

GBH with intent (section 18) – data trends

Evaluation findings

The evaluation found that following the introduction of the guideline, there was an increase in sentence severity and ACSLs for GBH with intent (s18) offences, in excess of that anticipated in the resource assessment. There was **strong statistical evidence that the guideline caused a change in sentencing practice** for this offence.

Overall trends

From 2007 to 2017 there was a steady increase in average sentencing severity, which has been driven by an increase in average custodial sentence lengths (ACSLs).

The majority of offenders are sentenced to immediate custody (90% in 2017). A small proportion of offenders also received a suspended sentence in 2017 (1%).

There has been a steady increase in ACSLs over the last 10 years, and since the guideline came into force. These increases are due to a shift from estimated pre-guilty plea sentences of up to 6 years towards pre-guilty plea sentences of over 6 years.

The majority of offenders sentenced for GBH with intent are sentenced for 'wounding' (63% in 2017) as opposed to 'GBH'. For GBH offences, 92% of offenders were sentenced to immediate custody in 2017, and 7% were otherwise dealt with.¹ For wounding offences, 89% were sentenced to immediate custody, 1% received SSOs, and 10% were otherwise dealt with. Sentence severity has been gradually increasing for both offences, but since 2014 it has been marginally higher for GBH. This is driven by a slightly higher ACSL for GBH offences; in 2017 the estimated pre-guilty plea ACSL for GBH was 8 years 8 months, compared to 8 years 5 months for wounding.

In the first quarter of 2015 (the most recent data available from the Crown Court Sentencing Survey), 38% of offenders fell in the highest category of seriousness, 60% were in the middle category and 3% in the lowest category. Before the guideline came into force, the majority of offenders sentenced (85%) were placed in the two middle levels of seriousness. Over time there has been a decrease in the proportion of offenders placed in the lowest category of seriousness (from 14% in the second half of 2011 to 3% in Q1 2015). The proportion placed in the highest category has fluctuated over the last few years at around 40%.

Category 1

Of those offenders placed in category 1, the vast majority receive an immediate custodial sentence (94% in Q1 2015). The estimated pre-guilty plea ACSL in category 1 has generally been increasing since the guideline came into force, from 9 years 8 months in the second half of 2011 to 11 years in Q1 2015. The starting point for this category is 12 years' custody. Overall this shows that generally around 40% of offenders are falling into category 1, and they are receiving increasingly longer sentences.

Category 2

For those placed in category 2, most offenders receive a custodial sentence (95% in Q1 2015). This proportion has marginally decreased over time, and there has been a slight increase in SSOs in the past few years. In the second half of 2011, all offenders in category

¹ This includes hospital orders and other miscellaneous disposals.

2 received an immediate custodial sentence, but by Q1 2015 this had decreased to 95%, with 4% receiving an SSO. The estimated pre-guilty plea ACSL has been fairly stable since the guideline came into force, at around 6 years (the starting point for this category).

Category 3

Immediate custody was the most common sentencing outcome for offenders placed in category 3 (82% in 2014), followed by SSOs (13%). The estimated pre-guilty plea ACSL in category 3 has fluctuated over the past few years at an average of around 3 years 9 months. The starting point for this category is 4 years.