

Statistical Bulletin

Perverting the Course of Justice and Witness Intimidation

Introduction

This bulletin provides information on volumes and sentence outcomes for adult offenders¹ sentenced for offences covered by the Sentencing Council's draft guideline on perverting the course of justice and witness intimidation, covering the following offences:

- Perverting the course of justice, under Common Law; and
- Intimidating a witness or juror, under section 51(1) and 51(2) of the Criminal Justice and Public Order Act 1994.

The Court Proceedings Database (CPD), maintained by the Ministry of Justice, is the data source for this bulletin.²

Additional figures for this offence, including breakdowns by demographic groups (sex, age group and ethnicity), can be found in the data tables which 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>.

Contents

Perverting the course of justice	1
Witness intimidation	2
Further information	3

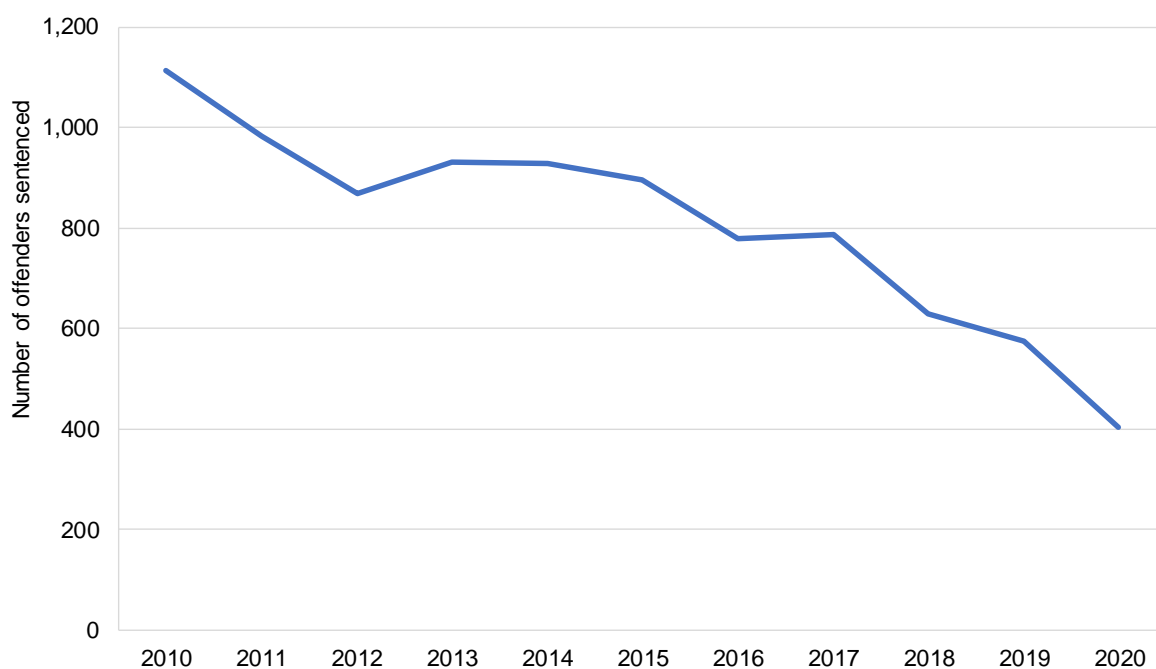
Perverting the course of justice

Sentence volumes

There has been an overall decrease in the number of offenders sentenced for perverting the course of justice over the past decade and in 2020, around 400 offenders were sentenced (see figure 1). This offence is indictable only and as such all offenders are sentenced at the Crown Court.

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

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.

Figure 1: Number of adult offenders sentenced for perverting the course of justice, 2010-2020

Sentence outcomes and lengths

In 2020, around half of offenders sentenced for perverting the course of justice received an immediate custodial sentence (51 per cent) and a further 42 per cent were given a suspended sentence. A further 4 per cent were given a community sentence, 2 per cent were recorded as 'otherwise dealt with'³ and fewer than 1 per cent were given either a fine or a discharge.

The maximum sentence for this offence is life imprisonment and in 2020, the average (mean) custodial sentence length (ACSL)⁴ for offenders sentenced to immediate custody was 1 year 2 months. Sentence lengths ranged from 1 month to 15 years' custody, however, the majority of offenders (68 per cent) received a sentence of 1 year or less.

Witness intimidation

Sentence volumes

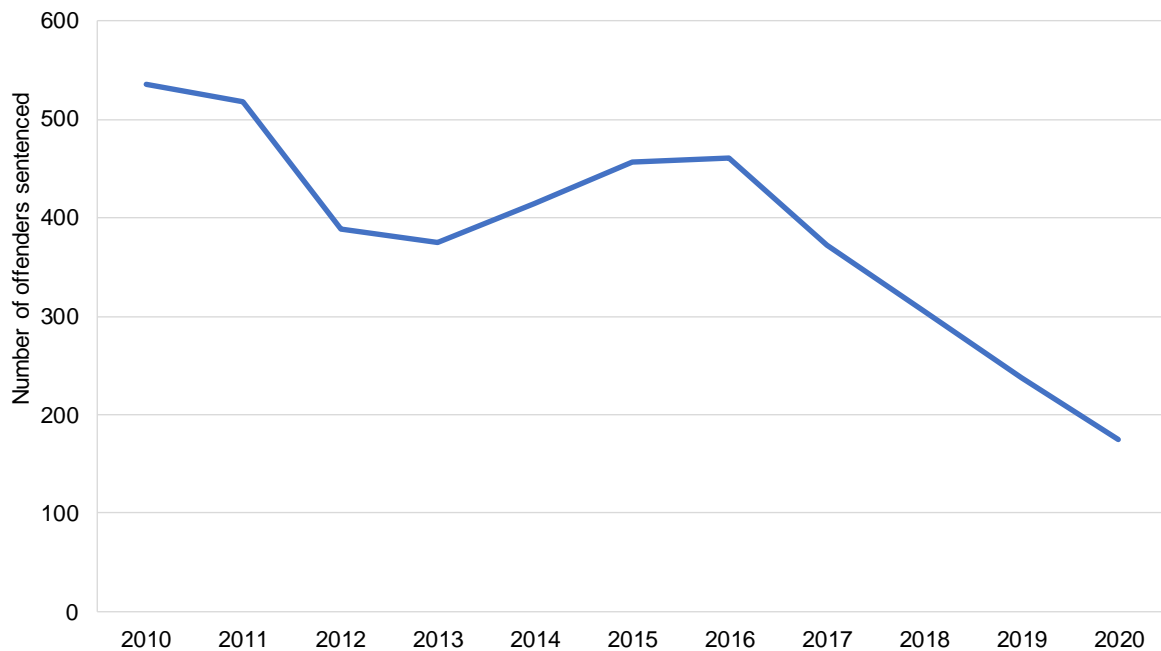
As with perverting the course of justice, the overall number of offenders sentenced for witness intimidation has decreased over the past decade despite some fluctuation over the years (see figure 2). Since 2016, there has been a steady decline, from

³ '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 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. For more information on interpreting these figures please refer to 'Sentence outcomes' in the 'Further Information' section at the end of this bulletin.

around 460 offenders to around 180 offenders sentenced for this offence in 2020. Of these, most offenders were sentenced in the Crown Court (73 per cent in 2020).

Figure 2: Number of adult offenders sentenced for witness intimidation, 2010-2020



Sentence outcomes and lengths

In 2020, the majority of offenders sentenced for witness intimidation were sentenced to immediate custody (63 per cent). A further 26 per cent were sentenced to a suspended sentence, 7 per cent received a community sentence, 3 per cent were 'otherwise dealt with'³ and 1 per cent were given a fine.

The statutory maximum sentence for witness intimidation is 5 years' custody and in 2020, the ACSL was 11 months, with sentence lengths ranging from 1 month to 3 years' custody.

Further information

Volumes of sentences

The data presented in this bulletin only include cases where the offence detailed was the principal offence committed. When an offender has been found guilty of two or more offences, the principal offence 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 this bulletin 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.

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:

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

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