

STATISTICAL BULLETIN: MANSLAUGHTER

Introduction

This bulletin provides information on volumes and sentence outcomes for adult offenders¹ sentenced for key offences covered by the Sentencing Council's draft manslaughter guideline. The draft manslaughter guideline covers unlawful act manslaughter, gross negligence manslaughter, manslaughter by reason of loss of control and manslaughter by reason of diminished responsibility. It does not include corporate manslaughter; a separate guideline on corporate manslaughter came into force on 1 February 2016.

The Court Proceedings Database (CPD), maintained by the Ministry of Justice (MoJ), is the data source for this bulletin.

The CPD data breaks down the manslaughter offences covered by this guideline into the offences of manslaughter and manslaughter by reason of diminished responsibility. However, given inconsistencies between the detailed offences recorded in the CPD and an analysis of transcripts of Crown Court sentencing remarks, the CPD data presented here looks only at manslaughter offences as an overall group without any breakdown into specific offences. Further information on the results from analysis of the sentencing remark transcripts can be found in the resource assessment which accompanies this bulletin.²

Additional figures covering sentencing trends since 2006 and the demographics of offenders sentenced for manslaughter are available to download as an Excel spreadsheet at the following link:

<http://www.sentencingcouncil.org.uk/publications/?type=publications&s&cat=statistical-bulletin>

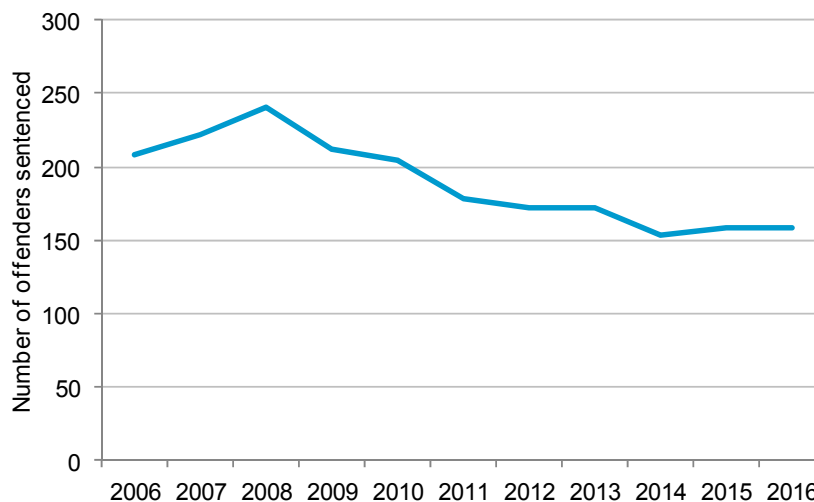
Sentence volumes

- From 2006 to 2008, the number of offenders sentenced for manslaughter increased, from 210 in 2006 to 240 in 2008. Since 2008, the number of offenders sentenced for manslaughter offences has gradually declined, with 160 offenders sentenced in 2016 (see Figure 1).

¹ Includes offenders aged 18 or over at the time of conviction.

² The analysis of sentencing remark transcripts covered 156 cases of manslaughter, including all offenders sentenced in 2014 and a small number from 2013 and 2015. This found that the majority (68 per cent) of offenders were sentenced for unlawful act manslaughter, followed by manslaughter by reason of diminished responsibility (15 per cent), manslaughter by gross negligence (10 per cent), manslaughter by loss of control (6 per cent) and manslaughter by suicide pact (1 per cent). The Council decided not to develop a guideline for the special defence to murder of killing in pursuance of a suicide pact, as it is prosecuted and sentenced very rarely.

Figure 1: Number of adult offenders sentenced for manslaughter offences, 2006-2016

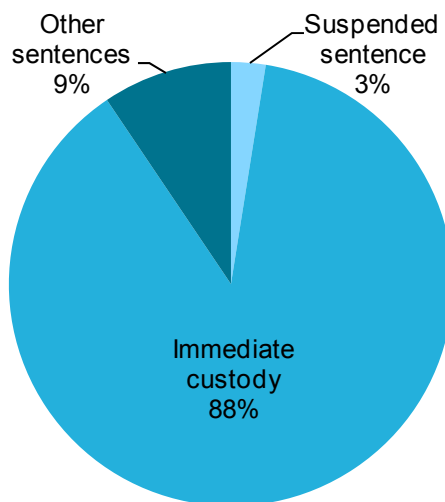


- The decline in the number of offenders sentenced for manslaughter is also seen for the similar offence of murder. These declines mirror a general decline seen in homicide offences (which cover murder, manslaughter and infanticide) recorded by the police since the early 2000s³.

Sentence outcomes

- Immediate custody is the most frequently imposed sentence outcome for manslaughter, comprising 88 per cent of sentence outcomes in 2016 (Figure 2). A further three per cent received suspended sentence orders, and nine per cent of offenders were given other sentences (the majority of these individuals were given hospital orders⁴).

Figure 2: Sentence outcomes received by adult offenders sentenced for manslaughter offences, 2016



³ [ONS statistics – Focus on Violent Crime and Sexual offences](#)

⁴ The analysis of sentencing remark transcripts showed that the vast majority of offenders sentenced to hospital orders for manslaughter were convicted of manslaughter by reason of diminished responsibility. Hospital orders are orders under section 37 of the Mental Health Act 1983, which send offenders to hospital for treatment instead of to prison.

Sentence lengths

- Approximately nine per cent of offenders sentenced to immediate custody for manslaughter in 2016 were given indeterminate sentences. The proportion of offenders who received indeterminate sentences was higher in the years 2006-2012, compared to subsequent years; this is because during these years, offenders received sentences of Imprisonment for Public Protection (IPPs) or Extended Sentences for Public Protection (EPPs). These sentences were introduced in 2005 and abolished in 2012 and were recorded as indeterminate sentences.
- For those receiving a determinate sentence, the average (mean) custodial sentence length has generally been increasing over the past decade, from 6 years in 2006 to 10 years in 2016. Part of this increase may be due to the introduction of Extended Determinate Sentences (EDSs) in December 2012, which replaced IPPs and EPPs⁵. IPPs and EPPs were recorded as indeterminate sentences and were therefore not included in calculations of custodial sentence lengths. In contrast, EDSs are recorded as determinate sentences, and therefore are included.

⁵ [The Legal Aid, Sentencing and Punishment of Offenders \(LASPO\) Act 2012 – General summary of release and recall provisions.](#)

Further information

Volumes of sentences

The data presented in this bulletin only include cases where the offence detailed was the principal offence committed. When a defendant has been found guilty of two or more offences this is the offence for which the most severe 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. Although the offender will receive a sentence for each of the offences that they are convicted of, it is only the sentence for the principal offence that is presented in this bulletin.

Sentence outcomes

The outcomes presented are the final sentence outcomes, after taking into account all factors of the case, including whether a guilty plea was made.

General conventions

Actual numbers of sentences have been rounded to the nearest 100, when more than 1,000 offenders were sentenced, and to the nearest 10 when less than 1,000 offenders were sentenced.

Data sources and quality

The source of data for this bulletin is the Court Proceedings Database (CPD), which is maintained by MoJ. Every effort is made by MoJ and the Sentencing Council to ensure that the figures presented in this publication are accurate and complete. However, it is important to note that these data have been extracted from large administrative data systems generated by the courts and police forces. As a consequence, care should be taken to ensure data collection processes and their inevitable limitations are taken into account when those data are used. Subsequently, although numbers in the accompanying tables available online are shown to the last digit in order to provide a comprehensive record of the information collected, they are not necessarily accurate to the last digit shown.

Further details of the processes by which MoJ validate the records in the CPD can be found within the guide to their Criminal Justice Statistics publication which can be downloaded via the link: <https://www.gov.uk/government/collections/criminal-justice-statistics>

Contact points for further information

We would be very pleased to hear your views on our statistical bulletins. If you have any feedback or comments, please send them to: research@sentencingcouncil.gsi.gov.uk

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Further information on the Sentencing Council and its work can be found at: <http://sentencingcouncil.org.uk>