

Immigration offences

These data tables provide statistics on the outcomes and demographics of offenders sentenced for offences covered by the Sentencing Council draft guidelines for immigration offences.

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Data sources and quality

The Court Proceedings Database (CPD), maintained by the Ministry of Justice (MoJ), is the source of the data for these data tables. Every effort is made by MoJ and the Sentencing Council to ensure that the figures presented 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.

These data reflect the original sentencing outcome and do not include any changes on appeal from either magistrates' courts or the Crown Court. Sentence outcomes may be reduced, increased, changed or the conviction quashed (resulting in the sentence falling away) on appeal, and so users should note that these statistics might not be accurate when considering, for example, the highest sentence for an offence. Published statistics on the outcome of individual cases referred under the Unduly Lenient Sentence scheme (for appealing certain eligible offences) can be found here:

<https://www.gov.uk/government/publications/unduly-lenient-sentence-annual-case-outcomes-data>

However, there are no available published statistics broken down by offence regarding the appeal outcomes from other routes of appeal, although quarterly volumes of criminal appeals against magistrates' decisions dealt with at the Crown Court are published in table C11 of the MoJ's Criminal Court Statistics Quarterly publication here:

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

Annual volumes of appeals heard at the Court of Appeal Criminal Division, by type and result, are published in the Royal Courts of Justice Annual Tables within MoJ's Civil Justice Statistics quarterly: January to March publication, which can be found here:

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

Figures presented for 2020 and 2021 include the time period from March 2020 in which restrictions were initially placed on the criminal justice system due to the COVID-19 pandemic, and the ongoing courts' recovery since. These restrictions resulted in reduction of court activity to adhere to new rules on movement and social interaction and the prioritisation of certain types of cases that are more likely to result in custody. Despite these restrictions having now been eased, we have seen a continued impact on the courts as they recover from the impact of the pandemic on processes and prioritisation. This means that the figures presented on an offence specific basis may be reflecting these restrictions and subsequent impacts to varying degrees depending on the offence in question and whether these cases continued to be heard throughout the time period. Therefore, it is important to note that certain trends might mostly reflect the impact of the pandemic on court processes and prioritisation, and the subsequent recovery, rather than a continuation of the longer-term series, so care should be taken when interpreting these figures.

Summary only offences are almost always sentenced in magistrates' courts, although there are limited circumstances in which they would be sentenced in the Crown Court. Where summary only offences are recorded as being sentenced in the Crown Court we are aware that in some instances this may be due to data recording issues. It is not always possible to investigate individual cases, therefore users should treat such data with caution.

From September 2020, some cases started to be recorded on the new Common Platform (CP) case management system, but could not initially be included in the CPD. Data processing development is now complete and the CPD has been revised to include these cases. As such, volumes for 2020 may not be consistent with figures previously published.

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>

Volumes of sentences

The data presented in this bulletin only include cases where the specified offence was the principal offence committed. When an offender 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. Sentence outcomes presented in these tables are therefore not directly comparable to outcomes in the sentencing guideline tables, which instead show starting point sentences before a guilty plea has been entered.

The sentence outcome shown is the most severe sentence or order given for the principal offence (i.e. the principal sentence); secondary sentences given for the principal offence are not included in the tables.

Offender demographics

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

Due to the small number of offenders sentenced for some offences, care should be taken when comparing figures across different groups. This is particularly true where there are only a small number of offenders within a specific demographic group, as small numerical changes can present as large percentage changes when they are calculated using small volumes. This should be considered when comparing percentages across groups.

Ethnicity

The availability of information relating to ethnicity is constrained by data coverage. For offenders sentenced for less serious offences which are mostly sentenced at magistrates' courts, ethnicity data are less readily available: there are different police processes in place for these offences and often offenders are sentenced without attending a police station or the court, meaning there is little or no opportunity to collect ethnicity data. For offenders sentenced for more serious offences that appear in the Crown Court (triable-either-way and indictable only offences), there are more available data on ethnicity as the likelihood of offenders attending a custody interview is higher. Overall, this means that coverage is inconsistent across different offences. Statistics for offences with lower coverage should also be treated with caution, as it is less likely that the available data on ethnicity are representative of all offenders sentenced for those offences.

Ethnicity is the self-identified ethnicity as defined by the individual. The ethnicity categories used in these data tables for self-identified ethnicity are: 'Asian', 'black', 'mixed', 'other', 'white' and 'not recorded/not known' (referred to as the 5+1 classification). The 'not recorded/not known' category includes all offenders for whom ethnicity information is not available, either because they have chosen not to state their ethnicity or because no information has been recorded. Prior to May 2020, ethnicity was collected using the 16+1 classification which was used in the 2001 census. Since May 2020, this has been replaced by the 18+1 classification used in the 2011 Census. The data collected using the 18+1 format are then aggregated into the 5+1 classification for analysis. This has caused two key changes to the data presented in our publications:

- 1) The data now capture a further two ethnicity classifications: Gypsy or Irish Traveller which falls into the broader category of 'white' and Arab which falls into the broader category of 'other'. These ethnic groups are captured in the data from 2021 onwards.
- 2) The movement of the Chinese ethnicity classification from the broad category of 'Chinese and other' into 'Asian'. Due to the small number of offenders sentenced who identified as Chinese, this change has had little impact on overall trends presented in the data. This change has been applied to the whole timeseries presented, to allow for continued comparison across years. However, it means that the 'Chinese and other' category has been renamed 'other' within our data tables to account for this change.

More information on the 18+1 classification can be found here:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/691544/self-defined-ethnicity-18plus1.pdf

Age

In the CPD, prior to 2017, adults of unknown ages were defaulted to 25. From 2017 onwards, the majority of records where the age is unknown have been grouped within an 'age unknown' variable; however, there may still be some cases where the age is unknown and has therefore defaulted to 25.

The sentencing guidelines only directly apply to adults aged 18 years or over at the date of conviction, although exceptions apply where stated. However, in the CPD, the age of the offender is calculated from the sentence date. Users should be aware this means there could be a small number of offenders aged under 18 included within the published figures as adults for whom the guideline did not apply at sentencing, if they turned 18 between the date of conviction and the date of sentence.

General conventions

The following conventions have been applied to the data:

- Percentages derived from the data have been provided in the tables to the nearest whole percentage, except when the nearest whole percentage is zero. In some instances, this may mean that percentages shown 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.

Uses made of the data

Data provided in the Council's range of statistical bulletins and tables are used to inform public debate of the Council's work.

Background information

Further information on the Sentencing Council and its work, as well as information on general sentencing practice in England and Wales can be found on the Council's website at:

<https://sentencingcouncil.org.uk>

The Ministry of Justice publishes a quarterly statistical publication, Criminal Justice Statistics, which includes a chapter focusing on sentencing in England and Wales. This chapter includes information on the number of offenders sentenced by offence group and by demographic factors such as age, sex and self-identified 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 data tool published alongside the annual Criminal Justice Statistics publication. The latest tool enables data covering the last five years to be viewed by offence, sex, age range and ethnicity, and can be accessed via the following link (for example, see the 'Outcomes by Offence data tool'):

<https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2021>

Contact points for further information

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Table 1.1: Number of adult offenders sentenced for assisting unlawful immigration to a member state or the UK (Immigration Act 1971, s25), all courts, 2011-2021[Index](#)

Court	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 ¹	2021
Magistrates' court	2	0	1	1	0	1	2	0	0	0	1
Crown Court	204	179	208	231	236	263	235	226	184	107	141
Total	206	179	209	232	236	264	237	226	184	107	142

Court	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 ¹	2021
Magistrates' court	1%	0%	<0.5%	<0.5%	0%	<0.5%	1%	0%	0%	0%	1%
Crown Court	99%	100%	100%	100%	100%	100%	99%	100%	100%	100%	99%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%

Source: Court Proceedings Database, Ministry of Justice

Notes:

1) Figures presented for 2020 include the time period since March 2020 in which restrictions were placed on the criminal justice system due to the COVID-19 pandemic. It is therefore possible that these figures may reflect the impact of the pandemic on court processes and prioritisation and the subsequent recovery, rather than a continuation of the longer-term series, so care should be taken when interpreting these figures.

Table 1.2: Number and proportion of adult offenders sentenced for assisting unlawful immigration to a member state or the UK (Immigration Act 1971, s25), by sentence outcome, 2011-2021[Index](#)

Outcome	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 ¹	2021
Absolute and conditional discharge	2	0	0	0	0	0	0	0	0	0	0
Fine	1	0	0	0	3	0	0	0	0	0	0
Community sentence	2	8	0	2	0	1	0	2	2	0	0
Suspended sentence	45	28	32	60	33	41	31	21	20	8	16
Immediate custody	155	143	177	170	200	220	201	203	160	99	124
Otherwise dealt with ²	1	0	0	0	0	2	5	0	2	0	2
Total	206	179	209	232	236	264	237	226	184	107	142

Outcome	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 ¹	2021
Absolute and conditional discharge	1%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Fine	<0.5%	0%	0%	0%	1%	0%	0%	0%	0%	0%	0%
Community sentence	1%	4%	0%	1%	0%	<0.5%	0%	1%	1%	0%	0%
Suspended sentence	22%	16%	15%	26%	14%	16%	13%	9%	11%	7%	11%
Immediate custody	75%	80%	85%	73%	85%	83%	85%	90%	87%	93%	87%
Otherwise dealt with ²	<0.5%	0%	0%	0%	0%	1%	2%	0%	1%	0%	1%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%

Source: Court Proceedings Database, Ministry of Justice

Notes:

1) Figures presented for 2020 include the time period since March 2020 in which restrictions were placed on the criminal justice system due to the COVID-19 pandemic. It is therefore possible that these figures may reflect the impact of the pandemic on court processes and prioritisation and the subsequent recovery, rather than a continuation of the longer-term series, so care should be taken when interpreting these figures.

2) The category 'Otherwise dealt with' covers miscellaneous disposals. Please note that due to a data issue currently under investigation, there are a number of cases which are incorrectly categorised in the Court Proceedings Database (CPD) as 'Otherwise dealt with'. Therefore, these volumes and proportions should be treated with caution.

Table 1.3: Average custodial sentence lengths (ACSL) received by adult offenders sentenced for assisting unlawful immigration to a member state or the UK (Immigration Act 1971 s25), 2011-2021¹[Index](#)

ACSL (years) ²	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 ³	2021
Mean	1.7	1.8	1.9	2.0	2.0	2.5	2.8	3.1	3.3	2.8	3.2
Median	1.3	1.3	1.3	1.5	1.5	2.0	2.1	2.6	2.7	2.5	2.6
Indeterminates as percentage of custodial sentences ⁴	-	-	-	-	-	-	-	-	-	-	-

- = not applicable

Source: Court Proceedings Database, Ministry of Justice

Notes:

- 1) The statutory maximum sentence has increased to life imprisonment under the Nationality and Borders Act 2022, however, during the time period covered, the statutory maximum was 14 years' custody.
- 2) The ACSL calculation excludes life and indeterminate sentences, for offences where these types of sentences apply.
- 3) Figures presented for 2020 include the time period since March 2020 in which restrictions were placed on the criminal justice system due to the COVID-19 pandemic. It is therefore possible that these figures may reflect the impact of the pandemic on court processes and prioritisation and the subsequent recovery, rather than a continuation of the longer-term series, so care should be taken when interpreting these figures.
- 4) For 2013 onwards this is calculated as the number of offenders given life sentences, out of the number of offenders given a sentence of immediate custody. For 2011-2012, this is calculated as the number of offenders sentenced to Imprisonment for Public Protection (IPP), Extended Sentences for Public Protection (EPP) and life sentences, out of the number of offenders given a sentence of immediate custody. IPP and EPP sentences were introduced in 2005 and abolished in 2012.

Table 1.4: Sentence lengths received by adult offenders sentenced to immediate custody for assisting unlawful immigration to a member state or the UK (Immigration Act 1971, s25), 2011-2021¹

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Sentence length (years) ²	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 ³	2021
Less than 2 years	125	114	140	119	142	116	100	77	52	39	32
2 to 4	18	20	24	38	42	73	59	83	68	45	68
4 to 6	11	6	4	11	9	22	25	30	26	12	15
6 to 8	1	2	3	2	2	6	15	9	10	1	7
8 to 10	0	1	6	0	5	3	2	3	4	2	1
10 to 12	0	0	0	0	0	0	0	1	0	0	1
12 to 14	0	0	0	0	0	0	0	0	0	0	0
Total	155	143	177	170	200	220	201	203	160	99	124

Sentence length (years) ²	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 ³	2021
Less than 2 years	81%	80%	79%	70%	71%	53%	50%	38%	33%	39%	26%
2 to 4	12%	14%	14%	22%	21%	33%	29%	41%	43%	45%	55%
4 to 6	7%	4%	2%	6%	5%	10%	12%	15%	16%	12%	12%
6 to 8	1%	1%	2%	1%	1%	3%	7%	4%	6%	1%	6%
8 to 10	0%	1%	3%	0%	3%	1%	1%	1%	3%	2%	1%
10 to 12	0%	0%	0%	0%	0%	0%	0%	<0.5%	0%	0%	1%
12 to 14	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%

Source: Court Proceedings Database, Ministry of Justice

Notes:

1) The statutory maximum sentence has increased to life imprisonment under the Nationality and Borders Act 2022, however, during the time period covered, the statutory maximum was 14 years' custody.

2) Sentence length intervals do not include the lower bound, but do include the upper bound sentence length. For example, the category 'Less than 2 years' includes sentence lengths less than or equal to 2 years, and '2 to 4' includes sentence lengths over 2 years, and up to and including 4 years.

3) Figures presented for 2020 include the time period since March 2020 in which restrictions were placed on the criminal justice system due to the COVID-19 pandemic. It is therefore possible that these figures may reflect the impact of the pandemic on court processes and prioritisation and the subsequent recovery, rather than a continuation of the longer-term series, so care should be taken when interpreting these figures.

DELETE IF NO INDETERMINATES 4) This includes life sentences and, for the period 2011-2012, Imprisonment for Public Protection (IPPs), and Extended Sentences for Public Protection (EPPs). IPP and EPP sentences were introduced in 2005 and abolished in 2012.

[Index](#)**Table 1.5: Demographics of adult offenders sentenced for assisting unlawful immigration to a member state or the UK (Immigration Act 1971, s25), by sex, age and ethnicity, 2021**

Sex	Number of adults sentenced	Percentage of all adults sentenced¹
Female	15	11%
Male	127	89%
Not recorded/not known	0	
Total	142	100%

Age group	Number of adults sentenced	Percentage of all adults sentenced¹
18 to 20	4	3%
21 to 24	14	10%
25 to 29	19	13%
30 to 39	47	33%
40 to 49	37	26%
50 to 59	19	13%
60 to 69	2	1%
70 and over	0	0%
Not recorded/not known	0	
Total	142	100%

Ethnicity²	Number of adults sentenced	Percentage of all adults sentenced¹
Asian	7	13%
Black	3	5%
Mixed	4	7%
Other	7	13%
White	35	63%
Not recorded/not known ³	86	
Total	142	100%

Source: Court Proceedings Database, Ministry of Justice

Notes:

- 1) Percentage calculations do not include cases where sex, age group or ethnicity was unknown.
- 2) Ethnicity is the self-identified ethnicity as defined by the individual, and is categorised using the 5+1 self-identified classification based on the 18+1 classification used in the 2011 Census.
- 3) For a proportion of adults sentenced (61%), their ethnicity was either not recorded or it was not known. Therefore the proportions amongst those for whom data was provided may not reflect the demographics of the full population, and these figures should be treated with caution.

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Table 1.6: Number and proportion of adult offenders sentenced for assisting unlawful immigration to a member state or the UK (Immigration Act 1971, s25), by sex, age and ethnicity, and sentence outcome, 2021

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Sex	Number of adults sentenced						Total
	Absolute and conditional discharge	Fine	Community sentence	Suspended sentence	Immediate custody	Otherwise dealt with ¹	
Female	0	0	0	8	7	0	15
Male	0	0	0	8	117	2	127
Not recorded/not known	0	0	0	0	0	0	0

Age group	Number of adults sentenced						Total
	Absolute and conditional discharge	Fine	Community sentence	Suspended sentence	Immediate custody	Otherwise dealt with ¹	
18 to 20	0	0	0	1	3	0	4
21 to 24	0	0	0	0	14	0	14
25 to 29	0	0	0	1	18	0	19
30 to 39	0	0	0	7	39	1	47
40 to 49	0	0	0	5	32	0	37
50 to 59	0	0	0	2	16	1	19
60 to 69	0	0	0	0	2	0	2
70 and over	0	0	0	0	0	0	0
Not recorded/not known	0	0	0	0	0	0	0

Ethnicity ²	Number of adults sentenced						Total
	Absolute and conditional discharge	Fine	Community sentence	Suspended sentence	Immediate custody	Otherwise dealt with ¹	
Asian	0	0	0	0	6	1	7
Black	0	0	0	1	2	0	3
Mixed	0	0	0	0	4	0	4
Other	0	0	0	0	7	0	7
White	0	0	0	3	32	0	35
Not recorded/not known	0	0	0	12	73	1	86

Sex	Proportion of adults sentenced						Total
	Absolute and conditional discharge	Fine	Community sentence	Suspended sentence	Immediate custody	Otherwise dealt with ¹	
Female	0%	0%	0%	53%	47%	0%	100%
Male	0%	0%	0%	6%	92%	2%	100%
Not recorded/not known	-	-	-	-	-	-	-

Age group	Proportion of adults sentenced						Total
	Absolute and conditional discharge	Fine	Community sentence	Suspended sentence	Immediate custody	Otherwise dealt with ¹	
18 to 20	0%	0%	0%	25%	75%	0%	100%
21 to 24	0%	0%	0%	0%	100%	0%	100%
25 to 29	0%	0%	0%	5%	95%	0%	100%
30 to 39	0%	0%	0%	15%	83%	2%	100%
40 to 49	0%	0%	0%	14%	86%	0%	100%
50 to 59	0%	0%	0%	11%	84%	5%	100%
60 to 69	0%	0%	0%	0%	100%	0%	100%
70 and over	-	-	-	-	-	-	-
Not recorded/not known	-	-	-	-	-	-	-

Ethnicity ²	Proportion of adults sentenced						Total
	Absolute and conditional discharge	Fine	Community sentence	Suspended sentence	Immediate custody	Otherwise dealt with ¹	
Asian	0%	0%	0%	0%	86%	14%	100%
Black	0%	0%	0%	33%	67%	0%	100%
Mixed	0%	0%	0%	0%	100%	0%	100%
Other	0%	0%	0%	0%	100%	0%	100%
White	0%	0%	0%	9%	91%	0%	100%
Not recorded/not known	0%	0%	0%	14%	85%	1%	100%

Source: Court Proceedings Database, Ministry of Justice

-- No proportions have been calculated as no offenders were sentenced.

Notes:

1) The category 'Otherwise dealt with' covers miscellaneous disposals. Please note that due to a data issue currently under investigation, there are a number of cases which are incorrectly categorised in the Court Proceedings Database (CPD) as 'Otherwise dealt with'. Therefore, these volume and proportions should be treated with caution.

2) Ethnicity is the self-identified ethnicity as defined by the individual, and is categorised using the 5+1 self-identified classification based on the 18+1 classification used in the 2011 Census.

Table 1.7: Average custodial sentence lengths (ACSL) received by adult offenders sentenced for assisting unlawful immigration to a member state or the UK (Immigration Act 1971, s25), by sex, age and ethnicity, 2021

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Sex	ACSL (years) ²	
	Mean	Median
Female	2.8	2.0
Male	3.2	2.6
Not recorded/not known	-	-

Age group	Mean	Median
18 to 20	*	*
21 to 24	3.2	3.0
25 to 29	2.5	2.5
30 to 39	3.1	2.6
40 to 49	3.2	2.5
50 to 59	4.1	3.9
60 to 69	*	*
70 and over	-	-
Not recorded/not known	-	-

Ethnicity ³	Mean	Median
Asian	4.2	4.0
Black	*	*
Mixed	*	*
Other	3.2	2.7
White	3.2	3.0
Not recorded/not known	3.1	2.5

Source: Court Proceedings Database, Ministry of Justice

* = ACSL has not been calculated where the number of offenders sentenced to a determinate immediate custodial sentence is fewer than 5.

- = No offenders were sentenced to a determinate immediate custodial sentence.

Notes:

1) The statutory maximum sentence has increased to life imprisonment under the Nationality and Borders Act 2022, however, during the time period covered, the statutory maximum was 14 years' custody.

2) The ACSL calculation excludes life and indeterminate sentences, for offences where these types of sentences apply.

3) Ethnicity is the self-identified ethnicity as defined by the individual, and is categorised using the 5+1 self-identified classification based on the 18+1 classification used in the 2011 Census.

Table 1.8: Sentence lengths received by adult offenders sentenced to immediate custody for assisting unlawful immigration to a member state or the UK (Immigration Act 1971, s25), by sex, age and ethnicity, 2021¹

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Sex	Number of adults sentenced to each sentence length (years) ²							Total
	Less than 2 years	2 to 4	4 to 6	6 to 8	8 to 10	10 to 12	12 to 14	
Female	4	2	1	0	0	0	0	7
Male	28	66	14	7	1	1	0	117
Not recorded/not known	0	0	0	0	0	0	0	0

Age group	Number of adults sentenced to each sentence length (years) ²							Total
	Less than 2 years	2 to 4	4 to 6	6 to 8	8 to 10	10 to 12	12 to 14	
18 to 20	3	0	0	0	0	0	0	3
21 to 24	0	13	0	1	0	0	0	14
25 to 29	6	12	0	0	0	0	0	18
30 to 39	11	19	7	2	0	0	0	39
40 to 49	9	17	3	2	1	0	0	32
50 to 59	3	6	5	2	0	0	0	16
60 to 69	0	1	0	0	0	1	0	2
70 and over	0	0	0	0	0	0	0	0
Not recorded/not known	0	0	0	0	0	0	0	0

Ethnicity ³	Number of adults sentenced to each sentence length (years) ²							Total
	Less than 2 years	2 to 4	4 to 6	6 to 8	8 to 10	10 to 12	12 to 14	
Asian	1	2	2	1	0	0	0	6
Black	1	1	0	0	0	0	0	2
Mixed	0	3	1	0	0	0	0	4
Other	3	1	3	0	0	0	0	7
White	4	22	5	0	1	0	0	32
Not recorded/not known	23	39	4	6	0	1	0	73

Sex	Number of adults sentenced to each sentence length (years) ²							Total
	Less than 2 years	2 to 4	4 to 6	6 to 8	8 to 10	10 to 12	12 to 14	
Female	57%	29%	14%	0%	0%	0%	0%	100%
Male	24%	56%	12%	6%	1%	1%	0%	100%
Not recorded/not known	-	-	-	-	-	-	-	-

Age group	Number of adults sentenced to each sentence length (years) ²							Total
	Less than 2 years	2 to 4	4 to 6	6 to 8	8 to 10	10 to 12	12 to 14	
18 to 20	100%	0%	0%	0%	0%	0%	0%	100%
21 to 24	0%	93%	0%	7%	0%	0%	0%	100%
25 to 29	33%	67%	0%	0%	0%	0%	0%	100%
30 to 39	28%	49%	18%	5%	0%	0%	0%	100%
40 to 49	28%	53%	9%	6%	3%	0%	0%	100%
50 to 59	19%	38%	31%	13%	0%	0%	0%	100%
60 to 69	0%	50%	0%	0%	0%	50%	0%	100%
70 and over	-	-	-	-	-	-	-	-
Not recorded/not known	-	-	-	-	-	-	-	-

Ethnicity ³	Number of adults sentenced to each sentence length (years) ²							Total
	Less than 2 years	2 to 4	4 to 6	6 to 8	8 to 10	10 to 12	12 to 14	
Asian	17%	33%	33%	17%	0%	0%	0%	100%
Black	50%	50%	0%	0%	0%	0%	0%	100%
Mixed	0%	75%	25%	0%	0%	0%	0%	100%
Other	43%	14%	43%	0%	0%	0%	0%	100%
White	13%	69%	16%	0%	3%	0%	0%	100%
Not recorded/not known	32%	53%	5%	8%	0%	1%	0%	100%

Source: Court Proceedings Database, Ministry of Justice

- = No proportions have been calculated as no offenders were sentenced to immediate custody.

Notes:

- 1) The statutory maximum sentence has increased to life imprisonment under the Nationality and Borders Act 2022, however, during the time period covered, the statutory maximum was 14 years' custody.
- 2) Sentence length intervals do not include the lower bound, but do include the upper bound sentence length. For example, the category 'Less than 2 years' includes sentence lengths less than or equal to 2 years, and '2 to 4' includes sentence lengths over 2 years, and up to and including 4 years.
- 3) Ethnicity is the self-identified ethnicity as defined by the individual, and is categorised using the 5+1 self-identified classification based on the 18+1 classification used in the 2011 Census.

Table 2.1: Number of adult offenders sentenced for facilitating entry by asylum seekers to the UK (Immigration Act 1971, s25A), Crown Court, 2011-2021[Index](#)

Court	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 ¹	2021
Crown Court	2	0	2	0	7	2	9	6	3	2	2
Total	2	0	2	0	7	2	9	6	3	2	2

Source: Court Proceedings Database, Ministry of Justice

Notes:

1) Figures presented for 2020 include the time period since March 2020 in which restrictions were placed on the criminal justice system due to the COVID-19 pandemic. It is therefore possible that these figures may reflect the impact of the pandemic on court processes and prioritisation and the subsequent recovery, rather than a continuation of the longer-term series, so care should be taken when interpreting these figures.

Table 2.2: Number and proportion of adult offenders sentenced for facilitating entry by asylum seekers to the UK (Immigration Act 1971, s25A), by sentence outcome, 2011-2021[Index](#)

Outcome	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 ¹	2021
Absolute and conditional discharge	0	0	0	0	0	1	0	0	0	0	0
Fine	0	0	0	0	0	0	0	0	0	0	0
Community sentence	0	0	0	0	0	0	0	0	0	0	0
Suspended sentence	0	0	0	0	1	0	0	1	0	0	0
Immediate custody	2	0	2	0	6	1	8	4	3	2	2
Otherwise dealt with ²	0	0	0	0	0	0	1	1	0	0	0
Total	2	0	2	0	7	2	9	6	3	2	2

Outcome	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 ¹	2021
Absolute and conditional discharge	0%	-	0%	-	0%	50%	0%	0%	0%	0%	0%
Fine	0%	-	0%	-	0%	0%	0%	0%	0%	0%	0%
Community sentence	0%	-	0%	-	0%	0%	0%	0%	0%	0%	0%
Suspended sentence	0%	-	0%	-	14%	0%	0%	17%	0%	0%	0%
Immediate custody	100%	-	100%	-	86%	50%	89%	67%	100%	100%	100%
Otherwise dealt with ²	0%	-	0%	-	0%	0%	11%	17%	0%	0%	0%
Total	100%	-	100%	-	100%	100%	100%	100%	100%	100%	100%

Source: Court Proceedings Database, Ministry of Justice

Notes:

1) Figures presented for 2020 include the time period since March 2020 in which restrictions were placed on the criminal justice system due to the COVID-19 pandemic. It is therefore possible that these figures may reflect the impact of the pandemic on court processes and prioritisation and the subsequent recovery, rather than a continuation of the longer-term series, so care should be taken when interpreting these figures.

2) The category 'Otherwise dealt with' covers miscellaneous disposals. Please note that due to a data issue currently under investigation, there are a number of cases which are incorrectly categorised in the Court Proceedings Database (CPD) as 'Otherwise dealt with'. Therefore, these volumes and proportions should be treated with caution.

Table 2.3: Average custodial sentence lengths (ACSL) received by adult offenders sentenced for facilitating entry by asylum seekers to the UK (Immigration Act 1971, s25A), 2017-2021^{1,2,3,4}

[Index](#)

ACSL (years)	2017-2021
Mean	3.8
Median	3.5
Indeterminates as percentage of custodial sentences ⁵	-

- = not applicable

Source: Court Proceedings Database, Ministry of Justice

Notes:

- 1) The statutory maximum sentence has increased to life imprisonment under the Nationality and Borders Act 2022, however, during the time period covered, the statutory maximum was 14 years' custody.
- 2) The ACSL calculation excludes life and indeterminate sentences, for offences where these types of sentences apply.
- 3) Figures presented for 2020 include the time period since March 2020 in which restrictions were placed on the criminal justice system due to the COVID-19 pandemic. It is therefore possible that these figures may reflect the impact of the pandemic on court processes and prioritisation and the subsequent recovery, rather than a continuation of the longer-term series, so care should be taken when interpreting these figures.
- 4) These statistics are provided for the period 2017-2021, rather than for a single year, due to the small number of offenders sentenced for this offence each year.
- 5) For 2013 onwards this is calculated as the number of offenders given life sentences, out of the number of offenders given a sentence of immediate custody. For 2011-2012, this is calculated as the number of offenders sentenced to Imprisonment for Public Protection (IPP), Extended Sentences for Public Protection (EPP) and life sentences, out of the number of offenders given a sentence of immediate custody. IPP and EPP sentences were introduced in 2005 and abolished in 2012.

Table 2.4: Sentence lengths received by adult offenders sentenced to immediate custody for facilitating entry by asylum seekers to the UK (Immigration Act 1971, s25A), 2011-2021¹[Index](#)

Sentence length (years) ²	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 ³	2021
Less than 2 years	2	0	1	0	2	0	3	0	2	0	0
2 to 4	0	0	1	0	0	1	1	4	1	2	0
4 to 6	0	0	0	0	2	0	2	0	0	0	0
6 to 8	0	0	0	0	2	0	2	0	0	0	2
Greater than 8 years	0	0	0	0	0	0	0	0	0	0	0
Total	2	0	2	0	6	1	8	4	3	2	2

Sentence length (years) ²	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 ³	2021
Less than 2 years	100%	-	50%	-	33%	0%	38%	0%	67%	0%	0%
2 to 4	0%	-	50%	-	0%	100%	13%	100%	33%	100%	0%
4 to 6	0%	-	0%	-	33%	0%	25%	0%	0%	0%	0%
6 to 8	0%	-	0%	-	33%	0%	25%	0%	0%	0%	100%
Greater than 8 years	0%	-	0%	-	0%	0%	0%	0%	0%	0%	0%
Total	100%	-	100%	-	100%	100%	100%	100%	100%	100%	100%

Source: Court Proceedings Database, Ministry of Justice

Notes:

1) The statutory maximum sentence has increased to life imprisonment under the Nationality and Borders Act 2022, however, during the time period covered, the statutory maximum was 14 years' custody.

2) Sentence length intervals do not include the lower bound, but do include the upper bound sentence length. For example, the category 'Less than 2 years' includes sentence lengths less than or equal to 2 years, and '2 to 4' includes sentence lengths over 2 years, and up to and including 4 years.

3) Figures presented for 2020 include the time period since March 2020 in which restrictions were placed on the criminal justice system due to the COVID-19 pandemic. It is therefore possible that these figures may reflect the impact of the pandemic on court processes and prioritisation and the subsequent recovery, rather than a continuation of the longer-term series, so care should be taken when interpreting these figures.

DELETE IF NO INDETERMINATES 4) This includes life sentences and, for the period 2011-2012, Imprisonment for Public Protection (IPPs), and Extended Sentences for Public Protection (EPPs). IPP and EPP sentences were introduced in 2005 and abolished in 2012.

Table 2.5: Demographics of adult offenders sentenced for facilitating entry by asylum seekers to the UK (Immigration Act 1971, s25A), by sex, age and ethnicity, 2017-2021^{1,2}

[Index](#)

Sex	Number of adults sentenced	Percentage of all adults sentenced³
Female	1	5%
Male	21	95%
Not recorded/not known	0	
Total	22	100%

Age group	Number of adults sentenced	Percentage of all adults sentenced³
18 to 20	0	0%
21 to 24	1	5%
25 to 29	1	5%
30 to 39	8	36%
40 to 49	10	45%
50 to 59	2	9%
60 to 69	0	0%
70 and over	0	0%
Not recorded/not known	0	
Total	22	100%

Ethnicity⁴	Number of adults sentenced	Percentage of all adults sentenced³
Asian	2	40%
Black	0	0%
Mixed	1	20%
Other	1	20%
White	1	20%
Not recorded/not known ⁵	17	
Total	22	100%

Source: Court Proceedings Database, Ministry of Justice

Notes:

1) Figures presented for 2020 include the time period since March 2020 in which restrictions were placed on the criminal justice system due to the COVID-19 pandemic. It is therefore possible that these figures may reflect the impact of the pandemic on court processes and prioritisation and the subsequent recovery, rather than a continuation of the longer-term series, so care should be taken when interpreting these figures.

2) These statistics are provided for the period 2017-2021, rather than for a single year, due to the small number of offenders sentenced for this offence each year.

3) Percentage calculations do not include cases where sex, age group or ethnicity was unknown.

4) Ethnicity is the self-identified ethnicity as defined by the individual, and is categorised using the 5+1 self-identified classification based on the 18+1 classification used in the 2011 Census.

5) For a proportion of adults sentenced (77%), their ethnicity was either not recorded or it was not known. Therefore the proportions amongst those for whom data was provided may not reflect the demographics of the full population, and these figures should be treated with caution.

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Table 2.6: Number and proportion of adult offenders sentenced for facilitating entry by asylum seekers to the UK (Immigration Act 1971, s25A), by sex, age and ethnicity, and sentence outcome 2017-2021^{1,2}

[Index](#)

Sex	Number of adults sentenced						Total
	Absolute and conditional discharge	Fine	Community sentence	Suspended sentence	Immediate custody	Otherwise dealt with ³	
Female	0	0	0	0	1	0	1
Male	0	0	0	1	18	2	21
Not recorded/not known	0	0	0	0	0	0	0

Age group	Number of adults sentenced						Total
	Absolute and conditional discharge	Fine	Community sentence	Suspended sentence	Immediate custody	Otherwise dealt with ³	
18 to 20	0	0	0	0	0	0	0
21 to 24	0	0	0	0	1	0	1
25 to 29	0	0	0	0	1	0	1
30 to 39	0	0	0	0	7	1	8
40 to 49	0	0	0	1	8	1	10
50 to 59	0	0	0	0	2	0	2
60 to 69	0	0	0	0	0	0	0
70 and over	0	0	0	0	0	0	0
Not recorded/not known	0	0	0	0	0	0	0

Ethnicity ⁴	Number of adults sentenced						Total
	Absolute and conditional discharge	Fine	Community sentence	Suspended sentence	Immediate custody	Otherwise dealt with ³	
Asian	0	0	0	0	2	0	2
Black	0	0	0	0	0	0	0
Mixed	0	0	0	1	0	0	1
Other	0	0	0	0	1	0	1
White	0	0	0	0	1	0	1
Not recorded/not known	0	0	0	0	15	2	17

Sex	Proportion of adults sentenced						Total
	Absolute and conditional discharge	Fine	Community sentence	Suspended sentence	Immediate custody	Otherwise dealt with ³	
Female	0%	0%	0%	0%	100%	0%	100%
Male	0%	0%	0%	5%	86%	10%	100%
Not recorded/not known	-	-	-	-	-	-	-

Age group	Proportion of adults sentenced						Total
	Absolute and conditional discharge	Fine	Community sentence	Suspended sentence	Immediate custody	Otherwise dealt with ³	
18 to 20	-	-	-	-	-	-	-
21 to 24	0%	0%	0%	0%	100%	0%	100%
25 to 29	0%	0%	0%	0%	100%	0%	100%
30 to 39	0%	0%	0%	0%	88%	13%	100%
40 to 49	0%	0%	0%	10%	80%	10%	100%
50 to 59	0%	0%	0%	0%	100%	0%	100%
60 to 69	-	-	-	-	-	-	-
70 and over	-	-	-	-	-	-	-
Not recorded/not known	-	-	-	-	-	-	-

Ethnicity ⁴	Proportion of adults sentenced						Total
	Absolute and conditional discharge	Fine	Community sentence	Suspended sentence	Immediate custody	Otherwise dealt with ³	
Asian	0%	0%	0%	0%	100%	0%	100%
Black	-	-	-	-	-	-	-
Mixed	0%	0%	0%	100%	0%	0%	100%
Other	0%	0%	0%	0%	100%	0%	100%
White	0%	0%	0%	0%	100%	0%	100%
Not recorded/not known	0%	0%	0%	0%	88%	12%	100%

Source: Court Proceedings Database, Ministry of Justice

- = No proportions have been calculated as no offenders were sentenced.

Notes:

- 1) Figures presented for 2020 include the time period since March 2020 in which restrictions were placed on the criminal justice system due to the COVID-19 pandemic. It is therefore possible that these figures may reflect the impact of the pandemic on court processes and prioritisation and the subsequent recovery, rather than a continuation of the longer-term series, so care should be taken when interpreting these figures.
- 2) These statistics are provided for the period 2017-2021, rather than for a single year, due to the small number of offenders sentenced for this offence each year.
- 3) The category 'Otherwise dealt with' covers miscellaneous disposals. Please note that due to a data issue currently under investigation, there are a number of cases which are incorrectly categorised in the Court Proceedings Database (CPD) as 'Otherwise dealt with'. Therefore, these volumes and proportions should be treated with caution.
- 4) Ethnicity is the self-identified ethnicity as defined by the individual, and is categorised using the 5+1 self-identified classification based on the 18+1 classification used in the 2011 Census.

Table 2.7: Average custodial sentence lengths (ACSL) received by adult offenders sentenced for facilitating entry by asylum seekers to the UK (Immigration Act 1971, s25A), by sex, age and ethnicity, 2017-2021^{1,2,3,4}

[Index](#)

Sex	ACSL (years)	
	Mean	Median
Female	*	*
Male	3.9	3.5
Not recorded/not known	-	-

Age group	Mean	Median
18 to 20	-	-
21 to 24	*	*
25 to 29	*	*
30 to 39	2.6	3.0
40 to 49	5.2	6.5
50 to 59	*	*
60 to 69	-	-
70 and over	-	-
Not recorded/not known	-	-

Ethnicity ⁵	Mean	Median
Asian	*	*
Black	-	-
Mixed	-	-
Other	*	*
White	*	*
Not recorded/not known	4.0	3.6

Source: Court Proceedings Database, Ministry of Justice

* = ACSL has not been calculated where the number of offenders sentenced to a determinate immediate custodial sentence is fewer than 5.

- = No offenders were sentenced to a determinate immediate custodial sentence.

Notes:

1) The statutory maximum sentence for this offence is XXX.

2) The ACSL calculation excludes life and indeterminate sentences, for offences where these types of sentences apply.

3) Figures presented for 2020 include the time period since March 2020 in which restrictions were placed on the criminal justice system due to the COVID-19 pandemic. It is therefore possible that these figures may reflect the impact of the pandemic on court processes and prioritisation and the subsequent recovery, rather than a continuation of the longer-term series, so care should be taken when interpreting these figures.

4) These statistics are provided for the period 2017-2021, rather than for a single year, due to the small number of offenders sentenced for this offence each year.

5) Ethnicity is the self-identified ethnicity as defined by the individual, and is categorised using the 5+1 self-identified classification based on the 18+1 classification used in the 2011 Census.

Table 2.8: Sentence lengths received by adult offenders sentenced to immediate custody for facilitating entry by asylum seekers to the UK (Immigration Act 1971, s25A), by sex, age and ethnicity, 2017-2021^{1,2,3}

[Index](#)

Sex	Number of adults sentenced to each sentence length (years) ⁴					Total
	Less than 2 years	2 to 4	4 to 6	6 to 8	Greater than 8 years	
Female	1	0	0	0	0	1
Male	4	8	2	4	0	18
Not recorded/not known	0	0	0	0	0	0

Age group	Number of adults sentenced to each sentence length (years) ⁴					Total
	Less than 2 years	2 to 4	4 to 6	6 to 8	Greater than 8 years	
18 to 20	0	0	0	0	0	0
21 to 24	1	0	0	0	0	1
25 to 29	0	1	0	0	0	1
30 to 39	2	5	0	0	0	7
40 to 49	2	0	2	4	0	8
50 to 59	0	2	0	0	0	2
60 to 69	0	0	0	0	0	0
70 and over	0	0	0	0	0	0
Not recorded/not known	0	0	0	0	0	0

Ethnicity ⁵	Number of adults sentenced to each sentence length (years) ⁴					Total
	Less than 2 years	2 to 4	4 to 6	6 to 8	Greater than 8 years	
Asian	0	2	0	0	0	2
Black	0	0	0	0	0	0
Mixed	0	0	0	0	0	0
Other	0	1	0	0	0	1
White	1	0	0	0	0	1
Not recorded/not known	4	5	2	4	0	15

Sex	Number of adults sentenced to each sentence length (years) ⁴					Total
	Less than 2 years	2 to 4	4 to 6	6 to 8	Greater than 8 years	
Female	100%	0%	0%	0%	0%	100%
Male	22%	44%	11%	22%	0%	100%
Not recorded/not known	-	-	-	-	-	-

Age group	Number of adults sentenced to each sentence length (years) ⁴					Total
	Less than 2 years	2 to 4	4 to 6	6 to 8	Greater than 8 years	
18 to 20	-	-	-	-	-	-
21 to 24	100%	0%	0%	0%	0%	100%
25 to 29	0%	100%	0%	0%	0%	100%
30 to 39	29%	71%	0%	0%	0%	100%
40 to 49	25%	0%	25%	50%	0%	100%
50 to 59	0%	100%	0%	0%	0%	100%
60 to 69	-	-	-	-	-	-
70 and over	-	-	-	-	-	-
Not recorded/not known	-	-	-	-	-	-

Ethnicity ⁵	Number of adults sentenced to each sentence length (years) ⁴					Total
	Less than 2 years	2 to 4	4 to 6	6 to 8	Greater than 8 years	
Asian	0%	100%	0%	0%	0%	100%
Black	-	-	-	-	-	-
Mixed	-	-	-	-	-	-
Other	0%	100%	0%	0%	0%	100%
White	100%	0%	0%	0%	0%	100%
Not recorded/not known	27%	33%	13%	27%	0%	100%

Source: Court Proceedings Database, Ministry of Justice

- = No proportions have been calculated as no offenders were sentenced to immediate custody.

Notes:

1) The statutory maximum sentence has increased to life imprisonment under the Nationality and Borders Act 2022, however, during the time period covered, the statutory maximum was 14 years' custody.

2) Figures presented for 2020 include the time period since March 2020 in which restrictions were placed on the criminal justice system due to the COVID-19 pandemic. It is therefore possible that these figures may reflect the impact of the pandemic on court processes and prioritisation and the subsequent recovery, rather than a continuation of the longer-term series, so care should be taken when interpreting these figures.

3) These statistics are provided for the period 2017-2021, rather than for a single year, due to the small number of offenders sentenced for this offence each year.

4) Sentence length intervals do not include the lower bound, but do include the upper bound sentence length. For example, the category 'Less than 2 years' includes sentence lengths less than or equal to 2 years, and '2 to 4' includes sentence lengths over 2 years, and up to and including 4 years.

5) Ethnicity is the self-identified ethnicity as defined by the individual, and is categorised using the 5+1 self-identified classification based on the 18+1 classification used in the 2011 Census.