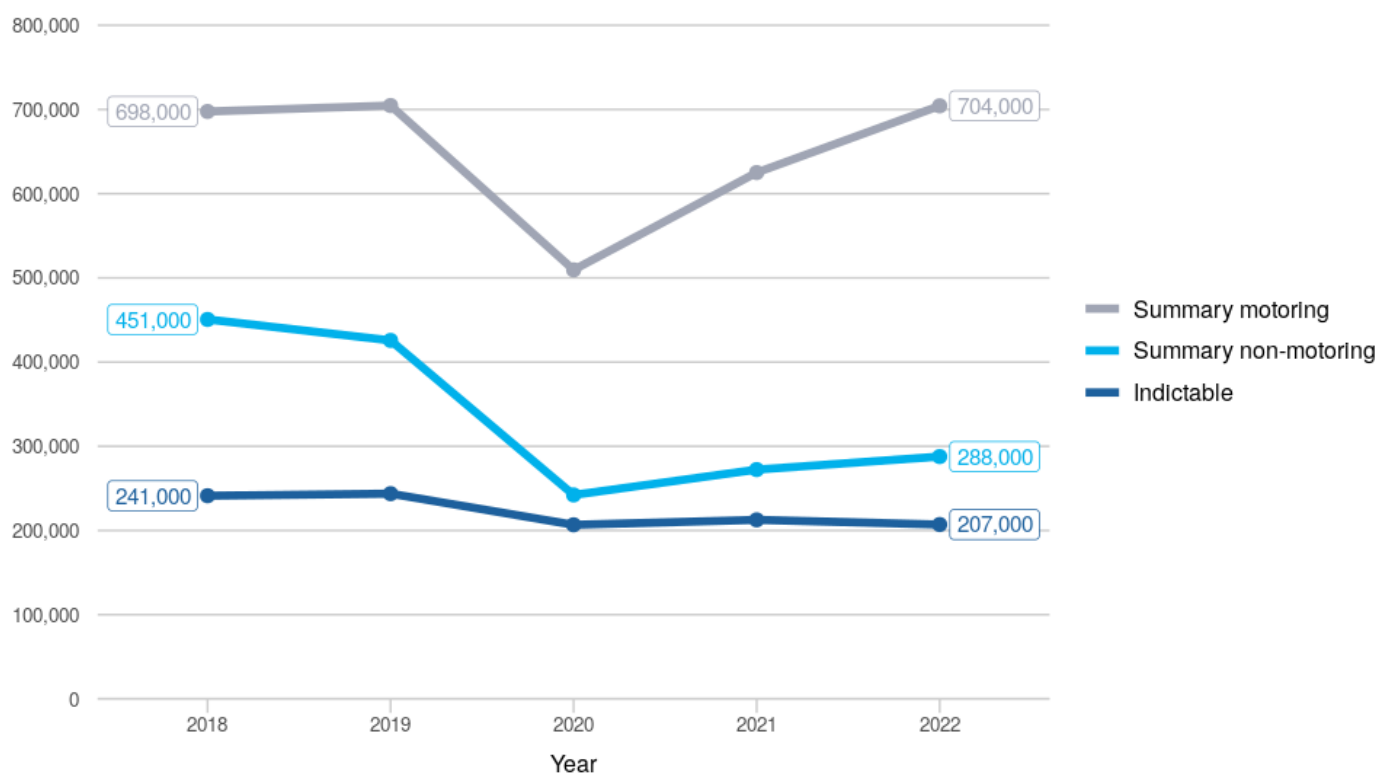
#### Prosecutions and convictions continued to recover following the impact of the COVID-19 pandemic, with prosecutions increasing by 8% and convictions by 9% in 2022

Despite increases in the latest year, prosecutions remain 13% and convictions 12% lower than 2019. In the latest year, prosecutions for indictable offences were 3% lower than 2021, whereas prosecutions for summary offences were 11% higher.

In 2022, prosecutions and convictions continued to increase reflecting court recovery from the COVID-19 pandemic. There were 1.2 million defendants proceeded against at magistrates' courts, 8% higher than in the previous year but 13% lower than in 2019. The increase in the latest year was driven by a 13% increase in prosecutions for summary motoring offences.

**Figure 4: Number of prosecutions at magistrates' courts, by type of offence**

England and Wales, 2018 to 2022



Source: Table Q3.2

Prosecutions for indictable offences decreased by 3% in the latest year and remain 15% lower than 2019. The largest decreases were for public order, fraud, and drug offences, down by 14%, 12% and 11% respectively in the latest year. Prosecutions for sexual offences were 18% higher in 2022 than in 2021, increasing for the fourth consecutive year since 2018. Prosecutions for theft offences have increased for the first time since 2012, by 6% compared to 2021. This can be partly explained by theft from shops offences, which have increased 13% in 2022.

In 2022, there were 1 million offenders convicted: 9% higher than in the previous year, but 12% lower than 2019. Trends in indictable convictions tend to lag prosecutions due to the way the two metrics are counted in the data and the time taken between completing proceedings in the magistrates' court (counted as prosecutions) and cases completing at all courts (convictions), however, indictable convictions also decreased by 3% in the latest year. Convictions for violence against the person decreased for the first time since 2020, down 2% in the latest year. This can be partly explained by convictions for assault of emergency workers decreasing by 16% in 2022, however, convictions remain 25% higher than 2019.

## 4. Remands

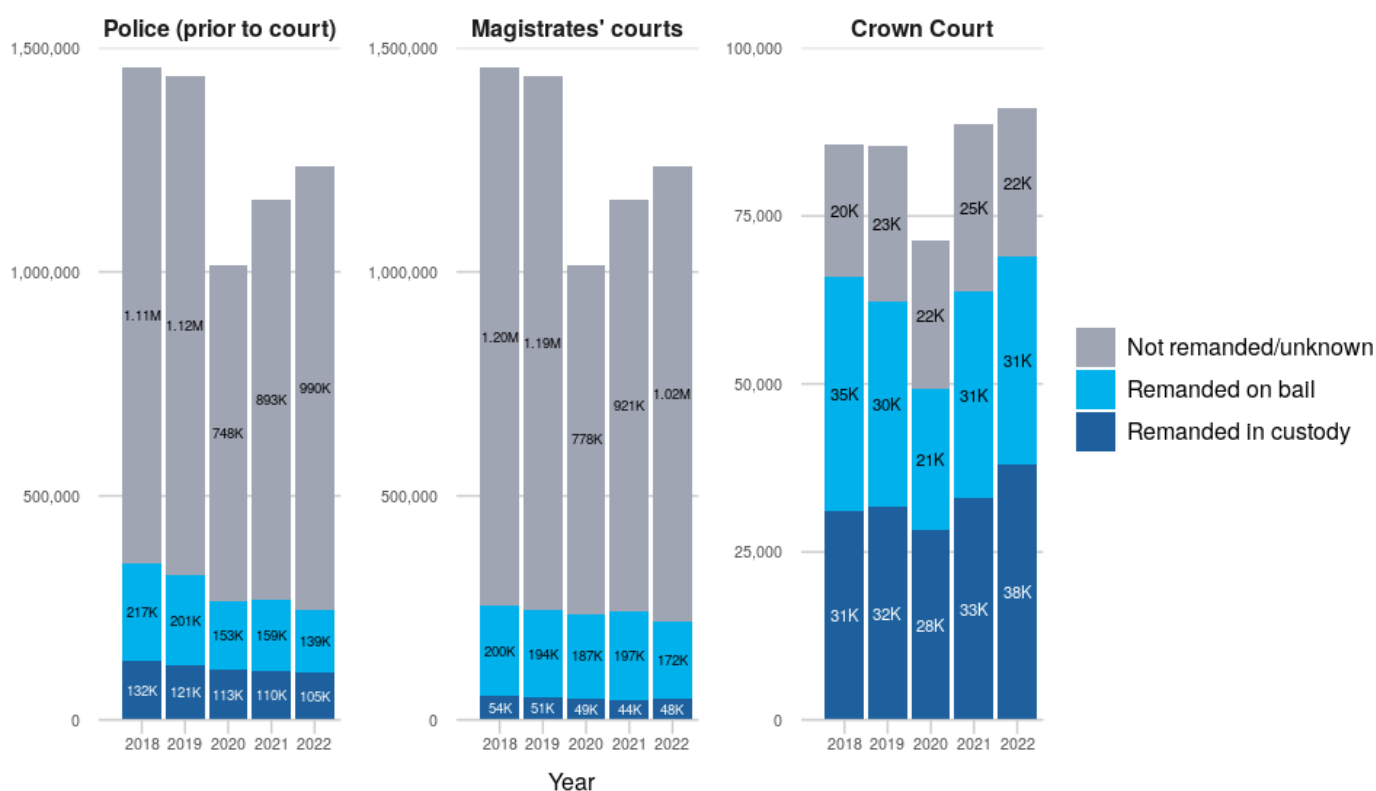
### The proportion of defendants remanded in custody at Crown Court increased

In the latest year, 55% of defendants with known remand status at Crown Court were remanded in custody up from 52% in 2021; this increase was consistent across all offence types.

In 2022, 1.2 million defendants were directed to appear at magistrates' courts (including failures to appear). The proportion of defendants not remanded (or status unknown) prior to appearing at magistrates' court increased to 80% from 77% in 2021. The proportion granted bail by police decreased 3pp to 11% and the proportion remanded in custody by police remained constant at 9%.

At magistrates' court, the proportion of defendants granted bail in 2022 decreased 3 pp to 14%, in line with 2018 and 2019 figures. The proportion remanded in custody remained at 4%, whereas the proportion not remanded<sup>9</sup> (or status unknown) increased.

**Figure 5: Defendants' remand status with the Police (prior to court), at magistrates' courts and at the Crown Court**  
England and Wales, 2018 to 2022



Source: Tables Q4.1, Q4.2 & Q4.3

At Crown Court<sup>10</sup>, where remand status was known, the proportion of defendants remanded in custody increased 3pp to 55% in 2022, with a corresponding decrease in the proportion remanded on bail; this trend was consistent across all offence types.

Defendants are more often remanded in custody for indictable offences than summary offences, so the proportion remanded in custody at Crown Court is higher than at magistrates' courts. In 2022, of the defendants remanded in custody at magistrates' courts, 11% were sentenced to immediate custody; a further 67% were sent for trial or sentencing at Crown Court. Of those known to be remanded in custody at Crown Court, 70% were sentenced to immediate custody.

<sup>9</sup> The not remanded and unknown category at magistrates' court will include cases that are dealt with outside of court or dealt with in one court sitting such as using Single Justice Procedure cases.

<sup>10</sup> Users should exercise caution using statistics on remand status at Crown Court as this category will include a large proportion of defendants with unknown remand status. In 2022, 24% of defendants remanded at Crown Court had unknown remand status. Therefore, focus is drawn to proportions where remand status was known in order to account for this data issue.



## 5. Sentencing

### The average custodial sentence length (ACSL) for indictable offences decreased from 24.9 months in 2021, to 24.3 months in 2022

ACSL for indictable offences has consistently risen throughout the last 10 years (from 17.0 months in 2012), aside from a 0.3 month decrease in 2020 and in the latest year.

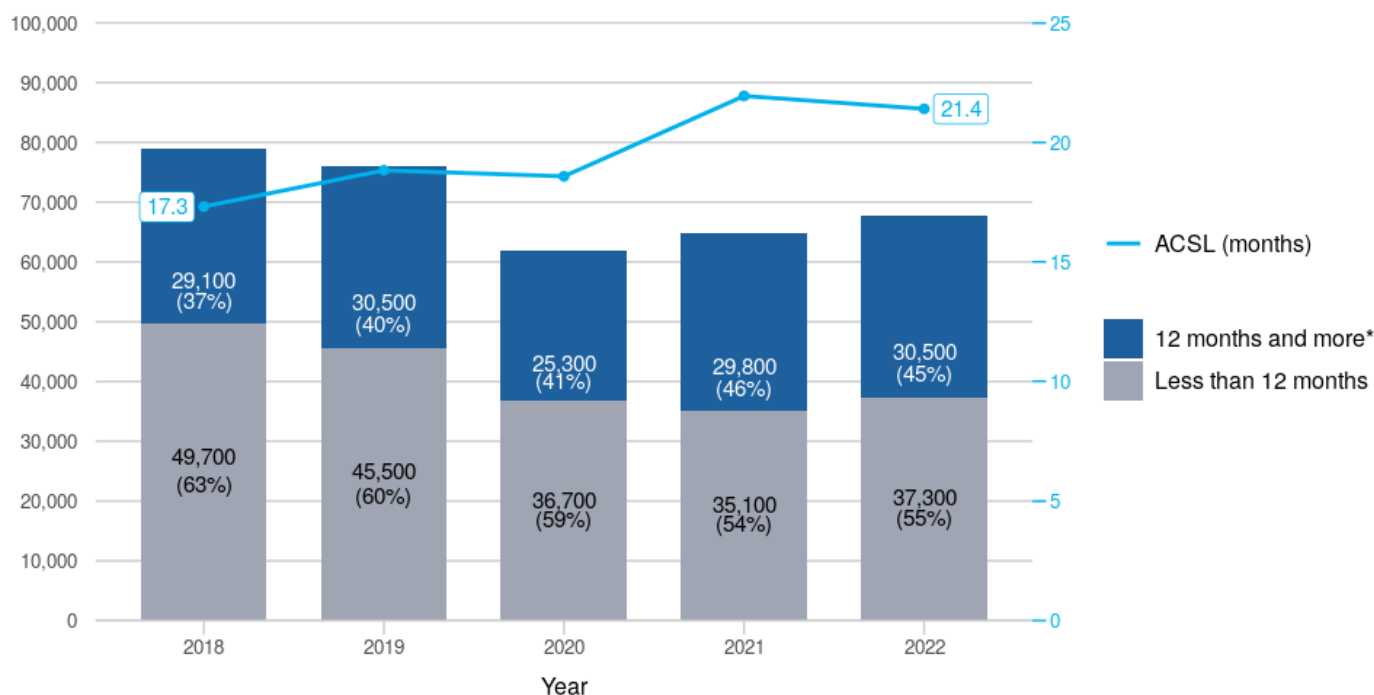
There were 1.05 million offenders sentenced in 2022, a 9% rise from the 962,000 seen in the previous year – this is driven by a 13% increase in fines and a 4% increase in immediate custody. However, overall sentencing is down 15% on the levels observed in 2019. 79% of offenders sentenced received a fine in 2022, up 2 percentage points from 2021. Summary motoring offences accounted for 73% of all fines.

The increase in sentences in 2022 is predominantly driven by a 14% increase in summary motoring offences, up to 637,000. Sentences also increased for summary non-motoring offences in the latest year (8% increase), whereas sentences decreased for indictable only offences (4% decrease) and triable either way offences (2% decrease)<sup>11</sup>.

Custody rates for indictable offences increased from 27% in 2012 to 34% in 2020. After a fall of 2 percentage points in 2021, the custody rate for indictable offences in the latest year is 34%. Fraud has seen the largest increase in the latest year, rising from a custody rate of 28% in 2021 to 33% in 2022.

**Figure 6: Number of offenders sentenced to immediate custody at all courts, by sentence length. Average Custodial Sentence Length (ACSL) plotted on the secondary axis.**

England and Wales, 2018 to 2022



Source: Table Q5.4

\*Includes life and indeterminate sentences

The overall ACSL decreased from 21.9 months in 2021 to 21.4 months in 2022. This can be partly explained by the rise in proportion of sentences for less than 12 months, as shown in figure 6. The ACSL for indictable offences was 24.3 in the latest year, a decrease of 0.6 months compared to 2021. Aside from a 0.3 month decrease in 2020, ACSL for indictable offences had been consistently increasing from 17.0 months in 2012. ACSL increased by 3.3 months for drug offences in 2022, which can be partly explained by an increase in sentencing for offences related to Class A drugs. Custodial sentencing for theft offences increased by 19% in the latest year and tend to have shorter custodial sentences overall.

<sup>11</sup> Indictable only offences are the most serious and must be tried at the Crown Court; summary offences are the least serious and must be tried at magistrates' courts; and triable-either-way offences are of intermediate severity and may be tried at either court based on the circumstances of the case. See accompanying technical guide for further details.

## 6. Motoring<sup>12</sup>

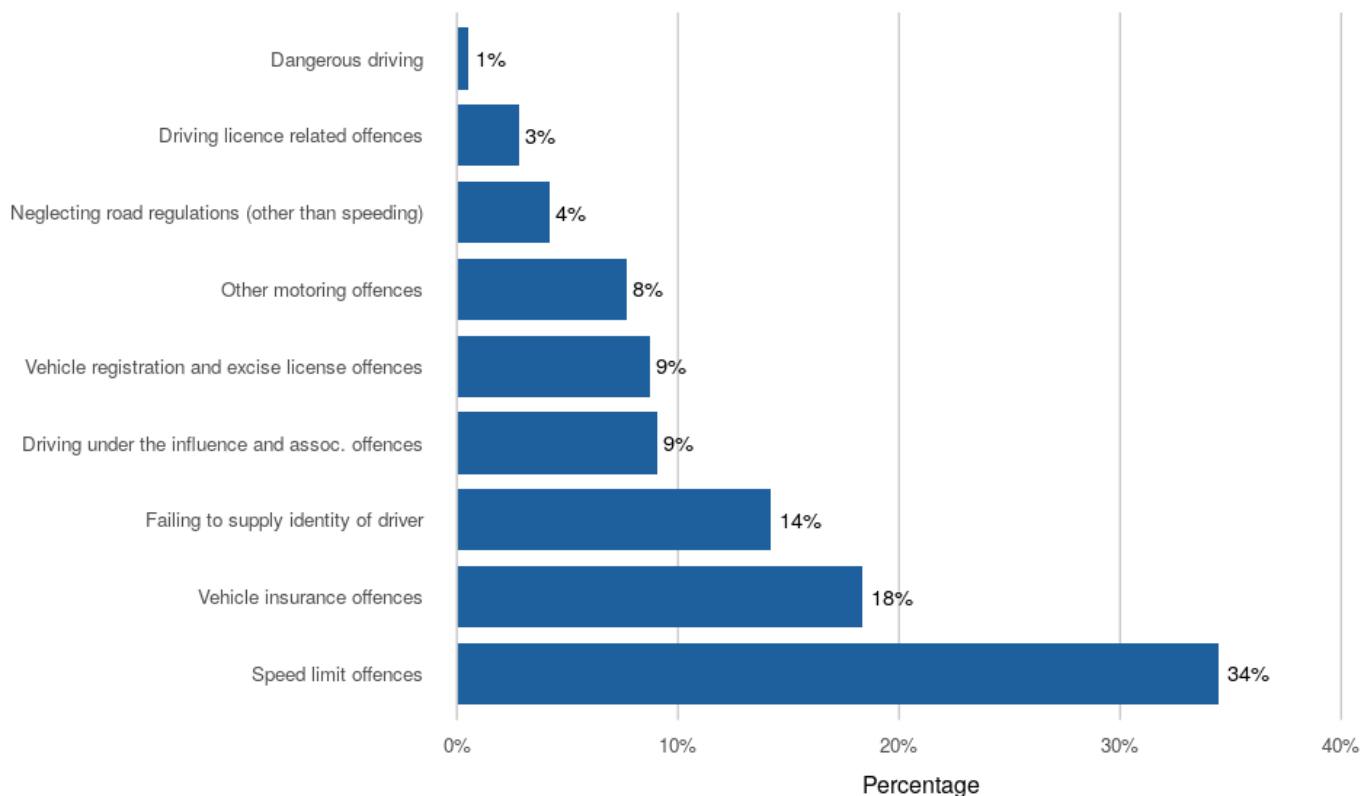
The number of prosecutions for motoring offences increased by 12% from 632,000 in 2021 to 711,000 in 2022, returning to the level seen pre-pandemic in 2019. Convictions increased by 14% in the latest year, from 556,000 in 2021 to 642,000 in 2022, with sentencing following the same trend.

This increase in motoring offences is driven in part by an increase in speed limit offences<sup>13</sup> and vehicle insurance offences, which remained the most common motoring offences, accounting for 53% of all motoring prosecutions in 2022. Prosecutions for speed limit offences increased by 18% in the latest year, from 208,000 in 2021 to 245,000 in 2022, this is a 22% increase when compared to pre-pandemic in 2019.

Prosecutions for motoring offences which caused death declined by 19% in the latest year, from 419 in 2021 to 340 in 2022. The custody rate for these offences fluctuated between 55% and 67% over the last 5 years and was 60% in 2022.

**Figure 7: Percentage of total prosecutions for motoring offences, by motoring offence group**

England and Wales, 2022



Source: Table A6.2

95% of motoring offences were dealt with by a fine in 2022. The average fine for motoring offences decreased from £341 in 2021 to £326 in 2022. The overall custody rate was 1%, with an average custodial sentence length (ACSL) of 8.3 months, which is a decrease of 0.5 months compared to 2021.

The number of sentenced offenders directly disqualified for motoring offences decreased by 4% in the latest year, from 79,000 in 2021 to 76,000 in 2022. Of these offenders disqualified, 60% were disqualified for more than a year. A further 422,000 offenders received points on their licence without a disqualification; a 10% increase compared to 2021, and a 22% increase compared to 2019.

<sup>12</sup> Other motoring offences includes: Causing danger by interfering with a vehicle, road or traffic equipment, Using or causing others to use a mobile phone whilst driving, Careless driving offences (excl. mobile phone offences), Failing to stop or provide information after accident, Theft of a motor vehicle/aggravated vehicle taking, Work record and employment offences, Fraud, forgery etc. associated with vehicle or driver records, Defective vehicle parts, Vehicle test offences, Miscellaneous (other) motoring offences, Causing death by dangerous driving and Causing injury by dangerous driving.

<sup>13</sup> The Home Office publishes data in relation to motoring offences including fixed penalty notices (FPNs) for speeding in Police powers and procedures England and Wales statistics. FPNs are out of court disposals where the speeding offence is not serious enough to warrant a criminal court proceeding and where the offender does not contest being issued with the FPN.

## Further information

### 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 CJS.
- A user guide listing all products alongside this release; this allows easy navigation of all files accompanying this release.
- A set of overview tables covering each section of this bulletin
- A set of interactive data tools and CSV files underpinning all data tools
- An infographic showing visualisations of key messages
- A machine-readable offence group classification document outlining offence groupings

### National Statistics status

National Statistics status means that official statistics meet the highest standards of trustworthiness, quality and public value. This bulletin recently underwent a compliance check with the Office for Statistics Regulation and retained its National Statistics status in May 2020<sup>14</sup>. All official statistics should comply with all aspects of the Code of Practice for 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.



### Future publications

Our statisticians regularly review the content of publications. Development of new and improved statistical outputs is dependent on reallocating existing resources. As part of our continual review and prioritisation, we welcome user feedback on existing outputs including content, breadth, frequency and methodology and in particular on the specific issues identified in the introduction. Please send any comments you have on this publication.

### Contact

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

Tel: 020 3334 3536

Email: [newsdesk@justice.gov.uk](mailto:newsdesk@justice.gov.uk)

Other enquiries about these statistics should be directed to the Data and Evidence as a Service division of the Ministry of Justice:

Damon Wingfield,

Responsible Statistician and Head of Criminal Courts & Sentencing Data and Statistics

Ministry of Justice

Email: [CJS\\_Statistics@justice.gov.uk](mailto:CJS_Statistics@justice.gov.uk)

**Next update: To be confirmed – see introduction**

**URL:** <https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-september-2022>

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Alternative formats are available on request from [ESD@justice.gov.uk](mailto:ESD@justice.gov.uk)

<sup>14</sup> [Office for Statistics Regulation: Proven re-offending and criminal justice system statistics](#)