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Matrix Evidence has put together this summary of key facts and figures to provide a big picture of how the criminal justice system (CJS) in England and Wales is working. All the information is taken from statistics the government publishes each year.

The CJS is responsible for detecting crime and bringing offenders to justice, then carrying out the orders of the court, whether that is a fine, community sentence or prison. It also works to prevent crime happening in the first place, to meet the needs of victims, and to help those who have committed offences turn away from crime.

The CJS is made up of several different organisations, the main ones being the police, the Crown Prosecution Service (CPS), the courts (magistrates and Crown Courts) and the National Offender Management Service (NOMS), which includes both prison and probation services.

We have tried to keep this summary of CJS performance as clear as possible. However, readers need to be aware of three important technical points:

1. Some CJS organisations collect data across calendar years (January to December), others use financial years (April to the following March). Where we provide data based on calendar year, we have headed tables or graphs with a single year, e.g., '2009'. Where tables provide financial-year data, we have headed them with two years, e.g., '2009/10'.
2. Official statistics distinguish between summary and indictable offences. Summary offences are less serious (e.g., motoring offences, drunkenness, and minor assaults) and are dealt with by magistrates' courts. Indictable offences are more serious and can be tried either at magistrates' courts or the Crown Court<sup>1</sup>.
3. As cases can go on across more than one calendar year, the annual figures for numbers of defendants proceeded against and numbers of offenders sentenced are not always the same.

<sup>1</sup> All criminal offences currently fall into one of three categories. Summary offences, which include most motoring offences and other relatively minor matters such as drunkenness, common assault and prostitution, are triable only in a magistrates' court. 'Either-way' offences, including theft, drugs offences and some involving violence against the person, are triable either by a magistrates' court or by the Crown Court. And indictable-only offences, such as murder, rape and robbery, must be tried by the Crown Court.

Crime in England and Wales is measured using two different sources:

1. **The British Crime Survey (BCS)** – is a large survey of people in England and Wales involving interviews with more than 51,000 people aged 16 or over every year. From January 2009, the survey was extended to include 4,000 interviews with children aged 10–15 each year. It asks about people’s experiences of crime and their perceptions of the criminal justice system. The BCS is the most reliable measure of the true extent of the crimes it covers, and of national trends over time, as it is not affected by whether people report crime or by changes in how police record crime. However, the BCS does not cover commercial victimisation, murder, or so-called victimless crimes (e.g., possession of drugs).

2. **Police recorded crime (RC)** – are statistics collected by the police that cover crimes reported to and then recorded by them. They are a good measure of trends in well-reported crime, an important indicator of police workload, and are useful for analysing local crime patterns. Recorded crime figures are invariably lower than BCS crime numbers simply because people do not always report crimes (especially minor crimes) to the police.

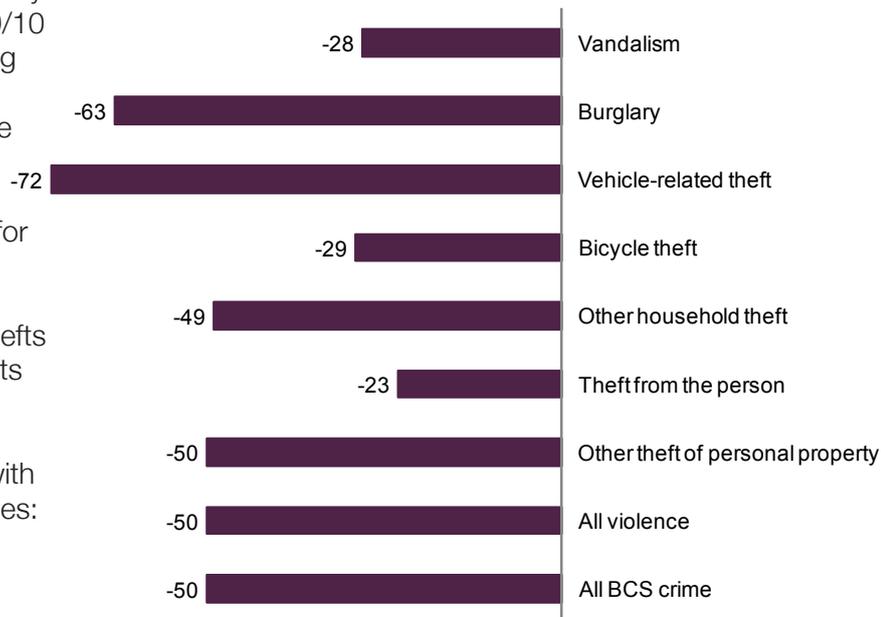
Recorded crime statistics are affected by changes in reporting and recording practices over the years. Two major changes to the recording of crimes since 1997/98 are relevant. In April 1998, the Home Office Counting Rules for Recorded Crime were expanded to include certain additional summary offences, and the methods of counting became victim-focused, which also increased the count of crime. In April 2002, the National Crime Recording Standard was introduced to ensure greater consistency between forces in recording crime and to take a more victim-oriented approach to crime recording. Because crime data collected according to different recording practices are not directly comparable, we have restricted ourselves to making comparisons in recorded crime only to the previous financial year.

The British Crime Survey (BCS) estimates that crime in England and Wales has fallen by 50% between a peak in 1995 and 2009/10. The survey reported nearly 10 million fewer crimes in 2009/10 than in 1995. The downward trend is continuing despite the recession, which many predicted would see a rise in the figures. According to the survey, the total figure for crimes experienced by people aged 16 or over was 9.6 million in 2009/10, a fall of 9% compared to the figures for 2008/09.

The survey has reported large falls in vehicle thefts and domestic burglary since 1995 (vehicle thefts down 72%, domestic burglary down 63%).

Crimes of violence are down 50% compared with 1995, with falls in two of the four BCS categories: domestic violence and acquaintance violence.

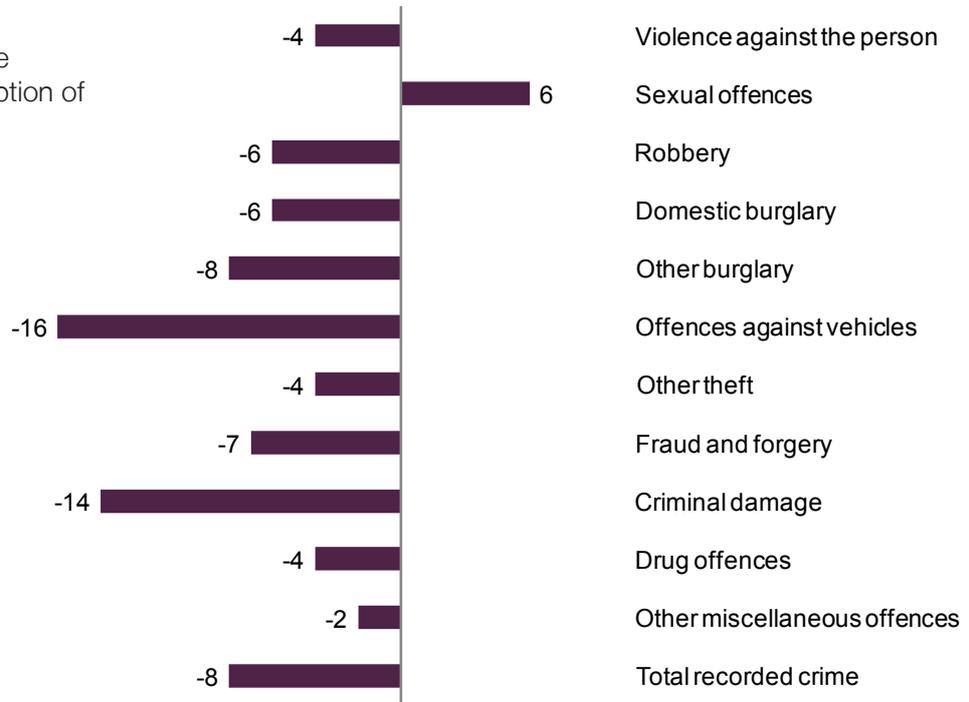
Figure 1: Percentage change in the main crime types - 2009/2010 BCS compared with 1995 BCS



The police recorded 4.3 million crimes in 2009/10, of which 36% were burglary or theft<sup>2</sup>. Police-recorded crimes decreased by 8% from 2008/09.

Between 2008/09 and 2009/10 there were decreases in all crime types with the exception of sexual offences.

Figure 2: Percentage change in the main types of police recorded crime - 2009/2010 compared with 2008/2009



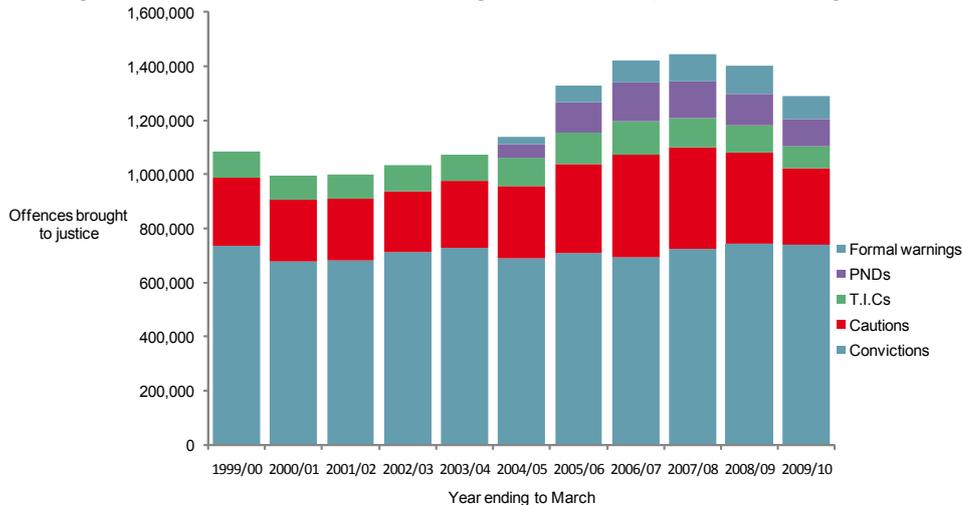
<sup>2</sup> Theft is 'the dishonest appropriation of property belonging to another with the intention of permanently depriving that person of it'. A burglary is where someone enters a building, or part of a building, as a trespasser with the intent to steal, inflict grievous bodily harm, rape, or commit criminal damage.

The count of offences brought to justice (OBTJ) was introduced by the Home Office in 2000 to measure the performance of the criminal justice system in England and Wales. The number of OBTJs is counted by adding all offences for which someone is either (1) convicted; (2) cautioned; (3) has the offence taken into consideration (TIC) by the courts; (4) receives a penalty notice for disorder (PND); or (5) receives a formal warning for possession of cannabis.

In 2009/10, 1.3 million offences were brought to justice, a rise of 19% on 1999/00. As the graph below shows, the mix of outcomes that makes up the OBTJ figure stayed much the same until 2004/05 when the use of pre-court disposals such as formal warnings, cautions and PNDs increased the number of OBTJs.

Thereafter, while the number of convictions has stayed roughly the same, the proportion of offences dealt with through convictions has fallen, from 68% in 1990/00 to 57% in 2009/10. The fall largely reflects the increased use of the pre-court disposals designed to keep low-level offences out of the courts.

Figure 3: Number of offences brought to justice by outcome, England and Wales



There has been a rise in the number of offences brought to justice (OBTJs) between 1999/00 and 2009/10 for six of the nine offence groups listed in the table below. The largest increase is for the offence of robbery, which has risen from 10,000 in 1999/00 to 41,000 in 2009/10. What makes these increases even more impressive is the fact that they were delivered at a time when crime was falling.

Large increases in offences brought to justice have also been delivered for drug offences (76%), and violence against the person (65%).

Three offence groups showed a decrease, with burglary showing the biggest fall from 96,000 to 35,000 offences brought to justice.

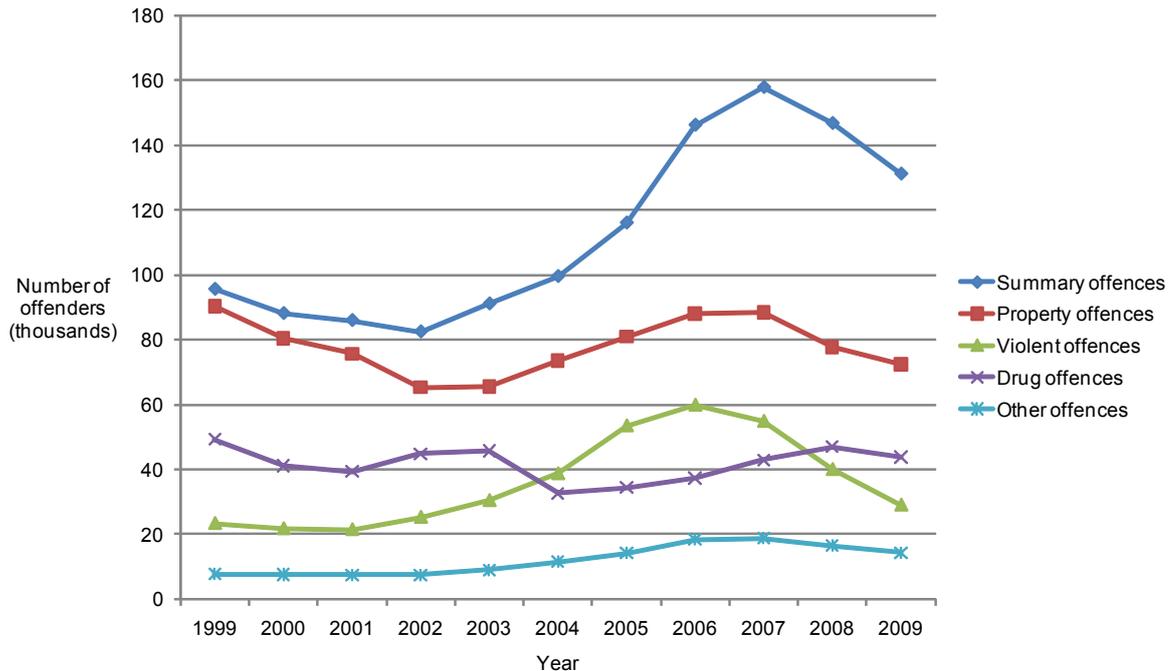
Table 1: *Number of offences brought to justice by offence group, England and Wales*

<u>Offence group</u>	<u>Number of offences (thousands)</u>		
	<u>1999/00</u>	<u>2009/10</u>	<u>% change</u>
Violence against the person	223	369	▲ 65
Sexual Offences	15	18	▲ 20
Burglary	87	35	▼ 60
Robbery	10	41	▲ 310
Theft and handling stolen goods	381	329	▼ 14
Fraud and forgery	93	64	▼ 31
Criminal Damage	100	115	▲ 15
Drug offences	132	232	▲ 76
Other notifiable offences	43	88	▲ 105
Total	1,084	1,290	▲ 19

A police caution is a formal warning, given by a senior police officer, to an offender who admits to having committed a criminal offence that could have led to a prosecution.

In 2009, 291,000 offenders were cautioned, which is 20% fewer than the peak figure reached in 2007.

Figure 4: Offenders cautioned by offence group, England and Wales



When a crime has been committed and recorded and a suspect has been identified, it may be described as detected by the police. There are two types of detected crimes. Sanction detections are those that potentially result in some form of sanction, such as a charge/summons, offences taken into consideration, penalty notices for disorder or cannabis warning. Non-sanction or administrative detections are those that do not potentially result in a sanction; for example, the offenders have died.

Just over 1.2 million crimes were detected in 2009. The overall detection rate was 28% of recorded crimes. Of the total offences detected, 55% resulted in a charge or summons, 22% a caution, 9% a penalty notice for disorder, 7% were taken into consideration, and 7% were given either a formal warning for cannabis possession or were otherwise dealt with.

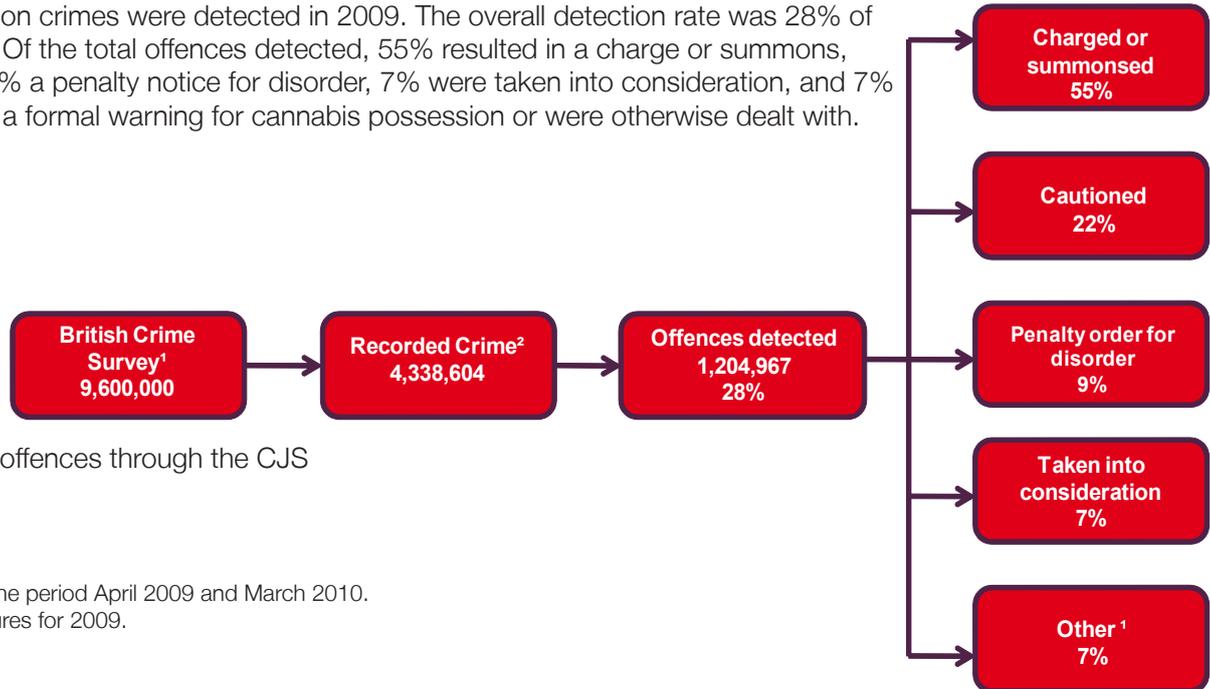


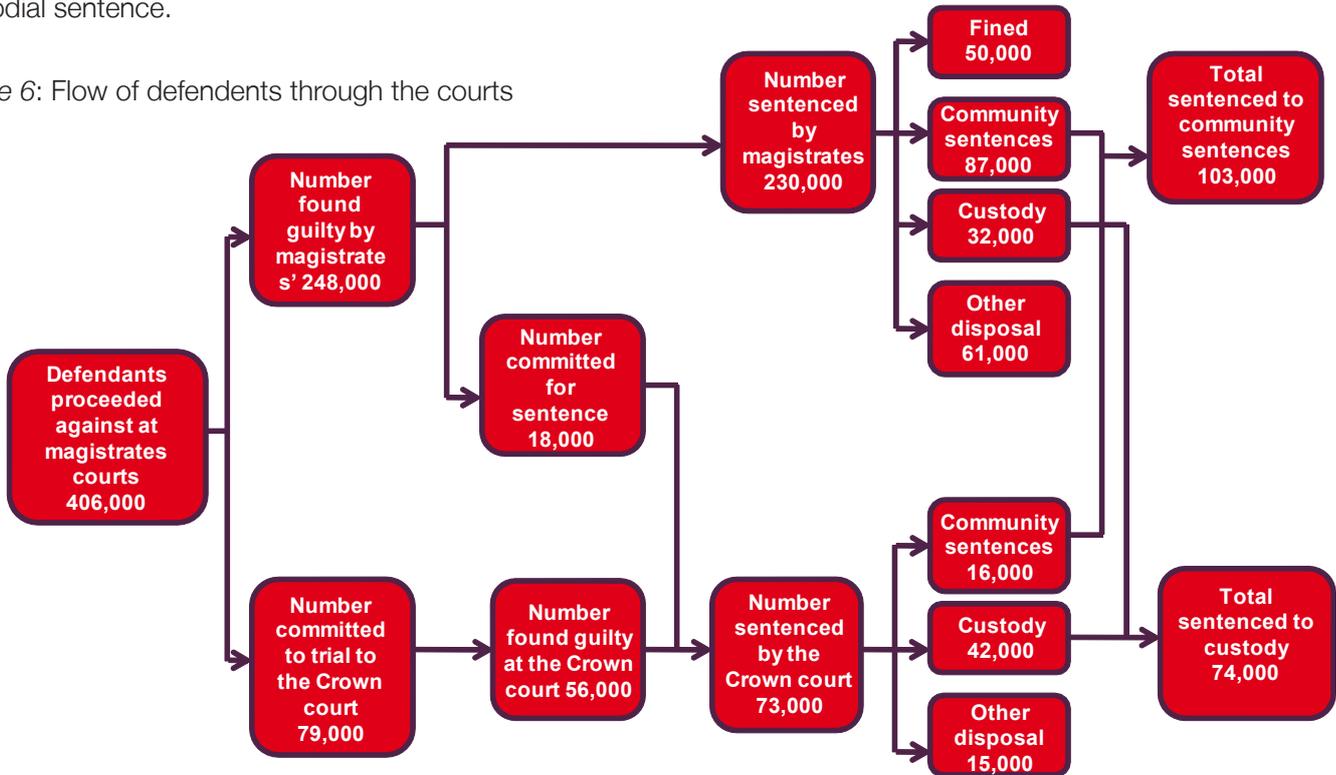
Figure 5: Flow of offences through the CJS

<sup>1</sup> BCS estimates for the period April 2009 and March 2010.

<sup>2</sup> Recorded crime figures for 2009.

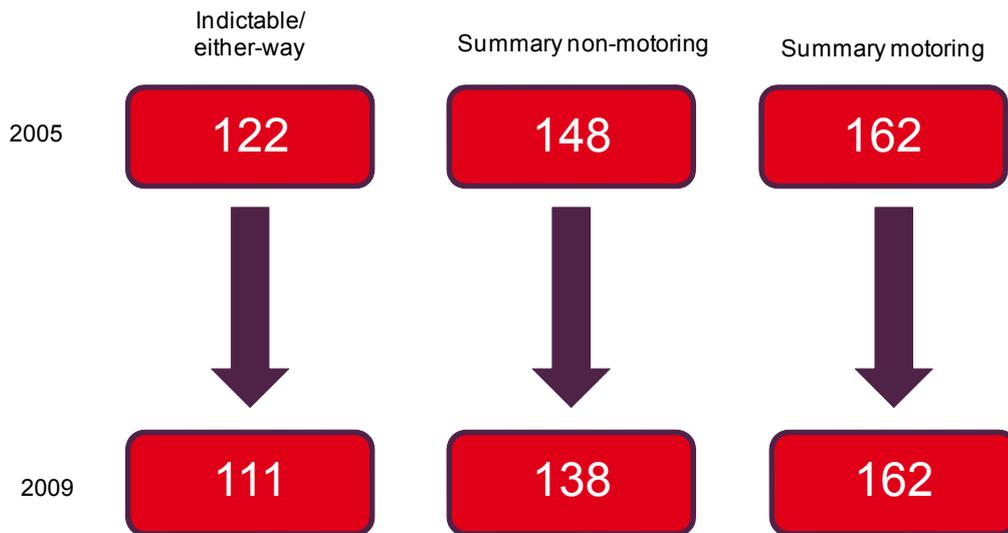
During 2009, 406,000 defendants were proceeded against for all offences in England and Wales. At the magistrates' courts, 22% of offenders sentenced received a fine, 38% received a community sentence, and 14% were sentenced to immediate custody. At the Crown Court, 22% of offenders received a community sentence, and 58% received a custodial sentence.

Figure 6: Flow of defendants through the courts



From March 2005 to March 2009, the average interval from offence to completion for cases at the magistrates' courts fell from 122 to 111 days for indictable/either-way offences, from 148 to 138 days for summary non-motoring cases, and remained at 162 days for summary motoring cases.

Figure 7: Average number of days from offence to completion at magistrates' court in England and Wales

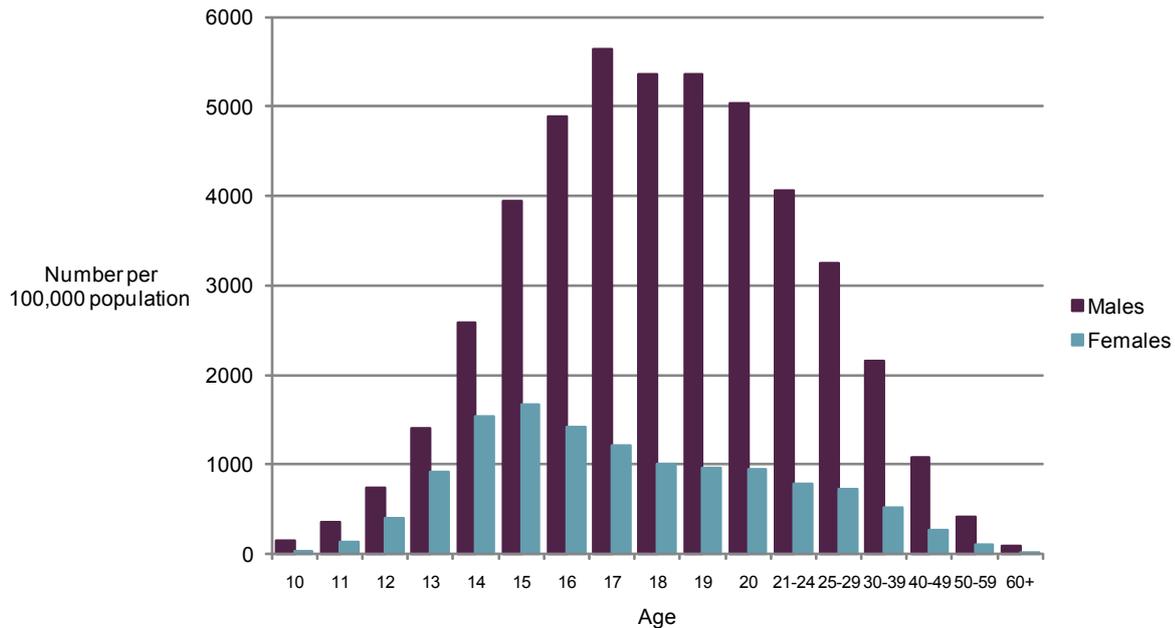


Source: Ministry of Justice Time Intervals Survey. Data are based on a one-week survey period.

<sup>1</sup> Either-way offences may be tried either at the Crown Court or at magistrates' courts.

The average offending rate (i.e., found guilty at court or cautioned) per 100,000 of the population for indictable offences in England and Wales during 2009 was 2,034. The peak age of known offending for males in England and Wales during 2009 was 17, with the rate being around 5,600 per 100,000 of the population for each year group. The peak age of known offending for females was 15, at a rate of 1,668 per 100,000 of the population.

Figure 8: Persons found guilty or cautioned for indictable offences per 100,000 of the population by age group, England and Wales 2009



The conviction rate is the proportion of defendants tried at either the magistrates' courts or the Crown Court who are found guilty. In magistrates' courts, the conviction rate for indictable offences has risen from 93% in 2005, to 96% in 2009. The rate for summary offences has changed by 1% over the same period, while the rate for all offences combined has also increased by one percentage point. In the Crown Court, the conviction rate for indictable offences has gone up from 77% in 2005 to 80% in 2009. While there was a fall of one percentage point for summary offences, the conviction rate for all offences combined increased by three percentage points to 81%.

Table 2: *The conviction rate of defendants tried at the magistrates' court and the Crown court, England and Wales 2005 and 2009.*

	Magistrates courts <sup>1</sup>			Crown Court <sup>2</sup>		
	Conviction rate (%)			Conviction rate (%)		
	<u>2005</u>	<u>2009</u>	<u>change</u>	<u>2005</u>	<u>2009</u>	<u>change</u>
Indictable offences <sup>3</sup>	93	96	▲	77	80	▲
Summary offences	97	98	▲	97	96	▼
All offences	97	98	▲	78	81	▲

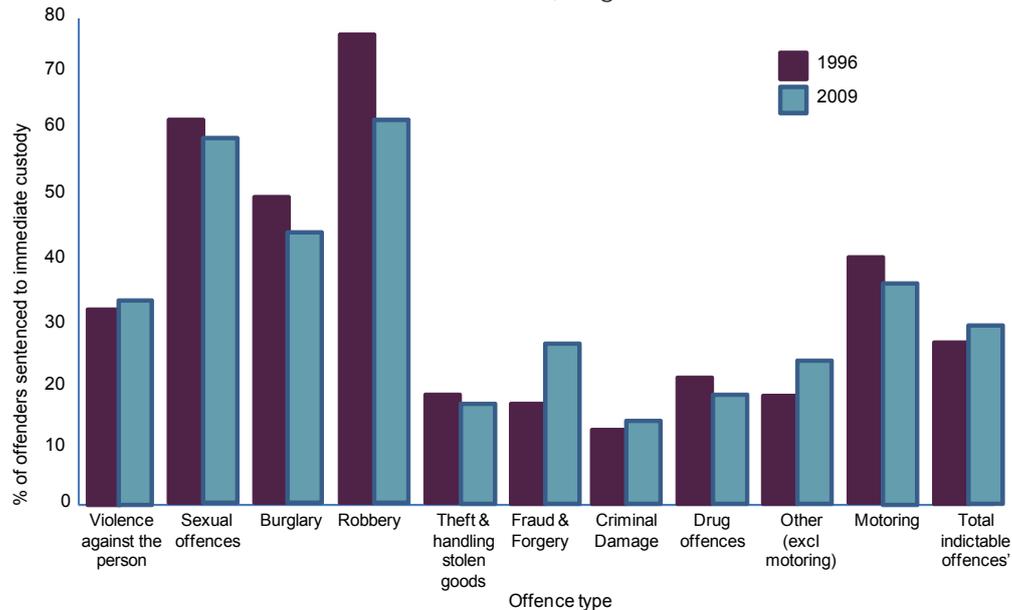
<sup>1</sup> Excludes: cases that were discontinued, where the charge was withdrawn, where the defendant failed to appear, and committals for trial to the Crown Court.

<sup>2</sup> Excludes those not tried (i.e., committed for sentence, failed to appear, indictment to lie on file, unfit to plead, defendant died (etc)).

<sup>3</sup> Includes indictable-only and either-way offences. Indictable only are the most serious breaches of the criminal law and must be dealt with at the Crown Court. Either-way offences may be tried either at the Crown Court or at magistrates' courts.

The proportion of persons sentenced to immediate custody for indictable offences<sup>1</sup> has increased from 23% in 1999 to 25% in 2009. Immediate custody rates have risen in four of the 10 offence groups that make up indictable offences, and fallen in six. In 2009, robbery was the offence group with the highest proportion of persons sentenced to immediate custody at 59%, with criminal damage the lowest at 13%.

Figure 9: Proportion of persons sentenced at all courts who received a custodial sentence for indictable offences, England and Wales



<sup>1</sup> Includes indictable-only and either-way offences. Indictable only are the most serious breaches of the criminal law and must be dealt with at the Crown Court. Either-way offences may be tried either at the Crown Court or at magistrates' courts.

The number of persons sentenced to immediate custody for all indictable<sup>1</sup> offences rose from 79,788 in 1999 to 80,239 in 2009, less than a 1% increase. The number of persons sentenced to immediate custody rose in six of the 10 offence groups, with fraud and forgery offences showing the biggest rise at 33%, followed by violence against the person at 28%, and robbery at 26%.

Table 3: *Number of persons sentenced to immediate custody for indictable offences at all courts<sup>1</sup>, England and Wales*

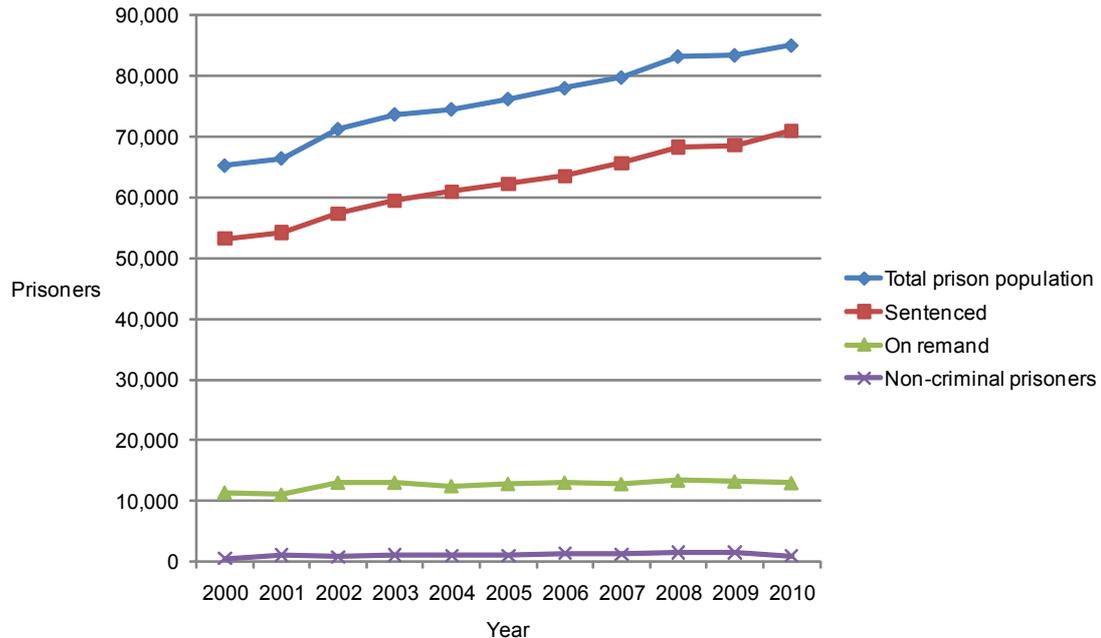
<u>Offence group</u>	<u>Numbers of persons</u>		
	<u>1999</u>	<u>2009</u>	<u>% change</u>
Violence against the person	11,038	14,084	▲ 28
Sexual Offences	2,601	2,987	▲ 15
Burglary	14,345	10,026	▼ 30
Robbery	4,085	5,155	▲ 26
Theft and handling stolen goods	24,427	19,942	▼ 18
Fraud and forgery	4,056	5,387	▲ 33
Criminal Damage	1,252	1,036	▼ 17
Drug offences	8,731	9,425	▲ 8
Motoring	1,631	1,315	▼ 19
Other indictable offences	7,622	10,882	▲ 43
All indictable <sup>1</sup> offences	79,788	80,239	▲ 1

<sup>1</sup> Includes indictable-only and either-way offences. Indictable only are the most serious breaches of the criminal law and must be dealt with at the Crown Court. Either-way offences may be tried either at the Crown Court or at magistrates' courts.

At the end of June 2010, the prison population in England and Wales was 85,000, a rise of around 30% compared with 10 years earlier. Of this total, 83% were offenders who had been sentenced, 16% were on remand, and 1% were non-criminal prisoners such as those held under the 1971 Immigration Act.

Males account for 95% of the total prison population.

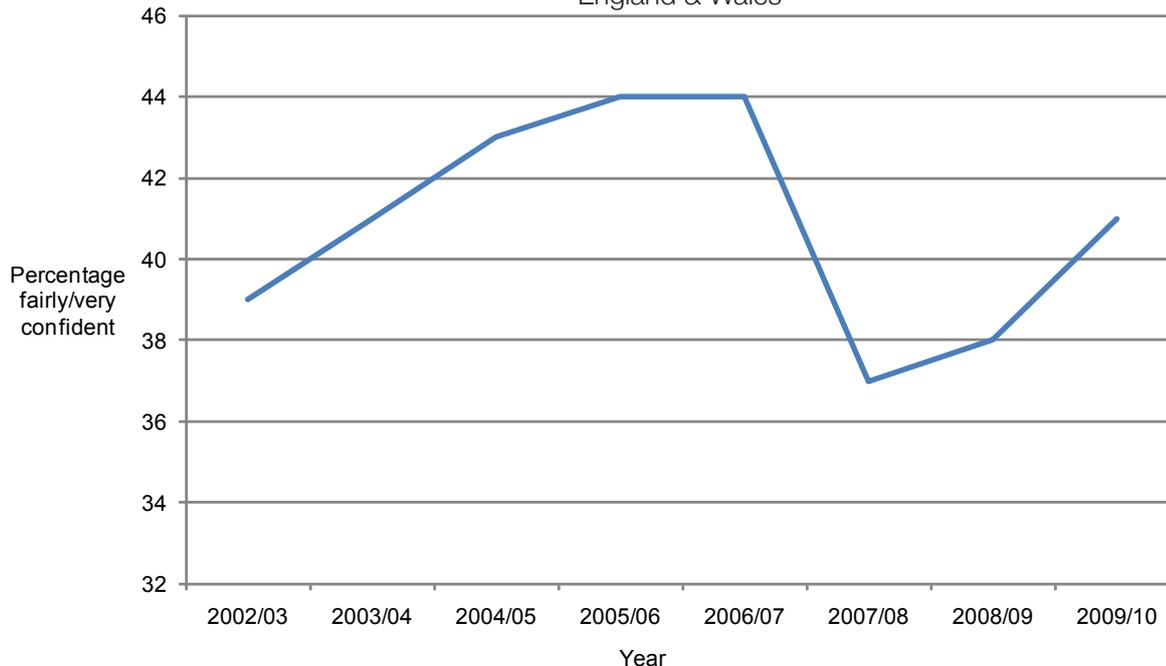
Figure 10: Prison population, England & Wales 2000 - 2010



# How confident are people in the criminal justice system?

Public confidence in the criminal justice system (CJS) is measured by the proportion of people in the British Crime Survey (BCS) who say that they are fairly/very confident that the CJS is effective in bringing offenders to justice. From March 2003 when it stood at 39%, confidence in the CJS rose every year until March 2006, when it reached 44%. The year ending March 2010 reported the proportion of people confident in the CJS at 41%.

*Figure 11: Changes in levels of confidence in the criminal system, England & Wales*

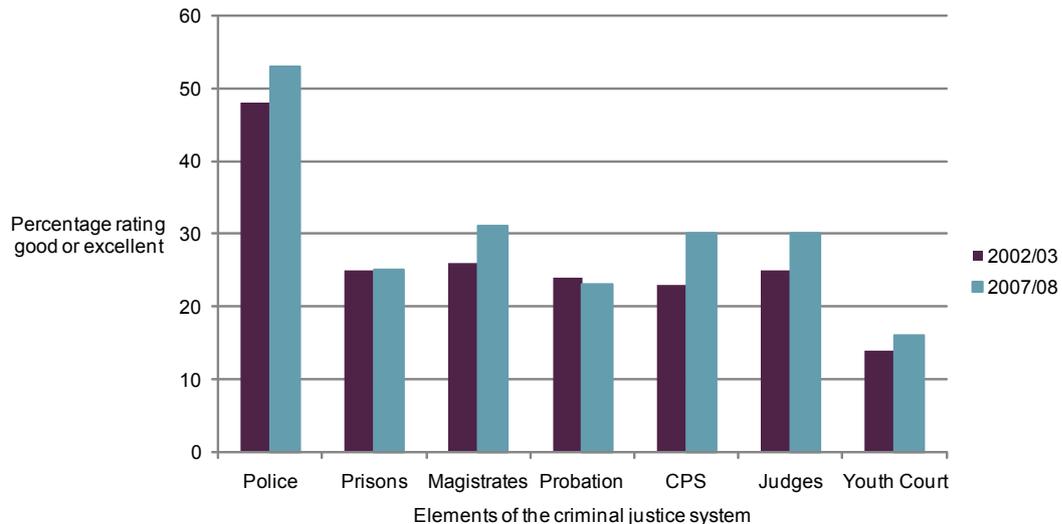


Up until 2007/08, the British Crime Survey (BCS) asked people how good a job they think each element of the criminal justice system (CJS) is doing.

In 2007/08, the most highly rated element was the police, with 53% of respondents saying that they were doing either a good or excellent job. The lowest rated element of the (CJS) was youth courts, which did a good or excellent job according to 16% of respondents.

In comparison with 2002/03, the ratings for 2007/08 had increased in five of the seven CJS elements (police, magistrates, CPS, judges, and youth courts), had decreased in one (the probation service), and remained the same for one (prisons).

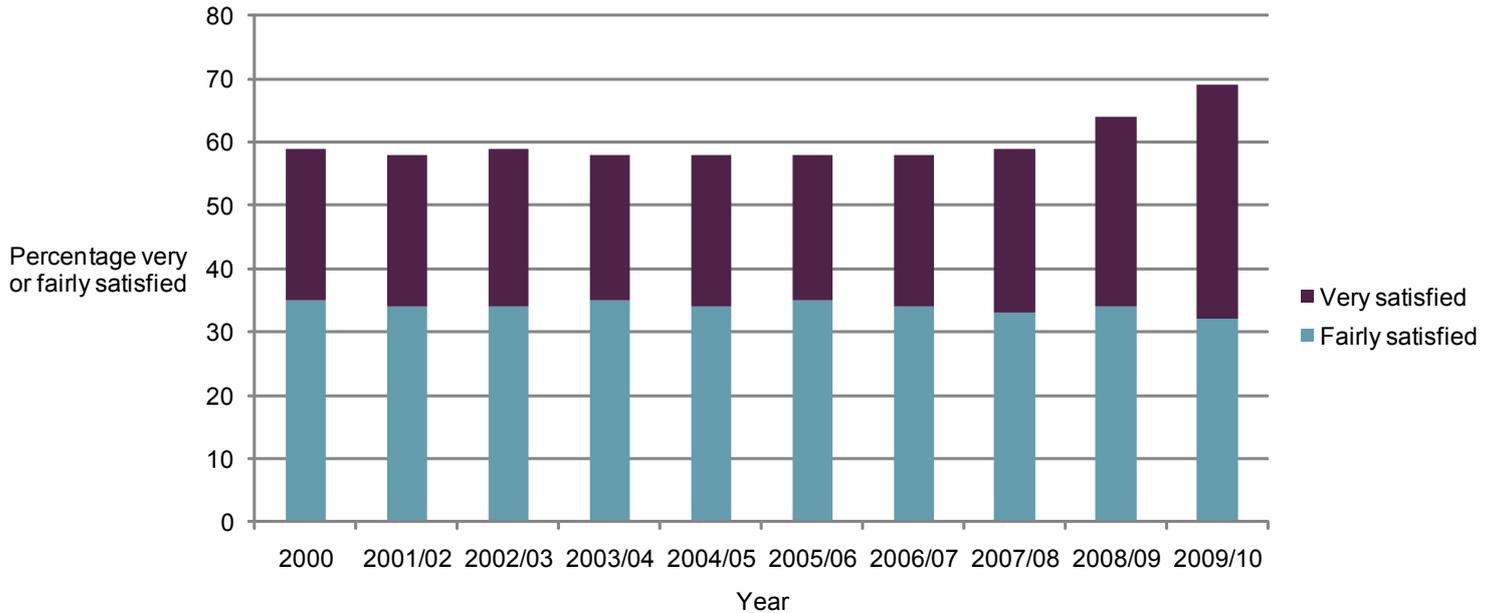
Figure 12: Ratings of the elements of the criminal justice system, England and Wales



# How satisfied are victims?

The British Crime Survey (BCS) asks victims of crime about their satisfaction with the police and the other CJS agencies. In 2000, 59% of victims questioned were satisfied with the police compared with 69% in 2009/10.

Figure 13: Victim satisfaction with the police, 2000-2009/10



Web page links:

<http://rds.homeoffice.gov.uk/rds/pdfs10/hosb1210.pdf>

Recorded crime and British crime survey data, England and Wales 2009/10

<http://www.justice.gov.uk/criminalannual.htm>

Criminal statistics, England and Wales

<http://www.justice.gov.uk/publications/timeintervals.htm>

Time intervals for criminal proceedings in magistrates' court: March 2007

<http://www.justice.gov.uk/publications/populationincustody.htm>

Prison population statistics, England and Wales

# Key Facts and Figures about the Criminal Justice System

## A summary of the main statistics



