

**Sentencing Council meeting:**  
**Paper number:**

**22 July 2022**  
**SC(22)JUL03 - Blackmail, kidnap, false imprisonment, child abduction and threats to disclose private sexual images**  
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## **1 ISSUE**

1.1 This is the second meeting to discuss blackmail offences and first meeting to discuss the scope of the rest of the project. This meeting will consider a draft guideline for blackmail offences.

1.2 There are currently four Council meetings scheduled to discuss the draft guidelines, with a consultation in Spring 2023. This timetable is indicative only however at this early stage of the project.

## **2 RECOMMENDATION**

2.1 At today's meeting the Council are asked:

- To consider the draft blackmail guideline
- To agree the scope of the rest of the project

## **3 CONSIDERATION**

### *Blackmail*

3.1 There currently is no guideline for this offence. The offence of blackmail is committed when a person with a view to gain for themselves or another, or intending to cause loss to another, makes an unwarranted demand with menaces. ([Section 21 of the 1968 Act](#)). It is a serious offence, indictable only, with a maximum penalty of 14 years' custody. Sentencing data for this offence is attached at **Annex A**, and shows that, in 2020, around 110 offenders were sentenced for this offence with 65 per cent sentenced to immediate custody (tabs 5.1 and 5.2.) However, it is possible that the figures for 2020 may have been impacted by the COVID-19 pandemic: around 130 adult offenders were sentenced in 2019 with 77 per cent being sentenced to immediate custody and around 160 were sentenced in 2018, of which 79 per cent received an immediate custodial sentence. Over the last decade the average custodial sentence length (ACSL) has remained stable at around 2 years 10 months (post guilty plea).

3.2 A draft guideline is attached at **Annex B**. It has been developed by considering around 30 transcripts of sentenced cases, considering the available sentencing data and in conjunction with the guideline lead, Juliet. Sentencing authorities are generally fact specific. In *R v Hadjou* (1989) Lord Lane CJ said blackmail was one of the ugliest and most vicious offences, often involving ‘attempted murder of the soul’ and that deterrence was perhaps the most important part of the sentence. A crucial element will often be the relationship between the amount of money demanded and the means available to the victim; also important will be the psychological harm done or intended to be done to the victim: *R v Ford* [2015].

3.3 In *R v Hutchinson* [2018] the judge sentencing a dentist who had conspired to blackmail his former surgery had been entitled to treat the fraud guideline as an indicator of the proper approach to culpability, and to take the view that blackmail was more serious than an attempt to obtain an equivalent amount of money by fraud alone. The assessment of seriousness in any given case has to take account of the nature of the menaces made, and the sentence should, amongst other matters, reflect the nature of the menaces *R v Atkinson* [2018]. However, even where the menaces consist of a threat to kill it would be unwise to place too much weight on the guideline for threats to kill, because blackmail involves much more than simply making threats and carries a greater maximum sentence: *Murphy* [2019].

3.4 Starting with the culpability factors on page two of **Annex B**, the proposed high culpability factors have been included following consideration of the 30 transcripts of blackmail cases and are designed to capture the most serious cases. Offending over a sustained period of time, in some cases over a number of years, increased the seriousness of the offence, according to courts. If the offending was particularly sophisticated or planned, this again makes the offending more serious, such as the offender who placed contaminated jars of baby food in Tesco, and blackmailed Tesco saying that babies would be harmed unless he was given a large sum of money.

3.5 It is also proposed that there is a factor within high culpability regarding the deliberate targeting of a particularly vulnerable victim. Some offenders target their victims very carefully, exploiting particular vulnerabilities in order to make their demand for money more likely to succeed. For example, an offender who blackmailed his ex-partner that he would tell her family of their relationship and disclose intimate images unless she gave him money. The offender and his girlfriend were of different religions and he knew his ex-partner, who was from a particularly religious family, would do anything to avoid her family finding out and bringing shame upon the family. This type of cruel behaviour makes the offending more serious than cases where victims are picked at random. Lastly it is argued that violence should place an offender in high culpability.

**Question 1: Are the Council content with the proposed high culpability factors? Does the Council feel they adequately capture the most serious types of offending?**

3.6 In medium culpability it is proposed that there should be a factor of '*violence threatened*' and:

- Other cases that fall between categories A and C because:
  - Factors are present in A and C which balance each other out **and/or**
  - The offender's culpability falls between the factors described in A and C

3.7 Thought has been given as to whether there are any other factors that should go into medium culpability, as we know that sentencers find this helpful, but there do not seem to be any other obvious factors.

***Question 2: Are there any other factors the Council think should go into medium culpability? If so, what are they?***

3.8 In lower culpability it is proposed there are factors relating to offences that are unplanned or limited in scope or duration, if the offender was involved through coercion, intimidation or exploitation or the offender's responsibility was reduced due to a mental disorder or learning disability. There are cases at the other end of seriousness where the offending was of a very brief duration, or they were very unsophisticated. Equally there are cases of offenders pressured into the offence by others.

***Question 3: Is the Council content with the proposed lower culpability factors?***

3.9 Turning now to the proposed harm factors, these have been designed to try and capture the varying types of harm caused by the offence. The category one harm factors have been designed to try and capture the serious impact of this offence, which can leave victims feeling violated. It is proposed there is '*serious distress caused to the victim*' and also '*serious distress caused to others*', in recognition that those close to the victim, such as family members can be caused serious distress if their safety etc is threatened. Also proposed is '*very large amount of money obtained*' and '*serious consequential financial impact of the offence*', the latter to reflect instances where victims have gone bankrupt or into severe levels of debt as a result of paying the money demanded. As well as the financial impact on victims there can be the financial impact on a business, Tesco estimated the total costs as a result of the contamination to be £2.7 million. Also proposed is '*widespread public impact of the offence*', a factor cited in the Tesco baby food case as making the offending more serious, as the public feared that not all the contaminated jars had been located.

3.10 Proposed category two harm factors are lesser versions of the factors in category one harm, so: '*some distress caused to the victim*' '*some distress caused to others*' '*some*

*consequential financial impact of the offence* and *considerable amount of money obtained*. In category three harm there is *limited effects of the offence* and *small amount of money obtained*.

**Question 4: Are the Council content with the proposed harm factors? Do the category one factors go far enough to capture the most serious types of harm caused to victims?**

3.11 Turning now to the draft sentence ranges on page three. These are based on current sentencing practice, which tells us that the ACSL in 2020 was three years eight months (estimated pre-guilty plea) and two years ten months (post-guilty plea). This has remained stable over the last decade (tab 5.3 of **Annex A**). The vast majority of offenders received a custodial sentence (65 per cent immediate custody and 29 per cent a suspended sentence order in 2020). Tab 5.4a of **Annex A** also shows us that 90 per cent of offenders sentenced to immediate custody received an estimated pre-guilty plea custodial sentence of six years or less. The range at the top in A1 stops at 10 years as only two offenders received a sentence over 10 years' custody within the last five years, with the longest determinate sentence in 2020 of 12 years. Included at the bottom of the range in C3 is a high level community order, although as only a tiny handful of offenders receive community orders each year (less than 4 per cent) the Council may wish instead to remove this option, so courts would go outside the guideline to sentence offenders to community orders.

3.12 At this early stage the Council will wish to decide whether the guideline should seek to replicate current sentencing practice or seek to change it. Initially the draft ranges were slightly higher, but a resentencing exercise using those draft ranges and transcripts of sentenced cases showed that the higher ranges would have led to higher sentences than were actually given in the case. As a result, the ranges and starting points were lowered to the ones shown below.

Harm	Culpability		
	A	B	C
Category 1	<b>Starting Point</b> 7 years' custody <b>Category Range</b> 4 - 10 years' custody	<b>Starting Point</b> 4 years' custody <b>Category Range</b> 2 -6 years' custody	<b>Starting Point</b> 2 years' custody <b>Category Range</b> 1 -4 years' custody

<b>Category 2</b>	<b>Starting Point</b> 4 years' custody <b>Category Range</b> 2 -6 years' custody	<b>Starting Point</b> 2 years' custody <b>Category Range</b> 1 -4 years' custody	<b>Starting Point</b> 1 years' custody <b>Category Range</b> 6 months'- 2 years' custody
<b>Category 3</b>	<b>Starting Point</b> 2 years' custody <b>Category Range</b> 1 -4 years' custody	<b>Starting Point</b> 1 years' custody <b>Category Range</b> 6 months' - 2 years' custody	<b>Starting Point</b> 6 months' custody <b>Category Range</b> High level Community order – 1 years' custody

3.13 The risk with using any higher ranges is that it is likely to lead to an increase in the severity of sentencing. Although volumes of this offence are small there could still be an impact on prison and probation resources as a result. Given the criticism that the Council contributes to sentence inflation through its guidelines, this is something the Council needs to consider carefully. In deciding what the appropriate ranges should be the Council are asked to consider if there is any evidence to suggest that blackmail offences are currently under sentenced, and also proportionality with other offences.

**Question 5: What is the Council's view on the draft sentence ranges?**

3.14 Looking at the aggravating factors on page four, the first factor '*disturbing nature of the threat(s)*' is proposed to capture really frightening and perturbing threats such as a threat to rape a victim's daughter or to throw acid at their family members. '*Offence related to other criminal activity*' is proposed as a certain number of offences are connected to other offending, often involving drugs. '*Abuse of trust or dominant position*' is designed to capture offenders who abuse their position to commit the offence; knowledge gleaned in a professional capacity, for example. '*Others put at risk of harm by the offending*' is for cases where the victim's family or friends are put at risk - threats to firebomb their house for example.

3.15 The mitigating factors are all standard ones that are used across the guidelines - there are no proposed offence specific ones.

**Question 6: Are the Council content with the proposed aggravating and mitigating factors? Are there any offence-specific mitigating factors that should be included?**

*Remainder of the offences within the scope of the project*

3.16 It is proposed to consider draft guidelines for kidnap and false imprisonment together at the September Council meeting, as there is some overlap between the two offences. It is proposed that consideration of how to reflect the expansion of the legislation to cover threats to disclose private sexual images is dealt with at one of the later meetings.

3.17 There is currently an existing guideline for [disclosing private sexual images](#), it is possible that the Council can just amend this guideline to take into account the change to legislation to include threats to disclose the images.

3.18 However, before doing so, the Council will wish to consider any available information about how these cases are being sentenced. The legislation was amended in June 2021 to include threats to disclose along with disclosing private sexual images. Unfortunately, the Court Proceedings Database (CPD) includes both of these offences under a single offence code, which means we cannot distinguish volumes for the two versions of the offence from one another. We have ordered all the transcripts for those offenders sentenced for disclosing private sexual images in the latter half of 2021, hoping that some of the sentencing outcomes will be for threats to disclose images. Although, given that it will take some time for these cases to reach court, there is a risk that none of these transcripts may ultimately involve the new threats to disclose offence. Until we receive the transcripts, we will not know if any of them are concerning *threats* to disclose images (rather than disclosing private sexual images), in order to understand current sentencing practice for this new offence. To mitigate, we are monitoring media reports of sentenced threats cases to gain some information about how these cases are being sentenced.

3.19 The Council will also wish to note that the Law Commission has recently published a [report](#) following a review of taking, making and sharing intimate images without consent. They are proposing a new offence that would criminalise threatening to share an intimate image that would replace the recently introduced threats to disclose a private sexual image under section 33 of the Criminal Justice and Courts Act 2015.

3.20 As part of this review they also considered that threats to share intimate images are prevalent in the context of controlling and coercive relationships. Accordingly they make a specific recommendation to the Sentencing Council of:

***‘We recommend that the Sentencing Council consider reviewing the sentencing guidelines for domestic abuse offences in light of the recommendations in this report, and the evidence of intimate image abuse perpetrated in the context of abusive relationships in this report and the consultation paper.’***

Arguably, however, such offending within a domestic context would be aggravated in any

case. In terms of the recommendation regarding changes to legislation, the Government will now need to consider the recommendations made as part of the review and respond in due course. This of course could take quite some time, even if Government were minded to respond positively, it is unlikely legislation would be brought forward quickly given other demands on Parliament's time. It is therefore recommended that the Council presses on with the work to amend the existing disclosing private sexual images guideline to reflect the recent change to legislation, albeit that we consider this work at a later meeting once we have examined some transcripts.

***Question 7: Is the Council content to continue with work to amend the existing disclosing private sexual images guideline?***

*Child abduction offences*

3.21 There are two offences under the Child Abduction Act 1984 that could potentially be included within the project, the taking of a child (aged under 16) out of the UK by a parent, guardian etc without consent (s.1), and the taking or detaining of a child (aged under 16) by a person other than a parent or guardian etc without lawful authority or reasonable excuse (s.2). Volumes of these offences are very low, 7 offenders were sentenced in 2020 for the s.1 offence, and around 50 offenders sentenced in 2020 for the s.2 offence. There have been no requests to the Council to produce guidelines for these offences, other than mention in an Andrew Ashworth article in an edition of the Criminal Law Review in 2018, which stated that the CACD felt it necessary to give some guidance to sentencers, so queried whether a guideline should be produced.

3.22 The Law Commission published a [report](#) in 2014 which recommended that both the common law offences of kidnap and false imprisonment should be replaced with statutory offences and the child abduction offence be amended. It was proposed that the maximum penalty for child abduction should be increased to 14 years and the abduction offence extended to situations where a child is lawfully taken abroad but then unlawfully retained abroad. The Government has not formally accepted any of these recommendations, however it is understood that at some point the changes to the child abduction offence might be contemplated, although there are no immediate plans or proposed legislative vehicle to do so.

3.23 There is a link to kidnap offences for the s.2 offences, but no particular links to the s.1 offence with the rest of the offences being considered as part of this project. Including these two offences as part of the project will increase the size of the project and lengthen the time it will take to produce guidelines for the other offences. Given the very low volumes of

cases sentenced, the fact that there have been no requests for guidelines for child abduction, and that these offences are ones that potentially Government may look to amend at some point, it is recommended that we do not include them within this project.

***Question 8: Does the Council agree with the recommendation not to include child abduction offences within the project?***

#### **4 EQUALITIES**

4.1 As part of the development of these guidelines, the available equalities data will be examined for any disparities within the sentencing of these offences. This data will be presented to Council at a future meeting.

#### **5 IMPACT AND RISKS**

5.1 It is anticipated that the development of these new guidelines will be welcomed by stakeholders. Blackmail, kidnap and false imprisonment are some of the few remaining serious offences without a guideline, so producing a guideline ends that gap.



## **Kidnapping, false imprisonment, abduction of child by parent, etc, abduction of child by other persons, blackmail and disclosing private sexual images offences**

### **Section 1: Kidnapping**

<a href="#">Table 1 1</a>	Number of adult offenders sentenced for kidnapping, Crown Court, 2010-2020
<a href="#">Table 1 2</a>	Number and proportion of adult offenders sentenced for kidnapping, by sentence outcome, 2010-2020
<a href="#">Table 1 3</a>	Average custodial sentence lengths (ACSL) received by adult offenders sentenced for kidnapping, 2010-2020
<a href="#">Table 1 4a</a>	Estimated pre-guilty plea sentence lengths received by adult offenders sentenced to immediate custody for kidnapping, 2010-2020
<a href="#">Table 1 4b</a>	Post-guilty plea sentence lengths received by adult offenders sentenced to immediate custody for kidnapping, 2010-2020

### **Section 2: False imprisonment**

<a href="#">Table 2 1</a>	Number of adult offenders sentenced for false imprisonment, Crown Court, 2010-2020
<a href="#">Table 2 2</a>	Number and proportion of adult offenders sentenced for false imprisonment, by sentence outcome, 2010-2020
<a href="#">Table 2 3</a>	Average custodial sentence lengths (ACSL) received by adult offenders sentenced for false imprisonment, 2010-2020
<a href="#">Table 2 4a</a>	Estimated pre-guilty plea sentence lengths received by adult offenders sentenced to immediate custody for false imprisonment, 2010-2020
<a href="#">Table 2 4b</a>	Post-guilty plea sentence lengths received by adult offenders sentenced to immediate custody for false imprisonment, 2010-2020

### **Section 3: Abduction of child by parent**

<a href="#">Table 3 1</a>	Number of adult offenders sentenced for abduction of child by parent, etc, all courts, 2010-2020
<a href="#">Table 3 2</a>	Number and proportion of adult offenders sentenced for abduction of child by parent, etc, by sentence outcome, 2010-2020
<a href="#">Table 3 3</a>	Average custodial sentence lengths (ACSL) received by adult offenders sentenced for abduction of child by parent, etc, 2010-2020
<a href="#">Table 3 4a</a>	Estimated pre-guilty plea sentence lengths received by adult offenders sentenced to immediate custody for abduction of child by parent, etc, 2010-2020
<a href="#">Table 3 4b</a>	Post-guilty plea sentence lengths received by adult offenders sentenced to immediate custody for abduction of child by parent, etc, 2010-2020

### **Section 4: Abduction of child by other persons**

<a href="#">Table 4 1</a>	Number of adult offenders sentenced for abduction of child by other persons, all courts, 2010-2020
<a href="#">Table 4 2</a>	Number and proportion of adult offenders sentenced for abduction of child by other persons, by sentence outcome, 2010-2020
<a href="#">Table 4 3</a>	Average custodial sentence lengths (ACSL) received by adult offenders sentenced for abduction of child by other persons, 2010-2020
<a href="#">Table 4 4a</a>	Estimated pre-guilty plea sentence lengths received by adult offenders sentenced to immediate custody for abduction of child by other persons, 2010-2020
<a href="#">Table 4 4b</a>	Post-guilty plea sentence lengths received by adult offenders sentenced to immediate custody for abduction of child by other persons, 2010-2020

### **Section 5: Blackmail**

<a href="#">Table 5 1</a>	Number of adult offenders sentenced for blackmail, Crown Court, 2010-2020
<a href="#">Table 5 2</a>	Number and proportion of adult offenders sentenced for blackmail, by sentence outcome, 2010-2020
<a href="#">Table 5 3</a>	Average custodial sentence lengths (ACSL) received by adult offenders sentenced for blackmail, 2010-2020
<a href="#">Table 5 4a</a>	Estimated pre-guilty plea sentence lengths received by adult offenders sentenced to immediate custody for blackmail, 2010-2020
<a href="#">Table 5 4b</a>	Post-guilty plea sentence lengths received by adult offenders sentenced to immediate custody for blackmail, 2010-2020

### **Section 6: Disclosing private sexual images**

<a href="#">Table 6 1</a>	Number of adult offenders sentenced for disclosing private sexual images, all courts, 2015-2021
<a href="#">Table 6 2</a>	Number and proportion of adult offenders sentenced for disclosing private sexual images, by sentence outcome, 2015-2021
<a href="#">Table 6 3</a>	Average custodial sentence lengths (ACSL) received by adult offenders sentenced for disclosing private sexual images, 2015-2021
<a href="#">Table 6 4a</a>	Estimated pre-guilty plea sentence lengths received by adult offenders sentenced to immediate custody for disclosing private sexual images, 2015-2021
<a href="#">Table 6 4b</a>	Post-guilty plea sentence lengths received by adult offenders sentenced to immediate custody for disclosing private sexual images, 2015-2021

**Table 1.1: Number of adult offenders sentenced for kidnapping, Crown Court, 2010-2020<sup>1</sup>**

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<b>Court</b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>2</sup>
Crown Court	147	128	123	95	122	134	136	121	120	98	69

Notes:

1) Figures shown here differ from those published by the MoJ, as there was one kidnapping case in the CPD in 2019 which indicates that the offender was sentenced in a magistrates' court. This case has been excluded from the above table as this offence is indictable only, and can therefore only be sentenced in the Crown Court.

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.

**Table 1.2: Number and proportion of adult offenders sentenced for kidnapping, by sentence outcome, 2010-2020<sup>1</sup>**

<b>Outcome</b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>2</sup>
Absolute and conditional discharge	0	1	0	0	0	1	0	0	0	0	0
Fine	0	0	0	0	0	1	0	0	0	0	0
Community sentence	3	1	0	3	1	3	0	1	3	1	2
Suspended sentence	8	6	8	10	7	10	11	8	4	3	5
Immediate custody	134	117	115	82	113	117	123	105	104	88	51
Otherwise dealt with <sup>3</sup>	2	3	0	0	1	2	2	7	9	6	11
<b>Total</b>	<b>147</b>	<b>128</b>	<b>123</b>	<b>95</b>	<b>122</b>	<b>134</b>	<b>136</b>	<b>121</b>	<b>120</b>	<b>98</b>	<b>69</b>

<b>Outcome</b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>2</sup>
Absolute and conditional discharge	0%	1%	0%	0%	0%	1%	0%	0%	0%	0%	0%
Fine	0%	0%	0%	0%	0%	1%	0%	0%	0%	0%	0%
Community sentence	2%	1%	0%	3%	1%	2%	0%	1%	3%	1%	3%
Suspended sentence	5%	5%	7%	11%	6%	7%	8%	7%	3%	3%	7%
Immediate custody	91%	91%	93%	86%	93%	87%	90%	87%	87%	90%	74%
Otherwise dealt with <sup>3</sup>	1%	2%	0%	0%	1%	1%	1%	6%	8%	6%	16%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

**Notes:**

1) Figures shown here differ from those published by the MoJ, as there was one kidnapping case in the CPD in 2019 which indicates that the offender was sentenced in a magistrates' court. This case has been excluded from the above table as this offence is indictable only, and can therefore only be sentenced in the Crown Court.

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) 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 kidnapping, 2010-2020**

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**Estimated pre-guilty plea**

<b>ACSL (years)<sup>1,2,3</sup></b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>4</sup>
Mean	6.02	5.41	4.8	4.9	6.8	6.6	5.8	6.0	7.6	6.6	7.2
Median	5.3	4	3.8	4.0	5.6	4.5	5.0	4.5	6.8	6.0	6.9

**Post-guilty plea**

<b>ACSL (years)<sup>1,2,3</sup></b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>4</sup>
Mean	4.88	4.39	3.8	4.0	5.6	5.8	4.8	5.3	6.7	5.9	5.8
Median	5.0	3.5	3.0	3.3	4.0	4.0	4.0	4.0	6.0	5.5	5.6

Notes:

- 1) The ACSL calculation excludes life and indeterminate sentences, for offences where these types of sentences apply.
- 2) Figures shown here differ from those published by the MoJ, as there was one kidnapping case in the CPD in 2019 which indicate that the offender was sentenced in a magistrates' court. This case has been excluded from the above table as this offence is indictable only, and can therefore only be sentenced in the Crown Court.
- 3) The statutory maximum sentence for this offence is life imprisonment.
- 4) 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 1.4a: Estimated pre-guilty plea sentence lengths received by adult offenders sentenced to immediate custody for kidnapping, 2010-2020**

<b>Sentence length (years)<sup>1,2,3</sup></b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>4</sup>
Less than 2 years	23	20	27	15	12	23	18	15	7	11	5
2 to 4	27	37	32	27	24	30	35	31	24	26	6
4 to 6	25	23	18	19	27	17	18	19	20	10	13
6 to 8	21	11	8	5	14	7	22	11	11	12	10
8 to 10	12	4	9	4	12	14	12	8	12	10	7
10 to 12	8	4	5	6	7	6	13	7	16	12	4
12 to 14 years	2	3	3	1	5	5	1	3	7	1	1
Greater than 14 years	7	7	2	1	10	13	3	7	6	5	4
Indeterminate	9	8	11	4	2	2	1	4	1	1	1
<b>Total</b>	<b>134</b>	<b>117</b>	<b>115</b>	<b>82</b>	<b>113</b>	<b>117</b>	<b>123</b>	<b>105</b>	<b>104</b>	<b>88</b>	<b>51</b>

<b>Sentence length (years)<sup>1,2,3</sup></b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>4</sup>
Less than 2 years	17%	17%	23%	18%	11%	20%	15%	14%	7%	13%	10%
2 to 4	20%	32%	28%	33%	21%	26%	28%	30%	23%	30%	12%
4 to 6	19%	20%	16%	23%	24%	15%	15%	18%	19%	11%	25%
6 to 8	16%	9%	7%	6%	12%	6%	18%	10%	11%	14%	20%
8 to 10	9%	3%	8%	5%	11%	12%	10%	8%	12%	11%	14%
10 to 12	6%	3%	4%	7%	6%	5%	11%	7%	15%	14%	8%
12 to 14 years	1%	3%	3%	1%	4%	4%	1%	3%	7%	1%	2%
Greater than 14 years	5%	6%	2%	1%	9%	11%	2%	7%	6%	6%	8%
Indeterminate	7%	7%	10%	5%	2%	2%	1%	4%	1%	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>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

Notes:

1) 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 and equal to 2 years, and '2 to 4' includes sentence lengths over 2 years, and up to and including 4 years.

2) Figures shown here differ from those published by the MoJ, as there was one kidnapping case in the CPD in 2019 which indicate that the offender was sentenced in a magistrates' court. This case has been excluded from the above table as this offence is indictable only, and can therefore only be sentenced in the Crown Court.

3) The statutory maximum sentence for this offence is life imprisonment.

4) 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 1.4b: Post-guilty plea sentence lengths received by adult offenders sentenced to immediate custody for kidnapping, 2010-2020**

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<b>Sentence length (years)<sup>1,2,3</sup></b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>4</sup>
Less than 2 years	35	31	39	22	16	31	28	23	11	13	7
2 to 4	25	41	36	31	40	29	34	30	29	27	9
4 to 6	27	16	14	14	22	13	23	18	18	9	15
6 to 8	23	7	4	4	5	8	26	12	10	17	10
8 to 10	6	6	5	3	13	13	6	5	12	10	4
10 to 12	3	5	4	2	9	7	5	7	14	8	4
12 to 14 years	5	2	1	2	2	6	0	1	5	2	1
Greater than 14 years	1	1	1	0	4	8	0	5	4	1	0
Indeterminate	9	8	11	4	2	2	1	4	1	1	1
<b>Total</b>	<b>134</b>	<b>117</b>	<b>115</b>	<b>82</b>	<b>113</b>	<b>117</b>	<b>123</b>	<b>105</b>	<b>104</b>	<b>88</b>	<b>51</b>

<b>Sentence length (years)<sup>1,2,3</sup></b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>4</sup>
Less than 2 years	26%	26%	34%	27%	14%	26%	23%	22%	11%	15%	14%
2 to 4	19%	35%	31%	38%	35%	25%	28%	29%	28%	31%	18%
4 to 6	20%	14%	12%	17%	19%	11%	19%	17%	17%	10%	29%
6 to 8	17%	6%	3%	5%	4%	7%	21%	11%	10%	19%	20%
8 to 10	4%	5%	4%	4%	12%	11%	5%	5%	12%	11%	8%
10 to 12	2%	4%	3%	2%	8%	6%	4%	7%	13%	9%	8%
12 to 14 years	4%	2%	1%	2%	2%	5%	0%	1%	5%	2%	2%
Greater than 14 years	1%	1%	1%	0%	4%	7%	0%	5%	4%	1%	0%
Indeterminate	7%	7%	10%	5%	2%	2%	1%	4%	1%	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>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

Notes:

1) 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 and equal to 2 years, and '2 to 4' includes sentence lengths over 2 years, and up to and including 4 years.

2) Figures shown here differ from those published by the MoJ, as there was one kidnapping case in the CPD in 2019 which indicate that the offender was sentenced in a magistrates' court. This case has been excluded from the above table as this offence is indictable only, and can therefore only be sentenced in the Crown Court.

3) The statutory maximum sentence for this offence is life imprisonment. In 2020 the longest post-guilty plea determinate sentence given was 13 years.

4) 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 2.1: Number of adult offenders sentenced for false imprisonment, Crown Court, 2010-2020<sup>1</sup>**

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<b>Court</b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>2</sup>
Crown Court	199	202	196	171	155	191	189	112	94	113	82

Notes:

1) Figures shown here differ from those published by the MoJ, as there were three false imprisonment cases in the CPD between 2018-2020 which indicate that the offenders were sentenced in a magistrates' court. These cases have been excluded from the above table as this offence is indictable only, and can therefore only be sentenced in the Crown Court.

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.

**Table 2.2: Number and proportion of adult offenders sentenced for false imprisonment, by sentence outcome, 2010-2020<sup>1</sup>**

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<b>Outcome</b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>2</sup>
Absolute and conditional discharge	1	1	1	1	1	0	7	3	0	0	0
Fine	0	1	0	0	0	0	0	0	0	0	0
Community sentence	11	11	19	7	6	7	2	3	3	4	2
Suspended sentence	20	21	32	15	26	22	27	12	5	4	5
Immediate custody	159	158	137	144	120	149	141	89	76	97	70
Otherwise dealt with <sup>3</sup>	8	10	7	4	2	13	12	5	10	8	5
<b>Total</b>	<b>199</b>	<b>202</b>	<b>196</b>	<b>171</b>	<b>155</b>	<b>191</b>	<b>189</b>	<b>112</b>	<b>94</b>	<b>113</b>	<b>82</b>

<b>Outcome</b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>2</sup>
Absolute and conditional discharge	1%	<0.5%	1%	1%	1%	0%	4%	3%	0%	0%	0%
Fine	0%	<0.5%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Community sentence	6%	5%	10%	4%	4%	4%	1%	3%	3%	4%	2%
Suspended sentence	10%	10%	16%	9%	17%	12%	14%	11%	5%	4%	6%
Immediate custody	80%	78%	70%	84%	77%	78%	75%	79%	81%	86%	85%
Otherwise dealt with <sup>3</sup>	4%	5%	4%	2%	1%	7%	6%	4%	11%	7%	6%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

Notes:

1) Figures shown here differ from those published by the MoJ, as there were three false imprisonment cases in the CPD between 2018-2020 which indicate that the offenders were sentenced in a magistrates' court. These cases have been excluded from the above table as this offence is indictable only, and can therefore only be sentenced in the Crown Court.

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) 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 false imprisonment, 2010-2020**

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**Estimated pre-guilty plea**

<b>ACSL (years)<sup>1,2,3</sup></b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>4</sup>
Mean	4.28	4.7	3.6	4.3	4.6	4.6	4.5	5.1	5.0	6.6	4.7
Median	3.3	4	3.1	3.4	3.8	3.3	3.8	4.0	4.0	5.0	3.5

**Post-guilty plea**

<b>ACSL (years)<sup>1,2,3</sup></b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>4</sup>
Mean	3.29	3.72	2.8	3.2	3.6	3.9	3.6	4.2	4.1	5.2	3.6
Median	2.7	3	2.5	2.8	2.7	2.7	3.0	3.0	3.0	4.0	3.0

Notes:

- 1) The ACSL calculation excludes life and indeterminate sentences, for offences where these types of sentences apply.
- 2) Figures shown here differ from those published by the MoJ, as there were three false imprisonment cases in the CPD between 2018-2020 which indicate that the offenders were sentenced in a magistrates' court. These cases have been excluded from the above table as this offence is indictable only, and can therefore only be sentenced in the Crown Court.
- 3) The statutory maximum sentence for this offence is life imprisonment.
- 4) 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 2.4a: Estimated pre-guilty plea sentence lengths received by adult offenders sentenced to immediate custody for false imprisonment, 2010-2020**

<b>Sentence length (years)<sup>1,2,3</sup></b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>4</sup>
Less than 2 years	33	25	37	33	25	38	32	23	17	13	13
2 to 4	50	52	48	50	45	50	42	22	21	24	24
4 to 6	24	39	28	37	22	23	37	18	22	20	17
6 to 8	13	18	9	9	11	13	15	10	3	14	8
8 to 10	5	11	2	7	9	5	6	7	5	9	3
10 to 12	3	5	4	4	6	7	0	4	1	5	1
12 to 14 years	2	0	0	2	1	4	4	2	2	6	3
Greater than 14 years	3	1	0	1	1	4	2	3	4	6	1
Indeterminate	26	7	9	1	0	5	3	0	1	0	0
<b>Total</b>	<b>159</b>	<b>158</b>	<b>137</b>	<b>144</b>	<b>120</b>	<b>149</b>	<b>141</b>	<b>89</b>	<b>76</b>	<b>97</b>	<b>70</b>

<b>Sentence length (years)<sup>1,2,3</sup></b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>4</sup>
Less than 2 years	21%	16%	27%	23%	21%	26%	23%	26%	22%	13%	19%
2 to 4	31%	33%	35%	35%	38%	34%	30%	25%	28%	25%	34%
4 to 6	15%	25%	20%	26%	18%	15%	26%	20%	29%	21%	24%
6 to 8	8%	11%	7%	6%	9%	9%	11%	11%	4%	14%	11%
8 to 10	3%	7%	1%	5%	8%	3%	4%	8%	7%	9%	4%
10 to 12	2%	3%	3%	3%	5%	5%	0%	4%	1%	5%	1%
12 to 14 years	1%	0%	0%	1%	1%	3%	3%	2%	3%	6%	4%
Greater than 14 years	2%	1%	0%	1%	1%	3%	1%	3%	5%	6%	1%
Indeterminate	16%	4%	7%	1%	0%	3%	2%	0%	1%	0%	0%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

Notes:

1) 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 and equal to 2 years, and '2 to 4' includes sentence lengths over 2 years, and up to and including 4 years.

2) Figures shown here differ from those published by the MoJ, as there were three false imprisonment cases in the CPD between 2018-2020 which indicate that the offenders were sentenced in a magistrates' court. These cases have been excluded from the above table as this offence is indictable only, and can therefore only be sentenced in the Crown Court.

3) The statutory maximum sentence for this offence is life imprisonment.

4) 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 2.4b: Post guilty-plea sentence lengths received by adult offenders sentenced to immediate custody for false imprisonment, 2010-2020**

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Sentence length (years) <sup>1,2,3</sup>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>4</sup>
Less than 2 years	54	39	56	52	47	59	47	33	27	19	20
2 to 4	48	68	54	59	37	49	48	25	21	31	31
4 to 6	18	26	8	20	21	11	27	14	14	13	12
6 to 8	4	11	9	6	9	9	9	7	5	14	2
8 to 10	5	5	1	4	4	4	3	4	3	14	3
10 to 12	3	1	0	1	1	5	1	2	1	2	1
12 to 14 years	0	0	0	1	1	3	3	2	2	1	1
Greater than 14 years	1	1	0	0	0	4	0	2	2	3	0
Indeterminate	26	7	9	1	0	5	3	0	1	0	0
<b>Total</b>	<b>159</b>	<b>158</b>	<b>137</b>	<b>144</b>	<b>120</b>	<b>149</b>	<b>141</b>	<b>89</b>	<b>76</b>	<b>97</b>	<b>70</b>

Sentence length (years) <sup>1,2,3</sup>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>4</sup>
Less than 2 years	34%	25%	41%	36%	39%	40%	33%	37%	36%	20%	29%
2 to 4	30%	43%	39%	41%	31%	33%	34%	28%	28%	32%	44%
4 to 6	11%	16%	6%	14%	18%	7%	19%	16%	18%	13%	17%
6 to 8	3%	7%	7%	4%	8%	6%	6%	8%	7%	14%	3%
8 to 10	3%	3%	1%	3%	3%	3%	2%	4%	4%	14%	4%
10 to 12	2%	1%	0%	1%	1%	3%	1%	2%	1%	2%	1%
12 to 14 years	0%	0%	0%	1%	1%	2%	2%	2%	3%	1%	1%
Greater than 14 years	1%	1%	0%	0%	0%	3%	0%	2%	3%	3%	0%
Indeterminate	16%	4%	7%	1%	0%	3%	2%	0%	1%	0%	0%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

Notes:

1) 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 and equal to 2 years, and '2 to 4' includes sentence lengths over 2 years, and up to and including 4 years.

2) Figures shown here differ from those published by the MoJ, as there were three false imprisonment cases in the CPD between 2018-2020 which indicate that the offenders were sentenced in a magistrates' court. These cases have been excluded from the above table as this offence is indictable only, and can therefore only be sentenced in the Crown Court.

3) The statutory maximum sentence for this offence is life imprisonment. In 2020 the longest post-guilty plea determinate sentence given was 14 years.

4) 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 3.1: Number of adult offenders sentenced for abduction of child by parent, etc, all courts, 2010-2020**

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<b>Court</b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>1</sup>
Magistrates' court	1	0	0	0	0	2	2	0	0	0	0
Crown Court	7	12	6	11	17	15	13	10	9	11	7
<b>Total</b>	<b>8</b>	<b>12</b>	<b>6</b>	<b>11</b>	<b>17</b>	<b>17</b>	<b>15</b>	<b>10</b>	<b>9</b>	<b>11</b>	<b>7</b>

<b>Court</b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Magistrates' court	13%	0%	0%	0%	0%	12%	13%	0%	0%	0%	0%
Crown Court	88%	100%	100%	100%	100%	88%	87%	100%	100%	100%	100%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

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 3.2: Number and proportion of adult offenders sentenced for abduction of child by parent, etc, by sentence outcome, 2010-2020**

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<b>Outcome</b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>1</sup>
Absolute and conditional discharge	1	0	0	0	0	1	1	1	0	0	0
Fine	0	0	0	0	0	1	0	0	0	0	0
Community sentence	1	0	0	0	1	0	0	0	0	0	1
Suspended sentence	2	5	1	3	7	6	7	3	4	3	1
Immediate custody	3	7	5	8	9	9	7	6	5	8	5
Otherwise dealt with <sup>2</sup>	1	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>8</b>	<b>12</b>	<b>6</b>	<b>11</b>	<b>17</b>	<b>17</b>	<b>15</b>	<b>10</b>	<b>9</b>	<b>11</b>	<b>7</b>

<b>Outcome</b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>1</sup>
Absolute and conditional discharge	13%	0%	0%	0%	0%	6%	7%	10%	0%	0%	0%
Fine	0%	0%	0%	0%	0%	6%	0%	0%	0%	0%	0%
Community sentence	13%	0%	0%	0%	6%	0%	0%	0%	0%	0%	14%
Suspended sentence	25%	42%	17%	27%	41%	35%	47%	30%	44%	27%	14%
Immediate custody	38%	58%	83%	73%	53%	53%	47%	60%	56%	73%	71%
Otherwise dealt with <sup>2</sup>	13%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

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 3.3: Average custodial sentence lengths (ACSL) received by adult offenders sentenced for abduction of child by parent, etc, 2010-2020**

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**Estimated pre-guilty plea**

<b>ACSL (years)<sup>1,2</sup></b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>3</sup>
Mean	2.15	3.03	3.2	2.1	4.0	2.7	3.1	2.4	3.2	2.2	3.4
Median	1.8	2.25	2.7	1.9	2.5	2.0	2.7	2.6	2.7	1.3	3.0

**Post-guilty plea**

<b>ACSL (years)<sup>1,2</sup></b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>3</sup>
Mean	1.83	2.06	2.2	1.7	3.3	2.1	2.3	1.9	2.3	1.6	3.0
Median	1.2	1.5	2.0	1.3	1.7	2.0	2.0	2.0	2.7	1.0	3.0

Notes:

- 1) The ACSL calculation excludes life and indeterminate sentences, for offences where these types of sentences apply.
- 2) The statutory maximum sentence for this offence is 7 years' custody.
- 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 2010-2012, 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 3.4a: Estimated pre-guilty plea sentence lengths received by adult offenders sentenced to immediate custody for abduction of child by parent, etc, 2010-2020**

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Sentence length (years) <sup>1,2</sup>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>3</sup>
Less than 1 year	0	1	0	2	1	0	1	0	1	1	0
1 to 2	2	2	2	4	2	5	2	2	1	5	0
2 to 3	0	1	2	1	2	1	2	3	1	1	3
3 to 4	1	1	0	0	0	2	1	1	0	0	1
4 to 5	0	1	0	0	2	0	0	0	0	0	1
5 to 6	0	0	0	1	0	1	0	0	2	0	0
6 to 7	0	0	0	0	1	0	0	0	0	0	0
Greater than 7 years <sup>4</sup>	0	1	1	0	1	0	1	0	0	1	0
<b>Total</b>	<b>3</b>	<b>7</b>	<b>5</b>	<b>8</b>	<b>9</b>	<b>9</b>	<b>7</b>	<b>6</b>	<b>5</b>	<b>8</b>	<b>5</b>

Sentence length (years) <sup>1,2</sup>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>3</sup>
Less than 1 year	0%	14%	0%	25%	11%	0%	14%	0%	20%	13%	0%
1 to 2	67%	29%	40%	50%	22%	56%	29%	33%	20%	63%	0%
2 to 3	0%	14%	40%	13%	22%	11%	29%	50%	20%	13%	60%
3 to 4	33%	14%	0%	0%	0%	22%	14%	17%	0%	0%	20%
4 to 5	0%	14%	0%	0%	22%	0%	0%	0%	0%	0%	20%
5 to 6	0%	0%	0%	13%	0%	11%	0%	0%	40%	0%	0%
6 to 7	0%	0%	0%	0%	11%	0%	0%	0%	0%	0%	0%
Greater than 7 years <sup>4</sup>	0%	14%	20%	0%	11%	0%	14%	0%	0%	13%	0%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

Notes:

1) Sentence length intervals do not include the lower bound, but do include the upper bound sentence length. For example, the category 'Less than 1 year' includes sentence lengths less than and equal to 1 year, and '1 to 2' includes sentence lengths over 1 year and up to and including 2 years.

2) The statutory maximum sentence for this offence is 7 years' custody.

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) While these sentences appear to exceed the statutory maximum, they are estimates only; there are no post guilty plea sentence lengths exceeding the statutory maximum.

**Table 3.4b: Post-guilty plea sentence lengths received by adult offenders sentenced to immediate custody for abduction of child by parent, etc, 2010-2020**

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<b>Sentence length (years)<sup>1,2</sup></b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>3</sup>
Less than 1 year	1	2	2	2	3	1	1	1	2	5	0
1 to 2	1	2	2	5	2	5	3	4	0	2	1
2 to 3	0	2	0	0	0	1	2	1	1	0	2
3 to 4	1	0	0	0	0	2	0	0	2	0	2
4 to 5	0	1	1	0	2	0	0	0	0	0	0
5 to 6	0	0	0	1	0	0	1	0	0	1	0
6 to 7 years	0	0	0	0	2	0	0	0	0	0	0
<b>Total</b>	<b>3</b>	<b>7</b>	<b>5</b>	<b>8</b>	<b>9</b>	<b>9</b>	<b>7</b>	<b>6</b>	<b>5</b>	<b>8</b>	<b>5</b>

<b>Sentence length (years)<sup>1,2</sup></b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>3</sup>
Less than 1 year	33%	29%	40%	25%	33%	11%	14%	17%	40%	63%	0%
1 to 2	33%	29%	40%	63%	22%	56%	43%	67%	0%	25%	20%
2 to 3	0%	29%	0%	0%	0%	11%	29%	17%	20%	0%	40%
3 to 4	33%	0%	0%	0%	0%	22%	0%	0%	40%	0%	40%
4 to 5	0%	14%	20%	0%	22%	0%	0%	0%	0%	0%	0%
5 to 6	0%	0%	0%	13%	0%	0%	14%	0%	0%	13%	0%
6 to 7 years	0%	0%	0%	0%	22%	0%	0%	0%	0%	0%	0%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

Notes:

- 1) Sentence length intervals do not include the lower bound, but do include the upper bound sentence length. For example, the category 'Less than 1 year' includes sentence lengths less than and equal to 1 year, and '1 to 2' includes sentence lengths over 1 year and up to and including 2 years.
- 2) The statutory maximum sentence for this offence is 7 years' custody. In 2020 the longest post-guilty plea determinate sentence given was 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.



**Table 4.1: Number of adult offenders sentenced for abduction of child by other persons, all courts, 2010-2020**

[Index](#)

<b>Court</b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>1</sup>
Magistrates' court	8	16	14	19	14	26	29	20	30	19	17
Crown Court	60	53	67	48	65	71	59	59	42	41	32
<b>Total</b>	<b>68</b>	<b>69</b>	<b>81</b>	<b>67</b>	<b>79</b>	<b>97</b>	<b>88</b>	<b>79</b>	<b>72</b>	<b>60</b>	<b>49</b>

<b>Court</b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Magistrates' court	12%	23%	17%	28%	18%	27%	33%	25%	42%	32%	35%
Crown Court	88%	77%	83%	72%	82%	73%	67%	75%	58%	68%	65%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

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 4.2: Number and proportion of adult offenders sentenced for abduction of child by other persons, by sentence outcome, 2010-2020**

[Index](#)

<b>Outcome</b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>1</sup>
Absolute and conditional discharge	2	4	5	7	5	9	9	5	7	3	4
Fine	1	1	1	1	0	0	1	2	4	0	0
Community sentence	12	20	22	11	11	17	16	11	15	8	12
Suspended sentence	14	11	12	13	18	23	20	19	13	9	6
Immediate custody	38	28	40	30	43	44	40	36	25	32	24
Otherwise dealt with <sup>2</sup>	1	5	1	5	2	4	2	6	8	8	3
<b>Total</b>	<b>68</b>	<b>69</b>	<b>81</b>	<b>67</b>	<b>79</b>	<b>97</b>	<b>88</b>	<b>79</b>	<b>72</b>	<b>60</b>	<b>49</b>

<b>Outcome</b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>1</sup>
Absolute and conditional discharge	3%	6%	6%	10%	6%	9%	10%	6%	10%	5%	8%
Fine	1%	1%	1%	1%	0%	0%	1%	3%	6%	0%	0%
Community sentence	18%	29%	27%	16%	14%	18%	18%	14%	21%	13%	24%
Suspended sentence	21%	16%	15%	19%	23%	24%	23%	24%	18%	15%	12%
Immediate custody	56%	41%	49%	45%	54%	45%	45%	46%	35%	53%	49%
Otherwise dealt with <sup>2</sup>	1%	7%	1%	7%	3%	4%	2%	8%	11%	13%	6%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

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 4.3: Average custodial sentence lengths (ACSL) received by adult offenders sentenced for abduction of child by other persons, etc, 2010-2020**

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**Estimated pre-guilty plea**

<b>ACSL (years)<sup>1,2</sup></b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>3</sup>
Mean	2.53	1.88	1.9	2.2	1.8	2.3	1.8	1.9	2.0	2.0	2.2
Median	2.3	2	1.7	1.6	1.5	1.9	1.5	1.5	1.3	1.8	1.8

**Post-guilty plea**

<b>ACSL (years)<sup>1,2</sup></b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>3</sup>
Mean	1.86	1.44	1.4	1.7	1.4	1.7	1.4	1.4	1.6	1.5	1.6
Median	1.6	1.33	1.2	1.3	1.2	1.5	1.1	1.1	1.0	1.3	1.2

Notes:

- 1) The ACSL calculation excludes life and indeterminate sentences, for offences where these types of sentences apply.
- 2) The statutory maximum sentence for this offence is 7 years' custody.
- 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 2010-2012, 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 4.4a: Estimated pre-guilty plea sentence lengths received by adult offenders sentenced to immediate custody for abduction of child by other persons, etc, 2010-2020**

[Index](#)

Sentence length (years) <sup>1,2</sup>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>3</sup>
Less than 1 year	4	10	11	9	12	8	16	10	8	9	8
1 to 2	12	8	16	8	17	16	10	12	9	11	6
2 to 3	12	6	8	6	8	8	5	11	2	4	4
3 to 4	5	4	2	2	3	9	6	1	2	6	2
4 to 5	2	0	2	3	1	3	1	1	3	2	0
5 to 6	2	0	1	2	2	0	2	1	1	0	3
6 to 7	0	0	0	0	0	0	0	0	0	0	0
Greater than 7 years <sup>4</sup>	1	0	0	0	0	0	0	0	0	0	1
<b>Total</b>	<b>38</b>	<b>28</b>	<b>40</b>	<b>30</b>	<b>43</b>	<b>44</b>	<b>40</b>	<b>36</b>	<b>25</b>	<b>32</b>	<b>24</b>

Sentence length (years) <sup>1,2</sup>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>3</sup>
Less than 1 year	11%	36%	28%	30%	28%	18%	40%	28%	32%	28%	33%
1 to 2	32%	29%	40%	27%	40%	36%	25%	33%	36%	34%	25%
2 to 3	32%	21%	20%	20%	19%	18%	13%	31%	8%	13%	17%
3 to 4	13%	14%	5%	7%	7%	20%	15%	3%	8%	19%	8%
4 to 5	5%	0%	5%	10%	2%	7%	3%	3%	12%	6%	0%
5 to 6	5%	0%	3%	7%	5%	0%	5%	3%	4%	0%	13%
6 to 7	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Greater than 7 years <sup>4</sup>	3%	0%	0%	0%	0%	0%	0%	0%	0%	0%	4%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

Notes:

1) Sentence length intervals do not include the lower bound, but do include the upper bound sentence length. For example, the category 'Less than 1 year' includes sentence lengths less than and equal to 1 year, and '1 to 2' includes sentence lengths over 1 year and up to and including 2 years.

2) The statutory maximum sentence for this offence is 7 years' custody.

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) While these sentences appear to exceed the statutory maximum, they are estimates only; there are no post guilty plea sentence lengths exceeding the statutory maximum.

**Table 4.4b: Post-guilty plea sentence lengths received by adult offenders sentenced to immediate custody for abduction of child by other persons, 2010-2020**

[Index](#)

<b>Sentence length (years)<sup>1,2</sup></b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>3</sup>
Less than 1 year	10	11	19	14	21	15	20	18	15	12	11
1 to 2	16	12	14	9	14	15	10	12	3	12	6
2 to 3	8	3	5	2	5	11	7	3	4	8	3
3 to 4	3	2	2	2	3	3	1	3	1	0	3
4 to 5	1	0	0	2	0	0	2	0	2	0	0
5 to 6	0	0	0	1	0	0	0	0	0	0	1
6 to 7 years	0	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>38</b>	<b>28</b>	<b>40</b>	<b>30</b>	<b>43</b>	<b>44</b>	<b>40</b>	<b>36</b>	<b>25</b>	<b>32</b>	<b>24</b>

  

<b>Sentence length (years)<sup>1,2</sup></b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>3</sup>
Less than 1 year	26%	39%	48%	47%	49%	34%	50%	50%	60%	38%	46%
1 to 2	42%	43%	35%	30%	33%	34%	25%	33%	12%	38%	25%
2 to 3	21%	11%	13%	7%	12%	25%	18%	8%	16%	25%	13%
3 to 4	8%	7%	5%	7%	7%	7%	3%	8%	4%	0%	13%
4 to 5	3%	0%	0%	7%	0%	0%	5%	0%	8%	0%	0%
5 to 6	0%	0%	0%	3%	0%	0%	0%	0%	0%	0%	4%
6 to 7 years	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

Notes:

- 1) Sentence length intervals do not include the lower bound, but do include the upper bound sentence length. For example, the category 'Less than 1 year' includes sentence lengths less than and equal to 1 year, and '1 to 2' includes sentence lengths over 1 year and up to and including 2 years.
- 2) The statutory maximum sentence for this offence is 7 years' custody. In 2020 the longest post-guilty plea determinate sentence given was 5 years 9 months.
- 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.

**Table 5.1: Number of adult offenders sentenced for blackmail, Crown Court, 2010 to 2020<sup>1,2</sup>**

<b>Court</b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Crown Court	170	147	143	137	202	220	179	149	158	134	108
<b>Total</b>	<b>170</b>	<b>147</b>	<b>143</b>	<b>137</b>	<b>202</b>	<b>220</b>	<b>179</b>	<b>149</b>	<b>158</b>	<b>134</b>	<b>108</b>

**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) Figures shown here differ from those published by the MoJ, as there were four blackmail cases in the CPD between 2010-2020 which indicates that the offender was sentenced in a magistrates' court. These cases have been excluded from the above table as this offence is indictable only, and can therefore only be sentenced in the Crown Court. There was also an indeterminate sentence in 2012 which has been excluded from the above table.

**Table 5.2: Number and proportion of adult offenders sentenced for blackmail, by sentence outcome, 2010-2020<sup>1,2</sup>**[Index](#)

<b>Outcome</b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Community sentence	3	5	3	4	3	4	3	1	2	4	2
Suspended sentence	18	11	14	30	30	39	40	26	29	25	31
Immediate custody	146	126	125	99	168	177	135	120	125	103	70
Otherwise dealt with <sup>3</sup>	3	5	1	4	1	0	1	2	2	2	5
<b>Total</b>	<b>170</b>	<b>147</b>	<b>143</b>	<b>137</b>	<b>202</b>	<b>220</b>	<b>179</b>	<b>149</b>	<b>158</b>	<b>134</b>	<b>108</b>

<b>Outcome</b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Community sentence	2%	3%	2%	3%	1%	2%	2%	1%	1%	3%	2%
Suspended sentence	11%	7%	10%	22%	15%	18%	22%	17%	18%	19%	29%
Immediate custody	86%	86%	87%	72%	83%	80%	75%	81%	79%	77%	65%
Otherwise dealt with <sup>3</sup>	2%	3%	1%	3%	<0.5%	0%	1%	1%	1%	1%	5%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

## 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) Figures shown here differ from those published by the MoJ, as there were four blackmail cases in the CPD between 2010-2020 which indicates that the offender was sentenced in a magistrates' court. These cases have been excluded from the above table as this offence is indictable only, and can therefore only be sentenced in the Crown Court. There was also an indeterminate sentence in 2012 which has been excluded from the above table.

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.

**Table 5.3: Average custodial sentence lengths (ACSL) received by adult offenders sentenced for blackmail, 2010-2020<sup>1,2,3</sup>**

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**Estimated pre-guilty plea**

<b>ACSL (years)</b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>4</sup>
Mean	3.5	3.8	3.3	3.8	3.9	3.4	3.7	3.5	3.7	3.8	3.7
Median	3.0	3.1	3.0	3.3	3.4	3.0	3.3	3.2	3.4	3.3	3.1

**Post-guilty plea**

<b>ACSL (years)</b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>4</sup>
Mean	2.8	3.0	2.6	3.0	3.1	2.7	2.9	2.8	2.8	3.0	2.9
Median	2.5	2.5	2.0	2.5	2.7	2.3	2.5	2.4	2.5	2.3	2.3

Notes:

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

2) The statutory maximum sentence for this offence is 14 years.

3) Figures shown here differ from those published by the MoJ, as there were four blackmail cases in the CPD between 2010-2020 which indicates that the offender was sentenced in a magistrates' court. These cases have been excluded from the above table as this offence is indictable only, and can therefore only be sentenced in the Crown Court.

4) 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 5.4a: Estimated pre-guilty plea sentence lengths received by adult offenders sentenced to immediate custody for blackmail, 2010-2020<sup>1,2</sup>**

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<b>Sentence length (years)<sup>3,4</sup></b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Up to 2 years	38	33	28	22	30	54	35	35	28	30	14
2 to 4	63	55	71	44	79	77	61	47	58	39	33
4 to 6	35	20	17	21	39	33	23	27	25	17	16
6 to 8	3	9	6	8	13	8	9	9	7	11	4
8 to 10	4	4	2	2	3	3	3	2	7	6	0
Greater than 10 years	3	5	1	2	4	2	4	0	0	0	3
<b>Total</b>	<b>146</b>	<b>126</b>	<b>125</b>	<b>99</b>	<b>168</b>	<b>177</b>	<b>135</b>	<b>120</b>	<b>125</b>	<b>103</b>	<b>70</b>

<b>Sentence length (years)<sup>3,4</sup></b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Up to 2 years	26%	26%	22%	22%	18%	31%	26%	29%	22%	29%	20%
2 to 4	43%	44%	57%	44%	47%	44%	45%	39%	46%	38%	47%
4 to 6	24%	16%	14%	21%	23%	19%	17%	23%	20%	17%	23%
6 to 8	2%	7%	5%	8%	8%	5%	7%	8%	6%	11%	6%
8 to 10	3%	3%	2%	2%	2%	2%	2%	2%	6%	6%	0%
Greater than 10 years	2%	4%	1%	2%	2%	1%	3%	0%	0%	0%	4%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

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) Figures shown here differ from those published by the MoJ, as there were four blackmail cases in the CPD between 2010-2020 which indicates that the offender was sentenced in a magistrates' court. These cases have been excluded from the above table as this offence is indictable only, and can therefore only be sentenced in the Crown Court. There was also an indeterminate sentence in 2012 which has been excluded from the above table.

3) Sentence length intervals do not include the lower bound, but do include the upper bound sentence length. For example, the category 'Up to 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.

4) The statutory maximum sentence for this offence is 14 years.

**Table 5.4b: Post-guilty plea sentence lengths received by adult offenders sentenced to immediate custody for blackmail, 2010-2020<sup>1,2</sup>**

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<b>Sentence length (years)<sup>3,4</sup></b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Up to 2 years	65	56	64	42	58	79	55	51	55	45	27
2 to 4	60	46	46	35	76	75	55	47	47	36	33
4 to 6	15	12	12	17	22	16	16	18	19	14	7
6 to 8	3	10	3	4	10	5	5	4	4	6	1
8 to 10	3	0	0	0	0	1	4	0	0	2	0
Greater than 10 years	0	2	0	1	2	1	0	0	0	0	2
<b>Total</b>	<b>146</b>	<b>126</b>	<b>125</b>	<b>99</b>	<b>168</b>	<b>177</b>	<b>135</b>	<b>120</b>	<b>125</b>	<b>103</b>	<b>70</b>

<b>Sentence length (years)<sup>3,4</sup></b>	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Up to 2 years	45%	44%	51%	42%	35%	45%	41%	43%	44%	44%	39%
2 to 4	41%	37%	37%	35%	45%	42%	41%	39%	38%	35%	47%
4 to 6	10%	10%	10%	17%	13%	9%	12%	15%	15%	14%	10%
6 to 8	2%	8%	2%	4%	6%	3%	4%	3%	3%	6%	1%
8 to 10	2%	0%	0%	0%	0%	1%	3%	0%	0%	2%	0%
Greater than 10 years	0%	2%	0%	1%	1%	1%	0%	0%	0%	0%	3%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

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) Figures shown here differ from those published by the MoJ, as there were four blackmail cases in the CPD between 2010-2020 which indicates that the offender was sentenced in a magistrates' court. These cases have been excluded from the above table as this offence is indictable only, and can therefore only be sentenced in the Crown Court. There was also an indeterminate sentence in 2012 which has been excluded from the above table.

3) Sentence length intervals do not include the lower bound, but do include the upper bound sentence length. For example, the category 'Up to 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.

4) The statutory maximum sentence for this offence is 14 years. In 2020 the longest post-guilty plea determinate sentence given was 12 years.

**Table 6.1: Number of adult offenders sentenced for disclosing private sexual images, all courts, 2015-2021<sup>1</sup>**

<b>Court</b>	2015	2016	2017	2018	2019	2020 <sup>2</sup>	2021
Magistrates' court	57	190	195	132	113	99	138
Crown Court	5	36	49	49	61	58	58
<b>Total</b>	<b>62</b>	<b>226</b>	<b>244</b>	<b>181</b>	<b>174</b>	<b>157</b>	<b>196</b>

<b>Court</b>	2015	2016	2017	2018	2019	2020 <sup>2</sup>	2021
Magistrates' court	92%	84%	80%	73%	65%	63%	70%
Crown Court	8%	16%	20%	27%	35%	37%	30%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

## Notes:

1) This offence came into force in 2015 and the legislation was amended in 2021 to also include threats to disclose private sexual images. Therefore, tables for this offence are presented for the years 2015-2021. Currently, there is no way of disaggregating the threats to disclose offences from the substantive offence using the data, so the figures for 2021 may include some threats to disclose offences (if there were any).

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.

**Table 6.2: Number and proportion of adult offenders sentenced for disclosing private sexual images, by sentence outcome, 2015-2021<sup>1,2</sup>**

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<b>Outcome</b>	2015	2016	2017	2018	2019	2020 <sup>3</sup>	2021
Conditional discharge	1	10	10	4	7	5	8
Fine	4	16	13	6	7	5	5
Community sentence	23	59	77	62	63	46	63
Suspended sentence	18	85	98	68	56	63	84
Immediate custody	16	52	45	40	41	37	35
Otherwise dealt with	0	4	1	1	0	1	1
<b>Total</b>	<b>62</b>	<b>226</b>	<b>244</b>	<b>181</b>	<b>174</b>	<b>157</b>	<b>196</b>

<b>Outcome</b>	2015	2016	2017	2018	2019	2020 <sup>3</sup>	2021
Conditional discharge	2%	4%	4%	2%	4%	3%	4%
Fine	6%	7%	5%	3%	4%	3%	3%
Community sentence	37%	26%	32%	34%	36%	29%	32%
Suspended sentence	29%	38%	40%	38%	32%	40%	43%
Immediate custody	26%	23%	18%	22%	24%	24%	18%
Otherwise dealt with	0%	2%	<0.5%	1%	0%	1%	1%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

Notes:

1) This offence came into force in 2015 and the legislation was amended in 2021 to also include threats to disclose private sexual images. Therefore, tables for this offence are presented for the years 2015-2021. Currently, there is no way of disaggregating the threats to disclose offences from the substantive offence using the data, so the figures for 2021 may include some threats to disclose offences (if there were any).

2) The statutory maximum sentence for this offence is 2 years' custody.

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.

**Table 6.3: Average custodial sentence lengths (ACSL) received by adult offenders sentenced for disclosing private sexual images, 2015-2021<sup>1,2</sup>**

**Estimated pre-guilty plea**

<b>ACSL (months)</b>	2015	2016	2017	2018	2019	2020 <sup>3</sup>	2021
Mean	7.3	7.6	7.9	8.4	8.7	9.6	9.3
Median	5.6	5.6	6.7	6.9	6.7	9.0	8.0

**Post-guilty plea**

<b>ACSL (months)</b>	2015	2016	2017	2018	2019	2020 <sup>3</sup>	2021
Mean	5.2	5.5	5.7	6.1	6.3	6.9	6.8
Median	3.7	3.9	5.0	5.2	6.0	6.0	6.0

Notes:

1) This offence came into force in 2015 and the legislation was amended in 2021 to also include threats to disclose private sexual images. Therefore, tables for this offence are presented for the years 2015-2021. Currently, there is no way of disaggregating the threats to disclose offences from the substantive offence using the data, so the figures for 2021 may include some threats to disclose offences (if there were any).

2) The statutory maximum sentence for this offence is 2 years' custody.

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.

**Table 6.4a: Estimated pre-guilty plea sentence lengths received by adult offenders sentenced to immediate custody for disclosing private sexual images, 2015-2021<sup>1,2</sup>**

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Sentence length (months) <sup>3</sup>	2015	2016	2017	2018	2019	2020 <sup>4</sup>	2021
Up to 3 months	3	9	11	4	3	2	3
3 to 6	7	21	7	13	16	12	12
6 to 9	4	12	17	13	8	9	7
9 to 12	1	2	1	2	5	2	5
12 to 15	0	2	6	2	4	7	2
15 to 18	0	4	0	4	4	3	3
18 to 21	0	0	2	1	1	2	2
21 to 24	0	1	1	0	0	0	0
Greater than 24 months <sup>5</sup>	1	1	0	1	0	0	1
<b>Total</b>	<b>16</b>	<b>52</b>	<b>45</b>	<b>40</b>	<b>41</b>	<b>37</b>	<b>35</b>

Sentence length (months) <sup>3</sup>	2015	2016	2017	2018	2019	2020 <sup>4</sup>	2021
Up to 3 months	19%	17%	24%	10%	7%	5%	9%
3 to 6	44%	40%	16%	33%	39%	32%	34%
6 to 9	25%	23%	38%	33%	20%	24%	20%
9 to 12	6%	4%	2%	5%	12%	5%	14%
12 to 15	0%	4%	13%	5%	10%	19%	6%
15 to 18	0%	8%	0%	10%	10%	8%	9%
18 to 21	0%	0%	4%	3%	2%	5%	6%
21 to 24	0%	2%	2%	0%	0%	0%	0%
Greater than 24 months <sup>5</sup>	6%	2%	0%	3%	0%	0%	3%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

Notes:

1) This offence came into force in 2015 and the legislation was amended in 2021 to also include threats to disclose private sexual images. Therefore, tables for this offence are presented for the years 2015-2021. Currently, there is no way of disaggregating the threats to disclose offences from the substantive offence using the data, so the figures for 2021 may include some threats to disclose offences (if there were any).

2) The statutory maximum sentence for this offence is 2 years' custody.

3) Sentence length intervals do not include the lower bound, but do include the upper bound sentence length. For example, the category 'Up to 3 months' includes sentence lengths less than or equal to 3 months, and '3 to 6' includes sentence lengths over 3 months, and up to and including 6 months.

4) 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.

5) While these sentences appear to exceed the statutory maximum, they are estimates only; there are no post-guilty plea sentence lengths exceeding the statutory maximum.

**Table 6.4b: Post-guilty plea sentence lengths received by adult offenders sentenced to immediate custody for disclosing private sexual images, 2015-2021<sup>1,2</sup>**

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Sentence length (months) <sup>3</sup>	2015	2016	2017	2018	2019	2020 <sup>4</sup>	2021
Up to 3 months	5	17	12	11	11	6	12
3 to 6	8	25	22	19	14	17	10
6 to 9	2	2	4	2	9	3	4
9 to 12	0	6	3	6	5	8	5
12 to 15	0	1	3	1	1	3	2
15 to 18	0	0	1	0	1	0	2
18 to 21	0	0	0	1	0	0	0
21 to 24	1	1	0	0	0	0	0
<b>Total</b>	<b>16</b>	<b>52</b>	<b>45</b>	<b>40</b>	<b>41</b>	<b>37</b>	<b>35</b>

Sentence length (months) <sup>3</sup>	2015	2016	2017	2018	2019	2020 <sup>4</sup>	2021
Up to 3 months	31%	33%	27%	28%	27%	16%	34%
3 to 6	50%	48%	49%	48%	34%	46%	29%
6 to 9	13%	4%	9%	5%	22%	8%	11%
9 to 12	0%	12%	7%	15%	12%	22%	14%
12 to 15	0%	2%	7%	3%	2%	8%	6%
15 to 18	0%	0%	2%	0%	2%	0%	6%
18 to 21	0%	0%	0%	3%	0%	0%	0%
21 to 24	6%	2%	0%	0%	0%	0%	0%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

Notes:

1) This offence came into force in 2015 and the legislation was amended in 2021 to also include threats to disclose private sexual images. Therefore, tables for this offence are presented for the years 2015-2021. Currently, there is no way of disaggregating the threats to disclose offences from the substantive offence using the data, so the figures for 2021 may include some threats to disclose offences (if there were any).

2) The statutory maximum sentence for this offence is 2 years' custody. In 2021 the longest post-guilty plea determinate sentence given was 18 months.

3) Sentence length intervals do not include the lower bound, but do include the upper bound sentence length. For example, the category 'Up to 3 months' includes sentence lengths less than or equal to 3 months, and '3 to 6' includes sentence lengths over 3 months, and up to and including 6 months.

4) 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.

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# Blackmail

**Theft Act 1968 (section 21)**

**Triable only on indictment**

**Maximum: 14 years' custody**

**Offence range: x – xx years' custody**

Guideline users should be aware that the [Equal Treatment Bench Book](#) covers important aspects of fair treatment and disparity of outcomes for different groups in the criminal justice system. It provides guidance which sentencers are encouraged to take into account wherever applicable, to ensure that there is fairness for all involved in court proceedings.

**STEP ONE**

**Determining the offence category**

The court should determine the offence category with reference only to the factors in the table below. In order to determine the category the court should assess **culpability** and **harm**.

The level of **culpability** is determined by weighing up all the factors of the case. **Where there are characteristics present which fall under different levels of culpability the court should balance these characteristics to reach a fair assessment of the offender's culpability.**

<b>CULPABILITY</b>	
Demonstrated by one or more of the following:	
<b>A-</b> High Culpability	<ul style="list-style-type: none"><li>• Conduct over a sustained period of time</li><li>• Sophisticated and/or planned nature of conduct</li><li>• Deliberate targeting of particularly vulnerable victim</li><li>• Use of violence</li></ul>
<b>B-</b> Medium culpability	<ul style="list-style-type: none"><li>• Violence threatened</li><li>• Other cases that fall between categories A and C because:<ul style="list-style-type: none"><li>○ Factors are present in A and C which balance each other out <b>and/or</b></li><li>○ The offender's culpability falls between the factors described in A and C</li></ul></li></ul>
<b>C-</b> Lower culpability	<ul style="list-style-type: none"><li>• Unplanned and/or limited in scope and duration</li><li>• Involved through coercion, intimidation or exploitation</li><li>• Offender's responsibility substantially reduced by mental disorder or learning disability</li></ul>

<b>HARM</b>	
<b>The level of harm is assessed by weighing up all the factors in the case.</b>	
Category 1	<ul style="list-style-type: none"><li>• Serious distress caused to the victim</li><li>• Serious distress caused to others</li><li>• Very large amount of money obtained</li><li>• Serious consequential financial impact of the offence</li><li>• Widespread public impact of the offence</li></ul>
Category 2	<ul style="list-style-type: none"><li>• Some distress caused to the victim</li><li>• Some distress caused to others</li><li>• Some consequential financial impact of the offence</li><li>• Considerable amount of money obtained</li></ul>
Category 3	<ul style="list-style-type: none"><li>• Limited effects of the offence</li><li>• Small amount of money obtained</li></ul>

## STEP TWO

### Starting point and category range

Having determined the category at step one, the court should use the corresponding starting point to reach a sentence within the category range below. The starting point applies to all offenders irrespective of plea or previous convictions

Harm	Culpability		
	A	B	C
<b>Category 1</b>	<b>Starting Point</b> 7 years' custody <b>Category Range</b> 4 - 10 years' custody	<b>Starting Point</b> 4 years' custody <b>Category Range</b> 2 -6 years' custody	<b>Starting Point</b> 2 years' custody <b>Category Range</b> 1 -4 years' custody
<b>Category 2</b>	<b>Starting Point</b> 4 years' custody <b>Category Range</b> 2 -6 years' custody	<b>Starting Point</b> 2 years' custody <b>Category Range</b> 1 -4 years' custody	<b>Starting Point</b> 1 years' custody <b>Category Range</b> 6 months'- 2 years' custody
<b>Category 3</b>	<b>Starting Point</b> 2 years' custody <b>Category Range</b> 1 -4 years' custody	<b>Starting Point</b> 1 years' custody <b>Category Range</b> 6 months' - 2 years' custody	<b>Starting Point</b> 6 months' custody <b>Category Range</b> High level Community order - 1 year's custody

[Where another offence or offences arise out of the same incident or facts concurrent sentences **reflecting the overall criminality** of offending will ordinarily be appropriate: please refer to the Totality guideline and step five of this guideline.]

Below is a **non-exhaustive** list of additional elements providing the context of the offence and factors relating to the offender. Identify whether a combination of these or other relevant factors should result in any upward or downward adjustment from the sentence arrived at so far.

#### Factors increasing seriousness

##### *Statutory aggravating factors:*

- Previous convictions, having regard to a) the **nature** of the offence to which the conviction relates and its **relevance** to the current offence; and b) the **time** that has elapsed since the conviction
- Offence committed whilst on bail
- Offence motivated by, or demonstrating hostility based on any of the following characteristics or presumed characteristics of the victim: religion, race, disability, sexual orientation or transgender identity

*Other aggravating factors:*

- Disturbing nature of the threat(s)
- Offence related to other criminal activity
- Abuse of trust or dominant position
- Other(s) put at risk of harm by the offending
- Blame wrongly placed on others
- Offence committed in a domestic context
- Commission of offence whilst under the influence of alcohol or drugs
- Leading role in group
- Offender involves others in the conduct
- Offence committed on licence or while subject to court order(s)

**Factors reducing seriousness or reflecting personal mitigation**

- No previous convictions **or** no relevant/recent convictions
- Remorse
- The offender was in a lesser or subordinate role if acting with others/performed limited role under direction
- Good character and/or exemplary conduct
- Co-operation with the investigation/early admissions
- Physical disability or serious medical conditions requiring urgent, intensive or long-term treatment
- Mental disorder or learning disability (where not taken into account at step 1)
- Age and/or lack of maturity
- Sole or primary carer for dependent relatives
- Determination and/or demonstration of steps having been taken to address addiction or offending behaviour

**STEP 3****Consider any factors which indicate a reduction for assistance to the prosecution**

The court should take into account [section 74 of the Sentencing Code](#) (reduction in sentence for assistance to prosecution) and any other rule of law by virtue of which an offender may receive a discounted sentence in consequence of assistance given (or offered) to the prosecutor or investigator.

**STEP 4****Reduction for guilty pleas**

The court should take account of any potential reduction for a guilty plea in accordance with [section 73 of the Sentencing Code](#) and the [Reduction in Sentence for a Guilty Plea guideline](#).

**STEP 5****Totality principle**

If sentencing an offender for more than one offence, or where the offender is already serving a sentence, consider whether the total sentence is just and proportionate to the overall offending behaviour in accordance with the [Totality](#) guideline.

**STEP 6****Compensation and ancillary orders**

Where the offence has resulted in loss or damage the court must consider whether to make a compensation order and must give reasons if it does not do so ([section 55 of the Sentencing Code](#)).

**STEP 7****Reasons**

[Section 52 of the Sentencing Code](#) imposes a duty to give reasons for, and explain the effect of, the sentence.

**STEP 8****Consideration for time spent on bail (tagged curfew)**

The court must consider whether to give credit for time spent on bail in accordance with section 240A of the Criminal Justice Act 2003 and [section 325 of the Sentencing Code](#).

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