

# Sentencing Council

**Sentencing Council meeting:**  
**Paper number:**  
**Lead Council member:**  
**Lead official:**

**16 June 2023**  
**SC(23)JUN03 – Immigration**  
**Stephen Leake**  
**Vicky Hunt**  
**vicky.hunt@sentencingcouncil.gov.uk**

## **1 ISSUE**

The Council is invited to consider a revised draft of the facilitation guideline and a first draft of a guideline for the offence of possession of false identity documents with improper intention (s4, Identity Documents Act 2010).

## **2 RECOMMENDATION**

That the Council discuss and agree the content of the draft guidelines.

## **3 CONSIDERATION**

### Facilitation

3.1 The Facilitation guideline covers the two offences of assisting unlawful immigration to the UK (s25, Immigration Act 1971), and helping asylum seeker(s) to enter the UK (s25A, Immigration Act 1971). The Council considered the first draft of the facilitation guideline at the meeting at the end of March. A number of amendments were discussed and agreed at that meeting. Those changes can be seen in the draft at **Annex A**.

**Question 1: Does the Council agree with the revised draft of the guideline (steps 1 and 2)?**

### Facilitation - Sentencing

3.2 At the last meeting the Council considered and agreed that the highest sentence that should be available in this guideline should be 16 years. Whilst the Council was mindful of the fact that Parliament has increased the statutory maximum sentence from 14 years to life the Council agreed that the highest sentence should be comparable to other offences of similar gravity, namely modern slavery which also has a top sentence of 16 years and death by dangerous driving which goes up to 18 years.

3.3 The Council also agreed that the increase in statutory maximum sentence does not mean that all sentences across the board should be inflated, just that the most serious cases should now attract higher sentences.

3.4 The Council is now invited to consider the sentencing table within the guideline (**Annex A**). The sentences aim to follow the principles agreed by the Council at the last meeting and are based on transcripts and Court of Appeal decisions.

**Question 2: Does the Council agree with the sentencing table at Annex A?**

False ID Documents with Improper Intent

**Identity Documents Act 2010**

4 Possession of false identity documents etc with improper intention

(1) It is an offence for a person (“P”) with an improper intention to have in P’s possession or under P’s control—

- (a) an identity document that is false and that P knows or believes to be false,
- (b) an identity document that was improperly obtained and that P knows or believes to have been improperly obtained, or

(c) an identity document that relates to someone else.

(2) Each of the following is an improper intention—

- (a) the intention of using the document for establishing personal information about P;
- (b) the intention of allowing or inducing another to use it for establishing, ascertaining or verifying personal information about P or anyone else.

(3) In subsection (2)(b) the reference to P or anyone else does not include, in the case of a document within subsection (1)(c), the individual to whom it relates.

(4) A person guilty of an offence under this section is liable, on conviction on indictment, to imprisonment for a term not exceeding 10 years or a fine (or both).

3.5 The first draft of this guideline can be seen at **Annex B**. In addition, relevant case law can be seen at **Annex C**.

Culpability Factors

A-	<ul style="list-style-type: none"> <li>• Possession of a large number of documents used for commercial scale criminal activity</li> <li>• Substantial financial gain/ expectation of substantial financial gain</li> <li>• A leading role where offending is part of a group activity</li> <li>• Sophisticated nature of offence/significant planning</li> </ul>
----	--

<b>B-</b>	<ul style="list-style-type: none"> <li>• Possession of multiple documents intended for the use of others</li> <li>• Financial gain/ expectation of financial gain</li> <li>• A lesser role where offending is part of a group activity</li> </ul>
<b>C-</b>	<ul style="list-style-type: none"> <li>• Possession of one or two false documents for own use</li> <li>• Involved due to coercion or pressure</li> </ul>

3.6 From the case law it appears that cases involving large numbers of documents, clearly intended to be sold to others on a commercial scale, tend to attract the very highest sentences. For example, in the case of *R. v Kuosmanen* the offender had 250 fake passports and other identification documents. The factors in culpability A attempt to reflect this sort of case.

3.7 The lowest culpability is for offenders who had false documents for their own use. In addition, I have included a factor for those who are involved in a commercial scale enterprise due to coercion or pressure. I did not see any examples of such cases but thought it may be possible.

3.8 This leaves the middle category for offenders either who have multiple documents (more than necessary for personal use), but not on the scale of category A. For example, in the case of *Cheema* the offender had 12 false passports.

3.9 In addition, category B could also capture those who play a lesser role in a commercial type of enterprise.

**Question 3: Does the Council agree with the proposed culpability factors?**

Harm Factors

Category 1	<ul style="list-style-type: none"> <li>• Document(s) used to evade immigration controls</li> </ul>
Category 2	<ul style="list-style-type: none"> <li>• Document used to assist criminal activity (other than that described in category 1 or 3)</li> <li>• Document used to evade responsibility for criminal activity</li> </ul>
Category 3	<ul style="list-style-type: none"> <li>• Document used to obtain rights, services or benefits [such as employment, accommodation, bank accounts etc]</li> </ul>
Category 4	<ul style="list-style-type: none"> <li>• All other cases</li> </ul>

3.10 The proposed harm factors are based on the offender's use or intended use of the document(s). The case law makes clear that using false documents for the purposes of evading immigration controls is the most serious form of the offence and should be distinguished from those cases where the offender is using a document to obtain work or acquire a bank account. Based on that principal I have set out category 1 and 3 above.

3.11 The Council will note that category 3 includes some examples. This is not normal practice for guidelines and so the examples could be removed if the Council considers that the factor is clear enough without them.

3.12 Category 2 includes two factors:

- Document used to assist criminal activity

For example, in the case of *R v Oryem* – the offender used a false identification document in a fraudulent attempt to purchase an expensive watch using another person's bank card.

- Document used to evade responsibility for criminal activity

This might apply where the offender is apprehended by police for another offence and produces a fake identification document.

**Question 4: Does the Council agree with the factors set out in categories 1-3?**

3.13 One of the most common type of case is where the offender is driving a motor vehicle which is stopped by the police and the driver produces a false driving licence. The case law in this area seems to be a little inconsistent and so it is unclear whether current sentencing practice would dictate that these cases receive a similar penalty to the employment type cases (category 3) or if they should attract a higher sentence, and fall into category 2.

3.14 For example in the recent Court of Appeal case of *R v Lumanaj* [\[2022\] EWCA Crim 725](#) (described in **Annex C**) the offender's sentence was reduced on appeal but was still rather high at 2 years (prior to reduction in sentence for guilty plea). In part the reason for the high sentence was due to relevant previous convictions but even accounting for this the sentence is still significantly higher than the average employment type case and it is clear that the Court of Appeal considered it to be more serious:

*“The present case did not involve the use of a false passport to evade immigration control, but equally it was not a case at the bottom of the*

*spectrum where a false document is used to gain employment or to open a bank account. Instead, the appellant obtained and used a false driving licence to drive a vehicle when he was not allowed to drive at all. This improper purpose was serious because the appellant was seeking to avoid detection of his failure to obtain a proper licence, thereby putting at risk the safety of other road users and the public more generally. Given the appellant's previous offending, it is reasonable to infer that he has repeatedly relied upon having a false license with him while continuing to drive. The previous offending seriously aggravated the index offence.”*

3.15 Whereas in the earlier cases of *Mehmeti* and *Hidri* (also described in **Annex C**) the offenders both had their sentences reduced on appeal to 9 months (prior to reduction for guilty plea) which is entirely in line with an employment type case.

**Question 5: Does the Council consider that a false driving licence case should be treated the same as an employment offence (category 3) or should it have a higher (or lower) starting point?**

3.16 The final category is for any other cases. The Council may consider that this category is necessary to enable the guideline to include the possibility of a community order. The statistics are discussed further down this paper, and can be seen at **Annex D**, but 9 per cent of cases in 2021 were dealt with by way of community order.

**Question 6: Does the Council want to include category 4?**

#### Aggravating Factors

3.17 In addition to the standard factors:

- Offending conducted over a sustained period
- Involvement of others through pressure, influence
- Offender not lawfully present in the UK (unless taken into account at step 1)
- Abuse of position of trust
- Obtained document from a forger

*Offending conducted over a sustained period*

3.18 This factor can feature in all types of cases and is frequently cited as a reason to increase the sentence.

*Involvement of others through pressure, influence*

3.19 This factor could occur in a large commercial scale operation or in a personal use case, for example a person puts pressure on another party to allow them to use their passport to enter the UK unlawfully, or to obtain work under a false identity.

*Offender not lawfully present in the UK*

3.20 In a number of employment type cases the court draws a distinction between those who are lawfully present in the UK but do not have a legal entitlement to work, and those who have no lawful entitlement to be in the UK at all, treating the latter more seriously.

*Obtained document from a forger – unless already taken into account at step 1*

3.21 The Council may consider that a sentence should be higher where the offender seeks out and pays a forger to provide them with false documents, rather than a less sophisticated option such as using a family member's documents.

3.22 This is likely to be a key feature of a commercial case and would already have been taken into account at step 1.

Mitigating Factors

3.23 The mitigating factors are all standard factors.

Sentence Levels

3.24 The statistics can be seen at **Annex D**, section 4. Council will note that the volume of cases appears to be reducing. In the last couple of years of data we can see that there were just under 250 cases, whereas in 2012 the volume was as high as 860. Speaking with the CPS about the potential reasons for the reduction they inform us that there may be a couple of reasons for the decline. Firstly, as these offences frequently arise at airports one explanation for the decline between 2020 and 2021 is because of COVID and the huge reduction in air traffic at that time. Secondly, there had been a greater focus on organised immigration crime over the last few years which involved redeploying resources away from

airports. However, since the new offences have come in under the Nationality and Borders Act 2022 this work is increasing again.

3.25 Tab 4.2 of the data sets out the sentence outcomes for these offences over the last 11 years. In 2021, around 90 per cent of offenders received a custodial sentence (either immediate or suspended) and in the years prior to 2021, the percentage was around the same or higher. In 2020, the proportion of offenders receiving a suspended sentence increased to 27 per cent, there was a slight decrease in 2021 (22 per cent) but the proportion was still higher than in years prior to 2020. The proportion of offenders receiving a community sentence has been steadily increasing since 2019.

3.26 For those receiving immediate custody, most offenders receive a sentence of 1 year or less (88 per cent in 2021). The (mean) average custodial sentence length was around 9 months.

3.27 The sentences set out in the draft guideline at **Annex B** attempt to reflect current sentencing practice.

#### **Question 7: Does the Council agree with the sentences proposed?**

## **4 EQUALITIES**

4.1 The demographics of the offenders sentenced for s4 in 2021 can be seen in **Annex D** at tabs 4.5-4.8.

4.2 The figures show that the majority of offenders sentenced are male (93 per cent in 2021). From tab 4.6 we can see that female offenders are far more likely to receive a community order than males, but that for both male and female offenders custody (immediate or suspended) is the most common sentence. Note that the volume of female offenders is much smaller than male (around 20 female offenders compared to 230 male offenders in 2021).

4.3 Looking at ethnicity you will note that for around 90 (38 per cent) out of the 250 offenders sentenced, the ethnicity is not recorded or not known, and volumes for ethnicity groups other than white are also much smaller in comparison. Therefore, conclusions that can be drawn based upon the known ethnicity figures may be unreliable. However, with the information available, looking at tab 4.6 there does not appear to be any disparity in sentence for these offences that would require the Council to take action at this stage.

#### **Question 8: Does the Council agree that no further action is required as a result of the demographics data for these two offences?**

## **5 IMPACT AND RISKS**

We will consider the impact of the guidelines in the usual way through the resource assessment.



# Facilitation

## Assisting unlawful immigration to the United Kingdom

Immigration Act 1971 section 25

## Helping asylum-seeker to enter the United Kingdom

Immigration Act 1971 section 25A

Triable either way

Maximum: life imprisonment

Offence range: high-level community order – 16 years' custody

**STEP ONE****Determining the offence category**

<b>CULPABILITY</b>	
<b>A-</b> High Culpability	<ul style="list-style-type: none"> <li>• Leading role in a commercial activity</li> <li>• Sophisticated nature of offence/ significant planning</li> <li>• Significant financial gain/ expectation of significant financial gain</li> </ul>
<b>B-</b> Medium culpability	<p>Other cases that fall between categories A and C because:</p> <ul style="list-style-type: none"> <li>• Factors are present in A and C which balance each other out and/or</li> <li>• The offender's culpability falls between the factors as described in A and C</li> <li>• <del>Significant role in a commercial activity</del></li> <li>• <del>Some planning</del></li> <li>• <del>Some financial gain/ expectation of financial gain</del></li> </ul>
<b>C-</b> Lower culpability	<ul style="list-style-type: none"> <li>• <del>Facilitating a breach of immigration law by family members</del></li> <li>• <del>Humanitarian motivation</del></li> <li>• Non – commercial activity</li> <li>• Minor role in group activity</li> <li>• Involved due to coercion or pressure</li> </ul>

<b>HARM</b>	
Category 1	<ul style="list-style-type: none"> <li>• <del>Endangerment to life</del></li> <li>• Means or route of entry/ arrival involved a high risk of serious injury or death</li> <li>• Facilitating large numbers of individuals to illegally enter/ arrive in the UK</li> <li>• Exploited/ put pressure on others</li> </ul>
Category 2	<ul style="list-style-type: none"> <li>• Means or route of entry/ arrival involved some risk of serious injury or death</li> <li>• Facilitating small numbers of individuals to illegally enter/ arrive in the UK</li> <li>• Facilitating large numbers of individuals to remain unlawfully</li> <li>• <del>Assisted individuals to remain unlawfully</del></li> </ul> <p style="color: red; margin-top: 10px;">Other cases that fall between categories 1 and 3 because:</p> <ul style="list-style-type: none"> <li>• <del>Factors are present in 1 and 3 which balance each other out and/or</del></li> <li>• <del>The harm caused falls between the factors as described in 1 and 3</del></li> <li>• </li> </ul>
Category 3	<ul style="list-style-type: none"> <li>• <del>Isolated incident</del></li> <li>• <del>Facilitated the entry/ arrival of asylum seekers</del></li> <li>• All other cases</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> 14 years' custody <b>Category Range</b> 10 - 16 years' custody	<b>Starting Point</b> 12 years' custody <b>Category Range</b> 9 - 14 years' custody	<b>Starting Point</b> 8 years' custody <b>Category Range</b> 6 - 10 years' custody
<b>Category 2</b>	<b>Starting Point</b> 8 years' custody <b>Category Range</b> 6 - 10 years' custody	<b>Starting Point</b> 5 years' custody <b>Category Range</b> 4 - 7 years' custody	<b>Starting Point</b> 3 years' custody <b>Category Range</b> 2 - 5 years' custody
<b>Category 3</b>	<b>Starting Point</b> 5 years' custody <b>Category Range</b> 4 - 7 years' custody	<b>Starting Point</b> 3 years' custody <b>Category Range</b> 2 - 5 years' custody	<b>Starting Point</b> 18 months' custody <b>Category Range</b> 12 months' custody – 2 years' 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.

**Care should be taken to avoid double counting factors already taken into account in assessing culpability**

**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:*

- ~~Repeat offending (unless charged as separate offences)~~
- Offending conducted over a sustained period of time
- Abuse of position of trust
- Recruited others to take part in offending (unless already taking into account at step 1)
- Significant risk of injury or death to those seeking to rescue individuals

**Factors reducing seriousness or reflecting personal mitigation**

- No recent or relevant convictions
- Good character and/or exemplary conduct
- Remorse
- Sole or primary carer for dependent relatives
- Age/lack of maturity
- Mental disorder or learning disability
- Physical disability or serious medical condition requiring urgent, intensive or long-term treatment
- Offender co-operated with investigation, made early admissions and/or voluntarily reported offending
- Limited understanding of scale of activity

**STEP THREE**

**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 FOUR**

**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 FIVE**

**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 SIX**

**Ancillary orders**

In all cases, the court must consider whether to make a compensation order and/or other ancillary orders.

**STEP SEVEN**

**Reasons**

Section 52 of the Sentencing Code imposes a duty to give reasons for, and explain the effect of, the sentence.

**STEP EIGHT**

**Consideration for time spent on bail**

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.

# **Possession of false identity documents etc with improper intention**

**Identity Documents Act 2010 section 4**

**Triable either way**

**Maximum: 10 years' imprisonment**

**Offence range: High level community order- 8 years' custody**

DRAFT

**STEP ONE****Determining the offence category**

<b>CULPABILITY</b>	
<b>A-</b>	<ul style="list-style-type: none"> <li>• Possession of a large number of documents used for commercial scale criminal activity</li> <li>• Substantial financial gain/ expectation of substantial financial gain</li> <li>• A leading role where offending is part of a group activity</li> <li>• Sophisticated nature of offence/significant planning</li> </ul>
<b>B-</b>	<ul style="list-style-type: none"> <li>• Possession of multiple documents intended for the use of others</li> <li>• Financial gain/ expectation of financial gain</li> <li>• A lesser role where offending is part of a group activity</li> </ul>
<b>C-</b>	<ul style="list-style-type: none"> <li>• Possession of one or two false documents for own use</li> <li>• Involved due to coercion or pressure</li> </ul>

<b>HARM</b>	
Category 1	<ul style="list-style-type: none"> <li>• Document(s) used to evade immigration controls</li> </ul>
Category 2	<ul style="list-style-type: none"> <li>• Document used to assist criminal activity (other than that described in category 1 or 3)</li> <li>• Document used to evade responsibility for criminal activity</li> </ul>
Category 3	<ul style="list-style-type: none"> <li>• Document used to obtain rights, services or benefits [such as employment, accommodation, bank accounts etc]</li> </ul>
Category 4	<ul style="list-style-type: none"> <li>• All other cases</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> 5 – 8 years' custody	<b>Starting Point</b> 3 years' custody  <b>Category Range</b> 2 – 4 years' custody	<b>Starting Point</b> 2 years' custody  <b>Category Range</b> 18 months – 30 months years' custody
<b>Category 2</b>	<b>Starting Point</b> 3 years' custody  <b>Category Range</b> 2 – 4 years' custody	<b>Starting Point</b> 18 months' custody  <b>Category Range</b> 1 – 2 years' custody	<b>Starting Point</b> 1 year custody  <b>Category Range</b> 6 months' – 18 months' custody
<b>Category 3</b>	<b>Starting Point</b> 18 months' custody  <b>Category Range</b> 1 – 2 years' custody	<b>Starting Point</b> 1 year custody  <b>Category Range</b> 6 months' – 18 months' custody	<b>Starting Point</b> 9 months' custody  <b>Category Range</b> 6 - 12 months' custody
<b>Category 4</b>	<b>Starting Point</b> 1 year custody  <b>Category Range</b> 6 months' – 18 months' custody	<b>Starting Point</b> 9 months' custody  <b>Category Range</b> 6 - 12 months' custody	<b>Starting Point</b> 6 months' custody  <b>Category Range</b> High level CO - 9 months' 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.

**Care should be taken to avoid double counting factors already taken into**

**account in assessing culpability****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:*

- Offending conducted over a sustained period
- Involvement of others through pressure, influence
- Offender not lawfully present in the UK
- Obtained document from a forger – unless already taken into account at step one

**Factors reducing seriousness or reflecting personal mitigation**

- No recent or relevant convictions
- Good character and/or exemplary conduct
- Remorse
- Sole or primary carer for dependent relatives
- Age/lack of maturity
- Mental disorder or learning disability
- Physical disability or serious medical condition requiring urgent, intensive or long-term treatment
- Offender co-operated with investigation, made early admissions and/or voluntarily reported offending
- Limited understanding of scale of activity

**STEP THREE****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 FOUR****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 FIVE****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 SIX****Ancillary orders**

In all cases, the court must consider whether to make a compensation order and/or other ancillary orders.

**STEP SEVEN****Reasons**

Section 52 of the Sentencing Code imposes a duty to give reasons for, and explain the effect of, the sentence.

**STEP EIGHT****Consideration for time spent on bail**

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.

Blank page

DRAFT

Case Name	Details	Sentence	
<i>R. v Kuosmanen (Paavo Topias)</i> [2004]EWCA Crim1861	The applicant (K) applied for leave to appeal against a sentence of five years' imprisonment imposed for three counts of having a false instrument with intent. Customs officers found 250 counterfeit passports and other identity documents on K's person. K had agreed to deliver the documents for a third party. Held, refusing the application, that a sentence of five years' imprisonment did accord the appropriate credit for the early guilty plea. The instant case concerned 250 passports, forged in a sophisticated way, which had been imported in a professional operation. The sheer scale of the operation meant that a starting point of seven years would not have been inappropriate. The judge had referred to K's plea at the outset of his sentencing remarks, therefore it was clear that he had taken it into account.	7 years (before credit)	A1
<i>In Cheema</i> [2002] EWCA Crim 325, [2002] 2 Cr App R (S) 79 (356),	The Court of Appeal considered a sentence of three years appropriate under the previous legislation of the Forgery and Counterfeiting Act 1981 for having custody or control of 12 false passports, intending that they would be used as genuine passports.	3 years	B1
<i>Carneiro</i> [2007] EWCA Crim 2170	Pleaded (full credit) D was an Algerian who had overstayed on a visitor's visa which expired in 2008. D was stopped at the Channel Tunnel whilst on a coach to Germany. He had on him a Belgian ID document and a bank card, both in the same false name. His explanation for the bank card was that he had used the account of an Algerian to operate as self-employed. He had purchased the ID document off the Internet to visit a German woman he met online and whom he may have been intending to marry to obtain legitimate EU immigration status. D was of good character. The Judge emphasised the importance of preserving the integrity of the UK's borders. Held. The Judge was right to consider the time D had been an overstayer. D had been unlawfully living and working in the UK for over five years and, although caught leaving the UK, his intention was to return. D had a counterfeit document which would have been used to enable him to continue his long-assumed false identity.	The Judge must have started at <b>27 months</b> . He was entitled to do so. 18 months was not excessive.	C1
<i>Kolawole</i> [2004] EWCA Crim 3047	Rose LJ indicated that where a passport had been used to gain entry to the United Kingdom or to evade immigration controls, even a person of good character who pleads guilty should normally receive a sentence of between 12 months and 18 months for a single offence.	18-27 months pre GP	C1

<p><a href="#">Lasgaa [2014] EWCA Crim 1822</a></p>	<p>Guilty plea</p> <p>L had entered the United Kingdom in 2008 under a visitor's visa which did not entitle him to work. After the visa expired, he became an unlawful overstayer. He worked as a self-employed painter and decorator and, in order to do so, used a bank account in an assumed name. In 2014 he left the UK to travel to Germany. He was stopped by border control who found him to be in possession of a counterfeit Belgian identity document and a debit card. Both were in the same name as the bank account being used by L. L admitted that he had intended to travel to Germany to marry a German woman he met on the internet, return to the UK and then establish himself legally in the UK as the husband of a European Union national. The sentencing judge emphasised the importance of preserving the integrity of the country's borders. He accepted that L was of previous good character and had pleaded guilty at the first opportunity, but identified as aggravating features the fact that L had been an illegal overstayer and that he had had another false document, namely the debit card, in his possession.</p> <p>L had for more than five years been living and working in the UK when he had no right to do so. Although he was using his counterfeit identity document to leave the country, his clear intention was to return.</p> <p>A starting point of 27 months' custody before giving credit for the guilty plea was significantly longer than the upper end of the range indicated in <i>Kolawole</i>. It resulted in a sentence of 18 months' imprisonment, which was undoubtedly high. However, the sentence was neither wrong in principle nor manifestly excessive.</p>	27 months'	C1
<p>R v Oryem (Emmanuel) [2016] EWCA Crim 1699</p>	<p>Plea. The offender was attempting to purchase a £5k watch using a bank card in someone else's name and showed false identification to the shop supervisor. Due to a concern about the documents the police were called and the offender arrested. The offender admitted that he had gone to the shop to commit fraud and that the documents were fakes. He said he had done so for a friend, who he described and the police subsequently found and arrested.</p> <p>The offender was sentenced to 20 months imprisonment for fraud and 12 months concurrent for the ID document offence. On appeal the fraud sentence was reduced to 15 months to reflect the fact that full credit for his plea should have been given. As the other sentence was to run concurrent and was less than 15 months the Court did not reduce it, so it is a little unclear whether this sentence did or did not include a reduction for plea.</p>	12 months	C2

<p>R v Isufi [2020] EWCA Crim 703</p>	<p>Plea. The applicant had been convicted in Germany for supplying cannabis and was wanted on a warrant by the German authorities. He had been sentenced in that jurisdiction to a term of imprisonment of 4 years and 3 months but had failed to surrender to custody and was on the run. He was arrested by the police on the German warrant on 26 January 2019 in East London. He had clearly not learnt any lessons from his earlier conviction and sentence because he was found to be carrying a shoulder bag containing 994 grams of cocaine with a purity of 86%. The police officers then went on to search his home address and found stocks of cocaine. The quantities of cocaine found on the premises were of an average of 58% purity. Its wholesale value was estimated to be around £70,000, with a street value in the region of £163,000. Also found at the applicant's address were forged identity documents comprising a driving licence, passports and an ID card were all of which were in the name of an Italian national but displayed photographs of the applicant.</p> <p>On the first count of possessing a controlled Class A drug with intent to supply, contrary to <u>section 5(2)</u> of the Misuse of Drugs Act 1971, he was sentenced to 9 years' imprisonment. On the second, of possession of an identity document with improper intention, contrary to <u>section 4</u> of the Identity Documents Act 2010, he was sentenced to 9 months' imprisonment to be served concurrently. Appeal dismissed</p>	<p>9 months after plea. 25 % credit given. Sentence before reduction <b>12 months</b></p>	<p>C2</p>
<p>R v <i>Hidri</i> [2019] <a href="#">EWCA Crim 1618</a></p>	<p>Plea. Three Albanians stopped in car. All had false driving licences. D, a passenger, was aged 28 and of good character.</p> <p>Mr Asghar submitted that recent decisions of this Court such as <u>R v Aderemi</u> [2018] EWCA Crim 1502 and <u>R v Mehmeti</u> [2019] EWCA Crim 751, draw a distinction between cases where a false identity document is used for immigration purposes, for example, to enter the country illegally and where a false identity document is used for other purposes such as to obtain work. The former category of cases is regarded more seriously by the courts and attracts a more severe sentence; the latter category (into which this case fell) would attract a sentence of around 6 months on an early guilty plea. The judge's sentence wrongly put this case into the former category. We accept these submissions.</p> <p>Accordingly, in our judgment, this case fell into less serious category of case than the judge seems to have thought. Whilst, as the single judge recognised, each case is different, and 6 months' imprisonment is not in any sense a tariff in this sort of case, there is nothing in the facts of this case which would justify treating this appellant more harshly than others who have used false documents other than for immigration purposes. He has no known previous convictions. He was not the driver</p>	<p>9 months</p>	<p>C2/ 3?</p>

	and he pleaded guilty at the earliest opportunity. We start at 9 months, not 15, so with plea <b>6 months</b> not 10.		
<a href="#">Mehmeti [2019] EWCA Crim 751</a>	D pleaded to possession of an identity document with improper intention. D was driving his vehicle when police indicated that they wanted him to stop. D carried on driving for a time before stopping the vehicle. When asked for his driving licence, D gave police a counterfeit licence with a false name. D ran from the scene and had to be chased on foot for about ten minutes before being apprehended. In D's police interview, he admitted to entering the UK illegally as an Albanian citizen. D had one previous conviction in 2016 for possessing criminal property when he and a co-accused were found in possession of £100,000 <sub>1</sub> in cash, three mobile phones and a counterfeit Greek driving licence. D received 12 months' imprisonment and admitted at the time to having entered the UK illegally. The Judge noted that having been deported from the UK following his previous conviction, D had once again entered the UK illegally and had acquired another false driving licence.	The document was not used for immigration reasons. 15 months was too long. We start at <b>9 months</b> , so with plea, 6 months not 10.	C2/3?
<i>R v Lumanaj</i> [2022] EWCA Crim 725	D pleaded. D was driving a vehicle that collided with a pedestrian. At the scene he told the police his name and showed them a photograph on his phone of a Greek driving licence matching the name he gave. Police took him to his home address to inspect the original. The licence was false and subsequent fingerprint testing identified D as an Albanian national who was unlawfully at large having previously been recalled to prison for a third time for breaching the terms of his licence. He was also driving without a licence or insurance. D was aged 19 at the time of the offence and had one previous conviction for four offences of possessing false identity documents for which he was imprisoned for 6 months. D was found to have no legal standing in the UK and had arrived no later than June 2020. Since then, he had been living under several different names. In his sentencing remarks, the judge said that the use of a photograph of the fake licence was a way to further avoid detection and prevent the police from inspecting the hard copy. The judge treated the previous conviction for similar offences as an aggravating feature which merited an uplift of nine months to a starting point of 27 months. He gave full credit for the guilty plea. Held. Given D's previous offending, it is reasonable to infer that he has repeatedly relied upon having a false licence with him while continuing to drive. The previous offending seriously aggravated the index offence. Although a significant uplift in sentence was required, a sentence of 3 years after trial was manifestly excessive. Instead that sentence should have been <b>2 years</b> which, after allowing for the guilty plea, should be reduced to 16 months. Therefore, with discount for plea, 16 months.	2 years	C2/3?
<a href="#">Ovieriakhi [2009] EWCA Crim 452</a>	The offender pleaded guilty.	In our view a sentence of twelve months'	C3



	<p>The circumstances of this case present a not unfamiliar picture. The appellant, a woman of good character, lawfully enters the UK. She then remains longer than the time permitted. Next, she obtains a false passport in a name similar to her own in order to obtain a job. The work that she obtains is worthwhile and necessary. She embarks on this course of conduct because of her family difficulties and because, although she could obtain a job in Nigeria, work in the United Kingdom pays more.</p> <p>In our judgment the present case falls into the category of case considered in <u>Mutede</u>, <u>Carneiro</u> and <u>Olasunkanmi</u>. Despite what was said in <u>Adebayo</u>, there is a valid distinction to be made between use of a false passport to gain entry and its use to gain work.</p>	<p>imprisonment was excessive. We shall substitute for it a sentence of six months' imprisonment. <b>Pre GP 9 months</b></p>	
<p><a href="#">Acheampong [2015] EWCA Crim 1894</a></p>	<p>Guilty plea. Cynthia has never applied for a visa to come into the United Kingdom and there is no record of her entry into this country. However, she undoubtedly did enter this country unlawfully. In June 2014 an investigation revealed that Cynthia was working at a care home in Sunderland using the identity of her sister Doreen. It appears from the pre-sentence report that she had been using her sister's identity for very nearly two years by the time she was discovered.</p> <p>In this case, the passport was not false. Further, the passport was not used to gain entry into the United Kingdom; it was used instead to gain work. Cynthia, however, as the judge pointed out, had never been lawfully entitled to be in the United Kingdom or to work here. In our judgment, this places the case above the category of case which includes R v Ovieriakhi , where a 6-month sentence was imposed by the Court of Appeal, and closer to the R v Kolawole category.</p> <p>However, it was a case which involved a genuine British passport which had been lent to her dishonestly by her sister. It therefore did not involve any contact with those who forge passports and sell them. It did not involve any contact with that dishonest and damaging trade. We consider that that aspect of the case justifies reducing the sentencing bracket below the R v Kolawole bracket and towards that adopted in R v Ovieriakhi . The fact that the passport was not used to gain entry is some mitigation and, in the words used by the court in R v Ovieriakhi , an offender who has “done no more with the passport than to try to gain work to maintain herself and her family” is some mitigation to be taken into account.</p> <p>In all the circumstances, we consider that if the judge had had R v Ovieriakhi before him, he would very likely have come to the same conclusion that we have come to and imposed a sentence based on a sentence before discount for plea of 12 months, which he would then have discounted for the early plea to 8 months.</p>	<p>Sentence before discount for plea of <b>12 months</b></p>	<p>C3</p>

<a href="#">Aderemi [2018] EWCA Crim 1502</a>	D pleaded to possession of an ID document (section 4(1) and (2)) and working when disqualified (4 months concurrent, no appeal). In 2013, D arrived in the UK on a student's visa to attend university. He didn't attend there. In 2014, his leave to remain was revoked. D remained. On 16 August 2017, D went to a recruitment agency and showed them a false Dutch ID card, which it was inferred he had obtained quite recently. He was checked out and the ID was considered suspicious. On 1 September 2017, D went to another agency and he was able to work in a brewery for about 10 weeks earning about £2,875. He was arrested and co-operated with the police. He said he paid a friend £350 for the ID. D was aged 38 and of good character. Held. The use of the ID card was limited to obtaining work.	We start at <b>12 months</b> , so 9 months with the mitigation, making 6 months with the plea	C3
---	---	---	----

## Immigration offences

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

**Section 1: Assisting unlawful immigration to a member state or the UK (Immigration Act 1971, s25)**

<a href="#">Table 1.1</a>	Number of adult offenders sentenced for assisting unlawful immigration to a member state or the UK (Immigration Act 1971, s25), all courts, 2011-2021
<a href="#">Table 1.2</a>	Number and proportion of adult offenders sentenced for assisting unlawful immigration to a member state or the UK (Immigration Act 1971, s25), by sentence outcome, 2011-2021
<a href="#">Table 1.3</a>	Average custodial sentence lengths (ACSL) received by adult offenders sentenced for assisting unlawful immigration to a member state or the UK (Immigration Act 1971, s25), 2011-2021
<a href="#">Table 1.4</a>	Sentence lengths received by adult offenders sentenced to immediate custody for assisting unlawful immigration to a member state or the UK (Immigration Act 1971, s25), 2011-2021
<a href="#">Table 1.5</a>	Demographics of adult offenders sentenced for assisting unlawful immigration to a member state or the UK (Immigration Act 1971, s25), by sex, age and ethnicity, 2021
<a href="#">Table 1.6</a>	Number and proportion of adult offenders sentenced for assisting unlawful immigration to a member state or the UK (Immigration Act 1971, s25), by sex, age and ethnicity and sentence outcome, 2021
<a href="#">Table 1.7</a>	Average custodial sentence lengths (ACSL) received by adult offenders sentenced for assisting unlawful immigration to a member state or the UK (Immigration Act 1971, s25), by sex, age and ethnicity, 2021
<a href="#">Table 1.8</a>	Sentence lengths received by adult offenders sentenced to immediate custody for assisting unlawful immigration to a member state or the UK (Immigration Act 1971, s25), by sex, age and ethnicity, 2021

**Section 2: Facilitating entry of asylum seekers to the UK (Immigration Act 1971, s25A)**

<a href="#">Table 2.1</a>	Number of adult offenders sentenced for facilitating entry of asylum seekers to the UK (Immigration Act 1971, s25A), Crown Court, 2011-2021
<a href="#">Table 2.2</a>	Number and proportion of adult offenders sentenced for facilitating entry of asylum seekers to the UK (Immigration Act 1971, s25A), by sentence outcome, 2011-2021
<a href="#">Table 2.3</a>	Average custodial sentence lengths (ACSL) received by adult offenders sentenced for facilitating entry of asylum seekers to the UK (Immigration Act 1971, s25A) 2017-2021
<a href="#">Table 2.4</a>	Sentence lengths received by adult offenders sentenced to immediate custody for facilitating entry of asylum seekers to the UK (Immigration Act 1971, s25A), 2011-2021
<a href="#">Table 2.5</a>	Demographics of adult offenders sentenced for facilitating entry of asylum seekers to the UK (Immigration Act 1971, s25A), by sex, age and ethnicity 2017-2021
<a href="#">Table 2.6</a>	Number and proportion of adult offenders sentenced for facilitating entry of asylum seekers to the UK (Immigration Act 1971, s25A), by sex, age and ethnicity and sentence outcome 2017-2021
<a href="#">Table 2.7</a>	Average custodial sentence lengths (ACSL) received by adult offenders sentenced for facilitating entry of asylum seekers to the UK (Immigration Act 1971, s25A), by sex, age and ethnicity 2017-2021
<a href="#">Table 2.8</a>	Sentence lengths received by adult offenders sentenced to immediate custody for facilitating entry of asylum seekers to the UK (Immigration Act 1971, s25A), by sex, age and ethnicity 2017-2021

**Section 3: Seeking or obtaining leave to enter or remaining in UK or securing avoidance of enforcement action by deceptive means (Immigration Act 1971, s24A)**

<a href="#">Table 3.1</a>	Number of adult offenders sentenced for seeking or obtaining leave to enter or remaining in UK or securing avoidance of enforcement action by deceptive means (Immigration Act 1971, s24A), all courts, 2011-2021
<a href="#">Table 3.2</a>	Number and proportion of adult offenders sentenced for seeking or obtaining leave to enter or remaining in UK or securing avoidance of enforcement action by deceptive means (Immigration Act 1971, s24A), by sentence outcome, 2011-2021
<a href="#">Table 3.3</a>	Average custodial sentence lengths (ACSL) received by adult offenders sentenced for seeking or obtaining leave to enter or remaining in UK or securing avoidance of enforcement action by deceptive means (Immigration Act 1971, s24A) 2017-2021
<a href="#">Table 3.4</a>	Sentence lengths received by adult offenders sentenced to immediate custody for seeking or obtaining leave to enter or remaining in UK or securing avoidance of enforcement action by deceptive means (Immigration Act 1971, s24A), 2011-2021
<a href="#">Table 3.5</a>	Demographics of adult offenders sentenced for seeking or obtaining leave to enter or remaining in UK or securing avoidance of enforcement action by deceptive means (Immigration Act 1971, s24A), by sex, age and ethnicity 2017-2021
<a href="#">Table 3.6</a>	Number and proportion of adult offenders sentenced for seeking or obtaining leave to enter or remaining in UK or securing avoidance of enforcement action by deceptive means (Immigration Act 1971, s24A), by sex, age and ethnicity and sentence outcome 2017-2021
<a href="#">Table 3.7</a>	Average custodial sentence lengths (ACSL) received by adult offenders sentenced for seeking or obtaining leave to enter or remaining in UK or securing avoidance of enforcement action by deceptive means (Immigration Act 1971, s24A), by sex, age and ethnicity 2017-2021
<a href="#">Table 3.8</a>	Sentence lengths received by adult offenders sentenced to immediate custody for seeking or obtaining leave to enter or remaining in UK or securing avoidance of enforcement action by deceptive means (Immigration Act 1971, s24A), by sex, age and ethnicity 2017-2021

**Section 4: Possessing false identity documents etc with improper intention (Identity Documents Act 2010, s4)**

<a href="#">Table 4.1</a>	Number of adult offenders sentenced for possessing false identity documents etc with improper intention (Identity Documents Act 2010, s4), Crown Court, 2011-2021
<a href="#">Table 4.2</a>	Number and proportion of adult offenders sentenced for possessing false identity documents etc with improper intention (Identity Documents Act 2010, s4), by sentence outcome, 2011-2021
<a href="#">Table 4.3</a>	Average custodial sentence lengths (ACSL) received by adult offenders sentenced for possessing false identity documents etc with improper intention (Identity Documents Act 2010, s4), 2011-2021
<a href="#">Table 4.4</a>	Sentence lengths received by adult offenders sentenced to immediate custody for possessing false identity documents etc with improper intention (Identity Documents Act 2010, s4), 2011-2021
<a href="#">Table 4.5</a>	Demographics of adult offenders sentenced for possessing false identity documents etc with improper intention (Identity Documents Act 2010, s4), by sex, age and ethnicity, 2021
<a href="#">Table 4.6</a>	Number and proportion of adult offenders sentenced for possessing false identity documents etc with improper intention (Identity Documents Act 2010, s4), by sex, age and ethnicity and sentence outcome, 2021
<a href="#">Table 4.7</a>	Average custodial sentence lengths (ACSL) received by adult offenders sentenced for possessing false identity documents etc with improper intention (Identity Documents Act 2010, s4), by sex, age and ethnicity, 2021
<a href="#">Table 4.8</a>	Sentence lengths received by adult offenders sentenced to immediate custody for possessing false identity documents etc with improper intention (Identity Documents Act 2010, s4), by sex, age and ethnicity, 2021

**Section 5: Possessing false identity documents etc without reasonable excuse (Identity Documents Act 2010, s6)**

<a href="#">Table 5.1</a>	Number of adult offenders sentenced for possessing false identity documents etc without reasonable excuse (Identity Documents Act 2010, s6), all courts, 2011-2021
<a href="#">Table 5.2</a>	Number and proportion of adult offenders sentenced for possessing false identity documents etc without reasonable excuse (Identity Documents Act 2010, s6), by sentence outcome, 2011-2021
<a href="#">Table 5.3</a>	Average custodial sentence lengths (ACSL) received by adult offenders sentenced for possessing false identity documents etc without reasonable excuse (Identity Documents Act 2010, s6), 2011-2021
<a href="#">Table 5.4</a>	Sentence lengths received by adult offenders sentenced to immediate custody for possessing false identity documents etc without reasonable excuse (Identity Documents Act 2010, s6), 2011-2021
<a href="#">Table 5.5</a>	Demographics of adult offenders sentenced for possessing false identity documents etc without reasonable excuse (Identity Documents Act 2010, s6), by sex, age and ethnicity, 2021
<a href="#">Table 5.6</a>	Number and proportion of adult offenders sentenced for possessing false identity documents etc without reasonable excuse (Identity Documents Act 2010, s6), by sex, age and ethnicity and sentence outcome, 2021
<a href="#">Table 5.7</a>	Average custodial sentence lengths (ACSL) received by adult offenders sentenced for possessing false identity documents etc without reasonable excuse (Identity Documents Act 2010, s6), by sex, age and ethnicity, 2021
<a href="#">Table 5.8</a>	Sentence lengths received by adult offenders sentenced to immediate custody for possessing false identity documents etc without reasonable excuse (Identity Documents Act 2010, s6), by sex, age and ethnicity, 2021

## Notes

### Data sources and quality

The Court Proceedings Database (CPD), maintained by the Ministry of Justice (MoJ), is the source of the data for these data tables. Every effort is made by MoJ and the Sentencing Council to ensure that the figures presented are accurate and complete. However, it is important to note that these data have been extracted from large administrative data systems generated by the courts and police forces. As a consequence, care should be taken to ensure data collection processes and their inevitable limitations are taken into account when those data are used.

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

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

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

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

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

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

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

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

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

Further details of the processes by which the Ministry of Justice validate the records in the Court Proceedings Database can be found within the guide to their Criminal Justice Statistics publication which can be downloaded via the link:

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

### Volumes of sentences

The data presented in this bulletin only include cases where the specified offence was the principal offence committed. When an offender has been found guilty of two or more offences this is the offence for which the heaviest penalty is imposed. Where the same disposal is imposed for two or more offences, the offence selected is the offence for which the statutory maximum penalty is the most severe. Although the offender will receive a sentence for each of the offences that they are convicted of, it is only the sentence for the principal offence that is presented in this bulletin.

### Sentence outcomes

The outcomes presented are the final sentence outcomes, after taking into account all factors of the case, including whether a guilty plea was made. This is because the sentence length information available in the Court Proceedings Database is the final sentence imposed, after any reduction for guilty plea. Sentence outcomes presented in these tables are therefore not directly comparable to outcomes in the sentencing guideline tables, which instead show starting point sentences before a guilty plea has been entered.

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

### Offender demographics

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

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

#### Ethnicity

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

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

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

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

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/691544/self-defined-ethnicity-18plus1.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/691544/self-defined-ethnicity-18plus1.pdf)

#### Age

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

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

### General conventions

The following conventions have been applied to the data:

- Percentages derived from the data have been provided in the tables to the nearest whole percentage, except when the nearest whole percentage is zero. In some instances, this may mean that percentages shown do not add up to 100 per cent.
- Where the nearest whole per cent is zero, the convention '<0.5' has been used.
- Where totals have been provided, these have been calculated using unrounded data and then rounded.

### Uses made of the data

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

### Background information

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

<https://sentencingcouncil.org.uk>

The Ministry of Justice publishes a quarterly statistical publication, Criminal Justice Statistics, which includes a chapter focusing on sentencing in England and Wales. This chapter includes information on the number of offenders sentenced by offence group and by demographic factors such as age, sex and self-identified ethnicity. The full publication can be accessed via the Ministry of Justice website at:

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

Detailed sentencing data from the Ministry of Justice's Court Proceedings Database can be accessed via the data tool published alongside the annual Criminal Justice Statistics publication. The latest tool enables data covering the last five years to be viewed by offence, sex, age range and ethnicity, and can be accessed via the following link (for example, see the 'Outcomes by Offence data tool'):

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

### Contact points for further information

Statistical contact:

Email: [research@sentencingcouncil.gov.uk](mailto:research@sentencingcouncil.gov.uk)

Press Office

enquiries: Kathryn Montague

Tel: 020 7071 5792

**Table 1.1: Number of adult offenders sentenced for assisting unlawful immigration to a member state or the UK (Immigration Act 1971, s25), all courts, 2011-2021<sup>1</sup>**[Index](#)

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

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

Source: Court Proceedings Database, Ministry of Justice

## Notes:

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

**Table 1.2: Number and proportion of adult offenders sentenced for assisting unlawful immigration to a member state or the UK (Immigration Act 1971, s25), by sentence outcome, 2011-2021<sup>1</sup>**[Index](#)

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

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

Source: Court Proceedings Database, Ministry of Justice

## Notes:

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

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

**Table 1.3: Average custodial sentence lengths (ACSL) received by adult offenders sentenced for assisting unlawful immigration to a member state or the UK (Immigration Act 1971, s25), 2011-2021<sup>1,2,3</sup>**[Index](#)

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

- = not applicable

Source: Court Proceedings Database, Ministry of Justice

## Notes:

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

**Table 1.4: Sentence lengths received by adult offenders sentenced to immediate custody for assisting unlawful immigration to a member state or the UK (Immigration Act 1971, s25), 2011-2021<sup>1,2</sup>**

[Index](#)

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

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

Source: Court Proceedings Database, Ministry of Justice

Notes:

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

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

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



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

<b>Sex</b>	<b>Number of adults sentenced</b>	<b>Percentage of all adults sentenced<sup>1</sup></b>
Female	15	11%
Male	127	89%
Not recorded/not known	0	
<b>Total</b>	<b>142</b>	<b>100%</b>

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

<b>Ethnicity<sup>2</sup></b>	<b>Number of adults sentenced</b>	<b>Percentage of all adults sentenced<sup>1</sup></b>
Asian	7	13%
Black	3	5%
Mixed	4	7%
Other	7	13%
White	35	63%
Not recorded/not known <sup>3</sup>	86	
<b>Total</b>	<b>142</b>	<b>100%</b>

Source: Court Proceedings Database, Ministry of Justice

## Notes:

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

OFFICIAL - SENSITIVE

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

[Index](#)

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

  

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

  

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

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

  

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

  

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

Source: Court Proceedings Database, Ministry of Justice

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

Notes:

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

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

**Table 1.7: Average custodial sentence lengths (ACSL) received by adult offenders sentenced for assisting unlawful immigration to a member state or the UK (Immigration Act 1971, s25), by sex, age and ethnicity, 2021<sup>2</sup>**

[Index](#)

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

  

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

  

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

Source: Court Proceedings Database, Ministry of Justice

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

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

Notes:

- 1) The statutory maximum sentence has increased to life imprisonment under the Nationality and Borders Act 2022, however, during the time period covered, the statutory maximum was 14 years' custody.
- 2) The ACSL calculation excludes life and indeterminate sentences, for offences where these types of sentences apply.
- 3) Ethnicity is the self-identified ethnicity as defined by the individual, and is categorised using the 5+1 self-identified classification based on the 18+1 classification used in the 2011 Census.

Table 1.8: Sentence lengths received by adult offenders sentenced to immediate custody for assisting unlawful immigration to a member state or the UK (Immigration Act 1971, s25), by sex, age and ethnicity, 2021<sup>1</sup>

[Index](#)

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

  

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

  

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

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

  

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

  

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

Source: Court Proceedings Database, Ministry of Justice

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

Notes:

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

**Table 2.1: Number of adult offenders sentenced for facilitating entry of asylum seekers to the UK (Immigration Act 1971, s25A), Crown Court, 2011-2021<sup>1</sup>**[Index](#)

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

Source: Court Proceedings Database, Ministry of Justice

## Notes:

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

**Table 2.2: Number and proportion of adult offenders sentenced for facilitating entry of asylum seekers to the UK (Immigration Act 1971, s25A), by sentence outcome, 2011-2021<sup>1</sup>**[Index](#)

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

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

Source: Court Proceedings Database, Ministry of Justice

## Notes:

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

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

**Table 2.3: Average custodial sentence lengths (ACSL) received by adult offenders sentenced for facilitating entry of asylum seekers to the UK (Immigration Act 1971, s25A), 2017-2021<sup>1,2,3,4</sup>**

[Index](#)

<b>ACSL (years)</b>	<b>2017-2021</b>
Mean	3.8
Median	3.5
Indeterminates as percentage of custodial sentences <sup>5</sup>	-

- = not applicable

Source: Court Proceedings Database, Ministry of Justice

**Notes:**

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

**Table 2.4: Sentence lengths received by adult offenders sentenced to immediate custody for facilitating entry of asylum seekers to the UK (Immigration Act 1971, s25A), 2011-2021<sup>1,2</sup>**[Index](#)

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

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

Source: Court Proceedings Database, Ministry of Justice

## Notes:

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

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

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



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

[Index](#)

<b>Sex</b>	<b>Number of adults sentenced</b>	<b>Percentage of all adults sentenced<sup>3</sup></b>
Female	1	5%
Male	21	95%
Not recorded/not known	0	
<b>Total</b>	<b>22</b>	<b>100%</b>

<b>Age group</b>	<b>Number of adults sentenced</b>	<b>Percentage of all adults sentenced<sup>3</sup></b>
18 to 20	0	0%
21 to 24	1	5%
25 to 29	1	5%
30 to 39	8	36%
40 to 49	10	45%
50 to 59	2	9%
60 to 69	0	0%
70 and over	0	0%
Not recorded/not known	0	
<b>Total</b>	<b>22</b>	<b>100%</b>

<b>Ethnicity<sup>4</sup></b>	<b>Number of adults sentenced</b>	<b>Percentage of all adults sentenced<sup>3</sup></b>
Asian	2	40%
Black	0	0%
Mixed	1	20%
Other	1	20%
White	1	20%
Not recorded/not known <sup>5</sup>	17	
<b>Total</b>	<b>22</b>	<b>100%</b>

Source: Court Proceedings Database, Ministry of Justice

Notes:

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

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

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

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

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

OFFICIAL - SENSITIVE

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

[Index](#)

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

  

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

  

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

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

  

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

  

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

Source: Court Proceedings Database, Ministry of Justice

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

Notes:

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

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

[Index](#)

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

  

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

  

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

Source: Court Proceedings Database, Ministry of Justice

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

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

Notes:

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

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

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

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

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

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

[Index](#)

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

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

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

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

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

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

Source: Court Proceedings Database, Ministry of Justice

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

Notes:

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

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

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

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

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

**Table 3.1: Number of adult offenders sentenced for seeking or obtaining leave to enter or remaining in UK or securing avoidance of enforcement action by deceptive means (Immigration Act 1971, s24A), all courts, 2011-2021<sup>1</sup>**[Index](#)

<b>Court</b>	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Magistrates' court	3	3	1	1	0	0	2	0	0	2	0
Crown Court	92	55	52	39	20	30	20	12	6	4	5
<b>Total</b>	<b>95</b>	<b>58</b>	<b>53</b>	<b>40</b>	<b>20</b>	<b>30</b>	<b>22</b>	<b>12</b>	<b>6</b>	<b>6</b>	<b>5</b>

<b>Court</b>	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Magistrates' court	3%	5%	2%	3%	0%	0%	9%	0%	0%	33%	0%
Crown Court	97%	95%	98%	98%	100%	100%	91%	100%	100%	67%	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>

Source: Court Proceedings Database, Ministry of Justice

## Notes:

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

**Table 3.2: Number and proportion of adult offenders sentenced for seeking or obtaining leave to enter or remaining in UK or securing avoidance of enforcement<sup>1</sup> action by deceptive means (Immigration Act 1971, s24A), by sentence outcome, 2011-2021<sup>1</sup>**

[Index](#)

Outcome	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Absolute and conditional discharge	0	0	1	0	0	0	0	0	0	0	0
Fine	0	0	0	0	0	0	0	0	0	0	0
Community sentence	2	1	1	0	0	1	1	0	0	0	0
Suspended sentence	15	11	9	7	4	7	5	1	1	0	1
Immediate custody	78	44	42	32	16	22	16	11	3	6	4
Otherwise dealt with <sup>2</sup>	0	2	0	1	0	0	0	0	2	0	0
<b>Total</b>	<b>95</b>	<b>58</b>	<b>53</b>	<b>40</b>	<b>20</b>	<b>30</b>	<b>22</b>	<b>12</b>	<b>6</b>	<b>6</b>	<b>5</b>

Outcome	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Absolute and conditional discharge	0%	0%	2%	0%	0%	0%	0%	0%	0%	0%	0%
Fine	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Community sentence	2%	2%	2%	0%	0%	3%	5%	0%	0%	0%	0%
Suspended sentence	16%	19%	17%	18%	20%	23%	23%	8%	17%	0%	20%
Immediate custody	82%	76%	79%	80%	80%	73%	73%	92%	50%	100%	80%
Otherwise dealt with <sup>2</sup>	0%	3%	0%	3%	0%	0%	0%	0%	33%	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>

Source: Court Proceedings Database, Ministry of Justice

Notes:

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

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

**Table 3.3: Average custodial sentence lengths (ACSL) received by adult offenders sentenced for seeking or obtaining leave to enter or remaining in UK or securing avoidance of enforcement action by deceptive means (Immigration Act 1971, s24A), 2017-2021<sup>1,2,3,4</sup>**

[Index](#)

ACSL (months)	2017-2021
Mean	10.2
Median	9.5
Indeterminates as percentage of custodial sentences <sup>5</sup>	-

Source: Court Proceedings Database, Ministry of Justice

- = not applicable

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 statutory maximum sentence for this offence is 2 years' custody.
- 3) The ACSL calculation excludes life and indeterminate sentences, for offences where these types of sentences apply.
- 4) These statistics are provided for the period 2017-2021, rather than for a single year, due to the small number of offenders sentenced for this offence each year.
- 5) For 2013 onwards this is calculated as the number of offenders given life sentences, out of the number of offenders given a sentence of immediate custody. For 2011-2012, this is calculated as the number of offenders sentenced to Imprisonment for Public Protection (IPP), Extended Sentences for Public Protection (EPP) and life sentences, out of the number of offenders given a sentence of immediate custody. IPP and EPP sentences were introduced in 2005 and abolished in 2012.

**Table 3.4: Sentence lengths received by adult offenders sentenced to immediate custody for seeking or obtaining leave to enter or remaining in UK or securing avoidance of enforcement action by deceptive means (Immigration Act 1971, s24A), 2011-2021**<sup>1,2</sup>[Index](#)

Sentence length (months) <sup>3</sup>	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Less than 6 months	12	13	8	5	1	2	6	3	0	2	1
6 to 12	47	22	22	23	11	9	9	5	2	1	2
12 to 18	16	7	12	3	3	10	0	3	1	3	1
18 to 24	2	2	0	1	1	1	1	0	0	0	0
<b>Total</b>	<b>77</b>	<b>44</b>	<b>42</b>	<b>32</b>	<b>16</b>	<b>22</b>	<b>16</b>	<b>11</b>	<b>3</b>	<b>6</b>	<b>4</b>

Sentence length (months) <sup>3</sup>	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Less than 6 months	16%	30%	19%	16%	6%	9%	38%	27%	0%	33%	25%
6 to 12	61%	50%	52%	72%	69%	41%	56%	45%	67%	17%	50%
12 to 18	21%	16%	29%	9%	19%	45%	0%	27%	33%	50%	25%
18 to 24	3%	5%	0%	3%	6%	5%	6%	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>

Source: Court Proceedings Database, Ministry of Justice

## Notes:

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

2) Excludes 1 case of seek/ obtain leave to enter/ remain in UK or secure avoidance of enforcement action by deceptive means in 2011 where the data suggested that the sentence was above the statutory maximum for this offence. 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 'Less than 6 months' includes sentence lengths less than or equal to 6 months, and '6 to 12' includes sentence lengths over 6 months, and up to and including 12 months.



**Table 3.5: Demographics of adult offenders sentenced for seeking or obtaining leave to enter or remaining in UK or securing avoidance of enforcement action by deceptive means (Immigration Act 1971, s24A), by sex, age and ethnicity, 2017-2021<sup>1,2</sup>**

[Index](#)

<b>Sex</b>	<b>Number of adults sentenced</b>	<b>Percentage of all adults sentenced<sup>3</sup></b>
Female	11	22%
Male	40	78%
Not recorded/not known	0	
<b>Total</b>	<b>51</b>	<b>100%</b>

<b>Age group</b>	<b>Number of adults sentenced</b>	<b>Percentage of all adults sentenced<sup>3</sup></b>
18 to 20	0	0%
21 to 24	0	0%
25 to 29	5	10%
30 to 39	24	47%
40 to 49	19	37%
50 to 59	2	4%
60 to 69	1	2%
70 and over	0	0%
Not recorded/not known	0	
<b>Total</b>	<b>51</b>	<b>100%</b>

<b>Ethnicity<sup>4</sup></b>	<b>Number of adults sentenced</b>	<b>Percentage of all adults sentenced<sup>3</sup></b>
Asian	3	19%
Black	4	25%
Mixed	0	0%
Other	5	31%
White	4	25%
Not recorded/not known <sup>5</sup>	35	
<b>Total</b>	<b>51</b>	<b>100%</b>

Source: Court Proceedings Database, Ministry of Justice

Notes:

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

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

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

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

5) For a proportion of adults sentenced (69%), their ethnicity was either not recorded or it was not known. Therefore the proportions amongst those for whom data was provided may not reflect the demographics of the full population, and these figures should be treated with caution.

OFFICIAL - SENSITIVE

Table 3.6: Number and proportion of adult offenders sentenced for seeking or obtaining leave to enter or remaining in UK or secure avoidance of enforcement action by deceptive means (Immigration Act 1971, s24A), by sex, age and ethnicity, and sentence outcome, 2017-2021<sup>1,2</sup>

[Index](#)

Sex	Number of adults sentenced						Total
	Absolute and conditional discharge	Fine	Community sentence	Suspended sentence	Immediate custody	Otherwise dealt with <sup>3</sup>	
Female	0	0	0	4	7	0	11
Male	0	0	1	4	33	2	40
Not recorded/not known	0	0	0	0	0	0	0

  

Age group	Number of adults sentenced						Total
	Absolute and conditional discharge	Fine	Community sentence	Suspended sentence	Immediate custody	Otherwise dealt with <sup>3</sup>	
18 to 20	0	0	0	0	0	0	0
21 to 24	0	0	0	0	0	0	0
25 to 29	0	0	0	2	3	0	5
30 to 39	0	0	1	4	18	1	24
40 to 49	0	0	0	1	17	1	19
50 to 59	0	0	0	1	1	0	2
60 to 69	0	0	0	0	1	0	1
70 and over	0	0	0	0	0	0	0
Not recorded/not known	0	0	0	0	0	0	0

  

Ethnicity <sup>4</sup>	Number of adults sentenced						Total
	Absolute and conditional discharge	Fine	Community sentence	Suspended sentence	Immediate custody	Otherwise dealt with <sup>3</sup>	
Asian	0	0	0	0	3	0	3
Black	0	0	0	1	3	0	4
Mixed	0	0	0	0	0	0	0
Other	0	0	0	0	5	0	5
White	0	0	0	0	4	0	4
Not recorded/not known	0	0	1	7	25	2	35

Sex	Proportion of adults sentenced						Total
	Absolute and conditional discharge	Fine	Community sentence	Suspended sentence	Immediate custody	Otherwise dealt with <sup>3</sup>	
Female	0%	0%	0%	36%	64%	0%	100%
Male	0%	0%	3%	10%	83%	5%	100%
Not recorded/not known	-	-	-	-	-	-	-

  

Age group	Proportion of adults sentenced						Total
	Absolute and conditional discharge	Fine	Community sentence	Suspended sentence	Immediate custody	Otherwise dealt with <sup>3</sup>	
18 to 20	-	-	-	-	-	-	-
21 to 24	-	-	-	-	-	-	-
25 to 29	0%	0%	0%	40%	60%	0%	100%
30 to 39	0%	0%	4%	17%	75%	4%	100%
40 to 49	0%	0%	0%	5%	89%	5%	100%
50 to 59	0%	0%	0%	50%	50%	0%	100%
60 to 69	0%	0%	0%	0%	100%	0%	100%
70 and over	-	-	-	-	-	-	-
Not recorded/not known	-	-	-	-	-	-	-

  

Ethnicity <sup>4</sup>	Proportion of adults sentenced						Total
	Absolute and conditional discharge	Fine	Community sentence	Suspended sentence	Immediate custody	Otherwise dealt with <sup>3</sup>	
Asian	0%	0%	0%	0%	100%	0%	100%
Black	0%	0%	0%	25%	75%	0%	100%
Mixed	-	-	-	-	-	-	-
Other	0%	0%	0%	0%	100%	0%	100%
White	0%	0%	0%	0%	100%	0%	100%
Not recorded/not known	0%	0%	3%	20%	71%	6%	100%

Source: Court Proceedings Database, Ministry of Justice

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

Notes:

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

**Table 3.7: Average custodial sentence lengths (ACSL) received by adult offenders sentenced for seeking or obtaining leave to enter or remaining in UK or securing avoidance of enforcement action by deceptive means (Immigration Act 1971, s24A), by sex, age and ethnicity, 2017-2021<sup>1,2,3,4</sup>**

[Index](#)

Sex	ACSL (months)	
	Mean	Median
Female	9.7	9.0
Male	10.3	10.0
Not recorded/not known	-	-

  

Age group	ACSL (months)	
	Mean	Median
18 to 20	-	-
21 to 24	-	-
25 to 29	*	*
30 to 39	11.1	11.0
40 to 49	9.2	8.0
50 to 59	*	*
60 to 69	*	*
70 and over	-	-
Not recorded/not known	-	-

  

Ethnicity <sup>5</sup>	ACSL (months)	
	Mean	Median
Asian	*	*
Black	*	*
Mixed	-	-
Other	14.4	14.0
White	*	*
Not recorded/not known	8.9	8.0

Source: Court Proceedings Database, Ministry of Justice

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

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

Notes:

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

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

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

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

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

**Table 3.8: Sentence lengths received by adult offenders sentenced to immediate custody for seeking or obtaining leave to enter or remaining in UK or securing avoidance of enforcement action by deceptive means (Immigration Act 1971, s24A), by sex, age and ethnicity, 2017-2021<sup>1,2,3</sup>**

[Index](#)

Sex	Number of adults sentenced to each sentence length (years) <sup>4</sup>				
	Less than 6 months	6 to 12	12 to 18	18 to 24	Total
Female	2	4	1	0	7
Male	10	15	7	1	33
Not recorded/not known	0	0	0	0	0

Age group	Number of adults sentenced to each sentence length (years) <sup>4</sup>				
	Less than 6 months	6 to 12	12 to 18	18 to 24	Total
18 to 20	0	0	0	0	0
21 to 24	0	0	0	0	0
25 to 29	0	3	0	0	3
30 to 39	5	7	6	0	18
40 to 49	7	7	2	1	17
50 to 59	0	1	0	0	1
60 to 69	0	1	0	0	1
70 and over	0	0	0	0	0
Not recorded/not known	0	0	0	0	0

Ethnicity <sup>5</sup>	Number of adults sentenced to each sentence length (years) <sup>4</sup>				
	Less than 6 months	6 to 12	12 to 18	18 to 24	Total
Asian	0	1	2	0	3
Black	0	2	0	1	3
Mixed	0	0	0	0	0
Other	0	2	3	0	5
White	3	1	0	0	4
Not recorded/not known	9	13	3	0	25

Sex	Proportion of adults sentenced to each sentence length (years) <sup>4</sup>				
	Less than 6 months	6 to 12	12 to 18	18 to 24	Total
Female	29%	57%	14%	0%	100%
Male	30%	45%	21%	3%	100%
Not recorded/not known	-	-	-	-	-

Age group	Proportion of adults sentenced to each sentence length (years) <sup>4</sup>				
	Less than 6 months	6 to 12	12 to 18	18 to 24	Total
18 to 20	-	-	-	-	-
21 to 24	-	-	-	-	-
25 to 29	0%	100%	0%	0%	100%
30 to 39	28%	39%	33%	0%	100%
40 to 49	41%	41%	12%	6%	100%
50 to 59	0%	100%	0%	0%	100%
60 to 69	0%	100%	0%	0%	100%
70 and over	-	-	-	-	-
Not recorded/not known	-	-	-	-	-

Ethnicity <sup>5</sup>	Proportion of adults sentenced to each sentence length (years) <sup>4</sup>				
	Less than 6 months	6 to 12	12 to 18	18 to 24	Total
Asian	0%	33%	67%	0%	100%
Black	0%	67%	0%	33%	100%
Mixed	-	-	-	-	-
Other	0%	40%	60%	0%	100%
White	75%	25%	0%	0%	100%
Not recorded/not known	36%	52%	12%	0%	100%

Source: Court Proceedings Database, Ministry of Justice

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

Notes:

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

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

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

4) Sentence length intervals do not include the lower bound, but do include the upper bound sentence length. For example, the category 'Less than 6 months' includes sentence lengths less than or equal to 6 months, and '6 to 12' includes sentence lengths over 6 months, and up to and including 12 months.

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

**Table 4.1: Number of adult offenders sentenced for possessing false identity documents etc with improper intention (Identity Documents Act 2010, s4), Crown Court, 2011-2021<sup>1,2</sup>**[Index](#)

<b>Court</b>	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Crown Court	605	860	857	719	678	669	624	407	359	235	245

Source: Court Proceedings Database, Ministry of Justice

## Notes:

1) Figures shown here differ from those published by the MoJ, as there are 20 cases of possessing false identity documents etc with improper intention in the CPD between 2011-2021 which indicate that the offenders were sentenced in the magistrates' courts. 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 4.2: Number and proportion of adult offenders sentenced for possessing false identity documents etc with improper intention (Identity Documents Act 2010 s4), by sentence outcome, 2011-2021<sup>1,2</sup>**

[Index](#)

Outcome	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Absolute and conditional discharge	7	1	6	5	3	1	3	4	2	1	2
Fine	2	1	1	3	4	1	1	1	1	1	0
Community sentence	17	23	29	19	16	14	10	8	16	14	21
Suspended sentence	68	119	126	134	128	107	121	72	58	64	55
Immediate custody	508	714	693	558	524	541	485	320	280	153	166
Otherwise dealt with <sup>3</sup>	3	2	2	0	3	5	4	2	2	2	1
<b>Total</b>	<b>605</b>	<b>860</b>	<b>857</b>	<b>719</b>	<b>678</b>	<b>669</b>	<b>624</b>	<b>407</b>	<b>359</b>	<b>235</b>	<b>245</b>

Outcome	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Absolute and conditional discharge	1%	<0.5%	1%	1%	<0.5%	<0.5%	<0.5%	1%	1%	<0.5%	1%
Fine	<0.5%	<0.5%	<0.5%	<0.5%	1%	<0.5%	<0.5%	<0.5%	<0.5%	<0.5%	0%
Community sentence	3%	3%	3%	3%	2%	2%	2%	2%	4%	6%	9%
Suspended sentence	11%	14%	15%	19%	19%	16%	19%	18%	16%	27%	22%
Immediate custody	84%	83%	81%	78%	77%	81%	78%	79%	78%	65%	68%
Otherwise dealt with <sup>3</sup>	<0.5%	<0.5%	<0.5%	0%	<0.5%	1%	1%	<0.5%	1%	1%	<0.5%
<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>

Source: Court Proceedings Database, Ministry of Justice

Notes:

1) Figures shown here differ from those published by the MoJ, as there are 20 cases of possessing false identity documents etc with improper intention in the CPD between 2011-2021 which indicate that the offenders were sentenced in the magistrates' courts. 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 4.3: Average custodial sentence lengths (ACSL) received by adult offenders sentenced for possessing false identity documents etc with improper intention (Identity Documents Act 2010, s4), 2011-2021<sup>1,2,3,4</sup>**[Index](#)

ACSL (months)	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Mean	9.0	9.3	8.6	8.7	8.4	8.7	8.7	8.4	7.5	7.7	8.5
Median	8.0	8.0	8.0	8.0	8.0	7.0	8.0	6.0	6.0	6.0	6.0
Indeterminates as percentage of custodial sentences <sup>5</sup>	-	-	-	-	-	-	-	-	-	-	-

Source: Court Proceedings Database, Ministry of Justice

- = not applicable

## Notes:

- 1) Figures shown here differ from those published by the MoJ, as there are 20 cases of possessing false identity documents etc with improper intention in the CPD between 2011-2021 which indicate that the offenders were sentenced in the magistrates' courts. 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) Excludes 1 case of possessing false identity documents etc with improper intention in 2019 where the data suggested that the sentence was above the statutory maximum for this offence. The statutory maximum sentence for this offence is 10 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) The ACSL calculation excludes life and indeterminate sentences, for offences where these types of sentences apply.
- 5) For 2013 onwards this is calculated as the number of offenders given life sentences, out of the number of offenders given a sentence of immediate custody. For 2011-2012, this is calculated as the number of offenders sentenced to Imprisonment for Public Protection (IPP), Extended Sentences for Public Protection (EPP) and life sentences, out of the number of offenders given a sentence of immediate custody. IPP and EPP sentences were introduced in 2005 and abolished in 2012.

**Table 4.4: Sentence lengths received by adult offenders sentenced to immediate custody for possessing false identity documents etc with improper intention (Identity Documents Act 2010, s4), 2011-2021<sup>1,2,3</sup>**

[Index](#)

Sentence length (years) <sup>4</sup>	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Less than 1 year	450	632	640	514	476	474	425	288	258	137	146
1 to 2	56	76	42	39	43	59	54	27	17	15	15
2 to 3	1	2	7	2	3	5	6	1	4	1	3
3 to 4	1	3	1	0	0	2	0	3	0	0	2
4 to 5	0	0	1	1	1	0	0	1	0	0	0
5 to 6	0	1	2	1	0	1	0	0	0	0	0
6 to 7	0	0	0	0	1	0	0	0	0	0	0
7 to 8	0	0	0	1	0	0	0	0	0	0	0
Greater than 8 years	0	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>508</b>	<b>714</b>	<b>693</b>	<b>558</b>	<b>524</b>	<b>541</b>	<b>485</b>	<b>320</b>	<b>279</b>	<b>153</b>	<b>166</b>

Sentence length (years) <sup>4</sup>	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Less than 1 year	89%	89%	92%	92%	91%	88%	88%	90%	92%	90%	88%
1 to 2	11%	11%	6%	7%	8%	11%	11%	8%	6%	10%	9%
2 to 3	<0.5%	<0.5%	1%	<0.5%	1%	1%	1%	<0.5%	1%	1%	2%
3 to 4	<0.5%	<0.5%	<0.5%	0%	0%	<0.5%	0%	1%	0%	0%	1%
4 to 5	0%	0%	<0.5%	<0.5%	<0.5%	0%	0%	<0.5%	0%	0%	0%
5 to 6	0%	<0.5%	<0.5%	<0.5%	0%	<0.5%	0%	0%	0%	0%	0%
6 to 7	0%	0%	0%	0%	<0.5%	0%	0%	0%	0%	0%	0%
7 to 8	0%	0%	0%	<0.5%	0%	0%	0%	0%	0%	0%	0%
Greater than 8 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>

Source: Court Proceedings Database, Ministry of Justice

Notes:

1) Figures shown here differ from those published by the MoJ, as there are 20 cases of possessing false identity documents etc with improper intention in the CPD between 2011-2021 which indicate that the offenders were sentenced in the magistrates' courts. 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) Excludes 1 case of possessing false identity documents etc with improper intention in 2019 where the data suggested that the sentence was above the statutory maximum for this offence. The statutory maximum sentence for this offence is 10 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) 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 or equal to 1 year, and '1 to 2' includes sentence lengths over 1 year, and up to and including 2 years.



**Table 4.5: Demographics of adult offenders sentenced for possessing false identity documents etc with improper intention (Identity Documents Act 2010, s4), by sex, age and ethnicity, 2021<sup>1</sup>**[Index](#)

<b>Sex</b>	<b>Number of adults sentenced</b>	<b>Percentage of all adults sentenced<sup>2</sup></b>
Female	18	7%
Male	227	93%
Not recorded/not known	0	
<b>Total</b>	<b>245</b>	<b>100%</b>

<b>Age group</b>	<b>Number of adults sentenced</b>	<b>Percentage of all adults sentenced<sup>2</sup></b>
18 to 20	14	6%
21 to 24	36	15%
25 to 29	64	26%
30 to 39	75	31%
40 to 49	34	14%
50 to 59	16	7%
60 to 69	6	2%
70 and over	0	0%
Not recorded/not known	0	
<b>Total</b>	<b>245</b>	<b>100%</b>

<b>Ethnicity<sup>3</sup></b>	<b>Number of adults sentenced</b>	<b>Percentage of all adults sentenced<sup>2</sup></b>
Asian	7	5%
Black	28	19%
Mixed	8	5%
Other	15	10%
White	93	62%
Not recorded/not known <sup>4</sup>	94	
<b>Total</b>	<b>245</b>	<b>100%</b>

Source: Court Proceedings Database, Ministry of Justice

## Notes:

1) Figures shown here differ from those published by the MoJ, as there are 20 cases of possessing false identity documents etc with improper intention in the CPD between 2011-2021 which indicate that the offenders were sentenced in the magistrates' courts. 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) Percentage calculations do not include cases where sex, age group or ethnicity was unknown.

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

4) For a proportion of adults sentenced (38%), their ethnicity was either not recorded or it was not known. Therefore the proportions amongst those for whom data was provided may not reflect the demographics of the full population, and these figures should be treated with caution.

OFFICIAL - SENSITIVE

Table 4.6: Number and proportion of adult offenders sentenced for possessing false identity documents etc with improper intention (Identity Documents Act 2010, s4), by sex, age and ethnicity, and sentence outcome, 2021

[Index](#)

Sex	Number of adults sentenced						Total
	Absolute and conditional discharge	Fine	Community sentence	Suspended sentence	Immediate custody	Otherwise dealt with <sup>2</sup>	
Female	0	0	5	5	7	1	18
Male	2	0	16	50	159	0	227
Not recorded/not known	0	0	0	0	0	0	0

  

Age group	Number of adults sentenced						Total
	Absolute and conditional discharge	Fine	Community sentence	Suspended sentence	Immediate custody	Otherwise dealt with <sup>2</sup>	
18 to 20	1	0	3	2	8	0	14
21 to 24	0	0	3	8	24	1	36
25 to 29	0	0	4	9	51	0	64
30 to 39	0	0	5	18	52	0	75
40 to 49	0	0	5	10	19	0	34
50 to 59	1	0	1	5	9	0	16
60 to 69	0	0	0	3	3	0	6
70 and over	0	0	0	0	0	0	0
Not recorded/not known	0	0	0	0	0	0	0

  

Ethnicity <sup>3</sup>	Number of adults sentenced						Total
	Absolute and conditional discharge	Fine	Community sentence	Suspended sentence	Immediate custody	Otherwise dealt with <sup>2</sup>	
Asian	0	0	1	2	4	0	7
Black	0	0	3	5	20	0	28
Mixed	0	0	0	4	4	0	8
Other	0	0	1	4	10	0	15
White	0	0	6	18	69	0	93
Not recorded/not known	2	0	10	22	59	1	94

Sex	Proportion of adults sentenced						Total
	Absolute and conditional discharge	Fine	Community sentence	Suspended sentence	Immediate custody	Otherwise dealt with <sup>2</sup>	
Female	0%	0%	28%	28%	39%	6%	100%
Male	1%	0%	7%	22%	70%	0%	100%
Not recorded/not known	-	-	-	-	-	-	-

  

Age group	Proportion of adults sentenced						Total
	Absolute and conditional discharge	Fine	Community sentence	Suspended sentence	Immediate custody	Otherwise dealt with <sup>2</sup>	
18 to 20	7%	0%	21%	14%	57%	0%	100%
21 to 24	0%	0%	8%	22%	67%	3%	100%
25 to 29	0%	0%	6%	14%	80%	0%	100%
30 to 39	0%	0%	7%	24%	69%	0%	100%
40 to 49	0%	0%	15%	29%	56%	0%	100%
50 to 59	6%	0%	6%	31%	56%	0%	100%
60 to 69	0%	0%	0%	50%	50%	0%	100%
70 and over	-	-	-	-	-	-	-
Not recorded/not known	-	-	-	-	-	-	-

  

Ethnicity <sup>3</sup>	Proportion of adults sentenced						Total
	Absolute and conditional discharge	Fine	Community sentence	Suspended sentence	Immediate custody	Otherwise dealt with <sup>2</sup>	
Asian	0%	0%	14%	29%	57%	0%	100%
Black	0%	0%	11%	18%	71%	0%	100%
Mixed	0%	0%	0%	50%	50%	0%	100%
Other	0%	0%	7%	27%	67%	0%	100%
White	0%	0%	6%	19%	74%	0%	100%
Not recorded/not known	2%	0%	11%	23%	63%	1%	100%

Source: Court Proceedings Database, Ministry of Justice

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

Notes:

- 1) Figures shown here differ from those published by the MoJ, as there are 20 cases of possessing false identity documents etc with improper intention in the CPD between 2011-2021 which indicate that the offenders were sentenced in the magistrates' courts. 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) The category 'Otherwise dealt with' covers miscellaneous disposals. Please note that due to a data issue currently under investigation, there are a number of cases which are incorrectly categorised in the Court Proceedings Database (CPD) as 'Otherwise dealt with'. Therefore, these volume and proportions should be treated with caution.
- 3) Ethnicity is the self-identified ethnicity as defined by the individual, and is categorised using the 5+1 self-identified classification based on the 18+1 classification used in the 2011 Census.

**Table 4.7: Average custodial sentence lengths (ACSL) received by adult offenders sentenced for possessing false identity documents etc with improper intention (Identity Documents Act 2010, s4), by sex, age and ethnicity, 2021<sup>1,2,3</sup>**

[Index](#)

Sex	ACSL (months)	
	Mean	Median
Female	7.0	6.0
Male	8.6	6.0
Not recorded/not known	-	-

  

Age group	Mean	Median
18 to 20	7.9	5.0
21 to 24	6.9	6.0
25 to 29	7.5	6.0
30 to 39	9.4	6.0
40 to 49	10.6	12.0
50 to 59	8.9	8.0
60 to 69	*	*
70 and over	-	-
Not recorded/not known	-	-

  

Ethnicity <sup>4</sup>	Mean	Median
Asian	*	*
Black	10.9	8.0
Mixed	*	*
Other	7.1	5.0
White	8.0	6.0
Not recorded/not known	8.4	7.0

Source: Court Proceedings Database, Ministry of Justice

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

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

Notes:

1) Figures shown here differ from those published by the MoJ, as there are 20 cases of possessing false identity documents etc with improper intention in the CPD between 2011-2021 which indicate that the offenders were sentenced in the magistrates' courts. 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) The statutory maximum sentence for this offence is 10 years' custody.

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

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

OFFICIAL - SENSITIVE

Table 4.8: Sentence lengths received by adult offenders sentenced to immediate custody for possessing false identity documents etc with improper intention (Identity Documents Act 2010, s4), by sex, age and ethnicity, 2021<sup>1,2</sup>

[Index](#)

Sex	Number of adults sentenced to each sentence length (years) <sup>3</sup>									Total
	Less than 1 year	1 to 2	2 to 3	3 to 4	4 to 5	5 to 6	6 to 7	7 to 8	Greater than 8 years	
Female	7	0	0	0	0	0	0	0	0	7
Male	139	15	3	2	0	0	0	0	0	159
Not recorded/not known	0	0	0	0	0	0	0	0	0	0

  

Age group	Number of adults sentenced to each sentence length (years) <sup>3</sup>									Total
	Less than 1 year	1 to 2	2 to 3	3 to 4	4 to 5	5 to 6	6 to 7	7 to 8	Greater than 8 years	
18 to 20	7	1	0	0	0	0	0	0	0	8
21 to 24	24	0	0	0	0	0	0	0	0	24
25 to 29	47	3	1	0	0	0	0	0	0	51
30 to 39	44	5	1	2	0	0	0	0	0	52
40 to 49	15	3	1	0	0	0	0	0	0	19
50 to 59	6	3	0	0	0	0	0	0	0	9
60 to 69	3	0	0	0	0	0	0	0	0	3
70 and over	0	0	0	0	0	0	0	0	0	0
Not recorded/not known	0	0	0	0	0	0	0	0	0	0

  

Ethnicity <sup>4</sup>	Number of adults sentenced to each sentence length (years) <sup>3</sup>									Total
	Less than 1 year	1 to 2	2 to 3	3 to 4	4 to 5	5 to 6	6 to 7	7 to 8	Greater than 8 years	
Asian	3	1	0	0	0	0	0	0	0	4
Black	17	2	0	1	0	0	0	0	0	20
Mixed	3	1	0	0	0	0	0	0	0	4
Other	9	1	0	0	0	0	0	0	0	10
White	62	4	2	1	0	0	0	0	0	69
Not recorded/not known	52	6	1	0	0	0	0	0	0	59

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

Notes:

- 1) Figures shown here differ from those published by the MoJ, as there are 20 cases of possessing false identity documents etc with improper intention in the CPD between 2011-2021 which indicate that the offenders were sentenced in the magistrates' courts. 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) The statutory maximum sentence for this offence is 10 years' custody.
- 3) 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 or equal to 1 year, and '1 to 2' includes sentence lengths over 1 year, and up to and including 2 years.
- 4) Ethnicity is the self-identified ethnicity as defined by the individual, and is categorised using the 5+1 self-identified classification based on the 18+1 classification used in the 2011 Census.

Sex	Proportion of adults sentenced to each sentence length (years) <sup>3</sup>									Total
	Less than 1 year	1 to 2	2 to 3	3 to 4	4 to 5	5 to 6	6 to 7	7 to 8	Greater than 8 years	
Female	100%	0%	0%	0%	0%	0%	0%	0%	0%	100%
Male	87%	9%	2%	1%	0%	0%	0%	0%	0%	100%
Not recorded/not known	-	-	-	-	-	-	-	-	-	-

  

Age group	Proportion of adults sentenced to each sentence length (years) <sup>3</sup>									Total
	Less than 1 year	1 to 2	2 to 3	3 to 4	4 to 5	5 to 6	6 to 7	7 to 8	Greater than 8 years	
18 to 20	88%	13%	0%	0%	0%	0%	0%	0%	0%	100%
21 to 24	100%	0%	0%	0%	0%	0%	0%	0%	0%	100%
25 to 29	92%	6%	2%	0%	0%	0%	0%	0%	0%	100%
30 to 39	85%	10%	2%	4%	0%	0%	0%	0%	0%	100%
40 to 49	79%	16%	5%	0%	0%	0%	0%	0%	0%	100%
50 to 59	67%	33%	0%	0%	0%	0%	0%	0%	0%	100%
60 to 69	100%	0%	0%	0%	0%	0%	0%	0%	0%	100%
70 and over	-	-	-	-	-	-	-	-	-	-
Not recorded/not known	-	-	-	-	-	-	-	-	-	-

  

Ethnicity <sup>4</sup>	Proportion of adults sentenced to each sentence length (years) <sup>3</sup>									Total
	Less than 1 year	1 to 2	2 to 3	3 to 4	4 to 5	5 to 6	6 to 7	7 to 8	Greater than 8 years	
Asian	75%	25%	0%	0%	0%	0%	0%	0%	0%	100%
Black	85%	10%	0%	5%	0%	0%	0%	0%	0%	100%
Mixed	75%	25%	0%	0%	0%	0%	0%	0%	0%	100%
Other	90%	10%	0%	0%	0%	0%	0%	0%	0%	100%
White	90%	6%	3%	1%	0%	0%	0%	0%	0%	100%
Not recorded/not known	88%	10%	2%	0%	0%	0%	0%	0%	0%	100%

Source: Court Proceedings Database, Ministry of Justice

**Table 5.1: Number of adult offenders sentenced for possessing false identity documents etc without reasonable excuse (Identity Documents Act 2010, s6), all courts, 2011-2021<sup>1</sup>**[Index](#)

<b>Court</b>	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Magistrates' court	72	113	89	98	69	87	77	65	64	42	51
Crown Court	168	125	129	93	87	78	54	45	23	26	26
<b>Total</b>	<b>240</b>	<b>238</b>	<b>218</b>	<b>191</b>	<b>156</b>	<b>165</b>	<b>131</b>	<b>110</b>	<b>87</b>	<b>68</b>	<b>77</b>

<b>Court</b>	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Magistrates' court	30%	47%	41%	51%	44%	53%	59%	59%	74%	62%	66%
Crown Court	70%	53%	59%	49%	56%	47%	41%	41%	26%	38%	34%
<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>

Source: Court Proceedings Database, Ministry of Justice

## Notes:

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

**Table 5.2: Number and proportion of adult offenders sentenced for possessing false identity documents etc without reasonable excuse (Identity Documents Act 2010, s6), by sentence outcome, 2011-2021<sup>1</sup>**

[Index](#)

<b>Outcome</b>	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Absolute and conditional discharge	4	7	5	5	6	5	4	4	2	5	2
Fine	18	29	23	36	26	24	23	16	24	13	16
Community sentence	27	37	35	36	25	31	23	20	20	19	13
Suspended sentence	24	29	40	25	30	25	25	20	7	9	21
Immediate custody	163	130	115	86	69	78	54	49	30	22	23
Otherwise dealt with <sup>2</sup>	4	6	0	3	0	2	2	1	4	0	2
<b>Total</b>	<b>240</b>	<b>238</b>	<b>218</b>	<b>191</b>	<b>156</b>	<b>165</b>	<b>131</b>	<b>110</b>	<b>87</b>	<b>68</b>	<b>77</b>

<b>Outcome</b>	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Absolute and conditional discharge	2%	3%	2%	3%	4%	3%	3%	4%	2%	7%	3%
Fine	8%	12%	11%	19%	17%	15%	18%	15%	28%	19%	21%
Community sentence	11%	16%	16%	19%	16%	19%	18%	18%	23%	28%	17%
Suspended sentence	10%	12%	18%	13%	19%	15%	19%	18%	8%	13%	27%
Immediate custody	68%	55%	53%	45%	44%	47%	41%	45%	34%	32%	30%
Otherwise dealt with <sup>2</sup>	2%	3%	0%	2%	0%	1%	2%	1%	5%	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>

Source: Court Proceedings Database, Ministry of Justice

Notes:

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

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

**Table 5.3: Average custodial sentence lengths (ACSL) received by adult offenders sentenced for possessing false identity documents etc without reasonable excuse (Identity Documents Act 2010, s6), 2011-2021<sup>1,2,3</sup>**[Index](#)

ACSL (months)	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Mean	8.1	6.5	6.6	6.1	7.2	6.2	6.0	5.4	5.4	4.5	5.5
Median	8.0	6.0	6.0	6.0	6.0	5.0	5.5	4.7	4.5	4.0	4.0
Indeterminates as percentage of custodial sentences <sup>4</sup>	-	-	-	-	-	-	-	-	-	-	-

Source: Court Proceedings Database, Ministry of Justice

- = not applicable

## Notes:

- 1) Excludes 1 case of possessing false identity documents etc without reasonable excuse in 2020 where the data suggested that the sentence was above the statutory maximum for this offence. The statutory maximum sentence for this offence is 2 years' custody.
- 2) The ACSL calculation excludes life and indeterminate sentences, for offences where these types of sentences apply.
- 3) Figures presented for 2020 include the time period since March 2020 in which restrictions were placed on the criminal justice system due to the COVID-19 pandemic. It is therefore possible that these figures may reflect the impact of the pandemic on court processes and prioritisation and the subsequent recovery, rather than a continuation of the longer-term series, so care should be taken when interpreting these figures.
- 4) For 2013 onwards this is calculated as the number of offenders given life sentences, out of the number of offenders given a sentence of immediate custody. For 2011-2012, this is calculated as the number of offenders sentenced to Imprisonment for Public Protection (IPP), Extended Sentences for Public Protection (EPP) and life sentences, out of the number of offenders given a sentence of immediate custody. IPP and EPP sentences were introduced in 2005 and abolished in 2012.

**Table 5.4: Sentence lengths received by adult offenders sentenced to immediate custody for possessing false identity documents etc without reasonable excuse (Identity Documents Act 2010, s6), 2011-2021<sup>1,2</sup>**[Index](#)

Sentence length (months) <sup>3</sup>	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Less than 6 months	75	83	75	64	44	50	35	35	23	17	18
6 to 12	76	37	32	16	17	22	15	12	5	4	3
12 to 18	11	9	8	3	5	4	4	2	1	0	1
18 to 24	1	1	0	3	3	2	0	0	1	0	1
<b>Total</b>	<b>163</b>	<b>130</b>	<b>115</b>	<b>86</b>	<b>69</b>	<b>78</b>	<b>54</b>	<b>49</b>	<b>30</b>	<b>21</b>	<b>23</b>

Sentence length (months) <sup>3</sup>	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Less than 6 months	46%	64%	65%	74%	64%	64%	65%	71%	77%	81%	78%
6 to 12	47%	28%	28%	19%	25%	28%	28%	24%	17%	19%	13%
12 to 18	7%	7%	7%	3%	7%	5%	7%	4%	3%	0%	4%
18 to 24	1%	1%	0%	3%	4%	3%	0%	0%	3%	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>

Source: Court Proceedings Database, Ministry of Justice

## Notes:

- 1) Excludes 1 case of possessing false identity documents etc without reasonable excuse in 2020 where the data suggested that the sentence was above the statutory maximum for this offence. The statutory maximum sentence for this offence is 2 years' custody.
- 2) Figures presented for 2020 include the time period since March 2020 in which restrictions were placed on the criminal justice system due to the COVID-19 pandemic. It is therefore possible that these figures may reflect the impact of the pandemic on court processes and prioritisation and the subsequent recovery, rather than a continuation of the longer-term series, so care should be taken when interpreting these figures.
- 3) Sentence length intervals do not include the lower bound, but do include the upper bound sentence length. For example, the category 'Less than 6 months' includes sentence lengths less than or equal to 6 months, and '6 to 12' includes sentence lengths over 6 months, and up to and including 12 months.



**Table 5.5: Demographics of adult offenders sentenced for possessing false identity documents etc without reasonable excuse (Identity Documents Act 2010, s6), by sex, age and ethnicity, 2021**

[Index](#)

<b>Sex</b>	<b>Number of adults sentenced</b>	<b>Percentage of all adults sentenced<sup>1</sup></b>
Female	5	7%
Male	69	93%
Not recorded/not known	3	
<b>Total</b>	<b>77</b>	<b>100%</b>

<b>Age group</b>	<b>Number of adults sentenced</b>	<b>Percentage of all adults sentenced<sup>1</sup></b>
18 to 20	4	5%
21 to 24	14	18%
25 to 29	18	23%
30 to 39	23	30%
40 to 49	12	16%
50 to 59	6	8%
60 to 69	0	0%
70 and over	0	0%
Not recorded/not known	0	
<b>Total</b>	<b>77</b>	<b>100%</b>

<b>Ethnicity<sup>2</sup></b>	<b>Number of adults sentenced</b>	<b>Percentage of all adults sentenced<sup>1</sup></b>
Asian	9	16%
Black	6	11%
Mixed	3	5%
Other	7	13%
White	31	55%
Not recorded/not known <sup>3</sup>	21	
<b>Total</b>	<b>77</b>	<b>100%</b>

Source: Court Proceedings Database, Ministry of Justice

Notes:

- 1) Percentage calculations do not include cases where sex, age group or ethnicity was unknown.
- 2) Ethnicity is the self-identified ethnicity as defined by the individual, and is categorised using the 5+1 self-identified classification based on the 18+1 classification used in the 2011 Census.
- 3) For a proportion of adults sentenced (27%), their ethnicity was either not recorded or it was not known. Therefore the proportions amongst those for whom data was provided may not reflect the demographics of the full population, and these figures should be treated with caution.

OFFICIAL - SENSITIVE

Table 5.6: Number and proportion of adult offenders sentenced for possessing false identity documents etc without reasonable excuse (Identity Documents Act 2010, s6), by sex, age and ethnicity, and sentence outcome, 2021

[Index](#)

Sex	Number of adults sentenced						Total
	Absolute and conditional discharge	Fine	Community sentence	Suspended sentence	Immediate custody	Otherwise dealt with <sup>1</sup>	
Female	0	1	1	2	0	1	5
Male	2	15	11	19	21	1	69
Not recorded/not known	0	0	1	0	2	0	3

  

Age group	Number of adults sentenced						Total
	Absolute and conditional discharge	Fine	Community sentence	Suspended sentence	Immediate custody	Otherwise dealt with <sup>1</sup>	
18 to 20	0	2	0	1	0	1	4
21 to 24	0	3	7	1	3	0	14
25 to 29	1	2	4	6	5	0	18
30 to 39	1	3	1	8	9	1	23
40 to 49	0	3	0	4	5	0	12
50 to 59	0	3	1	1	1	0	6
60 to 69	0	0	0	0	0	0	0
70 and over	0	0	0	0	0	0	0
Not recorded/not known	0	0	0	0	0	0	0

  

Ethnicity <sup>2</sup>	Number of adults sentenced						Total
	Absolute and conditional discharge	Fine	Community sentence	Suspended sentence	Immediate custody	Otherwise dealt with <sup>1</sup>	
Asian	0	3	3	2	1	0	9
Black	0	1	2	2	1	0	6
Mixed	0	0	0	1	1	1	3
Other	0	2	2	1	2	0	7
White	1	4	4	12	10	0	31
Not recorded/not known	1	6	2	3	8	1	21

Sex	Proportion of adults sentenced						Total
	Absolute and conditional discharge	Fine	Community sentence	Suspended sentence	Immediate custody	Otherwise dealt with <sup>1</sup>	
Female	0%	20%	20%	40%	0%	20%	100%
Male	3%	22%	16%	28%	30%	1%	100%
Not recorded/not known	0%	0%	33%	0%	67%	0%	100%

  

Age group	Proportion of adults sentenced						Total
	Absolute and conditional discharge	Fine	Community sentence	Suspended sentence	Immediate custody	Otherwise dealt with <sup>1</sup>	
18 to 20	0%	50%	0%	25%	0%	25%	100%
21 to 24	0%	21%	50%	7%	21%	0%	100%
25 to 29	6%	11%	22%	33%	28%	0%	100%
30 to 39	4%	13%	4%	35%	39%	4%	100%
40 to 49	0%	25%	0%	33%	42%	0%	100%
50 to 59	0%	50%	17%	17%	17%	0%	100%
60 to 69	-	-	-	-	-	-	-
70 and over	-	-	-	-	-	-	-
Not recorded/not known	-	-	-	-	-	-	-

  

Ethnicity <sup>2</sup>	Proportion of adults sentenced						Total
	Absolute and conditional discharge	Fine	Community sentence	Suspended sentence	Immediate custody	Otherwise dealt with <sup>1</sup>	
Asian	0%	33%	33%	22%	11%	0%	100%
Black	0%	17%	33%	33%	17%	0%	100%
Mixed	0%	0%	0%	33%	33%	33%	100%
Other	0%	29%	29%	14%	29%	0%	100%
White	3%	13%	13%	39%	32%	0%	100%
Not recorded/not known	5%	29%	10%	14%	38%	5%	100%

Source: Court Proceedings Database, Ministry of Justice

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

Notes:

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

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

**Table 5.7: Average custodial sentence lengths (ACSL) received by adult offenders sentenced for possessing false identity documents etc without reasonable excuse (Identity Documents Act 2010, s6), by sex, age and ethnicity, 2021<sup>1,2</sup>**

[Index](#)

Sex	ACSL (months)	
	Mean	Median
Female	-	-
Male	5.7	4.0
Not recorded/not known	*	*

  

Age group	Mean	Median
18 to 20	-	-
21 to 24	*	*
25 to 29	4.2	5.0
30 to 39	5.0	3.0
40 to 49	10.0	7.0
50 to 59	*	*
60 to 69	-	-
70 and over	-	-
Not recorded/not known	-	-

  

Ethnicity <sup>3</sup>	Mean	Median
Asian	*	*
Black	*	*
Mixed	*	*
Other	*	*
White	4.0	4.1
Not recorded/not known	7.3	4.5

Source: Court Proceedings Database, Ministry of Justice

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

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

Notes:

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

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

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

**Table 5.8: Sentence lengths received by adult offenders sentenced to immediate custody for possessing false identity documents etc without reasonable excuse (Identity Documents Act 2010, s6), by sex, age and ethnicity, 2021<sup>1</sup>**

[Index](#)

Sex	Number of adults sentenced to each sentence length (months) <sup>2</sup>				
	Less than 6 months	6 to 12	12 to 18	18 to 24	Total
Female	0	0	0	0	<b>0</b>
Male	16	3	1	1	<b>21</b>
Not recorded/not known	2	0	0	0	<b>2</b>

Age group	Less than 6 months	6 to 12	12 to 18	18 to 24	Total
18 to 20	0	0	0	0	<b>0</b>
21 to 24	3	0	0	0	<b>3</b>
25 to 29	5	0	0	0	<b>5</b>
30 to 39	7	1	1	0	<b>9</b>
40 to 49	2	2	0	1	<b>5</b>
50 to 59	1	0	0	0	<b>1</b>
60 to 69	0	0	0	0	<b>0</b>
70 and over	0	0	0	0	<b>0</b>
Not recorded/not known	0	0	0	0	<b>0</b>

Ethnicity <sup>3</sup>	Less than 6 months	6 to 12	12 to 18	18 to 24	Total
Asian	1	0	0	0	<b>1</b>
Black	1	0	0	0	<b>1</b>
Mixed	1	0	0	0	<b>1</b>
Other	1	0	1	0	<b>2</b>
White	9	1	0	0	<b>10</b>
Not recorded/not known	5	2	0	1	<b>8</b>

Sex	Proportion of adults sentenced to each sentence length (months) <sup>2</sup>				
	Less than 6 months	6 to 12	12 to 18	18 to 24	Total
Female	-	-	-	-	-
Male	76%	14%	5%	5%	<b>100%</b>
Not recorded/not known	100%	0%	0%	0%	<b>100%</b>

Age group	Less than 6 months	6 to 12	12 to 18	18 to 24	Total
18 to 20	-	-	-	-	-
21 to 24	100%	0%	0%	0%	<b>100%</b>
25 to 29	100%	0%	0%	0%	<b>100%</b>
30 to 39	78%	11%	11%	0%	<b>100%</b>
40 to 49	40%	40%	0%	20%	<b>100%</b>
50 to 59	100%	0%	0%	0%	<b>100%</b>
60 to 69	-	-	-	-	-
70 and over	-	-	-	-	-
Not recorded/not known	-	-	-	-	-

Ethnicity <sup>3</sup>	Less than 6 months	6 to 12	12 to 18	18 to 24	Total
Asian	100%	0%	0%	0%	<b>100%</b>
Black	100%	0%	0%	0%	<b>100%</b>
Mixed	100%	0%	0%	0%	<b>100%</b>
Other	50%	0%	50%	0%	<b>100%</b>
White	90%	10%	0%	0%	<b>100%</b>
Not recorded/not known	63%	25%	0%	13%	<b>100%</b>

Source: Court Proceedings Database, Ministry of Justice

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

Notes:

- 1) The statutory maximum sentence for this offence is 2 years' custody.
- 2) Sentence length intervals do not include the lower bound, but do include the upper bound sentence length. For example, the category 'Less than 6 months' includes sentence lengths less than or equal to 6 months, and '6 to 12' includes sentence lengths over 6 months, and up to and including 12 months.
- 3) Ethnicity is the self-identified ethnicity as defined by the individual, and is categorised using the 5+1 self-identified classification based on the 18+1 classification used in the 2011 Census.