

Domestic burglary

Average custodial sentence length for adults sentenced for domestic burglary



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:

A person is guilty of this offence if they enter any or part of a dwelling (a person's home) as a trespasser and with intent to commit any offence, or if they steal or attempt to steal anything in the dwelling, or if they inflict or attempt to inflict any grievous bodily harm on any person in the dwellings.

Sentencing Guidelines Range:

The sentencing range for this offence is between a community order and 6 years' custody, with a maximum sentence of 14 years' custody. If the offender has committed a third domestic burglary offence they must serve a minimum custodial sentence of at least 3 years.

Graph Explained:

The average custodial sentence length for the offence of domestic burglary has steadily increased since 2010 where it was 1 year and 11 months to 2 years and 5 months at its peak in 2019. Domestic burglary simply refers to burglaries committed in residential premises, including in their attached buildings such as garages. In contrast, non-domestic burglary refers to burglaries committed in non-residential premises, such as businesses and public buildings, as well as non-attached buildings positioned within the grounds of a dwelling, such as sheds and detached garages. Initial guidelines for domestic burglary were replaced by updated ones in 2012 and the Sentencing Council have recently introduced a further updated guideline as of

May 2022. The most recent guideline introduces a new middle category for both culpability and harm, allowing for increased flexibility when determining the appropriate sentence for the offender. Any impact from this updated guideline remains to be seen.