

Statistical Bulletin

Assault Offences

Introduction

This bulletin provides information on volumes and sentence outcomes for adult offenders¹ sentenced for offences covered by the Sentencing Council's draft revised guideline on assault offences. There are seven draft guidelines covering the following offences:

- Common assault/ racially/religiously aggravated common assault, Criminal Justice Act 1988 (section 39)/ Crime and Disorder Act 1998 (section 29);
- Assaults on emergency workers, Assaults on Emergency Workers (Offences) Act 2018 (section 1(2));
- Assault with intent to resist arrest, Offences against the Person Act 1861 (section 38);
- Assault occasioning actual bodily harm/ racially/religiously aggravated actual bodily harm, Offences against the Person Act 1861 (section 47)/ Crime and Disorder Act 1998 (section 29);
- Inflicting grievous bodily harm/unlawful wounding/ racially/religiously aggravated grievous bodily harm/unlawful wounding, Offences against the Person Act 1861 (section 20)/ Crime and Disorder Act 1998 (section 29);
- Causing grievous bodily harm/wounding with intent, Offences against the Person Act 1861 (section 18); and
- Attempted murder, Criminal Attempts Act 1981 (section 1(1)).

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

Additional figures are available to download as Excel spreadsheets or Open Document spreadsheets at the following link:

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

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¹ Offenders aged 18 or over at the time of conviction.

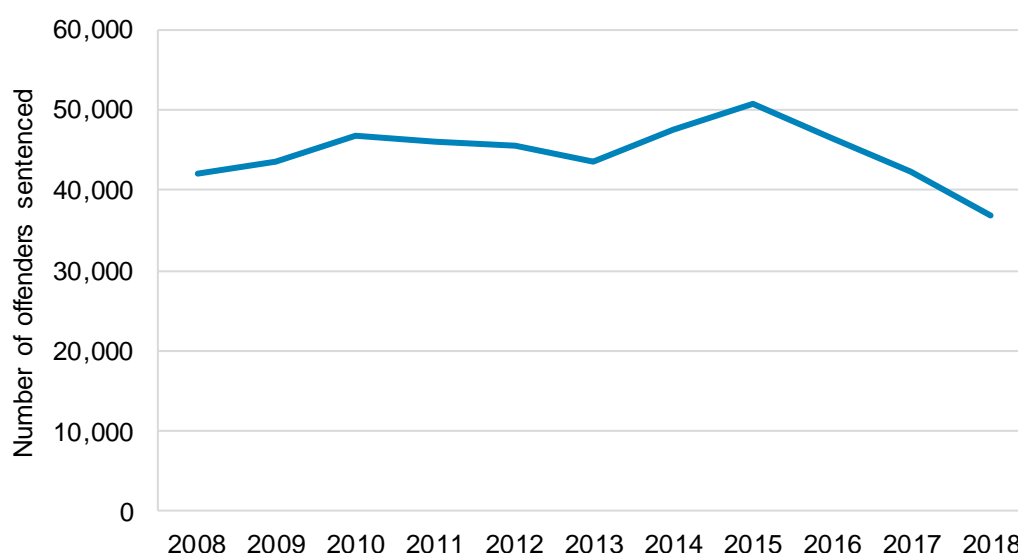
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Common assault

Sentence volumes

Common assault is the highest volume offence covered by the draft revised guideline. In recent years the number of offenders sentenced for common assault has been decreasing, from 50,800 in 2015 to 36,900 in 2018 (see figure 1).

Figure 1: Number of adult offenders sentenced for common assault, 2008-2018



Sentence outcomes and lengths

In 2018 the most frequently used sentence outcome for common assault was a community sentence, comprising 41 per cent of offenders sentenced. A further 17 per cent of offenders received a fine, 14 per cent received a discharge and 12 per cent were given a suspended sentence. Fourteen per cent of offenders were sentenced to immediate custody.

The statutory maximum sentence for common assault is six months' custody, and in 2018 the average custodial sentence length (ACSL)² was three months.

² The average custodial sentence lengths presented in this report are mean average custodial sentence length values for offenders sentenced to determinate custodial sentences, after any reduction for guilty plea.

Racially/religiously aggravated common assault

In 2018 around 800 offenders were sentenced for racially/religiously aggravated common assault. Thirty-seven per cent of offenders received a community sentence, 25 per cent were sentenced to immediate custody, 18 per cent received a suspended sentence and 13 per cent were given a fine.

The statutory maximum sentence for this offence is 2 years' custody, and in 2018 the ACSL was four months.

Assaults on emergency workers

Sentence volumes

Between 13 November 2018 and 31 December 2018, around 290 adult offenders were sentenced for assaults on emergency workers. During the first three quarters of 2019, a further 6,400 offenders were sentenced for this offence.^{3,4}

Sentence outcomes and lengths

During the first three quarters of 2019, 38 per cent of offenders sentenced received a community sentence, and 23 per cent received a fine. A further 17 per cent were sentenced to immediate custody, 10 per cent were given a suspended sentence, and 8 per cent received a discharge.

The statutory maximum sentence for assaults on emergency workers is 12 months' custody. In the first three quarters of 2019, the ACSL was around three months.

Assault with intent to resist arrest

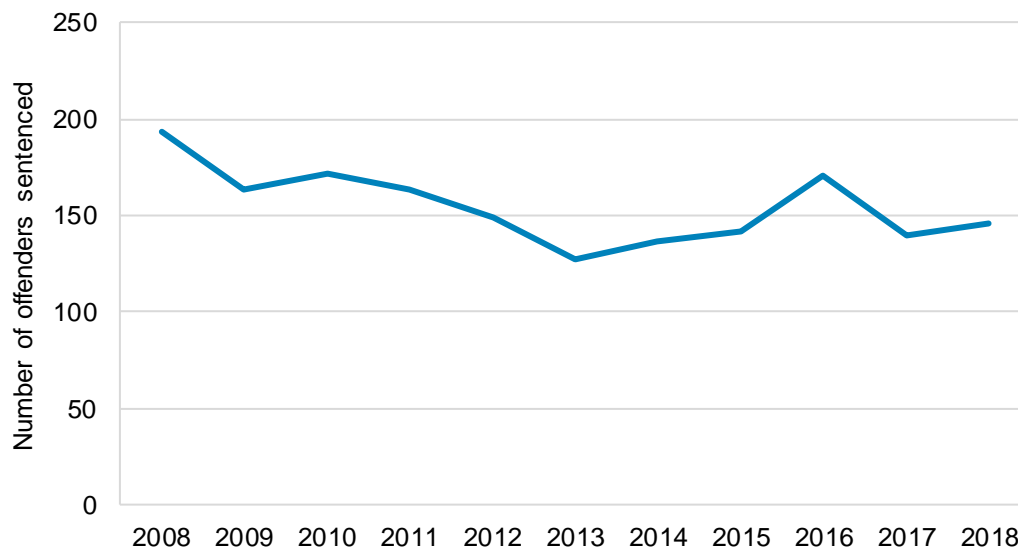
Sentence volumes

Between 2008 and 2018, the number of offenders sentenced each year for assault with intent to resist arrest fluctuated within the range of 130-190 (see figure 2). In 2018, 150 offenders were sentenced for this offence.

³ This offence came into force on 13 November 2018. As less than two months of data were available for this offence for 2018, statistics provided in this bulletin have been extended to include data up until the end of September 2019 (the latest data currently available).

⁴ The Ministry of Justice (MoJ) published ad hoc statistics on this offence alongside their latest 'Criminal Justice Statistics Quarterly' publication, available here: <https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-september-2019>. The figures in this bulletin differ from those published by the MoJ, as these figures relate to adult offenders only, whereas the MoJ figures also include children.

Figure 2: Number of adult offenders sentenced for assault with intent to resist arrest, 2008-2018



Sentence outcomes and lengths

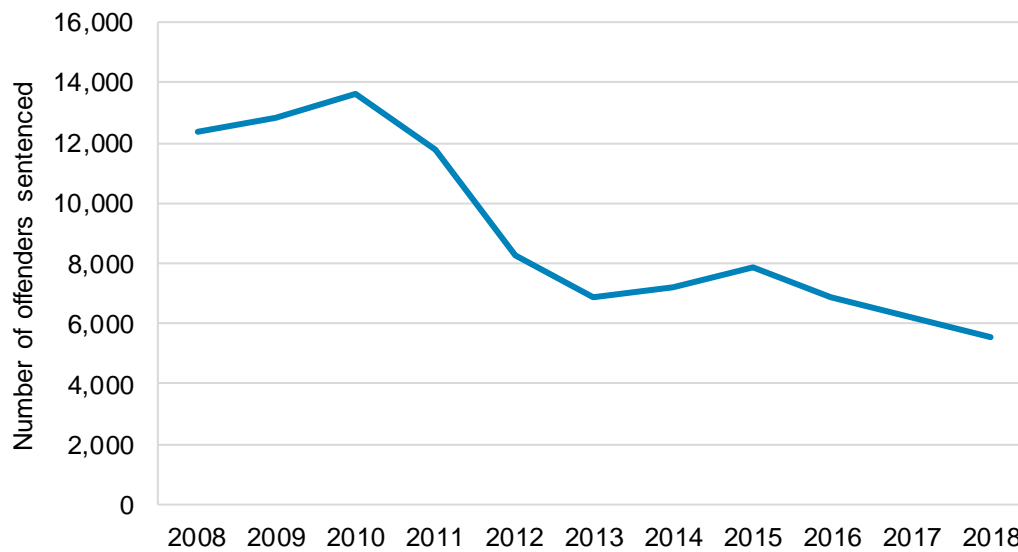
In 2018 just under a third of offenders received a community sentence (31 per cent), and 26 per cent were sentenced to immediate custody. A further 22 per cent received a fine, and 10 per cent were given a suspended sentence. The statutory maximum sentence for this offence is 2 years' custody. In 2018, the ACSL was four months.

Assault occasioning actual bodily harm

Sentence volumes

Between 2010 and 2013, the number of offenders sentenced for assault occasioning actual bodily harm steadily decreased, from 13,600 in 2010 to 6,900 in 2013 (see figure 3). Volumes then increased slightly, to 7,900 in 2015, before decreasing once more. In 2018 around 5,600 offenders were sentenced for this offence, and two thirds of offenders were sentenced in the Crown Court.

Figure 3: Number of adult offenders sentenced for assault occasioning actual bodily harm, 2008-2018



Sentence outcomes and lengths

In 2018, most offenders received a custodial sentence (44 per cent were sentenced to immediate custody, and a further 32 per cent received a suspended sentence). An additional 19 per cent of offenders received a community sentence.

The statutory maximum sentence for assault occasioning actual bodily harm is five years' custody, and in 2018 the ACSL was 1 year 2 months.

Racially/religiously aggravated assault occasioning actual bodily harm

This is a relatively low volume offence, with around 40 offenders sentenced in 2018. The majority of offenders received a custodial sentence; 42 per cent received a suspended sentence, and 35 per cent were sentenced to immediate custody. A further 19 per cent of offenders received a community sentence.

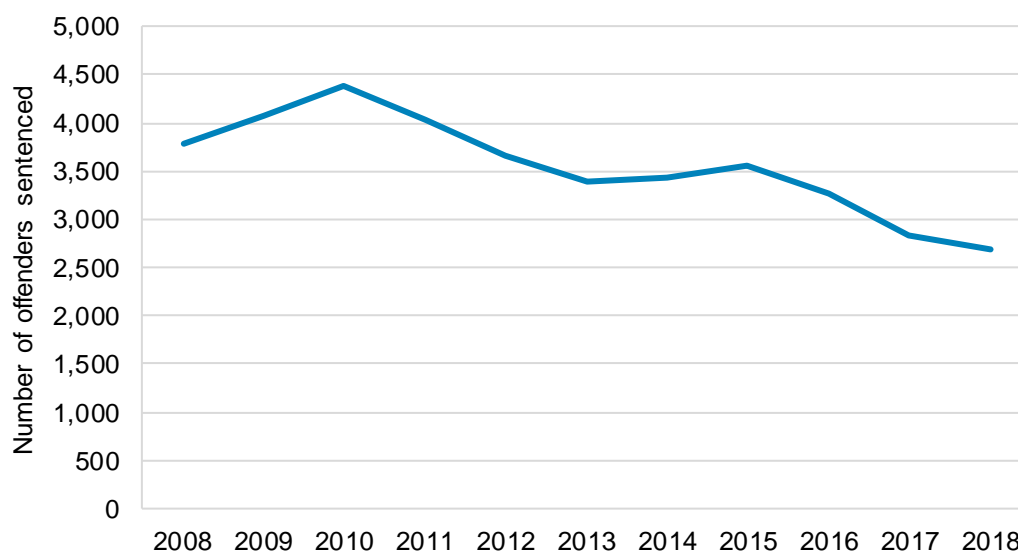
The statutory maximum sentence for this offence is 7 years' custody, and in 2018 the ACSL was 1 year 2 months.

Inflicting grievous bodily harm/unlawful wounding

Sentence volumes

Since 2015, the number of offenders sentenced for inflicting grievous bodily harm/unlawful wounding has been decreasing, from 3,600 in 2015 to 2,700 in 2018 (see figure 4). In 2018 the vast majority of offenders were sentenced in the Crown Court (97 per cent).

Figure 4: Number of adult offenders sentenced for inflicting grievous bodily harm/unlawful wounding, 2008-2018



Sentence outcomes and lengths

The majority of offenders sentenced in 2018 for inflicting grievous bodily harm/unlawful wounding received a custodial sentence (58 per cent were sentenced to immediate custody, and 34 per cent received a suspended sentence).

The statutory maximum sentence for inflicting grievous bodily harm/unlawful wounding is 5 years' custody, and in 2018 the ACSL was 1 year 11 months.

Racially/religiously aggravated grievous bodily harm/unlawful wounding

Racially/religiously aggravated grievous bodily harm/unlawful wounding is a low volume offence, with around 10 offenders sentenced in 2018.

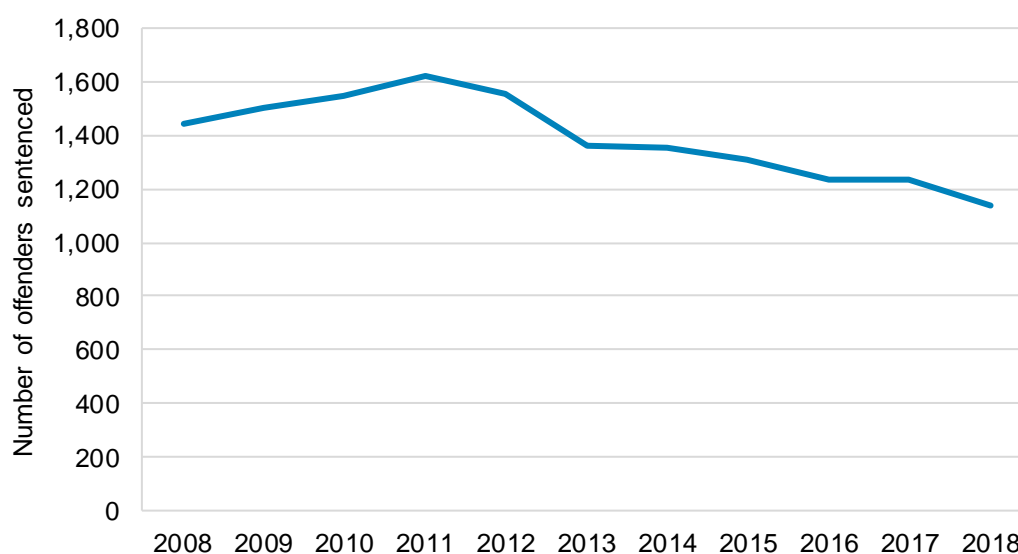
Almost all offenders in 2018 were sentenced to immediate custody (89 per cent), and the ACSL was 2 years 9 months. The statutory maximum sentence for these offences is 7 years' custody.

Causing grievous bodily harm/wounding with intent

Sentence volumes

Since 2011, the number of offenders sentenced for causing grievous bodily harm/wounding with intent has generally been decreasing, from 1,600 in 2011 to 1,100 in 2018 (see figure 5).

Figure 5: Number of adult offenders sentenced for causing grievous bodily harm/wounding with intent, 2008-2018



Sentence outcomes and lengths

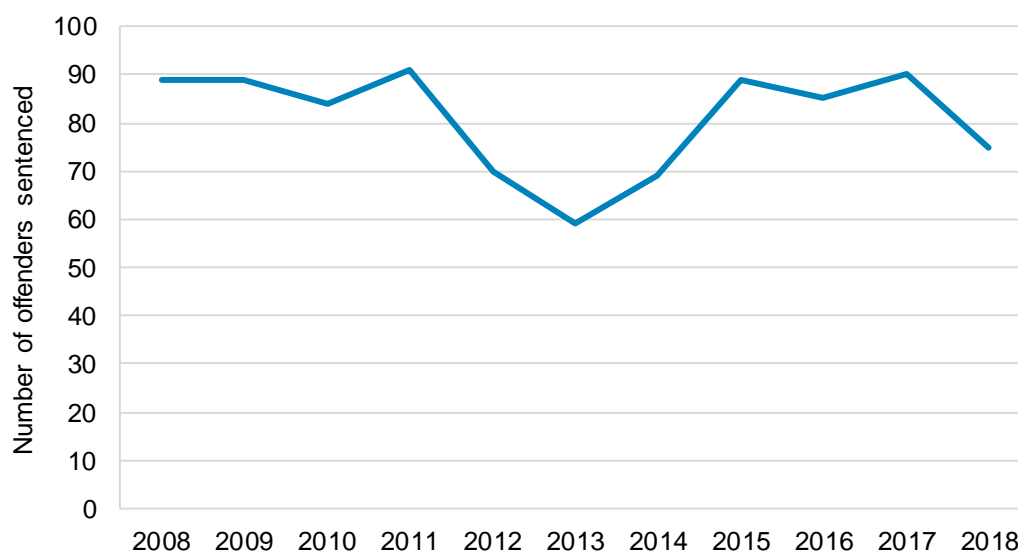
The majority of offenders sentenced in 2018 were sentenced to immediate custody (88 per cent)⁵ and the ACSL was 7 years 2 months. The statutory maximum sentence for this offence is life imprisonment and in 2018 one per cent of offenders were given life sentences.

Attempted murder

Sentence volumes

Over the last decade, the number of offenders sentenced for attempted murder has fluctuated within the range of 60-90 offenders sentenced each year (see figure 6). In 2018, around 80 offenders were sentenced for this offence.

⁵ Due to a data issue currently under investigation, there are a number of causing grievous bodily harm/wounding with intent cases of immediate custody which are incorrectly categorised in the CPD as 'Otherwise dealt with'. The figures shown here for sentences of immediate custody should therefore be treated with caution.

Figure 6: Number of adult offenders sentenced for attempted murder, 2008-2018

Sentence outcomes and lengths

In 2018, 93 per cent of offenders were sentenced to immediate custody, and 7 per cent were 'Otherwise dealt with'.⁶ The ACSL in 2018 was 16 years 6 months. The statutory maximum sentence for attempted murder is life imprisonment, and in 2018 36 per cent of offenders were given life sentences.

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 heaviest penalty is imposed. Where the same disposal is imposed for two or more offences, the offence selected is the offence for which the statutory maximum penalty is the most severe. 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. This is because the sentence length information available in the Court Proceedings Database is the final sentence imposed, after any reduction for guilty plea.

⁶ The category 'Otherwise dealt with' includes: hospital order, one day in police cells; disqualification order; restraining order; confiscation order; travel restriction order; disqualification from driving; recommendation for deportation; compensation; and other miscellaneous disposals.

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 fewer 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 the Ministry of Justice (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.

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:

<mailto:research@sentencingcouncil.gov.uk>

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

<http://www.sentencingcouncil.org.uk/>