



Ministry of  
**JUSTICE**



# **Statistics on Women and the Criminal Justice System 2011**

A Ministry of Justice publication under  
Section 95 of the Criminal Justice Act 1991

November 2012





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The authors would like to express their thanks to members of the Women's Independent Advisory Group for their advice during the preparation of this report.

## Criminal Justice Act 1991 – Section 95

Section 95 of the Criminal Justice Act 1991 states that:

“The Secretary of State shall in each year publish such information as he considers expedient for the purpose... of facilitating the performance of those engaged in the administration of justice to avoid discriminating against any persons on the ground of race or sex or any other improper ground.”

This report brings together statistical information on the representation of males and females as victims, suspects, defendants, and offenders within the Criminal Justice System and as practitioners/staff within criminal justice agencies.

Every effort is made to ensure that the figures presented are accurate and complete. However, these data have been extracted from large administrative data systems generated by the courts, police forces and other agencies. As a consequence, care should be taken to ensure the limitations of these data are taken into account.

The basic statistical information in this document should be considered in conjunction with the parent statistical publications and research reports that are now available on related issues. Most of these reports are now published on websites such as the Home Office website ([www.homeoffice.gov.uk/about-us/](http://www.homeoffice.gov.uk/about-us/)), the Office for National Statistics website ([www.statistics.gov.uk/hub/crime-justice/index.html](http://www.statistics.gov.uk/hub/crime-justice/index.html)), and the Ministry of Justice website ([www.justice.gov.uk](http://www.justice.gov.uk)).

The data presented is largely from published government reports, but on occasion has been supplied by criminal justice agency colleagues. It is presented either in terms of calendar years, financial years or other relevant time periods, reflecting the reporting cycles and data collection of the agencies contributing information for this publication. For further technical data and quality statements see appendices here and in the parent publications.

**If you have any feedback, questions or requests for further information about this statistical bulletin, please direct them to the appropriate contact given at the end of this report.**

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## Summary

Section 95 of the Criminal Justice Act 1991 requires the Government to publish statistical data to assess whether any discrimination exists in how the Criminal Justice System (CJS) treats people based on their gender. Consequently, this report provides information about how women and men were represented in the CJS in England and Wales in the most recent year for which data were available, and, wherever possible, in the preceding four years.

The contents of the report will be of interest to government policy makers, the agencies that comprise the CJS, and others who want to understand better whether and how experiences of the CJS differ by gender. The data presented highlight areas where there are differences and where practitioners and others may wish to undertake more in-depth analysis. The identification of differences should not be equated with discrimination, however, as there are many reasons why apparent disparities may exist.

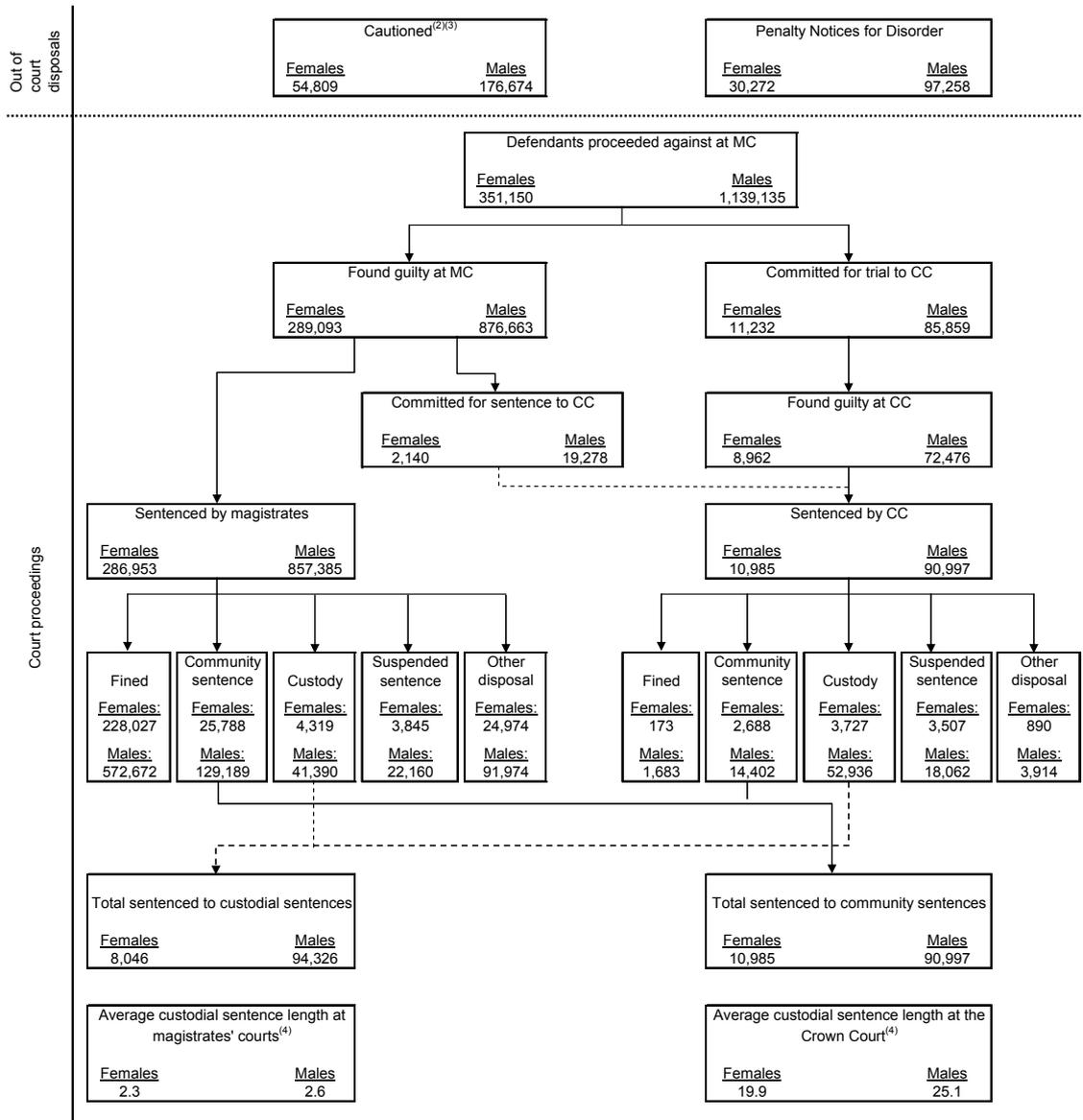
The most recent mid-year population estimates for 2011 showed that, of the total 49,509,747 population of England and Wales aged over 10 years, females comprised 51 per cent and males 49 per cent.<sup>1</sup>

Figure A below shows flows through the CJS for all males and females administered out of court disposals and dealt with at magistrates' and Crown Court in 2011. These figures exclude those cases where gender was not stated.

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<sup>1</sup> These proportions are based on the 2011 Annual Mid-year Population Estimates for England and Wales (available: <http://www.ons.gov.uk/ons/rel/pop-estimate/population-estimates-for-england-and-wales/mid-2011--2011-census-based-/stb---mid-2011-census-based-population-estimates-for-england-and-wales.html>)

**Figure A: Females and males administered with out of court disposals and dealt with at magistrates' court (MC) and the Crown Court (CC), for all offences, England and Wales, 2011<sup>(1)</sup>**



(1) These figures are based on known 'females' and 'males'. Following the introduction of the Libra case management system during 2008, offenders at magistrates' courts can now be recorded as sex 'Not Stated'. These figures have been excluded from this table.

(2) From 1 June 2000 the Crime and Disorder Act 1998 came into force nationally and removed the use of cautions for persons under 18 and replaced them with reprimands and warnings. These figures are included in the totals.

(3) From 2011 all cautions data are sourced centrally from the Police National Computer, previously a separate return from each police force was collected monthly.

(4) Average custodial sentence length is presented in months. It excludes life and indeterminate custodial sentences.

Source: Ministry of Justice - Justice Statistics Analytical Services

## Specific findings

### Women as victims of crime (Chapter 2)

The most recent data show differences in the level and types of victimisation between females and males and, for homicides, in the relationship between victims and offenders.

#### *Risks of violence*

The 2011/12 CSEW estimated three in every 100 adults were a victim of violent crime. A smaller proportion of women than men interviewed reported being victims of violence (two per cent versus four per cent).

Women completing the main CSEW who reported being a victim of violence were most commonly victimised by an acquaintance (0.8 per cent of those interviewed in 2011/12), while men most commonly experienced stranger violence (1.8 per cent of those interviewed in 2011/12).

The CSEW self-completion module showed that a greater proportion of women (seven per cent) interviewed in 2011/12 reported being victims of intimate violence (partner or family non-physical abuse, threats, force, sexual assault or stalking) than men (five per cent).

Findings from the child component of the 2011/12 CSEW showed that, in the 12 months prior to interview, eight per cent of respondents had been victims of violence. As for adults, a smaller proportion of girls reported being victims of violence than boys (five per cent versus 11 per cent).

#### *Homicides*

Data from the Homicide Index showed that fewer females (201) than males (435) were victims of homicide in 2010/11. As in the previous four years, a greater proportion of female victims than male victims knew the principal suspect (78 per cent and 57 per cent respectively in 2010/11).

### **Women as suspects (Chapter 3)**

Between 2006/07 and 2010/11, there was an eight per cent reduction in the number of arrests by police forces in England and Wales (from 1,482,156 to 1,360,451). This comprised of a 13 per cent decrease in arrests of females and a seven per cent decrease in arrests of males. Overall, fewer than one in five arrests recorded by the police in 2010/11 and in the preceding four years involved females.

The most common offence group for which both all males and all females were arrested during the five year period was violence against the person (34 per cent of females and 31 per cent of males arrested in 2010/11).

### **Women as defendants (Chapter 4)**

Data on out of court disposals and court proceedings showed some differences in the types of disposals issued to males and females, and also in sentence lengths. These differences may relate to a range of factors including variations in the types of offences committed and the plea entered.

#### *Out of court disposals*

In 2011, females accounted for 24 per cent of the 127,530 PNDs and 24 per cent of the 231,483 cautions administered to individuals of known gender. These proportions showed a slight change over the five year period, with females accounting for a slightly lower proportion of all PNDs (22 per cent), and a slightly higher proportion of all cautions (26 per cent) in 2007.

There were differences in the most common offence types for which males and females were issued out of court disposals. In 2011, Retail theft (under £200) was the most common reason for which females were issued a PND (54 per cent of PNDs issued to females), while drunk and disorderly was the most common reason for males (31 per cent of PNDs issued to males). Theft and handling stolen goods was the most common indictable offence group for which females were issued a caution in 2011 (28 per cent of all females

cautioned); while, for males, it was drug offences (21 per cent of all males cautioned).

### *Sentencing*

Overall, 1,246,320 persons of known gender who were previously found guilty were sentenced at all courts in 2011. As for out of court disposals, 24 per cent of those sentenced were females and 76 per cent were males. Theft and handling stolen goods (which includes shoplifting) was the most common indictable offence group for which both females and males were sentenced at all courts between 2007 and 2011 (52 per cent of females and 33 per cent of males sentenced for indictable offences in 2011).

Overall, a higher proportion of males than females were sentenced to immediate custody in 2011 (10 per cent versus three per cent), and females more commonly received a fine (77 per cent of all females sentenced versus 61 per cent of all males). These patterns were also consistent in each of the four preceding years.

The average custodial sentence length (ACSL) for all indictable offences was consistently higher for males than for females between 2007 and 2011. In 2011, the ACSL for indictable offences was 17.7 months for males compared to 11.6 months for females.

The only indictable offence group for which females consistently received a higher ACSL than males between 2007 and 2011 was criminal damage (in 2011, 25.8 months for females versus 18.2 months for males).

In 2011, a greater proportion of females sentenced for an indictable offence had no previous cautions or convictions than males (15 per cent compared with nine per cent), and a greater proportion of males sentenced for an indictable offence in 2011 had 15 or more previous convictions or cautions than females (32 per cent compared with 25 per cent). Between 2007 and 2011, greater percentages of both male offenders sentenced for the first time for indictable offences and male offenders with 15 or more previous convictions received immediate custody (27 per cent and 39 per cent in 2011

respectively) than females (17 per cent of females sentenced for the first time for indictable offences received immediate custody and 29 per cent of those with 15 or more previous offences).

### **Women as offenders (Chapter 5)**

Across the five year period, there were substantially fewer women than men both under supervision and in prison custody. A greater proportion of women were also serving shorter sentences than men both in the community and in prison. Again, this is likely to be attributable to a range of factors including differences in the offence types committed by men and women.

A higher proportion of women in custody self-harmed than men, while the proportion of men and women amongst deaths in custody was equivalent to that in the prison population as a whole.

#### *Under supervision*

Women accounted for 15 per cent of the 125,934 offenders under supervision in the community as a result of community and Suspended Sentence Orders (the two most common types of community sentence) in 2011, and between 14-15 per cent in each of the preceding four years. Overall, 14 per cent of the total 12,925 women supervised under a community order in 2011 were supervised for less than one year compared to seven per cent of men.

#### *In prison*

Women accounted for five per cent of the 85,374 offenders comprising the total prison population on 30 June 2011, which is consistent with the four preceding years. A greater proportion of women in prison under *immediate custodial sentence* were serving sentences of twelve months or less (21 per cent compared to 10 per cent of men) or six months or less than men (15 per cent compared to seven per cent).

In 2011, there were 24,648 incidents of self-harm in prisons. While the 2011 rate of 2,104 incidents per 1,000 female prisoners is the lowest in the five year reporting period, it remains over 10 times higher than that for men (194

incidents per 1,000 male prisoners). Repetitive self-harmers impact upon this comparison, as women who self-harmed in 2011 did so more often than men (an average of 7.1 incidents compared to 2.8 incidents for each individual self-harming).

In 2011, there were 57 self-inflicted deaths in prison custody, comprising 55 men and 2 women. Across the five-year period, the proportion of deaths in custody involving men and women reflected the representation of men and women in the prison population (of the 329 self-inflicted deaths in prison custody between 2007 and 2011, 95 per cent involved men and five per cent (or 15) involved women).

### **Women as staff and practitioners in the CJS (Chapter 6)**

The representation of women varied substantially across CJS agencies. Of those agencies compared, the Ministry of Justice (68 per cent of staff), and the Probation Service (71 per cent) had the greatest proportions of female staff, while the Police Service (27 per cent) and the Judiciary had the lowest (23 per cent).

Women were less well represented in senior positions within CJS agencies than overall. In the latest year for which data were available, women represented 15 per cent of senior police officers and 27 per cent of all officers; 41 per cent of senior CPS staff compared to 66 per cent of all CPS staff; 43 per cent of senior civil servants in the Ministry of Justice and 68 per cent of all Ministry of Justice Staff; and 18 per cent of senior civil servants in the National Offender Management Service (NOMS) versus 36 per cent of all NOMS staff.

In the last five years, there have been slight increases in the proportion of police officer posts occupied by women, and the proportion of women in the judiciary.

## Chapter 1 – Introduction

*Following further validation, some corrections have been made to the Judges section of Chapter 6.*

Section 95 of the Criminal Justice Act 1991 states that:

*‘The Secretary of State shall in each year publish such information as he considers expedient for the purpose... of facilitating the performance of those engaged in the administration of justice to avoid discriminating against any persons on the ground of race or sex or any other improper ground...’*

Documents specifically fulfilling this requirement have been published since 1992, in the form of statistical information as detailed below. Other government papers containing information on women in the justice system have also been published this year including: several Ministry of Justice research reports outlining a range of findings from a survey of prisoners (undertaken as part of a survey of adult prisoners sentenced to between one month and four years in prison in England and Wales in 2005 and 2006),<sup>2</sup> and the National Offender Management Service (NOMS) Equalities report.<sup>3</sup> The Home Office has also published an updated version of the violence against women and girls action plan (first published in 2011).<sup>4</sup>

This current report, as with previous editions, brings together statistical information on the representation of men and women as victims, suspects, defendants and offenders within the Criminal Justice System. It also provides details of employees within the criminal justice agencies. The publication aims to help practitioners, policy makers, academics and members of the public

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<sup>2</sup> See Ministry of Justice (2012). Results from the Surveying Prisoner Crime Reduction (SPCR) Survey. <http://www.justice.gov.uk/publications/research-and-analysis/moj/results-from-the-surveying-prisoner-crime-reduction-spcr-survey>

<sup>3</sup> See National Offender Management Service (2012). Equalities Annual Report 2011/12. <http://www.justice.gov.uk/downloads/publications/noms/2012/noms-equalities-annual-report-11-12.pdf?type=Finjan-Download&slot=00000129&id=00000928&location=0A640212>

<sup>4</sup> Home Office (2011). Call to End Violence Against Women and Girls: Action Plan. <http://www.homeoffice.gov.uk/publications/crime/call-end-violence-women-girls/vawg-action-plan>

understand trends in the Criminal Justice System in England and Wales, how these vary between men and women, and over time.

The age groups covered by data sources drawn on in this report vary, which is reflected in the terminology employed. Where statistics relate to all ages (i.e. juveniles and adults), the terms 'females' and 'males' have been employed. Where data sources cover those aged over 15 (e.g. those in prison), 16 (e.g. the Crime Survey for England and Wales) or 18 years only (e.g. those under probation supervision), 'women' and 'men' have been used.

Following the consultation in 2010 on improvements to the range of statistics published by the Ministry of Justice, the Chief Statistician announced that, in future, this publication would focus on drawing together a compendium of previously published statistics, and would be produced biennially.<sup>5</sup> This development complements arrangements made at the same time for all Ministry of Justice and relevant Home Office publications to release annual data on gender. This is the first biennial compendium of *Statistics on Women and the Criminal Justice System* and will be followed next year by its sister publication *Statistics on Race and the Criminal Justice System*.

Those familiar with previous editions of this publication will find several additions presented in this most recent report. Chapter 4 presents a range of analysis on sentencing, examining differences between all males and females, and males and females in different age groups.

Chapter 5 draws on the new measure of re-offending, developed following feedback received in response to the 2010 consultation on improving Ministry of Justice statistics.

Included for the first time in the staff and practitioners chapter (Chapter 6) are data on leavers and joiners for some of the agencies.

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<sup>5</sup> See Ministry of Justice (2011). Consultation on improvements to Ministry of Justice Statistics: Response to Consultation CP(R), 15/10, 17 March 2011, Ministry of Justice. <http://webarchive.nationalarchives.gov.uk/20111121205348/http://www.justice.gov.uk/consultations/565.htm>

Two items of data have been excluded from *Statistics on Women and the Criminal Justice System* for the first time. Firstly, information in relation to the experience of victims is no longer included in Chapter 2, as the survey from which this data was drawn has been discontinued (the Witness and Victim Survey, or WAVES). Secondly, data on prison receptions has been excluded as a result of data collection issues following the roll-out of a new case management system for prisons (Prison-NOMIS) in May 2009.

Raw data on the issues covered in this report are available for the two most recent years in the supplementary Excel tables that accompany the volume.

### **Occasional papers**

In addition to this report, the Ministry of Justice is looking at introducing occasional papers to explore in more depth those areas where differences have been identified by gender.

The Ministry of Justice would welcome feedback on whether these papers would be valuable and on any topics of interest to users of this report (email: [statistics.enquiries@justice.gsi.gov.uk](mailto:statistics.enquiries@justice.gsi.gov.uk)).

### **Revisions**

Data included in this report have been extracted from large administrative data systems generated by the courts, police forces and other agencies. Such statistics are by their nature subject to error and uncertainty. Initial estimates are often systematically amended to reflect more accurate and complete information provided by data suppliers at some later point. As a consequence, care must be taken when using the statistics presented in this report to ensure the inevitable limitations of these data are taken into account.

## Chapter 2 – Women as victims of crime

This chapter explores the nature, extent and risks of victimisation as reported in the 2011/12 Crime Survey for England and Wales (CSEW),<sup>6</sup> and police recorded crime statistics on homicide (murder, manslaughter or infanticide) based on the 2010/11 Homicide Index (the latest available).<sup>7</sup> Where possible, trends are also considered for the preceding four years or longer.

Data on the gender of victims were complete for both the CSEW and the Homicide Index (i.e. gender was known in 100 per cent of cases).

The key findings were as follows:

- Overall, a slightly smaller proportion of all women interviewed for the main CSEW in 2011/12 reported that they were victims of violence than men (two per cent and four per cent respectively).
- Similarly, a smaller proportion of girls than boys (aged 10 to 15) completing the children's CSEW in 2011/12 reported that they were victims of violence (five per cent and 11 per cent respectively), and of theft (seven per cent and nine per cent respectively).
- As in previous years, there were differences in the nature of violence reported by adult men and women. Women completing the 2011/12 CSEW were most commonly victimised by an acquaintance (0.8 per cent of those interviewed), while men most commonly experienced stranger violence (1.8 per cent of those interviewed).

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<sup>6</sup> See Office for National Statistics (2012). Crime in England and Wales, Quarterly First Release to March 2012. <http://www.ons.gov.uk/ons/rel/crime-stats/crime-statistics/period-ending-march-2012/stb-crime-stats-end-march-2012.html>

<sup>7</sup> See Smith, K; Osborne, S., Lau, I. and Britton, A (2012). Homicides, Firearm Offences and Intimate Violence 2010/11: Supplementary Volume 2 to Crime in England and Wales 2010/11. <http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/crime-research/hosb0212/>

- Many of the risk factors for violence identified in the 2011/12 CSEW applied to both men and women (for example, being aged 16 to 24, having a limiting illness or disability and being single or separated/divorced).
- The self-completion module on intimate violence included in the main CSEW showed that, in the 12 months prior to interview, a higher proportion of women (seven per cent) were victims of intimate violence (partner or family non-physical abuse, threats, force, sexual assault or stalking) than men (five per cent). Analysis showed an overall decrease in self-reported domestic abuse (non-physical abuse, threats, force or sexual assault) for both men and women since 2004/05.
- Data from the Homicide Index showed that fewer females (201) than males (435) were victims of homicide in 2010/11. As in the previous four years, a greater proportion of female victims than male victims knew the principal suspect (78 per cent and 57 per cent respectively in 2010/11). In cases where the principal suspect was known to the victim, females were most commonly killed by a partner or ex-partner (60 per cent of female victims compared with eight per cent of male victims), while males were most commonly killed by a friend or acquaintance (73 per cent of male victims compared with 16 per cent of female victims).

### **What is the nature and extent of victimisation for women and men?**

As not all crimes are reported to the police and the police recorded crime data held centrally does not include information about victim gender, the Crime Survey for England and Wales (CSEW), formerly known as the British Crime Survey (BCS), provides the main source of information on the incidence and risks of victimisation. The CSEW is a large nationally representative survey that asks people about their victimisation (including crimes not reported to the police) in the last 12 months.

### *Adult victimisation*

The latest figures providing demographic breakdowns for the main CSEW are based on interviews in the year 2011/12.<sup>8</sup> The findings described here come from two components of the survey: a core face-to-face interview, and a separate self-completion module for adults aged 16–59 only. Due to the sensitive nature of questions on rape and sexual assault, these are not asked in the core interview but are covered in the self-completion module.

Findings from the core interview, completed by 46,031 adults aged 16 and over (25,008 women and 21,023 men<sup>9</sup>), were as follows:

- Overall, six per cent of all adults reported being a victim of a personal crime (five per cent of women and six per cent of men) in the 12 months before interview (see Table 2.01).
- The 2011/12 CSEW estimated three in every 100 adults were a victim of violent crime. As in previous years, a smaller proportion of women were victims of violence (wounding, assault with minor injury, assault without injury and robbery) than men (two per cent and four per cent respectively). The same proportions also reported being victims of violence in each of the preceding four years.
- Of all incidents of violence reported in the 2011/12 CSEW, 62 per cent of victims were male and 38 per cent were female. Of those who experienced violence perpetrated by a stranger, three-quarters (75 per cent) were male, and one-quarter (25 per cent) were female. In contrast, a third (33 per cent) of all victims of domestic violence were male, and two-thirds (67 per cent) were female.

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<sup>8</sup> The publication and accompanying data tables for the CSEW (Quarterly First Release to March 2012) can be found at <http://www.ons.gov.uk/ons/rel/crime-stats/crime-statistics/period-ending-march-2012/stb-crime-stats-end-march-2012.html>

<sup>9</sup> Estimates presented here and in the CSEW publication are based on weighted data, to reflect the actual distribution of gender in the population in England and Wales.

- As in previous years, there were differences in the types of violence reported by men and women completing the CSEW. Violence by a stranger was most commonly reported by men (1.8 per cent of men interviewed in 2011/12); violence involving an acquaintance was most commonly reported by women (0.8 per cent of women interviewed in 2011/12).
- Previous differences in the proportion of men and women completing the CSEW who were victims of theft from the person had narrowed (from 0.9 percentage points in the 2008/09 CSEW<sup>10</sup> to 0.2 percentage points in the 2011/12 CSEW), and, in the 2011/12 CSEW, there was little difference between the proportion of men and women (1.2 per cent and 1.4 per cent respectively) who were victims of this offence.

**Table 2.01: Percentage of interviewed adults aged 16 and over experiencing victimisation, by gender and crime type, 2011/12 CSEW**

	All Personal Crime	All Violence	Theft from Person	Total
<b>Women</b>	5.4%	2.1%	1.4%	<b>25,008</b>
<b>Men</b>	6.4%	3.8%	1.2%	<b>21,023</b>
<b>All Adults</b>	<b>5.9%</b>	<b>3.0%</b>	<b>1.3%</b>	<b>46,031</b>

Source: Crime Survey for England and Wales 2011/12

Note:

(1) "All Violence" and "Theft from Person" are sub-categories of "All Personal Crime".

The CSEW self-completion module on intimate violence measures the prevalence of domestic abuse, sexual assault and stalking (full definitions of these offence types can be found in Appendix B). The 2011/12 CSEW module (see Figure 2.01) was completed by 5,991 women and over 5,129 men. It showed that:

- A higher proportion of women than men aged 16 to 59 reported having been victims of intimate violence (across all categories of abuse) once

<sup>10</sup> Data taken from Walker, Flatley and Kershaw (2009). Crime in England and Wales 2008/09 Volume 1: Findings from the British Crime Survey and police recorded crime. Home Office Statistical Bulletin 11/09 Volume 1. Available: <http://webarchive.nationalarchives.gov.uk/20110218135832/http://rds.homeoffice.gov.uk/rds/pdf/s09/hosb1109chap4new.xls>, Table 4.05.

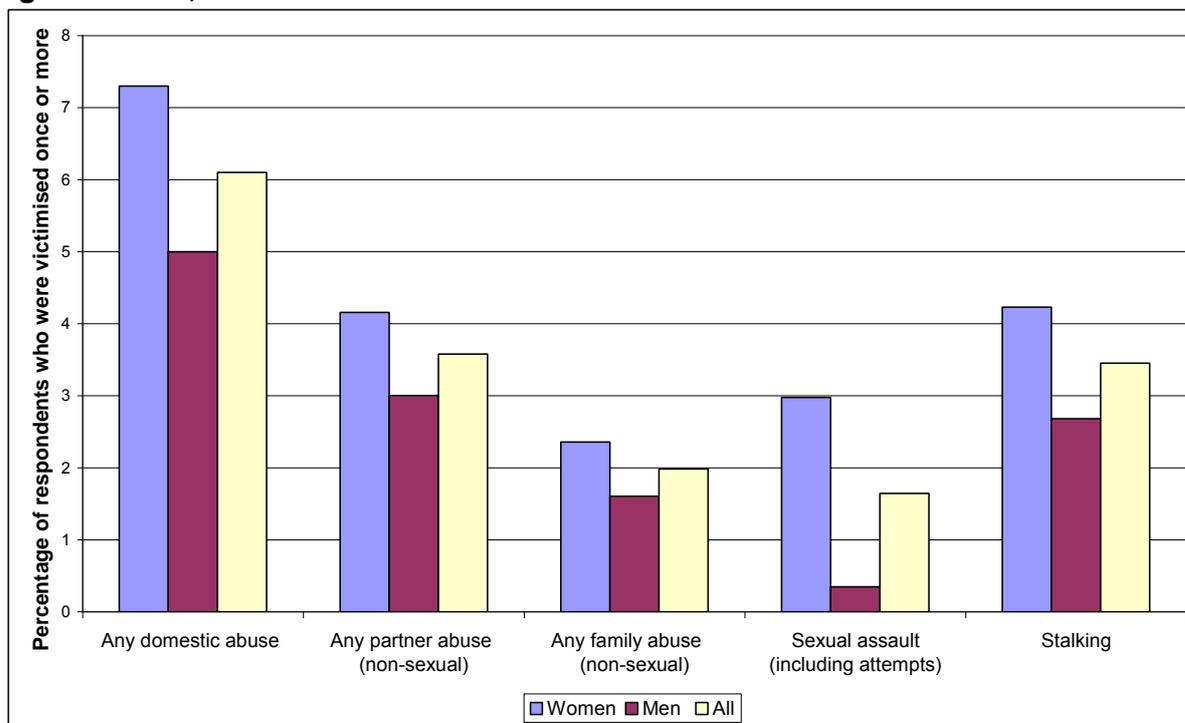
or more in the last year (seven per cent and five per cent) and since age 16 (31 per cent and 18 per cent).

- Analysis of trends since 2004/05 (when the questions on intimate violence were introduced) showed a statistically significant decrease in any self-reported domestic abuse for both men (from six per cent in 2004/05 to four per cent in 2011/12), and women (from eight per cent in 2004/05 to six per cent in 2011/12) aged 16 to 59.<sup>11</sup>
- A greater proportion of women reported having been sexually assaulted than men. In 2011/12, three per cent of women and 0.3 per cent of men aged 16-59 years reported having experienced at least one or more sexual assaults (including attempts) in the previous year. Serious sexual assaults (including attempts) were experienced by 0.6 per cent of women (aged 16-59) surveyed, and fewer than 0.1 per cent of men surveyed.
- In 2011/12, the majority of self-reported incidents of intimate violence against women involved a male offender (83 per cent). The offender was female in 15 per cent of incidents, and two per cent of incidents involved both female and male offenders. These proportions have remained relatively consistent since 2007/08.

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<sup>11</sup> The trend measure for domestic abuse does not include stalking, and differs for that shown for 2011/12 in the above paragraph which does include stalking.

**Figure 2.01: Prevalence of intimate violence in the last year among adults aged 16 to 59, 2011/12 CESW**



Source: Crime Survey for England and Wales 2011/12

Notes:

(1) “Any domestic abuse” measure includes stalking.

(2) Figure based on respondents who completed the CSEW self-completion module on intimate violence in 2011/12.

### *Reporting sexual assault*

The CSEW provides information on who victims of serious sexual assault report incidents to, and why some victims choose not to report incidents of sexual assault to the police. Due to the small number of sexual assaults self-reported by men interviewed for the survey, findings in this section refer to females only. Overall, 820 female victims completed these questions in 2011/12.

Responses to the 2011/12 CSEW showed that:

- Of female victims aged 16 to 59 who reported having experienced serious sexual assaults, 38 per cent had told no one about the incident. Of those who did tell someone about the incident, 50 per cent told

friends, relatives or neighbours, and 13 per cent reported the incident to the police. The proportion of incidents reported to the police has remained stable since 2005/06, when the relevant question was first included in the survey.

- The most common reasons female victims of serious sexual assault aged 16 to 59 gave for not reporting the incident to the police were embarrassment (32 per cent) and concerns that the police could not do much to help (31 per cent).

Other government reports which have recently been published on sexual violence and may also be of interest include the Crown Prosecution Service (CPS) statistics on violence against women crime, which include charging decisions and prosecution outcomes in cases brought to the CPS.<sup>12</sup>

### *Child victimisation*

Since January 2009, the CSEW has been extended to children aged 10 to 15 in households in England and Wales. In 2011/12, 3,930 children aged 10 to 15 completed the CSEW. Of these, 1,909 (49 per cent) were girls and 2,021 (51 per cent) were boys.<sup>13</sup>

Findings from the child component of the 2011/12 CSEW showed that, in the 12 months prior to interview:<sup>14</sup>

- Overall, 15 per cent of children had been a victim of any crime covered by the CSEW; eight per cent had been victims of violence, and eight per cent victims of thefts.
- Boys were more likely than girls to report having been a victim of any crime measured by the CSEW (19 per cent compared to 11 per cent)

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<sup>12</sup> See [http://www.cps.gov.uk/publications/docs/cps\\_vawg\\_report\\_2012\\_statistics.pdf](http://www.cps.gov.uk/publications/docs/cps_vawg_report_2012_statistics.pdf)

<sup>13</sup> Estimates presented here and in the CSEW publication are based on weighted data, to reflect the actual distribution of gender in the population in England and Wales.

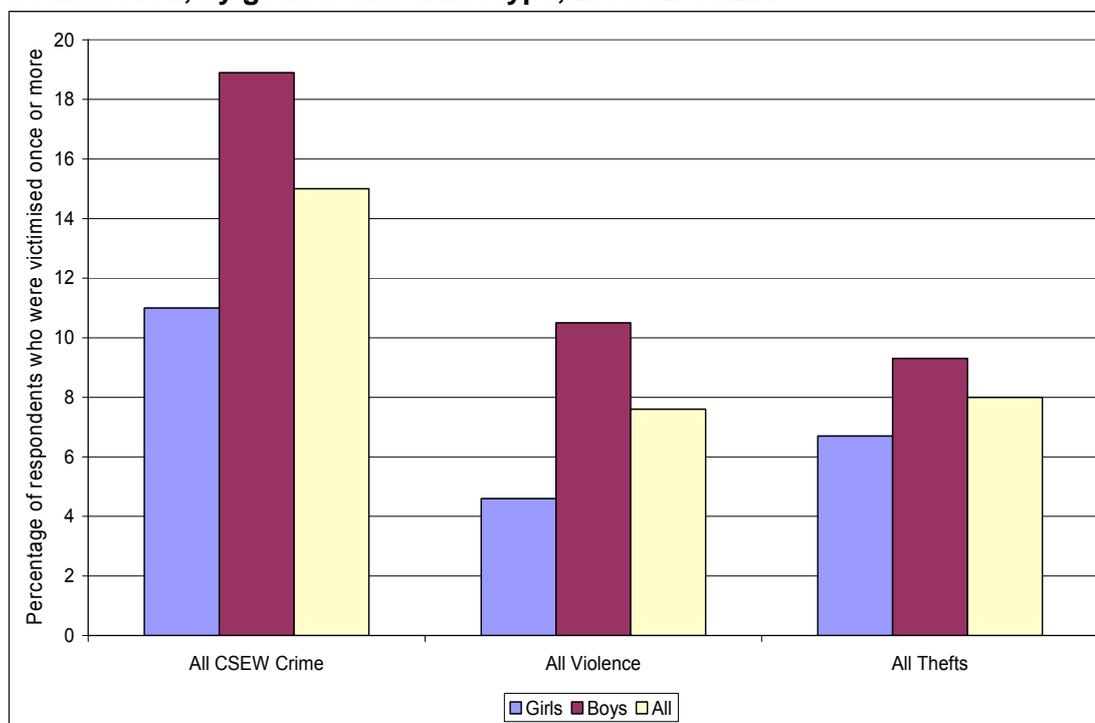
<sup>14</sup> These estimates are based on the “preferred measure” of child victimisation. Details on this measure and others can be found in the data quality appendix accompanying this report.

and were more than twice as likely as girls to report having been a victim of violence (11 per cent and five per cent respectively).

- A higher proportion of boys reported being a victim of theft than girls (nine per cent versus seven per cent).

Unlike the main CSEW, the child component does not contain a self-completion module on intimate violence.

**Figure 2.02: Percentage of interviewed children aged 10-15 experiencing victimisation, by gender and crime type, 2011/12 CSEW**



Source: Crime Survey for England and Wales 2011/12

### *Homicide*

Information on the gender of victims and suspects of homicide are available from the Homicide Index. Data for 2010/11<sup>15</sup> showed:

- There were fewer female victims (201) of homicide than males (435). Women accounted for between 27 per cent and 32 per cent of all recorded homicide victims between 2006/07 and 2010/11; men for between 68 per cent and 73 per cent.
- In 2011/12, a greater proportion of female than male homicide victims were acquainted with the principal suspect (78 per cent of female victims compared with 57 per cent for males). Male homicide victims were more often killed by an unknown suspect than female homicide victims (43 per cent and 22 per cent respectively). This pattern was consistent in each of the previous four years (see Table 2.02).

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<sup>15</sup> See Smith et al (2012). Homicides, Firearm Offences and Intimate Violence 2010/11: Supplementary Volume 2 to Crime in England and Wales 2010/11 (Available: <http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/crime-research/hosb0212/>)

**Table 2.02 Percentage of principal suspects known and unknown to the victim, by gender of victim, 2006/07-2010/11**

	Female Victims				
	2006/07	2007/08	2008/09	2009/10	2010/11
Suspect known	71.4%	77.6%	77.8%	76.9%	78.1%
Suspect not known <sup>(1)</sup>	28.6%	22.4%	22.2%	23.1%	21.9%
<b>All female victims</b>	<b>196</b>	<b>201</b>	<b>194</b>	<b>195</b>	<b>201</b>

	Male Victims				
	2006/07	2007/08	2008/09	2009/10	2010/11
Suspect known	49.6%	51.4%	53.4%	53.3%	57.2%
Suspect not known <sup>(1)</sup>	50.4%	48.6%	46.6%	46.7%	42.8%
<b>All male victims</b>	<b>516</b>	<b>533</b>	<b>446</b>	<b>413</b>	<b>435</b>

Source: Homicide Index

Note:

(1) Includes cases where the victim was not acquainted with the suspect, where the victim relationship to the suspect was not known, and cases where a suspect was not identified.

(2) This table is based on data taken from *Homicides, Firearm Offences and Intimate Violence 2010/11* Table 1.05 and reflects offences recorded as at 18 October 2011; figures are subject to revision as cases are dealt with by the police and by the courts; or as further information becomes available. The figures presented here may differ from those published due to rounding.

- As shown in Table 2.03, the type of relationship between the victim and principal suspect also differed for male and female victims. In cases where the principal suspect was known to the victim, females were most commonly killed by a partner/ex-partner (in 2010/11, 60 per cent of female homicide victims who knew the suspect compared to eight per cent for male homicide victims), while males who were acquainted with the principal suspect were most commonly killed by a friend or acquaintance (73 per cent compared with 16 per cent of female homicide victims who knew the principal suspect). These findings were relatively consistent across the latest five year period.

**Table 2.03: Relationship of victim to principal suspect (for cases where the principal suspect was known to the victim), 2006/07-2010/11**

Victim relationship to suspect	Female Victims				
	2006/07	2007/08	2008/09	2009/10	2010/11
Son or daughter	12.9%	12.8%	8.6%	15.3%	10.2%
Parent	2.1%	7.7%	8.6%	7.3%	9.6%
Partner/ex-partner	65.0%	51.3%	66.9%	63.3%	59.9%
Other family	3.6%	10.3%	3.3%	4.7%	4.5%
Friend/acquaintance	16.4%	17.9%	12.6%	9.3%	15.9%
<b>Total suspect known</b>	<b>140</b>	<b>156</b>	<b>151</b>	<b>150</b>	<b>157</b>

Victim relationship to suspect	Male Victims				
	2006/07	2007/08	2008/09	2009/10	2010/11
Son or daughter	8.6%	10.2%	8.4%	9.1%	9.6%
Parent	2.7%	5.1%	3.8%	4.5%	3.6%
Partner/ex-partner	11.3%	11.3%	13.0%	9.5%	8.4%
Other family	5.5%	5.8%	3.8%	8.6%	4.8%
Friend/acquaintance	71.9%	67.5%	71.0%	68.2%	73.5%
<b>Total suspect known</b>	<b>256</b>	<b>274</b>	<b>238</b>	<b>220</b>	<b>249</b>

Source: Homicide Index

Note:

(1) This table is based on data taken from *Homicides, Firearm Offences and Intimate Violence 2010/11* Table 1.05 and reflects offences recorded as at 18 October 2011; figures are subject to revision as cases are dealt with by the police and by the courts; or as further information becomes available.

## What are the risk factors for victimisation for women and men?

Logistic regression analysis<sup>16</sup> of 2011/12 CSEW data was conducted by the Office for National Statistics to identify the risks factors independently

<sup>16</sup> Logistic regression is a multivariate statistical technique that predicts the outcome of a dependent variable (such as being a victim of crime), from a set of independent variables (such as personal characteristics). The technique allows the assessment of which of the independent variables are statistically related to the dependent variable when the influence of all other variables in the model is taken into account. The approach using CSEW data is based on an iterative process, which relies on a theoretical rationale of how the independent variables might affect the outcome. This process enables evaluation of the impact of certain types of variables on the outcome, for example, if the risk of being a victim of crime is due to personal characteristics rather than area-based factors. Each of the iterations is based on logistic regressions using the 'Enter' method, whereby all variables are entered into the model in one single step, as opposed to sequentially.

associated with being a victim of violence for men and women (see Table 2.04).

The analysis found that the characteristics most associated with being a victim of violence for both genders were age, disability, marital status and tenure.

- Men and women aged 16 to 24 were more likely to be a victim of violence than those in other age groups.
- Individuals with a limiting illness or disability were more likely to be victims of violence than those without an illness or disability.
- Men and women who were single, separated or divorced were more at risk of being a victim of violence than those who were married or cohabiting.
- Men and women living in socially rented accommodation were more at risk than those living in privately rented or owned accommodation, although the risks associated with this factor were less than those for age, disability and marital status.

As shown in Table 2.04, some characteristics were associated with being a victim of violence for one gender but not the other. For example:

- In addition to those with a limiting illness or disability, women with non-limiting illnesses or disabilities were more likely to be a victim of violence than those with no disability. Only men with a limiting illness or disability were more at risk of being victimised.
- Living in an urban area, compared to a rural area, was a risk factor for men but not for women.

**Table 2.04: Factors associated and not associated with being a victim of violence for men and women, 2011/12 CSEW**

Variable	Risk Factor	
	Women	Men
Age	✓	✓
Ethnic group	✓	
Long-standing illness or disability	✓	✓
Respondent's marital status	✓	✓
Respondent's employment status		✓
Respondent's occupation		
Highest qualification	✓	✓
Total household income	✓	✓
Tenure	✓	✓
Accommodation type		
Area type		✓
Output Area Classification		
Level of physical disorder	✓	
Hours out of home on an average weekday		
Number of evening visits to bar in last month	✓	
Number of visits to a nightclub in last month		✓

Source: Crime Survey for England and Wales 2011/12

Notes:

(1) "✓" indicates a significant association between the variable and violent victimisation.

(2) See supplementary tables S2.07 and S2.08 of this report for full variable breakdown by gender.

(3) See Section 7 of User Guide to Crime Statistics for England and Wales for definitions of personal, household and area characteristics ([www.ons.gov.uk/ons/guide-method/method-quality/specific/crime-statistics-methodology/user-guide-to-crime-statistics.pdf](http://www.ons.gov.uk/ons/guide-method/method-quality/specific/crime-statistics-methodology/user-guide-to-crime-statistics.pdf)).

Further data on male and female victims, including the full regression analysis, can be found in the supplementary Excel tables that accompany this report.<sup>17</sup>

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<sup>17</sup> See supplementary tables S2.07 and S2.08.

## Chapter 3 – Women as suspects

This chapter focuses on individuals who are suspected of committing an offence. The only data available by gender are statistics provided to the Home Office on arrests made by police in relation to notifiable offences.<sup>18</sup> Headline arrests data by gender are released annually, with the latest figures published in the Home Office's online statistics release, *Police Powers and Procedures England and Wales 2010/11*.<sup>19</sup> Additional information has been provided for analysis in this chapter, and is presented in the accompanying supplementary Excel tables. Data on those who are convicted of crimes are presented in the next chapter.

This chapter explores patterns in overall arrests between 2006/07 and 2010/11 (i.e. arrests of those aged 10 and over), and for adults (i.e. arrests of those aged 18 and over) and juveniles (i.e. arrests of those aged 10-17 years). Key points are:

- There was a reduction of eight per cent in the number of arrests between 2006/07 and 2010/11 (from 1,482,156 to 1,360,451), with a decrease of 13 per cent for all females and seven per cent for all males. This is consistent with trends in police recorded crime over the same period, which showed a 24 per cent reduction.<sup>20</sup>
- Between 2006/07 and 2010/11, juvenile arrests decreased for both males and females (by 46 per cent for juvenile females and 39 per cent for juvenile males). Adult arrests were relatively stable for both males and females (increases of two per cent and under one per cent respectively).

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<sup>18</sup> Data on the gender of those who are stopped and searched are not reported centrally.

<sup>19</sup> Available at: <http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/police-research/police-powers-procedures-201011/>. The 2011/12 edition of this report is due for release in the spring of 2013.

<sup>20</sup> Comparisons with recorded crime are limited here to trends over time. As arrests relate to persons and recorded crime to offences, it is not appropriate to compare actual numbers. Data are available in the reference table 'Recorded crime data at police force area level from 2002/03' from ONS (2012). Crime in England and Wales, period ending June 2012. Available: <http://www.ons.gov.uk/ons/publications/re-reference-tables.html?edition=tcm%3A77-274949>

- In 2010/11, the most common offence group for which females and males were arrested was violence against the person (34 per cent of females and 31 per cent of males arrested), which is consistent with trends since 2006/07.
- Violence against the person was the most common offence group for which juvenile males were arrested between 2007/08 and 2010/11. In 2006/07, the most common offence group for which juvenile males were arrested was theft and handling stolen goods.
- Between 2006/07 and 2009/10, theft and handling stolen goods was the offence group which accounted for the largest proportion of arrests of juvenile females. In 2010/11, violence against the person became the most common offence group for which juvenile females were arrested.
- Between 2006/07 and 2010/11, the numbers of both juvenile females and males arrested for violence against the person decreased by 40 per cent.
- From 2006/07 to 2010/11, violence against the person was also the most common offence group that both adult females and adult males were arrested for. However, the number of adult females arrested for this offence group decreased by four per cent, and the number of adult males decreased by five per cent between 2006/07 and 2010/11.

### **How has the number of arrests of males and females changed over time?**

Arrests refer to the power of police officers to deprive a person of their liberty for the purpose of the investigation and prevention of crime. Police officers have the power to arrest anyone aged 10 or over who has committed an offence, is about to commit an offence, or is in the act of committing an offence. They also have the power of arrest when a person is suspected of

involvement in an offence. Arrests data do not offer a full picture of offending behaviour, as they only reflect those offences identified by the police.<sup>21</sup>

Data on the gender of those arrested between 2006/07 and 2010/11 were complete (i.e. gender was known for 100 per cent of arrests), and information on the age of those arrested was nearly complete, with age unknown for less than 0.1 per cent of those arrested in 2010/11 and less than 0.3 per cent in the previous four years. The age unknown category is presented separately for the first time in this report and, as a result, figures for adults may differ from those previously published.<sup>22</sup>

Table 3.01 shows the number of arrests of males and females recorded by police forces between 2006/07<sup>23</sup> and 2010/11. Key findings are:

- In 2010/11, 16 per cent of the total 1,360,451 arrests recorded in England and Wales were of females; the remaining 84 per cent were of males. Between 2006/07 and 2009/10, the proportion of all arrests accounted for by females was stable at 17 per cent.

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<sup>21</sup> Self report data from the longitudinal analysis of the Offending, Crime and Justice Survey 2003–06 (Hales *et al.*, 2009) suggested that females (aged 10 to 25 years) were significantly less likely to have been offenders than males.

<sup>22</sup> In previous editions of the report, the adult category included all arrests of those aged 18 or over together with those for whom age was unknown.

<sup>23</sup> Since the release of Statistics on Race and the Criminal Justice System 2010, the Home Office has revised some arrest figures for 2006/07. Data included in this chapter and accompanying supplementary tables are based upon the most recently published data, which were presented in the Home Office's statistical online release, Police Powers and Procedures 2010/11. Available: <http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/police-research/police-powers-procedures-201011/>

- Overall, there was a reduction of eight per cent in the number of arrests between 2006/07 and 2010/11 (from 1,482,156 to 1,360,451). Arrests of females decreased by 13 per cent during this period (from 251,569 to 219,954) compared to seven per cent for males (from 1,230,587 to 1,140,497). This is consistent with trends in police recorded crimes over the same period (where there was a 24 per cent reduction).<sup>24</sup>
- In 2010/11, females accounted for 16 per cent (181,043) of adult arrests and 18 per cent of juvenile arrests (38,647) in England and Wales, compared to 16 per cent and 20 per cent respectively in 2006/07.
- Juvenile arrests (i.e. arrests of those aged between 10 and 17) decreased for both genders between 2006/07 and 2010/11, (a reduction of 46 per cent for juvenile females and 39 per cent for juvenile males), while arrests were relatively stable for adult males and females (i.e. those aged 18 and over) with increases of two per cent and under one per cent respectively.

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<sup>24</sup> Comparisons with recorded crime are limited here to trends over time. As arrests relate to persons and recorded crime to offences, it is not appropriate to compare actual numbers. Data are available in the reference table 'Recorded crime data at police force area level from 2002/03' from ONS (2012). Crime in England and Wales, period ending June 2012. Available: <http://www.ons.gov.uk/ons/publications/re-reference-tables.html?edition=tcm%3A77-274949>

**Table 3.01: Number of arrests of juveniles and adults by gender, 2006/07–2010/11<sup>(1) (2)</sup>**

	Females				Males				All			
	Juveniles	Adults	Age Unknown	Total	Juveniles	Adults	Age Unknown	Total	Juveniles	Adults	Age Unknown	Total
<b>2006/07</b>	71,285	179,760	524	<b>251,569</b>	282,531	945,378	2,678	<b>1,230,587</b>	353,816	1,125,138	3,202	<b>1,482,156</b>
<b>2007/08</b>	64,824	186,135	950	<b>251,909</b>	250,742	969,136	3,479	<b>1,223,357</b>	315,566	1,155,271	4,429	<b>1,475,266</b>
<b>2008/09</b>	55,142	191,187	798	<b>247,127</b>	218,210	993,780	3,022	<b>1,215,012</b>	273,352	1,184,967	3,820	<b>1,462,139</b>
<b>2009/10</b>	47,906	183,637	306	<b>231,849</b>	193,591	958,638	1,244	<b>1,153,473</b>	241,497	1,142,275	1,550	<b>1,385,322</b>
<b>2010/11</b>	38,647	181,043	264	<b>219,954</b>	172,036	967,456	1,005	<b>1,140,497</b>	210,683	1,148,499	1,269	<b>1,360,451</b>

Source: Home Office

Notes:

(1) In January 2011, Dyfed-Powys police brought in a new system for recording arrests and found that the previous system was under-reporting arrests figures for the first three quarters of 2010/11. The new system also currently has some outstanding issues with the mapping of some miscellaneous offence codes. Figures for Dyfed-Powys for 2010/11 are, therefore, based on data from the original system for quarters one to three (1 April to 31 December 2010), and the best available estimates from the new system for quarter four (1 January 2011 to 31 March 2011).

(2) All data published in the Home Office statistical release, 'Police Powers and Procedures, England and Wales' are correct at the time of publication and may include revisions for any of the years covered. The latest release, relating to the years up to and including 2010/11, can be viewed at [www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/police-research/police-powers-procedures-201011/](http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/police-research/police-powers-procedures-201011/)

- A number of factors might have contributed to the fall in the number of juveniles arrested, including:
  - the natural demographic effect of a declining population of 10 to 17 year olds in England and Wales, which is predicted to continue until 2016;<sup>25</sup>
  - the change in the offences brought to justice target in 2008 to focus on serious offences and the removal of this target in 2010;<sup>26</sup> and
  - the increase in Restorative Justice programmes and Triage<sup>27</sup> keeping young people out of the system.<sup>28</sup>
- In 2010/11, juveniles accounted for 18 per cent of all females arrested and 15 per cent of all males arrested compared to 28 per cent and 23 per cent, respectively, in 2006/07.

### *Trends by police force area*

Due to the small numbers, data on adult arrests by police force area (PFA) includes arrests with 'age unknown'. As a result, the juvenile/adult breakdown in this section is not directly comparable with that presented elsewhere in the chapter.

The most recent population data suggests that, in 2011, females accounted for a relatively stable proportion of the population aged 10 or over (between 50 per cent and 52 per cent) across all PFAs, except for in the City of London

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<sup>25</sup> Office for National Statistics (2011). National Population Projections, 2010-based extra variants, available at: <http://www.ons.gov.uk/ons/rel/npp/national-population-projections/2010-based-extra-variants/index.html>

<sup>26</sup> See Ministry of Justice (2012). Criminal Justice Statistics Quarterly Update to December 2011, p4.

<sup>27</sup> Triage schemes are based in police stations and aim to identify the needs of young people as they enter the youth justice system. A key objective of the schemes is to divert young people who have committed less serious crimes away from the formal youth justice system.

<sup>28</sup> Home Office (2012). Assessing young people in police custody: An examination of the operation of Triage schemes, available at <http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/crime-research/occ106?view=Binary?type=Finjan-Download&slot=00000134&id=00000133&location=0A640210>

(where females accounted for 44 per cent).<sup>29</sup> Variations in arrests between forces are therefore unlikely to reflect differences in the gender composition of these areas.

- In 2010/11, females (adults and juveniles) accounted for between 13 per cent and 19 per cent of all those arrested in each of the 43 PFAs in England and Wales (overall, females represented 16 per cent of arrests in 2010/11), which is consistent with the previous four years.
- Juvenile arrests for both genders decreased in each PFA between 2006/07 and 2010/11. However, no consistent trend was discernible for adults.
- Overall, females accounted for between 13 per cent and 18 per cent of adult arrests (including age unknown) in each of the 43 PFAs. These proportions are consistent with the previous four years.
- Females accounted for between 14 per cent and 25 per cent of all juveniles arrested across the 43 PFAs in England and Wales in 2010/11 (compared to 18 per cent in the general population of England and Wales). While these proportions are roughly similar to those recorded in 2006/07 (when juvenile females represented between 15 per cent and 27 per cent of all juvenile arrests), there was some variation in the intervening years.

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<sup>29</sup> These proportions are based on the 2011 Annual Mid-year Population Estimates for England and Wales (available: <http://www.ons.gov.uk/ons/rel/pop-estimate/population-estimates-for-england-and-wales/mid-2011--2011-census-based-/stb---mid-2011-census-based-population-estimates-for-england-and-wales.html>).

## What offences are males and females arrested for?

This section looks at the offences that males and females were arrested for over the five-year period; and how this compared for adults and juveniles.

### *Overall arrests*

Table 3.02 shows the breakdown of arrests by offence group for males and females between 2006/07 and 2010/11. It shows that:

- In each year between 2006/07 and 2010/11, the most common offence group for which females and males were arrested was violence against the person. In 2010/11, this offence group accounted for 34 per cent of females and 31 per cent of males arrested. These percentages were broadly consistent in the previous four years.
- The number of arrests for violence against the person has decreased every year since 2006/07 for males and since 2007/08 for females. In 2010/11, 75,605 females and 355,695 males were arrested for such offences, compared to 87,140 and 400,429 in 2006/07 (a reduction of 13 per cent for females and 11 per cent for males). The patterns in arrests for violence against the person were consistent with those for police recorded crime, which also showed a decrease in violence against the person over the same period.<sup>30</sup>

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<sup>30</sup> See reference table 'Recorded crime data at police force area level from 2002/03' from ONS (2012). Crime in England and Wales, period ending June 2012: <http://www.ons.gov.uk/ons/publications/re-reference-tables.html?edition=tcm%3A77-274949>

**Table 3.02: Percentage of overall arrests by offence group and gender, 2006/07-2010/11<sup>(1)</sup>**

	All Females				
	2006/07	2007/08	2008/09	2009/10	2010/11
<b>Violence against the person</b>	34.6%	35.0%	33.6%	35.1%	34.4%
<b>Sexual offences</b>	0.3%	0.3%	0.4%	0.4%	0.5%
<b>Robbery</b>	1.7%	1.6%	1.4%	1.3%	1.4%
<b>Burglary</b>	3.5%	3.2%	3.2%	3.0%	3.2%
<b>Theft and handling</b>	31.9%	30.7%	31.4%	30.8%	29.8%
<b>Fraud and forgery</b>	3.1%	3.3%	3.5%	3.6%	3.5%
<b>Criminal damage</b>	8.8%	8.0%	7.4%	7.0%	6.7%
<b>Drug offences</b>	4.8%	5.4%	6.0%	6.2%	6.7%
<b>Other offences</b>	11.2%	12.5%	13.1%	12.5%	13.8%
<b>Total</b>	<b>251,569</b>	<b>251,909</b>	<b>247,127</b>	<b>231,849</b>	<b>219,954</b>

	All Males				
	2006/07	2007/08	2008/09	2009/10	2010/11
<b>Violence against the person</b>	32.5%	31.8%	31.4%	32.5%	31.2%
<b>Sexual offences</b>	2.5%	2.5%	2.7%	3.1%	3.2%
<b>Robbery</b>	3.0%	2.6%	2.6%	2.6%	2.7%
<b>Burglary</b>	7.5%	7.1%	7.3%	7.3%	7.6%
<b>Theft and handling</b>	21.4%	20.5%	20.6%	19.4%	19.8%
<b>Fraud and forgery</b>	1.8%	1.9%	2.1%	2.1%	2.0%
<b>Criminal damage</b>	11.8%	10.8%	10.0%	9.3%	8.6%
<b>Drug offences</b>	6.3%	7.4%	8.3%	9.2%	9.7%
<b>Other offences</b>	13.2%	15.2%	15.1%	14.3%	15.3%
<b>Total</b>	<b>1,230,587</b>	<b>1,223,357</b>	<b>1,215,012</b>	<b>1,153,473</b>	<b>1,140,497</b>

Source: Home Office

Notes:

(1) Columns may not always sum to 100 per cent due to rounding.

### *Juvenile arrests*

- In 2006/07, theft and handling stolen goods was the most common offence group for which juvenile males were arrested. From 2007/08 to 2010/11, it was violence against the person, which accounted for 23 per cent of juvenile male arrests in 2010/11 (see Table 3.03).
- Theft and handling stolen goods was the offence group for which juvenile females were most frequently arrested between 2006/07 and 2009/10. In

2010/11, the most common offence for which juvenile females were arrested was violence against the person, which accounted for 36 per cent of arrests of juvenile females.

- In 2010/11, arrests of juveniles (both female and male) for violence against the person were at their lowest for five years (13,803 for female juveniles and 40,187 for male juveniles). In both cases, there was a decrease of 40 per cent compared to 2006/07.

#### *Adult arrests*

- From 2006/07 to 2010/11, violence against the person was the most common offence group that adult females and adult males were arrested for (accounting for 34 per cent and 33 per cent of arrests in 2010/11 respectively).
- The number of adult females arrested for violence against the person fell by four per cent between 2006/07 and 2010/11 from 63,992 to 61,702, and the number of adult males by five per cent from 332,609 in 2006/07 to 315,174 in 2010/11.
- The second most common offence group for which both adult females and males were arrested between 2006/07 and 2010/11 was theft and handling stolen goods. In 2010/11, 29 per cent of adult females were arrested for this offence group compared to 19 per cent of adult males (see Table 3.03), which is consistent with the previous four years.

**Table 3.03: Percentage of arrests of juveniles and adults per offence group, by gender, 2010/11<sup>(1) (2)</sup>**

	Females				Males				All			
	Juveniles	Adults	Age unknown	Total	Juveniles	Adults	Age unknown	Total	Juveniles	Adults	Age unknown	Total
<b>Violence against the person</b>	35.7%	34.1%	37.9%	34.4%	23.4%	32.6%	33.2%	31.2%	25.6%	32.8%	34.2%	31.7%
<b>Sexual offences</b>	0.3%	0.5%	0.0%	0.5%	2.6%	3.3%	3.3%	3.2%	2.2%	2.9%	2.6%	2.8%
<b>Robbery</b>	3.5%	1.0%	0.0%	1.4%	7.4%	1.9%	1.0%	2.7%	6.7%	1.7%	0.8%	2.5%
<b>Burglary</b>	4.3%	3.0%	3.0%	3.2%	12.2%	6.8%	3.4%	7.6%	10.7%	6.2%	3.3%	6.9%
<b>Theft and handling</b>	31.4%	29.5%	18.9%	29.8%	21.7%	19.4%	16.8%	19.8%	23.5%	21.0%	17.3%	21.4%
<b>Fraud and forgery</b>	0.9%	4.1%	1.9%	3.5%	0.5%	2.3%	0.9%	2.0%	0.6%	2.6%	1.1%	2.3%
<b>Criminal damage</b>	10.7%	5.9%	6.4%	6.7%	13.3%	7.8%	9.6%	8.6%	12.8%	7.5%	8.9%	8.3%
<b>Drug offences</b>	3.1%	7.4%	2.7%	6.7%	7.8%	10.0%	4.1%	9.7%	6.9%	9.6%	3.8%	9.2%
<b>Other offences<sup>(3)</sup></b>	10.0%	14.6%	29.2%	13.8%	11.2%	16.0%	27.8%	15.3%	11.0%	15.8%	28.1%	15.1%
<b>Total</b>	<b>38,647</b>	<b>181,043</b>	<b>264</b>	<b>219,954</b>	<b>172,036</b>	<b>967,456</b>	<b>1,005</b>	<b>1,140,497</b>	<b>210,683</b>	<b>1,148,499</b>	<b>1,269</b>	<b>1,360,451</b>

Source: Home Office

Notes:

(1) In January 2011, Dyfed-Powys police brought in a new system for recording arrests and found that the previous system was under-reporting arrests figures for the first three quarters of 2010/11. The new system also currently has some outstanding issues with the mapping of some miscellaneous offence codes. Figures for Dyfed-Powys for 2010/11 are, therefore, based on data from the original system for quarters one to three (1 April to 31 December 2010), and the best available estimates from the new system for quarter four (1 January 2011 to 31 March 2011).

(2) Columns may not always sum to 100 per cent due to rounding.

(3) The 'other offences' grouping includes (but is not restricted to) public order offences, immigration offences, public health offences and perverting the course of justice.

## Chapter 4 – Women as defendants

This chapter looks at outcomes for defendants in the CJS between 2007 and 2011<sup>31</sup> drawing on data from the MoJ publications *Criminal Justice Statistics* and *Offender Management Statistics*. It contains information on out of court and court disposals including the lengths and types of custodial sentences received by those who had been convicted at court. Data on cautions and Penalty Notices for Disorder (PNDs) are reported centrally by the police, while court data are provided by the magistrates' courts and the Crown Court. It should be noted that data on out of court disposals and court proceedings are not strictly comparable with those on arrests presented in the previous chapter due to differences in the time periods covered and because the aggregated offence categories for these sources do not directly compare.

The information presented in this chapter represent the sum of all males and females aged 10 or over (unless otherwise stated), and exclude figures where gender was not stated.<sup>32</sup> The totals may therefore differ from those published elsewhere. The available court data showed that in 2011:

- There were 351,150 court proceedings involving females and 1,139,135 involving males. There were also an additional 9,500 court proceedings where gender was recorded as 'other' and 59,180 where gender was 'not stated' (four per cent of all proceedings).
- Gender was known for 1,246,320 persons sentenced. 'Other' gender was recorded for an additional 6,949; and 'not stated' for 45,982 (four per cent of all those sentenced).

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<sup>31</sup> As it is possible for an individual to receive more than one disposal/sentence in a year, the figures reflect the number of disposals/sentences in these years.

<sup>32</sup> Following the introduction of the LIBRA case management system during 2008, offenders at magistrates' courts can now be recorded as sex 'Not Stated'. These figures have been excluded from this report.

While court data are presented for offence groups,<sup>33</sup> these each include a range of offences that differ in seriousness and defendants' who may differ in terms of their previous criminal history, which may impact on the final outcome. This makes it difficult to draw conclusions about potential differences in patterns of sentencing for males and females. To further explore this issue, analyses are presented in this chapter for three specific offence types (shoplifting, actual bodily harm and possession of Class A drugs). Where possible, analysis has also been presented for different age groups by gender.

Key findings were as follows:

- In 2011, there were 1,849,298 out of court disposals and criminal court proceedings (excluding those where gender was not stated). Females accounted for 24 per cent and males for 76 per cent. There has been a slight increase in the proportion of out of court disposals and court proceedings accounted for by females since 2007 (when it was 21 per cent).
- In 2011, a lower proportion of females (20 per cent) than males (37 per cent) tried at the Crown Court were remanded in custody. While the proportion for males was broadly consistent with that for the previous four years, there was a decrease in the proportion of females remanded in custody (from 23 per cent in 2007). The same proportion of males and females remanded in custody (12 per cent) were acquitted or not proceeded against in 2011. The proportion of acquittals of those remanded in custody has been broadly similar for both genders since 2007.
- In 2011, there were 1,246,320 persons of known gender sentenced at court. Of these, 24 per cent were female and 76 per cent male. The proportion of females sentenced at court had increased steadily year on year since 2007, when they accounted for 21 per cent of all 1,406,788 persons sentenced.

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<sup>33</sup> These include: violence against the person; sexual offences; burglary; robbery; theft and handling stolen goods; fraud and forgery; criminal damage; drug offences; other indictable offences; and summary offences.

- In 2011, females who were sentenced were proportionally more likely than males to be fined (77 per cent compared to 61 per cent), and a greater proportion of males than females who were sentenced received community sentences (15 per cent compared to 10 per cent), suspended sentences (four per cent compared to two per cent), and immediate custodial sentences (10 per cent compared to three per cent). These proportions have been relatively stable since 2007.
- Theft and handling stolen goods (which includes shoplifting) was the most common indictable offence for which both females and males were sentenced at all courts between 2007 and 2011. In 2011, 52 per cent of females and 33 per cent of males sentenced for indictable offences were sentenced for theft and handling stolen goods.
- Of those with 15 or more cautions or convictions, 39 per cent of males and 29 per cent of females were sentenced to immediate custody in 2011. Among first time offenders, 27 per cent of males and 17 per cent of females were sentenced to immediate custody.
- In 2011, a lower proportion of women whose pre-sentence report recommended immediate custody went on to receive this sentence than men (84 per cent of women compared to 90 per cent of men).
- In 2011, the average length of an immediate custodial sentence<sup>34</sup> for indictable offences was lower for females than for males at 11.6 and 17.7 months respectively. These differences in sentence length were also evident in each of the last five years and may be attributable to a range of factors including differences between the offences committed by females and males.

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<sup>34</sup> Excludes life and indeterminate custodial sentences.

### Are there gender differences in proceedings and disposals within the CJS?

This section explores differences in the disposals received by male and female defendants in the Criminal Justice System in 2011. It looks separately at disposals issued out of court (PNDs and cautions) and at court proceedings. Further data on criminal justice outcomes by gender can also be found in the supplementary Excel tables that accompany this report.

**Table 4.01: Number of out of court disposals and court proceedings by gender, 2007-2011**

	Females			Males		
	Out of court <sup>(1)</sup>	Court Proceedings <sup>(2)</sup>	Total system	Out of court <sup>(1)</sup>	Court Proceedings <sup>(2)</sup>	Total system
<b>2007</b>	28.8%	71.2%	484,891	23.8%	76.2%	1,807,037
<b>2008</b>	26.7%	73.3%	463,442	23.1%	76.9%	1,644,142
<b>2009</b>	24.0%	76.0%	487,853	21.4%	78.6%	1,610,029
<b>2010</b>	20.7%	79.3%	458,832	19.0%	81.0%	1,518,022
<b>2011</b>	19.5%	80.5%	436,231	19.4%	80.6%	1,413,067

Source: Police Returns and Court Proceedings database

Notes:

(1) This includes PNDs and cautions, but excludes cannabis warnings, which cannot be broken down by gender.

(2) This includes those who were prosecuted.

Table 4.01 presents the number of out of court disposals<sup>35</sup> and court proceedings by gender between 2007 and 2011. It shows that:

- In 2011, there were 1,849,298 out of court disposals and criminal court proceedings where the gender of defendants was known. Females accounted for 24 per cent (males for 76 per cent), which represents a slight increase in the percentage of out of court disposals and court proceedings involving females since 2007 (when it was 21 per cent).
- There was also an increase in the proportion of court proceedings (relative to out of court disposals) for females and males between 2007 and 2011 (a nine percentage point increase for females and a four percentage point

<sup>35</sup> Out of court disposals exclude cannabis warnings, as it is not possible to break down the information by gender.

increase for males). Overall, the number of out of court disposals and court proceedings has decreased by 19 per cent since 2007 (when there was a total of 2,291,928). There was a reduction of 10 per cent for females and 22 per cent for males.

### Out of court disposals

PNDs and cautions are both types of out of court disposals that are available for use by the police. PNDs (also commonly known as ‘on the spot fines’) are used to deal with low-level criminal behaviour, although no criminal conviction or admission of guilt is associated with payment of the penalty. Cautions<sup>36</sup> are formal warnings given by senior police officers to a person who admits to having committed a criminal offence which could have led to a prosecution, and cover a wider range of offences than PNDs. Data for PNDs relate to those aged 16 or over and cautions to those aged 10 or over.

**Table 4.02: Out of court disposals issued to males and females, 2007-2011**

	PNDs			Cautions		
	Females	Males	Total	Females	Males	Total
<b>2007</b>	21.9%	78.1%	207,544	26.0%	74.0%	362,889
<b>2008</b>	23.7%	76.3%	176,164	25.1%	74.9%	327,888
<b>2009</b>	24.6%	75.4%	170,393	25.8%	74.2%	290,645
<b>2010</b>	24.5%	75.5%	140,769	24.9%	75.1%	242,831
<b>2011</b>	23.7%	76.3%	127,530	23.7%	76.3%	231,483

Source: Police returns

Data on PNDs and cautions for the period 2007-2011 by gender (see Table 4.02) showed that:

<sup>36</sup> The cautions statistics relate to persons for whom these offences were the principal offences for which they were dealt with. When a defendant has been cautioned for two or more offences at the same time, the principal offence is the more serious offence.

*All out of court disposals*

- Overall, 24 per cent of out of court disposals were issued to females and 76 per cent to males in 2011. These proportions have been relatively stable since 2007 (at around 24-25 per cent for females and 75-76 per cent for males).
- There was a 37 per cent reduction in the total number of out of court disposals for which the gender of defendants was known between 2007 and 2011, with a 39 per cent decrease for females and a 36 per cent reduction for males.
- Of the 85,081 out of court disposals issued to females, 36 per cent were PNDs and 64 per cent were cautions in 2011. These proportions have been relatively stable since 2009. PNDs and cautions also accounted for the same proportions of the 273,932 out of court disposals issued to males in 2011.

*PNDs*

- A total of 127,530 PNDs were issued in 2011. Of these, 30,272 (24 per cent) were issued to females and 97,258 (76 per cent) to males. There has been a slight increase in the proportion of PNDs issued to females since 2007, when they accounted for 22 per cent.
- Between 2007 and 2011, the number of PNDs issued to females decreased by 34 per cent (from 45,545 to 30,272), while those issued to males decreased by 40 per cent (from 161,999 to 97,258).
- In 2011, the most common outcomes<sup>37</sup> for PNDs for both females and males were 'Paid in full within 21 days' (45 per cent and 40 per cent, respectively), followed by 'Fine registered' (36 per cent and 38 per cent, respectively).

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<sup>37</sup> Please refer to the data sources appendix for more details on PND outcomes.

- PNDs can be issued for Higher Tier Offences (covering, for example, theft and being drunk and disorderly) and Lower Tier Offences (including, for example, trespassing on a railway and consumption of alcohol in a designated public place).<sup>38</sup> In 2011, the majority of PNDs issued to both genders were for Higher Tier Offences (98 per cent for females; 96 per cent for males). This is consistent with the previous four years.
- Overall, retail theft (under £200) was the most common offence for which females were issued a PND between 2007 and 2011 (in 2011, 54 per cent of PNDs issued to females were for this offence). For males, the most common reason since 2010 has been drunk and disorderly (31 per cent of PNDs issued to men in 2011). Prior to this in 2007 and 2009, it was causing harassment, alarm or distress.
- The above patterns by offence type are also replicated for juvenile females (those aged 16 and 17), adult females and adult males (those aged 18 or older). Causing harassment, alarm or distress was the most common reason for which juvenile males (those aged 16 and 17) were issued a PND in each year between 2007 and 2011.

### *Cautions*

- Females accounted for nearly 24 per cent (54,809) of those cautioned (231,483 excluding those whose gender was unknown) in 2011, compared to 26 per cent in 2007 (94,241 out of 362,889).
- There was a 36 per cent decrease in the total number of cautions administered between 2007 and 2011. Cautions administered to females and males reduced by 42 per cent and 34 per cent, respectively, over the same period.

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<sup>38</sup> PNDs are a fixed penalty of £50 (Lower Tier Offences) or £80 (Higher Tier Offences).

- In 2011, summary offences<sup>39</sup> – excluding motoring accounted for the largest proportion of cautions administered to females and males (46 per cent of all females and 47 per cent of all males receiving a caution respectively). This was followed by the indictable offence (an indictable offence refers to more serious charges where the defendant has the right to trial by jury) of theft and handling stolen goods for females (28 per cent) and indictable drug offences for males (21 per cent).
- Theft and handling stolen goods was the most common indictable offence group for which females were administered a caution in each year between 2007 and 2011 (accounting for between 28 and 35 per cent of all females cautioned), although the number of cautions administered to females for this offence halved during the period (from 30,994 in 2007 to 15,586 in 2011). This trend is similar to that for PNDs issued to females for retail theft (under £200), where there was a decrease of 16 per cent over the same period (from 19,655 in 2007 to 16,413 in 2011).
- For males cautioned, the most common indictable offence group changed from theft and handling stolen goods in 2007 (accounting for 16 per cent of all males cautioned) to drug offences between 2008 and 2011 (17 per cent of all males cautioned in 2008 and 21 per cent in 2011).
- In 2011, theft and handling stolen goods was also the most common indictable offence for which adult females (49 per cent of all cautions to adult females for indictable offences) and juveniles of both genders (65 per cent for females and 37 per cent for males) were cautioned. For adult males, it was 'drug offences' (43 per cent).
- The number of cautions administered to all males for drug offences was similar in 2007 (37,637) and 2011 (37,402), although those administered for theft and handling stolen goods decreased by approximately one third during the five year period (from 41,796 to 27,771). By comparison, the

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<sup>39</sup> Often known as petty crimes, summary offences can be tried by magistrates' courts without the right to a trial by jury.

number of PNDs issued to males for possession of Cannabis<sup>40</sup> increased by 41 per cent from 10,930 in 2009 (when they were first introduced) to 15,424 in 2011, while the number of PNDs issued for retail theft (under £200) decreased by 28 per cent between 2007 and 2011 (from 25,491 to 18,275).

- For both males and females, there was a reduction in the number of cautions for each offence group between 2007 and 2011. Cautions administered for violence against the person decreased substantially, with a 65 per cent reduction for females and a 71 per cent reduction for males.
- The decline in the use of out of court disposals in this period coincided with the replacement, in April 2008, of a target to increase offences brought to justice, with one placing more emphasis on bringing serious crime to justice. The latter target was subsequently removed in May 2010.

## Remands data

Remands data in this chapter reflect the court's decision on whether a defendant charged with a criminal offence should be placed in custody or released on bail during the period up to and including the trial, or while awaiting sentence.<sup>41</sup> The figures were compiled on the defendant's remand status at the trial or sentence at the Crown Court itself (the Crown Court decision).<sup>42</sup> These data are rounded to the nearest hundred and may therefore not sum to totals presented.

Data on remands at Crown Court were selected for analysis for the purposes of this report as they are deemed to be more reliable than those for the

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<sup>40</sup> Possession of Cannabis is the only drug offence which is covered by a PND.

<sup>41</sup> The data in this section relates to persons remanded in each completed court case rather than to the number of remand decisions (a person may be remanded several times during a case).

<sup>42</sup> Please note that the figures presented differ from those in Statistics on Women and the Criminal Justice System 2009/10, which looked at the remand status of defendants at the point of committal from magistrates' courts for trial or sentence at the Crown Court (i.e. Magistrates' decisions).

magistrates' courts.<sup>43</sup> Data on remand at magistrates' court proceedings are, however, available in the supplementary tables that accompany this report.

- Of the 14,200 females and 111,400 males tried at the Crown Court in 2011, 20 per cent and 37 per cent respectively were remanded in custody. For males, this was broadly consistent with the previous four years (when it was between 36-38 per cent), although, for females, there was a small decrease over this period (23 per cent in 2007).
- Between 2007 and 2011, the number of males tried at the Crown Court who were remanded in custody increased by 20 per cent, compared to five per cent for females.

Table 4.03 presents the final outcomes for those individuals tried at Crown Court who were remanded in custody during the trial/while awaiting sentence. It shows that in 2011:

- Of all those tried at Crown Court and remanded in custody, 12 per cent of both males and females were acquitted or not proceeded against. This proportion has been similar for both genders since 2007.
- Of females, 62 per cent were sentenced to immediate custody, 10 per cent were given a community sentence, eight per cent a suspended sentence, and the remaining five per cent received a fine, were discharged<sup>44</sup> or otherwise dealt with.

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<sup>43</sup> The number of custodial remands at magistrates' court proceedings has been over-reported in the data supplied to the Ministry of Justice, following the introduction of the LIBRA case management system in 2008. For further information, please see "A Guide to Criminal Justice Statistics" available at: <http://www.justice.gov.uk/statistics/criminal-justice/criminal-justice-statistics>

<sup>44</sup> A court may discharge a person either absolutely or conditionally where the court takes the view that it is not necessary to impose punishment. An absolute discharge requires nothing from the offender and imposes no restrictions on future conduct. The majority of discharges are conditional discharges where the offender remains liable to punishment for the offence if he or she is convicted of a further offence within whatever period the court specifies (but not more than three years).

**Table 4.03: Percentage of final outcome for proceedings of individuals tried at the Crown Court and held on remand in custody, by gender, 2007-2011**

Final Outcome	Females				
	2007	2008	2009	2010	2011
Acquitted or not proceeded with	12.2%	11.0%	11.0%	11.8%	11.6%
Convicted:					
Discharge	1.3%	1.0%	1.2%	1.5%	1.0%
Fine	0.4%	0.1%	0.2%	0.3%	0.3%
Community Sentence <sup>(1)</sup>	9.1%	9.5%	10.0%	10.4%	9.8%
Suspended Sentence	10.0%	8.7%	9.0%	10.3%	8.1%
Immediate Custody <sup>(2)</sup>	61.0%	63.1%	62.2%	59.6%	62.0%
Otherwise dealt with <sup>(3)</sup>	3.1%	3.0%	3.3%	3.3%	4.0%
Total sentenced	84.8%	85.4%	85.9%	85.5%	85.0%
Failed to appear <sup>(4)</sup>	3.0%	3.6%	3.1%	2.8%	3.4%
<b>Total (in thousands)</b>	<b>2.7</b>	<b>2.8</b>	<b>2.8</b>	<b>2.8</b>	<b>2.8</b>
Final Outcome	Males				
	2007	2008	2009	2010	2011
Acquitted or not proceeded with	12.7%	11.3%	12.0%	12.6%	11.5%
Convicted:					
Discharge	0.7%	0.6%	0.5%	0.6%	0.6%
Fine	0.3%	0.3%	0.2%	0.2%	0.2%
Community Sentence <sup>(1)</sup>	6.5%	5.7%	5.6%	6.0%	5.4%
Suspended Sentence	6.1%	6.0%	5.8%	5.6%	5.0%
Immediate Custody <sup>(2)</sup>	69.3%	72.5%	72.6%	71.3%	73.8%
Otherwise dealt with <sup>(3)</sup>	2.4%	1.9%	1.7%	2.2%	1.9%
Total sentenced	85.5%	87.1%	86.5%	85.9%	86.8%
Failed to appear <sup>(4)</sup>	1.8%	1.6%	1.5%	1.5%	1.6%
<b>Total (in thousands)</b>	<b>34.1</b>	<b>36.4</b>	<b>37.3</b>	<b>39.9</b>	<b>40.8</b>

Source: Court Proceedings database

Notes:

(1) This includes community rehabilitation orders, supervision orders, community punishment orders, attendance centre orders, community punishment and rehabilitation orders, curfew orders, reparation orders, action plan orders and drug treatment and testing orders.

(2) Includes detention in a young offender institution, detention and training orders and unsuspended imprisonment.

(3) Includes one day in police cells, disqualification order, restraining order, confiscation order, travel restriction order, disqualification from driving, recommendation for deportation and other miscellaneous disposals.

(4) Defendants are classified as having failed to appear if they without reasonable cause do not turn up at court (either at magistrates' courts or the Crown Court) on a specified date, having either been summonsed or granted bail at an earlier stage of proceedings.

- Of males tried at Crown Court and remanded in custody, 74 per cent were sentenced to immediate custody, five per cent were given a community sentence, five per cent a suspended sentence and the remaining three per cent received a fine, were discharged or otherwise dealt with.
- Between 2007 and 2011, the proportion of females tried at Crown Court and held on remand in custody who were later sentenced to immediate custody varied between 60-63 per cent. For males, the proportion increased from 69 per cent in 2007 to 74 per cent in 2011.
- Overall, 67 per cent of females and 48 per cent of males tried at the Crown Court were bailed in 2011 compared to 63 per cent and 48 per cent in 2007. There was a peak in those bailed in 2010 – 70 per cent of females and 52 per cent of males tried at the Crown Court.
- Of those bailed in 2011, fewer females (14 per cent) than males (26 per cent) were sentenced to immediate custody; and fewer males received a community or suspended sentence (18 per cent and 24 per cent respectively, compared to 21 per cent and 28 per cent of females). These trends were relatively consistent from 2007 to 2011, although the percentage of male defendants who were given a suspended sentence after being remanded on bail increased from 19 per cent in 2007 to 24 per cent in 2011.
- Similar proportions of females and males (26 per cent and 24 per cent, respectively) were acquitted after being remanded on bail in 2011, and in each of the previous four years.

### **Court disposals**

Once an individual is found guilty in a criminal court of law, they can receive one of six disposals: an absolute/conditional discharge; a fine; a community sentence; a suspended sentence; a sentence to immediate custody; or they are otherwise dealt with.

This section focuses on the outcomes of all those sentenced who had been previously convicted at court and by those found guilty of committing indictable offences specifically (or more serious offences where the defendant has the right to trial by jury).

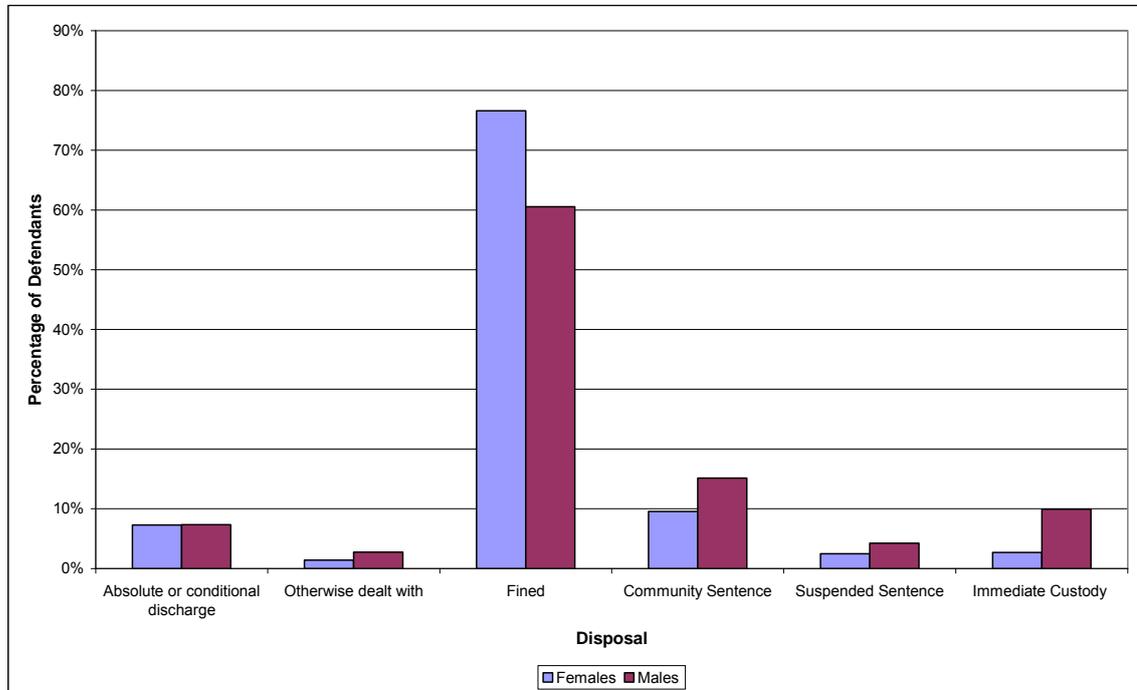
*All those sentenced*

- In 2011, there were 351,150 females and 1,139,135 males proceeded against at magistrates' courts in England and Wales. Females accounted for 24 per cent and males for 76 per cent.
- Overall, 1,246,320 persons were sentenced in 2011. As for court proceedings, 24 per cent were female and 76 per cent male. In 2007, 1,406,788 persons were sentenced; 21 per cent were female and 79 per cent male.
- Overall, the number of females sentenced by the courts increased by three per cent between 2007 and 2011, while the number of males sentenced decreased by 15 per cent across the same period.

Figure 4.01 presents the disposals by gender issued to those sentenced at court in 2011. It shows:

- Overall, 77 per cent of all females sentenced at court received fines, 10 per cent community sentences, two per cent suspended sentences, and three per cent immediate custody. In comparison, 61 per cent of all males dealt with at court received fines, 15 per cent community sentences, four per cent suspended sentences and 10 per cent immediate custody.
- These patterns in disposals by gender were broadly consistent in each of the last five years, although the proportion of male defendants who were fined decreased slightly from 64 per cent in 2007 to 61 per cent in 2011 (see Table 4.04a for the percentage of disposals issued to those sentenced for all offences, by gender between 2007 to 2011).

**Figure 4.01: Percentage of disposals issued to those sentenced for all offences, 2011**



Source: Court Proceedings database

- Analysis of the different disposals by age group and gender showed that, in each year between 2007 and 2011, a fine was also the most common disposal for adults (i.e. those aged 18 or over) of both genders (79 and 64 per cent for females and males respectively), while a community sentence was the most common disposal for juveniles (i.e. those aged under 18) during the same period (73 per cent of female and 65 per cent of male juveniles disposals).
- Between 2007 and 2011, the fine was the only disposal consistently received by a larger proportion of adult females than adult males. For juveniles, the only disposal consistently received by a higher proportion of females than males was a community sentence.

**Table 4.04a: Percentage of disposals issued to those sentenced for all offences, by gender, 2007-2011**

<b>Disposal</b>	<b>Females</b>				
	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>
Absolute or conditional discharge	7.8%	7.5%	6.8%	7.5%	7.3%
Otherwise dealt with	1.8%	3.0%	1.3%	1.5%	1.4%
Fined	75.2%	73.9%	76.9%	75.8%	76.6%
Community Sentence	10.6%	10.7%	10.3%	10.2%	9.6%
Suspended Sentence	1.9%	2.1%	2.1%	2.3%	2.5%
Immediate Custody	2.7%	2.9%	2.6%	2.7%	2.7%
<b>Total</b>	<b>289,505</b>	<b>288,338</b>	<b>314,815</b>	<b>305,094</b>	<b>297,938</b>

<b>Disposal</b>	<b>Males</b>				
	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>
Absolute or conditional discharge	7.4%	7.2%	6.7%	7.4%	7.4%
Otherwise dealt with	2.7%	3.3%	2.1%	2.8%	2.8%
Fined	64.1%	62.4%	63.3%	61.1%	60.6%
Community Sentence	14.8%	15.1%	15.5%	15.5%	15.1%
Suspended Sentence	3.1%	3.4%	3.7%	4.0%	4.2%
Immediate Custody	7.8%	8.7%	8.8%	9.2%	9.9%
<b>Total</b>	<b>1,117,283</b>	<b>1,045,223</b>	<b>1,047,038</b>	<b>1,013,770</b>	<b>948,382</b>

Source: Court Proceedings database

### *Indictable offences*

- Overall, 47,663 females (14 per cent) and 286,557 males (86 per cent) were sentenced for indictable offences in 2011.
- Table 4.04b shows the disposals issued to those sentenced for indictable offences. In 2011, proportionally more females than males were discharged (21 per cent of females and 11 per cent of males) or given a community sentence (34 and 29 per cent, respectively). A greater proportion of males received immediate custodial sentences (27 per cent compared to 15 per cent of females) or a fine (17 per cent compared to 14 per cent of females).

**Table 4.04b: Percentage of disposals issued to those sentenced for indictable offences, by gender, 2007-2011**

<b>Disposal</b>	<b>Females</b>				
	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>
Absolute or conditional discharge	21.7%	20.7%	20.1%	20.9%	20.8%
Otherwise dealt with	3.7%	4.7%	3.3%	4.9%	4.9%
Fined	12.1%	11.9%	13.7%	13.7%	13.8%
Community Sentence	38.3%	37.0%	37.8%	35.8%	33.9%
Suspended Sentence	9.6%	10.1%	10.8%	10.9%	12.0%
Immediate Custody	14.6%	15.6%	14.3%	13.9%	14.7%
<b>Total</b>	<b>45,350</b>	<b>46,332</b>	<b>48,874</b>	<b>50,946</b>	<b>47,663</b>

<b>Disposal</b>	<b>Males</b>				
	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>
Absolute or conditional discharge	12.9%	12.0%	11.1%	11.5%	11.3%
Otherwise dealt with	4.0%	4.4%	3.5%	5.1%	5.4%
Fined	16.2%	16.0%	17.4%	17.6%	17.5%
Community Sentence	33.0%	31.9%	32.2%	30.4%	28.7%
Suspended Sentence	8.6%	8.9%	9.3%	9.7%	9.9%
Immediate Custody	25.4%	26.8%	26.5%	25.7%	27.2%
<b>Total</b>	<b>265,841</b>	<b>266,879</b>	<b>276,010</b>	<b>294,695</b>	<b>286,557</b>

Source: Court Proceedings database

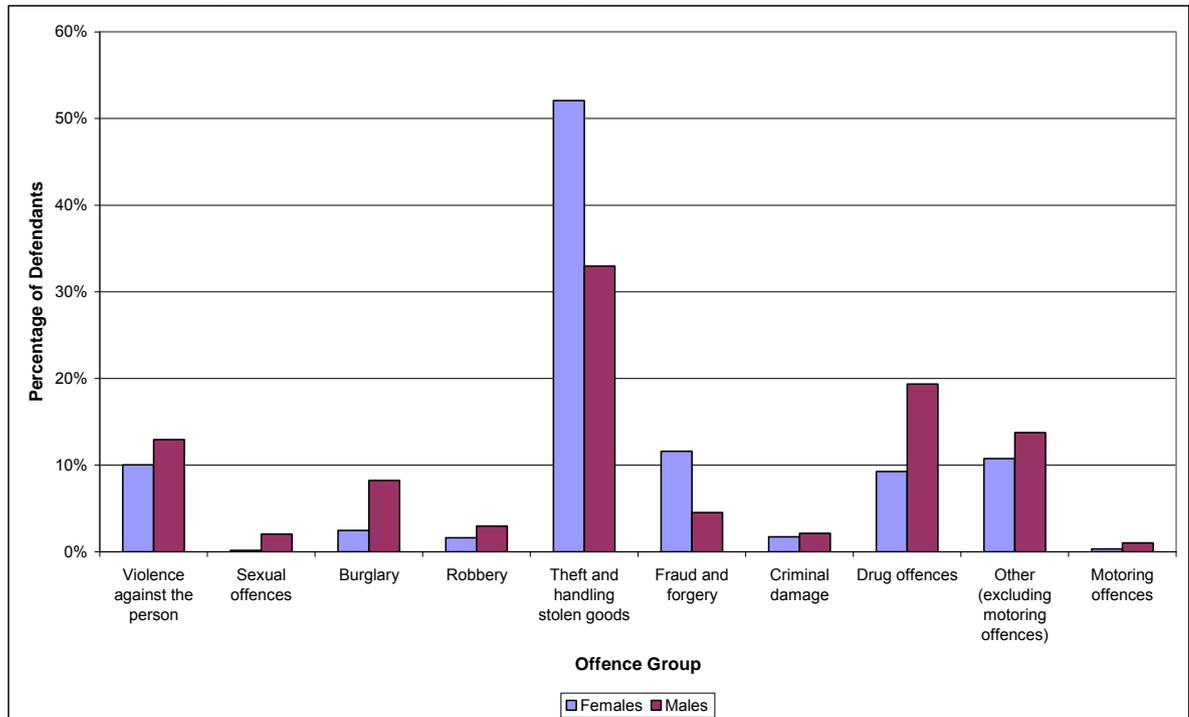
- There was a small year-on-year decrease between 2009 and 2011 in the percentages of both genders given community sentences (from 38 to 34 per cent for females and from 32 to 29 per cent for males). For other disposals, the proportions were relatively stable for indictable offences between 2007 and 2011.
- Between 2007 and 2011, patterns in sentencing for all males and all females sentenced for indictable offences were also replicated for juveniles and adults. Proportionally, more adult and juvenile females were discharged (either absolutely or conditionally) or given a community sentence than males. While the majority of juveniles (69 per cent of males and 78 per cent of females, in 2011) and adult females (29 per cent in 2011) received a community sentence, immediate custody was the most common sentence for adult men (29 per cent in 2011).

- The patterns identified in disposals for all indictable offences for all males and females (e.g. females more likely to receive community sentences) also applied for the following offence groups: violence against the person, burglary, robbery, fraud and forgery, criminal damage and drug offences. The percentages accounted for by each disposal varied by offence group, however. For example, for violence against the person, 36 per cent of all males were sentenced to immediate custody in 2011, 20 per cent received a suspended sentence, and 32 per cent a community sentence. In comparison, 18 per cent of females were sentenced to immediate custody, 22 per cent received a suspended sentence, and 43 per cent were given a community sentence.
- There were some differences in patterns of disposals by gender for other offence groups. In 2011, a similar proportion of the 5,874 males and 71 females sentenced received immediate custody for sexual offences (58 per cent and 56 per cent respectively), and a higher proportion of males received a community sentence (28 per cent versus 23 per cent of females).
- In 2011, the same proportion of males and females received community sentences for theft and handling stolen goods (35 per cent) and other indictable offences excluding motoring (17 per cent), which has been consistent since 2009.

Figure 4.02 shows the percentage of offenders sentenced for indictable offences by gender and offence group in 2011. It shows that:

- Theft and handling stolen goods (which includes shoplifting) was the most common indictable offence for which both females and males were sentenced at all courts. This is consistent with the previous four years.
- Of those sentenced for indictable offences, 52 per cent of females and 33 per cent of males were sentenced for theft and handling stolen goods in 2011, compared to 46 and 29 per cent in 2007.

**Figure 4.02: Percentage of defendants sentenced for indictable offences at all courts, by gender and offence group, 2011**



Source: Court Proceedings database

- In each year between 2007 and 2011, a higher proportion of females than males was sentenced for theft and handling stolen goods (in 2011, 52 per cent of females and 33 per cent of males sentenced for indictable offences) and fraud and forgery (12 per cent of females and five per cent of males sentenced for indictable offences in 2011).
- The proportion of both females and males sentenced for each indictable offence group was stable between 2007 and 2011, with the following exceptions:
  - The proportion of both males and females sentenced for theft and handling stolen goods increased (from 46 per cent and 29 per cent in 2007 to 52 per cent and 33 per cent in 2011), as did the proportion of males sentenced for drug offences (from 14 per cent to 19 per cent); and

- The proportion of females sentenced for fraud and forgery decreased (from 15 to 12 per cent), as did the proportion of males sentenced for criminal damage (from four to two per cent).
- As for all females and males, theft and handling stolen goods was the most common indictable offence for which juveniles and adults were sentenced between 2007 and 2011. Of those sentenced for indictable offences in 2011, 52 per cent of adult females and 48 per cent of juvenile females were sentenced for theft and handling stolen goods (compared to 33 per cent of adult males and 31 per cent of juvenile males).
- Higher proportions of juvenile females and adult females were sentenced for theft and handling stolen goods and fraud and forgery than juvenile and adult males. This was consistent across the five year period.

#### *Summary offences and summary motoring offences*

- Tables 4.04c and 4.04d show the disposals issued to those sentenced for summary offences (excluding motoring) and summary motoring offences. They show that, in 2011, 85 per cent of females and 62 per cent of males were fined for summary offences (excluding motoring). For summary motoring offences, the percentages were 95 per cent and 93 per cent respectively.

**Table 4.04c: Percentage of disposals issued to those sentenced for summary offences (excluding motoring), by gender, 2007-2011**

<b>Disposal</b>	<b>Females</b>				
	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>
Absolute or conditional discharge	7.2%	6.9%	6.1%	6.8%	6.5%
Otherwise dealt with	1.2%	2.8%	0.8%	1.1%	0.9%
Fined	83.5%	81.9%	85.2%	84.2%	85.2%
Community Sentence	7.0%	7.2%	6.7%	6.6%	6.1%
Suspended Sentence	0.5%	0.6%	0.6%	0.7%	0.7%
Immediate Custody	0.6%	0.6%	0.6%	0.6%	0.6%
<b>Total</b>	<b>152,795</b>	<b>154,204</b>	<b>168,835</b>	<b>161,144</b>	<b>165,918</b>

<b>Disposal</b>	<b>Males</b>				
	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>
Absolute or conditional discharge	11.4%	10.9%	10.3%	11.6%	10.9%
Otherwise dealt with	3.2%	3.5%	2.4%	3.4%	3.0%
Fined	63.6%	62.9%	63.2%	60.6%	62.3%
Community Sentence	16.2%	16.7%	17.5%	17.3%	16.6%
Suspended Sentence	1.9%	2.1%	2.5%	2.7%	2.8%
Immediate Custody	3.7%	4.0%	4.2%	4.4%	4.5%
<b>Total</b>	<b>337,087</b>	<b>324,834</b>	<b>321,703</b>	<b>309,186</b>	<b>295,321</b>

Source: Court Proceedings database

**Table 4.04d: Percentage of disposals issued to those sentenced for summary motoring, by gender, 2007-2011**

Disposal	Females				
	2007	2008	2009	2010	2011
Absolute or conditional discharge	1.8%	1.5%	1.3%	1.3%	1.3%
Otherwise dealt with	1.9%	2.3%	1.1%	0.4%	0.3%
Fined	92.7%	92.5%	94.2%	95.3%	95.2%
Community Sentence	2.9%	3.0%	2.7%	2.4%	2.5%
Suspended Sentence	0.5%	0.5%	0.5%	0.4%	0.6%
Immediate Custody	0.2%	0.2%	0.2%	0.1%	0.1%
<b>Total</b>	<b>91,360</b>	<b>87,802</b>	<b>97,106</b>	<b>93,004</b>	<b>84,357</b>

Disposal	Males				
	2007	2008	2009	2010	2011
Absolute or conditional discharge	1.9%	1.7%	1.5%	1.4%	1.4%
Otherwise dealt with	1.8%	2.4%	1.0%	0.6%	0.5%
Fined	89.2%	89.3%	91.6%	92.7%	92.9%
Community Sentence	4.6%	4.2%	3.9%	3.4%	3.3%
Suspended Sentence	1.1%	1.0%	1.0%	1.0%	1.0%
Immediate Custody	1.5%	1.4%	1.1%	0.9%	0.8%
<b>Total</b>	<b>514,355</b>	<b>453,510</b>	<b>449,325</b>	<b>409,889</b>	<b>366,504</b>

Source: Court Proceedings database

### Specific offence analysis

Seriousness is a major consideration in sentencing decisions and, therefore, differential outcomes within an offence group for males and females may be driven by the specific offences they were tried for. For example, within the violence against the person offence category, there were 343 sentences for murder. Of these, 320 (93 per cent) sentences were issued to males and 23 (seven per cent) to females.

To further consider potential differences in the seriousness of offences, the following analysis looks at sentences issued to males and females for three specific offences: shoplifting; assault occasioning actual bodily harm (ABH); and possession of a Class A drug.

### *Shoplifting*

- Of the 75,347 disposals issued to those sentenced for shoplifting in 2011, 19,602 (26 per cent) involved females and 55,745 (74 per cent) males (see Table 4.05a). The proportion of offences accounted for by males and females was consistent between 2007 and 2011.
- The overall number of defendants sentenced for this offence increased by 21 per cent during this period with a peak in 2010. There was a greater percentage increase in the number of females than males (28 per cent and 19 per cent respectively).
- While a community sentence was most commonly received by both females and males, there were differences in the other disposals issued and in the proportions of all disposals they represented by gender.
- In 2011, nearly one in five of all males (19 per cent) sentenced for shoplifting received immediate custody compared to one in nine (11 per cent) of all females sentenced for shoplifting. In 2007, the percentages were 20 per cent and 13 per cent respectively.
- A greater proportion of females than males sentenced were given an absolute or conditional discharge (31 per cent compared with 23 per cent) and community sentences (34 per cent compared with 29 per cent) for this offence in 2011. There was a slight decrease in community sentences for this offence in 2011 compared to 2007, when 37 per cent of females and 32 per cent of males received a community sentence for shoplifting.
- Between 2007 and 2011, the proportion of females and males given a suspended sentence was stable (at five to six per cent and five per cent respectively), although the number of suspended sentences increased year on year during this period (from 755 to 1,111 for females and from 2,357 to 3,061 for males).

**Table 4.05a: Percentage of disposals issued to those sentenced for *shoplifting*<sup>(1)</sup>, by gender, 2011<sup>(2)</sup>**

<b>Disposal</b>	<b>Females</b>	<b>Males</b>	<b>Total</b>
Absolute or conditional discharge	30.9%	23.1%	25.2%
Fine	14.2%	16.9%	16.2%
Community sentence	34.1%	29.2%	30.5%
Suspended sentence	5.7%	5.5%	5.5%
Immediate custody	11.1%	19.1%	17.0%
Otherwise dealt with	3.9%	6.3%	5.7%
<b>Total</b>	<b>19,602</b>	<b>55,745</b>	<b>75,347</b>

Source: Court Proceedings database

Notes:

(1) An offence under S.1 Theft Act 1968.

(2) The figures given in the table on court proceedings relate to persons for whom these offences were the principal offences for which they were dealt with. When a defendant has been found guilty of two or more offences, it 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.

### *Actual bodily harm (ABH)*

- Of the 13,787 disposals issued in 2011 to those sentenced for ABH, 1,660 (12 per cent) involved females and 12,127 (88 per cent) males (see Table 4.05b). The proportion of those sentenced for ABH accounted for by males and females was consistent between 2007 and 2011.
- Overall, the numbers sentenced for ABH has decreased by 17 per cent since 2007 with a peak in 2010. There was a similar reduction in disposals issued to females and males for this offence (18 per cent and 17 per cent respectively).
- Of all females sentenced for ABH, 53 per cent were given a community sentence in 2011 compared to 60 per cent in 2007. Although a community sentence was most common for males, it accounted for a lower proportion of all disposals than for females (also decreasing from 40 per cent in 2007 to 35 per cent in 2011).
- Immediate custody was the second most common disposal for males, and a suspended sentence for females. In 2011, one-third (32 per cent) of all males sentenced for ABH and 13 per cent of all females received

immediate custody. This is compared to 28 per cent of males and 12 per cent of females in 2007.

**Table 4.05b: Percentage of disposals issued to those sentenced for ABH<sup>(1)</sup>, by gender, 2011<sup>(2)</sup>**

<b>Disposal</b>	<b>Females</b>	<b>Males</b>	<b>Total</b>
Absolute or conditional discharge	4.5%	1.5%	1.9%
Fine	1.0%	1.6%	1.5%
Community sentence	53.0%	35.0%	37.2%
Suspended sentence	25.7%	26.3%	26.3%
Immediate custody	13.0%	32.4%	30.1%
Otherwise dealt with	2.9%	3.2%	3.1%
<b>Total</b>	<b>1,660</b>	<b>12,127</b>	<b>13,787</b>

Source: Court Proceedings database

Notes:

(1) Includes offences under S.47 Offences Against the Person Act 1861 and S.29(1)(b) & (2) Crime and Disorder Act 1998.

(2) The figures given in the table on court proceedings relate to persons for whom these offences were the principal offences for which they were dealt with. When a defendant has been found guilty of two or more offences, it 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.

*Possession of Class A drugs*

- Of the 10,384 sentenced in 2011 for possession of a Class A drug, 1,023 (10 per cent) were female and 9,361 (90 per cent) male. These proportions were stable between 2007 and 2011.
- Between 2007 and 2011, the number of defendants sentenced for possession of a Class A drug decreased by 22 per cent, with a 27 per cent decrease in the number of females sentenced for this offence and a 21 per cent decrease in the number of males.
- A fine was the most common disposal issued to both females and males for this offence, although there were differences in the proportion of all possession of Class A drugs offences accounted for by gender. In 2007, 23 per cent of females and 39 per cent of males received a fine, compared to 32 and 47 per cent in 2011. In 2011, the average value of a fine for this offence was £103 for females and £146 for males. The overall average fine for possession of a Class A drug, including cases where gender was unknown, was £143.

**Table 4.05c: Percentage of disposals issued to those sentenced for possession of a Class A drug<sup>(1)</sup>, by gender, 2011<sup>(2)</sup>**

<b>Disposal</b>	<b>Females</b>	<b>Males</b>	<b>Total</b>
Absolute or conditional discharge	25.1%	13.4%	14.6%
Fine	32.3%	46.7%	45.2%
Community sentence	29.9%	26.7%	27.0%
Suspended sentence	2.0%	2.8%	2.7%
Immediate custody	4.2%	5.9%	5.8%
Otherwise dealt with	6.5%	4.5%	4.7%
<b>Total</b>	<b>1,023</b>	<b>9,361</b>	<b>10,384</b>

Source: Court Proceedings database

Notes:

(1) Includes offences under S.5(2) & (3) Misuse of Drugs Act 1971 and S.19(a) Criminal Justice (International Co-operation) Act 1990.

(2) The figures given in the table on court proceedings relate to persons for whom these offences were the principal offences for which they were dealt with. When a defendant has been found guilty of two or more offences, it 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.

## **What other factors may account for differences in sentencing between men and women?**

As previously noted, there are a range of other factors that contribute to sentencing decisions that may account for some of the differences observed between men and women. This section looks at two of these factors: a) previous criminal histories; and b) pre-sentence reports. Other factors that are also influential in determining the sentence that are not covered by this report include mitigating and aggravating factors. Information on these has recently been published in the Sentencing Council's Crown Court Sentencing Survey.<sup>45</sup>

### **a) Previous criminal histories**

Criminal history figures<sup>46</sup> are counts of separate previous occasions when offenders received a reprimand, final warning, caution or conviction. These data provide information on the offending backgrounds of those sentenced, which may also influence the sentence imposed. The 2011 data presented below were based on 45,030 females and 282,404 males aged 10 or over extracted from the Police National Computer.<sup>47</sup> As elsewhere in this chapter, only data from 2007 to 2011 are presented.

- In 2011, a greater proportion of females sentenced for an indictable offence had no previous cautions or convictions than males (15 per cent compared with nine per cent). These percentages have been broadly similar since 2007 for males and since 2008 for females.

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<sup>45</sup> The most recent report is available at: <http://sentencingcouncil.judiciary.gov.uk/facts/crown-survey-results-2011.htm>

<sup>46</sup> The figures on first time entrants and previous criminal histories have been taken from the Ministry of Justice's extract from the Police National Computer (PNC) - the operational database used by all police forces in England and Wales. The PNC covers 'recordable' offences, which are defined as offences that can attract a custodial sentence plus some additional offences defined in legislation. Some non-recordable offences are also included on the PNC, particularly when they accompany recordable offences in the same case. A range of less serious summary offences, such as TV licence evasion and many motoring offences are not recorded on the PNC. Like any other large scale administrative database, the PNC is subject to possible errors with data entry and processing. All the figures shown are provisional and subject to change in later editions of this publication as more information is recorded by the police.

<sup>47</sup> Data used in this section can be found in the "Offending histories tables" published as part of the Ministry of Justice's Criminal Justice Statistics, which can be found at: <http://www.justice.gov.uk/downloads/statistics/criminal-justice-stats>

- A greater proportion of males sentenced for an indictable offence in 2011 had 15 or more previous convictions or cautions than females (32 per cent compared with 25 per cent). The proportion of both males and females sentenced for an indictable offence with 15 or more convictions or cautions has increased year-on-year since 2007 (from 27 per cent of males and 18 per cent of females).
- Of offenders sentenced for indictable offences for the first-time (6,822 females and 26,175 males in 2011), a greater percentage of males were sentenced to immediate custody than females (27 per cent compared with 17 per cent), which has been the case in each year since 2007.
- The percentage of female and male offenders sentenced to immediate custody increases with the number of previous cautions or convictions. In 2011, 39 per cent of males and 29 per cent of females with 15 or more cautions or convictions were sentenced to immediate custody.
- *All first-time offenders:* The most common indictable offence for which all male first-time offenders were sentenced between 2007 and 2011 was violence against the person (20 per cent in 2011), and the second most common since 2009 was theft and handling stolen goods (18 per cent in 2011). Theft and handling stolen goods was the most common indictable offence for which all female first-time offenders were sentenced between 2007 and 2011 (33 per cent in 2011). Between 2007 and 2010, fraud and forgery was the second most common offence for which female first-time offenders were sentenced, and, in 2011, it was both fraud and forgery and violence against the person (19 per cent each).
- *Adult first-time offenders:* Between 2007 and 2011, the two most common indictable offences for which adult female first-time offenders were sentenced were theft and handling stolen goods and fraud and forgery (in 2011, 33 and 21 per cent respectively), which is consistent with all females. For adult male first-time offenders, violence against the person was the most common indictable offence (19 per cent in 2011), although the second most common offence type varied between years (in 2011, it

was theft and handling stolen goods, which accounted for 18 per cent of sentences).

- *Juvenile first-time offenders:* The most common indictable offence groups for which first-time juvenile offenders were sentenced differed to those for all females and males, and for adult females and males. The two most common indictable offences for which first-time juvenile male offenders were sentenced between 2007 and 2011 were robbery (25 per cent in 2011) and violence against the person (24 per cent in 2011). Since 2008, first-time juvenile female offenders have most commonly been sentenced for violence against the person (29 per cent in 2011) and theft and handling stolen goods (26 per cent in 2011). In 2007, the order of these offences was reversed.

## **b) Pre-sentence reports**

Pre-sentence reports (PSRs) provide information to the court about the offender and offence(s) committed and assist the court in deciding on a suitable sentence. This section looks at the concordance between recommendations made in pre-sentence reports and sentences issued at court, and whether this differs between males and females. Data on PSRs relates to those aged 18 or older. Due to a change in methodology, it is not possible to produce a gender breakdown prior to 2009.

- Of women who had a PSR recommending immediate custody, 84 per cent went on to receive this sentence in 2011, compared to 83 per cent in 2009 and 85 per cent in 2010. In comparison, 90 per cent of men who had a PSR recommending immediate custody went on to receive it in each year between 2009 and 2011.
- A higher proportion of women than men recommended for Suspended Sentence Orders (63 per cent compared with 53 per cent) and community sentences (74 per cent compared with 68 per cent) were issued with these sentences in 2011. This is consistent with the previous two years. By contrast, a lower proportion of women than men recommended for

Suspended Sentence Orders (24 per cent compared to 34 per cent) and community sentences (six per cent compared to eleven per cent) were issued with immediate custodial sentences.

- In 2011, around two thirds of both females (66 per cent) and males (69 per cent) whose PSR recommended a fine went on to receive one, while 19 per cent of females and 17 per cent of males received a community sentence. These percentages are broadly consistent with the previous two years.
- In 2011, a higher proportion of males received immediate custodial sentences than females when another sentence option had been recommended in the PSR (e.g. a Suspended Sentence Order; all community sentences; or a fine). This is consistent with the previous two years, except for recommendations for a fine in 2010, when the same proportions of both genders received immediate custody (two per cent).

**Table 4.06: Concordance between sentences proposed and given where a Pre-sentence report (PSR) was written, by gender, 2011**

Sentence given	Sentenced Proposed in PSR									
	Immediate Custodial Sentence		Suspended Sentence Order		Community sentences <sup>(1)</sup>		Fine		All	
	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men
Immediate custodial sentences	<b>83.7%</b>	<b>90.2%</b>	23.9%	34.4%	5.8%	11.2%	2.3%	2.7%	11.0%	21.9%
Suspended Sentence Order	8.1%	5.1%	<b>62.9%</b>	<b>52.7%</b>	17.4%	18.2%	2.7%	4.5%	22.5%	21.3%
Community sentence	3.7%	2.7%	11.6%	11.1%	<b>73.8%</b>	<b>67.8%</b>	18.8%	17.4%	62.3%	53.0%
Fine	0.9%	0.3%	0.1%	0.3%	0.7%	0.8%	<b>66.0%</b>	<b>68.8%</b>	1.9%	1.9%
Absolute/ conditional discharge	0.9%	0.3%	0.4%	0.3%	1.2%	0.7%	8.1%	4.6%	1.2%	0.7%
Other	2.6%	1.4%	1.0%	1.1%	1.1%	1.3%	2.1%	2.1%	1.1%	1.3%
<b>Total</b>	<b>970</b>	<b>14,672</b>	<b>3,174</b>	<b>19,786</b>	<b>20,707</b>	<b>112,614</b>	<b>479</b>	<b>2,685</b>	<b>25,330</b>	<b>149,757</b>

Source: Court Proceedings database

Notes:

(1) Includes all pre-CJA community sentences.

## How do sentence lengths and types compare for men and women sentenced to immediate custody?

This section compares the lengths and types of custodial sentences issued to males and females found guilty of a criminal offence. Any observed disparities in sentence length between females and males could be related to a range of factors including differences in the specific offence type, which are masked by analysis at offence group level.

### *Custodial sentence lengths*

- As shown in Table 4.07, the average custodial sentence length (ACSL)<sup>48</sup> for all indictable offences was consistently higher for males than for females between 2007 and 2011. In 2011, the ACSL for indictable offences was 17.7 months for males compared to 11.6 months for females.
- Between 2007 and 2011, the ACSL for indictable offences for both females and males increased, as did the difference between genders. In 2007, the ACSL for indictable offences was 15.6 months for males and 10.6 months for females.
- Analysis of the data by age showed that the differences in ACSL between males and females also applied to juveniles and adults, with males consistently receiving longer average custodial sentence lengths. In 2011, the ACSL for indictable offences for adult males was 18.0 months compared to 11.6 months for adult females, and the ACSL for juvenile males was 13.0 months compared to 11.3 months for juvenile females.
- Although ACSLs for females were shorter than those for males, offenders completing a custodial sentence of less than 12 months do not receive specific statutory support upon release, which may have implications for the readiness/ rehabilitation of these individuals.

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<sup>48</sup> Excludes life and indeterminate custodial sentences.

- The only indictable offence group for which all females consistently received a higher ACSL than males between 2007 and 2010 was criminal damage. In 2011, females received a higher ACSL for criminal damage (25.8 months versus 18.2 months for males) and slightly higher ACSLs for burglary (19.2 months compared to 18.8 for males) and indictable motoring offences (10.7 months and 9.7 months for males).

**Table 4.07: Average Custodial Sentence Length in months by offence group (indictable offences), 2007-2011**

<b>Offence Group</b>	<b>Females</b>				
	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>
Violence against the person	15.5	15.2	17.9	16.5	18.1
Sexual offences	35.3	22.5	30.6	30.1	32.4
Burglary	14.0	16.0	16.4	16.9	19.2
Robbery	23.9	23.2	25.5	25.7	28.2
Theft and handling of stolen goods	3.4	3.2	3.7	3.3	3.9
Fraud and forgery	8.7	9.2	8.4	9.9	10.9
Criminal damage	17.6	16.3	20.3	23.7	25.8
Drug offences	31.5	32.2	30.4	29.8	30.8
Other (excluding motoring)	6.2	6.3	7.1	7.7	8.3
Indictable motoring	8.8	5.9	9.2	7.8	10.7
<b>All Indictable offences</b>	<b>10.6</b>	<b>10.7</b>	<b>11.0</b>	<b>10.4</b>	<b>11.6</b>

<b>Offence Group</b>	<b>Males</b>				
	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>
Violence against the person	17.0	17.4	17.7	17.9	18.8
Sexual offences	43.0	44.4	49.0	48.9	53.6
Burglary	16.7	17.5	18.5	18.8	18.8
Robbery	31.8	33.2	34.1	35.0	36.0
Theft and handling of stolen goods	4.2	4.1	4.3	4.2	4.5
Fraud and forgery	10.3	11.1	10.8	11.3	13.3
Criminal damage	12.2	14.8	18.8	17.6	18.2
Drug offences	32.0	32.8	32.3	30.8	31.0
Other (excluding motoring)	9.8	11.4	10.2	9.8	10.8
Indictable motoring	8.8	9.5	9.1	9.7	9.7
<b>All Indictable offences</b>	<b>15.6</b>	<b>16.6</b>	<b>17.0</b>	<b>16.7</b>	<b>17.7</b>

Source: Court Proceedings database

Note: Excludes life and indeterminate custodial sentences.

- Criminal damage was also the only indictable offence group for which adult females consistently received a higher ACSL than adult males between 2007 and 2011 (26.3 months compared to 18.3 for adult males). There

was no indictable offence group for which juvenile females consistently received a higher ACSL than juvenile males.

- The largest difference in ACSL for males and females between 2008 and 2011 was for the sexual offences group. In 2011, the ACSL for males was 53.6 months compared to 32.4 for females – a difference of 21.1 months. In 2007, the largest difference in ACSL was for robbery (a difference of 8.0 months between males and females).
- As shown in Table 4.08, data on the number of offenders sentenced between 2007 and 2011, showed that, proportionally, more females than males received short custodial sentences (sentences up to and including six months). By contrast, in the same period, a larger percentage of males than females received sentences of over four years. In 2011, 65 per cent of females received sentences of up to and including six months and four per cent received sentences of over four years. This is compared to 54 per cent and eight per cent of males, respectively.
- The patterns in sentence length by gender were also consistent for adults and juveniles i.e. proportionally more females than males received short custodial sentences (i.e. 60 per cent of juvenile females and 65 per cent of adult females received sentences of up to and including six months compared with 48 per cent of juvenile males and 54 per cent of adult males) and a greater proportion of males than females received longer sentences of over four years (three per cent of juvenile males and eight per cent of adult males versus two per cent of juvenile females and four per cent of adult females).
- While the percentages of both genders sentenced for four years or over were relatively stable (within one percentage point) between 2007 and 2011, the percentage of females and males sentenced to up to and including six months decreased. In 2007, 69 per cent of females and 60 per cent of males received short sentences, compared to 65 per cent and 54 per cent respectively in 2011.

**Table 4.08: Custodial sentence length for females and males found guilty of a criminal offence, 2007-2011**

<b>Custodial Sentence Length</b>	<b>Females</b>				
	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>
Up to and including 6 months	68.6%	67.9%	67.2%	69.1%	65.0%
Over 6 month and up to and including 1 year	12.3%	12.7%	12.2%	10.4%	12.2%
Over 1 year and up to and including 4 years	15.3%	15.7%	16.9%	17.4%	19.2%
Over 4 years <sup>(1)</sup>	3.8%	3.7%	3.7%	3.1%	3.6%
<b>All Offenders</b>	<b>7,795</b>	<b>8,359</b>	<b>8,100</b>	<b>8,196</b>	<b>8,046</b>

<b>Custodial Sentence Length</b>	<b>Males</b>				
	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>
Up to and including 6 months	59.7%	57.3%	56.2%	56.5%	54.1%
Over 6 month and up to and including 1 year	12.2%	12.7%	13.1%	12.7%	13.2%
Over 1 year and up to and including 4 years	21.3%	22.6%	23.7%	23.8%	25.1%
Over 4 years <sup>(1)</sup>	6.8%	7.5%	6.9%	7.0%	7.5%
<b>All Offenders</b>	<b>87,411</b>	<b>90,812</b>	<b>91,801</b>	<b>93,021</b>	<b>94,326</b>

Source: Court Proceedings database

Note:

(1) Includes life and indeterminate custodial sentences.

## Chapter 5 – Women as offenders: under supervision or in custody

This chapter draws upon the Ministry of Justice publications *Offender Management Statistics 2011*, *Safety in Custody Statistics 2011*, and the *Proven Re-offending Statistics* series, presenting 2011 data and exploring five-year trends.<sup>49</sup> These publications provide statistics relating to offenders under supervision or in custody, self-harm, deaths and assaults in prison custody, and proven re-offending. Statistics on the prison population relate to those aged 15 or over, figures on probation to individuals 18 and over, and re-offending to those aged 10 or over.

The key findings were as follows:

- In 2011, there were fewer women than men both under supervision and in custody. Women made up 15 per cent of those under supervision in the community as a result of community and Suspended Sentence Orders (the two most common types of community sentence), and five per cent of the total prison population in England and Wales. Women also accounted for the same proportion of offenders in custody and broadly similar proportions of offenders under supervision in each of the four preceding years.
- The average length of community and Suspended Sentence Orders was shorter for women in 2011, and women who started such supervision generally had fewer requirements to comply with than men. In 2011, 14 per cent of women supervised under a community order were supervised for less than one year, whereas, for men, the corresponding proportion was seven per cent.

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<sup>49</sup> Data on those in prison are also available for 30 June 2012. For consistency across sources (i.e. with probation data and safety in custody), this chapter focuses on data for 2011.

- The *total prison population* on 30 June 2011 was 85,374. Women (aged 15 or over) made up 4,185 of this total (five per cent), and men made up 81,189 (95 per cent).
- A greater proportion of women in custody under *immediate custodial sentence* were serving sentences of twelve months or less (21 per cent compared with 10 per cent of men in 2011) or six months or less (15 per cent versus seven per cent of men in 2011) than men. Smaller proportions of women were serving longer determinate sentences of four years or longer (27 per cent compared with 34 per cent of men) or indeterminate sentences (11 per cent compared with 19 per cent of men). These proportions were similar in each of the four preceding years.
- On 30 June 2011, there were differences between the principal offence profiles of men and women under immediate custodial sentence. Whilst violence against the person was the most prevalent principal offence type for both sexes (accounting for 27 per cent of women and 29 per cent of men), the rest of the offence profile differed, with larger proportions of women in prison for theft and handling (13 per cent versus five per cent for men) and drug offences than men (21 per cent versus 14 per cent for men), and fewer women in prison for sexual offences (two per cent versus 14 per cent for men).
- Proven re-offending is defined as any offence committed in a one year follow-up period and receiving a court conviction, caution, reprimand or warning in the one year follow-up. In common with the four preceding years, male offenders (aged 10 years and older) in the 2010 re-offending cohort had a greater one year proven re-offending rate (29 per cent) than female offenders (19 per cent).
- Whilst the rate of women self-harming in prison custody was the lowest in the five year-period, these rates remained over 10 times higher than those for men (2,104 incidents per 1,000 female prisoners compared to 194 incidents per 1,000 male prisoners in 2011). Repetitive self-harmers impact upon this comparison, as women who self-harmed in 2011 did so

more often than men (an average of 7.1 incidents compared to 2.8 incidents for each individual self-harming). However, data suggests that acts of self-harm by men were more severe. In 2011, nine per cent of all recorded self-harm incidents in male establishments resulted in hospital attendances, compared with two per cent of such incidents in female establishments.

### **What experiences do men and women have under probation supervision and in custody?**

This section explores the gender differences in the representation of offenders under probation supervision or in prison. Differences in additional demographics are considered (including age and nationality) as well as gender differences in offence and sentence types. Data are drawn from *Offender Management Statistics 2011*. Additional data are also available in the supplementary Excel tables for Chapter 5.

#### *Community sentences*<sup>50</sup>

In this section, data on community sentences refer to individuals already undertaking probation supervision, rather than individuals being sentenced (as discussed in Chapter 4).

- In 2011, a total of 19,018 women (15 per cent) and 106,916 men (85 per cent) were under supervision as a result of a community order or Suspended Sentence Order. These proportions are the same as those recorded in the four previous years, aside for 2007, when women accounted for 14 per cent and men 86 per cent.
- There was a 13 per cent decrease in the number of all persons under supervision as a result of a community order or Suspended Sentence

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<sup>50</sup> Most community sentences are either: 1) *Community orders* – introduced as a single community sentence by the Criminal Justice Act 2003, which must contain at least one of 12 possible requirements (such as unpaid work, curfew, or drug rehabilitation); or 2) *Suspended Sentence Orders* – enable a court passing a custodial sentence of less than 12 months to suspend that sentence for a period of between six months and two years, while ordering the offender to undertake certain requirements in the community (drawn from the same list as those available for the community order).

Order between 2007 and 2011. The decrease was greater for men (14 per cent) than women (eight per cent). Data on trends in sentencing, as reflected in the previous chapter, also showed a seven per cent decrease in the combined number of suspended sentences and community sentences during this period (with a one per cent decrease for females and a seven per cent decrease for males).

Table 5.01 shows the gender differences in the number of individuals under supervision and the length of the orders undertaken:

**Table 5.01: Persons supervised by Probation Service under community orders and Suspended Sentence Orders by length of order and gender, 31 December 2007–2011**

	2007	2008	2009	2010	2011
<b>Community Order</b>					
<b>Females</b>	<b>14,906</b>	<b>15,087</b>	<b>14,799</b>	<b>13,699</b>	<b>12,925</b>
under 1 year	7.8%	8.9%	9.6%	11.3%	13.7%
1 year	61.1%	63.1%	65.6%	67.6%	68.1%
2 years <sup>(1)</sup>	28.5%	26.4%	23.6%	19.8%	17.1%
3 years <sup>(1)</sup>	1.2%	1.3%	1.1%	1.2%	1.1%
Length unknown	1.4%	0.2%	0.0%	0.1%	0.0%
Average length of order (months)	14.2	14.0	13.7	13.3	12.9
<b>Males</b>	<b>86,952</b>	<b>86,066</b>	<b>82,682</b>	<b>78,065</b>	<b>71,243</b>
under 1 year	4.5%	4.9%	5.4%	6.3%	7.4%
1 year	58.7%	61.7%	63.2%	63.8%	64.2%
2 years <sup>(1)</sup>	32.0%	29.7%	27.7%	25.5%	23.3%
3 years <sup>(1)</sup>	2.8%	3.3%	3.6%	4.3%	5.0%
Length unknown	2.1%	0.3%	0.1%	0.1%	0.0%
Average length of order (months)	15.3	15.2	15.1	15.1	15.0
<b>Suspended Sentence Order</b>					
<b>Females</b>	<b>5,821</b>	<b>6,218</b>	<b>6,351</b>	<b>6,111</b>	<b>6,093</b>
under 1 year	1.5%	1.4%	0.9%	0.9%	1.0%
1 year	36.3%	35.4%	36.4%	37.6%	40.4%
2 years <sup>(1)</sup>	62.0%	63.0%	62.4%	61.4%	58.5%
Length unknown	0.2%	0.2%	0.3%	0.1%	0.1%
Average length of order (months)	18.0	18.2	18.1	18.1	17.8
<b>Males</b>	<b>37,091</b>	<b>37,759</b>	<b>37,264</b>	<b>37,450</b>	<b>35,673</b>
under 1 year	1.0%	0.9%	0.7%	0.7%	0.7%
1 year	34.7%	33.6%	33.8%	33.9%	36.4%
2 years <sup>(1)</sup>	63.8%	65.1%	65.2%	65.2%	62.8%
Length unknown	0.5%	0.3%	0.3%	0.2%	0.2%
Average length of order (months)	18.3	18.5	18.5	18.6	18.3

Source: Offender Management Statistics

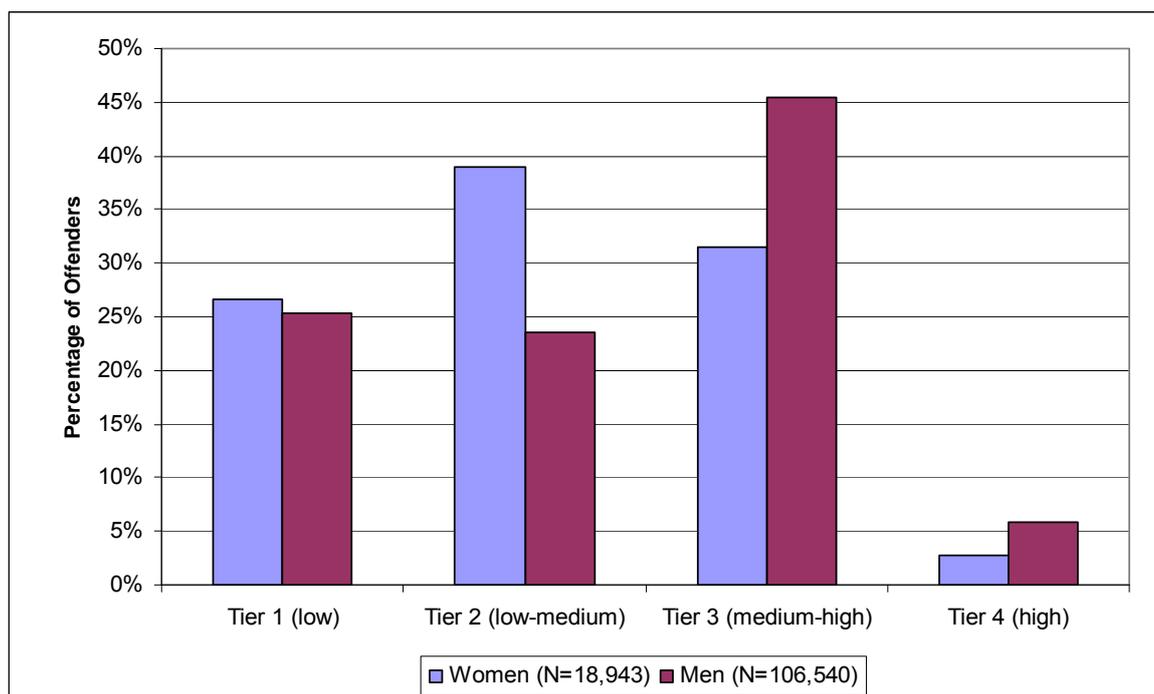
Note:

(1) Includes a small number of orders for less than the full number of years

- In 2011, the majority of all community orders were for a year's duration (65 per cent); the majority of Suspended Sentence Orders were for two years (62 per cent). The average length of a community order and Suspended Sentence Order for women (12.9 and 17.8 months) was shorter than for men (at 15.0 and 18.3 months respectively). The average length of both orders was also shorter for women in each of the four preceding years.
- Women beginning the most common types of supervision orders in 2011 generally had fewer requirements with which to comply than men. For community orders, 43 per cent of women and 51 per cent of men were given more than one requirement with which to comply. For Suspended Sentence Orders, the corresponding proportions were 55 per cent for women and 63 per cent for men.
- In 2011, there were some differences in the most frequent types of requirements attached to community orders for men and women. The two most frequent requirements attached to women's community orders were supervision (37 per cent) followed by unpaid work (26 per cent). While these were also the two most frequent requirements attached to men's orders; for men, unpaid work (34 per cent) was more frequent than supervision (31 per cent). Supervision and unpaid work were also the most frequent requirements attached to Suspended Sentence Orders for both women (38 per cent and 24 per cent) and men (34 per cent and 28 per cent respectively). These patterns also applied in each of the last four years.
- The Offender Management Tiering framework is a way of categorising offenders according to their risk of serious harm and likelihood of re-offending. It indicates the level of intervention required with offenders: Tier 1 represents the lowest level of intervention and Tier 4 the highest. Data for 31 December 2011 showed that, where offenders were supervised under community and Suspended Sentence Orders, there were differences in the known probation tiers to which men and women were assigned (see Figure 5.01). A higher proportion of women were assigned to Tiers 1 and 2 than men (66 per cent compared to 49 per cent), while a

greater percentage of men were assigned to Tiers 3 and 4 than women (51 per cent compared to 34 per cent).<sup>51</sup> These patterns were also consistent in each of the four preceding years.

**Figure 5.01: Offenders supervised under community orders and Suspended Sentence Orders by known supervision tier and gender, 31 December 2011**



Source: Offender Management Statistics

- Men and women supervised under community orders and Suspended Sentence Orders in 2011 had different age profiles. Larger proportions of women commencing community orders (55 per cent) and Suspended Sentence Orders (58 per cent) were aged 30 or older in comparison to men (48 per cent of both types of orders). These patterns were similar in each of the four preceding years.

### *Custody*

This section uses two measures for the prison population; the *total prison population* and the population under *immediate custodial sentence*. The *total*

<sup>51</sup> Data where the probation tier was unknown were excluded.

*prison population* includes sentenced, remand, non-criminal prisoners and fine defaulters. The *total prison population* does not include offenders under the age of 15 years accommodated in the YJB operated secure estate. The population under *immediate custodial sentence* includes sentenced prisoners only and excludes fine defaulters. The populations presented are annual series, recorded on the 30 June each year.<sup>52</sup>

As noted elsewhere in this report, differences between men and women may be attributable to a range of factors, including differences in the type or seriousness of the offences committed, and previous criminal history.

a) *Prison population*

- On 30 June 2011, the total prison population in England and Wales was 85,374. Women made up 4,185 of this total (five per cent), and men comprised 81,189 (95 per cent). Women also accounted for five per cent of the total prison population in each of the four preceding years. More historical data shows that women have accounted for five per cent of the prison population annual average since 1998 (and six per cent between 2001 and 2006).
- On 30 June 2011, there were 10,779 foreign national prisoners in the total prison population. Of these, 10,091 were men and 688 were women. Table 5.02 shows that the proportion of foreign national women in the prison population has fallen in the last five years, from 22 per cent of all women in custody (or 963) in 2007 to 16 per cent of all women in custody (or 688) in 2011. This reduction can be explained in part by a fall in the number of foreign national women in custody for drugs offences, from 398 on 30 June 2007 to 201 on 30 June 2011. The number and proportion of foreign national men in the total prison population remained broadly stable: in 2007, there were 10,130 foreign national men in custody (13 per cent of all

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<sup>52</sup> In addition to these measures, the Ministry of Justice publication Offender Management Statistics presents data on prison receptions which provide an indication of the number of individuals received into prison in a given year or quarter.

men in custody) compared to 10,091 in 2011 (12 per cent of all men in custody).

**Table 5.02: Total prison population by nationality and gender, as at 30 June 2007-2011**

	Females					
	2007	2008	2009	2009 <sup>(1)</sup>	2010	2011
British nationals	75.4%	77.0%	78.6%	78.5%	78.4%	81.8%
Foreign nationals	22.5%	21.1%	19.5%	19.9%	18.1%	16.4%
Unrecorded nationality	2.1%	2.0%	1.9%	1.6%	3.4%	1.8%
<b>Total</b>	<b>4,283</b>	<b>4,505</b>	<b>4,296</b>	<b>4,307</b>	<b>4,267</b>	<b>4,185</b>

	Males					
	2007	2008	2009	2009 <sup>(1)</sup>	2010	2011
British nationals	85.5%	85.5%	85.7%	85.4%	83.8%	85.7%
Foreign nationals	13.4%	13.4%	13.3%	13.4%	12.8%	12.4%
Unrecorded nationality	1.0%	1.1%	1.0%	1.2%	3.3%	1.8%
<b>Total</b>	<b>75,451</b>	<b>78,689</b>	<b>79,158</b>	<b>79,084</b>	<b>80,735</b>	<b>81,189</b>

Source: Offender Management Statistics

Note:

(1) Due to the introduction of a new prison IT system, the 2010 prison population data is now taken from a different source. The 2009 figures from both the old and new systems have been presented to aid comparison.

- There were differences between the age profiles of men and women in the total prison population in 2011. Women in custody were older than men, with 59 per cent aged 30 or older (compared with 54 per cent of men).
- Women accounted for a small proportion of the young adult population (those aged 18-20 years) in custody (four per cent of the total 7,927) and a smaller proportion of the juvenile (aged 15-17 years) population (one per cent of the total 1,581).
- On 30 June 2011, the prison population under *immediate custodial sentence* (i.e. excluding prisoners on remand and fine defaulters) stood at 71,835 (see Table 5.03). Women accounted for 3,411 (five per cent) of this total, and men for 68,424 (95 per cent). Whilst the male prison population under immediate custodial sentence has grown year on year since 2007

with a 10 per cent overall increase, the female population has fluctuated with a smaller overall increase of two per cent in 2011 compared to 2007.

**Table 5.03: Population in prison establishments under immediate custodial sentence by gender, as at 30 June 2007–2011**

	2007	2008	2009	2009 <sup>(1)</sup>	2010	2011
Females	3,345	3,524	3,382	3,414	3,421	3,411
Males	62,188	64,600	64,993	65,047	67,450	68,424
<b>Total</b>	<b>65,533</b>	<b>68,124</b>	<b>68,375</b>	<b>68,461</b>	<b>70,871</b>	<b>71,835</b>

Source: Offender Management Statistics

Note:

(1) Due to the introduction of a new prison IT system, the 2010 prison population data is now taken from a different source. The 2009 figures from both the old and new systems have been presented to aid comparison.

(2) The prison population under immediate custodial sentence excludes prisoners on remand and fine defaulters.

- The foreign national prison population sentenced to immediate custody stood at 7,516 on 30 June 2011. There was a slightly higher proportion of women in this total (seven per cent) than in the sentenced prison population as a whole (five per cent).

#### *b) Sentence profiles of those in prison*

Prison sentences can be divided into two broad groups: *determinate* sentences which are for a fixed period, and *indeterminate sentences* which have a minimum fixed period, known as a tariff, that must be served before release is considered. There were two main types of indeterminate sentences served by the population under immediate custodial sentence between 2006 and 2011: mandatory life sentences (for those convicted of murder) and indeterminate sentences for public protection (IPP sentences<sup>53</sup>). Discretionary life sentences were also being served for other serious offences not including murder.

There were differences between the sentence profiles of men and women serving immediate custodial sentences:

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<sup>53</sup> IPP sentences were introduced in 2005 under the Criminal Justice Act 2003, and were abolished under the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

- On 30 June 2011, a greater proportion of women were serving short sentences, with 21 per cent serving a sentence of 12 months or less compared with 10 per cent of men, and 15 per cent serving a sentence of six months or less compared with seven per cent of men.
- These patterns also applied to certain offence types – a smaller proportion of men were serving sentences of six months or less for both violence against the person (five per cent) and theft and handling (34 per cent) than women (10 per cent and 48 per cent for the same offences in 2011).
- On 30 June 2011, a smaller proportion of women were serving sentences of four years or more (27 per cent of women sentenced compared with 34 per cent of men) and indeterminate sentences (11 per cent and 19 per cent respectively). These patterns were also consistent in each of the four preceding years.
- The proportion of women under immediate custodial sentence on 30 June 2011 who had been recalled from community supervision following a previous spell in custody was six per cent. This is similar to the proportion recorded in previous years (five per cent in 2010 and six per cent in 2009, when data on the recalled population became available). The corresponding proportion for men on 30 June 2011 was greater at eight per cent, with similar proportions recorded in both 2010 (eight per cent) and 2009 (nine per cent).

Table 5.04 shows the sentence length of the prison population under immediate custodial sentence by gender in the years 2006 to 2011.

**Table 5.04: Population in prison under immediate custody by sentence length and gender, as at 30 June 2007-2011**

	Females					
	2007	2008	2009	2009 <sup>(1)</sup>	2010	2011
Less than or equal to 6 months	13.9%	15.7%	13.5%	14.1%	15.3%	14.7%
Greater than 6 months to less than 12 months	6.3%	7.5%	5.7%	5.7%	5.8%	6.2%
12 months to less than 4 years	37.0%	37.1%	39.0%	34.0%	33.9%	34.9%
4 years or more (excluding indeterminate)	33.8%	29.9%	30.7%	28.9%	28.6%	27.4%
Indeterminate sentences	8.9%	9.8%	11.1%	10.8%	11.1%	11.1%
Recalls <sup>(1)</sup>	-	-	-	6.4%	5.3%	5.8%
<b>Total</b>	<b>3,345</b>	<b>3,524</b>	<b>3,382</b>	<b>3,414</b>	<b>3,421</b>	<b>3,411</b>

	Males					
	2007	2008	2009	2009 <sup>(1)</sup>	2010	2011
Less than or equal to 6 months	7.6%	8.2%	7.2%	7.1%	7.1%	7.2%
Greater than 6 months to less than 12 months	3.6%	4.0%	3.5%	3.4%	3.4%	3.2%
12 months to less than 4 years	34.7%	34.6%	34.6%	29.5%	29.2%	28.1%
4 years or more (excluding indeterminate)	39.3%	36.1%	36.1%	32.9%	33.7%	34.2%
Indeterminate sentences	14.8%	17.1%	18.7%	18.2%	18.9%	19.4%
Recalls <sup>(1)</sup>	-	-	-	8.8%	7.7%	8.0%
<b>Total</b>	<b>62,188</b>	<b>64,600</b>	<b>64,993</b>	<b>65,047</b>	<b>67,450</b>	<b>68,424</b>

Source: Offender Management Statistics

Notes:

(1) Due to the introduction of a new prison IT system, the 2010 prison population data is now taken from a different source and recalls are shown separately (they were previously included in the relevant sentence length band). The 2009 figures from both the old and new systems have been presented to aid comparison.

- Of the 13,644 prisoners serving indeterminate sentences in 2011, 13,267 were men (97 per cent) and 377 were women (three per cent). Women accounted for the same proportion of offenders under indeterminate sentence in each of the four preceding years.
- In the five years to 30 June 2011, the number of all offenders in custody under an IPP sentence more than doubled (2,859 in 2007 and 6,056 in 2011). On 30 June 2011, more men than women were serving IPP sentences both as a proportion of the indeterminately sentenced population (45 per cent of all men serving indeterminate sentences

compared with 35 per cent of women) and the sentenced population overall (nine per cent of all men sentenced; four per cent of all women).

- Patterns in the proportion of men and women serving indeterminate sentences reflect the gender profile of offenders sentenced for offences that can attract an indeterminate sentence, particularly sexual offences (see below).

*c) Offence profiles of those in prison*

Data on the population in custody under immediate custodial sentence showed differences in the offence profiles of men and women. The data presented refer to the principal offence for which the custodial sentence was received.

- Whilst, in 2011, violence against the person was the offence type for which the largest proportion of both sexes were imprisoned (with 27 per cent of women and 29 per cent of men in prison for this offence), the rest of the offence profile differed by gender. A higher proportion of women under immediate custodial sentence were in custody for theft and handling (13 per cent versus five per cent for men) and drug offences (21 per cent versus 14 per cent for men), and a higher proportion of men were in prison for sexual offences (14 per cent versus two per cent for women).
- The offence profile for women in custody changed between 2007 and 2011, whilst it remained relatively stable for men. In 2007, the most common offence type for which women were in custody was drug offences (31 per cent). This fell year on year to 21 per cent in 2011. During the same period, the proportion of women in prison for violence against the person increased from 21 per cent to 27 per cent, making it the most common offence type for women in custody.

Table 5.05 shows how the offence profile of men and women in custody changed between 2007 and 2011.

**Table 5.05: Population in prison under immediate custody by offence type and gender, as at 30 June 2007-2011**

	Females					
	2007	2008	2009	2009 <sup>(1)</sup>	2010	2011
Violence against the person	20.5%	21.9%	24.8%	24.9%	26.2%	26.7%
Sexual offences	1.4%	1.3%	1.6%	1.8%	2.4%	2.4%
Robbery	9.3%	8.4%	9.9%	9.7%	8.0%	8.8%
Burglary	5.9%	5.8%	6.1%	5.9%	4.4%	5.0%
Theft and handling	11.2%	13.1%	12.4%	11.5%	12.8%	13.2%
Fraud and forgery	6.8%	8.4%	7.3%	7.4%	5.4%	5.1%
Drug offences	31.2%	28.1%	26.4%	25.2%	24.2%	21.2%
Motoring offences	0.9%	0.6%	0.6%	0.5%	0.6%	0.5%
Other offences	11.7%	11.8%	10.6%	11.4%	13.4%	15.7%
Offence not recorded	1.0%	0.7%	0.4%	1.8%	2.5%	1.3%
<b>Total</b>	<b>3,345</b>	<b>3,524</b>	<b>3,382</b>	<b>3,414</b>	<b>3,421</b>	<b>3,411</b>

	Males					
	2007	2008	2009	2009 <sup>(1)</sup>	2010	2011
Violence against the person	27.2%	28.1%	29.4%	29.1%	28.7%	28.5%
Sexual offences	11.7%	11.7%	12.2%	12.5%	13.7%	14.3%
Robbery	13.6%	13.1%	13.4%	12.9%	12.7%	12.9%
Burglary	12.4%	12.0%	11.8%	11.1%	9.9%	10.1%
Theft and handling	5.4%	5.2%	4.6%	4.2%	5.1%	5.5%
Fraud and forgery	2.4%	2.7%	2.5%	2.6%	2.0%	1.8%
Drug offences	15.4%	15.5%	15.1%	14.7%	15.2%	14.5%
Motoring offences	2.3%	2.1%	1.7%	1.6%	1.3%	1.2%
Other offences	9.0%	9.3%	8.9%	8.9%	10.2%	10.6%
Offence not recorded	0.6%	0.4%	0.4%	2.5%	1.2%	0.7%
<b>Total</b>	<b>62,188</b>	<b>64,600</b>	<b>64,993</b>	<b>65,047</b>	<b>67,450</b>	<b>68,424</b>

Source: Offender Management Statistics

Note:

(1) Due to the introduction of a new prison IT system, the 2010 prison population data is now taken from a different source. The 2009 figures from both the old and new systems have been presented to aid comparison.

- In 2011, there were differences between the offence profiles of British national and foreign national prisoners under immediate custodial sentence. Greater proportions of foreign national men were in prison for drugs offences (22 per cent) than British national men (14 per cent), and greater proportions of British national men were in custody for violence against the person (29 per cent) than foreign national men (24 per cent).

- The differences in offence profiles were more pronounced amongst foreign national versus British national women in prison. On 30 June 2011, greater proportions of foreign national women were in prison for drugs offences (39 per cent) and fraud and forgery (14 per cent) than British national women (18 per cent and three per cent respectively). British national women were in prison more often for violence against the person (29 per cent) or robbery (10 per cent) than foreign national women (13 per cent and three per cent respectively).

### *Home Detention Curfew*

Home Detention Curfew (HDC) refers to those prisoners serving sentences between three months and less than four years who spend up to the last two months of the custodial part of their sentence on an electronically monitored curfew, out of custody.

- In 2011, there were 12,727 prisoners released on HDC. Of these, 1,576 were women (12 per cent) and 11,151 were men (88 per cent).
- Of those eligible for HDC, larger proportions of women (45 per cent in 2011) than men (28 per cent in 2011) have been released under the scheme in each of the last five years, though the proportions of both women and men released under HDC have increased since 2007 (when it was 30 per cent of eligible women and 20 per cent of eligible men).

### **How do men and women respond to the CJS in terms of their behaviour?**

This section explores the gender differences in responses to the CJS, looking at the re-offending, compliance and safety of those either in custody or under community supervision. The chapter draws on data from the *Proven Re-offending Statistics* series, data on prison adjudications, community sentence outcomes from *Offender Management Statistics 2011*, and data on self-harm, deaths and assaults from the *Safety in Custody 2011* statistics bulletin.

### *Proven re-offending*

This section looks at the re-offending of offenders who were released from custody, received a non-custodial conviction at court, received a caution, reprimand, warning or tested positive for opiates or cocaine between January and December 2010 (the 2010 cohort). It also considers trend data for the previous four years. Here, proven re-offending is defined as any offence committed in a one year follow-up period and receiving a court conviction, caution, reprimand or warning in the one year follow-up. Following this one year period, a further six month waiting period is allowed for cases to progress through the courts.

- Overall, 648,822 offenders were cautioned, convicted or released from custody between January and December 2010, comprising 523,675 male (81 per cent) and 125,147 female offenders (19 per cent).
- Of this 2010 cohort, 149,785 male and 23,489 female offenders committed a re-offence in the one year follow-up that resulted in a court conviction, caution, reprimand or warning. This gives a greater one-year proven re-offending rate for males in the cohort (29 per cent) than females (19 per cent).
- Greater proportions of juvenile offenders committed a proven re-offence (35 per cent) than adult offenders (25 per cent) in the 2010 cohort.
- Table 5.06 shows that greater proportions of both adult and juvenile male offenders have committed a re-offence than adult and juvenile female offenders in each cohort since 2006. In the 2010 cohort, 39 per cent of juvenile males re-offended compared with 24 per cent of juvenile females; and 27 per cent of adult males versus 18 per cent of adult females.

**Table 5.06: Proportion of offenders who re-offend by gender, re-offending cohorts 2006-2010**

	Females				
	2007	2008	2009	2010	2011
Juvenile re-offenders	23.2%	22.0%	22.6%	21.6%	24.0%
Adult re-offenders	17.2%	17.3%	18.0%	17.3%	17.6%
All re-offenders	19.0%	18.7%	19.2%	18.3%	18.8%
<b>Number of offenders in cohort</b>	<b>150,977</b>	<b>157,888</b>	<b>146,492</b>	<b>139,233</b>	<b>125,147</b>

	Males				
	2007	2008	2009	2010	2011
Juvenile re-offenders	37.8%	36.4%	36.6%	36.9%	38.9%
Adult re-offenders	26.2%	26.5%	27.1%	26.7%	27.0%
All re-offenders	28.7%	28.6%	28.8%	28.3%	28.6%
<b>Number of offenders in cohort</b>	<b>591,542</b>	<b>608,586</b>	<b>589,035</b>	<b>558,129</b>	<b>523,675</b>

Source: Proven Re-offending Statistics

- The average number of re-offences per re-offender in the 2010 cohort was 2.89 for male and 2.77 for female re-offenders, which reflects a peak in the five-year period. Male re-offenders also committed more proven re-offences on average than female re-offenders in each of the preceding four years.

### *Outcomes of community sentences*

A community sentence can run its full course or terminate early for good progress. Alternatively, the offender can fail to comply with the requirements attached or otherwise fail to complete the order. Differences between the outcomes of community sentences reflect the differences in the categorisation of men and women according to their risk of serious harm and likelihood of re-offending. Data on terminations in 2011 indicates that Tier 1 and 2 offenders (comprising proportionately more women than men) are more likely to complete both community and Suspended Sentence Orders than Tier 3 and 4 offenders (comprising proportionately more men than women). Differences in outcomes may also reflect differences between both the number and type of requirements attached to orders for both men and women (see p.82).

The available data showed that:

- In 2011, greater proportions of women completed both community orders (70 per cent versus 65 per cent) and Suspended Sentence Orders (74 per cent versus 66 per cent) than men. These patterns were also similar in each of the three previous years for which comparable records were available.<sup>54</sup>
- In 2011, larger proportions of both men and women breached or otherwise failed to comply with community sentences when they had two or more requirements with which to comply. For community orders, 26 per cent of all those with one requirement breached or otherwise failed to comply (26 per cent of men and 22 per cent of women) compared with 41 per cent of those with two or more requirements (42 per cent of men and 39 per cent of women). For Suspended Sentence Orders, the corresponding proportions were 22 per cent (24 per cent of men and 15 per cent of women) and 38 per cent (38 per cent of men and 32 per cent of women) respectively. A greater proportion of those offenders with one requirement successfully completed their order or had their order terminated for good progress in each of the preceding three years for which data were comparable.

### *Discipline in prison establishments*

Offences against prison discipline are heard in what are known as adjudications, where prisoners can be punished if found guilty. The analysis below compares the number and rate of offences *punished* in male and female establishments. Any differences may therefore reflect the way in which the CJS *responds* to the behaviour of men and women, and differences in the offences reported, and do not necessarily reflect differences in the behaviour of prisoners themselves.<sup>55</sup> The available statistics showed that:

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<sup>54</sup> It has only been possible to compare percentages over time from 2008 onwards, as before then not enough time had elapsed for all orders to run their full course. These orders were introduced in April 2005.

<sup>55</sup> See, for example, Leibling and Price (2003). Prison officers and the use of discretion. In L. Gelsthorpe and N. Padfield (Eds.). *Exercising Discretion: Decision-making in the Criminal Justice System and Beyond*. Willan Publishing.

- In 2011, the rate of offences punished in prison establishments was higher for women (130 offences punished per 100 female prisoners) than for men (106 offences punished per 100 male prisoners). This rate was also higher for women than for men in each of the preceding four years (see Table 5.07).
- In 2011, the largest disciplinary offence category that both female and male offenders were punished for was disobedience or disrespect (59 and 42 offences punished per 100 prisoners respectively). This was also the largest disciplinary offence category in each of the four preceding years.

**Table 5.07: Offences punished per 100 prisoners<sup>56</sup> in prison establishments by type of offence and gender, 2007–2011**

	Females				
	2007	2008	2009	2010	2011
Violence	30	31	24	19	20
Disobedience or disrespect	93	83	69	57	59
Wilful damage	13	14	12	7	8
Unauthorised transactions/possessions	31	34	29	28	28
Other offences	22	19	16	15	14
<b>All Offences<sup>(1)(2)</sup></b>	<b>189</b>	<b>180</b>	<b>150</b>	<b>126</b>	<b>130</b>

	Males				
	2007	2008	2009	2010	2011
Violence	22	22	21	19	19
Disobedience or disrespect	54	52	47	41	42
Wilful damage	9	10	10	9	9
Unauthorised transactions/possessions	36	37	35	28	26
Other offences	12	12	11	9	10
<b>All Offences<sup>(1)(2)</sup></b>	<b>133</b>	<b>133</b>	<b>124</b>	<b>106</b>	<b>106</b>

Source: Offender Management Statistics

Notes:

(1) The number of offences punished and punishments given are not equal because in many cases two or more punishments are given for a single offence.

(2) Including attempts.

### *Safety in prison custody*

This section looks at gender differences in safety in custody statistics. The focus is on three elements: self-harm, deaths, and assaults.

- In 2011, there were a total of 24,648 incidents of self-harm<sup>57</sup> in prisons, with 6,854 prisoners recorded as having self-harmed. Of these prisoners, 5,621 (82 per cent) were men and 1,233 (18 per cent) were women.
- Overall, the equivalent of 29 per cent of all women in prison self-harmed in 2011, compared with seven per cent of all men (individuals self-harming/ average population).

<sup>56</sup> This rate is based on the average monthly prison population rather than the prison population as at 30 June.

<sup>57</sup> Self-harm in prison custody is defined as “any act where a prisoner deliberately harms themselves irrespective of the method, intent or severity of any injury”.

Table 5.08 shows how, when accounting for their under-representation in the wider prison population, comparatively more women than men self-harm in prison, and that women self-harm more often.

**Table 5.08: Self-harm in prison establishments, 2007-2011**

	2007	2008	2009	2010	2011
<b>Self-harm incidents<sup>1</sup></b>	<b>23,000</b>	<b>25,234</b>	<b>24,184</b>	<b>26,979</b>	<b>24,648</b>
Females	49.6%	51.6%	43.3%	46.8%	35.7%
Males	50.4%	48.4%	56.7%	53.2%	64.3%
<b>Individuals self-harming<sup>2</sup></b>	<b>6,122</b>	<b>6,325</b>	<b>6,444</b>	<b>6,623</b>	<b>6,854</b>
Females	21.8%	22.0%	20.6%	18.8%	18.0%
Males	78.2%	78.0%	79.4%	81.2%	82.0%
<b>Self-harm incidents per 1,000 prisoners</b>	<b>286</b>	<b>305</b>	<b>289</b>	<b>318</b>	<b>287</b>
Females	2,608	2,949	2,447	2,982	2,104
Males	153	156	173	178	194
<b>Individuals self-harming per 1,000 prisoners</b>	<b>76</b>	<b>77</b>	<b>77</b>	<b>78</b>	<b>80</b>
Females	306	315	310	294	294
Males	63	63	65	67	69
<b>Self-harm incidents per individual</b>	<b>3.8</b>	<b>4.0</b>	<b>3.8</b>	<b>4.1</b>	<b>3.6</b>
Females	8.5	9.4	7.9	10.1	7.1
Males	2.4	2.5	2.7	2.7	2.8

Source: Safety in Custody Statistics

Notes:

(1) In prisons, as in the community, it is not possible to count self-harm incidents with absolute accuracy. In prison custody, however, such incidents are more likely to be detected and counted. Care needs to be taken when comparing figures shown here with other sources where data may be less complete.

(2) The numbers of different individuals has been revised and is now based on unique surname and date of birth. The alternative method based on unique prisoner numbers has proven to be less consistent over time due to changes in the prison numbering system. Neither method produces absolute numbers of unique individuals but the current method has advantages in that it is more consistent over time.

- The proportion of women self-harming in prison has gradually declined over the last five years, with women accounting for 22 per cent of all those self-harming in custody in 2007 and 18 per cent in 2011.
- The average rate of self-harm incidents amongst women in prison has fluctuated since 2007 when it was 2,608 incidents per 1,000 female prisoners. While the 2011 rate of 2,104 incidents per 1,000 female prisoners is the lowest in the five year reporting period, it remains over 10

times higher than that for men. The average rate of self-harm incidents amongst men has increased year on year from the 2007 rate of 153 incidents per 1,000 male prisoners to 194 incidents per 1,000 male prisoners in 2011.

- Repetitive self-harmers impact upon comparisons between rates of self-harm for men and women. In 2011, women who self-harmed did so more often than men (an average of 7.1 incidents in the year compared to 2.8 incidents for men).
- The number of incidents per woman self-harming in 2011 reflected a reduction on a peak of 10.1 incidents in 2010. The fall in the rate of self-harm incidents among women is therefore explained by a reduction in both individual self-harmers and self-harm incidents.
- Whilst more women in prison custody self-harm and self-harm more often than men, the data suggest that acts of self-harm by men are more severe. In 2011, there were 1,375 self-harm related hospital attendances from male establishments, representative of nine per cent of all recorded self-harm incidents in male establishments. In comparison, there were 158 self-harm related hospital attendances from female establishments, representative of two per cent of all recorded self-harm incidents in female establishments.
- In 2011, there were 57 self-inflicted deaths<sup>58</sup> in prison custody, comprising 55 men and 2 women. Of the 329 self-inflicted deaths in prison custody between 2007 and 2011, 314 were men (95 per cent) and 15 were women (five per cent), reflecting the relative proportions of men and women in the total prison population during this period. Due to the small numbers, annual figures on self-inflicted deaths cannot be taken as a good indicator of underlying trends and, as a result, percentage changes have not been presented.

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<sup>58</sup> Self-inflicted deaths in prison custody are defined as any death of a person who has apparently taken his or her own life irrespective of intent.

- In 2011, there were a total of 15,457 recorded assault<sup>59</sup> incidents in prison custody (14,756 in male and 701 in female establishments), 1,367 of which were classified as serious<sup>60</sup> (1,321 in male and 46 in female establishments).
- The proportion of assault incidents in all prison establishments that are recorded in female establishments has gradually declined from seven per cent in 2007 to a level proportionate to the population of women in custody (five per cent in 2011). The proportion of serious assaults remained stable over the period at three per cent in female establishments and 97 per cent in male establishments (see Table 5.09).

**Table 5.09: Assaults in prison establishments, summary statistics, 2007-2011**

	2007	2008	2009	2010	2011
<b>Assault incidents<sup>1</sup></b>	<b>15,272</b>	<b>15,959</b>	<b>15,185</b>	<b>14,356</b>	<b>15,457</b>
Females	6.6%	5.7%	4.6%	4.6%	4.5%
Males	93.4%	94.3%	95.4%	95.4%	95.5%
<b>Serious assaults</b>	<b>1,485</b>	<b>1,491</b>	<b>1,318</b>	<b>1,394</b>	<b>1,367</b>
Females	3.4%	2.9%	2.7%	3.2%	3.4%
Males	96.6%	97.1%	97.3%	96.8%	96.6%
<b>Assaults per 1,000 prisoners</b>	<b>190</b>	<b>193</b>	<b>182</b>	<b>169</b>	<b>180</b>
Females	230	205	165	154	167
Males	188	192	183	170	180

Source: Safety in Custody Statistics

Notes:

(1) Assault incidents are derived from the NOMS incident reporting system. They cannot be measured with absolute accuracy and, although quoted to the last figure, should be treated as approximate. See Appendix C of Safety in Custody Statistics, Quarterly Bulletin, January to March 2012, England and Wales for further information.

<sup>59</sup> PSI 47/2011 Prisoner Discipline Procedures uses the following questions to determine whether an assault was committed: *Did the accused prisoner apply force to another person, or act in such a way that another person was in fear of force being applied to them? Was the force unlawful, i.e. more than was reasonable in the circumstances for self-defence against an assault or to prevent a serious crime?*

<sup>60</sup> An assault is classified as serious if it is a sexual assault; results in detention in outside hospital as an in-patient; requires medical treatment for concussion or internal injuries; the injury is a fracture, scald or burn, stabbing, crushing, extensive or multiple bruising, black eye, broken nose, lost or broken tooth, cuts requiring suturing, bites, or temporary or permanent blindness.

- Overall, the recorded assault rate in female establishments has declined since 2007, falling from 230 assaults per 1,000 female prisoners in 2007 to 167 assaults per 1,000 female prisoners in 2011. Recorded assault rates were at their lowest in female establishments in 2010 (154 assaults per 1,000 prisoners).
- Assault rates also fell in male establishments over the five year period, from 188 assaults per 1,000 male prisoners in 2007 to 180 assaults per 1,000 male prisoners in 2011. In common with female establishments, recorded assault rates were at their lowest in 2010 at 170 assaults per 1,000 prisoners.

## Chapter 6 – Women as practitioners in the Criminal Justice System

This chapter reports on the representation of women as staff and practitioners in the Criminal Justice System (CJS) and how this has changed over time. A five-year trend analysis was undertaken for all agencies except the Probation Service where data were only available for 2009 to 2011 due to changes in recording systems. The five-year reference period was 2008 to 2012 for all agencies except the Crown Prosecution Service; where the latest data available related to 2007 to 2011. Where possible, analysis by gender of those joining and leaving agencies was also undertaken. It is possible that the gender composition of those leaving agencies was also influenced by differences in the age profiles of men and women, which are not covered in this report.

It should be noted that some of the agencies covered by this chapter undertake work for both criminal and civil justice systems (for example, the Judiciary and the Magistracy). The data presented therefore relate to the agencies as a whole, and not to those who work for the CJS specifically. All statistics reflect headcount unless otherwise stated (i.e. as for the Police, where full-time equivalents were provided). Gender was available for 100 per cent of individuals working for the agencies included in this chapter.<sup>61</sup>

The financial challenges in the Public Sector have made significant reductions in all areas of public spending, including staff, necessary. For example, it is expected that, by 2015, the Civil Service workforce will be around 23 per cent smaller than it was in March 2010.<sup>62</sup> The Crown Prosecution Service (CPS), the Ministry of Justice (MoJ), the National Offender Management Service (NOMS), and the Probation Service are all affected by these changes,

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<sup>61</sup> There were some instances where gender was not known for staff members in the additional agencies covered by the supplementary tables, however, such as the Youth Justice Board and Victim Support.

<sup>62</sup> The Civil Service Reform Plan. (2012). <http://resources.civilservice.gov.uk/wp-content/uploads/2012/06/Civil-Service-Reform-Plan-acc-final.pdf>

although the overall proportion of women in post in these agencies does not appear to have been directly impacted thus far. As public servants, the Police Service are also affected by cuts to public spending.

The most recent available data for each agency showed that:

- The representation of women varied substantially across CJS agencies, ranging from 68 per cent at the Ministry of Justice (MoJ), and 71 per cent in the Probation Service, to 27 per cent in the Police Service and 23 per cent in the Judiciary.
- Women were less well represented in senior positions within CJS agencies than overall. Women represented 15 per cent of senior police officers and 27 per cent of all officers; 41 per cent of senior CPS staff compared to 66 per cent of all CPS staff; 43 per cent of senior civil servants in the MoJ and 68 per cent of all MoJ Staff; and 18 per cent of senior civil servants in the National Offender Management Service (NOMS) versus 36 per cent of all NOMS staff.
- In the last five years, there were slight increases in the proportion of police officer posts occupied by women, and the proportion of judges that were women.

## **Police**

This section provides information on police officers in post by gender, and, for the first time, the gender breakdown of police staff, police community support officers (PCSOs), and volunteer special constables.

- Women represented 27 per cent of the 134,101 police officers in post (based on full-time equivalent posts) as at 31 March 2012; men represented 73 per cent.
- Between 2008 and 2012, there was a five per cent decrease in the number of police officers.

- There was an overall increase of more than two percentage points in the proportion of police officer posts occupied by women between 31 March 2008 and 31 March 2012.

**Table 6.01: Police officers in post (full-time equivalents) by gender, as at 31 March 2008-2012**

	2008	2009	2010	2011	2012
<b>Women</b>	24.2%	25.1%	25.7%	26.3%	26.8%
<b>Men</b>	75.8%	74.9%	74.3%	73.7%	73.2%
<b>Total</b>	<b>141,859</b>	<b>143,770</b>	<b>143,734</b>	<b>139,110</b>	<b>134,101</b>

Source: Home Office

Notes:

(1) Tables of police officer strength contain full-time equivalent figures that have been rounded to the nearest whole number, and, as a result, there may be an apparent discrepancy between totals and the sums of the constituent items.

(2) Revisions to data for previous years by certain police forces have resulted in some small discrepancies between the total staff figures published here and those published by the Home Office in its statistical bulletin *Police Service Strength, England and Wales 31 March 2012*.

(3) Strength figures are for the 43 England and Wales police forces and exclude secondments and British Transport Police. They also include staff on career breaks or maternity/paternity leave.

- Women represented 15 per cent of the 1,479 senior police officers (those at Superintendent rank and above) as at 31 March 2012, while men represented 85 per cent.
- Between 2008 and 2012, the proportion of senior officer posts occupied by women increased by approximately one percentage point per year from 11 per cent in 2008 to 15 per cent in 2012.

**Table 6.02: Senior police officers in post (full-time equivalents) by gender, as at 31 March 2008–2012**

	2008	2009	2010	2011	2012
<b>Women</b>	11.1%	12.0%	13.0%	14.2%	15.4%
<b>Men</b>	88.9%	88.0%	87.0%	85.8%	84.6%
<b>Total</b>	<b>1,699</b>	<b>1,713</b>	<b>1,725</b>	<b>1,583</b>	<b>1,479</b>

Source: Home Office

Notes:

(1) Senior police officers' include Superintendent, Chief Superintendent and ACPO ranks.

(2) Tables of police officer strength contain full-time equivalent figures that have been rounded to the nearest whole number. As a result, there may be an apparent discrepancy between totals and the sums of the constituent items.

(3) Revisions to data for previous years by certain police forces have resulted in some small discrepancies between the total staff figures published here and those published by the Home Office in its statistical bulletin *Police Service Strength, England and Wales 31 March 2012*.

- The percentages of civilian police staff, police community support officer (PCSO) and special constable posts occupied by women (61 per cent, 45 per cent and 31 per cent respectively in 2012) have been relatively consistent since 2008 (when the percentages were 62 per cent, 44 per cent and 33 per cent respectively).

Data on the gender of those joining and leaving police forces during the financial year 2011/12 showed that:

- Of the 2,394 full-time equivalent officers recruited, 28 per cent were women and 72 per cent were men. The proportion of new recruits that were female had decreased by four percentage points since 2007/08.
- Of the 6,965 full-time equivalent officers that left police forces, 15 per cent were women and 85 per cent were men. These proportions were relatively stable over the last five years.
- Of the 9,241 new police staff, PCSOs and special constables recruited, 37 per cent were women and 63 per cent were men. The proportion of new recruits that were female had decreased by 12 percentage points since 2007/08.
- Of the 14,509 police staff, PCSOs or special constables that left the police service, 49 per cent were women and 51 per cent were men. This represented a three percentage point reduction in the proportion of non-officer leavers that were women since 2007/08.
- Taken together, these data suggest that, in 2011/12, women constituted a higher proportion of police officer joiners (28 per cent) than police officer leavers (15 per cent), and a higher proportion of police staff, PCSO or special constable leavers (49 per cent) than joiners (37 per cent).

Further information on police officers and staff is available in the supplementary tables which accompany this report. Full police service strength figures, including gender breakdown, are also published by the Home

Office and can be found at: [www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/police-research/hosb0912](http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/police-research/hosb0912).

### Crown Prosecution Service

As the Crown Prosecution Service (CPS) merged with the Revenue and Customs Prosecutions Office (RCPO) during the last quarter of 2009/10, it was only possible to compare data from the last three years for this agency.

- Women represented 66 per cent of the 7,672 Crown Prosecution Service (CPS) staff in 2011, while men represented 34 per cent.
- The proportion of CPS posts occupied by women has remained stable over the past three years, despite a 13 per cent decrease in the total number of CPS staff since 2009, from 8,869 to 7,672 in 2011.

**Table 6.03: Crown Prosecution Service Staff by gender, as at 31 December 2007-2011**

	2007	2008	2009 <sup>(a)</sup>	2010	2011
Women	66.8%	66.6%	66.3%	66.4%	66.4%
Men	33.2%	33.4%	33.7%	33.6%	33.6%
<b>Total</b>	<b>8,735</b>	<b>8,695</b>	<b>8,869</b>	<b>8,344</b>	<b>7,672</b>

Source: Crown Prosecution Service HR Database

Notes:

(1) Data uses Office for National Statistics Specification for Headcount. As a result, data may differ from other published figures due to differing specifications.

(2) Data excludes the following grades: Fee Paid, Non Salaried, Non Executive Directors and G1 Permanent Secretary (from 2011 Data includes G1 Permanent Secretary).

(a) The figures from 2009 are a result of combining the grade structures of the CPS and the RCPO, and so the vertical break in the table above represents non-comparable data.

- Women held 41 per cent of the 66 CPS Senior Civil Servant positions in 2011, while men held 59 per cent. These proportions are in contrast to those for all CPS staff.
- The proportion of senior CPS posts occupied by women was higher in 2011 than in previous years.

**Table 6.04: Crown Prosecution Service Senior Civil Servants (or equivalent) by gender, as at 31 December 2007-2011**

	2007	2008	2009 <sup>(a)</sup>	2010	2011
<b>Women</b>	34.9%	33.3%	39.0%	36.5%	40.9%
<b>Men</b>	65.1%	66.7%	61.0%	63.5%	59.1%
<b>Total</b>	<b>83</b>	<b>78</b>	<b>82</b>	<b>74</b>	<b>66</b>

Source: Crown Prosecution Service HR Database

Notes:

(1) Data uses Office for National Statistics Specification for Headcount. As a result, data may differ from other published figures due to differing specifications.

(2) Data excludes the following grades: Fee Paid, Non Salaried, Non Executive Directors and G1 Permanent Secretary (from 2011 Data includes G1 Perm Sec).

(a) The CPS merged with the Revenue and Customs Prosecutions Office (RCPO) in 2009/10. The figures from 2009 are a result of combining the grade structures of these two organisations.

Recent equality and diversity data for the CPS can be found online, at:

[www.cps.gov.uk/data/equality\\_and\\_diversity/workforce\\_diversity\\_data\\_2010\\_11.html](http://www.cps.gov.uk/data/equality_and_diversity/workforce_diversity_data_2010_11.html)

## Magistracy

Magistrates are trained volunteers who hear less serious criminal and civil cases such as motoring offences, minor assaults and theft in the Magistrates Courts. Whilst they are not legally qualified, they are able to commit more serious cases up to higher courts, impose sentences of up to 6 months imprisonment, and enforce financial penalties.<sup>63</sup> The latest data showed:

- Women represented 51 per cent of the 25,170 Magistrates in post in the year ending March 2012; men represented 49 per cent.
- These proportions have been relatively consistent since 2008, despite a 14 per cent reduction in the total number of Magistrates over this period.

<sup>63</sup> See GOV.UK (2012). What Magistrates Do. <https://www.gov.uk/become-magistrate/what-magistrates-do>

**Table 6.05: Magistracy by gender, as at 31 March 2008-2012**

	2008	2009	2010	2011	2012
<b>Women</b>	50.1%	50.6%	50.8%	51.1%	51.3%
<b>Men</b>	49.9%	49.4%	49.2%	48.9%	48.7%
<b>Total</b>	<b>29,419</b>	<b>29,270</b>	<b>28,607</b>	<b>26,966</b>	<b>25,170</b>

Source: Judiciary of England and Wales

## Judges

The Government has taken steps to increase the diversity of the Judiciary in recent years, including the appointment of a Judicial Diversity Taskforce.<sup>64</sup>

There have been some changes in data on judges, which affect comparisons with historical data. Justices of the Supreme Court are no longer included, for example, as these data are no longer held centrally by the Judicial Office. For further information on these changes, see Appendix B.

The composition of the Judiciary is influenced by the composition of the wider legal profession from which Judges are drawn. The most recent data on the gender breakdown of barristers and solicitors (presented in the supplementary tables accompanying this report) showed that women comprised 35 per cent of barristers and 45 per cent of private practice solicitors in 2011.<sup>65</sup>

The most recent data on the court based judiciary showed:

- Women accounted for 23 per cent of the total 3,575 Judges in England and Wales in 2012; men for 77 per cent. The proportion of women had increased by four percentage points since 2008.
- Recorders accounted for the largest proportion of the Court's Judiciary (32 per cent), and comprised 16 per cent women and 84 per cent men. These proportions have been relatively consistent since 2008.

<sup>64</sup> See, for example, Ministry of Justice (2012). Improving Judicial Diversity: Progress towards delivery of the Report of the Advisory Panel on Judicial Diversity 2010. <http://www.justice.gov.uk/publications/policy/moj/improving-judicial-diversity-judicial-diversity-taskforce-annual-report>

<sup>65</sup> See Tables S6.08 and S6.11a.

- Women were most represented as Deputy Masters, Deputy Registrars, Deputy Costs Judges and Deputy District Judges (PRFD), accounting for 39 per cent of total members of this category; men comprised 61 per cent. The proportion of this category accounted for by women had increased by five percentage points (from 34 per cent) since 2008.
- Women were least represented as Heads of Division, where men held all five positions. This was consistent with 2008 data.

Diversity figures for magistrates and judges for the last 10 years are published online, and can be found at [www.judiciary.gov.uk/publications-and-reports/statistics](http://www.judiciary.gov.uk/publications-and-reports/statistics).

## **Ministry of Justice**

Data on the Ministry of Justice include Ministry of Justice Headquarters (Corporate Performance Group and Justice Policy Group), Her Majesty's Courts and Tribunals Service (HMCTS), and the Office of the Public Guardian (OPG). Data on the National Offender Management Service (NOMS) are included later in this chapter.

The Ministry of Justice has undergone some changes in recent years which will have affected the staff figures presented. In June 2010, 1,500 staff were transferred from NOMS to the Ministry of Justice. From 1 April 2011, Wales Office and Scotland Office were moved to the Office of the Territories.

- Women represented 68 per cent of the 25,731 staff in the Ministry of Justice as at 31 March 2012; men represented 32 per cent.
- These proportions were consistent over the past five years, despite changes in staffing within the Ministry of Justice during this period and a six per cent decrease in overall staff numbers.

**Table 6.06: Ministry of Justice Staff by gender, as at 31 March 2008-2012**

	2008	2009	2010	2011	2012
<b>Women</b>	68.2%	68.3%	68.3%	67.6%	68.1%
<b>Men</b>	31.8%	31.7%	31.7%	32.4%	31.9%
<b>Total</b>	<b>27,473</b>	<b>28,295</b>	<b>27,928</b>	<b>28,606</b>	<b>25,731</b>

Source: Ministry of Justice HR Database

Notes:

(1) These values may differ from those published elsewhere as these figures represent all Ministry of Justice staff (whether they were or were not being paid as at 31 March 2012), who work in MoJ HQ, HMCTS and OPG. They are based on headcount and do not take account of the hours worked by individuals.

(2) For 2008-2011, the MoJ used CHRIMSON as its HR Database. From May 2011, the data was migrated to MoJ Phoenix which is and has been the source of staffing data since this date.

(3) For 2008-2011, the MoJ staffing figures include Wales and Scotland Office (excluding Scotland Office staff whose records are held on the Scottish Government systems). However, from 1 April 2011, Wales Office and Scotland Office were moved to the Office of the Territories and are therefore not included in the 2012 figures.

(4) Other Agencies that fall under the Justice umbrella - NOMS, National Archives and the UK Supreme Court - are excluded from these figures, as are The Land Registry who, since their move to BIS in mid July 2011, are no longer included within the Justice umbrella.

- In contrast to the proportions for all Ministry of Justice staff, women represented 43 per cent of the 164 Senior Civil Servants in post in the Ministry of Justice as at 31 March 2012, while men represented 57 per cent.
- The proportion of Senior Civil Servant posts in the Ministry of Justice occupied by women had increased by six percentage points since 2008, despite a reduction in the total number of SCS posts since 2010.

**Table 6.07: Senior Civil Servants working at the Ministry of Justice by gender, as at 31 March 2008-2012**

	2008	2009	2010	2011	2012
<b>Women</b>	36.8%	42.1%	42.2%	41.5%	43.3%
<b>Men</b>	63.2%	57.9%	57.8%	58.5%	56.7%
<b>Total</b>	<b>152</b>	<b>202</b>	<b>204</b>	<b>195</b>	<b>164</b>

Source: Ministry of Justice HR Database

Notes:

(1) These values may differ from those published elsewhere as these figures represent all Ministry of Justice staff (whether they were or were not being paid as at 31 March 2012), who work in MoJ HQ, HMCTS and OPG. They are based on headcount and do not take account of the hours worked by individuals.

(2) For 2008-2011, the MoJ used CHRIMSON as its HR Database. From May 2011, the data was migrated to MoJ Phoenix which is and has been the source of staffing data since this date.

(3) For 2008-2011, the MoJ staffing figures include Wales and Scotland Office (excluding Scotland Office staff whose records are held on the Scottish Government systems). However, from 1 April 2011, Wales Office and Scotland Office were moved to the Office of the Territories and are therefore not included in the 2012 figures.

(4) Other Agencies that fall under the Justice umbrella - NOMS, National Archives and the UK Supreme Court - are excluded from these figures, as are The Land Registry who, since their move to BIS in mid July 2011, are no longer included within the Justice umbrella.

Data on the gender of those joining and leaving the Ministry of Justice during the financial year 2011/12 were also available, and showed that:

- Of the 1,153 individuals that joined the Ministry of Justice in that year, 61 per cent were women and 39 per cent were men.
- Between 2007/08 and 2011/12, the percentage of joiners that were women decreased by five percentage points.
- The percentage of recruits that were men was higher than the percentage of men in the Ministry of Justice in each year.
- There were 3,924 individuals that left the Ministry of Justice during 2011/12, an 89 per cent increase on leavers in 2010/11. Of these leavers, 62 per cent were women (lower than the 68 per cent of staff in post who were women) and 38 per cent were men (higher than the 32 per cent of staff in post who were men).
- The proportion of leavers that were women was relatively consistent between 2007/08 and 2011/12.

Further information on Ministry of Justice staff is available in the supplementary tables which accompany this report.

### **National Offender Management Service**

The National Offender Management Service (NOMS) includes Her Majesty's Prison Service (HMPS), NOMS Head Quarters (HQ) and Probation Service staff. In this chapter, HMPS refers to the public sector Prison Service, as staff in the public sector Prison Service and NOMS HQ are civil servants, whereas staff working at private sector establishments are employed by contractors. Probation Service data are also reported separately in this chapter as the staff are employed independently. The data presented below relate to NOMS HQ and HMPS combined. Individual data for the two organisations are also available in the supplementary tables which accompany this report.

NOMS staffing has undergone a number of changes in recent years, some of which have affected specific parts of the workforce. These changes will have affected the data (including comparability between years) presented. In June 2010, approximately 1,500 NOMS HQ staff were transferred to the central Ministry of Justice. Additional NOMS HQ restructures, the closing of four prison establishments in 2011/12, and the transferral of another prison to the private sector, resulted in a further reduction in the total number of civil servants in NOMS.

- Women represented 36 per cent of the 45,576 staff in NOMS HQ and HMPS as at 31 March 2012; while men represented 64 per cent.
- The proportion of NOMS HQ and HMPS posts occupied by women was consistent over the past five years. This is in spite of the staffing changes noted above and an 11 per cent decrease in the total number of staff employed in NOMS HQ and HMPS since 2008.

**Table 6.08: NOMS HQ and HMPS Staff by gender, as at 31 March 2008-2012**

	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
<b>Women</b>	36.0%	36.4%	36.0%	35.6%	35.8%
<b>Men</b>	64.0%	63.6%	64.0%	64.4%	64.2%
<b>Total</b>	<b>51,239</b>	<b>52,956</b>	<b>51,212</b>	<b>49,210</b>	<b>45,576</b>

Source: NOMS HR Database

- In 2008, women occupied 18 per cent of NOMS HQ and HMPS Senior Civil Servant (SCS) posts. Between 2008 and 2009, the number of SCS posts increased from 38 to 65, and female representation within SCS posts increased to 29 per cent. By 2012, the number of SCS posts, and the representation of women within those posts had reverted to levels similar to 2008 (40 posts, with 18 per cent occupied by women). Caution should be used when considering percentage changes in relation to small numbers, as small numerical changes can result in large percentage changes.

**Table 6.09: NOMS Senior Civil Servants by gender, as at 31 March 2008-2012**

	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
<b>Women</b>	18.4%	29.2%	24.6%	26.9%	17.5%
<b>Men</b>	81.6%	70.8%	75.4%	73.1%	82.5%
<b>Total</b>	<b>38</b>	<b>65</b>	<b>65</b>	<b>52</b>	<b>40</b>

Source: NOMS HR Database

Notes:

(1) Figures may vary slightly from those published previously, due to the reclassification of Senior Medical Officers from Senior Civil Servant equivalent to Grade 6.

Data on the gender of those joining and leaving NOMS during the financial year 2011/12 showed that:

- Of the 972 individuals that joined NOMS, 47 per cent were women and 53 per cent were men. This reflects a three percentage point reduction in the proportion of female recruits since 2007/08. The percentage of women amongst recruits was, however, higher than the percentage of all NOMS posts occupied by women in each year.

- Of the 3,561 individuals that left NOMS, 39 per cent were women (higher than the 36 per cent of staff in post who were women), and 61 per cent were men (lower than the 64 per cent of staff in post who were men). There had been a six percentage point reduction in the percentage of NOMS leavers that were women since 2007/08. Given the gender representation of staff across NOMS as a whole, women leave NOMS at a slightly higher rate than men.

Further information on NOMS staff is available in the supplementary tables which accompany this report, and in the most recent NOMS annual equalities report.<sup>66</sup>

### **Probation Service**

Due to a change in recording systems, Probation Service staff data relate to 2009 to 2011 only.

- Women represented 71 per cent of the 20,265 Probation Service staff in post as at 31 December 2011, whilst men represented 29 per cent.
- The proportion of Probation Service posts occupied by women had been consistent at between 70 and 71 per cent since 2009, despite a seven per cent decrease in the total number of Probation Service posts during this time.

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<sup>66</sup> Available at: <http://www.justice.gov.uk/publications/corporate-reports/noms/equality>

**Table 6.10: Probation Service Staff by gender, as at 31 December 2009-2011**

	2009 <sup>(a)</sup>	2010	2011
<b>Women</b>	70.1%	70.4%	70.9%
<b>Men</b>	29.9%	29.6%	29.1%
<b>Total</b>	<b>21,778</b>	<b>20,982</b>	<b>20,265</b>

Source: NOMS HR Database

Notes:

(1) The figures provided reflect a snap-shot at 31 December of each year of all permanent and casual staff and were collected from the probation areas/trusts via the HR Data Warehouse. The probation trusts have the ability to resubmit historical data which may result in occasional variations in subsequent reports.

(a). Cheshire and West Mercia were unable to submit data to the HR Data Warehouse for December 2009 due to the implementation of new HR systems. The most recent data available at that point has therefore been included within the figures for 2009 for these areas/trusts. For West Mercia, November 2009 figures were included and, for Cheshire, September 2008 figures were included.

- Women and men represented more similar proportions of senior Probation Service Staff in 2011 (57 per cent and 43 per cent respectively) than in the service as a whole.
- The proportion of senior Probation Service posts occupied by women increased by five percentage points between 2009 and 2011, despite a 15 per cent reduction in the number of senior Probation Service posts.

**Table 6.11: Senior Probation Service Staff by gender, as at 31 December 2009-2011**

	2009 <sup>(a)</sup>	2010	2011
<b>Women</b>	51.8%	52.4%	56.9%
<b>Men</b>	48.2%	47.6%	43.1%
<b>Total</b>	<b>525</b>	<b>492</b>	<b>448</b>

Source: NOMS HR Database

(1) Senior Probation Service staff includes Chief Officer/Chief Executive, Deputy Chief Officer, Assistant Chief Officer and Area/District Manager posts.

(2) The figures provided are a snap-shot at 31 December of each year of all permanent and casual staff and were collected from the probation areas/trusts via the HR Data Warehouse. The probation trusts have the ability to resubmit historical data which may result in occasional variations in subsequent reports.

(a) Cheshire and West Mercia were unable to submit data to the HR Data Warehouse for December 2009 due to the implementation of new HR systems. The most recent data available at that point has been included within the figures for 2009 for these areas/trusts. For West Mercia, November 2009 figures were included and, for Cheshire, September 2008 figures were included.

### **Other criminal justice agencies**

The supplementary tables accompanying this chapter provide data on the gender breakdown, and where possible, the grade breakdown by gender, of staff employed by the Parole Board, Victim Support, the Youth Offending Teams (YOTs), the Serious Fraud Office (SFO), Independent Monitoring Boards (IMBs), magistrates, barristers and private practice solicitors.

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## **Appendix A – Glossary**

### **Absolute discharge**

The court takes no further action against an offender, but the offender's discharge will appear on his or her criminal record.

### **Accused**

An individual charged with committing an offence.

### **Acquittal**

The discharge of a defendant following a verdict or direction of not guilty.

### **Act**

Law (as in an Act of Parliament).

### **Arrest**

The power of a police officer to deprive a person of his or her liberty for the investigation and prevention of crime. Police officers have the power to arrest anyone who has committed an offence, is about to commit an offence, or is in the act of committing an offence. They also have the power of Arrest when a person is suspected of involvement in an offence.

### **Bail**

The release of a defendant or charged individual from custody, subject sometimes to security being given and/or compliance with certain conditions.

### **Barristers**

A lawyer entitled to represent clients in all courts.

## **Burglary**

When a person enters any building as a trespasser and with intent to commit an offence of theft, grievous bodily harm or unlawful damage.

## **Case**

An action, suit or claim in a court of law.

## **Caution**

*Simple caution* – a non-statutory warning given to adults (aged 18 and over) by the police following an admission of guilt. A simple caution is an alternative to prosecution, which, though not a conviction, forms part of a person's criminal record.

*Conditional caution* – a warning with reparative and/or rehabilitative conditions attached, issued by the police to adults (aged 18 and over) under the Criminal Justice Act 2003. A conditional caution can be given following a CPS decision to issue and an offenders admission of guilt, and, although not a conviction, forms part of a person's criminal record.

## **Charge**

A formal accusation of a criminal offence against a person.

## **Committal**

*Committal for trial*: the referral of a case involving an either-way offence to the Crown Court, following examination by magistrates.

*Committal for sentence*: the referral of a case to the Crown Court for sentencing, when magistrates consider an offence to justify a sentence greater than they are empowered to impose.

*Committal order*: an order of the Court committing someone to prison.

### **Community sentences**

A term that refers to all court orders (except Suspended Sentence Orders and deferred sentences), which may have a custodial component.

### **Conditional discharge**

The discharge of a convicted defendant without sentence on condition that he/she does not reoffend within a specified period of time.

### **Conviction**

The outcome of a criminal prosecution which concludes that the defendant is guilty of the crime charged. The conviction then appears on the offender's criminal record.

### **Court (of law)**

A judicial tribunal presided over by a judge, judges, or magistrates, and established to administer justice in civil and criminal cases.

### **Crime Survey for England and Wales (CSEW)**

The Crime Survey for England and Wales (formally known as the British Crime Survey) is a large, nationally representative survey that asks people in detail about their experiences of crime in the last twelve months. For further information on the CSEW, see Appendix B.

### **Criminal**

A person who is guilty of a criminal offence.

### **Criminal Justice System**

The system of law enforcement directly involved in apprehending, prosecuting, defending, sentencing, and punishing those who are suspected or convicted of criminal offences.

### **Crown Court**

The Crown Court deals with all crime committed or sent for trial by magistrates' courts. Cases for trial are heard before a judge and jury. The Crown Court also acts as an appeal court for cases heard and dealt with by magistrates.

### **Crown Prosecution Service (CPS)**

As the principle prosecuting authority in England and Wales, the CPS advises the police on prosecution matters, determines charges in more complex cases, and prepares and presents cases at court.

### **Custodial sentence**

A sentence where the offender is detained in a prison, young offender institution or secure training centre.

### **Custody**

The state of being detained or held under guard by the police or in a prison.

### **Defendant**

A person sued, standing trial or appearing for sentence.

### **Disposal**

*Court disposal* - The end result of a trial at court. In this publication, the disposals of interest are sentences, but other disposals are possible, for example, where there is a not guilty verdict.

*Out of court disposal* - A disposal issued before a case gets to court, when a defendant admits to a minor offence. Out of court disposals include cautions, reprimands and warnings.

### **Domestic Abuse – CSEW**

Domestic abuse includes non-sexual emotional or financial abuse, threats, physical force, sexual assault or stalking carried out by a current or former partner or other family member. Full CSEW definitions can be found in the CSEW User Guide:

[www.ons.gov.uk/ons/search/index.html?newquery=csew+USER+GUIDE](http://www.ons.gov.uk/ons/search/index.html?newquery=csew+USER+GUIDE)

### **Either-way Offence**

An offence for which the accused may elect the case to be dealt with either summarily by the magistrates or by committal to the Crown Court to be tried by jury.

### **Final warning**

A formal warning issued to juveniles by the police for a second offence (no matter how minor).

### **Fine**

A sentence whereby the offender pays money to the court as punishment for their crime.

### **Her Majesty's Courts and Tribunals Service (HMCTS)**

A Ministry of Justice agency responsible for the administration of the criminal, civil and family courts and tribunals in England and Wales; and non-devolved tribunals in Scotland and Northern Ireland. It provides for a fair, efficient and effective justice system delivered by an independent judiciary.

### **Home Office**

The government department responsible for reducing crime.

## **Homicide**

The term 'homicide' covers the offences of murder, manslaughter and infanticide. Murder and manslaughter are common law offences that have never been defined by statute, although they have been modified by statute. The offence of infanticide was created by the Infanticide Act 1922 and refined by the Infanticide Act 1938 (s1).

## **Homicide Index**

A database held by the Home Office, which is continually updated with revised information on homicides from the police and the courts.

## **Independent Monitoring Boards (IMBs)**

Independent boards that monitor day-to-day life in local prisons or removal centre's, and ensure that proper standards of care and decency are maintained.

## **Indictable offence**

A criminal offence triable only by the Crown Court.

## **Intimate violence – CSEW**

Intimate violence is a collective term used in the CSEW to describe any partner or family domestic abuse, including non-physical abuse (emotional or financial abuse), threats, force, sexual assault (including attempts) and stalking. Full CSEW definitions can be found in the CSEW User Guide: [www.ons.gov.uk/ons/search/index.html?newquery=csew+USER+GUIDE](http://www.ons.gov.uk/ons/search/index.html?newquery=csew+USER+GUIDE)

## **Judge**

An officer appointed to administer the law and who has the authority to hear and try cases in a court of law.

### **Jury**

A body of 12 people sworn to try a case and reach a verdict according to the evidence in a court.

### **Juvenile**

A person under 18 years of age.

### **Law**

The system made up of rules established by an Act of Parliament, custom or practice, enjoining or prohibiting certain action.

### **Magistrate**

A person appointed to administer judicial business in a magistrates' court. A magistrate also sits in the Crown Court with a judge or recorder to hear appeals and committals for sentence.

### **Magistrates' Court**

A Court where criminal proceedings are commenced before magistrates, who examine the evidence/statements and either deal with the case themselves, or commit it to the Crown Court for trial or sentence.

### **Ministry of Justice**

The government department responsible for the various components of the justice system, including courts, prisons, probation services and attendance centres. The Ministry of Justice works to protect the public and reduce reoffending, and to provide a more effective, transparent and responsive criminal justice system for victims and the public.

**Notifiable offence**

An offence deemed serious enough to be recorded by the police (also referred to as recorded crime), including most indictable and triable-either-way offences.

**Offence**

A breach of law or rule; an illegal act.

**Offender**

An individual convicted of a crime.

**Parole Board**

An independent body that works to protect the public by risk-assessing prisoners to decide whether they can be safely released into the community.

**Penalty Notices for Disorder (PND)**

PNDs were introduced as part of the previous Government's strategy to tackle low-level, anti-social and nuisance offending. The police may issue a PND for one of twenty-five offences including three notifiable offences. See Appendix B for more details.

**Personal crime – CSEW**

Personal crimes, as recorded in the CSEW, refer to all crimes against the individual (not that of other people in the household), for example, an assault. Published CSEW data for 'all personal crime' excludes sexual offences (except for 'wounding with a sexual motive') as the number of these types of offences picked up by the survey is too small to give reliable estimates. Full CSEW definitions can be found in the CSEW User Guide:  
[www.ons.gov.uk/ons/search/index.html?newquery=csew+USER+GUIDE](http://www.ons.gov.uk/ons/search/index.html?newquery=csew+USER+GUIDE)

**Police force area (PFA)**

The geographic area of jurisdiction covered by a particular police force. There are 43 PFAs in England and Wales.

**Pre-sentence reports (PSRs)**

A report submitted by an appropriate officer to assist the court in determining the most suitable method of dealing with an offender.

**Probation Service**

The service responsible for supervising offenders who are given community sentences and Suspended Sentence Orders by the courts, as well as offenders given custodial sentences, both before and after their release.

**Prosecution**

The institution or conduct of criminal proceedings against a person.

**Recorder**

Members of the legal profession (barristers or solicitors) who are appointed to act in a judicial capacity on a part-time basis. Recorders may progress to become full-time judges.

**Restorative Justice**

An approach to justice that emphasises reparation to the victim or the affected members of the community by the offender.

**Remand**

To send a prisoner or accused person into custody or admit them to bail.

**Reprimand**

A warning issued to juveniles for a first minor offence.

## **Self-harm**

Self-harm in prison custody is defined as, “any act where a prisoner deliberately harms themselves irrespective of the method, intent or severity of any injury.”<sup>67</sup> In the community, self-harm is common but often covert. In prisons, such incidents are more likely to be detected and counted.

## **Sexual assault – CSEW**

The CSEW measure of sexual assault includes indecent exposure, sexual threats and unwanted touching, rape or assault by penetration including attempts, by any person including a partner or family member. “Serious” sexual assaults include rape or assault by penetration, including attempts.

Full CSEW definitions can be found in the CSEW User Guide:

[www.ons.gov.uk/ons/search/index.html?newquery=csew+USER+GUIDE](http://www.ons.gov.uk/ons/search/index.html?newquery=csew+USER+GUIDE)

## **Solicitor**

A member of the legal profession concerned with advising clients, preparing their cases and representing them in some Courts. Solicitors may also act as advocates before certain Courts or tribunals.

## **Stalking – CSEW**

One or more incidents (causing distress, fear or alarm) of obscene or threatening unwanted letters or phone calls, waiting or loitering around home or workplace, following or watching, or interfering with or damaging personal property by any person, including a partner or family member. Full CSEW definitions can be found in the CSEW User Guide:

[www.ons.gov.uk/ons/search/index.html?newquery=csew+USER+GUIDE](http://www.ons.gov.uk/ons/search/index.html?newquery=csew+USER+GUIDE)

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<sup>67</sup> See Ministry of Justice (2012). Safety in Custody Quarterly Bulletin January to March 2012 England and Wales. <http://www.justice.gov.uk/downloads/statistics/prison-probation/safety-custody/safety-custody-jan-march-2012.pdf>

**Statistical significance**

A statistical term for a result that is unlikely to have occurred by chance.

**Summary offence**

A criminal offence which is triable only by a magistrates' court.

**Suspended sentence**

A custodial sentence that will not take effect unless there is a subsequent offence within a specified period.

**Suspect**

A person being investigated in relation to a particular offence or offences.

**Terminations**

A period of supervision (e.g. a community order) which comes to an end, either because the order has been completed successfully, or because the order has been breached and terminated early for negative reasons (such as failing to comply with its requirements) or because of some other neutral reason, such as the order being quashed by the court or the person having died.

**Theft from the Person – CSEW**

Theft from the person, as measured by the CSEW, covers theft (including attempts) of property directly from the victim, but without the use of physical force against the victim, or the threat of it. Full CSEW definitions can be found in the CSEW User Guide:

[www.ons.gov.uk/ons/search/index.html?newquery=csew+USER+GUIDE](http://www.ons.gov.uk/ons/search/index.html?newquery=csew+USER+GUIDE)

### **Victim (of Crime)**

A person who has suffered as a result of criminal conduct.

### **Victim Support**

A national charity giving free and confidential help to victims of crime, witnesses, their family, friends and anyone else affected across England and Wales.

### **Violence against the person**

A term that includes serious violence offences where the injury inflicted or intended is life threatening, and offences resulting in death, regardless of intent. This offence group also includes offences involving less serious injury, certain offences that involve no physical injury and some involving serious intent.

### **Violent crime – CSEW**

Violent crime, as measured by the CSEW, covers a range of offence types from minor assaults, such as pushing that result in no physical harm, to (but not including) murder. This includes offences where the victim was threatened with violence, regardless of whether or not there was any injury. CSEW violent crime is categorised according to offence type (wounding, assault with minor injury, assault without injury and robbery), and offender-victim relationship (domestic violence, stranger violence, acquaintance violence). Full definitions can be found in the CSEW User Guide:

[www.ons.gov.uk/ons/search/index.html?newquery=csew+USER+GUIDE](http://www.ons.gov.uk/ons/search/index.html?newquery=csew+USER+GUIDE)

### **Youth Offending Team (YOT)**

A Youth Offending Team is made up of local representatives from the police, Probation Service, social services, health, education, drugs and alcohol misuse and housing officers. The YOT identifies the needs of each young offender, and the specific problems that make the young person offend, as

well as measuring the risk they pose to others. This enables the YOT to identify suitable programmes to address the needs of the young person with the intention of preventing further offending.

## Appendix B – Data sources

*Statistics on Women and the CJS* draws on data from a number of sources across the Criminal Justice System, including data collected by the police, the courts and prisons. A brief description of the coverage of each of these sources is provided in this appendix, together with any known issues relating to data quality. Table B.01 outlines the main sources drawn on in this report, the data period covered, and provides links to where additional data can be found in the alternate years that this report is not published.

**Table B.01: Key sources presented in Women and the CJS**

Chapter	Measure	Reference Period	Primary Source/Further Information
<b>2. Victims</b>	Crime Survey England and Wales (adult and child components)	2011/12	<a href="http://www.ons.gov.uk/ons/taxonomy/index.html?nscl=Crime+in+England+and+Wales">www.ons.gov.uk/ons/taxonomy/index.html?nscl=Crime+in+England+and+Wales</a>
	Homicide Index	2010/11	<a href="http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/crime-research/hosb0212/">www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/crime-research/hosb0212/</a>
<b>3. Suspects</b>	Arrests	2010/11	<a href="http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/police-research/police-powers-procedures-201011/">www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/police-research/police-powers-procedures-201011/</a>
<b>4. Defendants</b>	PNDs Cautions Prosecutions Sentences	2011 2011 2011 2011	<a href="http://www.justice.gov.uk/downloads/statistics/criminal-justice-stats/criminal-justice-stats-dec-2011.pdf">www.justice.gov.uk/downloads/statistics/criminal-justice-stats/criminal-justice-stats-dec-2011.pdf</a>
<b>5. Offenders</b>	Offender Management Statistics	2011	<a href="http://www.justice.gov.uk/statistics/prisons-and-probation/oms-quarterly/oms-quarterly-editions">www.justice.gov.uk/statistics/prisons-and-probation/oms-quarterly/oms-quarterly-editions</a>
	Safety in Custody Statistics	2011	<a href="http://www.justice.gov.uk/statistics/prisons-and-probation/safety-in-custody">www.justice.gov.uk/statistics/prisons-and-probation/safety-in-custody</a>
	Proven Re-Offending	2010	<a href="http://www.justice.gov.uk/statistics/reoffending/proven-re-offending">www.justice.gov.uk/statistics/reoffending/proven-re-offending</a>

<b>6. Staff and Practitioners</b>	Police	31/03/2012	<a href="http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/police-research/hosb0912/">www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/police-research/hosb0912/</a>
	Crown Prosecution Service	31/12/2011	<a href="http://www.cps.gov.uk/data/equality_and_diversity/workforce_diversity_data_2010_11.html">www.cps.gov.uk/data/equality_and_diversity/workforce_diversity_data_2010_11.html</a>
	Magistrates and Judiciary	31/03/2012 01/04/2012	<a href="http://www.judiciary.gov.uk/publications-and-reports/statistics">www.judiciary.gov.uk/publications-and-reports/statistics</a>
	Barristers	12/2011	<a href="http://www.barcouncil.org.uk/about-the-bar/facts-and-figures/statistics/#AllBarStats">www.barcouncil.org.uk/about-the-bar/facts-and-figures/statistics/#AllBarStats</a>

## Chapter 2: Women as victims of crime

### *Crime Survey England and Wales (CSEW) – adult survey*

In April 2012, the British Crime Survey (BCS) became known as the Crime Survey for England and Wales (CSEW), to better reflect its geographical coverage. The CSEW is a face-to-face survey in which people resident in households in England and Wales are asked about their experiences of crime in the 12 months prior to the interview. For the crime types and population groups it covers, the CSEW provides a more reliable measure of trends in crime than police recorded crime statistics, as it has a consistent methodology and is unaffected by changes in levels of reporting to the police, recording practice or police activity.

The CSEW figures presented in this publication are based on interviews conducted between April 2011 and March 2012, and therefore cover a mix of crimes occurring in 2010, 2011 and 2012. The 2011/12 CSEW had a representative sample of 46,031 adults aged 16 or over (a response rate of 75 per cent). The survey is weighted to adjust for possible non-response bias and to ensure that the sample reflects the profile of the general population.

The primary purpose of the CSEW is to provide national-level estimates for the crime types it covers; it is not intended to provide a total count of crime.

When interpreting results and making comparisons with police recorded crime it should be borne in mind that:

- The CSEW estimates cover the 12 months before each respondent's interview, and therefore there is a time lag compared with police recorded crime figures.
- Estimates from the CSEW are subject to a degree of variation as a result of sampling.
- Low-volume offences can frequently show apparently large year-on-year changes.

The CSEW has some notable exclusions in relation to crime type and respondents interviewed.

### *Crime type:*

- Crimes against businesses or public sector bodies are not included, although a survey of commercial victimisation is currently being developed to run later in 2012, following a recommendation in the National Statistician's review of crime statistics. These results will be incorporated into CSEW quarterly crime statistics releases in 2013.
- So-called 'victimless' crimes (e.g. possession of drugs) are not included.
- Relatively new crimes (e.g. plastic card fraud) are not included in the main crime count, although additional questions have been added to the survey to capture such issues and are reported separately.
- As a survey that asks people whether they have experienced victimisation, murders cannot be included.
- Rape and other sexual offences are not included in the CSEW main crime count, due to the sensitivity of reporting in the context of a face-to-face interview. However, victimisation estimates for sexual offences

are provided via a separate self-completion module on intimate violence.

*Respondents:*

- The population living in group residences (e.g. care homes, halls of residence, or other institutions) are not included.

*Crime Survey England and Wales (CSEW) – children’s survey*

Since January 2009, the CSEW has asked children aged 10 to 15 residing in households in England and Wales about their experience of crime in the previous 12 months. Preliminary results from the first calendar year were published in 2010, and following a user consultation, these statistics were refined. The questionnaire was refined again for the 2011/12 survey. As a result of the changes to the questions and definitions, it is not possible to assess whether there has been a change in levels of victimisation between years. Methodological differences also mean that direct comparisons cannot be made between data collected in the adult and child surveys.

The CSEW aims to interview around 4,000 children aged 10 to 15 in any 12 month period, in order to provide reliable national estimates of crimes and crime-related attitudes and experiences on an annual basis. In 2011/12, 3,930 children (a response rate of 67 per cent of those eligible within households responding to the core CSEW) took part in the children’s survey.

Two measures of crime against children are presented in the CSEW. The figures referred to in this report use the ‘preferred measure’ of crime, which takes into account factors identified as important in determining the severity of an incident (such as relationship to the offender and level of injury or value of item stolen or damaged).

The ‘*preferred measure*’ includes all offences where:

- the offender was not known (e.g. stranger, tradesman, pupil from another school); or

- the offender was known, but aged 16 or over and not a family member (e.g. neighbour, older friend, teacher); or
- the offender was known and either a family member or aged under 16 (e.g. parent, sibling, school-friend) and there was visible injury or theft or damage involving a 'high value' item; or
- a weapon was involved.

*The User Guide to Crime Statistics for England and Wales* is a useful reference guide with explanatory notes regarding the issues and classifications which are key to the production and presentation of the CSEW statistics. This can be downloaded from:  
[www.ons.gov.uk/ons/taxonomy/index.html?nscl=Crime+in+England+and+Wales](http://www.ons.gov.uk/ons/taxonomy/index.html?nscl=Crime+in+England+and+Wales)

### *Homicides*

*Statistics on Women and the Criminal Justice System* presents data on homicide offences from 2006/07 to 2010/11, with offences shown according to the year in which the police initially recorded the offence as homicide (not necessarily the year in which the incident took place or the year in which any court decision was made).

The most recent data are based on the latest Home Office publication, which can be found at [www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/crime-research/hosb0212](http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/crime-research/hosb0212). These data may change as subsequent court hearings take place or other information is received.

Data from the *Homicide Index* are deemed a better source of data than the separate main recorded crime dataset as it is continually being updated with revised information from the police and the courts. The Index also provides far greater detail than the main recorded crime dataset.

### Chapter 3: Women as suspects

Chapter 3 of this report presents data on arrests for notifiable offences, which form the basis of recorded crime statistics. Data are sourced from the latest edition in the Home Office's statistical series *Police Powers and Procedures England and Wales*, which can be found online at:

[www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/police-research/police-powers-procedures-201011/](http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/police-research/police-powers-procedures-201011/). These data reflect police activity and should not be used to infer levels of crime committed by offenders, or their specific characteristics.

The data presented are drawn from returns from the 43 local police forces in England and Wales, and cover trends in arrest rates, as well as breakdowns by offence group and gender.

The following issues should be borne in mind when considering these data:

- Figures on arrests for notifiable offences are not strictly comparable with cautions and court proceedings data. This is mainly because the aggregated offence categories for notifiable offences do not directly compare with indictable (including triable-either-way) offence groups. Additionally, court proceedings figures relate to the year of the final court decision, rather than the year of arrest, and these may differ.
- Where a person has been arrested for more than one notifiable offence on the same occasion, the offence with the highest maximum penalty is recorded. A person will appear more than once in the tables if arrested on more than one occasion during the year.
- As with any data collection system, differences in recording practice can impact on the comparability of figures over time and across police force areas.

Further information on arrests data can be found in the *User Guide to Police Powers and Procedures Statistics*, which is available at:

[www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/police-research/user-guide-ppp](http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/police-research/user-guide-ppp)

## Chapter 4: Women as defendants

The most recent defendants data presented in this report refer to out of court disposals and court proceedings data for 2011, from the Ministry of Justice publication *Criminal Justice Statistics*. The statistics in this bulletin relate to cases in the Crown and magistrates' courts in England and Wales during the 12 months ending December 2011, and the preceding four years. The chapter also draws on data from the Police National Computer (PNC) for offending histories, which are published in the Ministry of Justice *Criminal Justice Statistics* report and the Ministry of Justice publication *Offender Management Statistics* for Pre-Sentence Reports (PSR).

Data on Penalty Notices for Disorder and cautions are issued and recorded by police forces. These data are received either via the individual police forces or extracted from administrative database systems.

### *Penalty Notices for Disorder (PNDs)*

Penalty Notices for Disorder (PNDs), more commonly known as 'on the spot fines', were introduced under the Criminal Justice and Police Act 2001 (sections 1–11) as part of the previous Government's strategy to tackle low-level, anti-social and nuisance offending. Under the legislation, police can issue a fixed penalty of £50 or £80 for a specified range of minor disorder offences, either on the spot or at a police station.

Since 2004, when PNDs were piloted, data have been received from the individual police forces on a monthly basis. The two returns provided are details of PNDs issued and their subsequent outcomes. The returns are checked by the statistical teams for completeness and accuracy. Any anomalies in the data are queried with the force and any duplication of data is removed from the database. On an annual basis, a full reconciliation process

is undertaken where each police force is given the opportunity to verify the monthly figures they have supplied and to make revisions to the annual returns prior to publication.

A new PND for the offence of possession of cannabis was introduced in 2009. Guidance was issued limiting the use of this PND to adults, i.e. to those aged 18 and over. The data submitted in 2011 showed that some PNDs were issued for this offence to juveniles, i.e. those aged under 18. These were queried with the relevant forces and subsequently 69 per cent were cancelled.

### *Cautions*

Since April 2011, all cautions data have been extracted from the Police National Computer (PNC). The records are validated for accuracy and completeness and amended as necessary. Additionally, any apparent cautions given for serious offences, such as rape, are investigated thoroughly with forces. All cautions data prior to April 2011 were collected directly from police forces and have been through the same validation process.

### **Court proceedings**

The complexities of the CJS and the constraints on resources in collating and processing data limit the amount of information collected routinely, so only the final outcomes of proceedings at magistrates' courts and the Crown Court (where applicable) are recorded.

### *Prosecutions, convictions and sentencing*

Statistics on prosecutions, convictions and sentencing are either derived from the LIBRA case management system, which holds the magistrates' courts records, or the Crown Court's CREST system which holds the trial and sentencing data. The data include offences where there has been no police involvement, such as those prosecutions instigated by government departments, private organisations and individuals.

Prior to November 2008, the police reported on magistrates' court proceedings and it is thought that, for some police force areas, there may have been under-reporting of proceedings, in particular those relating to motoring offences, TV Licence evasion and other summary offences with no police involvement. The extent of under-reporting may vary from year to year. In addition, the gender of defendants at magistrates' courts can be recorded as sex "Not Stated" under the LIBRA case management system.

The court system data used in this bulletin go through a variety of validation and consistency checks:

- Individual records are validated in an automated process that highlights irregularities and inconsistencies. In general, data validation is ongoing to investigate unusual trends or records.
- For serious offences (such as homicide and serious sexual offences) and severe disposals (such as life imprisonment and indeterminate sentences of Imprisonment for Public Protection (IPP)), individual records are flagged for manual confirmation, which further reduces the possibility of error.

For the Crown Court, where these validation failures occur, the data are corrected by referring to original court registers. Approximately 17,000 individual records were corrected in 2011. At the magistrates' courts, the sheer volume of court records (around 2.8 million per year compared with 100,000 Crown Court records) means that the same process cannot be followed. The majority of validation failures are subject to automatic amendment and any serious errors are manually checked. The validation rate for the magistrates' courts' files is around 7 per cent, compared to much higher rates at the Crown Court (30–40 per cent).

Data on court proceedings presented in this report relate to proceedings completed in the year. A defendant may appear more than once in the tables if proceedings were completed against that defendant on more than one occasion during the year.

Where proceedings involve more than one offence, the principal offence is reported. The basis for the selection of the principal offence is as follows:

- Where a defendant is found guilty of one offence and acquitted of another, the offence selected is the one for which he/she is found guilty.
- Where a defendant is found guilty of two or more offences, the offence selected is the one for which the heaviest sentence is imposed.
- Where the same disposal is imposed for two or more offences, the offence selected is the one for which the statutory maximum penalty is the most severe.

The offence shown in the tables on court proceedings is the one for which the court took its final decision and is not necessarily the same as the offence for which the defendant was initially prosecuted; for example, when the court accepts a guilty plea from the defendant on a lesser charge.

Unless otherwise stated, the sentence shown is the most severe sentence or order given for the principal offence (i.e. the principal sentence).

### *Remands*

The statistics in the remands section of *Statistics on Women and the Criminal Justice System* relate to persons remanded in each year in each completed court case rather than to the number of remand decisions (a person may be remanded several times during a case). Cases are recorded in the year in which the final court decisions were made and this is not necessarily the same year in which the person was originally remanded.

Although some information on the use of remands during proceedings is collected, the amount of detail recorded is limited and does not identify separately every individual offence (except where the data have been supplied directly from a court computer system).

From 2008, following the introduction of the LIBRA case management system, the number of custodial remands at magistrates' court proceedings has been over-reported in the data supplied to the Ministry of Justice. These data are not reported in *Statistics on Women and the Criminal Justice System*, but are available in *Criminal Justice Statistics*.

*A Guide to Criminal Justice Statistics* is a useful reference guide with explanatory notes regarding the quality of data and the checks made in producing the statistics referred to in this publication. The most recent version of the guide can be downloaded from:

[www.justice.gov.uk/downloads/statistics/criminal-justice-stats/criminal-justice-statistics-guide-sept-2012.pdf](http://www.justice.gov.uk/downloads/statistics/criminal-justice-stats/criminal-justice-statistics-guide-sept-2012.pdf)

### *Pre-sentence reports (PSRs)*

The PSR data presented in this report are not currently published; however, overall PSR data (not broken down by gender) are published in *Offender Management Statistics*, and can be downloaded from:

[www.justice.gov.uk/downloads/statistics/prison-probation/omsq/omsq-q1-2012-probation-tables.xls](http://www.justice.gov.uk/downloads/statistics/prison-probation/omsq/omsq-q1-2012-probation-tables.xls) (table 4.13). The PSR figures have been drawn from administrative IT systems which, as with any large scale recording system, are subject to possible errors with data entry and processing.

### *Criminal histories and Police National Computer (PNC) data*

The figures on first time entrants and previous criminal histories have been taken from the Ministry of Justice's extract from the Police National Computer (PNC) - the operational database used by all police forces in England and Wales. The PNC covers 'recordable' offences, which are defined as offences that can attract a custodial sentence plus some additional offences defined in legislation. Some non-recordable offences are also included on the PNC, particularly when they accompany recordable offences in the same case. A range of less serious summary offences, such as TV Licence evasion and many motoring offences are not recorded on the PNC. Like any other large scale administrative database, the PNC is subject to delays and errors in

recording and data entry. Figures may be subject to revision in later editions of this publication as more information is recorded by the police.

### *First time entrants*

The figures based on first time offenders include an offender who has received their first reprimand, warning, caution or conviction for an offence processed by a police force in England or Wales or by the British Transport Police. The measure excludes any offenders who were at the time of their first conviction or caution (according to their PNC record) resident outside England or Wales. Penalty notices for disorder, other types of penalty notice, cannabis warnings and other sanctions given by the police are not counted.

### *Criminal histories*

The data on criminal histories relate to cautioning or sentencing occasions recorded on the PNC for indictable offences, although some figures are for summary offences that are recorded by the police. Where an offender has been cautioned or sentenced on more than one occasion, the offender's criminal history on each occasion has been included. Where an offender has been cautioned or sentenced on the same occasion for several offences, details of the primary offence have been presented. The figures relate to cautioning or sentencing occasions for offences prosecuted by police forces in England and Wales including British Transport Police; they exclude sentences resulting from prosecutions brought by other authorities such as the Department for Work and Pensions (DWP), HM Revenue & Customs (HMRC) and the Ministry of Defence (MOD). Although some of these cases are recorded on the PNC, they may not always be linked to the offender's previous criminal history and have therefore been excluded. Certain offences, such as benefit fraud, which are commonly prosecuted by non-police authorities, are, as a result, undercounted.

## **Chapter 5: Women as offenders: under supervision or in custody**

The data presented in the Chapter 5 are based on the publications *Offender Management Statistics 2011*, *Safety in Custody Statistics 2011*, and the *Proven Re-offending Statistics* series.

### *Prison flows and population*

Data on those in prison are drawn from administrative IT systems. Although care is taken when processing and analysing the returns, the detail collected is subject to the inaccuracies inherent in any large-scale recording system. While the figures shown have been checked as far as practicable, they should be regarded as approximate and not necessarily accurate to the last whole number shown in the tables. Where figures in the tables have been rounded to the nearest whole number, the rounded components do not always add to the totals, which are calculated and rounded independently.

In May 2009, the National Offender Management Service began the roll-out of a new case management system for prisons (Prison-NOMIS). During the phased roll-out, data collection issues emerged that affected the supply of data for statistical purposes from July 2009 to February 2010. Specifically, statistical information on sentence length and offence group is not available on any of the prison datasets for this period. These problems were successfully resolved in March 2010, and various measures were taken to estimate sentence lengths for prisoners received or discharged before the problems were resolved. Further information on these measures can be found at: [www.justice.gov.uk/downloads/statistics/prison-probation/oms-definitions-measurement.pdf](http://www.justice.gov.uk/downloads/statistics/prison-probation/oms-definitions-measurement.pdf)

Prison establishments record details for individual inmates on the prison IT system (either Prison-NOMIS or LIDS). The information recorded includes details such as date of birth, sex, religion, nationality, ethnic origin, custody type, offence, reception and discharge dates and, for sentenced prisoners, sentence length. The data from individual prison establishments then feed through to a central computer database, called the Inmate Information System

(IIS), from which data extracts are used to produce the various analysis of prison population, receptions, discharges and time served in custody.

Until June 2009, the prison population data used for analysis were derived by combining two sources: the individual level data collected on IIS, and a set of aggregate totals from each prison establishment giving the numbers held in each prison broadly subdivided according to age group, sex, custody type and sentence length. The individual level data were scaled to the aggregate totals to create the monthly prison population dataset used for all analysis. A more detailed method of scaling was developed in 2004.

Following the rollout of the new prison IT system – Prison-NOMIS – the prison population data are now drawn from a single source, removing the need for the scaling process used previously. All prison population data from July 2009 onwards have been taken from this new data source. Thus, for all annual tables showing the prison population over time, 2010 figures have been taken from a different source to earlier years. To aid comparison, the 2009 figures from both the old and new systems have been presented.

### *Probation Service supervision*

Since 2005, detailed information on the supervision of offenders (at the individual offender level) has been submitted by probation trusts on a monthly basis. These monthly 'probation listings' include information on offenders starting and terminating probation supervision and those supervised on the probation caseload at the end of each month. Between 2002 and 2005, this information was submitted quarterly, and, prior to 2002, a different data collection system was in place, which meant that information on caseload had to be calculated based on the number of people starting supervision and the number of terminations.

For further information on prisons and probation data, please see *Offender Management Statistics: definitions and measurement*, which is available at: [www.justice.gov.uk/downloads/publications/statistics-and-data/mojstats/oms-definitions-measurement.pdf](http://www.justice.gov.uk/downloads/publications/statistics-and-data/mojstats/oms-definitions-measurement.pdf)

## Safety in custody

### *Deaths*

The data relating to deaths in prison custody presented in this publication are drawn from the NOMS Deaths in Prison Custody database. The data are closely scrutinised and are considered to be of high quality. However, the nature of deaths may change over time as new information emerges in particular following inquests which often take place some years after a death. Overall, numbers of deaths in prison custody should be absolute. However, a single reclassification of a death following inquest will affect numerous tables in this publication. Tables dependent on classification of deaths should therefore be treated as provisional.

In a previous *Safety in Custody* bulletin (published in July 2011), a new 'unclassified' category of death was introduced. At the time, it was unclear how these deaths would eventually be classified. Although it has always been the case that classifications may change as new information emerges, the approach attracted criticism that self-inflicted or other violent deaths may be hidden in this new category.

In the majority of cases, deaths in prison custody are quickly classified. For the remaining deaths, further information may be required before a classification can be made. The information awaited may refer to post mortem or toxicology reports, Prison and Probation Ombudsman reports or the Coroner's inquest. In a few cases, the cause of death may never be known even after all of the necessary investigations have taken place. Such cases have always existed but, in 2010, numbers appeared to increase.

Of the deaths for which further information is awaited after three months, it has been concluded that the majority will end up classified as 'other/non-natural'. Most of the remaining deaths in this category will be natural causes. Only a small proportion are expected to be self-inflicted, although there will remain an element of uncertainty that will not be removed until after inquest.

The revised approach consists of four main categories and two sub categories:

- Self-inflicted
- Natural causes
- Homicide
- Other – *consisting of the two sub categories:*
  - Other/non-natural
  - Awaiting further information (formerly 'unclassified')

The only essential change is that two of the existing categories are now aggregated. The statistical reason for this change is that the two sub-categories reported on previously are relatively volatile, changing quickly over time as new information emerges. As a result, they are not, in isolation, suitable for determining trends. However, the aggregate 'other' category is relatively stable and therefore more useful for determining trends.

The types of deaths included in the aggregate 'other' category include:

- Deaths following a fall
- Adverse reaction to medical treatment
- Refusal of medical treatment
- Drug related

Data in this publication includes deaths of prisoners while Released on Temporary License (ROTL) for medical reasons but excludes deaths of any prisoners on other types of ROTL because the incident leading to a death does not usually occur within the direct control of the state. For example; an overdose or fatal road traffic accident. In addition, ROTL deaths cannot be counted accurately because:

- They are not always reported to NOMS immediately.
- When prisoners do not return to custody, they are declared as being unlawfully at large. Unless all such prisoners can be accounted for, the numbers dying while on ROTL cannot be measured with certainty.

### *Self-harm and assaults*

The data relating to self-harm and assault incidents in this publication are drawn from the NOMS Incident Reporting System, which collects information on a range of different types of incident. Although care is taken when processing and analysing returns related to these incidents, the detail collected is subject to the inaccuracies inherent in any large-scale recording system. While the figures shown have been checked as far as practicable, they should be regarded as approximate and not necessarily accurate to the last whole number.

In prisons, as in the community, self-harm is often covert and assaults may go unreported. In prison custody, however, such incidents are more likely to be detected and counted. Recording of self-harm and assault incidents in prison custody has improved over the years but it remains the case that they cannot be counted with absolute accuracy.

### *Re-offending*

The data required for measuring proven re-offending involve a range of data sources (NOMS prison database, probation data, identification of drug-misusing offenders, identification of Prolific and other Priority Offenders, and young offenders in secure accommodation, and the criminal records from the Police National Computer) from a range of agencies (NOMS, probation trusts, the Youth Justice Board, Drug Action Teams, local authorities and the National Police Improvement Agency). These figures have been derived from administrative IT systems which, as with any large scale recording system, are subject to possible errors with data entry and processing.

There is no agreed international standard for measuring and reporting re-offending. An offender's journey through the criminal justice system can be a complex one; offenders can appear on numerous occasions.

Measuring true re-offending is difficult. Official records are taken from either the police or courts, but they will underestimate the true level of re-offending because only a proportion of crime is detected and not all crimes are recorded

on one central system. Furthermore, other methods for measuring re-offending, such as self report studies, are likely to be unreliable. Therefore, this data source aims to measure proven re-offending.

Ministry of Justice publications in the *Proven Re-offending Statistics* series have been developed in response to a consultation in late 2010 and early 2011 on “Improvements to Ministry of Justice Statistics”. For a more detailed explanation of this consultation and the data used in the *Proven Re-offending Statistics* series, please see the accompanying ‘Definitions and Measurement’ document at: [www.justice.gov.uk/statistics/reoffending/proven-re-offending](http://www.justice.gov.uk/statistics/reoffending/proven-re-offending)

## **Chapter 6: Women as staff and practitioners in the Criminal Justice System**

Data on practitioners have been provided by the individual agencies listed in this chapter and are based on HR systems. As these systems are regularly updated, the data were true at the specific date supplied and may not always be reconcilable with those published by the agencies themselves.

Figures are based on headcount for all agencies except the Police, who provided full-time equivalent figures. Police data are therefore not directly comparable with data from other agencies.

### **Police**

The figures quoted in this report are for all officers including those officers on career breaks or maternity/paternity leave.

Police staff figures do not include school-crossing patrols, British Transport Police, contract staff employed by private companies and staff on external secondments. However, staff on fixed-term contracts are included, and secondments from one police force to another are included in the police officer strength total for the 43 forces of England and Wales.

Data on officers and staff joining and leaving the police force are unverified and are provided on a provisional basis only.

## **Crown Prosecution Service**

As the Crown Prosecution Service (CPS) merged with the Revenue and Customs Prosecutions Office (RCPO) during the last quarter of 2009/10, it is only possible to compare data from the last three years for this agency.

Data from the Crown Prosecution Service HR database excludes all career break staff and does not include non salaried, fee paid, Non Executive Directors or G1 grades nor casual staff i.e. agency/contractors & the Corporate Division.

## **Judges**

Since 2008, figures for judges have included those in four new posts: 1) Judge Advocates; 2) Deputy Judge Advocates; 3) Masters, Registrars, Costs Judges and District Judges (Principal Registry of the Family Division, PRFD); and 4) Deputy Masters, Registrars, Costs Judges and District Judges (PRFD). Data on judges also no longer include Justices of the Supreme Court, as these data have not been held by the Judicial Office since the creation of the Supreme Court in 2009. As a result of these changes, data on judges presented in this report will not be comparable with those presented in previous editions.

## **Ministry of Justice**

Ministry of Justice figures include staff in Ministry of Justice Head Quarters (MoJ HQ), HM Courts and Tribunals Service (HMCTS) and the Office of the Public Guardian (OPG). They do not include the National Offender Management Service (NOMS), the National Archives, the UK Supreme Court or the Land Registry, which also come under the justice umbrella.

The Ministry of Justice has undergone some changes in recent years which will have affected the staff figures presented. In June 2010, 1,500 staff were transferred from NOMS to the Ministry of Justice. From 1 April 2011, Wales Office and Scotland Office were moved to the Office of the Territories.

### **National Offender Management Service (NOMS)**

Data from the NOMS HR database are subject to a number of staffing changes in recent years, some of which have affected specific parts of the workforce. In June 2010, approximately 1,500 NOMS HQ staff were transferred to the central Ministry of Justice. Additional NOMS HQ restructures, the closing of four prison establishments in 2011/12, and the transferral of another prison to the private sector, resulted in a further reduction in the total number of NOMS staff.

### **Probation Service**

Due to a change in recording systems, Probation Service staff data presented in Chapter 6 relate to 2009 to 2011 only. These figures include staff seconded out of probation areas/trusts.

Cheshire and West Mercia were unable to submit data to the HR Data Warehouse for December 2009 due to the implementation of new HR systems. The most recent data available at that point has been included within the figures for 2009 for these areas/trusts (November 2009 data for West Mercia, and September 2008 data for Cheshire).

**Contact points for further information**

Current and previous editions of this publication are available for download at [www.justice.gov.uk/statistics/criminal-justice/women](http://www.justice.gov.uk/statistics/criminal-justice/women)

Press enquiries should be directed to the Ministry of Justice press office: Tel: 020 3334 3536, Email: [pressofficenewsdesk@justice.gsi.gov.uk](mailto:pressofficenewsdesk@justice.gsi.gov.uk)

Other enquiries about these statistics should be directed to: [statistics.enquiries@justice.gsi.gov.uk](mailto:statistics.enquiries@justice.gsi.gov.uk)

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Other National Statistics publications, and general information about the official statistics system of the UK, are available from [www.statistics.gov.uk](http://www.statistics.gov.uk)



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