

Article

Sexual offending: victimisation and the path through the criminal justice system

An overview of sexual offending in England and Wales, using a range of National Statistics and official statistics from across the crime and criminal justice system.

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1 . Summary

Increases in the number of sexual offences handled by the police in recent years largely reflect improvements in police recording and more victims being willing to report. The Crime Survey for England and Wales (CSEW) has estimated an increase in prevalence over the same period, but this is much smaller than seen in police recorded offences. The majority of cases do not come to the attention of the police, and many of those that do, do not result in a conviction for the perpetrator. Many offences don't proceed further than the police investigation due to evidential difficulties.

The different data sources included in this article highlight how agencies within the criminal justice system respond to victims and perpetrators of sexual offences. These data sources should be viewed together as each agency's response to sexual offences is, in part, influenced by activity of the agencies at previous stages.

Main points

The CSEW estimated that approximately 700,000 people aged 16 to 59 years were victims of a sexual assault in the last year. The majority of these cases will not enter the criminal justice system. Less than one in five victims of rape or assault by penetration reported their experience to the police.

The volume of sexual offences recorded by the police has almost tripled in recent years. However, these increases largely reflect improvements in police recording and more victims being willing to report. The number of offences recorded by the police remains well below the number of victims. Of the offences that do come to the attention of the police, many don't progress further through the criminal justice system.

There has been a decrease in the proportion of cases resulting in a charge or summons outcome. This decline may be, in part, due to resource pressures on the police following the substantial increase in recorded sexual offences. This includes non-recent cases, which may take longer to investigate before an outcome can be assigned. Offences have also become increasingly complex, which can increase the time it takes to consider all the evidence.

Half of all sexual offences recorded by the police didn't proceed further through the criminal justice system due to evidential difficulties. This figure reflects the challenges involved in investigating sexual offences, despite the majority of suspects being identified.

The Ministry of Justice recorded a 10% decrease in defendants proceeded against at magistrates' courts for sexual offences in 2017. This is similar to the percentage reduction seen in police charges.

Crown Prosecution Service data show that three in five of rape-flagged prosecutions and four in five of prosecutions for other sexual offences resulted in a conviction. Of those that did not result in a conviction, over half were due to acquittals. A further 16% of rape-flagged cases and 13% of other sexual offences that did not result in a conviction were due to victim retraction, victim non-attendance or evidence of the victim not supporting the case.

The different data sources included in this article can't be directly compared. They differ in the way they are collected in terms of timescales, units of analysis, definitions and identification processes. Together with the time lag between different stages in the criminal justice system, this means that each data source doesn't refer to the same cases. However, looking at them together provides a picture of the path of sexual offences through the criminal justice system. Use our interactive tool to explore how, and why, cases drop out of the criminal justice system.

2 . Statistician's comment

"In today's report, we have brought together data from different sources to show the path of sexual offences through the criminal justice system. Looking at these together, it's apparent that the majority of victims don't report the offence to the police.

"The report highlights that investigating sexual offences is challenging. Many offences don't proceed further than the police investigation due to evidential difficulties. In addition, investigations are becoming more complex due to an increase in evidence from phones, tablets, computers and social media.

"We hope that providing insights into this serious issue will assist all those working to achieve better outcomes for victims."

Alexa Bradley, Centre for Crime and Justice, Office for National Statistics

3 . Things you need to know about this release

This article has been produced by Office for National Statistics, working in collaboration with the Home Office, Ministry of Justice (MoJ) and Crown Prosecution Service (CPS). It provides information on the prevalence and nature of sexual assault from the Crime Survey for England and Wales (CSEW) and the journey of the victims, offences and offenders through the criminal justice system including:

- sexual offences reported to and recorded by the police
- prosecutions and convictions for sexual offences recorded by MoJ and the CPS
- sentencing for sexual offences from MoJ

The aim of this article is to provide a better understanding of sexual offences than is possible from looking at individual data sources in isolation. It provides an update to the picture presented in [An Overview of Sexual Offending in England and Wales \(PDF, 384KB\)](#), which was published in January 2013.

Statistics in this article are also used to help monitor progress towards the Sustainable Development Goals (SDGs). Explore the UK data on our [SDGs reporting platform](#).

Data from the CSEW and MoJ are classified as [National Statistics](#). Police recorded crime and outcomes data from the Home Office are classified as [official statistics](#). Data from the CPS are sourced from administrative datasets that do not fall within the scope of official statistics.

How do the different sources relate to each other?

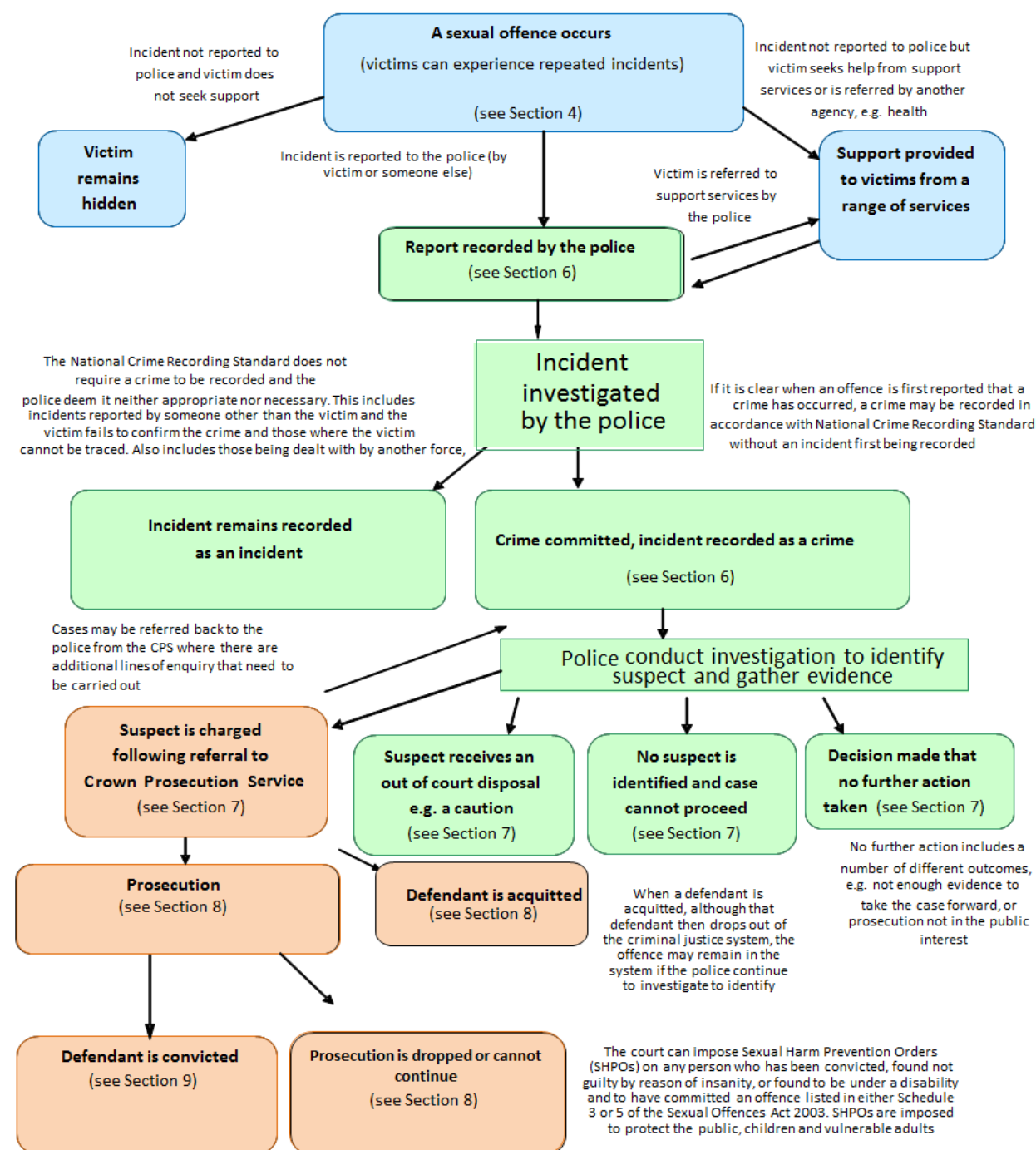
The data sources included in this bulletin differ in the way they are collected in terms of:

- timescales
- units of analysis (victims, offences, or suspects or defendants)
- definitions and identification processes

These factors, together with the time lag between different stages in the criminal justice system, mean that each section in this report does not necessarily refer to the same cohort of cases and so direct comparisons cannot be made across sections¹. However, looking at the different data sources together provides an overall picture of sexual offences and offenders through the criminal justice system.

Figure 1 shows how cases move through the criminal justice system and how the different data sources included in this report relate to each other.

Figure 1: How sexual offences progress through the criminal justice system



Source: Office for National Statistics

Crime Survey for England and Wales

The CSEW collects information on sexual assaults via self-completion modules² asked of all adult respondents aged 16 to 59 years³ resident in households⁴ in England and Wales. Sexual assaults measured by the CSEW cover:

- rape (including attempts)
- assault by penetration (including attempts)
- causing sexual activity without consent⁵
- indecent exposure
- unwanted touching

The CSEW term “sexual assault” differs from the term “sexual assault” in police recorded crime, CPS and MoJ data, which refers to one specific type of sexual offence – the sexual touching of a person without their consent.

There are two time periods of sexual assaults covered by the CSEW:

- experiences since the age of 16 years
- experiences in the 12 months prior to interview

As the focus of this article is to provide a clear understanding of the recent picture of sexual offending, the CSEW data included relate to experiences in the 12 months prior to interview.

Due to the relatively low number of respondents that have been victims of sexual assault, data from the three most recent survey years have been combined and averaged to provide more robust estimates. This covers the year ending March 2016 CSEW to year ending March 2018 CSEW.

Information from the CSEW on reporting rape or assault by penetration to the police is also included. The year ending March 2017 survey is the latest year for which this information is available as it is not collected every year. The data have been combined with data from the year ending March 2014 survey (when it was last previously collected). This provides a sufficient sample size to present results for both male and female victims. Data on the nature of rape or assault by penetration for these individual survey years yield similar results.

One of the strengths of the CSEW is that it covers many crimes that are not reported to the police either by the victim or a third-party. Under-reporting to the police is particularly acute for sexual assaults, with many more offences committed than are reported to and recorded by the police. The CSEW provides reliable estimates of the prevalence of sexual assaults using a consistent methodology. It is not affected by changes in recording practices and police activity or by changes in the propensity of victims to report to the police.

All changes reported in this article, based on the CSEW, are statistically significant at the 5% level unless stated otherwise.

Other information on the nature of rape and assault by penetration, including offenders' characteristics and the influence of alcohol and drugs, can be found in [CSEW Tables 11 to 33](#). Further detailed information on the nature of sexual assaults can also be found in [Sexual offences in England and Wales, year ending March 2017](#).

Sexual offences recorded by the police

Sexual offences recorded by the police are grouped into two main categories – rape and other sexual offences. The other sexual offences category covers a broader range of offences than the CSEW, for example, sexual exploitation of children, incest and sexual grooming. Given the broader range of offences covered in police recorded crime and other differences described in this section, these figures are not directly comparable with the estimates from the CSEW.

[Home Office Counting Rules \(PDF, 592KB\)](#) for recorded crime differ slightly from the CSEW in the way incidents are counted. For example, from July 2016, the counting rules for rape were changed to record one crime for each perpetrator. In the CSEW only one incident would be counted regardless of the number of perpetrators involved.

In this article, the police data for sexual offences cover those crimes reported to and recorded by the police during the year ending March 2018. Therefore, they relate to a different period of time than the CSEW data. The volume of sexual offences handled by the police is much lower than victimisation levels estimated by the CSEW because of a high level of under-reporting to the police. The police figures are also influenced by changes in recording practices and the willingness of victims to report to the police, which makes interpreting trends difficult.

Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) reported in November 2014 that [under-recording of reports of crime by the police was particularly pronounced for sexual offences](#). HMICFRS found that sexual offences were under-recorded by 26% nationally. [Re-inspections of some forces](#) since then show improvements in recording, which have resulted in increases in the volume of sexual offences recorded by the police. However, the level of improvement varies between forces and some have further work to do to ensure that all reports of crime are recorded correctly.

High-profile media coverage of sexual offences and the police response to reports of non-recent sexual offending in recent years, for example, the [Me too movement](#) (#metoo) is also likely to have influenced trends in police recorded sexual offences. Victims are thought to be more likely to report both recent and non-recent offences as a result.

Given the different factors affecting the reporting and recording of these offences, police data don't provide a reliable indication of current trends in sexual offences.

This report also includes information taken from the Home Office Data Hub⁶. The majority of police forces use the Data Hub but some information is only available for a subset of forces, depending on the quality of information supplied. The Home Office are continuing to develop and implement this system.

Court proceedings and convictions

The Ministry of Justice (MoJ) collate data on court proceedings via extracts from court database administrative systems.

All MoJ statistics presented in this article cover the year ending December 2017 and represent court proceedings completed in that year.

The figures given relate to persons for whom the principal offence was a sexual offence, unless stated otherwise. When a defendant has been found guilty of two or more offences, the offence selected is the one for which the heaviest penalty is imposed.

The Crown Prosecution Service (CPS) is the principal prosecuting authority for England and Wales, acting independently in criminal cases investigated by the police and others. CPS data are available through its Case Management System (CMS) and associated Management Information System (MIS)⁷.

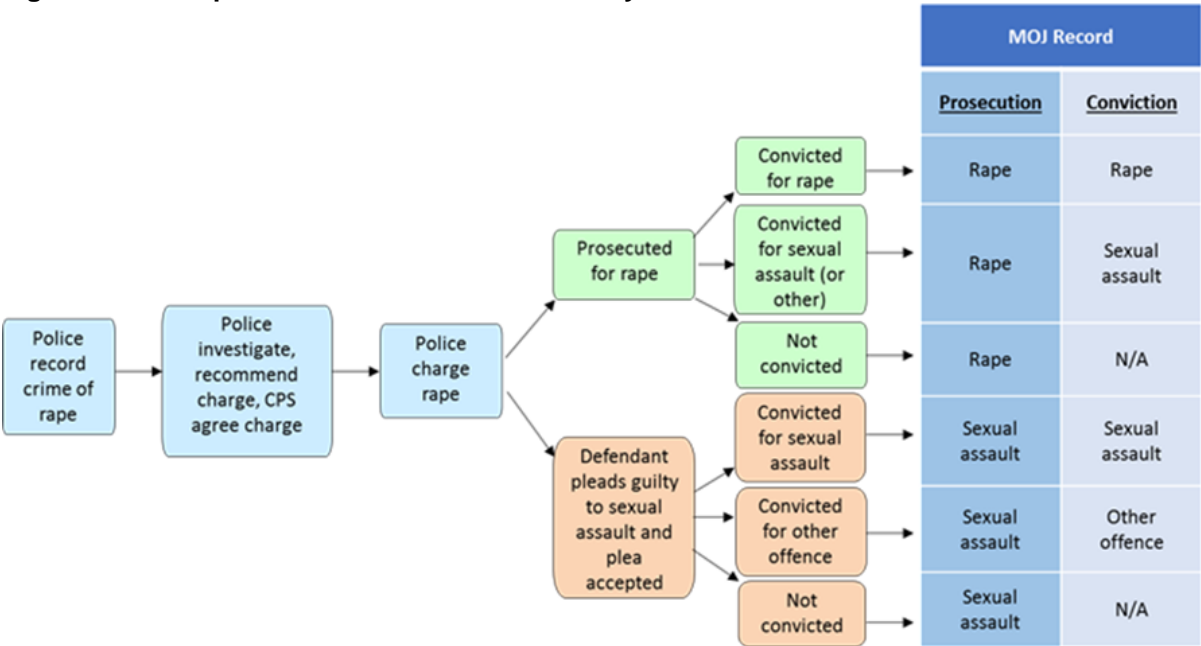
CPS rape-flagged data are dependent upon lawyers and administrative staff correctly identifying applicable cases and flagging these on the CMS. These data are accurate only to the extent that flags have been correctly applied. A rape offence flag may be applied at the beginning of a case, or applied later in the prosecution process if evidence of rape becomes apparent. The rape flag will remain in place, even if the decision is taken to charge an offence other than rape. This is why the cases are referred to as rape-flagged rather than rape.

CPS data on other sexual offences are derived from the principal offence category of “sexual offences” by excluding cases flagged as rape. These data don’t include referrals from the police, charges by the CPS or prosecution outcomes. CPS data presented in this article cover the year ending March 2018.

The MoJ and CPS measure prosecutions and convictions differently according to their different purposes. While CPS data are primarily collected for case management purposes, to ensure that the principles of the rape and sexual offence policy are considered throughout the life of all relevant cases, MoJ measures are based on the “final” offence.

MoJ data will count a rape conviction only where the final principal conviction is specifically for rape. A case that initially started as a rape but was eventually convicted as an alternative offence (such as a lesser sexual assault) would be counted under the alternative offence. This difference leads to the CPS recording a much larger number of prosecutions and convictions for rape than the MoJ. Figure 2 shows how different cases would be counted in MoJ data. In each of these cases, the prosecution and potential conviction for CPS data would be rape.

Figure 2: How rape cases are recorded in Ministry of Justice data



Source: Office for National Statistics

Notes for: Things you need to know about this release

1. For example, a case reported to the police in one year may not appear with an outcome after investigation until the next year, or a case with a prosecution outcome in one year may have been initially reported to the police in a previous year.
2. “Self-completion” means that the respondent reads the questions themselves and records their answers directly onto a laptop.
3. Since April 2017, the upper age limit for the self-completion modules has been extended to 74 years. However, most of the information in this article is based on those aged 16 to 59 years because of the need to combine three survey years of data. Data for 60- to 74-year-olds are provided separately in accompanying tables.
4. The CSEW does not cover the population living in group residences or other institutions (for example, care homes or halls of residence), nor does it cover the population not resident in households (for example, tourists or visitors).
5. Information on causing sexual activity without consent has been collected in the CSEW since April 2015 and this is the first time it has been included in the estimates.
6. The Home Office Data Hub is a live database that allows police forces to provide the Home Office with record-level information on every crime recorded in a year.
7. The CPS collects data to assist in the effective management of its prosecution functions and therefore do not collect data that constitute official statistics as defined in the [Statistics and Registration Service Act 2007](#).

4 . How prevalent are sexual offences?

The Crime Survey for England and Wales (CSEW) estimated that approximately 700,000 adults aged 16 to 59 years had experienced sexual assault in the 12 months prior to interview¹. This is equivalent to 2.1% of the population aged 16 to 59 years.

Women more likely to have experienced sexual assault

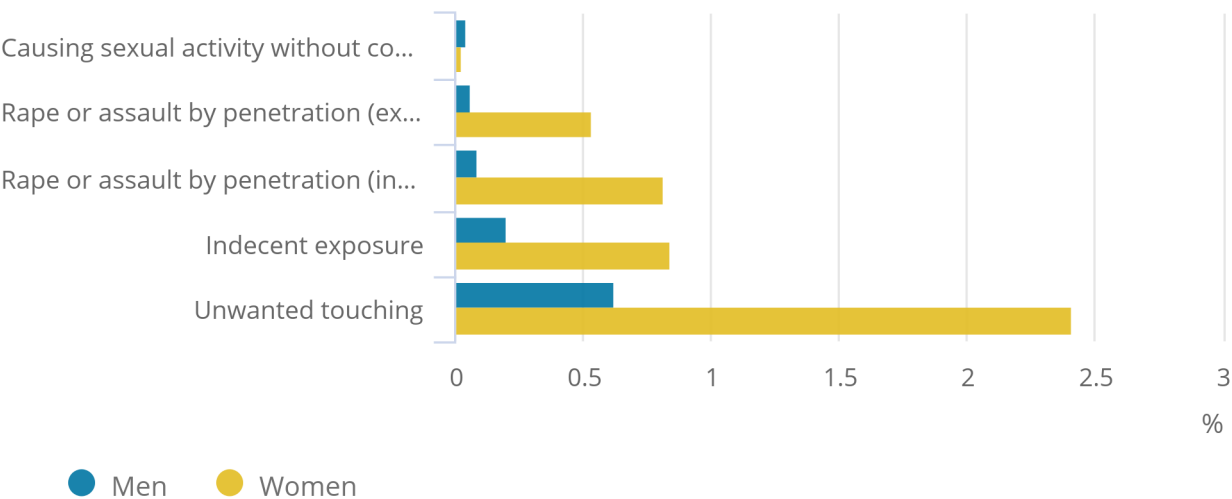
The majority of victims were female, with approximately 560,000 female victims and 140,000 male victims. Women were nearly four times as likely as men to have experienced sexual assault in the last year (3.4% compared with 0.9%; Figure 3, [CSEW Table 1](#)).

Figure 3: Unwanted touching was the most common type of sexual assault experienced in the last year for both men and women

Adults aged 16 to 59 years, England and Wales, year ending March 2016 to year ending March 2018

Figure 3: Unwanted touching was the most common type of sexual assault experienced in the last year for both men and women

Adults aged 16 to 59 years, England and Wales, year ending March 2016 to year ending March 2018



Source: Crime Survey for England and Wales, Office for National Statistics

Both men and women in younger age groups were more likely to be victims of sexual assault than those in the older age groups ([CSEW Table 7](#))².

Overall prevalence of sexual assault hasn't changed significantly over the long-term

There has been some fluctuation in the prevalence of sexual assault experienced among adults aged 16 to 59 years over the long-term, but the estimate for the latest year is similar to a decade ago. A significant increase to 2.7% in the year ending March 2018 CSEW from 2.0% in the previous year (Figure 4) has been driven by:

- unwanted touching (increasing from 1.4% to 2.1%)
- indecent exposure (increasing from 0.4% to 0.8%, [CSEW Table 6](#))

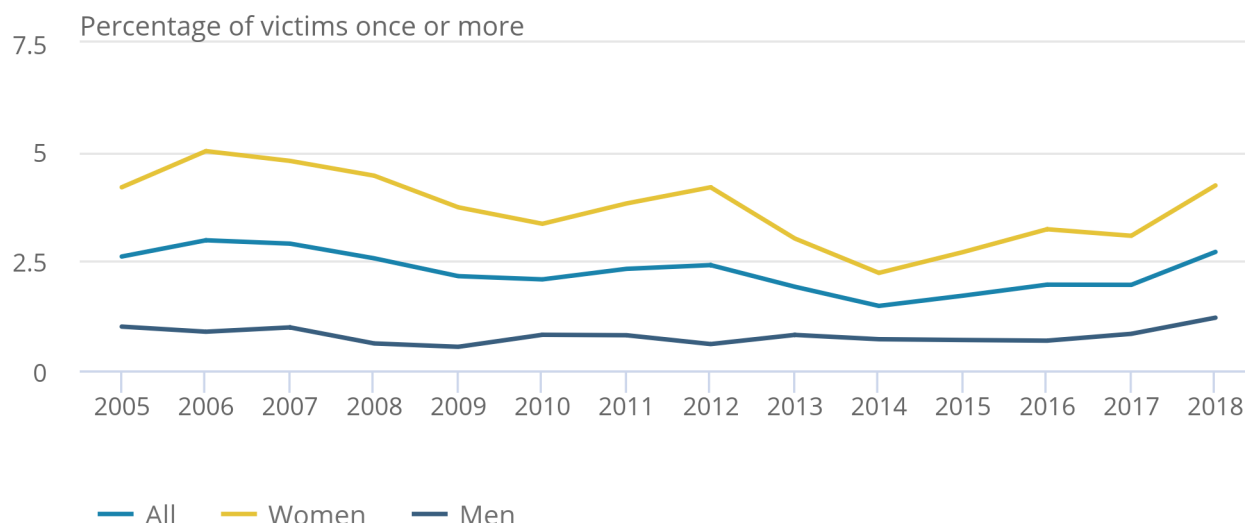
It is too early to say whether this increase is the beginning of an upward trend or another fluctuation in the series, similar to those seen previously.

Figure 4: Following long-term stability in the prevalence of sexual assault, an increase in the latest year was driven largely by increases in unwanted touching and indecent exposure

Adults aged 16 to 59 years, England and Wales, year ending March 2005 to year ending March 2018

Figure 4: Following long-term stability in the prevalence of sexual assault, an increase in the latest year was driven largely by increases in unwanted touching and indecent exposure

The overall prevalence of sexual assault experienced by adults aged 16 to 59 years in the last year has not changed significantly compared with the year ending March 2005 CSEW. The prevalence of sexual assault among females has changed significantly since the year ending March 2005. The prevalence among males has changed significantly during this period.



Source: Crime Survey for England and Wales, Office for National Statistics

Notes:

1. The sample size is lower for some years due to split-sample experiments. See notes in the CSEW Tables for more information.
2. Estimates are calculated from new questions from the year ending March 2013 onwards. Previous estimates are calculated from the original questions with an adjustment applied to make them comparable to the new questions.
3. The new offence category of "Causing sexual activity without consent" is not included in this chart to provide a comparable time series.

Notes for: How prevalent are sexual offences?

1. Based on data combined from the year ending March 2016 to year ending March 2018 CSEW.
2. Variation in prevalence by other characteristics can be seen in [CSEW Tables 7 and 8](#). Further detailed information can also be found in [Sexual offences in England and Wales, year ending March 2017](#).

5 . Reporting sexual assault to the police

Majority of sexual offences don't ever enter the criminal justice system

The Crime Survey for England and Wales (CSEW) estimated that fewer than one in five (17%) victims reported their experience of rape or assault by penetration to the police ([CSEW Table 23](#))¹. This indicates that the majority of these offences don't ever enter the criminal justice system.

The CSEW doesn't provide information on whether other types of sexual offences were reported to the police. However, reporting rates for these offences are likely to be lower than for rape and assault by penetration, given the nature of the offences.

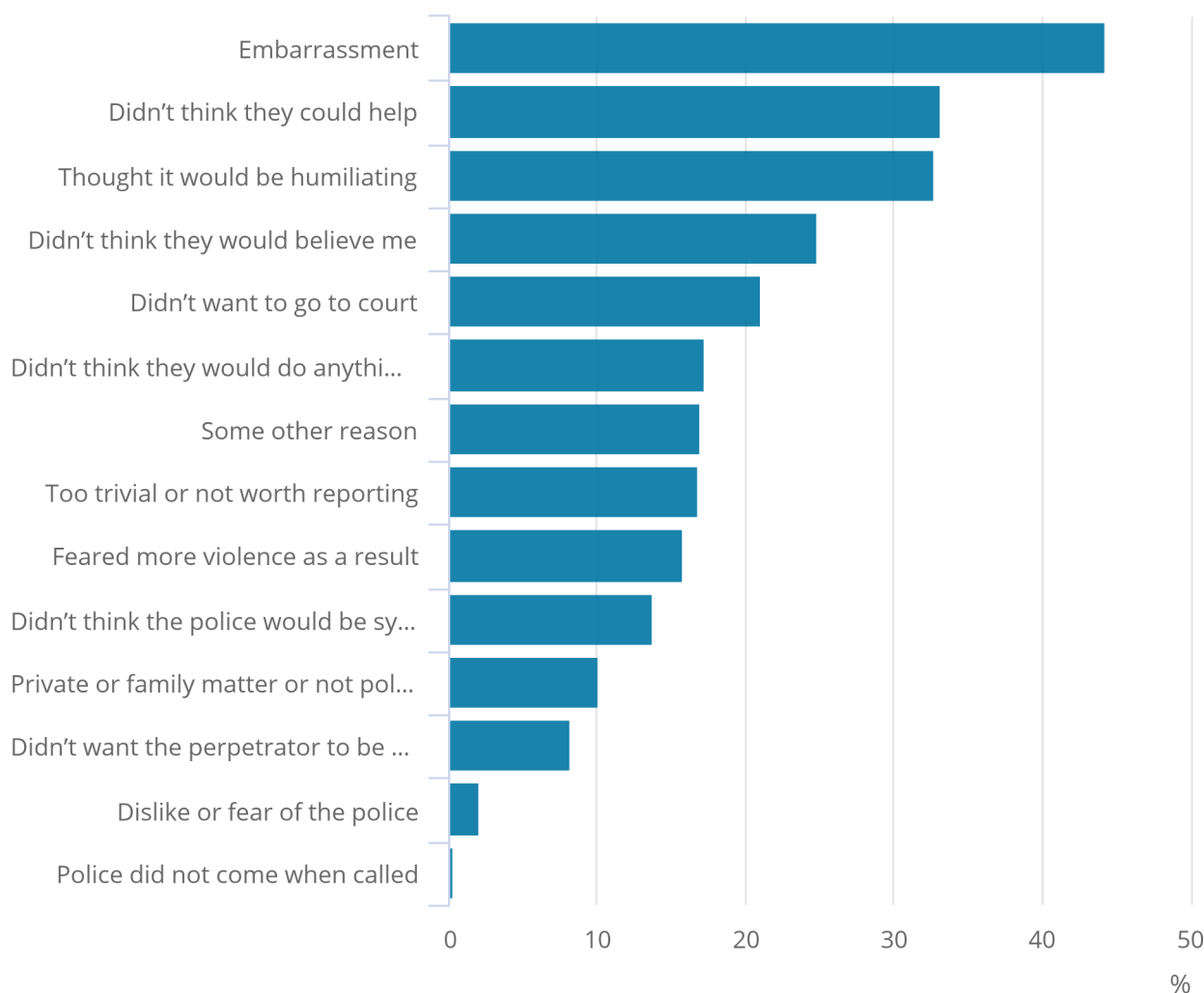
The most common reason for not reporting to the police was embarrassment, followed by thinking the police couldn't help and that it would be humiliating (Figure 5).

Figure 5: Embarrassment was the most common reason for victims not reporting to the police

Adults aged 16 to 59 years, England and Wales, year ending March 2014 and year ending March 2017

Figure 5: Embarrassment was the most common reason for victims not reporting to the police

Adults aged 16 to 59 years, England and Wales, year ending March 2014 and year ending March 2017



Source: Crime Survey for England and Wales, Office for National Statistics

Majority of victims that reported to the police found them helpful

Where offences did come to the attention of the police, the majority of victims (75%) found the police to be very or fairly helpful at first contact, and 63% found the police to be very or fairly helpful during the investigation ([CSEW Table 26](#)).

Notes about Reporting sexual assault to the police

1. Based on data combined from the year ending March 2014 and year ending March 2017 CSEW.

6 . Sexual offences recorded by the police

The first stage that a sexual offence can enter the criminal justice system is when the police record a crime or a crime-related incident.

The police recorded 150,847 sexual offences in the year ending March 2018 ([HO Table 1](#)). This figure is not directly comparable with the number of victims estimated by the Crime Survey for England and Wales (CSEW) as police data cover a broader range of offences and includes offences against children and those living in institutions.

Data from the Home Office Data Hub¹ show that females aged 10 to 14, 15 to 19 and 20 to 24 years were disproportionately more likely to be victims of sexual offences recorded by the police than any other age group. Similarly, males aged 5 to 9, 10 to 14 and 15 to 19 years were disproportionately more likely to be victims ([HO Tables 23 and 24](#)). Sexual offences experienced by under 16s are not covered in the CSEW figures.

Some victims will report more than one incident to the police, which means that the number of crimes recorded by the police will be higher than the number of victims reporting those crimes. However, the general picture of the number of police recorded offences being much lower than the number of victims shows that the majority of sexual offences don't come to the attention of the police.

Improvements in police recording drive increases in sexual offences recorded by the police

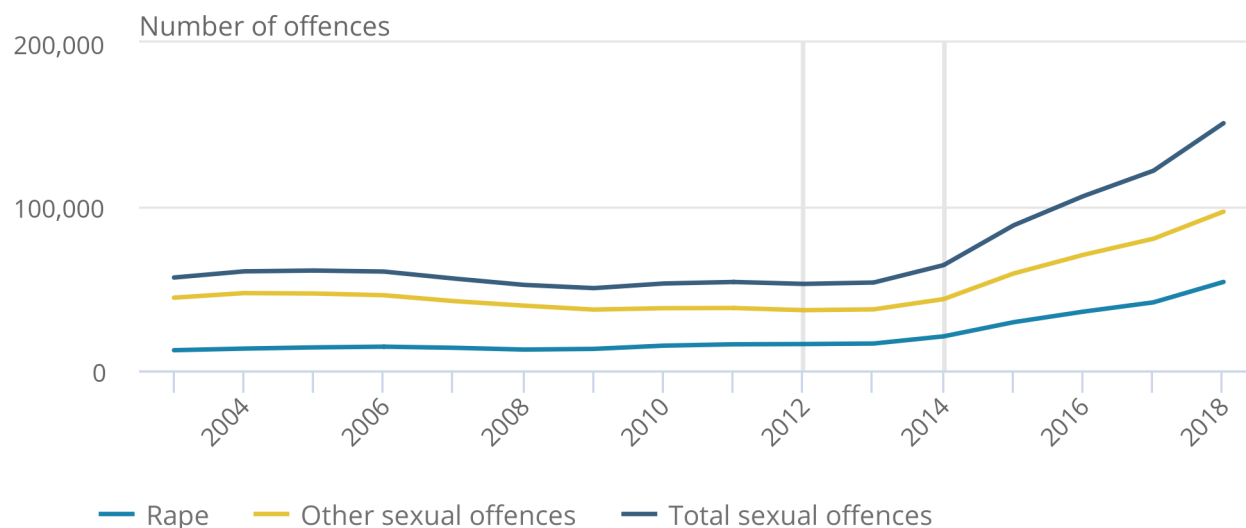
The number of police recorded sexual offences has almost tripled since the year ending March 2013. The sharp increase can be seen in both rape and other sexual offences (Figure 6). Sexual offences remain a relatively low proportion of all crimes recorded by the police (3%).

Figure 6: Police recorded sexual offences are at the highest level recorded since the introduction of the National Crime Recording Standard in April 2002

Year ending March 2003 to year ending March 2018

Figure 6: Police recorded sexual offences are at the highest level recorded since the introduction of the National Crime Recording Standard in April 2002

Year ending March 2003 to year ending March 2018



Source: Police recorded crime, Home Office

Notes:

1. The Sexual Offences Act 2003, introduced in May 2004, altered the definition and coverage of sexual offences.
2. From July 2016, the Home Office counting rules in regards to rape were changed to record rape on a per offender basis.
3. Operation Yewtree is the police investigation into allegations of sexual abuse, launched in the wake of the Jimmy Savile scandal.

The increases seen largely reflect improvements made by the police in how they record these crimes and an increased willingness of victims to come forward and report. The increases don't reflect the level of victimisation having tripled. Although the CSEW has estimated an increase in prevalence over the same period, this increase is much smaller than seen in police recorded offences.

Non-recent offences (those that took place more than 12 months before being recorded) accounted for 26% of sexual offences recorded by the police in the year ending March 2018². This proportion has remained similar (between 25% and 27%) over the last five years.

The improvements and greater victim focus in police recording seen in recent years mean that [the proportion of sexual offences that are not correctly recorded will have decreased](#) from the 26% found by Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) in 2014.

Circumstances surrounding sexual offences can affect how likely they are to enter the criminal justice system

Rape accounted for around one in three of police recorded sexual offences in the year ending March 2018 (36%, [HO Table 1](#)). In comparison, around one in seven CSEW victims of sexual assault had experienced rape ([CSEW Table 2](#)). This highlights that victims are more likely to report rape to the police than other sexual offences.

Similar to the CSEW, the majority of victims of police recorded sexual offences were females (84%) ([HO Table 22](#))³. However, there were notable differences between the CSEW and police recorded offences in who the perpetrator was. Approximately one-third (33%) of police recorded rape offences against females were (suspected to be) committed by a partner or ex-partner^{4, 5} ([HO Table 25](#)). This compared with almost half (46%) of CSEW sexual assaults by rape or penetration against females ([CSEW Table 11](#)).

This suggests that rapes within a relationship are less likely to be reported to the police than rapes committed by other perpetrators.

Reported incidents of rape contribute to the demand on police

For rape, information is also available on the number of rape incidents the police have recorded. Rape incidents cover reports where, after investigation, the police have concluded that no notifiable crime was committed⁶ within the police force area where the incident came to the attention of the police. To get a total picture of the demand upon the police that relates to rape, it is necessary to consider both rape incidents and offences together.

Of the 69,901 rape incidents and crimes⁷ recorded in the year ending March 2018 by the police in England and Wales, 11,913 (17%) remained as incidents ([HO Table 15](#)). Of these incidents ([HO Table 17](#)):

- 58% (6,881) remained as incidents because the victim (or third party acting on their behalf) did not confirm the offence or couldn't be traced
- 13% (1,504) remained as incidents due to additional verifiable evidence that the rape did not occur

The remaining 30% (3,528) of the 11,913 rape incidents were transferred⁸ to another force for investigation ([HO Table 17](#)).

Notes for:

1. From a subset of 34 forces.
2. It is only possible to identify non-recent offences for the subset of forces providing data to the Home Office Data Hub.
3. From a subset of 37 forces.
4. This refers to all partner and ex-partner relationships, not just where the couple were married or in a civil partnership, but also including cohabiting partners and those considered in a relationship.
5. From a subset of 40 forces.
6. In accordance with the [National Crime Recording Standard \(NCRS\)](#).
7. There may be some cases where an incident may be recorded and then a crime may subsequently be recorded in a different time period, for example, an incident recorded on 31 March, a crime recorded on 1 April.
8. These cases may include double-counting because cases where a rape incident is recorded and transferred are not removed from the sending force's numbers. The intention here is to show the total demand on each force and in particular the total number of reports of rape at a force level.

7 . What are the outcomes of sexual offences recorded by the police?

When the police record a crime, they will then investigate the offence. Sometimes the investigation will show that no crime took place, leading to the crime report being cancelled. This is the first stage where an offence can drop out of the criminal justice system once a crime has been initially recorded by the police.

If a crime is not cancelled, once the police investigation is complete the police will assign an offence a "crime outcome". This outcome will determine whether the offence will continue through the criminal justice system with the issue of a charge or summons, or whether an alternative outcome will be assigned.

Duplicate records are the main reason for crimes being cancelled

In the year ending March 2018, there were 6,453 sexual offences (4% of those initially recorded) that were later cancelled. This proportion is higher than for overall crime recorded by the police (3%). Cancelled levels for rape are higher than for all sexual offences, at 5% ([HO Table 13](#)).

For all sexual offences, duplicate records were the most common reason for crimes being cancelled (50%), accounting for a higher proportion than for other offences ([HO Table 14](#)). These are offences that constitute a duplicate record of a crime, or part of a crime that is already recorded within a force and must be cancelled to avoid duplication of statistics. A further 29% were cancelled due to additional verifiable information becoming available that determined that no notifiable crime occurred. This is lower than for overall police recorded crime (39%).

Duplicate records were also the main reason for rape offences being cancelled (57%), followed by 27% of cases being cancelled due to additional verifiable information becoming available that concluded the alleged rape didn't occur.

Police take an average of 73 days to assign an outcome to a sexual offence case

Of all sexual offences recorded by the police in the year ending March 2018, the majority, 82%, were assigned an outcome at the time of analysis¹. The other 18% were still under investigation and had not yet been assigned an outcome ([HO Table 11](#)). The proportion of sexual offences not assigned an outcome is higher than for other police recorded crime offences, reflecting the complexity of these offences.

The average number of days for police to assign an outcome to a sexual offence was 73 days in the year ending March 2018. In comparison, the average was 15 days for violence against the person offences and six days for all crimes. When looking at rape offences specifically, the average number of days taken for an outcome to be assigned was 129 days (Figure 7; [HO Table 18](#)).

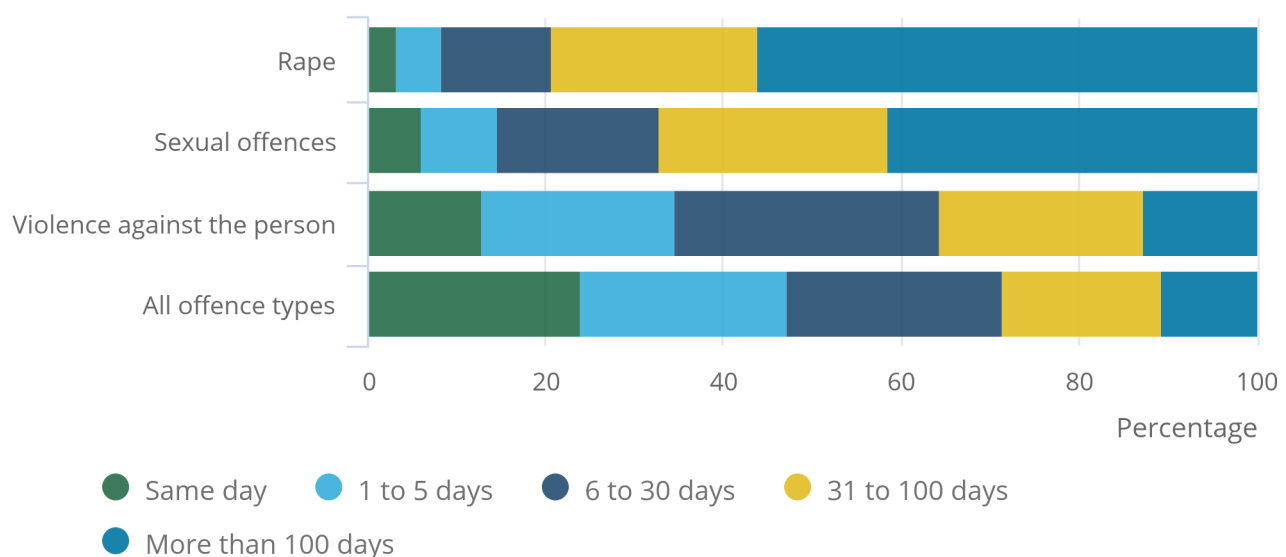
The length of time taken to assign an outcome further reflects the sensitive nature and complexity of investigating sexual offences, particularly for rape.

Figure 7: Sexual offences take longer than other crimes to have an outcome assigned

Year ending March 2018

Figure 7: Sexual offences take longer than other crimes to have an outcome assigned

Year ending March 2018



Source: Home Office Data Hub, Home Office

Notes:

1. Based on 40 police forces that supplied adequate data.
2. Includes offences recorded in the year ending March 2018 that had been assigned an outcome at the time of analysis.

Evidential difficulties account for a large proportion of police outcomes

Half of sexual offences (51%) were assigned evidential difficulties outcomes. These are cases where the police were unable to build a strong enough case for the offence to continue in the criminal justice system, or the victim or offender couldn't be traced² (Figure 8; [HO Table 11](#))³. The victim didn't support further action in 32% of offences⁴ and the victim did support further action in 19%.

A higher proportion of evidential difficulties outcomes were assigned to rape and sexual assault offences than sexual activity with minors and other sexual offences. Victims may not want to be involved in investigations for a number of reasons, for example:

- worry that the process will be too distressing and/or a fear of being judged
- the offence might have been committed by the victim's partner and the victim may not wish the police to take action against their partner
- the victim wanted the crime recorded but didn't want further action taken on this occasion

Other offences recorded by the police that did not proceed further through the criminal justice system include (Figure 8; [HO Table 11](#)):

- 15% of offences where no suspect was identified
- 3% of offences where the action taken was undertaken by another agency (for example, adult or children's social care teams or other specialist health referral services)
- 3% of offences where the prosecution was prevented or not in the public interest
- 2% of offences where further investigation to support action was not in the public interest

These figures reflect the challenges involved in investigating sexual offences, despite the majority of suspects being identified. Of offences that did not progress further through the criminal justice system, those with evidential difficulties where the victim supported action took the longest to have an outcome assigned (an average of 133 days in the year ending March 2018; [HO Table 19](#)). This indicates the level of workload involved in investigating complex sexual offences.

A further 1% of offences were resolved with an out of court outcome, for example, by caution or a community resolution.

Offences assigned a charge or summons outcome remain in the criminal justice system

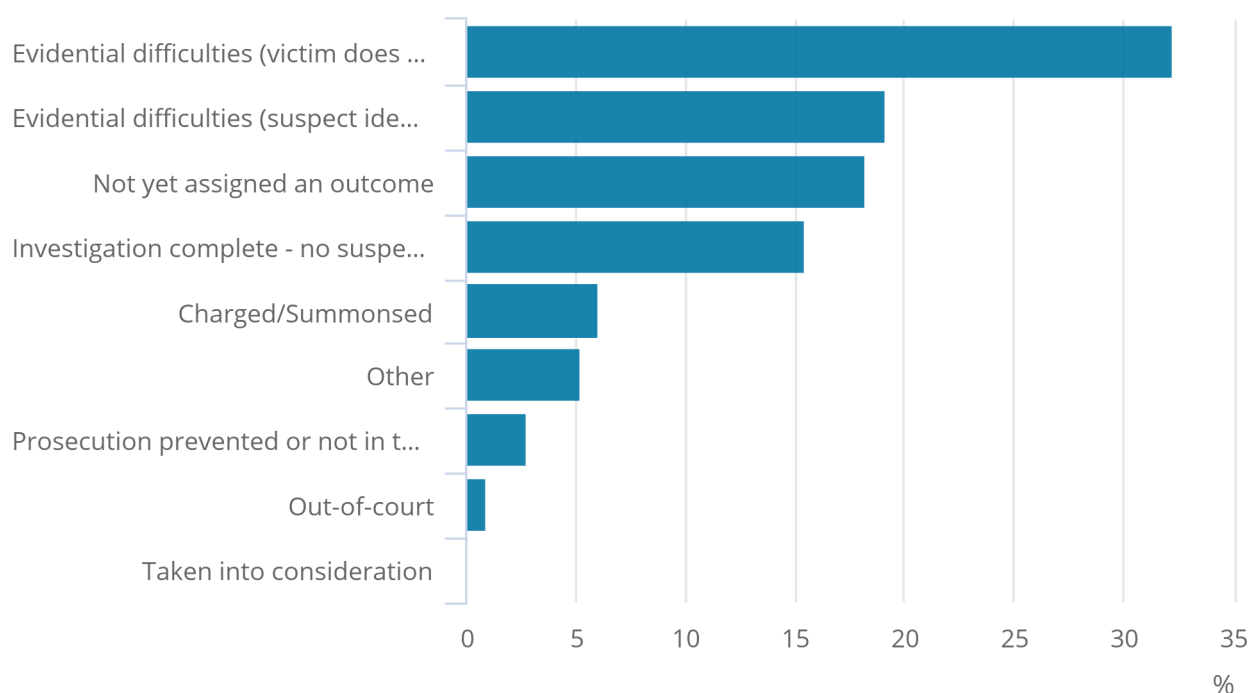
Of the sexual offences recorded in the year ending March 2018, the outcome of charge or summons had been assigned to 6% (9,097) (Figure 8; [HO Table 11](#))⁵. These offences remain in the criminal justice system. This proportion will increase as more offences that remain under investigation from this year are assigned an outcome.

Figure 8: Outcomes assigned to sexual offences recorded by the police

Year ending March 2018

Figure 8: Outcomes assigned to sexual offences recorded by the police

Year ending March 2018



Source: Home Office Data Hub, Home Office

Notes:

1. Taken into consideration refers to offences asked to be taken into consideration by a court (TICs).
2. Out of court (formal) includes caution - adults; caution - youths; Penalty Notices for Disorder.
3. Out of court (informal) includes cannabis or khat warnings and community resolutions.
4. Prosecution prevented or not in the public interest includes not in the public interest - Crown Prosecution Service (CPS); Not in public interest - Police; Offender died; Prosecution prevented (suspect under age; suspect too ill; victim or key witness dead or too ill); Prosecution time limit expired.
5. Other includes action undertaken by another body or agency; further action to support formal investigation not in the public interest; offences not yet assigned an outcome.

Proportion of sexual offences resulting in a charge or summons has declined

Over recent years, there has been a fall in the percentage of sexual offences that have been dealt with by charge or summons outcomes (from 13% in the year ending March 2016 to 6% in the year ending March 2018). This is partly because there are more cases yet to be assigned an outcome in the latest year. However, if those cases that are still under investigation are excluded, there is still a sharp fall in the charge or summons outcomes rate from 16% to 7% over the same time period ([HO Table 16](#)).

This fall is partly due to the steep increase in police recorded sexual offences seen over recent years, with the police now recording more sexual offences where it is difficult to achieve a charge or summons outcome. While these offences will not proceed through the criminal justice system, they will remain recorded, which can be important for victims should they suffer repeat victimisation.

However, the fall also reflects that the absolute number of charges for sexual offences has decreased from 17,571 in the year ending March 2016 to 14,071 in the year ending March 2018⁶, while police recorded sexual offences have increased sharply from 106,383 to 150,847. The decline in the number of charge or summons outcomes may be due to resource pressures on the police following the increase in recorded sexual offences. An increase in digital evidence in recent years has increased the complexity of evidence gathering, and non-recent cases may take longer to investigate before an outcome can be assigned.

While there has been a decrease in offences that resulted in a charge or summons, there has been a corresponding increase in the proportion of outcomes assigned to evidential difficulties where the victim does not support the action (from 25% in the year ending March 2016 to 32% in the year ending March 2018; [HO Table 11](#)).

Cases that were assigned a charge or summons outcome took the longest amount of time for an outcome to be assigned (average of 150 days in the year ending March 2018; [HO Table 19](#)).

Rape offences less likely to result in charge or summons than all sexual offences

In the year ending March 2018, a charge or summons outcome was assigned to 3% of the 53,970 rape offences. However, 24% of rape offences recorded in this year have yet to be assigned an outcome. If these are excluded, the rate increases to 5% ([HO Table 10](#)). This lower rate for rape offences may reflect that these crimes can be difficult to investigate due to a lack of corroborating evidence or, in cases concerning two adults, where there are complex decisions to be made around consent and one person's word against another.

It took longer to assign outcomes to rape cases than other sexual offences. The difference between charge or summons outcomes (average of 251 days) and evidential difficulties where the victim supported action (average of 190 days) was longer than for all sexual offences ([HO Table 20](#)).

Prior to the police assigning a charge or summons, the police may liaise with the Crown Prosecution Service (CPS) to discuss the case before referring it to the CPS for a formal charging decision. The number of referrals from the police to the CPS that resulted in a finalised charging decision is available for rape offences, but not for all sexual offences.

There were 6,012 rape-flagged cases referred to the CPS from the police that resulted in a finalised charging decision in the year ending March 2018. This is a fall of 599 cases (9%) from the previous year (6,611 cases; [CPS Table 2](#)). In comparison, rape offences recorded by the police increased by 30% during the same period ([HO Table 3](#)).

Following a National Scrutiny Panel, in April 2015 the CPS and the police published a joint [Rape Action Plan \(PDF, 90KB\)](#) to help to consider the falling levels of referrals of rape cases to the CPS and variations across police forces, as well as wider issues related to their investigation and prosecution.

In 2017 and 2018, workshops were held to support effective code-compliant⁷ rape and serious sexual offences (RASSO) prosecutions, and pre-charge case management panels were held in the most challenging cases. RASSO prosecutors were trained on dealing with vulnerable witnesses and youth cases. Refresher training was delivered to external RASSO advocates.

In January 2018 the joint CPS-police [National Disclosure Improvement Plan](#) was developed with a view to improve performance on disclosure⁸ after concerns were raised. The main initiatives from this plan include:

- a trial of Disclosure Management Documents in rape and serious sexual offences cases to ensure that the defence and court are aware of agreed lines of enquiry at an early stage of the prosecution
- a [guide to reasonable lines of enquiry and communications evidence for prosecutors](#), which was published in July 2018
- a “digital media toolkit” to assist prosecutors in understanding the technology used to extract and analyse material from digital devices will be developed, to help ensure justice for victims, witnesses, defendants and the public

A [review of all live rape and serious sexual offences cases](#) was undertaken to ensure all reasonable lines of enquiry had been pursued by the police and there were clear case strategies on disclosure; the findings were published in June 2018 and actions will be implemented in 2019.

Together with the police, and in discussion with victims’ groups and the Information Commissioner’s Office, the CPS are also developing guidance on obtaining meaningful consent from complainants and witnesses to the disclosure of their personal data.

A [key facts document on rape prosecutions](#) was published to clarify the CPS approach to rape cases and further dispel myths. The CPS was also part of the National Rape Monitoring Group, chaired by Her Majesty’s Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS). In May 2018, [CPS rape data](#) from 2012 to 2017 was released alongside data from the police and MoJ for every police force area. The data was provided to Police and Crime Commissioners and local criminal justice system agencies to analyse and scrutinise how rape is dealt with in their local area and address further improvements.

A pilot of pre-trial video-recorded cross-examination for all vulnerable witnesses has also been carried out. The CPS is working closely with all criminal justice system partners to ensure this is rolled out nationally.

Just under half of referrals to the CPS resulted in a decision to charge

Of the 6,012 rape-flagged offences where a charging decision was finalised by the CPS in the year ending March 2018, just under half (47%) resulted in a decision to charge and therefore progressed further through the criminal justice system. This equates to the charge of 2,822 defendants (a fall of 23% from the previous year; [CPS Table 2](#)).

The remaining 53% of rape-flagged cases were those that didn’t progress further through the criminal justice system (Figure 9; [CPS Table 2](#)):

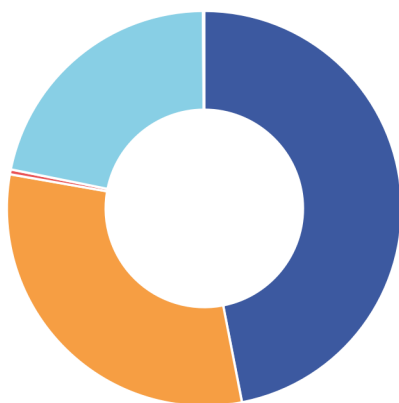
- just under one-third (31%) of cases ended up in a decision not to prosecute
- around one-fifth (22%) of rape-flagged cases were administratively finalised⁹
- less than 1% had an out of court disposal¹⁰

Figure 9: Pre-charge decisions for rape-flagged cases

England and Wales, year ending March 2018

Figure 9: Pre-charge decisions for rape-flagged cases

England and Wales, year ending March 2018



Source: Crown Prosecution Service (CPS)

Notes:

1. CPS data are not designated as official statistics.

Many of the cases that were administratively finalised will have used early investigative advice (EIA). The use of police EIA for rape and serious sexual offences cases has been encouraged by the CPS over the last year to assist the police at an earlier stage, as is done in other complex cases such as terrorism and organised crime. In some cases, EIA will result in the police deciding not to submit a full file for a charging decision. These cases are administratively finalised as there has been no Full Code Test¹¹ charging decision. Other cases will have been administratively finalised after being referred back to the police to obtain further evidence, but the police were unable to supply further evidence.

The number of days to charge suspects has increased

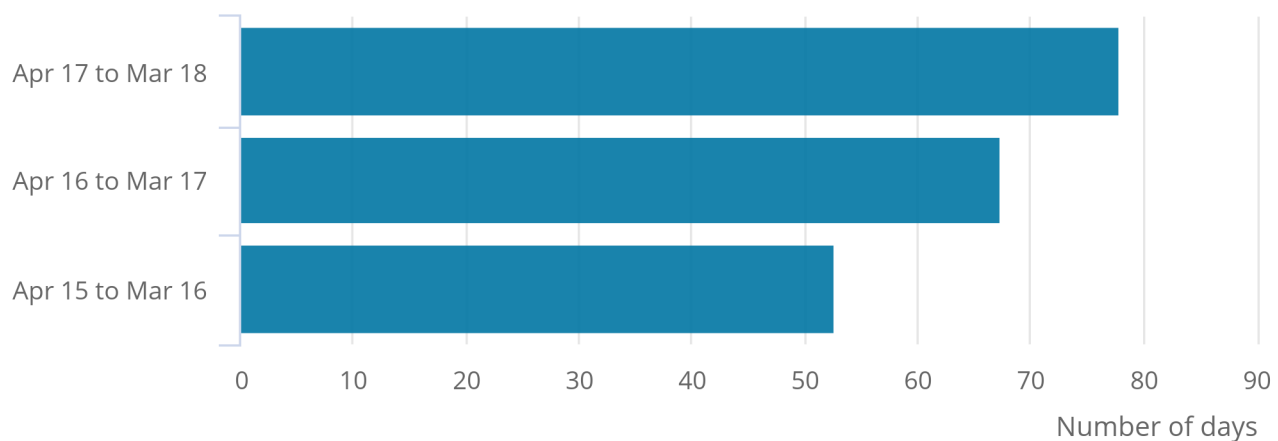
The average number of days taken for a decision to charge^{12, 13} to be made in rape-flagged cases was 78 days in the year ending March 2018, an increase of approximately 25 days in the last three years¹⁴ (Figure 10; [CPS Table 4](#)).

Figure 10: Average number of days to charge rape-flagged cases has increased over the last three years

England and Wales, year ending March 2016 to year ending March 2018

Figure 10: Average number of days to charge rape-flagged cases has increased over the last three years

England and Wales, year ending March 2016 to year ending March 2018



Source: Crown Prosecution Service (CPS)

Notes:

1. CPS data are not designated as official statistics.

Notes for: What are the outcomes of sexual offences recorded by the police?

1. In September 2018.
2. A case can be reopened if the offender is found at a later date.
3. This proportion is calculated out of all offences recorded, not just those where an outcome had been assigned. These figures will change as more outcomes are assigned.
4. Cases can continue in the criminal justice system without the support of the victim.
5. Any reference to charge or summons outcomes includes cases where the defendant was issued with a postal requisition. A postal requisition is a legal document notifying a suspect that a decision has been made to charge and prosecute an offence at court. It sets out the date which the suspect has to attend court. The suspect may also receive evidence outlining the offence.
6. This refers to all outcomes assigned in that year, regardless of when the offence was recorded (data not shown).
7. This refers to being compliant with the [Code for Crown Prosecutors](#).
8. Disclosure refers to providing the defence with copies of, or access to, any prosecution material which might reasonably be considered capable of undermining the prosecution case or of assisting the case for the accused. It is a crucial part of a fair trial.
9. At any stage in the investigation (prior to a charging decision being given) the police may decide that the case does not meet charging criteria and end the investigation without returning to CPS for further consultation. As a result the CPS will administratively finalise the case because no actual charging decision has been made by them. It also includes cases where a suspect has died before charges had been authorised or where a suspect has failed to answer police bail.
10. An out of court disposal is where a caution, conditional caution reprimand or final warning is given, or the offence has been considered in relation to other charges.
11. Prosecutors can only start or continue a prosecution when the case has passed both stages of the [Full Code Test](#) – the evidential stage and the public interest stage.
12. The CPS Case Management System (CMS) data report the average number of calendar days since the first decision was sought by the police, to the date in which the last decision made was to charge. The data include those cases where the police were required to submit further evidence prior to a decision to charge being made and those more serious complex cases including cases involving a death, rape and serious sexual offences, child abuse, large-scale or long-term fraud and cases with substantial or complex video or audio key evidence, which all must be referred to CPS area-based Prosecutors.
13. The system is unable to separately record the timeliness of those cases that were subject to advice and further work before a charge decision was made and recorded as the last decision.
14. The data include all cases where the decision was made on the same day by CPS Direct, and those cases that must be referred to CPS area-based prosecutors by way of face-to-face, telephone, or written advice and consultation with the police. The data also include cases where a decision to charge was made after the police were required to submit further evidence prior to a decision to charge being made.

8 . Court proceedings

Once somebody accused of a sexual offence has been charged, the law requires that they are brought before a magistrates' court as soon as possible.

Decrease in proceedings at magistrates' courts

In 2017, the Ministry of Justice (MoJ) recorded 11,311 defendants proceeded against at magistrates' courts for sexual offences, a 10% decrease compared with the previous year. This follows a rise between 2012 and 2015 (Figure 11; [MoJ Table 1](#)). The reduction in the number of defendants proceeded against in 2017 is similar to the reduction in the absolute number of police charges for sexual offences recorded in 2017 compared with the previous year¹.

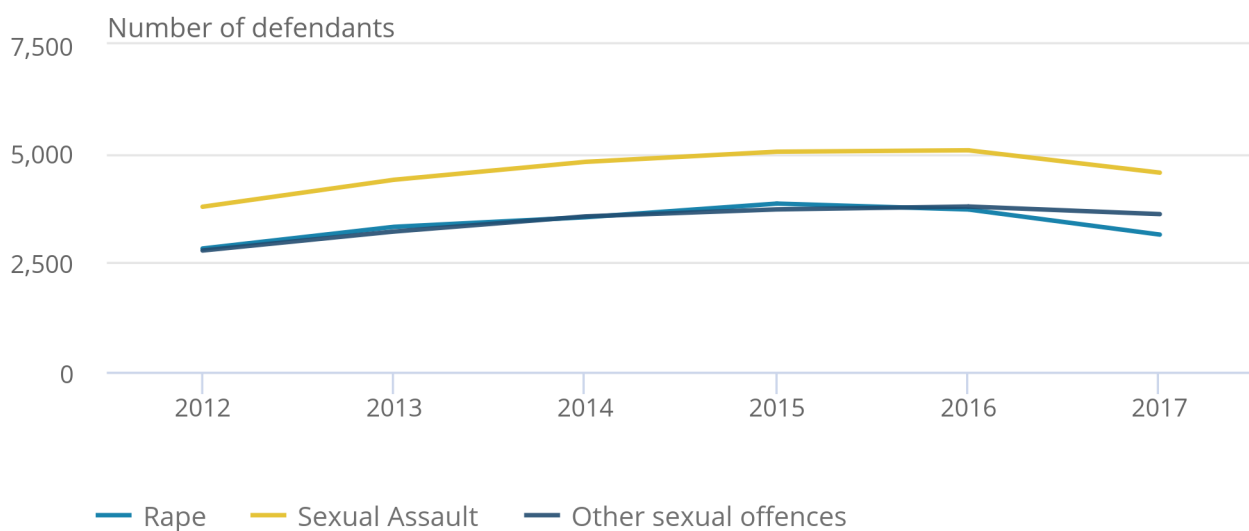
Sexual assault offences accounted for the highest proportion of defendants in 2017 (40%), followed by rape (28%). These proportions have been stable over the last five years.

Figure 11: Number of defendants proceeded against at magistrates' court, by type of sexual offence

2012 to 2017

Figure 11: Number of defendants proceeded against at magistrates' court, by type of sexual offence

2012 to 2017



Source: Ministry of Justice

Notes:

1. Other sexual offences includes sexual activity with minors.

Males accounted for the vast majority of defendants prosecuted for sexual offences in 2017 (97%, [MoJ Table 2](#)). This reflects a consistent picture over time.

Non-principal offences alongside principal sexual offences

Criminal court data are primarily published on a principal offences basis, meaning that where proceedings involve more than one offence, the principal offence is reported². The MoJ have published experimental data, which show [the offences for which defendants were prosecuted alongside their principal offence](#).

The majority of cases where a sexual offence was the principal offence had a non-principal offence of another type of sexual offence. This suggests defendants who are prosecuted for a sexual offence are typically involved in a “confined” pattern of offending.

The most common non-principal offences that were not sexual offences were:

- taking, permitting to be taken, or making, distributing or publishing, indecent photographs or pseudo photographs of children (which is classified within miscellaneous offences but has clear links to sexual offences)
- assault occasioning actual bodily harm
- common assault and battery

Around 100 sexual offences were prosecuted alongside coercive and controlling behaviour, indicating that the offences occurred as part of domestic abuse³.

Notes for:

1. This refers to all outcomes assigned in that year, regardless of when the offence was recorded (data not shown).
2. When a defendant has been found guilty of two or more offences it is the offence for which the heaviest penalty is imposed. Where the same disposal is imposed for two or more offences, the offence selected is the offence for which the statutory maximum penalty is the most severe.
3. More information on coercive and controlling behaviour and domestic abuse can be found in [Domestic abuse in England and Wales: year ending March 2018](#).

9 . Convictions

A conviction occurs when a person is found guilty of a criminal offence at either the magistrates' courts or the Crown Court. When a defendant has been found guilty of two or more offences, the offence selected is the one for which the heaviest penalty is imposed.

Decrease in offenders found guilty

The Ministry of Justice (MoJ) recorded that 6,960 offenders were found guilty of sexual offences in all courts in England and Wales in 2017, compared with 7,511 in 2016 – a decrease of 7%. This follows a previously upward trend seen between 2013 and 2016. However, the number of offenders found guilty at all courts is 23% higher than in 2013. In 2017, there were 1,026 offenders found guilty of rape of a female, and 102 offenders found guilty of rape of a male ([MoJ Table 6](#)).

Conviction ratios

Conviction ratios from the MoJ are calculated as the number of convictions recorded in the year as a proportion of the number of proceedings recorded in the same year. This gives a measure of the relative number of defendants who are found guilty within a given year. However, conviction ratios can be influenced by:

- the time lag between initial prosecution and final outcome – in 2017, the average time between first listing and completion for sexual offences was 177 days ([MoJ Table 11](#)), meaning convictions recorded at Crown Court in one year often relate to prosecutions that started at magistrates' courts in a previous year
- offences may be changed between the initial hearing at the magistrates' court and the first hearing at the Crown Court, if the Crown Prosecution Service (CPS) decide there is insufficient evidence to convict the initial charge and want to increase the chances of conviction
- the defendant may choose to plead guilty to a lesser charge and the CPS may accept this, meaning that the offence at the Crown Court will be different to the offence initially prosecuted

Following a large decrease between 2012 and 2013 (61% to 52%), the conviction ratio for all sexual offences has since slowly increased on a year-on-year basis. Levels are now back at a similar level to 2012 (62% in 2017). However, for rape cases, conviction ratios have decreased since 2012 (41% to 36%, Figure 12; [MoJ Table 8](#)).

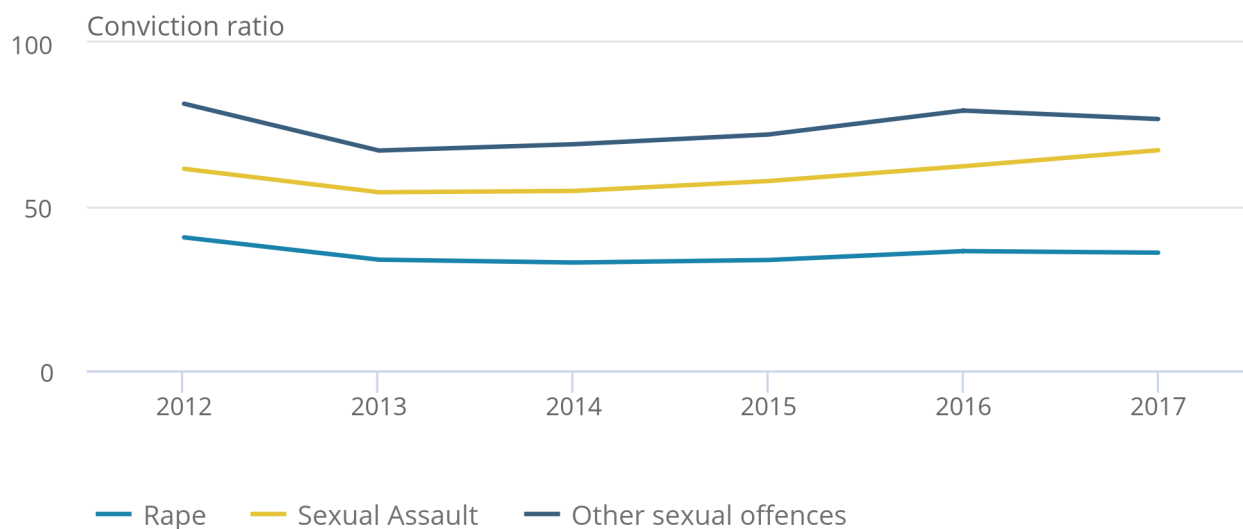
Conviction ratios vary markedly by type of offence and this variation is driven by a number of factors, including the likelihood of a guilty plea for that offence, availability and accessibility of evidence, and other factors that can influence these (for example, sentence lengths, witness and victim support, trial lengths).

Figure 12: Conviction ratio, by type of sexual offence

2012 to 2017

Figure 12: Conviction ratio, by type of sexual offence

2012 to 2017



Source: Ministry of Justice (MoJ)

Notes:

1. Other sexual offences includes sexual activity with minors.

Majority of cases are not concluded at magistrates' courts

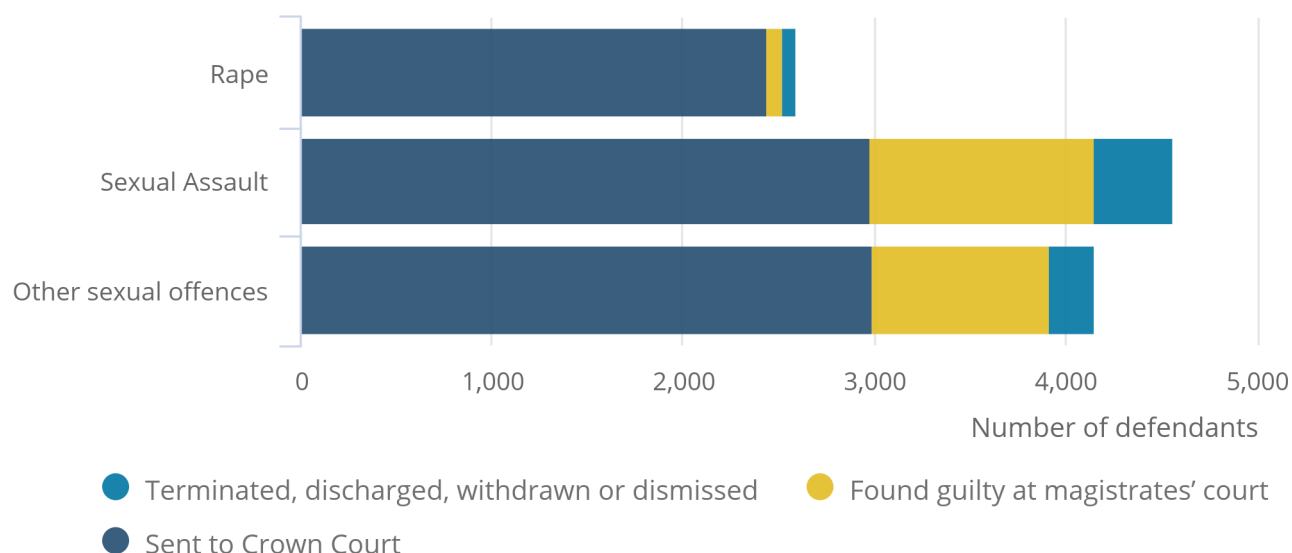
Less serious offences are handled entirely in magistrates' courts, whereas more serious offences are passed on to the Crown Court. Relatively few sexual offences are concluded at the magistrates' court due to their often serious nature. After an initial hearing at the magistrates' court, around three-quarters (74%) of cases are sent to the Crown Court for trial (Figure 13; [MoJ Table 4](#)).

Figure 13: Rape offences are most commonly sent to Crown Court

2017

Figure 13: Rape offences are most commonly sent to Crown Court

2017



Source: Ministry of Justice (MoJ)

Notes:

1. Other sexual offences includes sexual activity with minors.

10 . Additional information on prosecutions and convictions from the CPS

Prosecutions and convictions are measured by both the Ministry of Justice (MoJ) and the Crown Prosecution Service (CPS), but in different ways. The CPS record a much larger number of convictions for rape than the MoJ. See the "Things you need to know about this release" section for more information.

Decrease in CPS prosecutions

CPS prosecutions cover sexual offences cases, by defendant, finalised during that year¹.

Completed sexual offences prosecutions recorded by the CPS fell from 13,490 in the year ending March 2017 to 12,005 in the year ending March 2018 – a decrease of 11% ([CPS Table 7](#)).

The picture is similar for completed rape-flagged prosecutions, which fell from 5,190 in the year ending March 2017 to 4,517 in the year ending March 2018 – a decrease of 13%. The number of completed rape-flagged prosecutions has fluctuated on a year-to-year basis, but the number of prosecutions in the year ending March 2018 is 17% higher than the year ending March 2012 ([CPS Table 2](#)).

Lower proportion of rape-flagged prosecutions resulted in conviction compared with other sexual offences

Just under three-fifths (58%) of rape-flagged prosecutions in the year ending March 2018 resulted in a conviction (equating to 2,635 prosecutions), a decrease from 62% in the year ending March 2012. In comparison, four-fifths (80%) of prosecutions for other sexual offences resulted in a conviction (9,654 prosecutions). This is the highest level during the last seven years ([CPS Table 7](#)).

Of the cases that didn't result in a conviction (Figure 14; [CPS Tables 2 and 7](#)):

- over half were due to acquittals and therefore these cases didn't need to progress any further through the criminal justice system (59% of acquittals for rape-flagged cases and 50% for other sexual offences)
- conflict of evidence² prevented more than 1 in 10 from progressing further through the criminal justice system (15% for rape-flagged cases and 11% for other sexual offences)
- victim retraction³, victim non-attendance⁴ or evidence of the victim not supporting the case⁵ prevented similar proportions progressing further through the criminal justice system (16% of rape-flagged cases and 13% of other sexual offences)

An acquittal does not necessarily mean that the crime didn't happen, only that it couldn't be proved that the defendant was guilty of the crime. The defendant would only enter the criminal justice system again for that crime if more evidence came to light and a retrial was conducted. However, the police may continue the investigation to find another potential suspect. In these cases, these offences will remain in the criminal justice system.

The victim of a sexual offence remains of central importance to both police and court processes in relation to the evidence given in a court and as a source of information. Both police investigations and prosecutions rarely go ahead without the cooperation of the victim and it is often perceived by criminal justice agencies that victim withdrawal marks the end of a case.

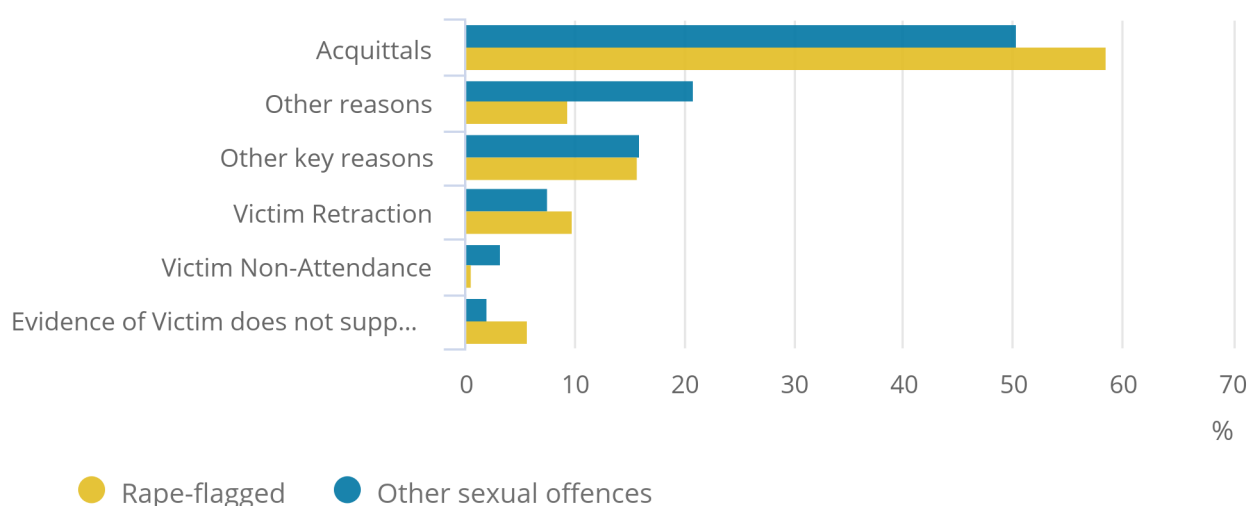
The proportion of prosecutions not resulting in a conviction due to conflict in evidence has increased by 37% since the year ending March 2012 ([CPS Table 7](#)). Complex decisions around consent and one person's word against another may partially explain the legal complexities around investigations and prosecution of sexual offence cases. In addition, the [CPS Annual Report 2017 to 2018 \(PDF, 3.9MB\)](#) recognised that there were a higher number of complex cases than previously. There was a huge growth in digital evidence and in the case of sexual offences, very often a heavy reliance on vulnerable victims and witnesses. These factors create substantial additional challenges for case management.

Figure 14: Reasons for prosecutions not resulting in a conviction for rape-flagged cases and other sexual offences

England and Wales, year ending March 2018

Figure 14: Reasons for prosecutions not resulting in a conviction for rape-flagged cases and other sexual offences

England and Wales, year ending March 2018



Source: Crown Prosecution Service (CPS)

Notes:

1. CPS data are not designated as official statistics.
2. Other key reasons refer to: caution, bindover, conflict of evidence, essential legal element missing, unreliable witness and acquittals, although it should be noted that in Figure 14, the proportion of acquittals are represented as a separate category from the other key reasons.
3. "Other reasons" refer to a number of explanations for an outcome which does not result in conviction including missing statements and breach of Police and Criminal Evidence Act 1984 (PACE).

Decrease in CPS convictions

The CPS recorded a 10% decrease in convictions for other sexual offences from the previous year (from 10,721 in the year ending March 2017 to 9,654 in the year ending March 2018, [CPS Table 7](#)). This follows the decrease in charges during the same period ([HO Table 11](#)).

Rape-flagged offences have a low guilty plea rate

Rape-flagged offences have a lower guilty plea rate than other sexual offences and can involve complex court cases, especially where consent is a significant issue for the court to consider. CPS data show that the defendant pleaded guilty in 34% of rape-flagged prosecutions and 68% of prosecutions for other sexual offences ([CPS Tables 2 and 7](#)).

Notes for:

1. The percentage of cases charged covers those sexual offences cases, by suspect, forwarded to CPS during the year ending March 2018 for charging decisions and are not directly comparable in numbers with those prosecuted, which covers cases, by defendant, finalised during the year ending March 2017. One defendant may have committed a number of offences, usually, although not exclusively, against one victim.
2. This relates to conflict of prosecution evidence. From April 2013 the guidance was amended to clarify that this reason is not to be used when the victim retracts, does not attend or their evidence does not come up to proof.
3. Where the evidence of the victim supports the prosecution case, but the victim refuses to be called as a witness, or retracts or withdraws a complaint.
4. Where the victim is called as a witness in a trial, but fails to attend court.
5. In these cases the victims have not retracted their evidence, but it does not support the prosecution of the defendant, leading to an outcome that does not result in a conviction.

11 . Sentencing

When someone is convicted of a crime, they will be given a sentence by a court, which reflects the seriousness of the offence or offences committed by the offender¹. Sentences are generally time spent in prison, a community sentence, a fine or discharge.

Sentencing outcomes vary by type of sexual offence

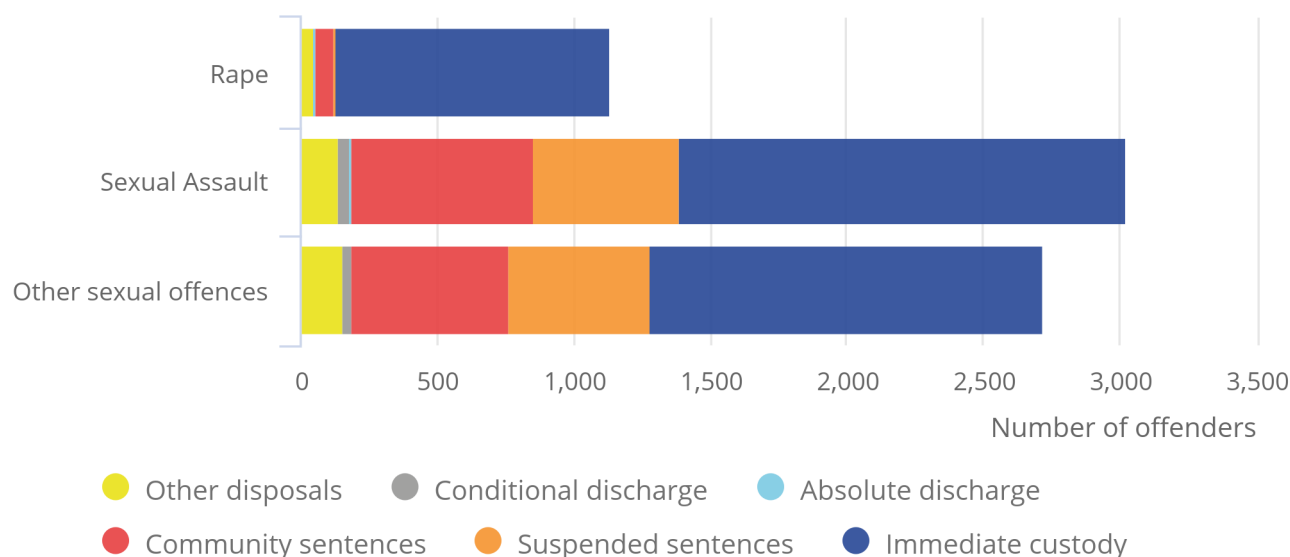
Immediate custody accounted for the majority of sentencing outcomes for all types of sexual offences in 2017, reflecting the seriousness of sexual offences. However, there were differences in the proportion immediate custody accounted for, and in other sentences given (Figure 15; [MoJ Table 9](#)). Rape of a female had the highest proportion of defendants sent to immediate custody (89%).

Figure 15: Majority of offenders were sentenced to immediate custody for all sexual offence types

2017

Figure 15: Majority of offenders were sentenced to immediate custody for all sexual offence types

2017



Source: Ministry of Justice (MoJ)

Notes:

1. Other sexual offences includes sexual activity with minors.

The proportion of offenders sentenced that received immediate custody has remained at around 60% since 2012. However, the proportion of offenders receiving a suspended sentence has increased from 8% to 15% during this period. In contrast, the proportion of offenders receiving a community sentence has decreased from 26% in 2012 to 19% in 2017 ([MoJ Table 9](#)). These changes may be due to changes in legislation² and judicial discretion, as well as changes in the mix of indictable offences offenders were sentenced for.

Average custodial sentence length has risen

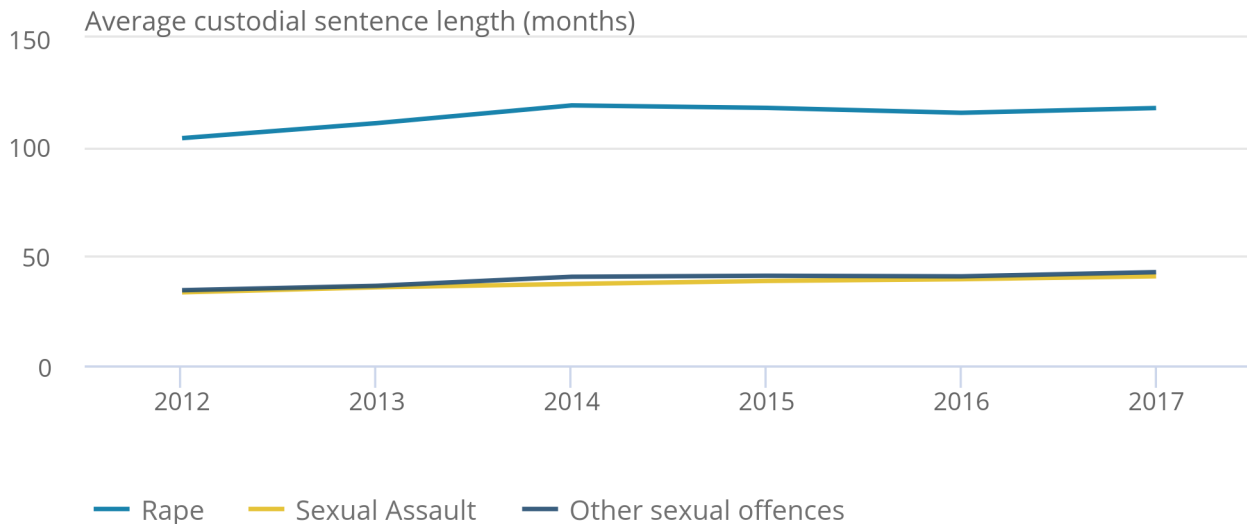
Average custodial sentence length (ACSL) has risen across all sexual offences between 2012 and 2017 (Figure 16; [MoJ Table 9](#)). The number of life sentences for sexual offences has been slowly increasing over the last six years, from 23 in 2012 to 42 in 2017 ([MoJ Table 10](#)). The majority of these life sentences (34 or 81%) were for rape .

Figure 16: Rape has the longest average custodial sentence length for offenders

2012 to 2017

Figure 16: Rape has the longest average custodial sentence length for offenders

2012 to 2017



Source: Ministry of Justice (MoJ)

Notes:

1. Other sexual offences includes sexual activity with minors.
2. Excludes life and indeterminate sentences.

Notes for: Sentencing

1. In assessing the seriousness of an offence, courts are required by law to take into account the culpability of the offender and the harm the offence caused or might foreseeably have caused. Courts will also take into account other aggravating and mitigating factors relevant to the offender or the offence – for example, previous convictions.
2. The [Legal Aid, Sentencing and Punishment of Offenders Act](#) (LASPO), passed on 3 December 2012, reintroduced the suspended sentence order without requirements. Furthermore, it modified the length of the period of imprisonment that can be suspended. It is now possible for courts to suspend sentences of up to two years in prison (instead of 12 months). The Criminal Justice and Immigration Act (CJIA) in 2008 restricted the use of community sentences to imprisonable offences.

12 . How long does it take for an offence to complete in court?

Information from the Ministry of Justice (MoJ)¹ on the average duration of sexual offence cases² is based on the time between the date the offence took place to completion in court, that is, either sentencing or acquittal for the offender. This differs from police recorded crime statistics on timeliness, which measure the length of time from when the offence was recorded by the police, regardless of the date the offence took place.

Sexual offences cases are among those that take the longest amount of time to conclude

The time it takes from an offence occurring to completion in court varies substantially based on the type of offence committed. Cases involving sexual offences are among those that take, on average, the longest amount of time to conclude ([MoJ Table 11](#)). For sexual offences cases completed during 2017, the average offence to completion time was over a year (470 days, Figure 17; [MoJ Table 11](#)).

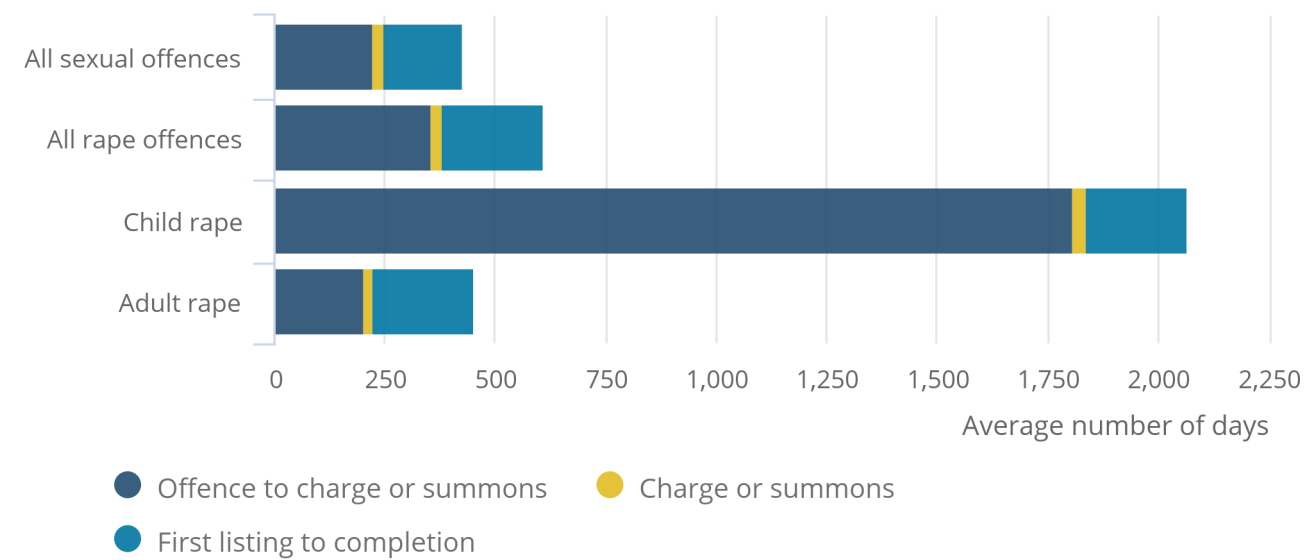
The majority of the time in sexual offence cases is between the date of the offence and the date the defendant was charged or summonsed to court. This is likely to be due to the fact that these offences are often reported to the police some time after the actual offence took place, and that these offences can take some time to investigate and for evidence to be gathered.

Figure 17: Child rape cases take the longest amount of time to complete

England and Wales, 2017

Figure 17: Child rape cases take the longest amount of time to complete

England and Wales, 2017



Source: Ministry of Justice (MoJ)

Notes:

1. Median number of days is shown. The medians for each stage do not sum to the overall median for offence to completion.

Notes for: How long does it take for an offence to complete in court?

1. Statistics of this type for all offences are usually referred to as “timeliness statistics”, and are published on a quarterly basis in the [Court Statistics Quarterly](#) publication.
2. The majority of sexual offences will be serious offences which will be dealt with at the Crown Court. These statistics measure the entire duration from offence to completion in the Crown Court, including the time the case was initially dealt with in the magistrates' courts before being passed to the Crown Court.