



Ministry of  
**JUSTICE**

**Statistical bulletin on the public  
disorder of 6<sup>th</sup> to 9<sup>th</sup> August 2011 –  
February 2012 update**

Ministry of Justice  
Statistics bulletin

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## Introduction

The following section provides updated information on those brought before the courts for offences relating to the public disorder of 6<sup>th</sup> to 9<sup>th</sup> August 2011. Information is provided on those individuals brought before the courts; their initial outcomes and sentencing based on data available by midday on 1<sup>st</sup> February 2012. When reading this section please bear in mind that:

- 1) the group of people brought before the courts is only a subset of all people who took part in the public disorder of 6<sup>th</sup> to 9<sup>th</sup> August 2011. It is therefore possible that there are differences between the people brought before the courts to date and all those who took part in the disorder;
- 2) some of the people brought before the courts will have their charges dropped or be acquitted;
- 3) there are new cases being brought before the courts for events relating to the disorder on a regular basis. It is possible that there may be differences in characteristics or age profiles of those brought before the courts later compared to those who have appeared so far;
- 4) The information released in this section updates the previous analysis published on 24<sup>th</sup> October 2011;
- 5) When comparing sentences given for public disorder offences with sentences given for indictable offences in 2010 it is important to remember there was no widespread public disorder in 2010. In this bulletin comparisons have been made with proceedings in 2010 covering similar offence types seen in the disorder – such as burglary, theft and violent disorder - to provide context to the sentences given.

## Executive Summary

The public disorder began on 6<sup>th</sup> August 2011. On 7<sup>th</sup> and 8<sup>th</sup> August 2011 there were further outbreaks of disorder mainly in London. On 9<sup>th</sup> August the incidents were mainly outside of London.

The following presents court information on those who have appeared before the court by midday 1<sup>st</sup> February for offences relating to the disorder of 6<sup>th</sup> to 9<sup>th</sup> August. The police and courts agreed whether an offence was related to the disorder and the courts then returned details of the case centrally to the Ministry of Justice statistics team.

It is important to note that none of the factors explored imply causality with the public disorder events, but provide a background understanding of the characteristics of those brought before the courts. It is also the case that those brought before the courts may have different characteristics from those who took part and have yet to appear before the courts.

### Cases by area

Of the 2,710 people who had appeared before the courts by midday on 1<sup>st</sup> February 2012 proceedings were held in the following areas:

- London – 1,896 first hearings
- West Midlands – 301 first hearings
- Nottingham – 64 first hearings
- Greater Manchester – 240 first hearings
- Merseyside – 92 first hearings
- Other areas – 117 first hearings

### Gender, Age and Ethnicity

By midday on 1<sup>st</sup> February, 2,710 people had appeared before the courts for these offences. Of those brought before the courts 89 per cent were male and 11 per cent were female and the proportions are broadly similar across all areas. This compares with all first hearings for indictable offences in 2010 where 85 per cent were male and 15 per cent female.

Comparisons by age show that 27 per cent of those brought before the courts for offences relating to the public disorder were aged 10-17 (juveniles) and that a further 26 per cent were aged 18-20. Only six per cent of those appearing before the courts for the disorder were over 40 years old.

This is a different distribution compared to all those appearing before the courts for similar offences in 2010 when the proportion of juveniles was 16 per cent, the proportion of 18-20 year olds was 15 per cent and 15 per cent of offenders were over 40.

The details by area show differing age profiles for those appearing before the courts in London, West Midlands and Greater Manchester, with fewer juveniles than in other areas. The figures for each area were

- London – 25 per cent were juveniles and five per cent were over 40
- West Midlands – 29 per cent were juveniles and nine per cent were over 40
- Nottingham – 39 per cent were juveniles none were aged over 40

- Greater Manchester – 27 per cent were juveniles and 11 per cent were over 40
- Merseyside – 38 per cent were juveniles and four per cent were over 40
- Other areas – 33 per cent were juveniles and three per cent were over 40

Comparisons of the data collected on self-defined ethnicity (where ethnicity was recorded<sup>1</sup>) show that 41 per cent of those brought before the courts identified themselves as being from the White group, 39 per cent from the Black ethnic group, 12 per cent the Mixed ethnic group, six per cent the Asian ethnic group, and two per cent the Chinese or Other ethnic group.

### **Progress through the criminal justice system**

The first stage of the court process is for those accused to have a first hearing at magistrates' courts. 2,710 people had appeared before the court by midday on 1<sup>st</sup> February 2012 for offences relating to the public disorder. Of these, 1,789 (66 per cent) have reached a final outcome.

The offences for which people were most commonly brought before the court were Burglary (49 per cent), violent disorder (21 per cent), theft (16 per cent), robbery (two per cent), and criminal damage (two per cent). The remaining offences covered small numbers of a wide range of offences.

As of midday 1<sup>st</sup> February 2012, there have been 1,483 persons found guilty and sentenced for their part in the disorder, 55 per cent of the 2,710 people brought before the courts so far. Of those sentenced, 945 have been sentenced to immediate custody with an average custodial sentence length of 14.2 months. This compares to an average custodial sentence length of 3.7 months for those convicted at magistrates' courts, but sentenced at any court for similar offences in 2010.

The proportion of offenders sentenced who received an immediate custodial sentence for offences related to the public disorder at magistrates' courts was 37 per cent. This compares with 12 per cent for offenders sentenced for similar offences in England and Wales in 2010. The average custodial sentence length for offences related to the public disorder at magistrates' courts was 6.4 months. This compares with 2.5 months for offenders sentenced for similar offences in England and Wales 2010. This difference is mainly down to the average custodial sentence lengths (ACSL) given for burglary, with offenders sentenced for the public disorder receiving 7.2 months, compared with 4.4 months for those sentenced in England and Wales in 2010, and theft and handling, which had 4.6 months compared to 2.0 months in 2010. Juveniles sentenced to immediate custody for burglary have an ACSL of 7.8 months and for adults it was 5.3 months – this includes two offenders given two consecutive six month sentences.

At the Crown Court, 827 people have been sentenced of whom 701 (85 per cent) received immediate custodial sentences;

- the average custodial sentence length was 16.9 months compared with 11.3 months in England and Wales in 2010 for cases which were sent for sentencing;
- 56 per cent of the sentenced offenders were sentenced at the Crown Court.

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<sup>1</sup> For 506 of the 2,710 defendants self-defined ethnicity was recorded as not stated or unknown (18.7 per cent of defendants).

## Court proceedings [Tables 1 – 13]

If there is sufficient evidence against the defendant and none of the out of court disposals are appropriate, the police will formally charge the suspect. The law then requires the defendant to be brought before a magistrates' court as soon as possible. The defendant can be summoned to appear in court or remanded on bail or custody.

Key points (data as of midday 1<sup>st</sup> February 2012):

- 2,710 suspects have had an initial hearing at magistrates' courts. The majority of these hearings were in London (70 per cent).
- Of these cases, 27 per cent (720) were aged 10-17 and 73 per cent (1,990) were adults.
- 89 per cent of defendants were male.
- 33 per cent of defendants were from a White ethnic background, 31 per cent were from a Black ethnic background, 10 per cent were from a Mixed background, five per cent Asian, two per cent were of another ethnic background and 19 per cent were not stated or not recorded.
- Average custodial sentence length for offences related to the public disorder was 14.2 months.

**Tables 1a and 1b: Defendants brought before the courts for offences relating to the public disorder between 6<sup>th</sup> and 9<sup>th</sup> August 2011, (data as of midday 1<sup>st</sup> February 2012)**

**Table 1a - Defendants awaiting final outcome**

| Age group    | Hearing not yet completed      |                            |                     | Outcome of hearing not recorded | Total      |
|--------------|--------------------------------|----------------------------|---------------------|---------------------------------|------------|
|              | Remanded on unconditional bail | Remand on conditional bail | Remanded in custody |                                 |            |
| 10 to 17     | 27                             | 89                         | 36                  | 1                               | 153        |
| 18 to 20     | 43                             | 118                        | 115                 | 2                               | 278        |
| 21 to 24     | 38                             | 93                         | 76                  | 3                               | 210        |
| 25 to 30     | 28                             | 72                         | 58                  | -                               | 158        |
| 31 to 34     | 7                              | 17                         | 13                  | 1                               | 38         |
| 35 to 39     | 3                              | 14                         | 16                  | -                               | 33         |
| 40 plus      | 12                             | 18                         | 21                  | -                               | 51         |
| <b>Total</b> | <b>158</b>                     | <b>421</b>                 | <b>335</b>          | <b>7</b>                        | <b>921</b> |

**Table 1b: Final defendant outcome at court**

| Age group    | Convicted and sentenced        |                          |                 | Not convicted<br>Dismissed/<br>acquitted | Total final outcomes |
|--------------|--------------------------------|--------------------------|-----------------|--|----------------------|
|              | Sentenced to immediate custody | Sentenced to non-custody | Total sentenced |  |                      |
| 10 to 17     | 176                            | 308                      | 484             | 83                                       | 567                  |
| 18 to 20     | 254                            | 93                       | 347             | 77                                       | 424                  |
| 21 to 24     | 232                            | 53                       | 285             | 72                                       | 357                  |
| 25 to 30     | 128                            | 34                       | 162             | 46                                       | 208                  |
| 31 to 34     | 67                             | 10                       | 77              | 12                                       | 89                   |
| 35 to 39     | 25                             | 9                        | 34              | 6  | 40                   |
| 40 plus      | 63                             | 31                       | 94              | 10                                       | 104                  |
| <b>Total</b> | <b>945</b>                     | <b>538</b>               | <b>1,483</b>    | <b>306</b>                               | <b>1,789</b>         |

These tables show final outcome of cases and for those who have yet to be convicted/sentenced, the outcome of the first hearing at magistrates' courts. Subsequent hearings may mean that some individuals who were remanded initially have had their cases dropped or released on conditional bail.

For those cases where the defendant was not sentenced 36 per cent were remanded in custody, as at midday 1<sup>st</sup> February 2012.

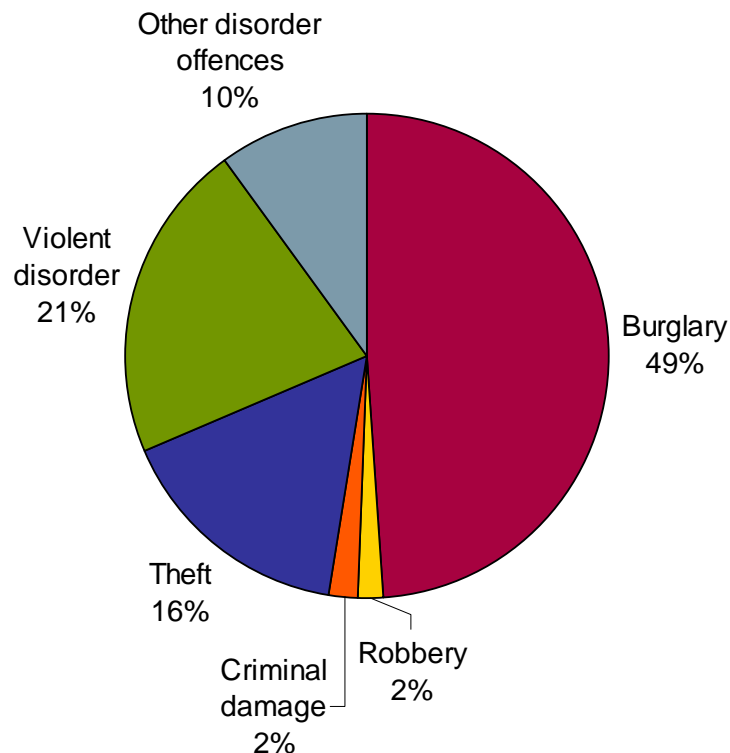
**Table 2: Defendants proceeded against at magistrates' courts, found guilty and sentenced at all courts for offences relating to the public disorder between 6<sup>th</sup> and 9<sup>th</sup> August 2011, (data as of midday 1<sup>st</sup> February 2012)**

| Offence                            | First hearing | Found guilty | Sentenced    | Sentence breakdown               |           |                    |                    |                   |                      |
|------------------------------------|---------------|--------------|--------------|----------------------------------|-----------|--------------------|--------------------|-------------------|----------------------|
|                                    |               |              |              | Absolute / conditional discharge | Fine      | Community sentence | Suspended sentence | Immediate custody | Otherwise dealt with |
| Burglary                           | 1,324         | 808          | 788          | 6                                | -         | 156                | 59                 | 566               | 1                    |
| Robbery                            | 49            | 18           | 18           | -                                | -         | 6                  | -                  | 12                | -                    |
| Criminal damage                    | 46            | 29           | 29           | 2                                | 2         | 12                 | 4                  | 9                 | -                    |
| Theft                              | 440           | 274          | 266          | 6                                | 8         | 60                 | 45                 | 147               | -                    |
| Violent disorder <sup>(1)</sup>    | 578           | 248          | 244          | 10                               | 5         | 52                 | 4                  | 153               | 20                   |
| Other riot offences <sup>(2)</sup> | 273           | 142          | 138          | 8                                | 19        | 35                 | 16                 | 58                | 2                    |
| <b>Total</b>                       | <b>2,710</b>  | <b>1,519</b> | <b>1,483</b> | <b>32</b>                        | <b>34</b> | <b>321</b>         | <b>128</b>         | <b>945</b>        | <b>23</b>            |

(1) Violent disorder (includes following offences: Violent disorder, Riot, Affray, Summary causing intentional harassment, alarm or distress, Summary harassment, alarm or distress, Assault with intent to resist apprehension or assault a person assisting a constable, Common assault offences, Assaulting a constable and offences under Public Order Act and Justice of the Peace Act).

(2) Other offence type (includes following offences: Having an article with a blade or point in public place, Possession of offensive weapons without lawful authority or reasonable excuse, Having possession of a controlled drug (Cannabis)).

**Figure 1: First hearings for offences relating to the public disorder between 6<sup>th</sup> and 9<sup>th</sup> August 2011 at magistrates' courts by offence category**



**Table 3: Defendants proceeded against at magistrates' courts, found guilty and sentenced at all courts for offences relating to the public disorder between 6<sup>th</sup> and 9<sup>th</sup> August 2011, (data as of midday 1<sup>st</sup> February 2012)**

| Sex / Age group  | First hearing | Found guilty | Sentenced    | Sentence breakdown               |           |                    |                    |                   |                                     |
|------------------|---------------|--------------|--------------|----------------------------------|-----------|--------------------|--------------------|-------------------|-------------------------------------|
|                  |               |              |              | Absolute / conditional discharge | Fine      | Community sentence | Suspended sentence | Immediate custody | Otherwise dealt with <sup>(2)</sup> |
| <b>Males</b>     |               |              |              |                                  |           |                    |                    |                   |                                     |
| 10 to 17         | 619           | 406          | 402          | 8                                | 3         | 227                | 3                  | 158               | 3                                   |
| 18 to 20         | 634           | 314          | 309          | 9                                | 7         | 7                  | 40                 | 231               | 15                                  |
| 21 to 24         | 521           | 266          | 260          | 5                                | 5         | 7                  | 27                 | 214               | 2                                   |
| 25 to 30         | 335           | 151          | 144          | 2                                | 8         | 3                  | 10                 | 119               | 2                                   |
| 31 to 34         | 110           | 68           | 64           | -                                | 1         | 1                  | 4                  | 58                | -                                   |
| 35 to 39         | 61            | 29           | 27           | -                                | 1         | 1                  | 6                  | 19                | -                                   |
| 40 plus          | 132           | 85           | 80           | 3                                | 6         | 4                  | 11                 | 55                | 1                                   |
| <b>Total</b>     | <b>2,412</b>  | <b>1,319</b> | <b>1,286</b> | <b>27</b>                        | <b>31</b> | <b>250</b>         | <b>101</b>         | <b>854</b>        | <b>23</b>                           |
| <b>Females</b>   |               |              |              |                                  |           |                    |                    |                   |                                     |
| 10 to 17         | 101           | 82           | 82           | 1                                | -         | 62                 | 1                  | 18                | -                                   |
| 18 to 20         | 68            | 38           | 38           | -                                | 2         | 2                  | 11                 | 23                | -                                   |
| 21 to 24         | 46            | 26           | 25           | -                                | -         | 4                  | 3                  | 18                | -                                   |
| 25 to 30         | 31            | 18           | 18           | -                                | -         | 2                  | 7                  | 9                 | -                                   |
| 31 to 34         | 17            | 13           | 13           | 1                                | -         | 1                  | 2                  | 9                 | -                                   |
| 35 to 39         | 12            | 7            | 7            | 1                                | -         | -                  | -                  | 6                 | -                                   |
| 40 plus          | 23            | 16           | 14           | 2                                | 1         | -                  | 3                  | 8                 | -                                   |
| <b>Total</b>     | <b>298</b>    | <b>200</b>   | <b>197</b>   | <b>5</b>                         | <b>3</b>  | <b>71</b>          | <b>27</b>          | <b>91</b>         | <b>-</b>                            |
| <b>Total</b>     |               |              |              |                                  |           |                    |                    |                   |                                     |
| Aged 10 to 17    | 720           | 488          | 484          | 9                                | 3         | 289                | 4                  | 176               | 3                                   |
| Aged 18 to 20    | 702           | 352          | 347          | 9                                | 9         | 9                  | 51                 | 254               | 15                                  |
| Aged 21 to 24    | 567           | 292          | 285          | 5                                | 5         | 11                 | 30                 | 232               | 2                                   |
| Aged 25 to 29    | 366           | 169          | 162          | 2                                | 8         | 5                  | 17                 | 128               | 2                                   |
| Aged 30 to 34    | 127           | 81           | 77           | 1                                | 1         | 2                  | 6                  | 67                | -                                   |
| Aged 35 to 39    | 73            | 36           | 34           | 1                                | 1         | 1                  | 6                  | 25                | -                                   |
| Aged 40 and over | 155           | 101          | 94           | 5                                | 7         | 4                  | 14                 | 63                | 1                                   |
| <b>Total</b>     | <b>2,710</b>  | <b>1,519</b> | <b>1,483</b> | <b>32</b>                        | <b>34</b> | <b>321</b>         | <b>128</b>         | <b>945</b>        | <b>23</b>                           |

For cases which reached a final outcome, a total of 1,483 offenders have been sentenced, the largest proportion of these were for burglary (53 per cent), violent disorder (16 per cent) and theft (18 per cent).

The proportion of offenders sentenced who received an immediate custodial sentence for offences related to the public disorder at magistrates' courts was 37 per cent. This compares with 12 per cent for offenders sentenced for similar offences in England and Wales 2010.



**Table 4: Immediate custody rate<sup>(1)</sup> for offences related to the disorder between 6<sup>th</sup> and 9<sup>th</sup> August, (data as of midday 1st February 2012)**

| Court type / Offence category          | Offences related to the public disorder of 6th to 9th August 2011 |  | Immediate custody rate in England and Wales 2010 for similar offences |
|--|---|--|---|
|  | Immediate custodial sentences                                     | Immediate custody rate for those sentenced |   |
| <b><u>Magistrates' courts</u></b>      |   |  |   |
| Burglary                               | 114   | 42%  | 23%   |
| Robbery                                | -   | *  | 13%   |
| Criminal damage                        | 4   | 17%  | 16%   |
| Theft                                  | 55  | 41%  | 2%  |
| Violent disorder <sup>(2)</sup>        | 53  | 38%  | 13%   |
| Other disorder offences <sup>(3)</sup> | 18  | 22%  | 2%  |
| <b>Total</b>                           | <b>244</b>  | <b>37%</b>                                 | <b>12%</b>  |
| <b><u>Crown Court</u></b>              |   |  |   |
| Burglary                               | 452   | 87%  | 68%   |
| Robbery                                | 12  | 92%  | 41%   |
| Criminal damage                        | 5   | *  | 52%   |
| Theft                                  | 92  | 69%  | 46%   |
| Violent disorder <sup>(2)</sup>        | 100   | 96%  | 42%   |
| Other disorder offences <sup>(3)</sup> | 40  | 73%  | 36%   |
| <b>Total</b>                           | <b>701</b>  | <b>85%</b>                                 | <b>33%</b>  |

**To note: Crown Court data for 2010 are based on cases that were found guilty at the magistrates' courts and committed for sentence at the Crown Court in order to give the most reliable comparison with disorder cases which have been sentenced so far.**  
\* = Not applicable.

(1) Proportion of offenders sentenced who received an immediate custodial sentence.

(2) Violent disorder includes following offences: Violent disorder, Riot, Affray, Summary causing intentional harassment, alarm or distress, Summary harassment, alarm or distress, Assault with intent to resist apprehension or assault a person assisting a constable, Common assault offences, Assaulting a constable and offences under Public Order Act and Justice of the Peace Act.

(3) Other disorder offence types includes following offences: Having an article with a blade or point in public place, Possession of offensive weapons without lawful authority or reasonable excuse, Having possession of a controlled drug (Cannabis).

The average custodial sentence length (ACSL) for offences related to the public disorder at magistrates' courts was 6.4 months. This compares with 2.5 months for offenders sentenced for similar offences in England and Wales in 2010. This difference is mainly down to the average custodial sentence lengths given for burglary, with offenders sentenced for the public disorder receiving 7.2 months, compared with 4.4 months for those sentenced in England and Wales in 2010, and theft and handling, which compared 4.6 months to 2.0 months. Juveniles sentenced to immediate custody for burglary have an ACSL of 7.8 months and for adults it was 5.3 months – this includes two offenders given two consecutive six month sentences.

At the Crown Court the average custodial sentence length was 16.9 months compared with 11.3 months for offenders sentenced at the Crown Court following committal for sentence for similar offences in England and Wales in 2010.

**Table 5: Sentencing Comparison for offenders convicted following the August 2011 public disorder, with similar offences committed in 2010**

|                                | For offences committed during the public disorder |                      |                            |  | During 2010     |                      |                            |  |
|--------------------------------|---|----------------------|----------------------------|--|-----------------|----------------------|----------------------------|--|
|                                | Total sentenced                                   | Sentenced to custody | Immediate custody rate (%) | Average custodial sentence length (months) | Total sentenced | Sentenced to custody | Immediate custody rate (%) | Average custodial sentence length (months) |
| Juvenile (youth courts)        | 444   | 144                  | 32.4                       | 7.9  | 34,796          | 1,843                | 5.3                        | 7.3  |
| Adult - magistrates' courts    | 212   | 100                  | 47.2                       | 4.3  | 166,746         | 22,867               | 13.7                       | 2.1  |
| All ages - magistrates' courts | 656   | 244                  | 37.2                       | 6.4  | 201,542         | 24,710               | 12.3                       | 2.5  |

**Table 6: Average custodial sentence length (months) for offences related to the disorder between 6<sup>th</sup> and 9<sup>th</sup> August, (data as of midday 1<sup>st</sup> February 2012)**

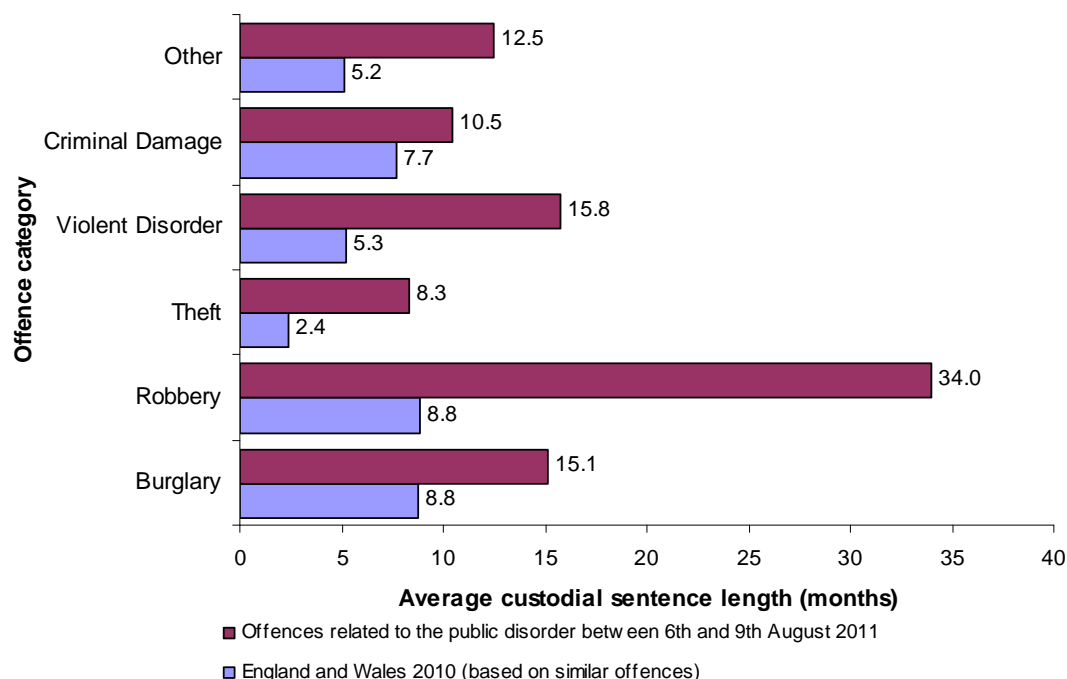
| <u>Court type / Offence category</u>   | <u>Completed court cases relating to the disorder</u> | <u>England and Wales 2010 (based on similar offences)</u> |
|--|---|---|
| <b><u>Magistrates' courts</u></b>      |   |   |
| Burglary                               | 7.2   | 4.4   |
| Robbery                                | *   | 8.8   |
| Criminal damage                        | 3.3   | 6.8   |
| Theft                                  | 4.6   | 2.0   |
| Violent disorder <sup>(1)</sup>        | 7.4   | 3.1   |
| Other disorder offences <sup>(2)</sup> | 4.6   | 3.1   |
| <b>Total</b>                           | <b>6.4</b>  | <b>2.5</b>  |
| <b><u>Crown Court</u></b>              |   |   |
| Burglary                               | 17.1  | 16.2  |
| Robbery                                | 34.0  | 10.8  |
| Criminal damage                        | 16.2  | 7.7   |
| Theft                                  | 10.5  | 6.6   |
| Violent disorder <sup>(1)</sup>        | 20.2  | 9.9   |
| Other disorder offences <sup>(2)</sup> | 16.0  | 7.6   |
| <b>Total</b>                           | <b>16.9</b>   | <b>11.3</b>   |

**To note: Crown Court data for 2010 are based on cases that were found guilty at the magistrates' courts and committed for sentence at the Crown Court in order to give the most reliable comparison with disorder cases which have been sentenced so far.**

(1) Violent disorder (includes following offences: Violent disorder, Riot, Affray, Summary causing intentional harassment, alarm or distress, Summary harassment, alarm or distress, Assault with intent to resist apprehension or assault a person assisting a constable, Common assault offences, Assaulting a constable and offences under Public Order Act and Justice of the Peace Act).

(2) Other disorder offences includes following offences: Having an article with a blade or point in public place, Possession of offensive weapons without lawful authority or reasonable excuse, Having possession of a controlled drug (Cannabis).

**Figure 2: Average custodial sentence length (months) for offences related to the public disorder between 6<sup>th</sup> and 9<sup>th</sup> August 2011, (data as of midday 1st February 2012)**



As of the 1<sup>st</sup> February 2012, details of 18 successful appeals against sentences given at the magistrates' courts and four successful appeals against sentences given at the Crown Court have been received. The appeal results are included in the statistics, including four custodial sentences being commuted to community sentences.

## Ethnicity

The ethnicity statistics included in this publication are based on each defendant's self-defined ethnicity, as recorded by the courts. This approach uses the Office for National Statistics 2001 Census classifications, which allows an individual to choose how their ethnicity is recorded from a list of 16 options, or not to declare it. Due to small numbers in some categories the 16 point ethnicity classification was then collapsed to the 5 point classification in this section. Information is presented on the following ethnic groupings: 'White'<sup>2</sup>, 'Black'<sup>3</sup>, 'Asian'<sup>4</sup>, 'Mixed'<sup>5</sup>, 'Other'<sup>6</sup> and 'Not Stated'. The fuller 16 point classification can be found in the tables.

For those defendants whose ethnicity is known<sup>7</sup> 41 per cent were from the White ethnic group, 39 per cent were from a Black ethnic background, 12 per cent were

<sup>2</sup> From the Census 5 point ethnicity classification White includes: - White – British, White – Irish, and White – Other

<sup>3</sup> From the Census 5 point ethnicity classification Black includes: - Black – African, Black – Caribbean, and Black – Other.

<sup>4</sup> From the Census 5 point ethnicity classification Asian includes: - Asian – Bangladeshi, Asian – Indian, Asian – Pakistani, and Asian – Other.

<sup>5</sup> From the Census 5 point ethnicity classification Mixed includes: - White and Black African, White and Black Caribbean, White and Asian, and Any other mixed background.

<sup>6</sup> From the Census 5 point ethnicity classification Other includes: - Chinese and Other.

<sup>7</sup> Excludes 506 defendants whose ethnicity was given as Not Stated or not recorded at court.

from the Mixed group, six per cent the Asian ethnic group, and two per cent self-defined as being from a Chinese or Other ethnic background.

For those cases which have yet to come to a final conclusion at court, 16 per cent of defendants from the White ethnic group and 12 per cent of defendants from the Black ethnic group were remanded on unconditional bail, whereas 43 per cent of defendants of White ethnicity were remanded on conditional bail, compared to 50 per cent of defendants of Black ethnicity. When considering custodial remands 39 per cent of defendants of Black ethnicity and 39 per cent of defendants of White ethnicity were remanded in custody. During 2010, at the Crown Court, 45 per cent of Black defendants tried were remanded in custody, compared to 33 per cent of White defendants.

Where defendants have been sentenced 61 per cent of those in the White ethnic group and 67 per cent of those in the Black ethnic group were given an immediate custodial sentence. This compares to 23 per cent and 26 per cent respectively, sentenced to immediate custody for indictable offences during the 12 months ending March 2011.

Where the proceedings are complete 14 per cent of White and 23 per cent of Black defendants were not found guilty. This includes cases where proceedings were discontinued by the prosecution, acquittals, and proceedings dismissed by the judge or magistrates.

**Tables 7a(ii) and 7b(ii): Defendants brought before the courts for offences relating to the public disorder between 6th and 9th August 2011, by self-defined ethnicity<sup>(1)</sup> - data as of 1<sup>st</sup> February 2012**

**Table 7a(ii) - Defendants awaiting final outcome**

| Ethnicity                  | Hearing not yet completed      |                            |                     | Outcome of hearing not recorded | Total      |
|----------------------------|--------------------------------|----------------------------|---------------------|---------------------------------|------------|
|                            | Remanded on unconditional bail | Remand on conditional bail | Remanded in custody |                                 |            |
| White – British            | 37                             | 98                         | 89                  | 3                               | 227        |
| White – Irish              | 1                              | 4                          | 2                   | -                               | 7          |
| White – Other              | 6                              | 12                         | 14                  | 1                               | 33         |
| Black – Caribbean          | 16                             | 80                         | 53                  | -                               | 149        |
| Black – African            | 12                             | 35                         | 32                  | -                               | 79         |
| Black – Other              | 8                              | 39                         | 36                  | -                               | 83         |
| Asian – Indian             | 4                              | 3                          | 5                   | -                               | 12         |
| Asian – Pakistani          | 6                              | 4                          | 1                   | -                               | 11         |
| Asian – Bangladeshi        | 1                              | 7                          | 2                   | -                               | 10         |
| Asian – Other              | 3                              | 9                          | 9                   | -                               | 21         |
| White and Black Caribbean  | 9                              | 31                         | 21                  | 2                               | 63         |
| White and Black African    | -                              | 1                          | 2                   | -                               | 3          |
| White and Asian            | -                              | 2                          | -                   | -                               | 2          |
| Any other mixed background | 3                              | 11                         | 2                   | -                               | 16         |
| Chinese                    | -                              | -                          | -                   | -                               | -          |
| Other                      | 2                              | 7                          | 6                   | -                               | 15         |
| Not Stated / not recorded  | 50                             | 78                         | 61                  | 1                               | 190        |
| <b>Total</b>               | <b>158</b>                     | <b>421</b>                 | <b>335</b>          | <b>7</b>                        | <b>921</b> |

**Table 7b(ii): Final defendant outcome at court**

| Ethnicity                  | Convicted and sentenced        |                          |                 | Not convicted         |                      |
|----------------------------|--------------------------------|--------------------------|-----------------|-----------------------|----------------------|
|                            | Sentenced to immediate custody | Sentenced to non-custody | Total sentenced | Dismissed / acquitted | Total final outcomes |
| White – British            | 283                            | 185                      | 468             | 72                    | 540                  |
| White – Irish              | 9                              | 3                        | 12              | 1                     | 13                   |
| White – Other              | 40                             | 20                       | 60              | 14                    | 74                   |
| Black – Caribbean          | 133                            | 61                       | 194             | 67                    | 261                  |
| Black – African            | 78                             | 44                       | 122             | 31                    | 153                  |
| Black – Other              | 69                             | 32                       | 101             | 27                    | 128                  |
| Asian – Indian             | 6                              | 5                        | 11              | 1                     | 12                   |
| Asian – Pakistani          | 16                             | 8                        | 24              | 7                     | 31                   |
| Asian – Bangladeshi        | 4                              | 4                        | 8               | 2                     | 10                   |
| Asian – Other              | 23                             | 7                        | 30              | 4                     | 34                   |
| White and Black Caribbean  | 48                             | 41                       | 89              | 23                    | 112                  |
| White and Black African    | 17                             | 4                        | 21              | 3                     | 24                   |
| White and Asian            | 3                              | 1                        | 4               | -                     | 4                    |
| Any other mixed background | 16                             | 20                       | 36              | 5                     | 41                   |
| Chinese                    | 1                              | 1                        | 2               | 2                     | 4                    |
| Other                      | 21                             | 5                        | 26              | 6                     | 32                   |
| Not Stated / not recorded  | 178                            | 97                       | 275             | 41                    | 316                  |
| <b>Total</b>               | <b>945</b>                     | <b>538</b>               | <b>1483</b>     | <b>306</b>            | <b>1789</b>          |

(1) Ethnicity is self defined ethnicity reported on the 16+1 scale as used in the 2001 census.

**Table 8: Defendants proceeded against at magistrates' courts, found guilty and sentenced at all courts for offences relating to the public disorder of 6th to 9th August 2011, by self-defined ethnicity<sup>(1)</sup> - data as of 1<sup>st</sup> February 2012**

| Ethnicity                  | First hearing | Found guilty | Sentenced    | Sentence breakdown               |           |                    |                    |                   |                      | Average Custodial Sentence Length (Magistrates) | Average Custodial Sentence Length (Crown) |
|----------------------------|---------------|--------------|--------------|----------------------------------|-----------|--------------------|--------------------|-------------------|----------------------|---|---|
|                            |               |              |              | Absolute / conditional discharge | Fine      | Community sentence | Suspended sentence | Immediate custody | Otherwise dealt with |   |   |
| White – British            | 767           | 481          | 468          | 16                               | 14        | 100                | 41                 | 283               | 14                   | 5.5   | 18.4                                      |
| White – Irish              | 20            | 12           | 12           | -                                | -         | 2                  | 1                  | 9                 | -                    | 10.0  | 17.3                                      |
| White – Other              | 107           | 62           | 60           | 1                                | 1         | 11                 | 7                  | 40                | -                    | 8.4   | 15.1                                      |
| Black – Caribbean          | 410           | 197          | 194          | 2                                | 5         | 36                 | 18                 | 133               | -                    | 7.0   | 15.5                                      |
| Black – African            | 232           | 126          | 122          | 1                                | 4         | 23                 | 15                 | 78                | 1                    | 6.2   | 18.5                                      |
| Black – Other              | 211           | 105          | 101          | 1                                | 1         | 20                 | 8                  | 69                | 2                    | 6.5   | 17.4                                      |
| Asian – Indian             | 24            | 12           | 11           | -                                | -         | 3                  | 1                  | 6                 | 1                    | *   | 16.2                                      |
| Asian – Pakistani          | 42            | 24           | 24           | 1                                | 1         | 5                  | 1                  | 16                | -                    | 2.7   | 13.4                                      |
| Asian – Bangladeshi        | 20            | 8            | 8            | 1                                | -         | 2                  | 1                  | 4                 | -                    | 9.0   | 14.5                                      |
| Asian – Other              | 55            | 31           | 30           | -                                | -         | 5                  | 1                  | 23                | 1                    | 8.5   | 14.7                                      |
| White and Black Caribbean  | 175           | 91           | 89           | 1                                | -         | 25                 | 14                 | 48                | 1                    | 8.0   | 19.6                                      |
| White and Black African    | 27            | 22           | 21           | -                                | -         | 3                  | 1                  | 17                | -                    | 8.0   | 16.7                                      |
| White and Asian            | 6             | 4            | 4            | -                                | -         | 1                  | -                  | 3                 | -                    | *   | 18.0                                      |
| Any other mixed background | 57            | 37           | 36           | 2                                | 3         | 12                 | 3                  | 16                | -                    | 6.4   | 14.4                                      |
| Chinese                    | 4             | 2            | 2            | -                                | -         | 1                  | -                  | 1                 | -                    | *   | 36.0                                      |
| Other                      | 47            | 26           | 26           | -                                | 1         | 3                  | 1                  | 21                | -                    | 6.8   | 18.8                                      |
| Not Stated                 | 506           | 279          | 275          | 6                                | 4         | 69                 | 15                 | 178               | 3                    | 6.6   | 15.1                                      |
| <b>Total</b>               | <b>2,710</b>  | <b>1,519</b> | <b>1,483</b> | <b>32</b>                        | <b>34</b> | <b>321</b>         | <b>128</b>         | <b>945</b>        | <b>23</b>            | <b>6.4</b>                                      | <b>16.9</b>                               |

(1) Ethnicity is self defined ethnicity reported on the 16+1 scale used in the 2001 census.

The ethnic backgrounds of those appearing before the courts vary significantly by area. In London 33 per cent of defendants, where ethnicity was known, were from White ethnic groups, whereas in Merseyside 78 per cent of defendants were from White ethnic groups. By contrast 11 per cent of defendants in Merseyside were from Black ethnic groups, compared to London where 45 per cent were from Black ethnic groups.

**Table 9a(ii): Defendants brought before the courts for offences relating to the public disorder between 6th and 9th August 2011, by self-defined ethnicity<sup>(1)</sup> and region - data as of 1<sup>st</sup> February 2012**

| Ethnicity                  | Region       |               |            |                    |            |            | Total        |
|----------------------------|--------------|---------------|------------|--------------------|------------|------------|--------------|
|                            | London       | West Midlands | Nottingham | Greater Manchester | Merseyside | Other      |              |
| White – British            | 429          | 63            | 22         | 136                | 51         | 66         | 767          |
| White – Irish              | 17           | 1             | -          | 2                  | -          | -          | 20           |
| White – Other              | 92           | 3             | 1          | 8                  | -          | 3          | 107          |
| Black – Caribbean          | 348          | 37            | 11         | 5                  | 1          | 8          | 410          |
| Black – African            | 205          | 8             | -          | 15                 | 2          | 2          | 232          |
| Black – Other              | 183          | 8             | 10         | 4                  | 4          | 2          | 211          |
| Asian – Indian             | 18           | 5             | -          | -                  | -          | 1          | 24           |
| Asian – Pakistani          | 27           | 11            | -          | 3                  | -          | 1          | 42           |
| Asian – Bangladeshi        | 19           | 1             | -          | -                  | -          | -          | 20           |
| Asian – Other              | 49           | 4             | -          | -                  | 2          | -          | 55           |
| White and Black Caribbean  | 120          | 17            | 16         | 13                 | 3          | 6          | 175          |
| White and Black African    | 22           | -             | -          | 5                  | -          | -          | 27           |
| White and Asian            | 4            | 1             | -          | 1                  | -          | -          | 6            |
| Any other mixed background | 48           | 4             | 2          | 1                  | 1          | 1          | 57           |
| Chinese                    | 3            | -             | -          | 1                  | -          | -          | 4            |
| Other                      | 40           | 2             | 1          | 2                  | 1          | 1          | 47           |
| Not Stated                 | 272          | 136           | 1          | 44                 | 27         | 26         | 506          |
| <b>Total</b>               | <b>1,896</b> | <b>301</b>    | <b>64</b>  | <b>240</b>         | <b>92</b>  | <b>117</b> | <b>2,710</b> |

**Table 9b(ii): Proportions of defendants of known ethnicity brought before the courts for offences relating to the public disorder between 6th and 9th August 2011, by self-defined ethnicity<sup>(1)</sup> and region - data as of 1<sup>st</sup> February 2012**

| Ethnicity                  | Region      |               |             |                    |             |             | Total       |
|----------------------------|-------------|---------------|-------------|--------------------|-------------|-------------|-------------|
|                            | London      | West Midlands | Nottingham  | Greater Manchester | Merseyside  | Other       |             |
| White – British            | 26%         | 38%           | 35%         | 69%                | 78%         | 73%         | 35%         |
| White – Irish              | 1%          | 1%            | -           | 1%                 | -           | -           | 1%          |
| White – Other              | 6%          | 2%            | 2%          | 4%                 | -           | 3%          | 5%          |
| Black – Caribbean          | 21%         | 22%           | 17%         | 3%                 | 2%          | 9%          | 19%         |
| Black – African            | 13%         | 5%            | -           | 8%                 | 3%          | 2%          | 11%         |
| Black – Other              | 11%         | 5%            | 16%         | 2%                 | 6%          | 2%          | 10%         |
| Asian – Indian             | 1%          | 3%            | -           | -                  | -           | 1%          | 1%          |
| Asian – Pakistani          | 2%          | 7%            | -           | 2%                 | -           | 1%          | 2%          |
| Asian – Bangladeshi        | 1%          | 1%            | -           | -                  | -           | -           | 1%          |
| Asian – Other              | 3%          | 2%            | -           | -                  | 3%          | -           | 2%          |
| White and Black Caribbean  | 7%          | 10%           | 25%         | 7%                 | 5%          | 7%          | 8%          |
| White and Black African    | 1%          | -             | -           | 3%                 | -           | -           | 1%          |
| White and Asian            | 0%          | 1%            | -           | 1%                 | -           | -           | 0%          |
| Any other mixed background | 3%          | 2%            | 3%          | 1%                 | 2%          | 1%          | 3%          |
| Chinese                    | 0%          | -             | -           | 1%                 | -           | -           | 0%          |
| Other                      | 2%          | 1%            | 2%          | 1%                 | 2%          | 1%          | 2%          |
| <b>Total</b>               | <b>100%</b> | <b>100%</b>   | <b>100%</b> | <b>100%</b>        | <b>100%</b> | <b>100%</b> | <b>100%</b> |

(1) Ethnicity is self defined ethnicity reported on the 16+1 scale used in the 2001 census.

## Data sources and data quality

The data presented in this publication are drawn from administrative IT systems. Although care is taken when processing and analysing the returns, the detail collected is subject to the inaccuracies inherent in any large scale recording system. While the figures shown have been checked as far as practicable, they should be regarded as approximate and not necessarily accurate to the last whole number shown in the tables. Where figures in the tables have been rounded to the nearest whole number, the rounded components do not always add to the totals, which are calculated and rounded independently

### Court hearings

Justice Statistics Analytical Services within the Ministry of Justice received manual returns from the individual courts who were dealing with defendants identified as being involved in the public disorder. They provided summary information on key details taken from court registers to meet the needs of the courts service, National Offender Management Service (NOMS) and other Criminal Justice agencies for planning purposes.

The offence shown in the tables on court proceedings is the one for which the court took its final decision and is not necessarily the same as the offence for which the defendant was initially prosecuted, for example when the court accepts a guilty plea from the defendant on a lesser charge.

### Ethnicity data

Data for the main ethnicity section and tables is based on the information available as at 1<sup>st</sup> February 2012. The ethnicity statistics are based on each defendant's self-defined ethnicity, as recorded by the courts. This approach uses the Office for National Statistics 2001 Census classification, which allows an individual to choose how their ethnicity is recorded from a list of 16 options, or not to declare it. Due to small numbers in some categories the 16 point ethnicity classification was then collapsed to the 5 point classification in this section for reporting purposes. The report therefore presents information on the following ethnic groups: 'White'<sup>8</sup>, 'Black'<sup>9</sup>, 'Asian'<sup>10</sup>, 'Mixed'<sup>11</sup>, 'Other'<sup>12</sup> and 'Not Stated'.

The executive summary includes a breakdown based on known ethnicity only, so the 506 (19 per cent) not stated/not known cases have been removed – therefore there are some differences between proportions reported. In each case we have stated what approach has been used.

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<sup>8</sup> From the Census 5 point ethnicity classification White includes: - White – British, White – Irish, and White – Other.

<sup>9</sup> From the Census 5 point ethnicity classification Black includes: - Black – African, Black – Caribbean, and Black – Other.

<sup>10</sup> From the Census 5 point ethnicity classification Asian includes: - Asian – Bangladeshi, Asian – Indian, Asian – Pakistani, and Asian – Other.

<sup>11</sup> From the Census 5 point ethnicity classification Mixed includes: - White and Black African, White and Black Caribbean, White and Asian, and any other mixed background.

<sup>12</sup> From the Census 5 point ethnicity classification Other includes: - Chinese and Other.



## Glossary

**Average custodial sentence length (ACSL):** Average length of determinate custodial sentences given in months. This excludes indeterminate sentences (life or Imprisonment for Public Protection sentences) as the length of these sentences is not recorded.

**Community sentence:** When a court imposes a community sentence, the offender doesn't go to prison. But the court says there are specific things the offender can, can't and must do while serving their sentence. The magistrate or judge will decide which combination of these 'requirements' will most effectively punish the offender for their crime, while also reducing the risk of them offending again.

**Discharge:** When the court decides someone is guilty, but decides not to punish them further at this time, they will be given a 'discharge'. Discharges are given for minor offences. An 'absolute discharge' means that no more action will be taken. A 'conditional discharge' means that the offender won't be punished unless they commit another offence within a set period of time (no longer than three years).

**Fine:** Fines are the most common criminal sentence. They're usually given for less serious crimes that don't merit a community or prison sentence. They limit the amount of money offenders have to spend. How much someone is fined depends on how serious a crime is, and the offender's ability to pay.

**Immediate custody:** Prison sentences are given when an offence is so serious that it is the only suitable punishment. A prison sentence will also be given when the court believes the public must be protected from the offender. There are three different types of prison sentence: suspended sentences, determinate sentences (those having a fixed term) and indeterminate sentences (which have only a minimum term and include life sentences).

**Otherwise dealt with:** Includes a number of orders, for example hospital orders, confiscation orders and compensation orders.

**Principal offence:** Where more than one offence is considered in a court case or cautioning occasion, the offence that would/did attract the most severe sentencing outcome is deemed to be the Principal offence and other offences also dealt with in that case would be ignored. If two offences in the same case attract the same sentence the offence with the statutory maximum sentence is deemed the 'Principal offence'.

**Suspended sentence:** A court may give an offender a 'suspended' prison sentence if the time they would otherwise spend in prison is under 12 months. With a suspended sentence, the offender doesn't go directly to prison but they do have to meet conditions in the community, set by the court. These conditions can last for up to two years. If the offender breaks these conditions, or commits another offence, they will usually have to serve the original sentence in prison.

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