

## Theft Offences Sentencing Data

This bulletin provides statistics on the outcomes and demographics of adult offenders<sup>1</sup> sentenced for offences covered by the draft guideline on theft offences. The consultation period for the theft offences draft guideline will begin on 3 April 2014 and close on 26 June 2014.

Further information on these offences and the draft guideline can be found in the consultation document which can be accessed via the Current Consultations page on the Sentencing Council website, at the following link:

<http://sentencingcouncil.judiciary.gov.uk/get-involved/consultations-current.htm>

The Court Proceedings Database (CPD), maintained by the Ministry of Justice, is the main source of the data for this bulletin. Data on the CPD is categorised by the relevant legislation under which proceedings are brought. This has been supplemented with information from the Crown Court Sentencing Survey, maintained by the Sentencing Council, for the tables on recent and relevant previous convictions.

## Background information

There are six draft theft guidelines:

- Theft from a shop or stall (shoplifting)
  - Theft Act 1968 Section 1(1): theft from shop/stall (and attempt/conspire)
- Handling stolen goods
  - Theft Act 1968 Section 22(1): Receive stolen goods (and attempt/conspire)
  - Theft Act 1968 Section 22(1): Handle stolen goods (and attempt/conspire)

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<sup>1</sup> Includes adult offenders (aged 18 or over) at the time of sentence

- Going equipped for theft
  - Theft Act 1968 Section 25(1): Going equipped for theft, burglary and cheat
- General theft
  - Theft Act 1968 Section 1(1): Theft by employee (and attempt & conspire)
  - Theft Act 1968 Section 1(1): Theft in a dwelling other than from automatic machine/meter (and attempt)
  - Theft Act 1968 Section 1(1): Theft of pedal cycle (and attempt)
  - Theft Act 1968 Section 1(1): Theft from the person of another (and attempt)
  - Theft Act 1968 Section 1(1): Theft from motor vehicle (and attempt/conspire)
  - Theft Act 1968 Section 1(1): Theft of motor vehicle (and attempt/conspire)
- Abstracting electricity
  - Theft Act 1968 Section 13: Abstracting electricity
- Making off without payment
  - Theft Act 1978 Section 3(1): Make off without making payment (and attempt)

The figures on which all of the tables and charts provided in this bulletin are based are available for download as Excel spreadsheets at the following link:

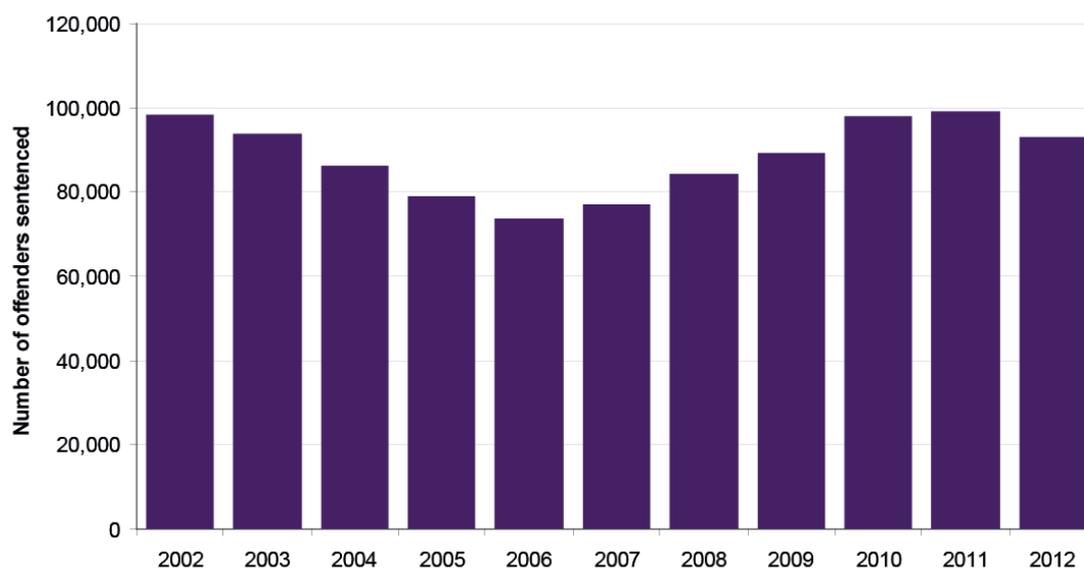
<http://sentencingcouncil.judiciary.gov.uk/facts/research-and-analysis-publications.htm>

## Section 1: General trends across all theft offence guidelines

This section summarises data across all theft offences covered by the draft guideline, for which data is available. When reading this section it is important to bear in mind that it includes a wide range of offences, with a difference in statutory maximum sentences which range from two years for making off without payment to 14 years for handling stolen goods. Most theft offences included in the draft guideline, 92 per cent in 2012, were sentenced at the magistrates' court.

Figure 1.1 shows the volume of adult offenders sentenced for theft offences since 2002. The volume of offenders sentenced declined by 25 per cent between 2002 and 2006, from 98,500 in 2002 to 73,600 in 2006. This trend then reversed, with the volume of offenders sentenced increasing by just over a third, to 99,000 offenders sentenced in 2011. There was a 6 per cent decline in 2012, with 92,900 offenders sentenced, though it is unclear whether this is a new trend or a one-year decline.

**Figure 1.1: Number of adult offenders sentenced for theft offences covered by the guideline 2002 to 2012**

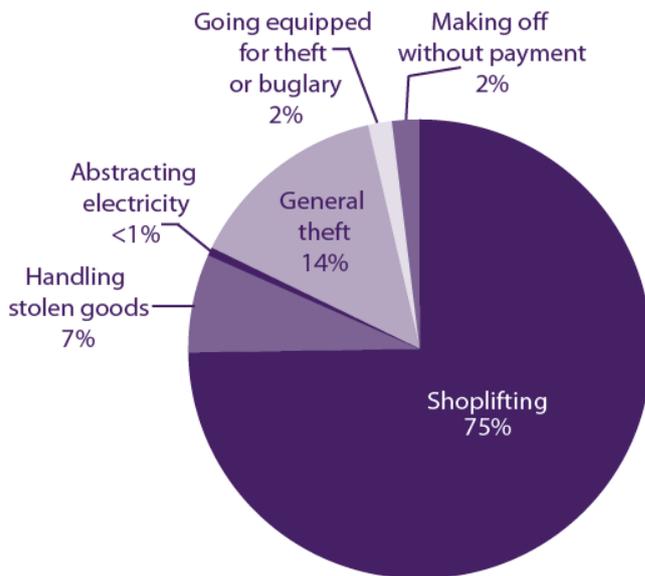


In 2012, 67,900 offenders were sentenced for theft from a shop or stall (shoplifting), which represents just under three quarters of all offenders sentenced for the theft offences included in the draft guideline. In 2012, 14,800 offenders were sentenced for offences covered by the general theft guideline, which is 16 per

cent of offenders sentenced for all theft offences in 2012. The remaining four guidelines account for 11 per cent of offenders sentenced in 2012. Further information can be found in **table 1.1** and **figure 1.2**.

Table 1.1: Offenders sentenced for theft offences broken down by individual guideline in 2012	
	Number of offenders sentenced
Abstracting Electricity	480
General Theft	14,800
Going equipped for theft or burglary	1,700
Making off without payment	1,700
Handling stolen goods	6,300
Theft from a shop or stall (shoplifting)	67,900
<b>Total</b>	<b>92,900</b>

**Figure 1.2: Proportion of offenders sentenced for theft offences broken down by individual guideline in 2012**



In 2012, for all theft offences covered by the Council's proposed guideline 41 per cent of offenders that were sentenced had 4 or more previous convictions

identified by the sentencer at the time of sentencing to be recent and relevant to the offence. Further information is given in table 1.2 below.

Table 1.2:  
Proportion of adults offenders sentenced in 2012, by number of relevant & recent previous convictions

No previous convictions	36%
1 to 3	22%
4 to 9	19%
10 or more	22%
<b>Total</b>	<b>100%</b>

## Section 2: Theft from a shop or stall

The draft guideline for theft from a shop or stall covers the offence of:

- Theft Act 1968 Section 1(1): theft from shop/stall (and attempt/conspire)

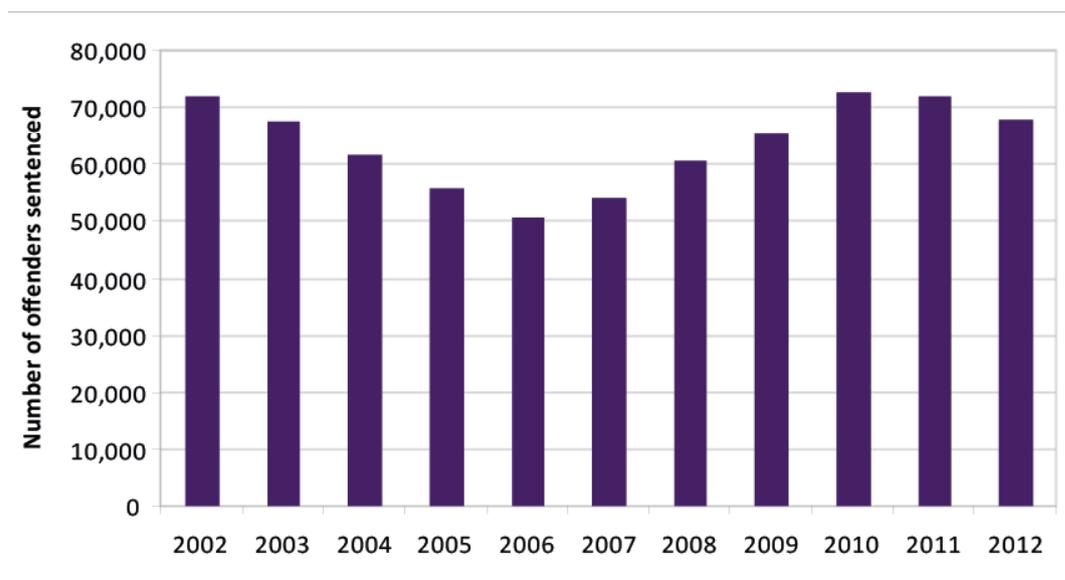
Statutory maximum: 7 years' custody

### Sentences received by adults sentenced for theft from a shop or stall

In 2012, 67,900 adult offenders were sentenced for offences under theft from a shop and stall. Of these, 98 per cent were sentenced at the magistrates' court.

Figure 2.1 shows how the number of adult offenders sentenced for theft from a shop or stall offences has changed since 2002.

**Figure 2.1: Number of adult offenders sentenced for theft from a shop or stall, 2002-2012**

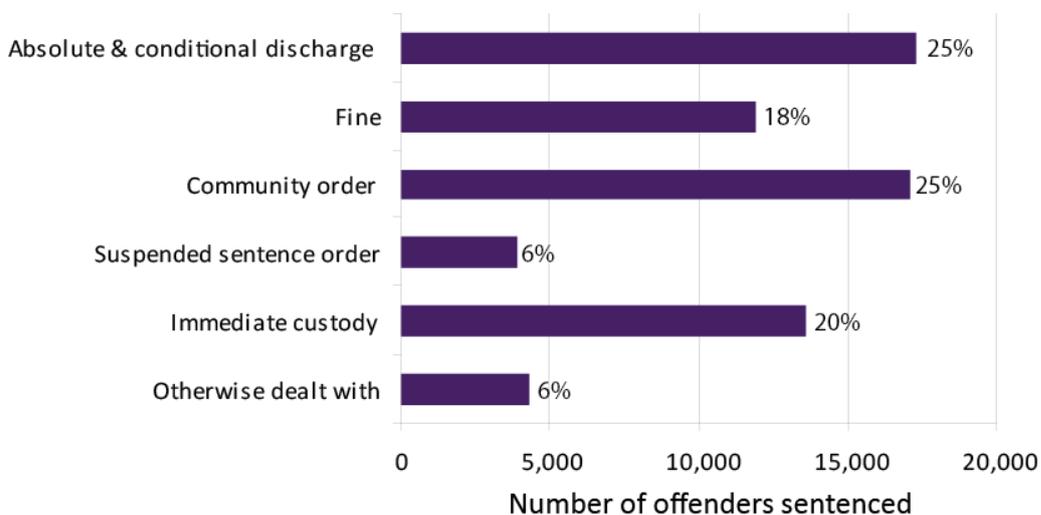


The number of adult offenders sentenced steadily declined year on year between 2002 and 2006, however this trend reversed, leading to a year on year increase between 2006 and 2010. The volume sentenced in 2012 is 7 per cent lower than the 2010 peak of 72,600, however it is too early to tell if this is part of a new trend.

The proportionate use of sentence disposals has been relatively consistent since 2006, following a brief period of volatility between 2002 and 2006. Community order and absolute or conditional discharge have been the most commonly used disposal since 2003, each accounting for roughly 25 per cent of adult offenders sentenced between 2002 and 2012. Further information is available in the accompanying tables available online.

In 2012, absolute or conditional discharge was the most frequently used sentence, given to 17,300 offenders (25 per cent). Community order was the next most common disposal used, given to a further 17,100 offenders (25 per cent) and immediate custody was used when sentencing 13,600 offenders (20 per cent). The proportionate use of community order and immediate custody has been relatively stable since 2006. Figure 2.2 shows the disposals received by offenders in 2012, ordered from top to bottom by least severe to most severe in terms of sentence severity, followed by otherwise dealt with.

**Figure 2.2: Adult offenders sentenced for theft from a shop or stall, by sentence disposal, in 2012**



The average sentence length imposed (in weeks) on adult offenders sentenced to immediate custody for theft from a shop or stall offences between 2002 and 2012 is shown in Figure 2.3. The sentence length listed is the length imposed after taking into account guilty plea reductions, if relevant.

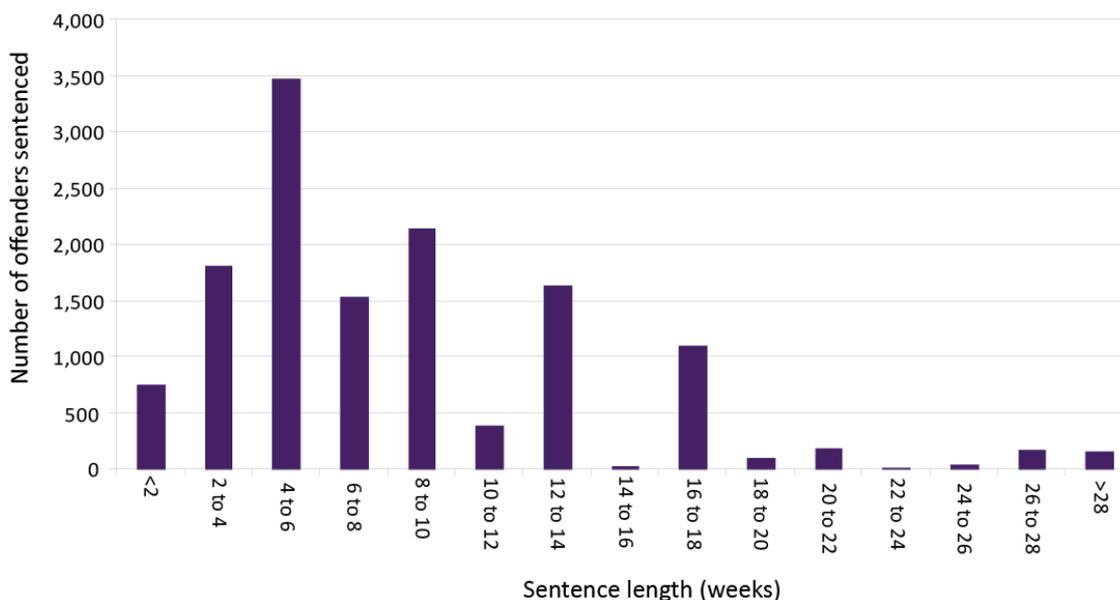
**Figure 2.3: Average custodial sentence length (ACSL) received by offenders sentenced to immediate custody for theft from a shop or stall, 2002 to 2012 in weeks**



The mean custodial sentence length for shoplifting has steadily declined from its peak of about 10 weeks in 2004 to 8 weeks in 2012, a 21 per cent decline in this period. The median has declined by 30 per cent over this time period, from 9 weeks in 2004 to 6 weeks in 2012.

Figure 2.4 presents the full range of sentence lengths imposed for offenders sentenced to immediate custody in 2012.

**Figure 2.4: Sentence lengths received by offenders sentenced to immediate custody for theft from a shop or stall in 2012**



Three quarters of offenders received a sentence length of twelve weeks or less, compared to five per cent receiving a sentence length of longer than eighteen weeks.

In 2012, for the offence of theft from a shop or stall 41 per cent of offenders that were sentenced had 10 or more previous convictions identified by the sentencer at the time of sentencing to be relevant and recent to the offence. An additional 24 per cent of adult offenders had between 4 and 9 relevant and recent previous convictions. Further information is given in table 2.1 below.

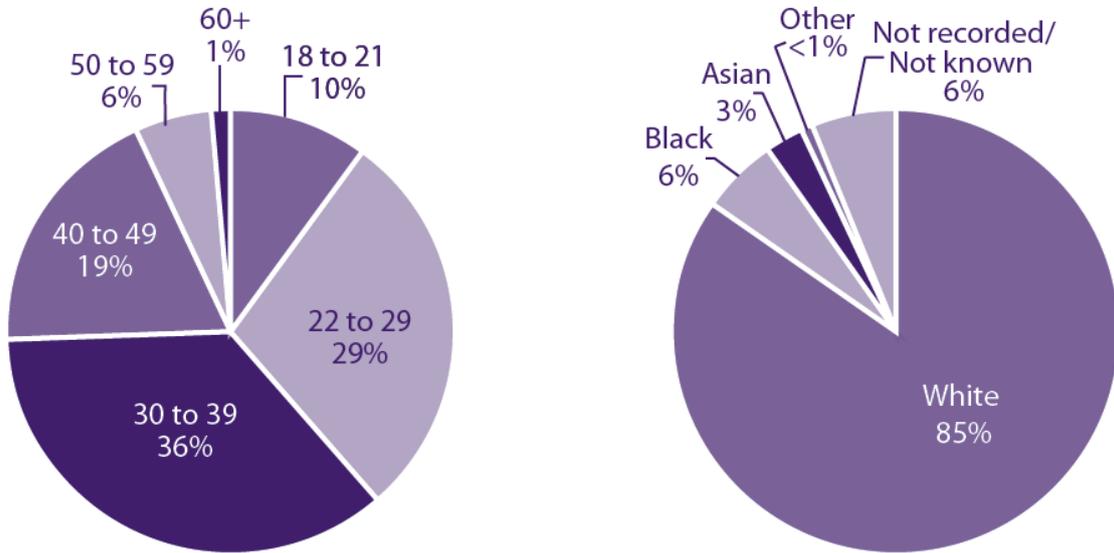
No previous convictions	15%
1 to 3	20%
4 to 9	24%
10 or more	41%
<b>Total</b>	<b>100%</b>

## Demographics

In 2012, 74 per cent of adult offenders sentenced for theft from a shop and stall were male. Thirty-six per cent of offenders were between the ages of 30 to 39, and a further 29 per cent were in the age bracket 22 to 29. The majority of offenders sentenced, 85 per cent, were perceived to be of White origin by the police officer dealing with their case. The proportions amongst those for whom data on perceived ethnicity was provided may not reflect the demographics of the full

population of those sentenced. Further information on the age and ethnicity of offenders can be found in **Figure 2.5**.

**Figure 2.5: Age demographics and perceived ethnicity of adults sentenced for shoplifting in 2012**



### Section 3: Handling stolen goods

The draft guideline for handling stolen goods covers the offences of:

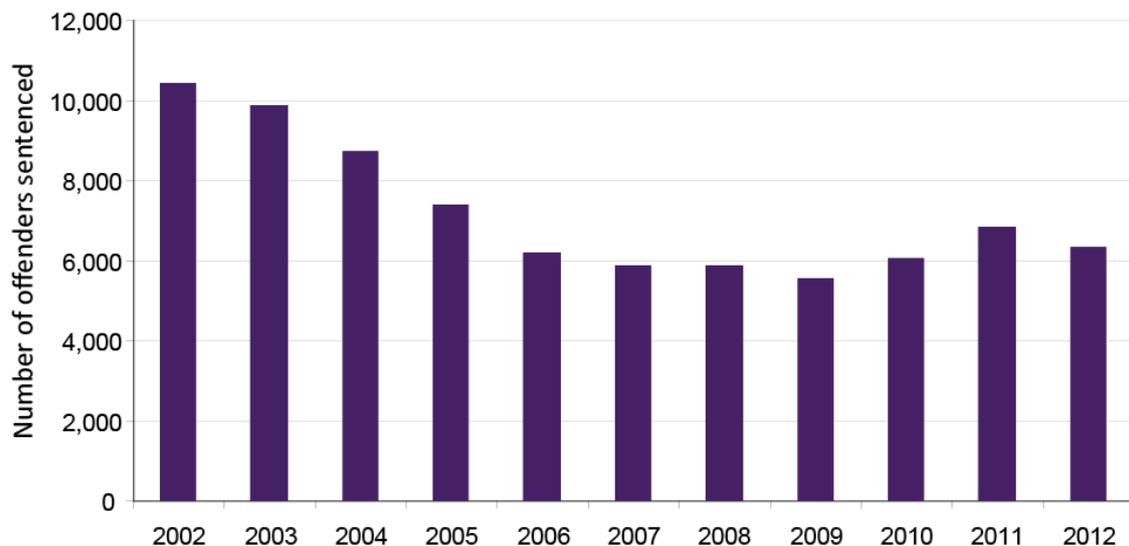
- Theft Act 1968 Section 22(1): Receive stolen goods (and attempt/conspire)
- Theft Act 1968 Section 22(1): Handle stolen goods (and attempt/conspire)

Statutory maximum: 14 years' custody

### Sentences received by adults sentenced for handling stolen goods

In 2012, there were approximately 6,300 adult offenders sentenced for handling offences included in this section, as shown in **Figure 3.1**. The majority of offenders sentenced, 70 per cent, were seen at the magistrates' court.

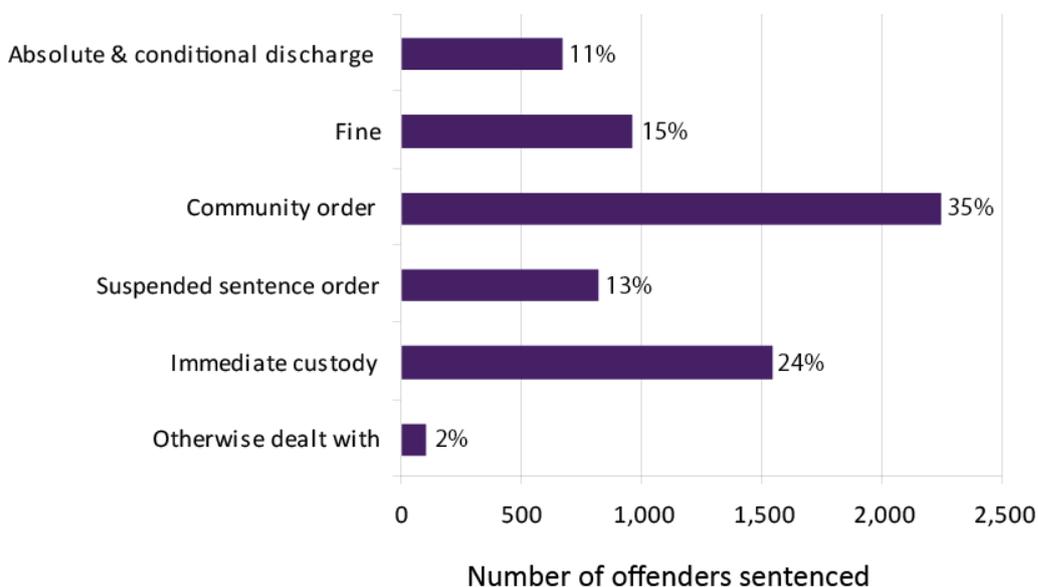
**Figure 3.1: Number of adult offenders sentenced for handling offences, 2002 – 2012**



Community order has been the most common disposal used when sentencing these offences since 2002. However, the proportionate use of community order has been on the decline since its peak in 2004, when it was given to 45 per cent of offenders. By 2012, community order was used for 35 per cent of offenders. The use of fines has been increasing since 2007 from 11 per cent to 15 per cent in 2012, while the use of discharge has declined from 16 per cent to 11 per cent over this same time period. Further information is available in the accompanying tables available online.

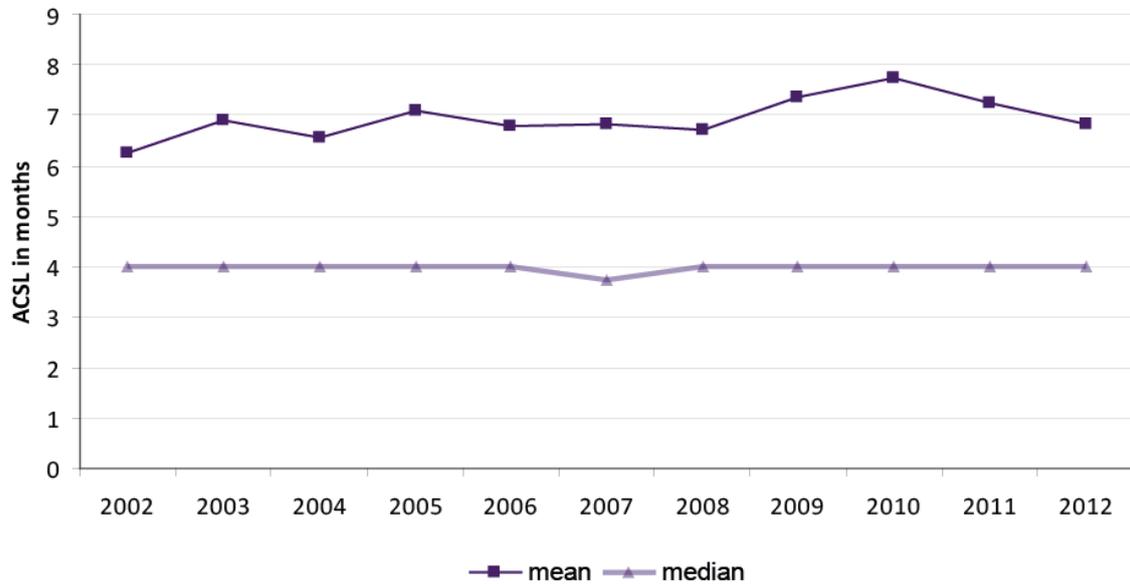
In 2012, 2,200 adult offenders received a community order and a further 1,500 were sentenced to immediate custody, making these the two most frequently used disposals, as shown in **Figure 3.2**, where disposals are ordered from top to bottom by least severe to most severe in terms of sentence severity, followed by otherwise dealt with.

**Figure 3.2: Disposals received by adult offenders sentenced for handling stolen goods, 2012**



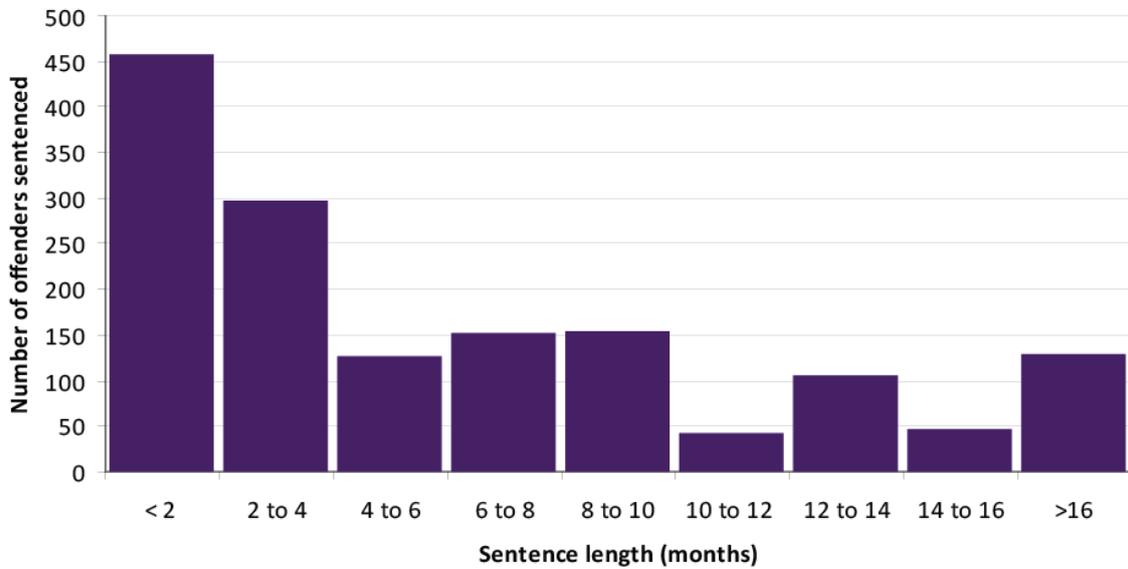
Where the sentence outcome was an immediate custodial sentence, the average custodial sentence length received in 2012, following a guilty plea reduction where relevant, was 6 months and 3 weeks (median length 4 months). The longest average custodial sentence over the past decade was in 2010, at 7 months and 3 weeks (mean), however the median has been broadly consistent at 4 months over the past decade, suggesting that the 2010 peak was likely influenced by a small number of longer sentence lengths. This trend can be observed in Figure 3.3. The averages shown are the actual sentence received by the offender, after a reduction for a guilty plea where relevant.

**Figure 3.3: Average custodial sentence length (ACSL) received by adult offenders sentenced to immediate custody for Handling Stolen Goods, 2002 to 2012 in months**



**Figure 3.4** shows the full range of sentence lengths received by adult offenders sentenced to immediate custody in 2012 for handling stolen goods. Just over two-thirds (68 per cent) of offenders receiving a custodial sentence, received a sentence shorter than eight months, and nearly 12 per cent received a sentence longer than 14 months.

**Figure 3.4: Sentence lengths received by offenders sentenced to immediate custody for Handling Stolen Goods in 2012**



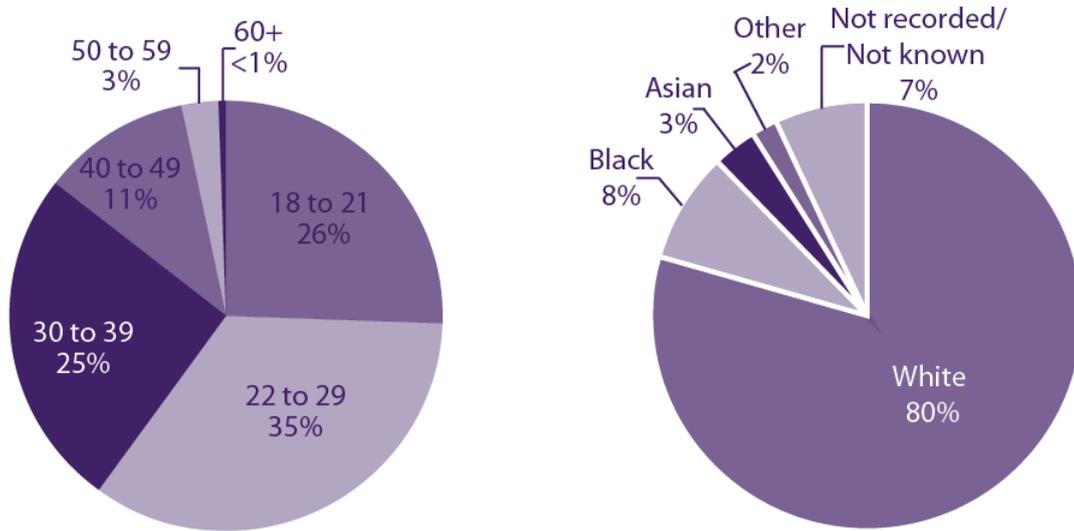
In 2012, for the offence of handling stolen goods 36 per cent of offenders that were sentenced had 4 or more previous convictions identified by the sentencer at the time of sentencing to be relevant and recent to the offence. Further information is given in table 3.1 below.

No previous convictions	36%
1 to 3	28%
4 to 9	19%
10 or more	17%
<b>Total</b>	<b>100%</b>

### Demographics

Of all adult offenders sentenced for handling offences in 2012, 88 per cent were male. Just over a third (35 per cent) of those sentenced were aged 22 to 29, and one in four were between the ages of 30 and 39. In 4 out of 5 cases, the offender was perceived to be of white origin by the police officer dealing with the case. Further detail on the age and perceived ethnicity of adults sentenced for handling can be seen in Figure 3.5.

**Figure 3.5: Age demographics and perceived ethnicity of adults sentenced for handling offences in 2012**



#### Section 4: Going equipped for theft or burglary

The draft guideline for going equipped for theft covers the offence of:

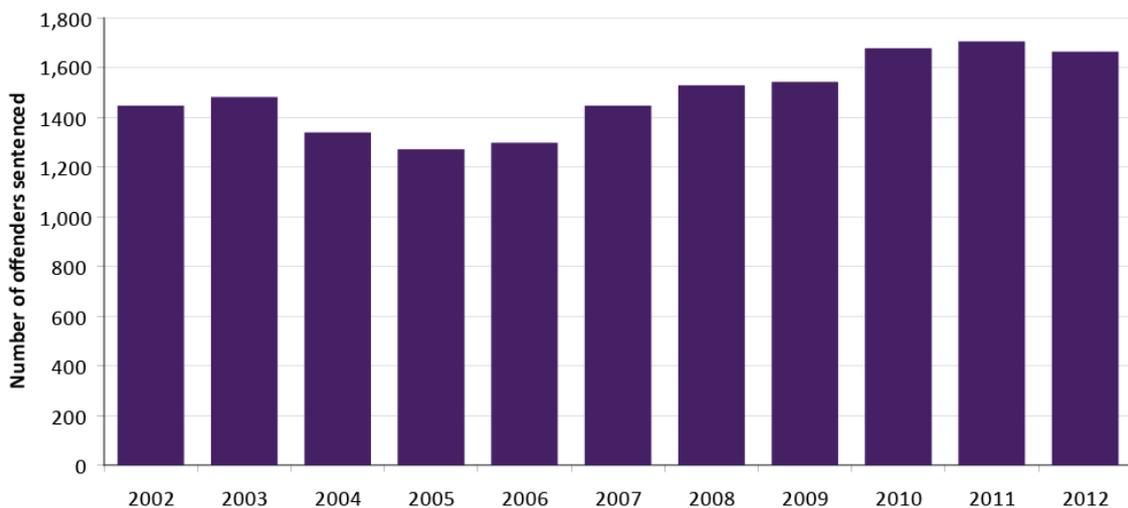
- Theft Act 1968 Section 25(1): Going equipped for theft, burglary and cheat<sup>2</sup>

Statutory maximum: 3 years' custody

#### Sentences received by adults sentenced for going equipped for theft or burglary

In 2012 approximately 1,700 offenders were sentenced for going equipped for theft. The majority of offenders (88 per cent) were sentenced at the magistrates' court. **Figure 4.1** shows how the number of adults sentenced for going equipped offences has changed since 2002. Between 2005 and 2011, the number of adults sentenced for going equipped for theft showed a year on year increase, rising from 1,300 sentences in 2005 to 1,700 sentences in 2010, an increase of a third during this time period. Between 2011 and 2012, there was a two per cent decrease in the volume of offenders sentenced. Though this is similar to the volume of offenders sentenced in 2010, it is too early to identify if the volume of offenders sentenced has leveled off or if this is part of a new trend.

**Figure 4.1: Number of offenders sentenced for going equipped for theft, 2002 - 2012**

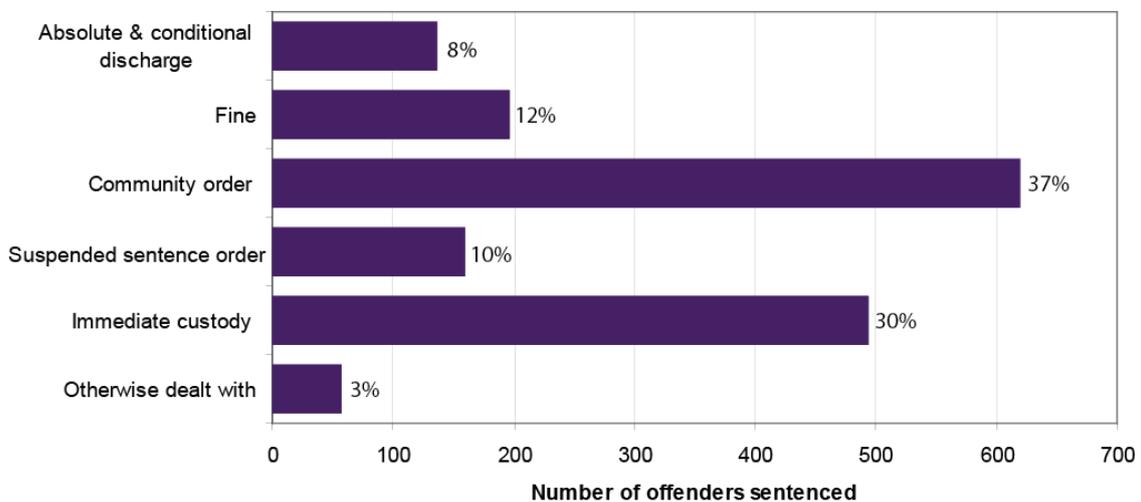


<sup>2</sup> Due to data classification, going equipped for cheat is included in these statistics from 2002 to 2007 only.

The use of community order, the most frequently used disposal, has fallen by 5 percentage points between 2009 and 2012. During this same time period, the use of the second most common disposal, immediate custody, increased by 6 percentage points. The proportionate use of absolute and conditional discharge has been on the decline since its peak of 15 per cent in 2007, while the use of fine, suspended sentence order and otherwise dealt with have increased, by varying degrees, since 2007. Further information is available in the accompanying tables available online.

The most recent picture of sentences passed for going equipped is seen in **Figure 4.2**, with disposals ordered from top to bottom by least severe to most severe in terms of sentence severity. Community order was the most commonly used disposal, given to 37 per cent of offenders. Immediate custody was the next most frequently used disposal and was used when sentencing 30 per cent of offenders in 2012. A further 12 per cent received a fine, 10 per cent received a suspended sentence order and 8 per cent received an absolute or conditional discharge.

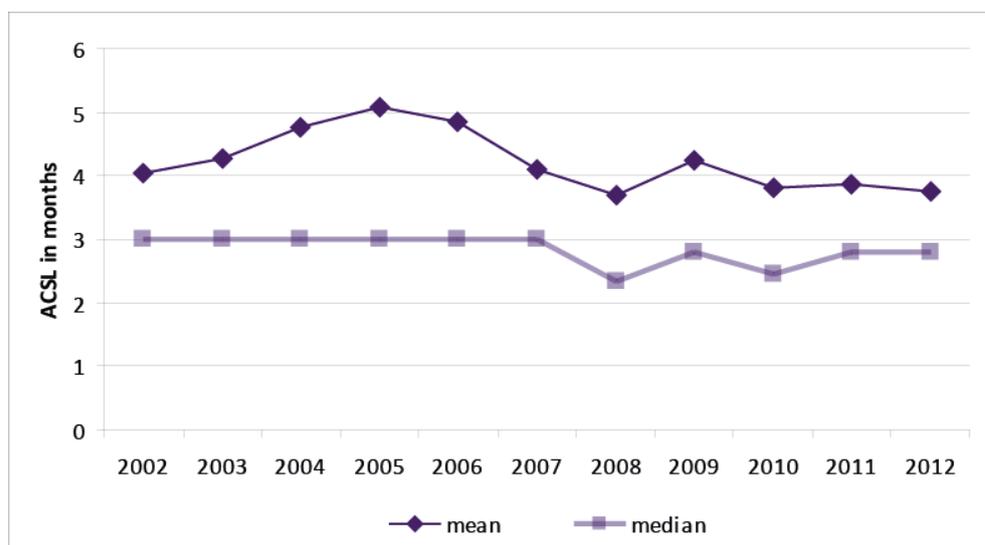
**Figure 4.2: Disposals received by offenders sentenced for going equipped for theft, 2012**



**Figure 4.3** shows the average custodial sentence lengths imposed on adult offenders between 2002 and 2012. The sentence length listed is the length imposed after taking into account any reduction for a guilty plea, where relevant.

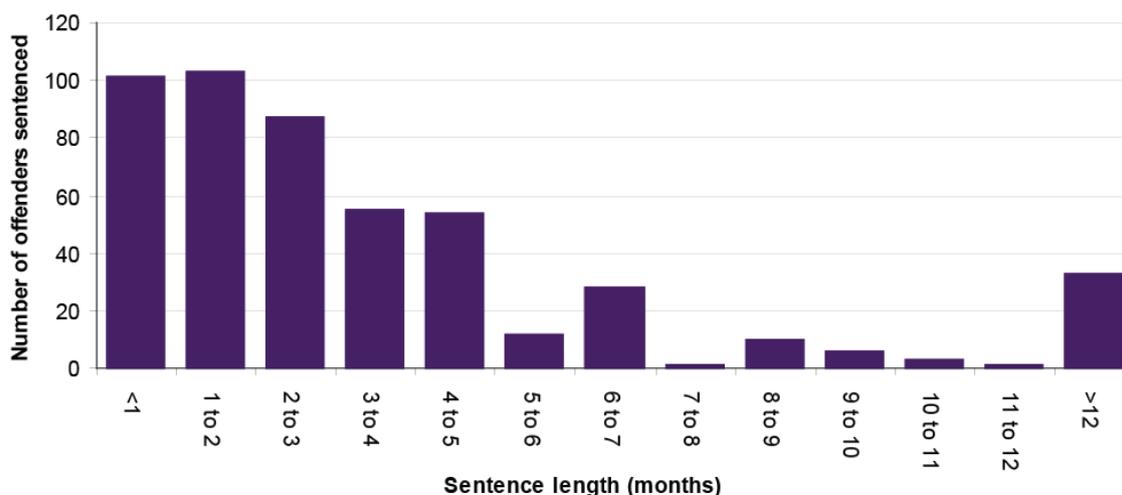
Between 2002 and 2005, the mean custodial sentence length increased by 26 per cent, from 4 months in 2002 to 5 months 3 days in 2005. Following this peak in 2005, the mean then dropped by 27 per cent, to 3 months and 3 weeks in 2008, the lowest over the past decade. The median however, remained constant at 3 months between 2002 and 2007 and dropped to 2 months 9 days in 2008, a decrease of 22 per cent. Both the mean and median have experienced some volatility since 2008, averaging just below 4 months, mean (median 2 months, 3 weeks).

**Figure 4.3: Average custodial sentence length (ACSL) received by adult offenders sentenced to immediate custody for going equipped for theft in 2012 (months)**



**Figure 4.4** presents the full range of sentence lengths received by adult offenders sentenced to immediate custody in 2012. Seventy per cent of offenders received a custodial sentence shorter than 4 months, and a relatively small amount of offenders, 7 per cent, received a sentence greater than 1 year.

**Figure 4.4: Sentence lengths received by adult offenders sentenced to immediate custody for going equipped for theft in 2012**



In 2012, for the offence of going equipped for theft and burglary 47 per cent of offenders that were sentenced had 10 or more previous convictions identified by the sentencer at the time of sentencing to be relevant and recent to the offence. An additional 16 per cent of adult offenders had between 4 and 9 relevant and recent previous convictions. Further information is given in table 4.1 below.

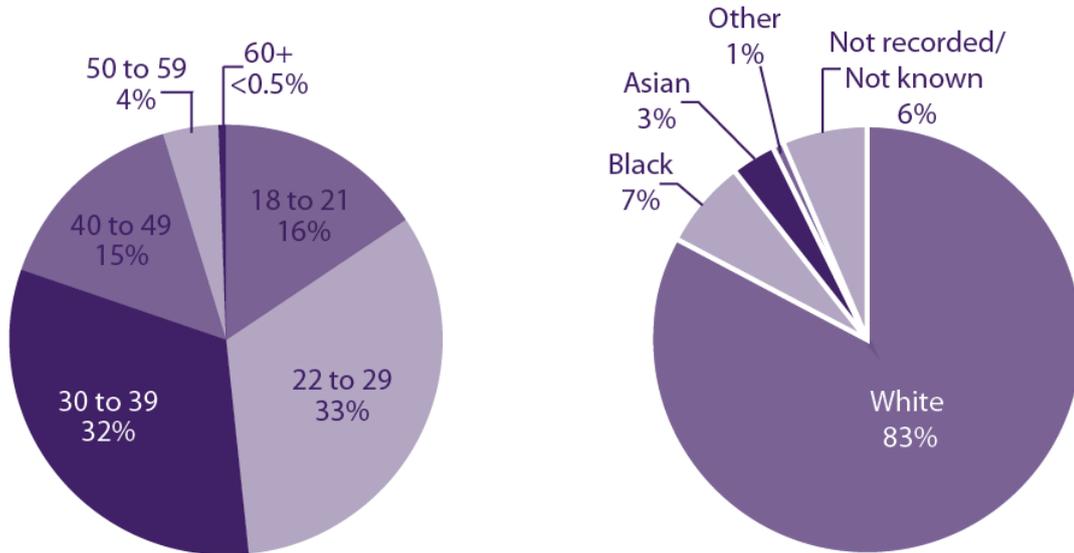
**Table 4.1 Proportion of adults offenders sentenced by number of relevant & recent previous convictions**

No previous convictions	12%
1 to 3	26%
4 to 9	16%
10 or more	47%
<b>Total</b>	<b>100%</b>

### Demographics of offenders sentenced for going equipped for theft

Of all adult offenders sentenced in 2012, 90 per cent were male, 9 per cent were female (1 per cent not recorded). A third of all offenders were in the age bracket 22 to 29, and nearly a third were between the ages of 30 to 39. Approximately 15 per cent of offenders were in each of the age brackets 18 to 21 and 40 to 49. In 83 per cent of cases, the offender was believed to have been of white origin by the police officer dealing with the case. The proportions amongst those for whom data on perceived ethnicity was provided may not reflect the demographics of the population of those sentenced. Further detail on age and perceived ethnicity of offenders sentenced for going equipped for theft are shown in **Figure 4.5**.

**Figure 4.5: Age demographics and perceived ethnicity of adults sentenced for going equipped for theft in 2012**



## **Section 5: General Theft**

The draft guideline for general theft includes the offences of:

- Theft Act 1968 Section 1(1): Theft by employee (& attempt & conspire)
- Theft Act 1968 Section 1(1): Theft in a dwelling other than from automatic machine/meter (& attempt)
- Theft Act 1968 Section 1(1): Theft of pedal cycle (& attempt)
- Theft Act 1968 Section 1(1): Theft from the person of another (& attempt)
- Theft Act 1968 Section 1(1): Theft from motor vehicle (& attempt/conspire)
- Theft Act 1968 Section 1(1): Theft of motor vehicle (& attempt/conspire)

Statutory maximum for all general theft offences: 7 years' custody

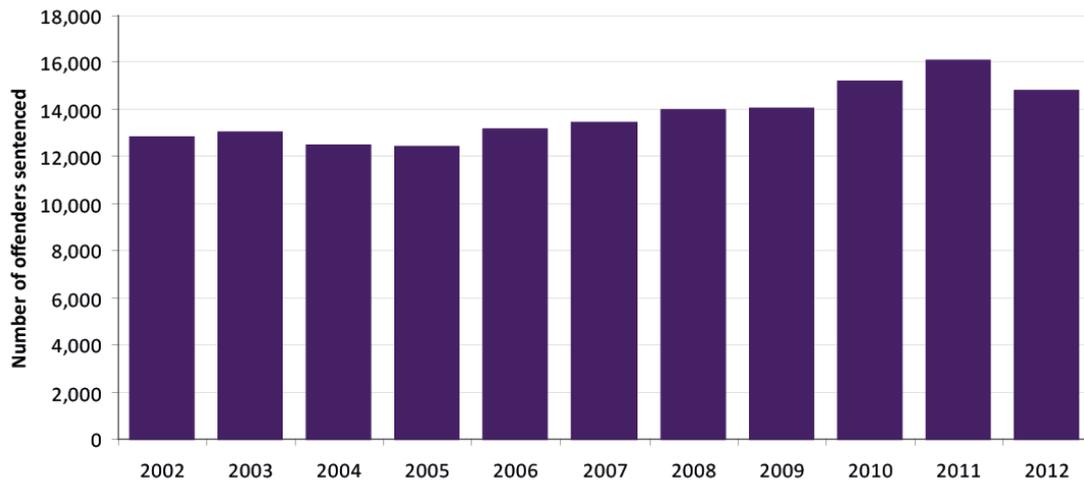
### **Sentences received by adults sentenced for general theft**

Approximately 14,800 adult offenders were sentenced for offences included in the general theft guideline in 2012. Of these, 78 per cent were sentenced at the magistrates' court.

**Figure 5.1** shows how the number of adult offenders sentenced for these offences has changed since 2002.

Until 2005, the number of offenders sentenced for general theft offences was fairly stable, averaging 12,700 offenders per annum. The volume of offenders sentenced has slowly increased since 2005 to its peak in 2011, from 12,400 to 16,100 offenders sentenced, a 30 per cent increase. There was nearly an 8 per cent decline in the volume of offenders sentenced from 16,100 in 2011 to 14,800 in 2012. It is too early to identify if this decline in offenders sentenced is due to a new trend.

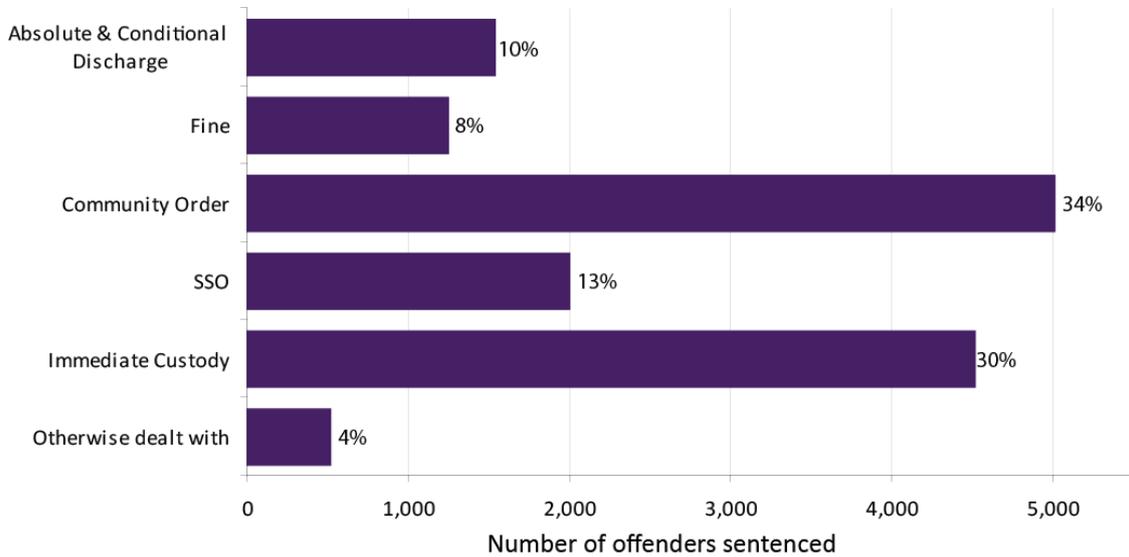
**Figure 5.1: Number of offenders sentenced for General Theft, 2002 – 2012**



Community order has remained the most common disposal use for these offences since 2002, however its use has declined from its peak in 2004, where 42 per cent of offenders sentenced received a community order, to 34 per cent in 2012. There has been some minor fluctuation in the use of other disposals since 2005, with the most notable being the use of immediate custody, increasing from 28 per cent to 30 per cent. Further information is available in the accompanying tables available online.

Community order was the most commonly used disposal in 2012, given to a third of all offenders sentenced (n=5,000), as shown in **Figure 5.2**. The second most frequent disposal, immediate custody, was used when sentencing a further 4,500 offenders (30 per cent).

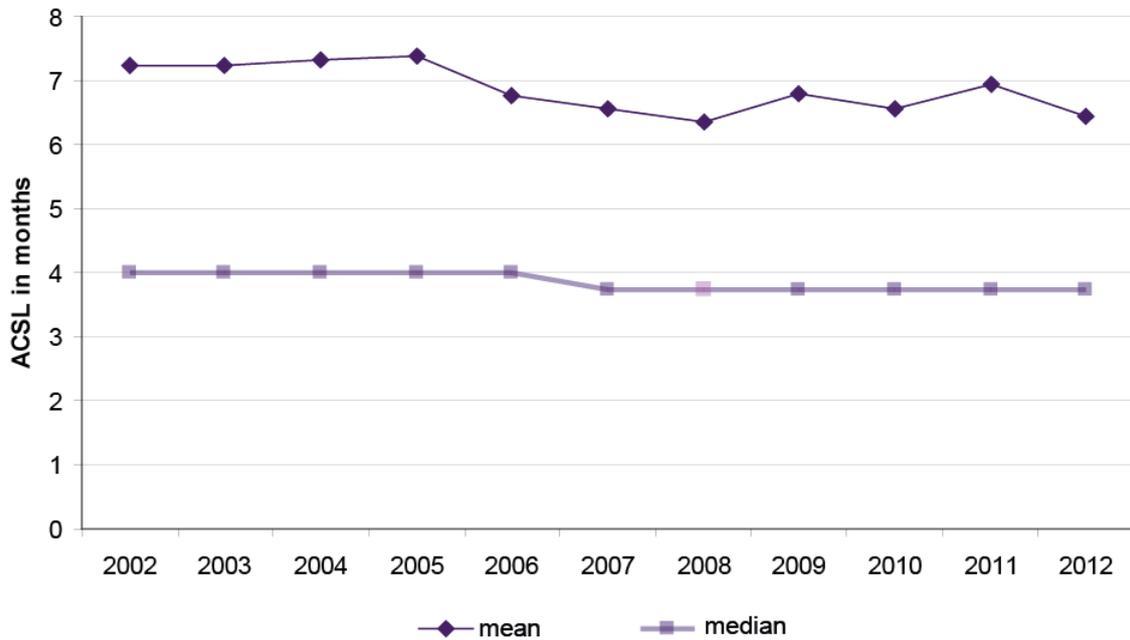
**Figure 5.2: Disposals received by adult offenders sentenced for general theft in 2012**



**Figure 5.3** presents the average custodial sentence lengths imposed on offenders sentenced to custody for general theft. The sentence length listed is the length imposed after taking into account any reduction for a guilty plea, where relevant.

There has been some minor fluctuation in the average custodial sentence length (ACSL) received by offenders over the last decade. The highest ACSL over the past decade was 7 months 2 weeks (mean), in 2004, and the lowest was 6 months 2 weeks (mean) in 2012. Though there has been some fluctuation in the mean, the median has remained consistent since 2007 at 3 months 3 weeks.

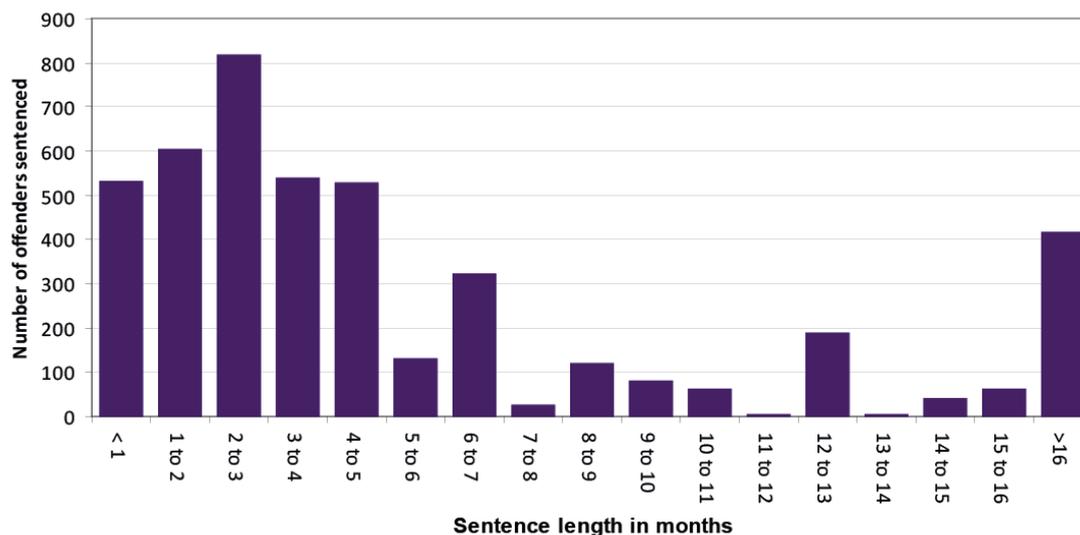
**Figure 5.3: Average custodial sentence length (ACSL) received by adult offenders sentenced to immediate custody for general theft, 2002 to 2012**



**Figure 5.4** presents the full range of sentences lengths received by offenders sentenced to immediate custody in 2012. The sentence length presented is after the consideration of a guilty plea.

Just over two thirds of offenders (3,000 offenders) received a sentence of shorter than 5 months and nearly 10 per cent (420 offenders) received a sentence longer than 16 months.

**Figure 5.4: Sentence lengths received by offenders sentenced to immediate custody for general theft in 2012**



In 2012, for the offence of general theft 32 per cent of offenders that were sentenced had 4 or more previous convictions identified by the sentencer at the time of sentencing to be relevant and recent to the offence. Further information is given in table 5.1 below.

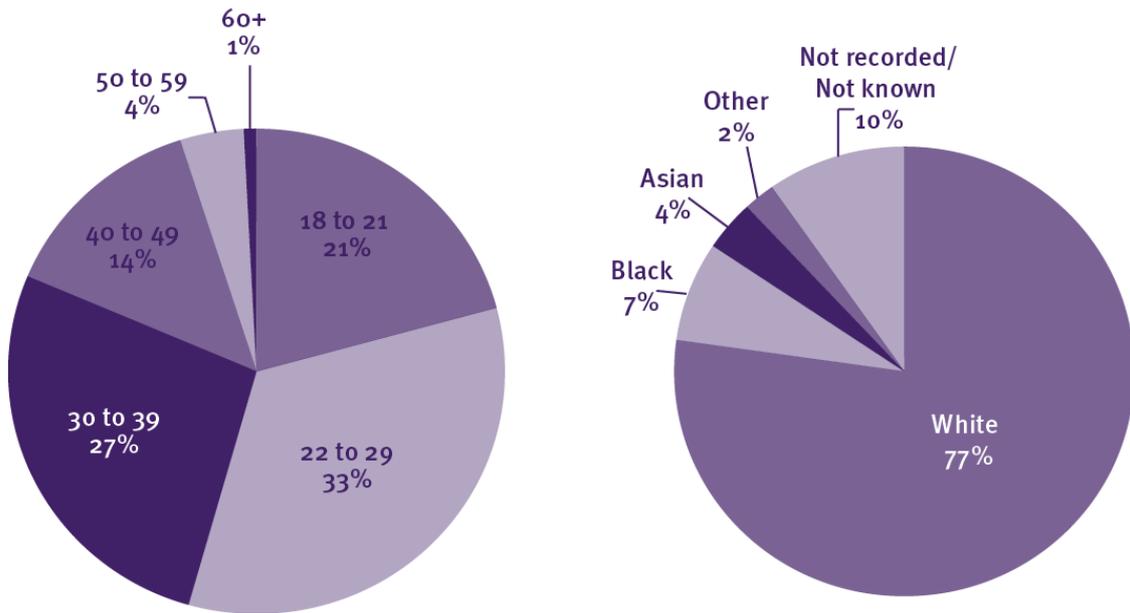
**Table 5.1 Proportion of adults offenders sentenced by number of relevant & recent previous convictions**

No previous convictions	48%
1 to 3	20%
4 to 9	16%
10 or more	16%
<b>Total</b>	<b>100%</b>

### Demographics of offenders sentenced for general theft

In 2012, 85 per cent of offenders sentenced for general theft were male. Seventy seven per cent of offenders sentenced were perceived to be of White origin by the police officer dealing with the case. The proportions amongst those for whom data on perceived ethnicity was provided may not reflect the demographics of the full population of those sentenced. A third of offenders sentenced were between the ages of 22 to 29 and a further 27 per cent of offenders were between ages 30 to 39. Further detail on age and perceived ethnicity of offenders sentenced for general theft are shown in **Figure 5.5**.

**Figure 5.5: Age demographics and perceived ethnicity of adults sentenced for general theft in 2012**



## Section 6: Making off without payment

The draft guideline for making off without payment covers the offence of:

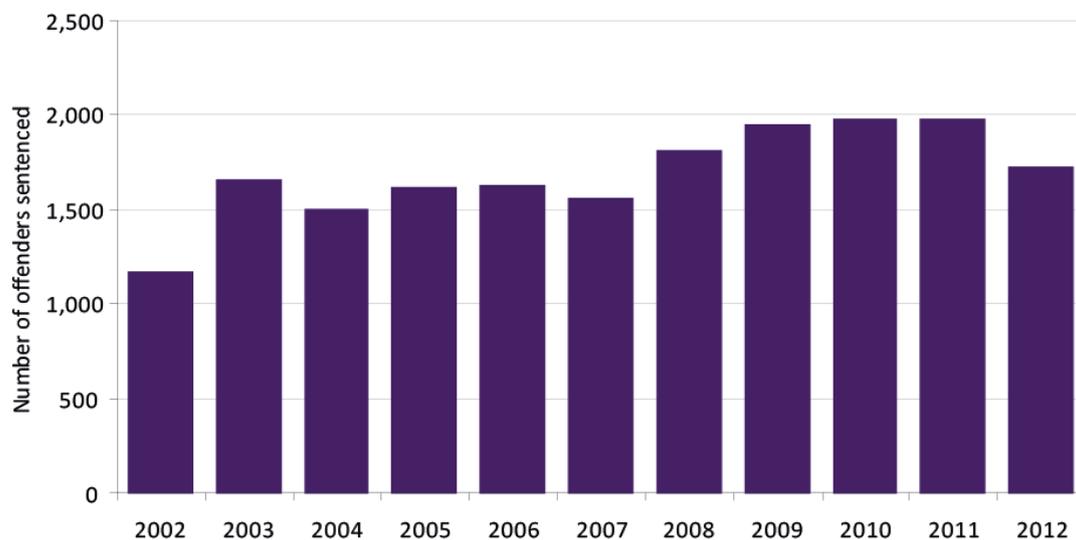
- Theft Act 1978 Section 3(1): Make off without making payment (and attempt)

Statutory maximum: 2 years' custody

### Sentences received by adults sentenced for making off without payment

In 2012 approximately 1,700 adults were sentenced for making off without payment, of which 95 per cent were sentenced at the magistrates' court. The number of adults sentenced in 2012 decreased by 13 per cent on the previous year, however this is still up from the volumes sentenced in the first half of the last decade. **Figure 6.1** shows how the number of adults sentenced for making off without payment has changed over the last decade.

**Figure 6.1: Number of adult offenders sentenced for making off without payment, 2002 – 2012**

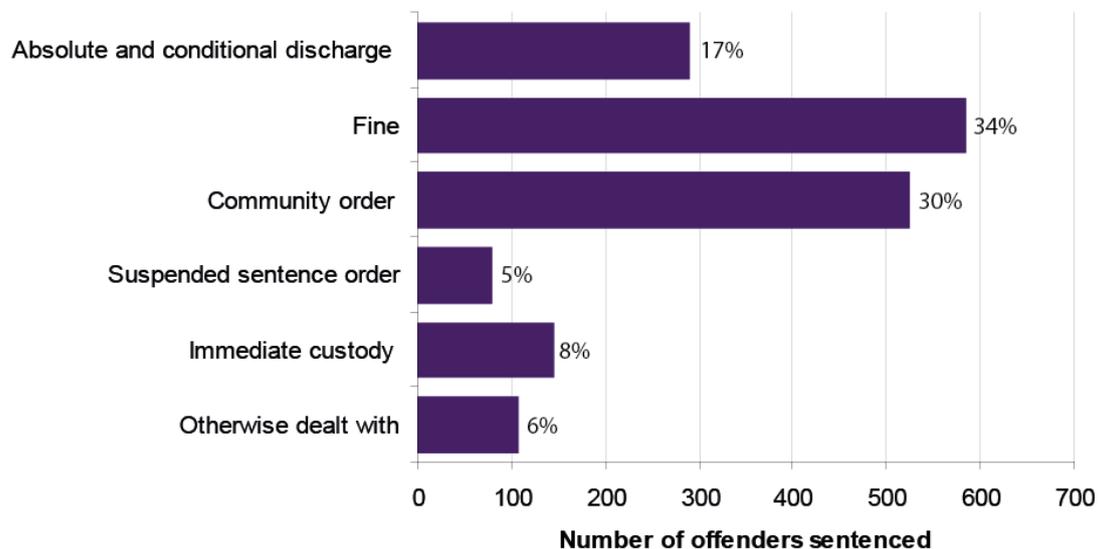


Between 2002 and 2007 the proportionate use of disposals experienced some minor fluctuation. Since 2007, the use of community order has increased from 22

per cent to 30 per cent, while the use of absolute and conditional discharge has fallen from 27 per cent to 17 per cent. The proportionate use of the other disposals has remained relatively consistent since 2007. Further information on the relative use of disposals over the last decade is available online.

The disposals received by adults sentenced for making off without payment in 2012 are shown in **figure 6.2**. The most frequent disposal used was a fine, followed by community order, with just over a third of offenders receiving a fine and 30 per cent of offenders receiving a community order.

**Figure 6.2: Disposals received by adult offenders sentenced for making off without payment, in 2012**



Where the outcome was a fine, the average fine amount given in 2012 was £118 (mean, median=£100). The mean fine amount has increased from 2002 to 2009, however it has been roughly the same from 2009 to 2012. The median fine increased from 2003 to 2007, but has remained constant at £100 since 2007. Figure 6.3 shows how fine amounts have changed over the last decade. No attempt has been made to adjust the fine amounts for inflation.

**Figure 6.3: Average fine amount received by offenders sentenced to a fine for making off without payment, 2002 to 2012**

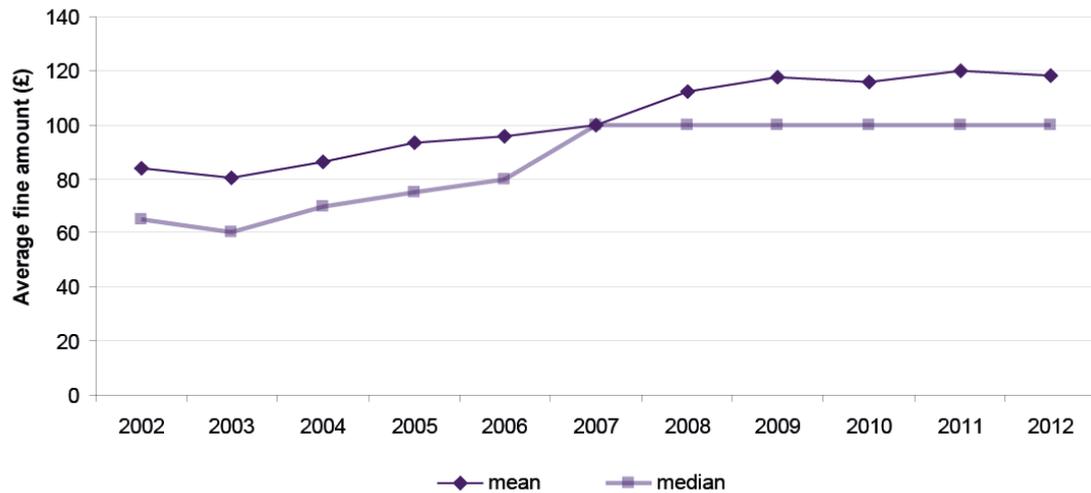
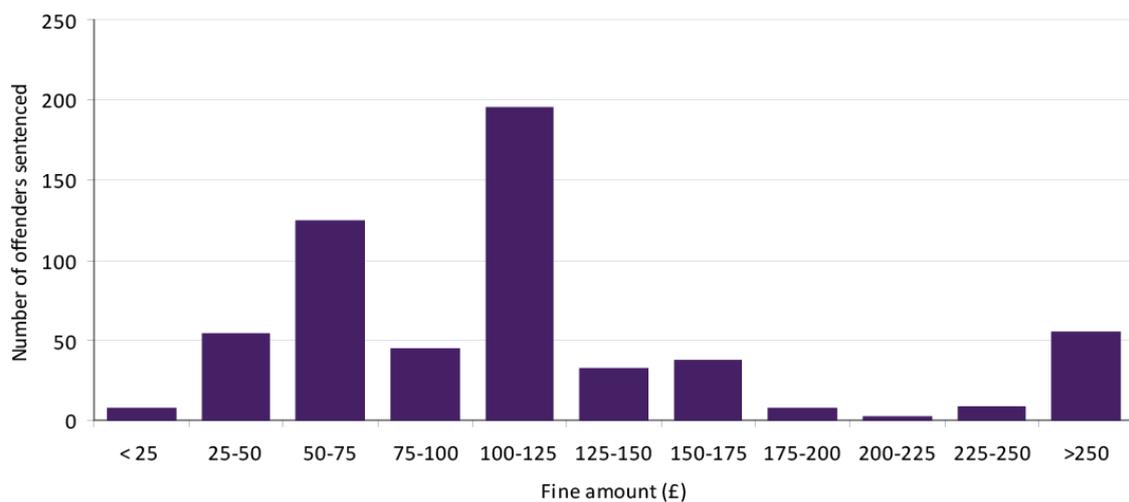


Figure 6.4 shows the full range of fine amounts received by adult offenders' sentenced to a fine in 2012. Three quarters of offenders received a fine of £125 or less and ten per cent of offenders received a fine of more than £250. The highest fine given to an offender sentenced in 2012 was £665.

**Figure 6.4: Fine amount received by adult offenders sentenced to a fine for making off without payment in 2012**



In 2012, for the offence of making off without payment 33 per cent of offenders that were sentenced had 4 or more previous convictions identified by the sentencer at

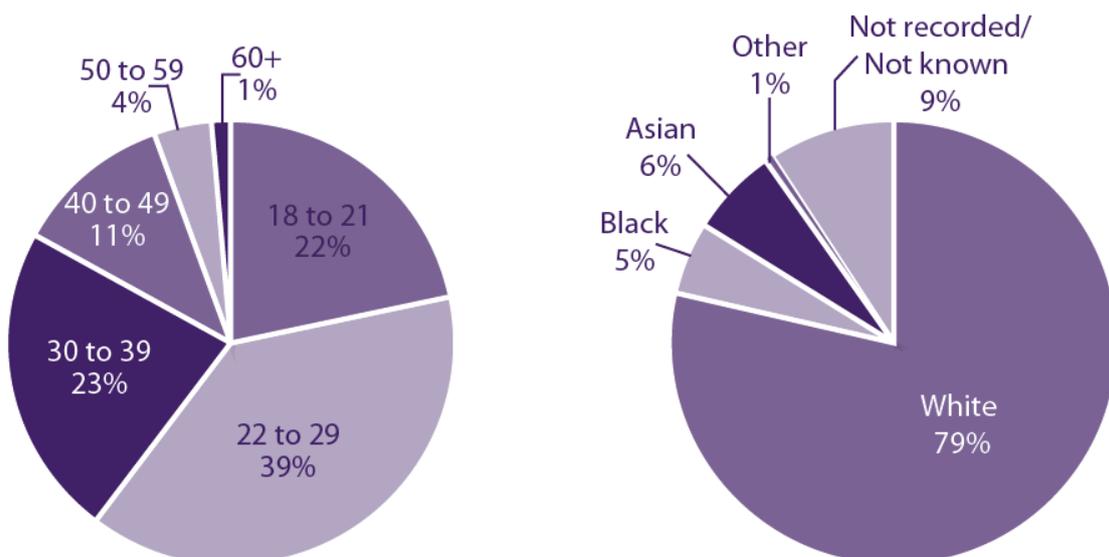
the time of sentencing to be relevant and recent to the offence. Further information is given in table 6.1 below.

Table 6.1 Proportion of adults offenders sentenced by number of relevant & recent previous convictions	
No previous convictions	33%
1 to 3	33%
4 to 9	20%
10 or more	13%
<b>Total</b>	<b>100%</b>

### Demographics of offenders sentenced for making off without payment

In 2012, 83 per cent of adult offenders sentenced for making off without payment were male. Thirty-nine per cent of offenders were in the age bracket 22 to 29, and over a fifth were in each of the age brackets between 18 to 21 and 30 to 39. Seventy-nine per cent of adults sentenced were perceived to be of White origin by the police officer dealing with their case. Further detail on the age and perceived ethnicity of adults sentenced for making off without payment can be seen in figure 6.5.

**Figure 6.5: Age demographics and perceived ethnicity of adults sentenced for making off without payment in 2012**



## Section 7: Abstracting Electricity

The draft guideline for abstracting electricity covers the offence of:

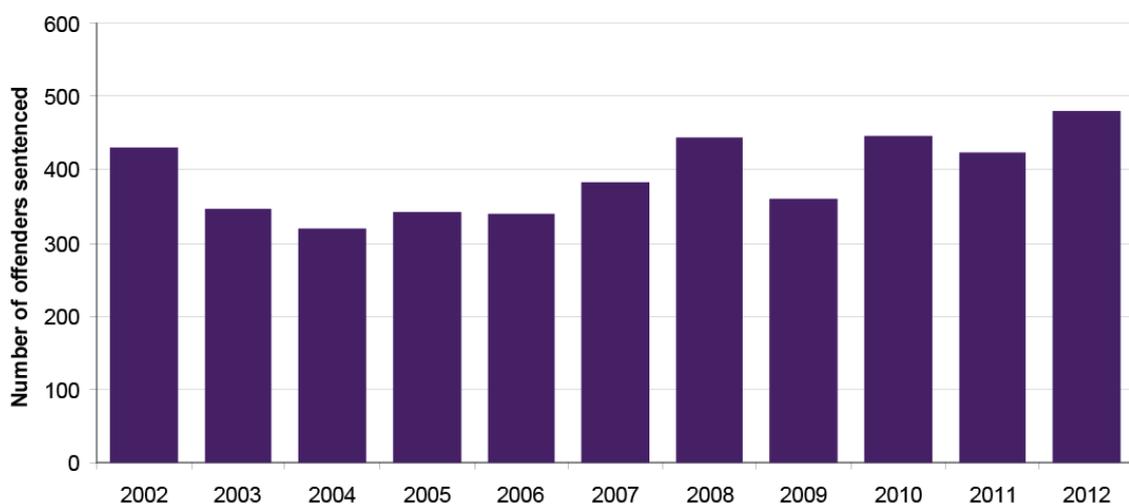
- Theft Act 1968 Section 13: Abstracting electricity

Statutory maximum: 5 years' custody

### Sentences received by adults sentenced for abstracting electricity

In 2012 approximately 480 adult offenders were sentenced for abstracting electricity. The majority (72 per cent) of offenders were sentenced at the magistrates' court. **Figure 7.1** shows how the volume of this offence has changed since 2002. There has been no clear trend over the last decade, although, the volume of offenders sentenced was at its highest level in 2012.

**Figure 7.1: Number of offenders sentenced for Abstracting Electricity, 2002 – 2012**

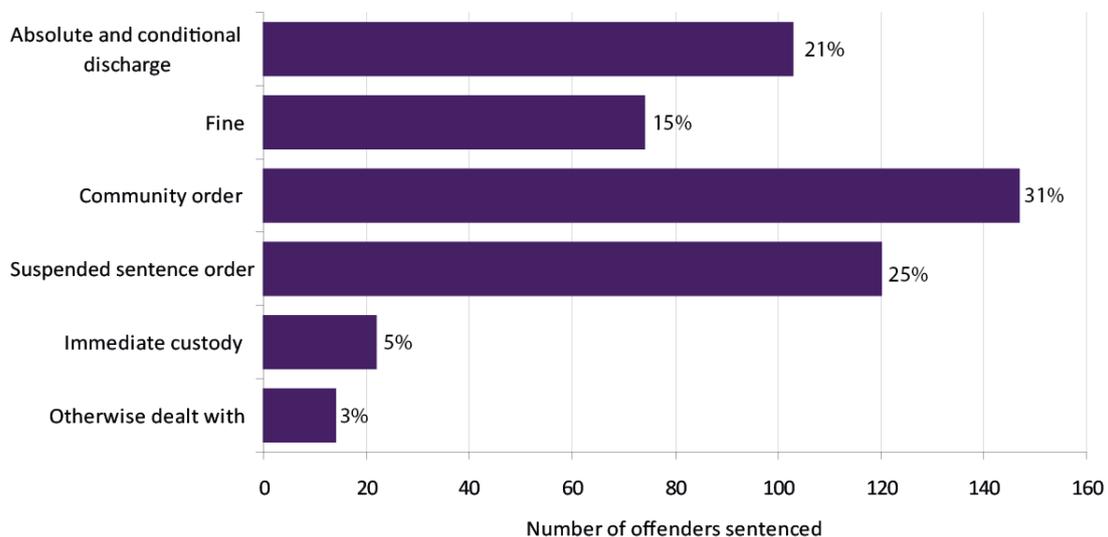


There has been a significant amount of fluctuation in the proportionate use of disposals over the last decade, largely due to the small volume of offenders sentenced. Since 2006, the relative use of absolute and conditional discharge when sentencing offenders has declined from 44 per cent to 21 per cent, with the lowest level in 2011 at 18 per cent. The use of fine has also declined during this time, from 25 per cent in 2006 to 15 per cent in 2012. Between 2006 and 2009 there was an increase in the use of community order, from 21 per cent to 40 per cent,

however this has fallen relatively steadily since 2009, to 31 per cent in 2012. Since 2009, there has been an increase in the use of suspended sentence order from 5 per cent to 25 per cent by 2012. Further information on the proportionate use of disposals over the last decade is available online.

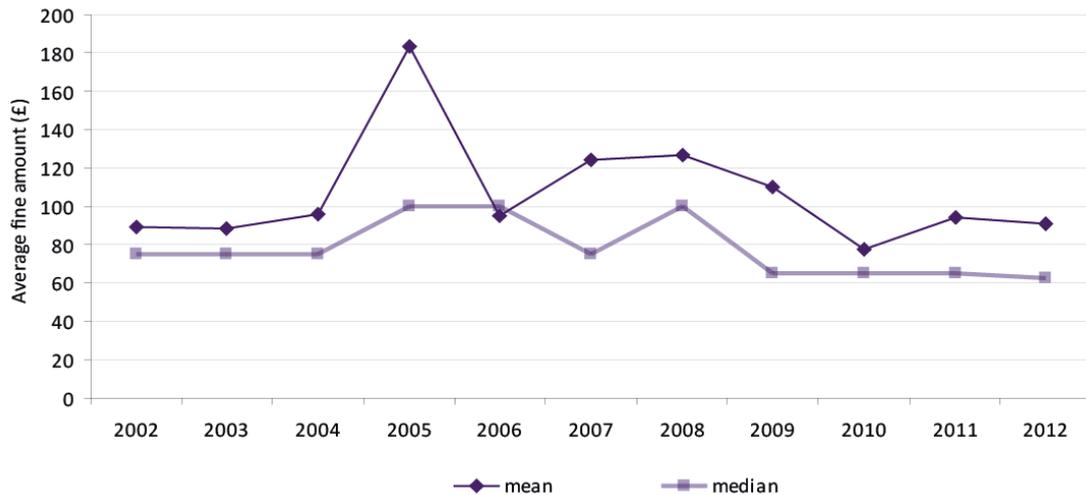
The disposals received by adults sentenced for abstracting electricity in 2012 are shown in **Figure 7.2**. Community order was the most frequently used disposal, with nearly a third of offenders receiving one, followed by suspended sentence order, given to a quarter of all offenders sentenced in 2012.

**Figure 7.2: Disposals received by adult offenders sentenced for abstracting electricity in 2012**



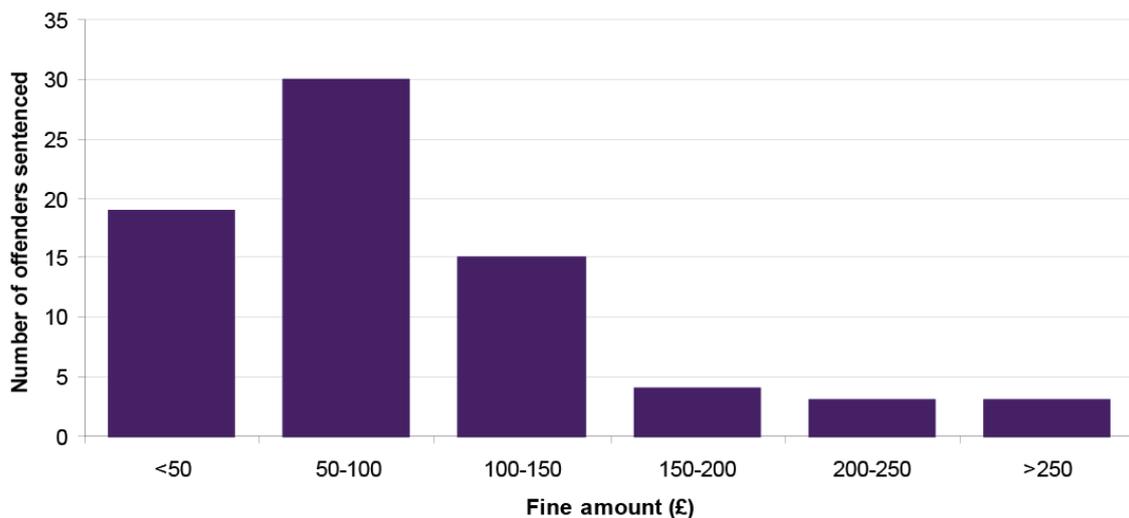
Where the outcome was a fine in 2012 (15 per cent of cases), the average fine received was £91 (mean, median=£63). **Figure 7.3** presents the average fine received by adult offenders sentenced for abstracting electricity over the last decade. The largest mean fine received was in 2005 at £184, however due to the low volume of offenders sentenced to a fine each year; this figure is likely to be skewed by a low volume of offenders receiving a large fine. The median fine has remained in the range of £62-£65 since 2009, and suggests that one or two very large fines are the cause of the volatility in the mean fine.

**Figure 7.3: Average fine amount received by adult offenders sentenced for abstracting electricity, 2002 to 2012**



The full range of fines received by adult offenders sentenced to a fine in 2012 can be seen in **Figure 7.4**. Two thirds of offenders received a fine of £100 or less, and 14 per cent of offenders received a fine of greater than £150. The largest fine received in 2012 was £1,000, however this was only given to one offender; the next largest fine was £265.

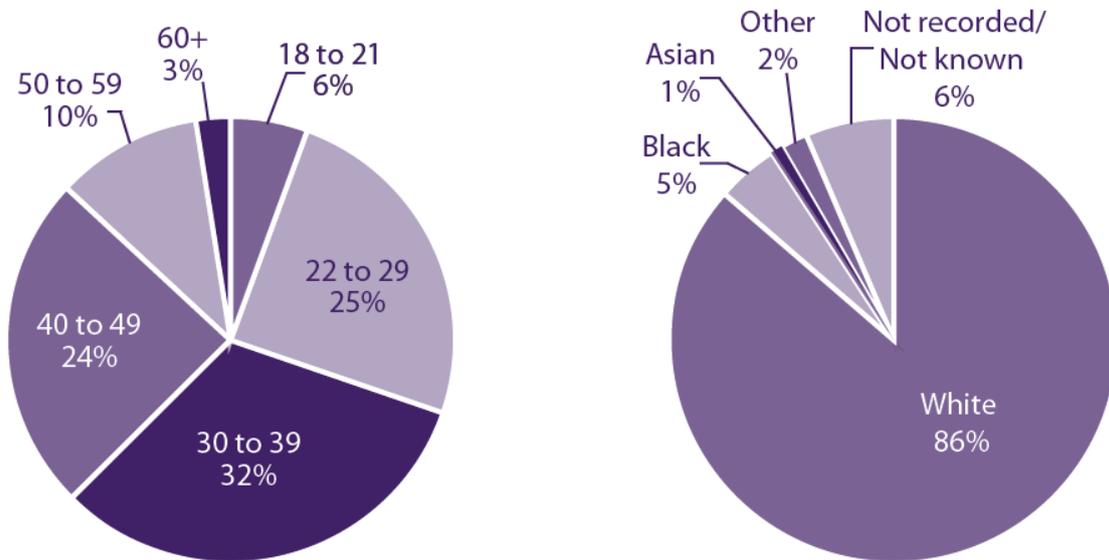
**Figure 7.4: Fine amount received by adult offenders sentenced to a fine for abstracting electricity in 2012**



### Demographics of adult offenders sentenced for abstracting electricity

In 2012, the majority of adults sentenced for abstracting electricity were male (79 per cent). About a third of offenders were between the ages of 30 to 39, and a further quarter of offenders were in each age bracket of 22 to 29 and 40 to 49. The majority, 86 per cent, of offenders sentenced were perceived to be of White origin by the police officer dealing with the case. Further detail on the age and perceived ethnicity of adults sentenced for abstracting electricity can be seen in **Figure 7.5**.

**Figure 7.5: Age demographics and perceived ethnicity of adults sentenced for abstracting electricity in 2012.**



## **Further information**

### **Notes on the data**

#### ***Volumes of sentences***

The data presented in this bulletin only include cases where the theft offence was the principal offence committed. Where an offender commits multiple offences on a single occasion, the offence which received the most severe sentence is taken to be the principal offence. 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. This way of presenting the data is consistent with the Ministry of Justice publication, *Criminal Justice Statistics*.

#### ***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. This contrasts with the sentencing ranges presented at step 2 of the draft guideline, which are the recommended sentence lengths before taking into account certain factors, such as whether a reduction is appropriate for a guilty plea. Therefore, the sentence outcomes shown in the data are not directly comparable to the ranges provided in the new guideline.

#### ***Fine amount***

Where historic fine amounts are described, nominal amounts are shown. No attempt has been made to adjust for the price level (inflation). Additionally, the fine amounts listed are the amounts imposed after any reduction for guilty plea, where relevant.

#### ***Offender Gender and Ethnicity***

Where the ethnicity of sentenced adults is described, the ethnicity as perceived by the police officer dealing with the case is used. Perceived ethnicity is the most comprehensive data source available on ethnicity; therefore it is used in preference to any other source of ethnicity data. However, for some offences, there are a high proportion of cases where the perceived ethnicity was not known or not recorded. Therefore the ethnicity data should be read with some caution. The

proportions reflected amongst those for whom data was provided may not reflect the demographics of the full population sentenced.

### *General Conventions*

The following conventions have been applied to the data:

- Actual number of sentences have been rounded to the nearest 100, when more than 1000 offenders were sentenced, and to the nearest 10 when less than 1000 offenders were sentenced
- Percentages derived from the data have been provided in the narrative and displayed on charts to the nearest whole percentage, except when the nearest whole percentage is zero. In some instances, this may mean that percentages shown, for example in pie charts, do not add up to 100 per cent.
- Where the nearest whole per cent is zero, the convention '0.5' has been used.
- Where totals have been provided, these have been calculated using unrounded data and then rounded.

### *Data Sources and Quality*

The primary source of data for this bulletin is the Court Proceedings Database. This is supplied to the Sentencing Council by the Ministry of Justice who obtain it from a variety of administrative data systems compiled by courts and police forces.

Every effort is made by the Ministry of Justice and the Sentencing Council to ensure that the figures presented in this publication are accurate and complete. Although care is taken in collating and analysing the returns used to compile these figures, the data are of necessity subject to the inaccuracies inherent in any large-scale recording system. Consequently, although numbers in the accompanying tables available online and charts 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. The figures in the text have been rounded to the nearest 100, or 10, as described in the section on *general conventions*.

Further details of the processes by which the Ministry of Justice validate the records in the Court Proceedings Database 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>

The Sentencing Council's Crown Court Sentencing Survey has been used to for the information given on previous convictions. This information is collected directly from the sentencer at the time of sentencing and identified by them as being relevant and recent to the offence. Sentencers are asked to identify relevant and recent previous convictions in the ranges: none; 1 to 3; 4 to 9; and 10 or more.

[http://sentencingcouncil.judiciary.gov.uk/docs/CCSS\\_Annual\\_2012.pdf](http://sentencingcouncil.judiciary.gov.uk/docs/CCSS_Annual_2012.pdf)

## **Background Information**

The Ministry of Justice publishes a quarterly statistical publication, Criminal Justice Statistics, which includes a section focusing on sentencing data at national level. This section breaks down the data by offence group and by demographic factors such as age, gender and ethnicity. The full publication can be accessed via the Ministry of Justice website at:

<https://www.gov.uk/government/collections/criminal-justice-statistics-quarterly>

Detailed sentencing data from the Ministry of Justice's Court Proceedings Database can be accessed via the Open Justice website at:

<http://open.justice.gov.uk/sentencing/>

This website allows the data to be viewed by offence category, local police force area and sentencing court. The offence categories used on this website are consistent with those used by the Ministry of Justice in their Criminal Justice Statistics publication, which is at a higher aggregate level than that used in this bulletin.

Further information on general sentencing practice in England in Wales can be found on the Council's website at:

<http://sentencingcouncil.judiciary.gov.uk/index.htm>

Alternatively, you may wish to visit the sentencing area on the Direct.gov website, which can be accessed at:

<http://sentencing.cjsonline.gov.uk/>

## **Uses Made of the Data**

Data provided in the Council's range of analysis and research bulletins are used to inform public debate of the Council's work. In particular, this bulletin aims to provide the public with the key data that the Council has used to help formulate the draft guideline on fraud offences.

## **Contact Points for Further Information**

We would be very pleased to hear your views on our analysis and research bulletins. If you have any feedback or comments, please send them to:

[research@sentencingcouncil.gsi.gov.uk](mailto:research@sentencingcouncil.gsi.gov.uk)

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Further information on the Sentencing Council and their work can be found at:

<http://sentencingcouncil.org.uk>