

Assault occasioning actual bodily harm

Average custodial sentence length for adults sentenced for assault occasioning actual bodily harm



Source: Ministry of Justice (2021) *Criminal Justice System Statistics publication: Outcomes by Offence 2010 to 2020: Pivot Table Analytical Tool for England and Wales*

Offence Definition:

This offence is committed when a person intentionally or recklessly assaults another. It must be proved that the assault occasioned or caused the bodily harm. Bodily harm includes any harm which interferes with the health or comfort of the victim, although the hurt does not need to be permanent it must be more than transient and trifling.

Sentencing Guidelines Range:

The sentencing range for this offence is between a fine and 4 years' custody. The maximum sentence for this offence is 5 years' custody.

Graph Explained:

The average custodial sentence length for the offence of assault occasioning actual bodily harm has remained largely the same during the past 10 years. It has predominantly fluctuated between 13 and 14 months with only 2010, 2011 and 2012 seeing 11 months and 12 months as the average sentence length. An updated sentencing guideline for assault offences was published in May 2021. It introduced new guidance for assaults committed against emergency workers which was in line with existing guidance for racially and religiously aggravated offending, some revisions to the high-culpability factors and the introduction of a greater number of offence categories and sentence starting points. Further data in the next few years will be required to assess whether the introduction of the updated guidelines have any effect on previous sentencing trends.