



Criminal Justice Statistics quarterly, England and Wales, October 2015 to September 2016 (provisional)

Main points

1.61 million individuals dealt with by the CJS ↓

The total number of individuals formally dealt with by the criminal justice system is now at a record low level (period 1970 to the year to September 2016), at 1.61 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 indictable offences, while numbers prosecuted for summary offences remained broadly stable.

The conviction ratio was 84% ↔

The overall conviction ratio remained broadly stable in the latest year and fluctuated between 79% and 84% over the last decade.

For indictable offences, the custody rate was 29% and ACSL was 19.5 months ↑

The custody rate for indictable offences has been increasing since September 2010, from 22% to 29%. Average custodial sentence length (ACSL) has increased from 15.0 months to 19.5 months since September 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. The underlying data have been updated for this publication, replacing the interim solution used to correct an apparent fall in the number of defendants proceeded against in extracts received for the previous bulletin. Nevertheless, trends should be interpreted with caution as the data presented are provisional and subject to change for the 2016 Criminal Justice Statistics annual bulletin, which is scheduled for publication in May 2017. For full and detailed commentary, please refer to the annual publication, and for technical detail to the accompanying guide to criminal justice statistics.

We are changing how our quarterly bulletins look, and would welcome any feedback to commentary.champions@justice.gsi.gov.uk

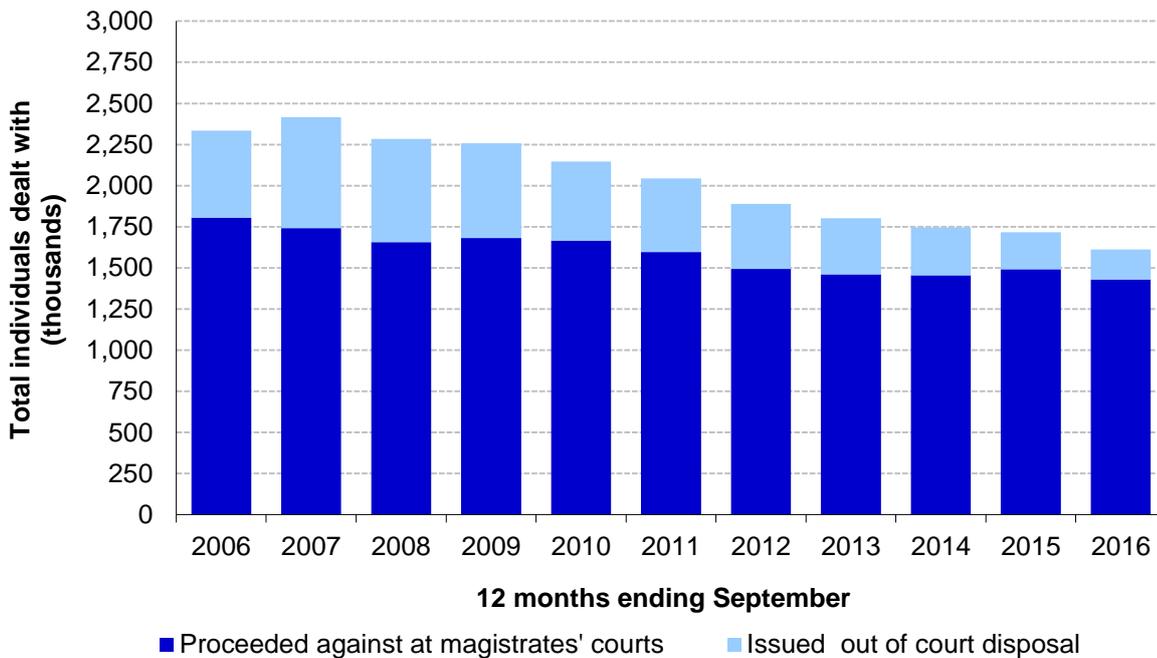
For other feedback related to the content of this publication, please let us know at CJS_Statistics@justice.gsi.gov.uk

1. Overview of the Criminal Justice System

1.61 million individuals were dealt with by the CJS in the latest year

The total number of individuals¹ formally dealt with by the Criminal Justice System in England and Wales has been declining since 2007 to a record low, with 1.61 million individuals dealt with in the year ending September 2016 (see Figure 1).

Figure 1: Individuals dealt with formally by the CJS, 12 months ending September 2006 to 12 months ending September 2016 (Source: Table Q1.1)



Latest figures from the Crime Survey for England and Wales² (CSEW) estimated 6.2 million incidents of crime in the latest year (to September 2016) experienced by adults aged 16 or over. There was no statistically significant change 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. Furthermore, following the addition of new questions to the survey, it was estimated there were also 3.6 million fraud and 2.0 million computer misuse offences experienced by victims in the 12 months ending September 2016. In contrast to the CSEW, there was an 8% increase in police recorded crime³ compared with the previous year, to 4.7 million offences; however, this increase is believed to be associated with recording improvements, and is not directly comparable to data on victims.

¹ 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 but excludes community resolutions.

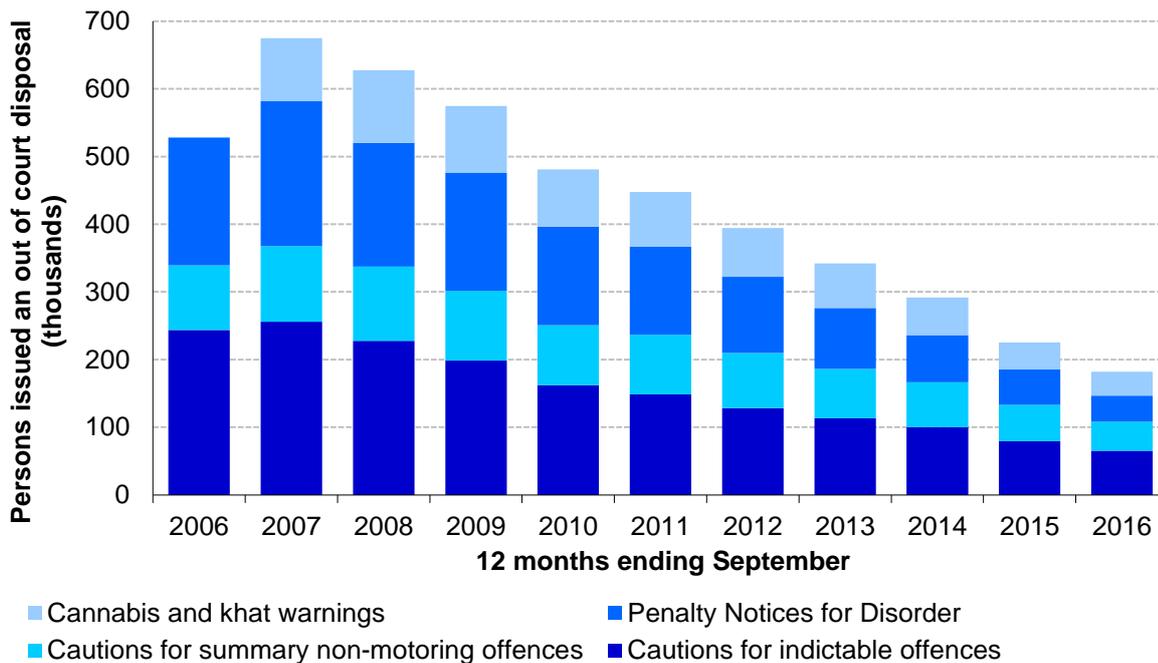
² Available at: www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendingsept2016

³ 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, due to differences in which offences are included (we exclude fraud to allow for consistent comparisons over our time series).

2. Out of Court Disposals

The use of out of court disposals (OOCs) (excluding community resolutions) decreased by 43,400 (19%) in the latest year, with 181,900 individuals issued an OOC. This continues the steady decline in the use of out of court disposals since September 2007 (see Figure 2). The decrease in the number of OOCs followed a number of policy changes relating to police practice and OOC availability⁴.

Figure 2: Out of court disposals (excluding community resolutions) issued, by disposal, 12 months ending September 2006 to 12 months ending September 2016 (Source: Tables Q.1.1, Q2.1 and Q2.2 and historic data)



This decreasing trend can be seen for each of the OOC types individually (excluding community resolutions) – penalty notices for disorder, cautions and cannabis / khat warnings.

Theft, drug and criminal damage offences accounted for 76% of all offenders cautioned for indictable offences⁵. The number of offenders administered a caution for a sexual offence in the latest year was the lowest in the decade. The overall cautioning rate (among those cautioned or convicted other than for summary motoring offences) in the latest year was 13%.

114,700 community resolutions were administered by the police in the latest year; a decrease of 4,100 (3%) from the previous year. (This is the first year we are able to report on the year-on-year change.)

⁴ See the annual version of this publication for further detail.

⁵ 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

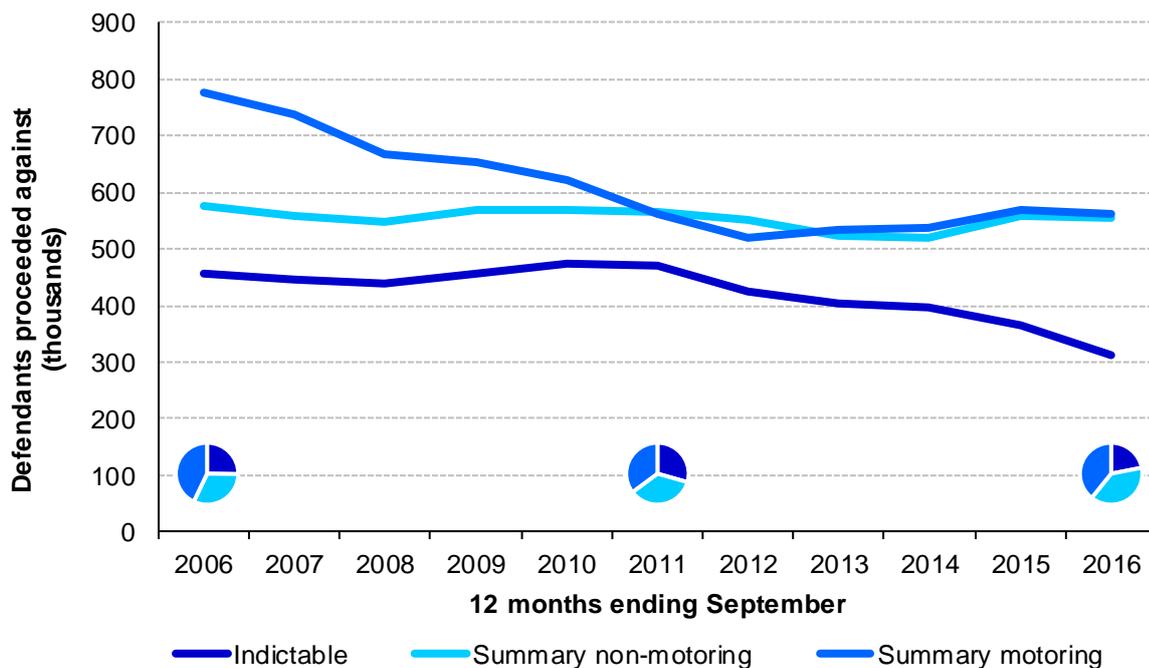
Overall, prosecutions fell to 1.43 million defendants

In the 12 months ending September 2016, 1.43 million defendants were prosecuted at magistrates' courts, down from 1.49 million defendants in the 12 months ending September 2015. This represents a fall of 4% overall, but varied by offence type (see Figure 3): while the number of defendants prosecuted at magistrates' courts for indictable offences declined the number prosecuted for summary offences remained broadly stable.

The conviction ratio remained broadly stable at 84%.

As the total number of offenders convicted also fell since the 12 months ending September 2015, the overall conviction ratio has remained stable in the latest year, and has fluctuated but remained broadly stable between 79% and 84% over the last decade. The conviction ratio for indictable offences is at its highest in a decade (83%).

Figure 3: Defendants prosecuted at magistrates' courts, 12 months ending September 2006 to 12 months ending September 2016, by type of offence (Source: Table Q3.2)



Defendants committed for trial to the Crown Court accounted for a greater proportion of all prosecutions in the latest year compared to a decade ago; at 6% in the latest year compared to 4% in the 12 months ending September 2006. 76% of defendants committed for trial to the Crown Court were accused of triable-either-way offences.

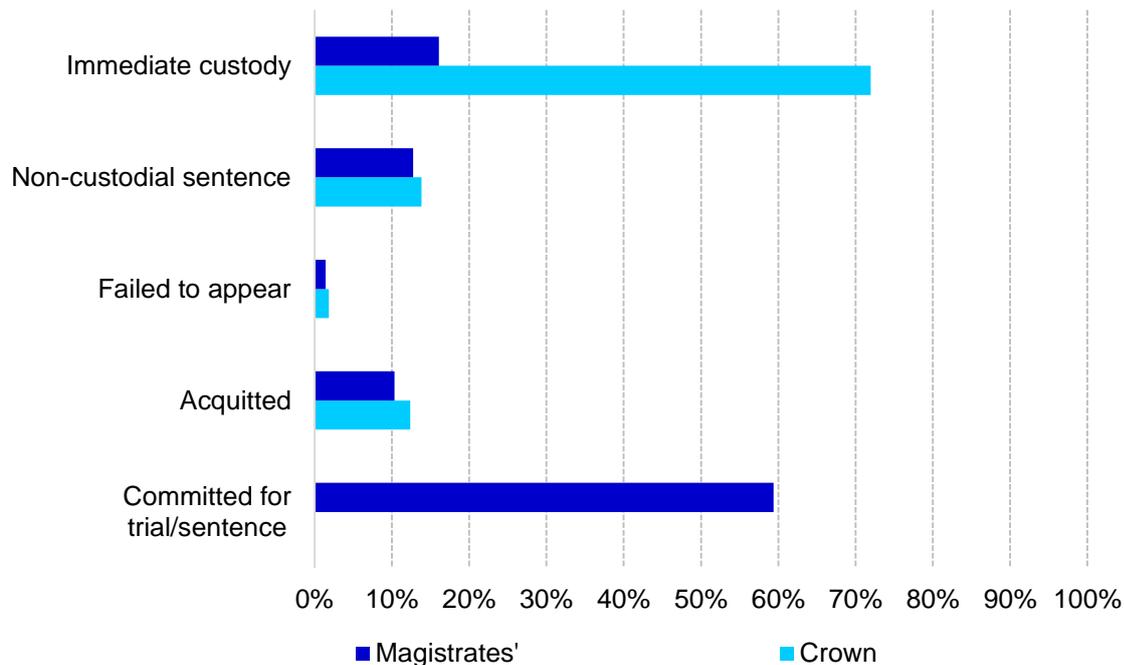
In the most recent year, sexual offences saw a slight increase in the number of defendants prosecuted; rising by 5% from 12,100 in the year ending September 2015 to 12,700 in the year ending September 2016. This figure is the highest in the decade.

The fall in prosecution numbers for indictable offences is largely driven by a decrease in prosecutions for theft offences in the latest year.

4. Remands

Of those defendants remanded in custody at the Crown Court in the year ending September 2016, 72% were sentenced to immediate custody. 16% of defendants remanded in custody by magistrates' courts were sentenced there to immediate custody; and a further 59% of defendants remanded in custody in magistrates' courts were committed for trial or sentencing at the Crown Court.

Figure 4: Outcome of prosecutions for defendants remanded in custody in magistrates' courts and the Crown Court, 12 months ending September 2016 (Source: Table Q4.4)



In the year ending September 2016 there were 1.49 million defendants directed to appear at magistrates' courts (including those who failed to appear).

The proportion of defendants remanded in custody by the police remained stable at 10% in the latest year. The proportion arrested and bailed by police decreased from 25% to 22% in the latest year, whilst the proportion being summonsed increased from 64% to 68%.

In the latest year, bail was granted to 17% of defendants prosecuted at magistrates' courts, while 4% were remanded in custody and the remaining 79% had their case concluded at magistrates' courts without being remanded.

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. In the latest year, the proportion of defendants tried at the Crown Court who were remanded in custody was 35%. The proportion of defendants remanded on bail was 48%.

5. Sentencing

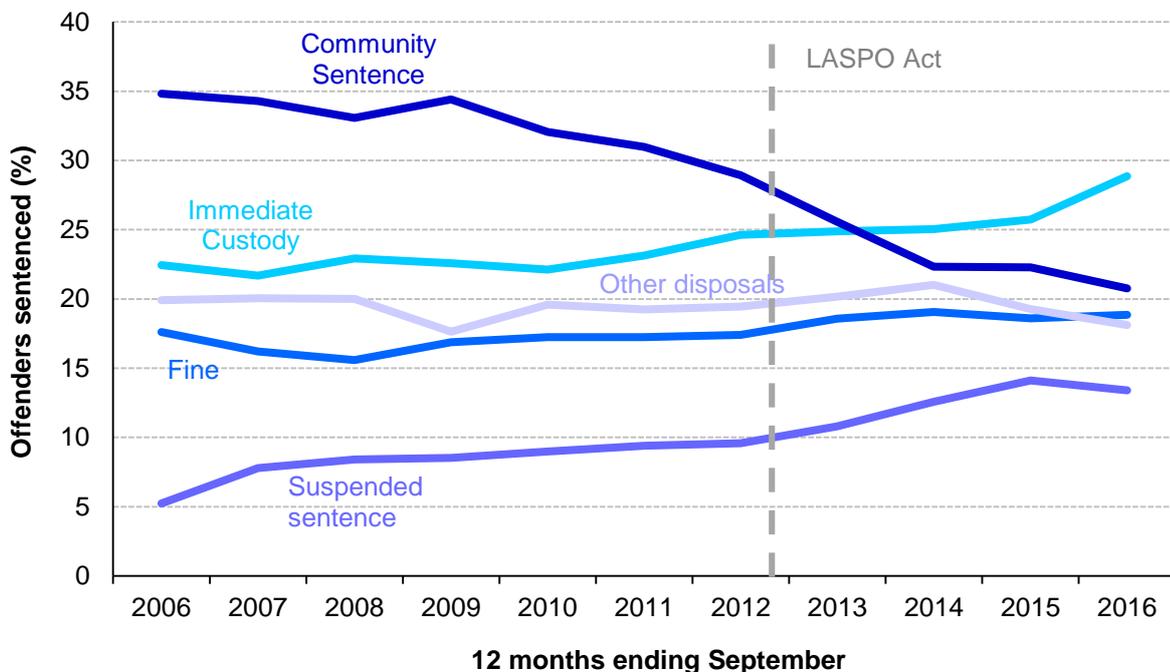
Custody rate for indictable offences rose to 29% and ACSL increased to 19.5 months

The overall custody rate (7.4%) is similar to the custody rate in the year ending September 2015 (7.3%). The custody rate for indictable offences has been increasing since the year ending September 2010, from 22% to 29%.

The average custodial sentence length (ACSL) has increased over the last decade, both overall (from 12.3 to 16.8 months) and for indictable offences (from 15.0 to 19.5 months). This is in part because more people are being sentenced for sexual offences, and these sentences are getting longer, driving up the overall average. The total number of persons sentenced for sexual offences in the year ending September 2016 was 7,100, up from 4,900 in the year ending September 2006, while the ACSL for sexual offences increased by 20 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, and increased steadily, and by 9 percentage points, since September 2011. For indictable offences, a greater proportion of offenders (29%) received immediate custody than any other type of sentence (Figure 5). Furthermore, the proportion of offenders receiving immediate custody rose by 3 percentage points in the latest year while the proportion of community sentences and suspended sentences decreased. While the proportion of offenders receiving a community sentence has declined since 2009, the proportion of offenders sentenced to a suspended sentence for indictable offences has decreased for the first time since the year ending September 2006.

Figure 5: Trends in sentencing outcomes for indictable offences at all courts, 12 months ending September 2006 to 12 months ending September 2016 (Source: Table Q5.1)



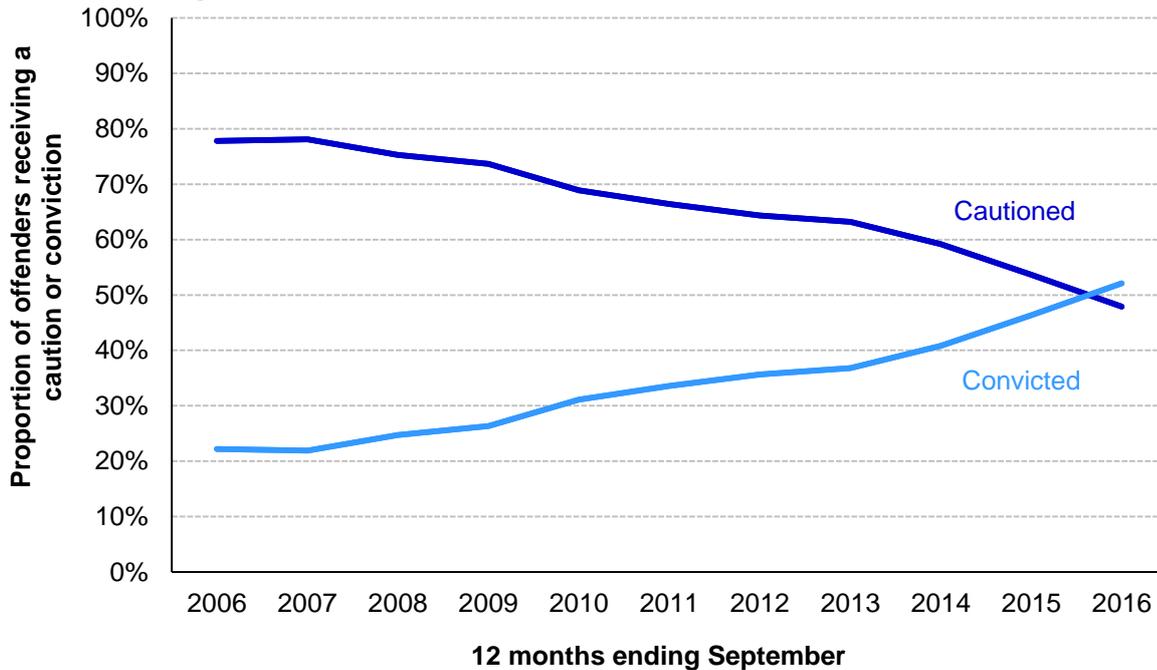
The total number of offenders sentenced at all courts has fallen since the 12 months ending September 2006, from 1.43m to 1.21m in the latest year in line with the fall in prosecutions. The trends by offence group mirror the trends in prosecutions and convictions, with indictable offences showing a clear decrease.

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 (52%) than they are to receive a caution. This compares to only 22% of similar offenders being convicted 10 years ago.

Figure 6: First time offenders dealt with for indictable offences, by outcome, 12 months ending September 2006 to September 2016 (Source: Table Q6.1)



Around 89,200 adult offenders convicted of an indictable offence had 15 or more previous convictions or cautions (long criminal records – on average 34 previous sanctions). 38% of adults convicted of an indictable offence had a long criminal record compared to 29% 10 years ago. In the latest year over half of this type of offender, received some form of custody, with 44% receiving an immediate custodial sentence. The number of offenders convicted for an indictable offence with no previous convictions and cautions increased by 4%. A similar increase was seen in the 12 months ending September 2014 and 2015; this is the first time an increase has been seen for three consecutive years in the last 10 years.

There were around 129,000 persistent offenders⁶ in the 12 months ending September 2016 who accounted for around 3 million crimes throughout their criminal careers. Of these, 40% were given their first official sanction for a theft offence. The number of First Time Entrants peaked in 2006/07 and has fallen since then. This decline has been much sharper for juveniles than for adults; the number of juvenile FTEs is now around a tenth of the number there were at the peak in 2006/07. This has in part been driven by the decline in cautions as highlighted in section 2.

⁶ 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

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:

Damon Wingfield, Head of Criminal Justice Statistics

Ministry of Justice, 7th Floor, 102 Petty France, London, SW1H 9AJ

Email: CJS_Statistics@justice.gsi.gov.uk

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www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-september-2016

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