

# Sentencing young people

## Impact assessment

November 2021

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## Introduction

1. This document fulfils the Scottish Sentencing Council's statutory duty<sup>1</sup> to provide an assessment of the costs and benefits to which the implementation of the 'Sentencing young people' guideline is likely to give rise and an assessment of the likely impact of the guideline on the criminal justice system in general.

## Rationale and aims of the new guideline

2. The Criminal Justice and Licensing (Scotland) Act 2010 contains provision enabling the Council to prepare guidelines with regards to the sentencing of particular categories of offenders.<sup>2</sup>
3. The Council believes that a guideline on sentencing young people will:
  - increase public knowledge and confidence by explaining the process of sentencing a young person and how it differs from sentencing an older person;
  - increase understanding by ensuring that young people and others interested in a particular case know what is happening during the sentencing process and what the sentence is;
  - assist judges and lawyers in the criminal courts, particularly through identifying the main factors that should be considered when sentencing a young person;
  - assist those preparing reports for use in court by highlighting factors the courts will consider; and
  - promote consistency in the sentencing of young people.
4. As this guideline refers to a specific type of offender, it will necessarily be quite different in nature from an offence specific guideline. As a result, some sections of this impact assessment may be less relevant than they will be for future guidelines.

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<sup>1</sup> Under [section 4 of the Criminal Justice and Licensing \(Scotland\) Act 2010](#).

<sup>2</sup> Under [section 3\(3\)\(c\) of the Criminal Justice and Licensing \(Scotland\) Act 2010](#).

## Current sentencing practice

5. The 'Sentencing young people' guideline will be applicable to all sentencing decisions in Scotland where the person being sentenced is a young person for the purposes of this guideline, which is defined as someone who is under the age of 25 at the date of their plea of guilty or when a finding of guilt is made against them.
6. Analysis of current sentencing practice and trends in Scotland is published by the Scottish Government as part of the Criminal Proceedings statistical bulletin, available at <https://www.gov.scot/collections/criminal-proceedings-in-scotland/>. The data presented as part of this assessment have been provided by the Scottish Government and are based upon the Criminal Proceedings 2019/20 dataset. Data tables can be found in annex A and are split into under 21s, 21-24 inclusive and 25 and over (who are provided for reference).
7. In 2019-20, the most recent year for which data are available, a total of 14,261 young people were convicted who would have been covered by this guideline if it were to apply to anyone under the age of 25.
8. Of the 14,261 young people aged under 25 convicted in 2019-20, 13% were sentenced to custody. Most of these sentences of imprisonment were for a period of six months or less.

## Key assumptions

9. In assessing the impact of any new guideline, the Council considers how, if at all, it will affect sentencing, the business of the courts, the operation of the wider criminal justice system and society in general. Such assessments are based upon research and analysis conducted during the creation of the guideline, consultation with external stakeholders, including judges, and, where appropriate, relevant experiences in other jurisdictions. In

this case, we are not aware of any relevant evidence around the impact of codification of analogous sentencing in other jurisdictions<sup>3</sup>.

10. This assessment also requires strong assumptions to be made regarding sentencers' behaviour in response to the new guideline as it is not possible to predict how it will impact sentencing across all possible scenarios. Where possible, these assumptions will be based upon previous evidence and experiences but this evidence base is limited. As a result, assumptions regarding the impact of the guideline must have a large degree of uncertainty about them. To account for this, where an estimate of change is required, this impact assessment considers costs based on indicative levels of change.
11. This impact assessment does not attempt to include any future changes to sentencing behaviours that are not a result of the implementation of this guideline (e.g. historic trends in sentencing, changes to the presumption against short sentences, or the impacts of other guidelines unless specifically considered with reference to interaction with this guideline).
12. **It is assumed that the 'Sentencing young people' guideline will influence judicial approaches to sentencing and increase consistency in approach.**
13. **It is assumed that the 'Sentencing young people' guideline will result in a change in sentencing practice for those aged 21 to 24 inclusive, with a greater emphasis on rehabilitation and a greater number of review hearings being fixed for community based disposals.**

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<sup>3</sup> The analogous guideline for use in England and Wales covers only those aged up to 18 and came into force in July 2017. No assessment has yet been published on the impact of this guideline.

## **Impacts on the criminal justice system as a result of implementing the new guideline**

### *Changes to sentencing*

#### Approaches to sentencing

14. The sentencing young people guideline will promote consistency in approaches to sentencing.
15. The guideline sets out a principle-based approach to the sentencing of young people, with a particular emphasis on ensuring that sentencing is fair and proportionate.
16. In addition, the guideline highlights the importance of courts assessing the maturity of young people when considering culpability. Work with judicial stakeholders indicates that this reflects current practice, rather than representing a change in practice, and members of the judiciary did not expect this guideline would substantially change their practice. However, we do anticipate that there will be an increased emphasis placed on rehabilitation as a purpose of sentencing for those aged 21 to 24 inclusive and that a greater emphasis may be placed on assessing the maturity of those within this age group. It is not possible to estimate the degree to which this will result in different disposals.
17. It is possible that any change in approaches to sentencing for those aged under 21 (those already subject to different sentencing rules under the current statutory regime) may result in a change to some sentencing outcomes in individual cases but it is assumed that the overall effect on sentencing outcomes in general will be neutral.

#### Potential changes to sentencing practice

18. It may be the case that sentencers interpret the guideline in a different fashion than that intended by the Council, which could result in the guideline having unexpected consequences for sentencing practice which cannot be predicted. The Council has taken steps to mitigate this risk by engaging with members of the judiciary to estimate any likely changes in practice.

### *Changes to court business*

19. The guideline expects that courts will fix review hearings where doing so will result in greater levels of compliance with the sentence. This is expected to result in a greater number of review hearings being held than is currently the case. Data provided by the Scottish Courts and Tribunals Service (SCTS) for the two most recent financial years which were not affected by the Covid-19 pandemic indicate that an average of 4761 cases were disposed of via reviewable community disposals for offenders aged under 25. Of those, 1341 had at least one subsequent review hearing (28%), with an average of 4 review hearings per case where reviews are held. This leaves 3420 cases which might be affected by any change due to the guideline.

20. Engagement with the judiciary suggests that, while some increase is to be expected, the guideline is broadly reflective of current practice. As a result, the Council does not expect the increase in the number of review hearings to be a large proportion of the potentially affected cases. It is not possible to provide an exact estimate of this number, however, so this impact assessment provides figures for an increase of 5%, 10% and 25% of the non-reviewed cases having review hearings fixed as a result of the guideline. The Council would anticipate the increase would be towards the lower end of these ranges.

21. Estimated costs per additional hearing were provided by the SCTS and are detailed in the table below.

**Table 1: SCTS costs associated with additional review hearings.**

|                                     | 5%             | 10%            | 25%             |
|-------------------------------------|----------------|----------------|-----------------|
| Cases affected                      | 171            | 342            | 855             |
| Estimated number of review hearings | 684            | 1368           | 3420            |
| <b>Estimated cost to SCTS</b>       | <b>£49,795</b> | <b>£99,590</b> | <b>£248,976</b> |

22. Additionally, costs will be incurred by other justice system bodies in supporting additional review hearings, specifically increased legal aid costs incurred by the Scottish Legal Aid Board (SLAB) and increased costs to local criminal justice social work departments. These costs are detailed below.

**Table 2: SLAB and criminal justice social work costs associated with additional review hearings.**

|   | 5%             | 10%            | 25%             |
|---|----------------|----------------|-----------------|
| Cases affected                            | 171            | 342            | 855             |
| Estimated number of review hearings       | 684            | 1368           | 3420            |
| <b>SLAB costs</b>                         | <b>£44,036</b> | <b>£88,072</b> | <b>£220,180</b> |
| <b>Criminal justice social work costs</b> | <b>£22,572</b> | <b>£45,144</b> | <b>£112,860</b> |

23. It is anticipated that some of the estimated costs will be absorbable within existing court business, for example by extending daily business to accommodate additional review hearings. However, this will not be the case across the country and some courts may not be able to do so without additional sitting days. As a result, the figures above should be treated as a maximum cost estimate.

24. It is not possible to estimate what effect this change may have on compliance. As such, we are not including any assumptions on potential benefits, such as reduced reoffending or fewer breach proceedings, which would result in reduced demands on resources and court time.

25. As the guideline encourages courts to seek all relevant reports in relation to young people, the SCTS estimate that 10% of cases may be additionally adjourned for the production of reports. This would have an additional cost of £50,000 per annum to the SCTS, assuming a young person is defined as anyone under the age of 25.

26. Psychological reports are sometimes sought by the courts. These reports cost £2,532 each and this cost is borne by the SCTS. It is not possible to estimate the increase, if any, in the number of psychological reports that the introduction of this guideline may cause.
27. It is possible that, by codifying the sentencing process in the form of a guideline to which the court must have regard, the introduction of the guideline *may* increase the number of appeals against sentence, with appeals being lodged due to a court's perceived failure to take the guideline into account. It is not possible to estimate the magnitude, if any, of this change. Conversely, it is also possible that the number of appeals may decrease as a result of increased consistency in approaches to sentencing.
28. As the guideline contains a step requiring that courts clearly explain the sentencing decision to the young person, it *may* lead to an increase in the number of occasions on which reasons are stated in courts for the sentence which is being imposed, an increase in the length of such statements, or both. This could have an impact on the amount of business a court was able to conduct in any given day. However, it is impossible at this stage to estimate the scale, if any, of the change this guideline may cause and so the overall impact cannot be predicted. In addition, this step reflects an existing requirement in the principles and purposes of sentencing guideline to state reasons as clearly as possible as well as the duty on the court to explain in 'ordinary language' before imposing a Community Payback Order (CPO)<sup>4</sup>, and so it is anticipated that courts will already be doing this.
29. It may be the case that as the number of potentially applicable guidelines increases, courts begin to see an impact on the duration of sentencing hearings as a result of having to consider a guideline or guidelines before imposing sentence. Any increase in relation to this guideline is expected to be very minimal and limited to the early stages of guideline use. It is anticipated that courts will incorporate the guideline into their

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<sup>4</sup> [Section 227B\(8\) of the Criminal Procedure \(Scotland\) Act 1995.](#)

sentencing approach quickly and no substantive changes will be observed over the longer term.

#### *Changes to the provision of disposals*

30. The Scottish Prison Service (SPS) has indicated that a substantive shift in attitudes to when people cease to be considered a “young person” within the criminal justice system may result in a re-assessment of how services are provided within the prison estate. This would apply particularly to those aged between 21 and 25. However, this would be a long-term change and not solely as a direct response to the introduction of this guideline.

31. It is also anticipated that the increased emphasis on rehabilitation may result in a small number of cases being given non-custodial sentences where they may otherwise have been sentenced to a period of detention or imprisonment. It is impossible to estimate the extent to which this will happen; however, based on stakeholder engagement, it is not expected to be a significant number. Any reduction in custodial sentences *may* result in a concomitant decrease in the use of remand prior to sentence. Again, however, it is not possible to estimate the degree of change anticipated as this would be a consequential result of change discussed above.

32. As detailed above, the guideline is expected to result in an increase in review hearings for community based disposals. Impacts associated with the support of these hearings are provided in paragraphs 19-24.

#### *Impacts on equality in the criminal justice system*

33. This guideline will, by definition, only impact on those being sentenced who are aged under 25. As a measure designed to facilitate sentencing of young people of different ages, the guideline will affect young people of different ages differently. For the reasons set out in the consultation document, the Council believes this differential impact to be justified.

34. We do not anticipate any disproportionate impacts within this age group due to other protected characteristics.

## Costs and benefits

### Costs

35. As detailed above, some additional costs are anticipated with the introduction of this guideline. The most significant costs are associated with the potential increases in review hearings, detailed in paragraphs 19-24. Additionally, there are additional costs estimated to account for additional court hearings to ensure reports are available, detailed in paragraphs 25-26. Total estimated costs, broken down by indicative percentages of cases which would result in additional review hearings, are detailed below.

**Table 3: Total estimated costs**

|   | 5%              | 10%             | 25%             |
|---|-----------------|-----------------|-----------------|
| Cases affected  | 171             | 342             | 855             |
| Estimated additional number of review hearings                              | 684             | 1368            | 3420            |
| Estimated cost of additional report hearings (SCTS)                         | £50,000         | £50,000         | £50,000         |
| Estimated cost of additional review hearings (SCTS)                         | £49,795         | £99,590         | £248,976        |
| Estimated cost of additional review hearings (SLAB)                         | £44,036         | £88,072         | £220,180        |
| Estimated cost of additional review hearings (criminal justice social work) | £22,572         | £45,144         | £112,860        |
| <b>Total estimated costs</b>  | <b>£166,403</b> | <b>£282,806</b> | <b>£632,016</b> |

36. There is an additional risk that social work departments may incur additional costs over the short term if the information requested by courts is expanded to include an assessment of maturity. Discussions with stakeholders suggest that this cost would be

relatively short term as new policies, procedures and pro formas would be introduced to account for these new data. Some additional training may be required to support these additional requests, although this may be less the case in youth justice services.

37. As mentioned previously, a possibility exists of an increase in appeals, with an attendant increase in resources required to sift and hear these appeals, as well as in legal fees for such actions (both privately and publicly funded) and the resources required by the Scottish Prison Service to service prisoners' needs during their appeals. However, such an increase is not certain to occur and the magnitude is impossible to estimate. Similarly, any decrease would have a commensurate cost saving associated with it but is equally difficult to estimate. This impact is shared with previous guidelines and, as in those guidelines' impact assessments, arises from the same aspect of codification of previously unwritten practice.

38. Although it is not possible to provide a cost estimate at this stage, we anticipate that any additional costs as a result of appeals would be minimal.

### *Benefits*

39. The sentencing young people guideline is intended to increase transparency and understanding of how courts, in a general sense, make sentencing decisions.

40. The guideline is anticipated to result in greater use of review hearings for community based disposals. The Council hopes that this will result in better compliance and increased levels of successful completion of community based disposals. However, it is not possible to provide an estimate of this effect.

41. As with the Council's previous guidelines, the increased transparency associated with this guideline is expected to provide the wider public with a greater understanding of the sentencing process, with a particular focus on understanding the ways in which sentencing young people is a different exercise from sentencing older people.

42. The guideline will also promote consistency in the approach to sentencing, contributing to one of the Council's statutory objectives.

43. It is hoped that, by emphasising rehabilitation and reinforcing the individualistic approach taken by the Scottish courts to the sentencing of young people, the guideline will help to ensure opportunities for rehabilitation are fully considered, thereby helping to reduce reoffending and contributing to economic benefits to the criminal justice system in the long-term. It is not possible to provide an estimate of these impacts at this stage.

## Annex A

1. Data on the number of people convicted per year for financial years 2010-11 to 2019-20, split by age group, gender and main penalty<sup>5</sup> are detailed in table 4, below.
2. Data split by age, gender, main offence category<sup>6</sup> and main penalty for 2019-20 is presented in table 5, below. Figures in this table include the total number of people convicted, and the percentages of the total number of cases in that category disposed of by way of the main penalty (e.g. 281 men under the age of 21 were convicted of a non-sexual crime of violence, of which 40% were sentenced to custody).
3. Data on the duration of periods of custody, split by age group, gender, main offence category and main penalty are detailed in tables 6 (men) and 7 (women), below. Figures include the total number of people convicted in that category who were sentenced to custody, and the percentages of those people split by the duration of their sentence (e.g. 109 men under the age of 21 were convicted of a non-sexual crime of violence and sentenced to custody, of which 1% were sentenced to a period of imprisonment of at least three months but less than six months duration).
4. Violations of criminal law are divided by the Scottish Government into crimes and offences for statistical purposes only. There are around 5,300 charge codes, which are the operational codes used within the Criminal Justice System to identify crimes and offences. These charge codes are mapped to around 400 crime codes, which in turn are grouped into 35 broader categories, and further into 7 crime and offence groups. This classification enables consistent and comparable reporting between criminal justice organisations. A breakdown of this classification system can be found at <https://www.gov.scot/publications/criminal-proceedings-scotland-2019-20/pages/49/>. For consistency with published statistics, the figures reported here are presented in the same classifications.

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<sup>5</sup> The most serious penalty which a person was given in a case.

<sup>6</sup> The category the most serious offence of which a person is convicted in a case fell into.

5. Where an individual has been convicted in multiple cases within a reporting year, they will be counted once for each case. Where cases involve multiple charges, the individual will only be counted once, and classified according to the main charge (the charge which attracted the most serious penalty).
6. Cells marked with “-” indicate no people fell into that category. Cells marked with “\*” indicate a value of below 0.5%. Cells marked with “n/a” indicate data were not available.

**Table 4: People convicted per year by gender, main penalty and age group.**

|                  |              | 2010-11        | 2011-12        | 2012-13        | 2013-14        | 2014-15        | 2015-16       | 2016-17       | 2017-18       | 2018-19       | 2019-20       |
|------------------|--------------|----------------|----------------|----------------|----------------|----------------|---------------|---------------|---------------|---------------|---------------|
| <b>Total*</b>    |              | <b>115,581</b> | <b>108,424</b> | <b>101,018</b> | <b>105,658</b> | <b>106,575</b> | <b>99,954</b> | <b>92,330</b> | <b>83,177</b> | <b>78,488</b> | <b>75,251</b> |
| <b>Males**</b>   | <b>Total</b> | <b>97,042</b>  | <b>90,902</b>  | <b>84,347</b>  | <b>87,983</b>  | <b>88,650</b>  | <b>83,010</b> | <b>76,476</b> | <b>68,572</b> | <b>64,655</b> | <b>62,126</b> |
|                  | Under 21     | 15,145         | 13,135         | 10,358         | 9,187          | 8,628          | 8,417         | 7,599         | 6,401         | 5,696         | 5,182         |
|                  | 21-24        | 15,285         | 14,102         | 12,687         | 12,501         | 12,190         | 11,104        | 9,981         | 8,453         | 7,517         | 6,970         |
|                  | 25 and over  | 66,612         | 63,665         | 61,302         | 66,295         | 67,832         | 63,489        | 58,896        | 53,718        | 51,442        | 49,974        |
| <b>Females**</b> | <b>All</b>   | <b>18,532</b>  | <b>17,437</b>  | <b>16,558</b>  | <b>17,590</b>  | <b>17,921</b>  | <b>16,944</b> | <b>15,852</b> | <b>14,603</b> | <b>13,833</b> | <b>13,123</b> |
|                  | Under 21     | 2,228          | 1,952          | 1,616          | 1,429          | 1,448          | 1,358         | 1,217         | 1,090         | 942           | 842           |
|                  | 21-24        | 2,605          | 2,271          | 2,195          | 2,019          | 2,022          | 1,820         | 1,617         | 1,441         | 1,210         | 1,267         |
|                  | 25 and over  | 13,698         | 13,214         | 12,747         | 14,142         | 14,451         | 13,766        | 13,018        | 12,072        | 11,681        | 11,014        |
| <b>Custody*</b>  |              | <b>15,320</b>  | <b>15,950</b>  | <b>14,789</b>  | <b>14,172</b>  | <b>14,038</b>  | <b>13,755</b> | <b>12,699</b> | <b>11,980</b> | <b>12,221</b> | <b>11,101</b> |
| <b>Males**</b>   | <b>Total</b> | <b>14,018</b>  | <b>14,582</b>  | <b>13,499</b>  | <b>12,959</b>  | <b>12,745</b>  | <b>12,563</b> | <b>11,704</b> | <b>10,839</b> | <b>11,115</b> | <b>10,157</b> |
|                  | Under 21     | 2,014          | 2,050          | 1,588          | 1,238          | 1,137          | 1,190         | 1,007         | 758           | 771           | 598           |
|                  | 21-24        | 2,577          | 2,429          | 2,177          | 1,913          | 1,859          | 1,768         | 1,612         | 1,344         | 1,271         | 1,083         |
|                  | 25 and over  | 9,427          | 10,103         | 9,734          | 9,808          | 9,749          | 9,605         | 9,085         | 8,737         | 9,073         | 8,476         |
| <b>Females**</b> | <b>Total</b> | <b>1,302</b>   | <b>1,368</b>   | <b>1,290</b>   | <b>1,213</b>   | <b>1,293</b>   | <b>1,192</b>  | <b>995</b>    | <b>1,141</b>  | <b>1,106</b>  | <b>944</b>    |
|                  | Under 21     | 168            | 160            | 116            | 83             | 84             | 72            | 52            | 61            | 49            | 35            |
|                  | 21-24        | 201            | 226            | 171            | 152            | 148            | 122           | 92            | 98            | 63            | 62            |
|                  | 25 and over  | 933            | 982            | 1,003          | 978            | 1,061          | 998           | 851           | 982           | 994           | 847           |

|                            |              |               |               |               |               |               |               |               |               |               |               |
|----------------------------|--------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| <b>Community sentence*</b> |              | <b>15,615</b> | <b>16,937</b> | <b>17,263</b> | <b>18,272</b> | <b>18,580</b> | <b>18,952</b> | <b>18,644</b> | <b>17,301</b> | <b>15,211</b> | <b>16,296</b> |
| <b>Males**</b>             | <b>Total</b> | <b>12,977</b> | <b>14,090</b> | <b>14,395</b> | <b>15,245</b> | <b>15,503</b> | <b>15,866</b> | <b>15,623</b> | <b>14,444</b> | <b>12,777</b> | <b>13,751</b> |
|                            | Under 21     | 3,446         | 3,292         | 2,743         | 2,635         | 2,522         | 2,497         | 2,359         | 1,988         | 1,648         | 1,595         |
|                            | 21-24        | 2,233         | 2,497         | 2,528         | 2,566         | 2,546         | 2,444         | 2,424         | 1,957         | 1,667         | 1,782         |
|                            | 25 and over  | 7,298         | 8,301         | 9,124         | 10,044        | 10,435        | 10,925        | 10,840        | 10,499        | 9,462         | 10,374        |
| <b>Females**</b>           | <b>Total</b> | <b>2,638</b>  | <b>2,847</b>  | <b>2,868</b>  | <b>3,027</b>  | <b>3,077</b>  | <b>3,086</b>  | <b>3,020</b>  | <b>2,857</b>  | <b>2,434</b>  | <b>2,545</b>  |
|                            | Under 21     | 453           | 433           | 428           | 340           | 378           | 341           | 309           | 269           | 219           | 237           |
|                            | 21-24        | 421           | 385           | 410           | 382           | 404           | 364           | 332           | 297           | 230           | 250           |
|                            | 25 and over  | 1,764         | 2,029         | 2,030         | 2,305         | 2,295         | 2,381         | 2,379         | 2,291         | 1,985         | 2,058         |
| <b>Financial penalty*</b>  |              | <b>67,576</b> | <b>59,320</b> | <b>53,429</b> | <b>57,795</b> | <b>56,779</b> | <b>49,872</b> | <b>44,938</b> | <b>39,235</b> | <b>37,283</b> | <b>34,661</b> |
| <b>Males**</b>             | <b>Total</b> | <b>57,359</b> | <b>50,260</b> | <b>45,145</b> | <b>48,435</b> | <b>47,734</b> | <b>42,012</b> | <b>37,564</b> | <b>32,726</b> | <b>30,775</b> | <b>28,602</b> |
|                            | Under 21     | 7,071         | 5,365         | 4,061         | 3,697         | 3,343         | 3,037         | 2,672         | 2,238         | 1,964         | 1,780         |
|                            | 21-24        | 8,748         | 7,599         | 6,540         | 6,549         | 6,158         | 5,325         | 4,623         | 3,948         | 3,449         | 3,151         |
|                            | 25 and over  | 41,540        | 37,296        | 34,544        | 38,189        | 38,233        | 33,650        | 30,269        | 26,540        | 25,362        | 23,671        |
| <b>Females**</b>           | <b>Total</b> | <b>10,211</b> | <b>8,983</b>  | <b>8,175</b>  | <b>9,282</b>  | <b>9,041</b>  | <b>7,860</b>  | <b>7,373</b>  | <b>6,507</b>  | <b>6,508</b>  | <b>6,057</b>  |
|                            | Under 21     | 909           | 746           | 530           | 519           | 533           | 444           | 382           | 347           | 323           | 291           |
|                            | 21-24        | 1,396         | 1,123         | 1,020         | 984           | 911           | 776           | 732           | 630           | 540           | 582           |
|                            | 25 and over  | 7,905         | 7,114         | 6,625         | 7,779         | 7,597         | 6,640         | 6,259         | 5,530         | 5,645         | 5,184         |
| <b>Other*</b>              |              | <b>17,070</b> | <b>16,217</b> | <b>15,537</b> | <b>15,419</b> | <b>17,178</b> | <b>17,375</b> | <b>16,049</b> | <b>14,661</b> | <b>13,773</b> | <b>13,193</b> |
| <b>Males**</b>             | <b>Total</b> | <b>12,688</b> | <b>11,970</b> | <b>11,308</b> | <b>11,344</b> | <b>12,668</b> | <b>12,569</b> | <b>11,585</b> | <b>10,563</b> | <b>9,988</b>  | <b>9,616</b>  |
|                            | Under 21     | 2,614         | 2,428         | 1,966         | 1,617         | 1,626         | 1,693         | 1,561         | 1,417         | 1,313         | 1,209         |
|                            | 21-24        | 1,727         | 1,577         | 1,442         | 1,473         | 1,627         | 1,567         | 1,322         | 1,204         | 1,130         | 954           |
|                            | 25 and over  | 8,347         | 7,965         | 7,900         | 8,254         | 9,415         | 9,309         | 8,702         | 7,942         | 7,545         | 7,453         |
| <b>Females**</b>           | <b>Total</b> | <b>4,381</b>  | <b>4,239</b>  | <b>4,225</b>  | <b>4,068</b>  | <b>4,510</b>  | <b>4,806</b>  | <b>4,464</b>  | <b>4,098</b>  | <b>3,785</b>  | <b>3,577</b>  |
|                            | Under 21     | 698           | 613           | 542           | 487           | 453           | 501           | 474           | 413           | 351           | 279           |

|             |       |       |       |       |       |       |       |       |       |       |
|-------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| 21-24       | 587   | 537   | 594   | 501   | 559   | 558   | 461   | 416   | 377   | 373   |
| 25 and over | 3,096 | 3,089 | 3,089 | 3,080 | 3,498 | 3,747 | 3,529 | 3,269 | 3,057 | 2,925 |

\*: Includes a small number of cases for companies and where age and gender are unknown.

\*\* : Gender totals exclude companies and where age and gender are unknown. The sum of gender totals may not equal disposal totals.

**Table 5: People convicted by age group, gender, main offence category and main penalty, 2019-20.**

| Main crime or offence            | Totals       | (Percentages) |                    |                   |           |
|----------------------------------|--------------|---------------|--------------------|-------------------|-----------|
|                                  |              | Custody       | Community sentence | Financial penalty | Other     |
| <b>Male Person, age Under 21</b> |              |               |                    |                   |           |
| <b>All crimes and offences</b>   | <b>5,182</b> | <b>12</b>     | <b>31</b>          | <b>34</b>         | <b>23</b> |
| <b>All crimes</b>                | <b>2,443</b> | <b>17</b>     | <b>40</b>          | <b>16</b>         | <b>28</b> |
| Non-sexual crimes of violence    | 281          | 40            | 48                 | 6                 | 7         |
| Sexual crimes                    | 96           | 15            | 73                 | 6                 | 6         |
| Crimes of dishonesty             | 459          | 16            | 41                 | 12                | 31        |
| Fire-raising, vandalism, etc.    | 272          | 12            | 36                 | 24                | 28        |
| Other crimes                     | 1,335        | 13            | 37                 | 18                | 32        |
| <b>All offences</b>              | <b>2,739</b> | <b>7</b>      | <b>22</b>          | <b>51</b>         | <b>20</b> |
| Miscellaneous offences           | 1,492        | 12            | 35                 | 23                | 30        |
| Motor vehicle offences           | 1,247        | 1             | 7                  | 85                | 7         |
| <b>Male Person, age 21-24</b>    |              |               |                    |                   |           |
| <b>All crimes and offences</b>   | <b>6,970</b> | <b>16</b>     | <b>26</b>          | <b>45</b>         | <b>14</b> |
| <b>All crimes</b>                | <b>2,550</b> | <b>26</b>     | <b>34</b>          | <b>22</b>         | <b>17</b> |
| Non-sexual crimes of violence    | 275          | 52            | 37                 | 7                 | 3         |
| Sexual crimes                    | 106          | 32            | 62                 | 6                 | -         |
| Crimes of dishonesty             | 487          | 34            | 31                 | 18                | 17        |
| Fire-raising, vandalism, etc.    | 230          | 21            | 31                 | 29                | 18        |

|                                     |                               |               |           |           |           |           |
|-------------------------------------|-------------------------------|---------------|-----------|-----------|-----------|-----------|
|                                     | Other crimes                  | 1,452         | 19        | 33        | 27        | 22        |
| <b>All offences</b>                 |                               | <b>4,420</b>  | <b>9</b>  | <b>21</b> | <b>58</b> | <b>11</b> |
|                                     | Miscellaneous offences        | 2,123         | 17        | 36        | 28        | 19        |
|                                     | Motor vehicle offences        | 2,297         | 2         | 7         | 87        | 4         |
| <b>Male Person, age 25 and over</b> |                               |               |           |           |           |           |
| <b>All crimes and offences</b>      |                               | <b>49,974</b> | <b>17</b> | <b>21</b> | <b>47</b> | <b>15</b> |
| <b>All crimes</b>                   |                               | <b>18,350</b> | <b>31</b> | <b>28</b> | <b>21</b> | <b>21</b> |
|                                     | Non-sexual crimes of violence | 1,352         | 58        | 30        | 9         | 3         |
|                                     | Sexual crimes                 | 972           | 38        | 49        | 9         | 4         |
|                                     | Crimes of dishonesty          | 5,899         | 36        | 25        | 17        | 22        |
|                                     | Fire-raising, vandalism, etc. | 970           | 22        | 32        | 31        | 15        |
|                                     | Other crimes                  | 9,157         | 23        | 27        | 25        | 25        |
| <b>All offences</b>                 |                               | <b>31,624</b> | <b>9</b>  | <b>17</b> | <b>63</b> | <b>12</b> |
|                                     | Miscellaneous offences        | 14,187        | 18        | 30        | 31        | 21        |
|                                     | Motor vehicle offences        | 17,437        | 2         | 5         | 89        | 4         |
| <b>Female Person, age Under 21</b>  |                               |               |           |           |           |           |
| <b>All crimes and offences</b>      |                               | <b>842</b>    | <b>4</b>  | <b>28</b> | <b>35</b> | <b>33</b> |
| <b>All crimes</b>                   |                               | <b>296</b>    | <b>7</b>  | <b>37</b> | <b>13</b> | <b>43</b> |
|                                     | Non-sexual crimes of violence | 25            | 24        | 60        | 8         | 8         |
|                                     | Sexual crimes                 | 2             | -         | 50        | -         | 50        |
|                                     | Crimes of dishonesty          | 69            | 7         | 30        | 16        | 46        |
|                                     | Fire-raising, vandalism, etc. | 25            | 12        | 48        | 8         | 32        |
|                                     | Other crimes                  | 175           | 3         | 35        | 13        | 49        |
| <b>All offences</b>                 |                               | <b>546</b>    | <b>3</b>  | <b>23</b> | <b>46</b> | <b>28</b> |
|                                     | Miscellaneous offences        | 349           | 4         | 35        | 18        | 42        |
|                                     | Motor vehicle offences        | 197           | -         | 3         | 96        | 2         |

| Female Person, age 21-24       |               |           |           |           |           |
|--------------------------------|---------------|-----------|-----------|-----------|-----------|
| <b>All crimes and offences</b> | <b>1,267</b>  | <b>5</b>  | <b>20</b> | <b>46</b> | <b>29</b> |
| <b>All crimes</b>              | <b>389</b>    | <b>10</b> | <b>31</b> | <b>20</b> | <b>40</b> |
| Non-sexual crimes of violence  | 23            | 22        | 52        | 4         | 22        |
| Sexual crimes                  | 4             | -         | 50        | 25        | 25        |
| Crimes of dishonesty           | 131           | 14        | 27        | 26        | 34        |
| Fire-raising, vandalism, etc.  | 22            | 5         | 27        | 32        | 36        |
| Other crimes                   | 209           | 6         | 31        | 16        | 47        |
| <b>All offences</b>            | <b>878</b>    | <b>3</b>  | <b>15</b> | <b>58</b> | <b>25</b> |
| Miscellaneous offences         | 434           | 6         | 26        | 22        | 46        |
| Motor vehicle offences         | 444           | -         | 3         | 93        | 4         |
| Female Person, age 25 and over |               |           |           |           |           |
| <b>All crimes and offences</b> | <b>11,014</b> | <b>8</b>  | <b>19</b> | <b>47</b> | <b>27</b> |
| <b>All crimes</b>              | <b>4,005</b>  | <b>16</b> | <b>27</b> | <b>19</b> | <b>37</b> |
| Non-sexual crimes of violence  | 186           | 30        | 43        | 8         | 19        |
| Sexual crimes                  | 24            | 17        | 21        | 21        | 42        |
| Crimes of dishonesty           | 2,031         | 19        | 26        | 19        | 37        |
| Fire-raising, vandalism, etc.  | 174           | 13        | 27        | 30        | 29        |
| Other crimes                   | 1,590         | 12        | 27        | 20        | 41        |
| <b>All offences</b>            | <b>7,009</b>  | <b>3</b>  | <b>14</b> | <b>63</b> | <b>21</b> |
| Miscellaneous offences         | 2,952         | 6         | 27        | 26        | 42        |
| Motor vehicle offences         | 4,057         | *         | 4         | 90        | 5         |

**Table 6: Duration of imprisonment by age and main offence category, men.**

| Main Crime or Offence          | Total        | Up to 3 months | Over 3 months to 6 months | Over 6 months to 1 year | Over 1 year to 2 years | Over 2 years to less than 4 years | 4 years & over including life |
|--------------------------------|--------------|----------------|---------------------------|-------------------------|------------------------|-----------------------------------|-------------------------------|
|                                |              | PctN           | PctN                      | PctN                    | PctN                   | PctN                              | PctN                          |
| <b>Under 21s</b>               |              |                |                           |                         |                        |                                   |                               |
| <b>All crimes and offences</b> | <b>594</b>   | <b>27</b>      | <b>30</b>                 | <b>16</b>               | <b>17</b>              | <b>5</b>                          | <b>5</b>                      |
| <b>All crimes</b>              | <b>402</b>   | <b>25</b>      | <b>25</b>                 | <b>16</b>               | <b>20</b>              | <b>6</b>                          | <b>7</b>                      |
| Non-sexual crimes of violence  | 109          | *              | 1                         | 21                      | 45                     | 17                                | 17                            |
| Sexual crimes                  | 14           | *              | 7                         | *                       | 7                      | 29                                | 57                            |
| Crimes of dishonesty           | 71           | 23             | 44                        | 23                      | 10                     | 1                                 | *                             |
| Fire-raising, vandalism, etc.  | 32           | 31             | 34                        | 19                      | 16                     | *                                 | *                             |
| Other crimes                   | 176          | 43             | 32                        | 10                      | 11                     | 2                                 | 1                             |
| <b>All offences</b>            | <b>192</b>   | <b>31</b>      | <b>42</b>                 | <b>17</b>               | <b>9</b>               | <b>1</b>                          | <b>1</b>                      |
| Miscellaneous offences         | 174          | 33             | 42                        | 16                      | 8                      | 1                                 | 1                             |
| Motor vehicle offences         | 18           | 11             | 39                        | 33                      | 17                     | *                                 | *                             |
| <b>21-24</b>                   |              |                |                           |                         |                        |                                   |                               |
| <b>All crimes and offences</b> | <b>1,080</b> | <b>23</b>      | <b>32</b>                 | <b>18</b>               | <b>16</b>              | <b>6</b>                          | <b>5</b>                      |
| <b>All crimes</b>              | <b>670</b>   | <b>23</b>      | <b>27</b>                 | <b>15</b>               | <b>20</b>              | <b>8</b>                          | <b>8</b>                      |
| Non-sexual crimes of violence  | 144          | *              | 3                         | 11                      | 44                     | 19                                | 23                            |
| Sexual crimes                  | 34           | 6              | 9                         | 9                       | 15                     | 21                                | 41                            |
| Crimes of dishonesty           | 168          | 27             | 41                        | 18                      | 12                     | 2                                 | *                             |
| Fire-raising, vandalism, etc.  | 49           | 33             | 41                        | 8                       | 10                     | 4                                 | 4                             |

|                                |                               |              |           |           |           |           |          |          |
|--------------------------------|-------------------------------|--------------|-----------|-----------|-----------|-----------|----------|----------|
|                                | Other crimes                  | 275          | 33        | 31        | 17        | 14        | 5        | 1        |
| <b>All offences</b>            |                               | <b>410</b>   | <b>24</b> | <b>40</b> | <b>24</b> | <b>9</b>  | <b>2</b> | <b>*</b> |
|                                | Miscellaneous offences        | 360          | 25        | 40        | 24        | 8         | 2        | 1        |
|                                | Motor vehicle offences        | 50           | 14        | 40        | 28        | 16        | 2        | *        |
| <b>25 and over</b>             |                               |              |           |           |           |           |          |          |
| <b>All crimes and offences</b> |                               | <b>8,458</b> | <b>21</b> | <b>34</b> | <b>19</b> | <b>15</b> | <b>6</b> | <b>5</b> |
| <b>All crimes</b>              |                               | <b>5,649</b> | <b>22</b> | <b>28</b> | <b>17</b> | <b>18</b> | <b>8</b> | <b>7</b> |
|                                | Non-sexual crimes of violence | 783          | 1         | 4         | 11        | 36        | 23       | 25       |
|                                | Sexual crimes                 | 373          | 1         | 8         | 14        | 25        | 14       | 38       |
|                                | Crimes of dishonesty          | 2,144        | 29        | 39        | 18        | 10        | 3        | *        |
|                                | Fire-raising, vandalism, etc. | 211          | 23        | 36        | 20        | 15        | 6        | *        |
|                                | Other crimes                  | 2,138        | 26        | 28        | 18        | 18        | 7        | 3        |
| <b>All offences</b>            |                               | <b>2,809</b> | <b>19</b> | <b>45</b> | <b>25</b> | <b>8</b>  | <b>2</b> | <b>1</b> |
|                                | Miscellaneous offences        | 2,496        | 21        | 45        | 23        | 9         | 2        | 1        |
|                                | Motor vehicle offences        | 313          | 9         | 44        | 40        | 4         | 3        | *        |

**Table 7: Duration of imprisonment by age and main offence category, women**

| Main Crime or Offence          | Total     | Up to 3 months | Over 3 months to 6 months | Over 6 months to 1 year | Over 1 year to 2 years | Over 2 years to less than 4 years | 4 years & over including life |
|--------------------------------|-----------|----------------|---------------------------|-------------------------|------------------------|-----------------------------------|-------------------------------|
|                                |           | PctN           | PctN                      | PctN                    | PctN                   | PctN                              | PctN                          |
| <b>Under 21s</b>               |           |                |                           |                         |                        |                                   |                               |
| <b>All crimes and offences</b> | <b>35</b> | <b>34</b>      | <b>29</b>                 | <b>23</b>               | <b>11</b>              | -                                 | <b>3</b>                      |
| <b>All crimes</b>              | <b>20</b> | <b>25</b>      | <b>25</b>                 | <b>25</b>               | <b>20</b>              | -                                 | <b>5</b>                      |
| Non-sexual crimes of violence  | 6         | *              | 17                        | *                       | 67                     | -                                 | 17                            |
| Sexual crimes                  | -         | *              | *                         | *                       | *                      | -                                 | *                             |
| Crimes of dishonesty           | 5         | 60             | *                         | 40                      | *                      | -                                 | *                             |
| Fire-raising, vandalism, etc.  | 3         | *              | 67                        | 33                      | *                      | -                                 | *                             |
| Other crimes                   | 6         | 33             | 33                        | 33                      | *                      | -                                 | *                             |
| <b>All offences</b>            | <b>15</b> | <b>47</b>      | <b>33</b>                 | <b>20</b>               | <b>*</b>               | -                                 | <b>*</b>                      |
| Miscellaneous offences         | 15        | 47             | 33                        | 20                      | *                      | -                                 | *                             |
| Motor vehicle offences         | -         | *              | *                         | *                       | *                      | -                                 | *                             |
| <b>21-24</b>                   |           |                |                           |                         |                        |                                   |                               |
| <b>All crimes and offences</b> | <b>62</b> | <b>39</b>      | <b>31</b>                 | <b>21</b>               | <b>3</b>               | <b>6</b>                          | -                             |
| <b>All crimes</b>              | <b>37</b> | <b>38</b>      | <b>30</b>                 | <b>16</b>               | <b>5</b>               | <b>11</b>                         | -                             |
| Non-sexual crimes of violence  | 5         | *              | *                         | 20                      | 20                     | 60                                | -                             |
| Sexual crimes                  | -         | *              | *                         | *                       | *                      | *                                 | -                             |
| Crimes of dishonesty           | 18        | 39             | 44                        | 11                      | *                      | 6                                 | -                             |
| Fire-raising, vandalism, etc.  | 1         | 100            | *                         | *                       | *                      | *                                 | -                             |
| Other crimes                   | 13        | 46             | 23                        | 23                      | 8                      | *                                 | -                             |
| <b>All offences</b>            | <b>25</b> | <b>40</b>      | <b>32</b>                 | <b>28</b>               | <b>*</b>               | <b>*</b>                          | -                             |
| Miscellaneous offences         | 25        | 40             | 32                        | 28                      | *                      | *                                 | -                             |

| Motor vehicle offences         | -          | *         | *         | *         | *         | *        | -        |
|--------------------------------|------------|-----------|-----------|-----------|-----------|----------|----------|
| <b>25 and over</b>             |            |           |           |           |           |          |          |
| <b>All crimes and offences</b> | <b>847</b> | <b>38</b> | <b>37</b> | <b>13</b> | <b>9</b>  | <b>3</b> | <b>1</b> |
| <b>All crimes</b>              | <b>659</b> | <b>38</b> | <b>34</b> | <b>12</b> | <b>11</b> | <b>3</b> | <b>2</b> |
| Non-sexual crimes of violence  | 55         | *         | 5         | 16        | 53        | 11       | 15       |
| Sexual crimes                  | 4          | 25        | *         | *         | 25        | 50       | *        |
| Crimes of dishonesty           | 382        | 41        | 41        | 13        | 4         | *        | *        |
| Fire-raising, vandalism, etc.  | 23         | 22        | 39        | 9         | 26        | 4        | *        |
| Other crimes                   | 195        | 44        | 29        | 11        | 10        | 6        | 1        |
| <b>All offences</b>            | <b>188</b> | <b>37</b> | <b>45</b> | <b>14</b> | <b>2</b>  | <b>2</b> | <b>*</b> |
| Miscellaneous offences         | 180        | 37        | 44        | 14        | 2         | 2        | *        |
| Motor vehicle offences         | 8          | 25        | 63        | 13        | *         | *        | *        |



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ISBN: 978-1-912442-37-9