

## STATISTICAL BULLETIN: SUMMARY OFFENCES IN THE MAGISTRATES' COURT SENTENCING GUIDELINES (MCSG)

### Introduction

This bulletin provides information on volumes and sentence outcomes for adult offenders<sup>1</sup> sentenced for certain offences<sup>2</sup> covered by the Sentencing Council's draft magistrates' court sentencing guidelines (MCSG).

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

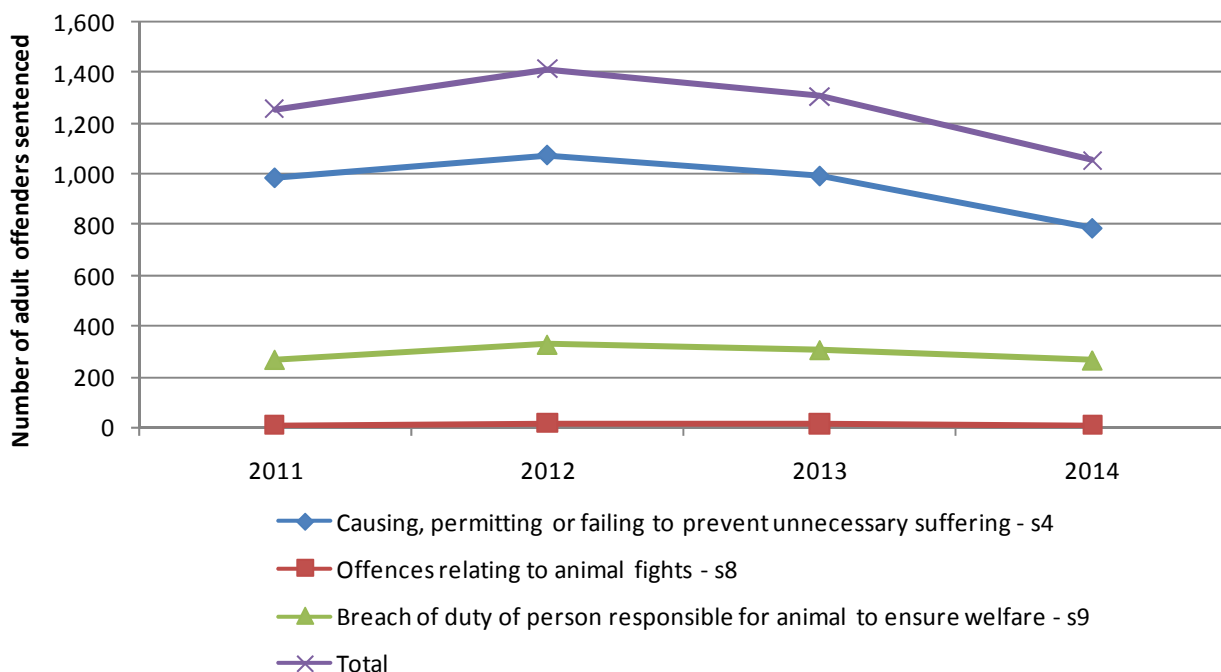
Additional figures are available to download as Excel spreadsheets at the following link:  
<http://www.sentencingcouncil.org.uk/publications/?type=publications&s&cat=statistical-bulletin>

### Sentence volumes

#### Animal cruelty offences

- Since 2012 the number of adult offenders sentenced for animal cruelty offences covered by the guideline has been gradually declining, from 1,400 in 2012 to 1,100 in 2014 (see Figure 1).

**Figure 1: Number of adult offenders sentenced for animal cruelty offences, 2011-2014**



<sup>1</sup> Includes offenders aged 18 or over at the time of conviction.

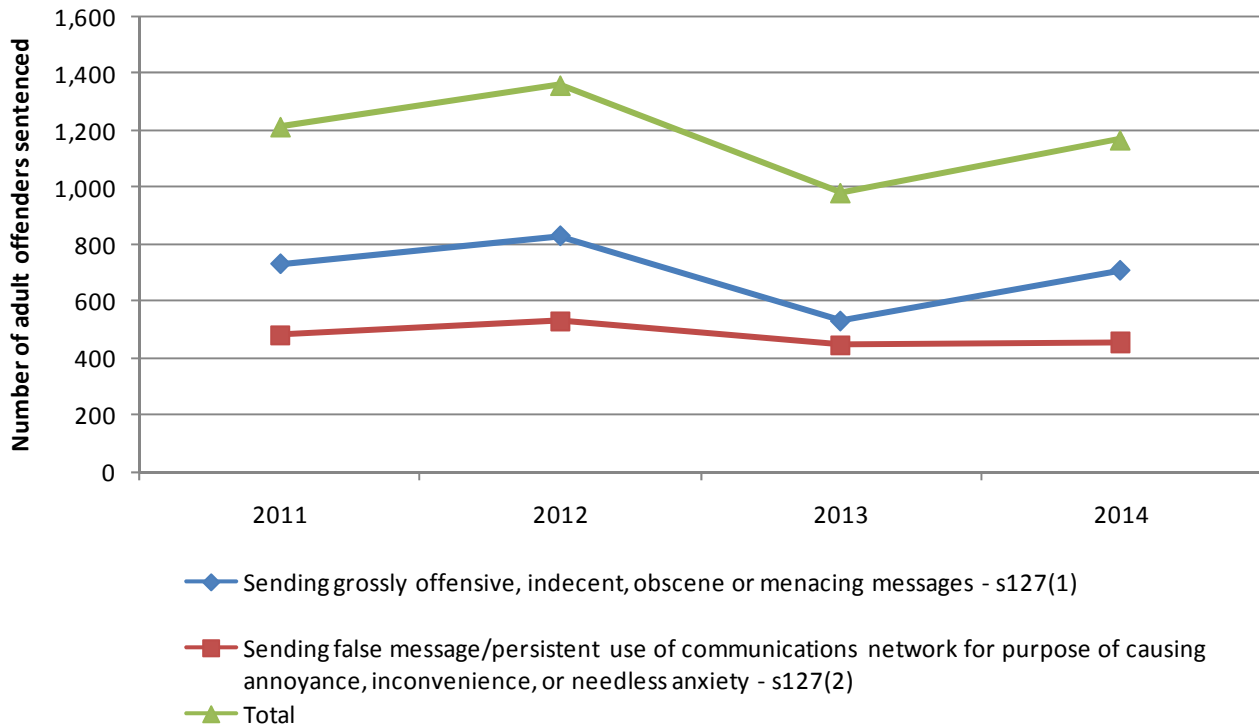
<sup>2</sup> The draft MCSG covers a number of summary offences (for details see <http://www.sentencingcouncil.org.uk/consultations/>). Seven of these offences include custody in the sentencing range, and data for these are provided in the accompanying Excel tables. This bulletin focuses on three of these offences, for which there is a change to the guideline starting point and/or ranges: Animal Welfare Act 2006, s.4 – Causing, permitting or failing to prevent unnecessary suffering; s.8 – Offences relating to animal fights; s.9 – Breach of duty of person responsible for animal to ensure welfare; Communications Act 2003, s.127(1) – Sending grossly offensive, indecent, obscene or menacing messages; and s.127(2) – Sending false message/persistent use of communications network for purpose of causing annoyance, inconvenience, or needless anxiety.

- The highest volume animal cruelty offence covered by the guideline is ‘causing, permitting or failing to prevent unnecessary suffering’, with 790 adult offenders sentenced in 2014. ‘Offences relating to animal fights’ are extremely low in volume, with less than 15 adult offenders sentenced for these offences each year.

### Communication network offences

- In 2014, approximately 1,200 adult offenders were sentenced for communication network offences covered by the draft guideline (see Figure 2), a slight increase compared to the previous year (980), and similar to the number of offenders sentenced in 2011.

**Figure 2: Number of adult offenders sentenced for communication network offences, 2011-2014**



### Sentence outcomes

#### Animal cruelty offences

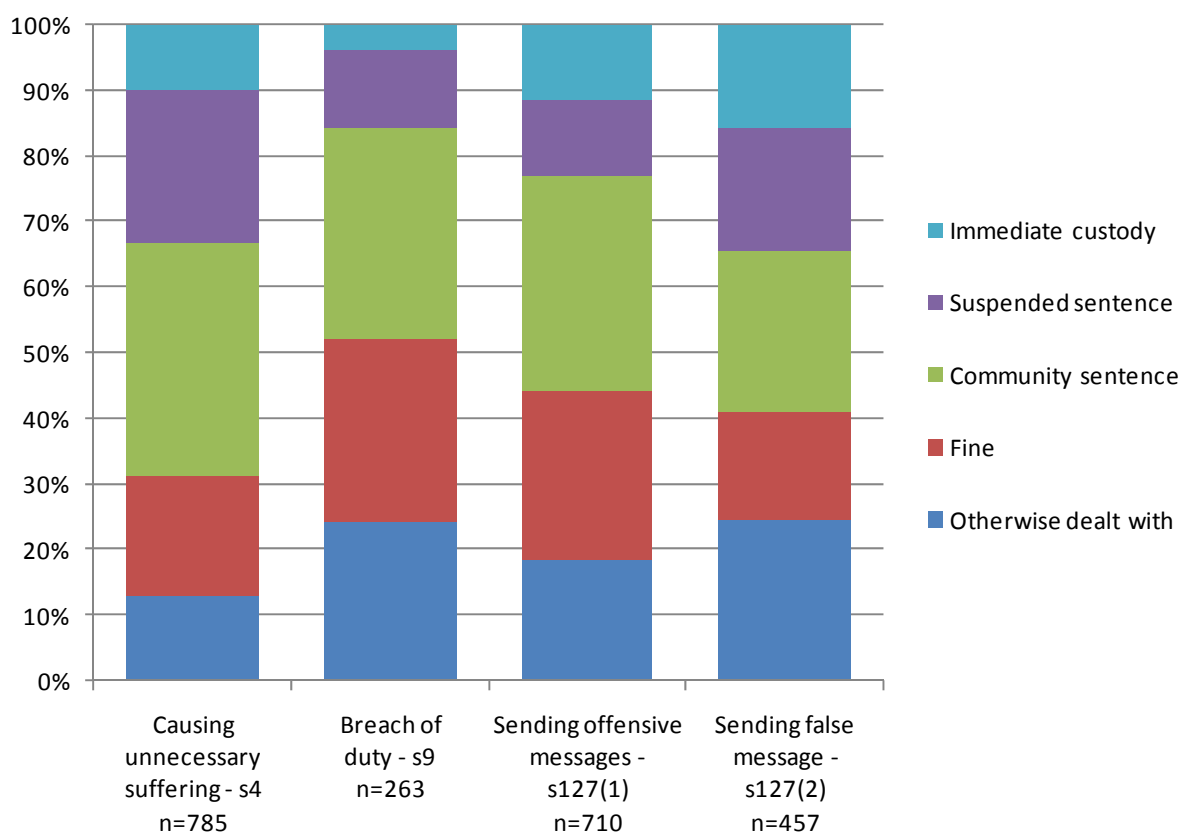
- The most common sentence outcomes for adults sentenced for ‘causing, permitting or failing to prevent unnecessary suffering’ are a community sentence and a suspended sentence (see Figure 3). Since 2011 the proportion of adults sentenced for these offences who received a suspended sentence has been trending upwards (from 13 per cent in 2011 to 23 per cent in 2014). Conversely, the proportion who received a community sentence has generally been decreasing (from 43 per cent in 2012 to 35 per cent in 2014). These trends are consistent with that seen across the whole criminal justice system.<sup>3</sup>
- The proportion of adult offenders sentenced to immediate custody for these offences has remained relatively stable over this period, within the range of eight to ten per cent.
- In 2014 the majority of adults sentenced for ‘breach of duty of person responsible for animal to ensure welfare’ received either a community sentence or a fine (32 per cent and 28 per cent, respectively).

<sup>3</sup> <https://www.gov.uk/government/collections/criminal-justice-statistics-quarterly>

## Communication network offences

- For both of the communication network offences covered by the guideline, the use of community sentences has been decreasing since 2011, and the use of suspended sentences has generally been increasing. As mentioned earlier, this is consistent with trends seen across the whole criminal justice system.<sup>3</sup> Nevertheless, in 2014 a community sentence was the most frequently used sentence outcome for both offences.
- Of those offenders sentenced in 2014 for ‘sending grossly offensive, indecent, obscene or menacing messages’ (s127(1)), a third received a community sentence, and just over a quarter received a fine (26 per cent). A further 11 per cent were sentenced to immediate custody (see Figure 3).
- A quarter of offenders sentenced in 2014 for ‘sending false message/persistent use of communication network for purpose of causing annoyance, inconvenience, or needless anxiety’ (s127(2)) received a community sentence. Nineteen per cent of offenders received a suspended sentence, and a further 16 per cent were sentenced to immediate custody.

**Figure 3: Sentence outcomes received by adult offenders sentenced,<sup>4</sup> 2014<sup>5</sup>**



<sup>4</sup> Sentence outcomes for ‘offences relating to animal fights’ have not been shown, due to the low number of offenders sentenced for these offences.

<sup>5</sup> The category ‘Otherwise dealt with’ includes discharges; compensation; and other miscellaneous disposals.

## 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.

The data in this bulletin include offences sentenced in both magistrates' courts and the Crown Court. The majority of animal cruelty and communication network offences are sentenced in magistrates' courts; 99 per cent and 98 per cent respectively, in 2014.

### 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 set out 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 draft guideline.

### 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.qsi.gov.uk](mailto:research@sentencingcouncil.qsi.gov.uk)

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