



Ministry
of Justice



Statistics on Women and the Criminal Justice System 2015

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Chapter 1: Executive Summary

This publication compiles statistics from data sources across the Criminal Justice System (CJS), to provide a combined perspective on the typical experiences of women who come into contact with it. It considers how these experiences have changed over time and how they contrast to the typical experiences of men. No causative links can be drawn from these summary statistics, and no controls have been applied to account for differences in circumstances between the males and females coming into contact with the CJS (e.g. average income or age); differences observed may indicate areas worth further investigation, but should not be taken as evidence of unequal treatment or as direct effects of sex.

In general, females appear to have been substantially under-represented as offenders throughout the CJS compared with males. This is particularly true in relation to the most serious offence types and sentences, though patterns by sex vary between individual offences. Females were also typically underrepresented among practitioners in the CJS and among victims of violent crime, although they were more likely than males to have been a victim of intimate violence or child abuse. Trends over time for each sex often mirror overall trends, though this is not always the case.

Victimisation

According to the Crime Survey of England and Wales, there was no statistically significant difference in the proportion of women and men that were victims of crime in 2015/16. Women were less likely than men to think that the CJS is fair and more likely to believe that crime is rising. Women were more likely to have been subject to abuse as children, particularly sexual assault. They were less likely to be victims of violent crime in general, but much more likely to be victims of sexual assault or domestic violence – and female homicide victims were far more likely than their male equivalents to have a current or former partner be the principal suspect for their death.

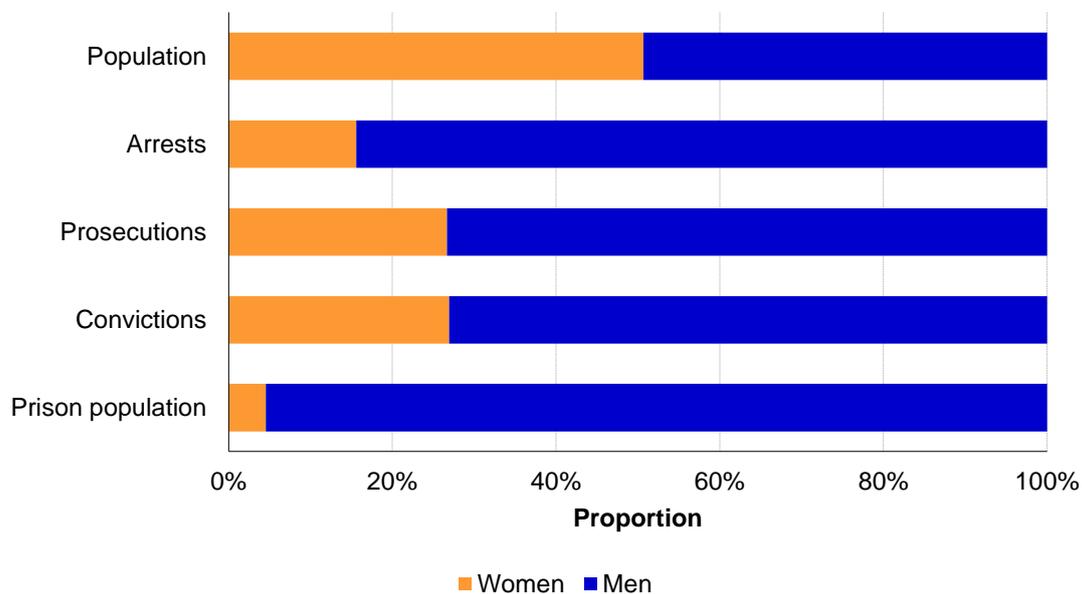
Police Activity

Less than a quarter of those given a penalty notice for disorder (22%) or caution (24%) were female. Women were underrepresented to an even greater extent among those arrested (16%), who are typically being dealt with for more serious offences than those dealt with out of court. For both out of court disposals and arrests, females were particularly likely to have been dealt with for theft offences.

Defendants

Over the last decade, the number of females prosecuted has risen by 6%, driven by increases in prosecutions for TV license evasion, while the number of males prosecuted has fallen by a third. Nevertheless, in line with police activity, females were still substantially underrepresented among those prosecuted, at just over a quarter of the total (27%). This is broadly mirrored in convictions, remands and sentencing, although women have a slightly higher conviction ratio. Women were more likely to be sentenced to fines and conditional discharges and less likely to be sentenced to custody, compared with men. They also received shorter immediate custodial sentences on average, with the gap increasing over the last decade, driven by increases in the number of prosecutions and average custodial sentence length of male sexual offenders.

Figure 1.01: Proportions of men and women throughout the CJS, 2015¹



Offender Characteristics

Females made up a quarter of first time offenders, but only one in seven of those dealt with who had a previous caution or conviction. Males were more likely to be sentenced to immediate custody and to receive custodial sentences of 6 months or longer than females with a similar criminal history. Three-fifths of offences committed by women with 15 or more previous cautions or convictions related to theft, compared with only two-fifths for men. Although males were more likely to reoffend, females had a higher number of proven reoffences on average per reoffender. Females were slightly more likely than males to reoffend following a short custodial sentence, but considerably less likely to reoffend following longer ones.

¹ Arrests data from 2015/16. Prison population at June 2015.

Offenders under supervision or in custody

Women represented only 5% of the prison population, a proportion that has fallen over the last decade. However, in line with sentencing patterns, women were typically serving shorter sentences and represented almost 9% of those admitted to custody. Female prisoners reported feeling better supported in prison, but less safe, and they were more likely to self-harm and self-harm more frequently than men. There were lower rates of assault in female prisons, but a slightly higher proportion of disciplinary incidents relative to the population. Women typically had shorter periods of probation and fewer requirements. They were also more likely than men to participate in education in prison, to be granted home detention curfew if eligible, to make a success of release on temporary license and to have their probation orders terminated early for good progress.

Offence analysis

A range of differences between the sexes could be seen when individual offences are examined; typical behaviours and outcomes vary between men and women at an offence level. For example, while women were more likely than men to have been prosecuted for TV license evasion, typical sentencing behaviour was the same for both sexes, whereas prosecutions for benefit fraud were close to evenly split between men and women, but males typically received more serious sentences. Trends also vary over time at an offence level: for example, women were becoming less likely to receive an immediate custodial sentence for indictable drug offence, while males were not. In line with overall trends, however, the differences that exist at offence level usually represent either less involvement or less serious involvement in the CJS for women than men.

Practitioners

Women were substantially underrepresented among the police and judiciary, at just over a quarter of practitioners, but represented more than half of those working in the Ministry of Justice, Crown Prosecution Service and female prison estate. In general, CJS functions involving direct contact with offenders had fewer females than males (and vice versa for those that do not), but the proportions have been slowly getting more equal since 2011. Female representation among senior staff was considerably lower than in the general workforce for all CJS organisations, but proportions have been rising.

Chapter 2: Introduction

Section 95 of the Criminal Justice Act 1991 states that:

'The Secretary of State shall in each year publish such information as they consider 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 fulfilling this requirement have been published since 1992, in the form of statistical information. This report, as with previous editions, brings together information on the representation of women (and men) among victims, suspects, defendants and offenders within the Criminal Justice System. It also provides details of practitioners within the Criminal Justice System (CJS).

The publication aims to help practitioners, policy makers, academics and members of the public understand trends in the CJS in England and Wales, and how these vary between the sexes and over time. The identification of differences should not be equated with unequal treatment, however, as there are many reasons why apparent disparities may exist which would require further investigation.

This is the latest 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. Other government papers containing information on the representation of different sexes and ethnic groups in the justice system have also been or will be published, including the National Offender Management Service (NOMS) Equalities report, Home Office statistics on Police Powers and Procedures, Crown Prosecution Service (CPS) reports on Violence against Women and Girls, and an ONS-led National Statistics report on Domestic Abuse in England and Wales.

Limitations on conclusions

Although we explore differences between sexes, it is important that inferences are not made about individuals from group-level data – since we consider averaged outcomes that do not take into consideration the unique sub-set of circumstances that are pertinent to each case. If we take, for example, defendants: there can be a number of points of contact with the CJS, which range from an out of court disposal to standing trial in front of a jury. The sentencing outcome that a person receives depends upon the crime committed, their offending history and a series of mitigating and aggravating factors unique to the person or crime. Because of this, the statistics presented in this report do not represent the expected experiences of an individual woman (or a man) throughout the Criminal Justice System, but they can highlight areas where further investigation or research may be warranted.

It is important to note that no controls have been applied for other characteristics of those in contact with the CJS, such as average income or age, so it is not possible to determine what proportion of any differences identified in this report are directly attributable to sex. It is also not possible to make any causal links between sex and CJS outcomes.

Recording of sex and ethnicity

‘Sex’ can be considered to refer to whether someone is male or female based on their physiology, with ‘gender’ representing a social construct or sense of self that takes a wider range of forms.

Throughout this report we refer to sex rather than gender, because the binary classification better reflects how individuals are generally reported or managed through the CJS. For example, prisons are either male or female institutions, with prisoners normally placed based on their legally recognised gender. However, given the range of recording practises (see technical guide for details) throughout the CJS, it is likely that most recording includes a mixture of physiological and personal identity. (Similarly, we refer to females / males and women / men interchangeably in this report, as a reflection of the binary classification in use.)

Individuals with an unknown or not stated sex are not included in the analysis, because it is impossible to tell where they should be counted. High levels of missing sex data would be of concern, both in terms of sample sizes and the risk of systematic bias. To allow users to assess the confidence they have in the data we are using, levels of missing or unreported sex data are reported throughout². Ethnicity has been reported using self-identification unless specified otherwise, based on the 5+1 summary grouping of the 16+1 2001 Census ethnicity categories (or 18+1 2011 Census categories) – i.e. as White, Black, Mixed, Asian, Chinese or other, or unknown.

² With the exception of sections based on the Crime Survey of England and Wales: in these sections, differences between groups in CSEW data have been tested for statistical significance. For further details about survey responses and calibration weighting, see the published CSEW technical report – available via <http://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendingjune2016> .

Data

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.

All results relate to England and Wales unless explicitly stated otherwise. Large figures are generally presented rounded to the nearest thousand, and percentages to the nearest percentage point in the bulletin text (or however is most appropriate), although all calculations have been conducted on unrounded figures (so totals may not sum). Unrounded figures are shown in the accompanying tables, except where data suppliers have asked us to suppress or round small numbers to protect individuals' privacy. Details of the suppression or rounding can be found alongside the tables in question. Differences between groups in survey data have only been discussed where they are statistically significant, unless stated otherwise. Those where sex (or other relevant information) is not held have generally been excluded from analysis, to reflect the lack of knowledge of the true characteristics of the unknown group.

Data are presented in terms of calendar and financial years, reflecting the reporting cycles and data collection of the agencies contributing information for this publication. For example, data on arrests are presented in financial years, while data from courts, prison and probation are presented in calendar years. Time series' have been presented wherever possible, of whichever length is most appropriate in context. Where changes to data systems or data quality issues do not allow for long time series', trends have been presented for the longest periods possible. The most recent data available during the compilation of this report has been included (usually the 2015 calendar year, referred to as the 'latest year'), though it is important to note that more recent data may have since been published. There are few comparisons to the population as a whole, but we have considered this to be 51% female, as based on Mid-year Population Estimates from the Office for National Statistics.

The statistics reported in this bulletin are primarily National Statistics, as drawn from either other published National Statistics bulletins or the data underpinning them. However, as in previous reports, in order to present as full a picture as possible we have also included some statistics that do not have this badging where National Statistics are not held on important or new topics. These include:

- Homicide and police recorded rape and domestic violence statistics from the Home Office
- Information from the Crown Prosecution Service Violence against Women and Girls crime report 2015-2016
- National liaison and diversion services pilot data from NHS England
- Survey data from Her Majesty's Inspectorate of Prisons Annual Report
- Experimental Ministry of Justice statistics on failure to appear in court

Where a source is not National Statistics, it will be marked as such, and users should consider this when making judgements about the weight that can be put on related findings.

Information provided

Supplementary Excel tables accompany the chapters, providing additional data where the figures have not previously been published (or not published in that form). Where figures have been published, links are provided as part of the text and tables. Additionally, a research paper using logistic regression to examine the impact of different factors and characteristics, including sex, on the likelihood of receiving a custodial sentence, has been released simultaneously.

A technical document titled *A Guide to Statistics on Women and the Criminal Justice System* is available alongside this report, which provides users with information on the concepts and terminology used within the report, as well as information about data sources, data quality and references.

This report is also accompanied by an infographic summarising key findings.

Those familiar with previous editions of this publication will find several additions and changes in this most recent report. The additions are intended to reflect the needs of users of the report, including suggestions from members of the expert advisory group for this publication. New components include:

- information on court processes – timeliness; case listing; election of Crown Court trial; defendant representation at the Crown Court; legal aid; appeals and prosecuting authority
- prisoner experiences – findings from surveys by Her Majesty's Inspectorate of Prisons and data on transfers to hospital for mental health treatment
- a sex breakdown of staff in female prisons
- information on national liaison and diversion schemes
- a 'relative rate' analysis, looking at the likelihood of different outcomes for women and men in the court system, among those able to receive each outcome.

It has not been possible to update previous sections on mitigating and aggravating factors and on employment, income and benefits before and after conviction / caution / release from prison, because more recent data is not available

The overall style and composition of the report have also been changed to align with *Statistics on Race and the Criminal Justice System 2014*, with the intention of making it easier for readers to interpret the relative experiences of males and females throughout the CJS.

The Ministry of Justice would welcome any feedback on the content, presentation or on any other aspect of this bulletin – we can be contacted through:

CJS_Statistics@justice.gsi.gov.uk

Chapter 3: Victims

This chapter explores the nature, extent and risks of victimisation as reported in the 2015/16 Crime Survey for England and Wales (CSEW), based on the sex of the victim. The chapter will also cover more detailed analysis of victims of violent crime and sexual assaults from the Focus on Violent Crime and Sexual Assaults publication, with the latest available covering the year to March 2015³. It also includes police recorded crime statistics on violent crime and homicide by the sex of the victim from the ONS publication, *Focus on: Violent Crime and Sexual Offences, year ending March 2015*⁴ and the CPS publication, *Violence against Women and Girls crime report 2015-2016*⁵; results from the CSEW on abuse during childhood, as published in the article *Abuse during childhood: Findings from the Crime Survey for England and Wales, year ending March 2016*⁶; and data on offences prosecuted from the MoJ publication *Criminal Justice Statistics Quarterly: December 2015*⁷.

Risks of victimisation

Since not all crimes are reported to the police, the main source of information on the incidence and likelihood of victimisation for the different sexes is the Crime Survey for England and Wales (CSEW). The CSEW is a large nationally representative survey that asks people about their experience of victimisation (including crimes not reported to the police) in the previous 12 months. The section below provides a summary of the key findings relating to the sexes from the survey. Further data are available in the *Crime in England and Wales, Year Ending March 2016* release, published by the Office for National Statistics⁸.

As a survey that asks people whether they have experienced victimisation, only certain offences are covered: violence (though murder cannot be included), robbery, theft (personal, burglary, vehicle, bicycle, other household) and criminal damage. The survey does not cover crimes where there is no direct victim, such as possession of drugs or motoring offences. Significance tests were carried out between the latest year compared with previous years and between the sexes. All differences commented on in this chapter are statistically significant at the 95% level unless otherwise stated.

In the latest year, there was no statistically significant difference between the sexes in the proportion who were victims of CSEW crime: 15% of adult women⁹ were victims, compared with 16% of men. For both sexes, this represents a fall compared with

³ This chapter is based on the CSEW throughout unless otherwise specified, but the year shown depends on the subject – generally the most recent data, 2015/16, but further breakdowns of violent crime and sexual assaults relate to 2014/15. If not specified in the text, it relates to 2015/16.

⁴ <http://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/compendium/focusonviolentcrimeandsexualoffences/yearendingmarch2015>

⁵ <http://www.cps.gov.uk/publications/equality/vaw/>. Management information rather than official statistics.

⁶ <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/abuseduringchildhood/findingsfromtheyearendingmarch2016crimesurveyforenglandandwales>

⁷ www.gov.uk/government/statistics/criminal-justice-statistics-quarterly-december-2015.

⁸ <http://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendingmar2016>

⁹ In this chapter, adults are counted as those aged 16 or over, rather than 18 or over as elsewhere – this reflects how they are categorised when responding to the CSEW.

2011/12, when 20% and 22% were victims respectively. There was a statistically significant difference for children aged under 16: 10% of girls experienced crime, compared with 15% of boys.

Perceptions of crime and victimisation

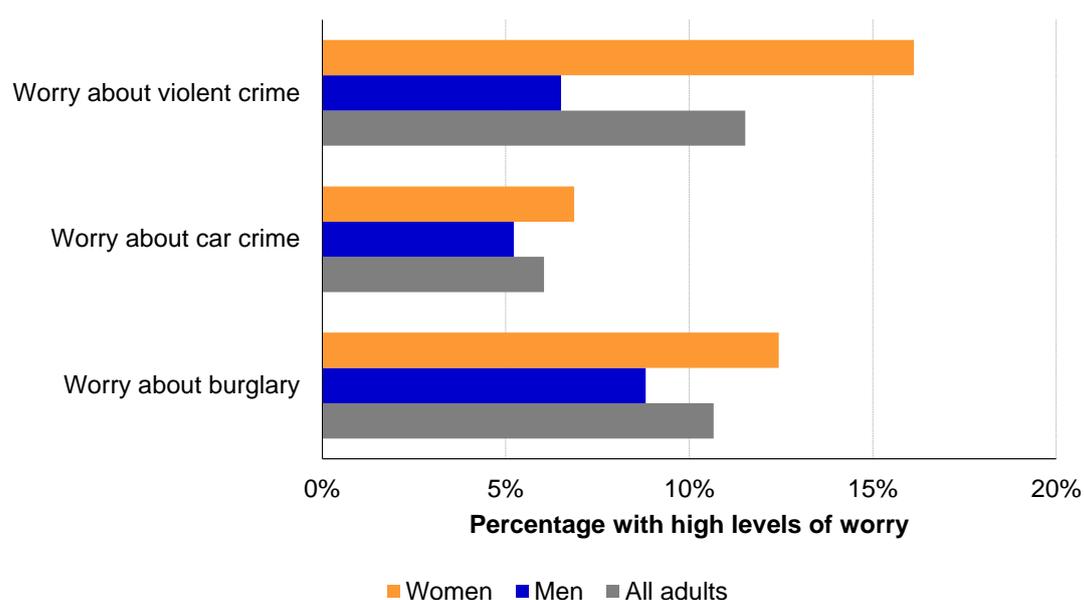
Confidence in the Criminal Justice System

In 2015/16, 68% of adults were confident the Criminal Justice System was fair. Women were less likely than men to think it is fair (66% compared with 70%). A smaller proportion of adults (54%) thought the Criminal Justice System was effective, and there was no significant difference between the sexes (54% of women and 53% of men thought this). The perception of fairness has increased for both women and men since 2011/12, when 61% of women and 64% of men thought the criminal justice system was fair. There has also been an increase in the belief that the criminal justice system is effective for both women and men, with 45% of women and 43% of men having this belief in 2011/12. Women were more likely than men to think crime had gone up in the past few years, with 66% and 53% respectively thinking crime had gone up nationally, and 34% and 28% respectively thinking it had gone up locally.

Perceived likelihood of being a victim of crime

There was no difference between the sexes in the proportions reporting thinking they were 'likely' or 'fairly likely' to be a victim of crime (19%). For women this is an increase from the previous year (18%), but for both sexes a decrease from 2011/12 (when it was 23% for both sexes). However, there were differences in the likelihood of worrying about particular types of crime, with women particularly likely to worry about violent crime (Figure 3.01).

Figure 3.01: Percentage of adults who worry about crime, by type of crime and sex, year ending March 2016



Personal Crime

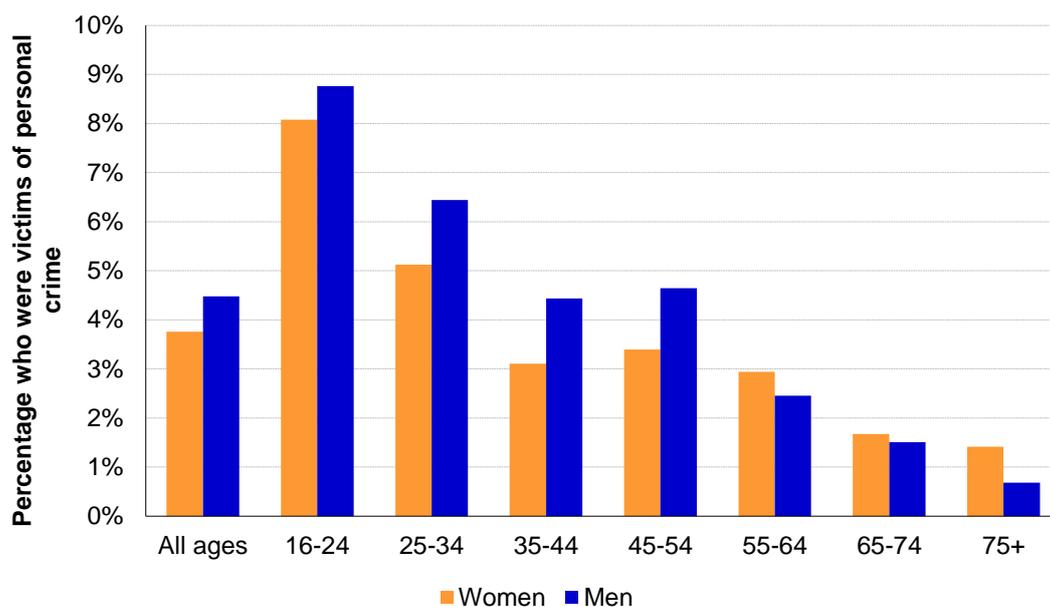
Personal crimes relate to all crimes against the individual and only relate to the respondent's own personal experience (not that of other people in the household). An example of a personal crime would be an assault or a theft of personal property away from the home.

The likelihood of being a victim of personal crime was less likely for women (3.8%) than for men (4.5%) in 2015/16. For both sexes the likelihood of being a victim of crime had fallen since 2011/12 (from 5.4% for females and 6.4% for males).

By age

For both sexes, the likelihood of being a victim of personal crime was greatest in the younger age groups and decreased as age increases (Figure 3.02). Women in the age groups 35-44 and 45-54 were less likely than men of the same age groups to be a victim of personal crime, while women in the age group 75 and over were slightly more likely than men of the corresponding age group to be a victim of personal crime.

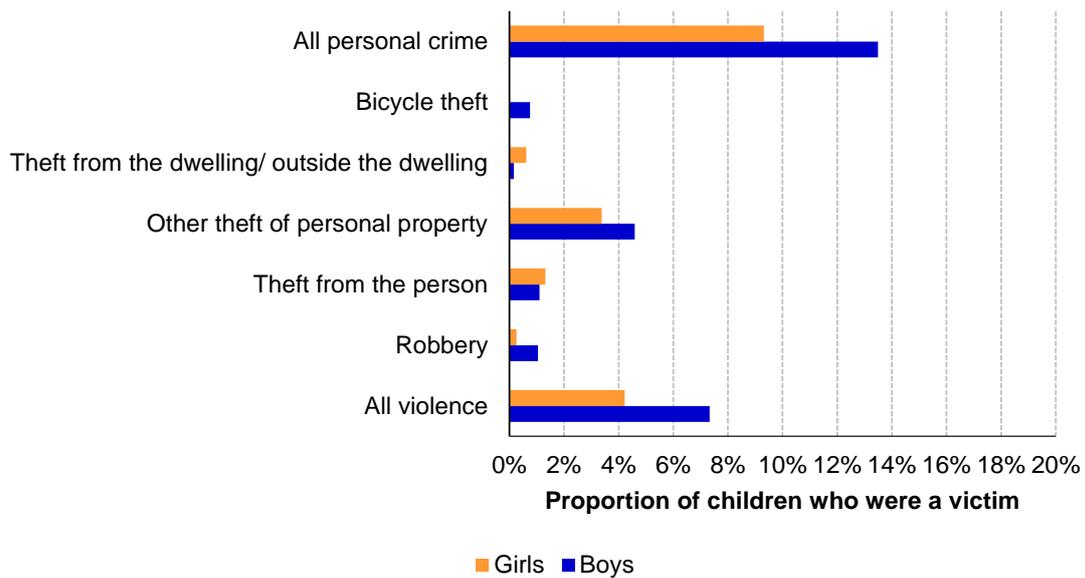
Figure 3.02: Percentage of adults who were victims of personal crime, by age group and sex, year ending March 2016



Children

As with adults, for children in the age group 10 to 15, females were less likely than males to have experienced being a victim of personal crime in the latest year (Figure 3.03)¹⁰. This was the case for most forms of personal crime. The exceptions were theft from the dwelling or near the dwelling where females in this age group were more likely than males to have been a victim of this crime (0.6% of females aged 10 to 15, compared with 0.2% of males), and theft from the person (1.3% of females aged 10 to 15, 1.1% of males).

Figure 3.03: Percentage of children aged 10-15 who were victims of personal crime, by type of crime and sex, year ending March 2016

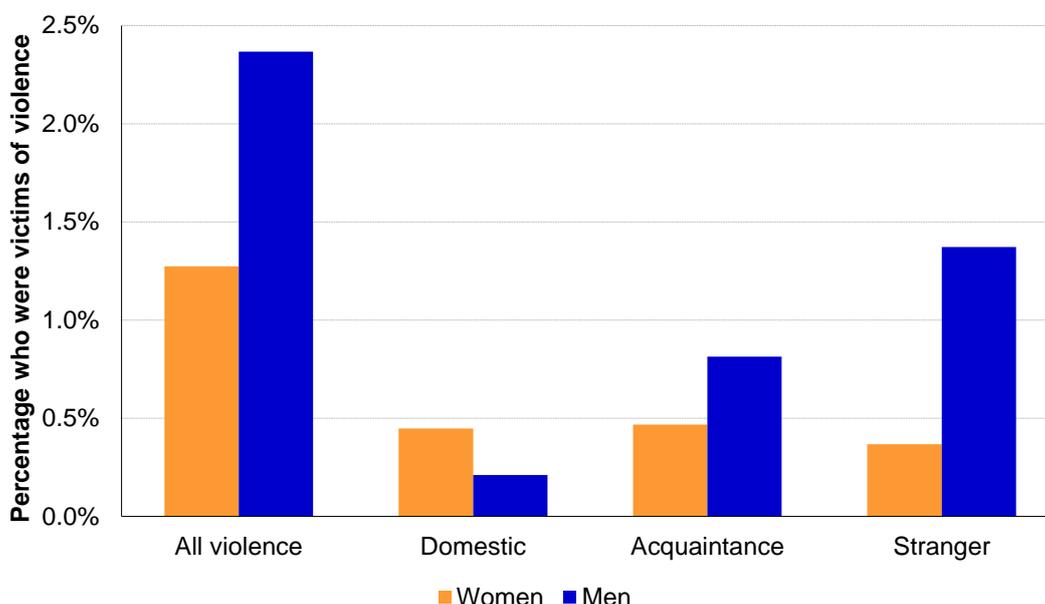


¹⁰ In this instance significance was not tested.

Violent Crime

Despite being more likely to worry about violent crime, women were less likely than men to be the victim of violent crime (2.4% of males compared with 1.3% of females) in 2014/15. However, within this they were more likely to be the victim of domestic violence¹¹ than men (0.4% of women compared with 0.2% of men). Broadly in line with this, 83% of victims in domestic abuse prosecutions were women, in 2015/16^{12,13}. Men were more likely than women to be the victim of violence from a stranger (1.4% of men compared with 0.4% of women) (Figure 3.04).

Figure 3.04: Percentage of adults who were victims of violence, by type of violence and sex, year ending March 2015



¹¹ A National Statistics report and data tool on Domestic Abuse in England and Wales will be published on 8 December 2016. This is being published by the ONS, on behalf of the Domestic Abuse National Oversight Group, working in collaboration with the Home Office, Crown Prosecution Service, Her Majesty's Inspectorate of Constabulary, West Midlands Police, College of Policing and National Police Chiefs Council. This report will not be released in time to inform this bulletin, but to avoid duplication of reporting we have not focused on domestic abuse or domestic violence to the same extent.

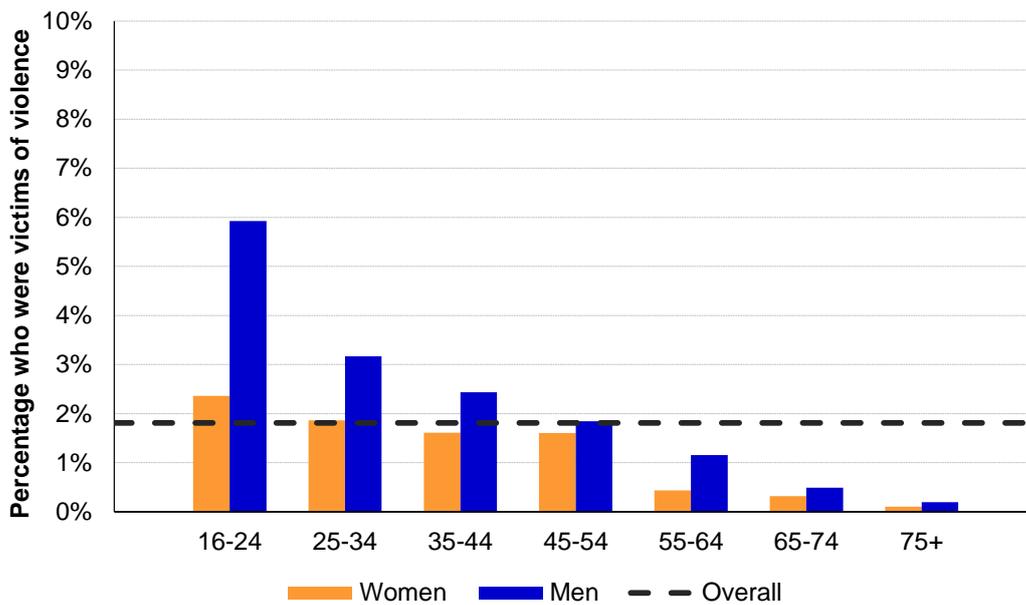
¹² Of known sex. Victims with unknown sex accounted for 17% of victims in domestic abuse prosecutions in 2015/16.

¹³ CPS Violence against Women and Girls crime report 2015-2016. This is based on CPS management information rather than official statistics.

Within the CSEW, violent crime is categorised into violence with injury and violence without injury. Women were less likely than men to be a victim in both of these categories in 2014/15.

They were also less likely to be a victim within all age groups in 2014/15 (Figure 3.05). For both men and women, 16 to 24 year olds were more likely to be a victim of violent crime than in any other age group. In this age group men were more than twice as likely to be a victim of violent crime as women (5.9% and 2.4% respectively), greater than the difference between the sexes as a whole.

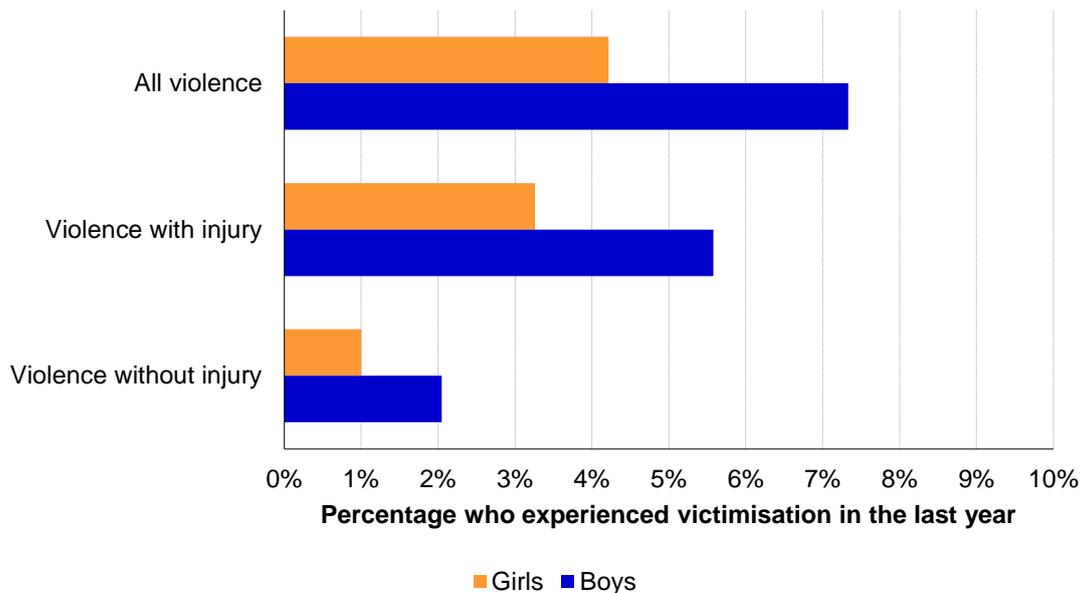
Figure 3.05: Percentage of adults who were victims of violence once or more, by age group and sex, year ending March 2015



Children

In 2015/16 6% of children were victims of violent crime. As with adults, girls (4%) were less likely to be a victim of violent crime than boys (7%), and this is true for violence both with and without injury (Figure 3.06).

Figure 3.06: Percentage of children aged 10 to 15 who experienced violent crime victimisation in the last year, by type of victimisation and sex, year ending March 2016



Risk factors associated with being a victim of violence

In *Statistics on Women and the Criminal Justice System 2013*, a logistic regression analysis of the 2011/12¹⁴ CSEW was conducted by the Office for National Statistics (ONS), to identify the risk factors independently associated with being a victim of violence for men and women.

This analysis found that the characteristics most associated with being a victim of violence for both women and men were age, disability and marital status. Individuals aged 16-24 were more at risk of being a victim of violence compared with older adults; individuals with a longstanding illness or disability were more at risk than those without; and individuals who were single, separated or divorced were more at risk than individuals who were married or cohabiting. For women, the number of evening visits to a pub/bar in the last month was also a risk factor. Women who went less than once a week or more than once a week were more at risk of being a victim of violence than those who had no visits.

¹⁴ <https://www.gov.uk/government/statistics/women-and-the-criminal-justice-system-2013>

For this bulletin, an Analysis of Variance of the 2014/15 CSEW was conducted by the ONS, to test whether the risk factors identified previously could still be considered risk factors. The analysis does not test whether there are other risk factors that have not previously been identified which could be associated with being a victim of violence for men and women.

Table 3.01 shows that age and marital status were still a risk factor for both sexes. Female individuals with a long-standing illness or disability remained more at risk than other adults, whereas male individuals were no longer more at risk. Conversely, the number of evening visits to a pub/bar in the last month has become a risk factor for men, and remains so for women.

Table 3.01: Factors tested as being associated with being a victim of violence for men and women, year ending March 2015^{15,16,17}

Variable	Risk Factor	
	Women	Men
Age	✓	✓
Long-standing illness or disability ¹⁸	✓	
Marital Status ¹⁴	✓	✓
Number of evening visits to pub/bar in last month ^{14,19}	✓	✓

Source: Crime Survey for England and Wales 2014/15

¹⁵ “✓” indicates a significant association between the variable and violent victimisation.

¹⁶ See Section 7 of the CSEW 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).

¹⁷ Only selected variables were tested, based on the results of previous analysis; these are not necessarily the biggest risk factors for being a victim of violence.

¹⁸ These variables were run whilst controlling for age.

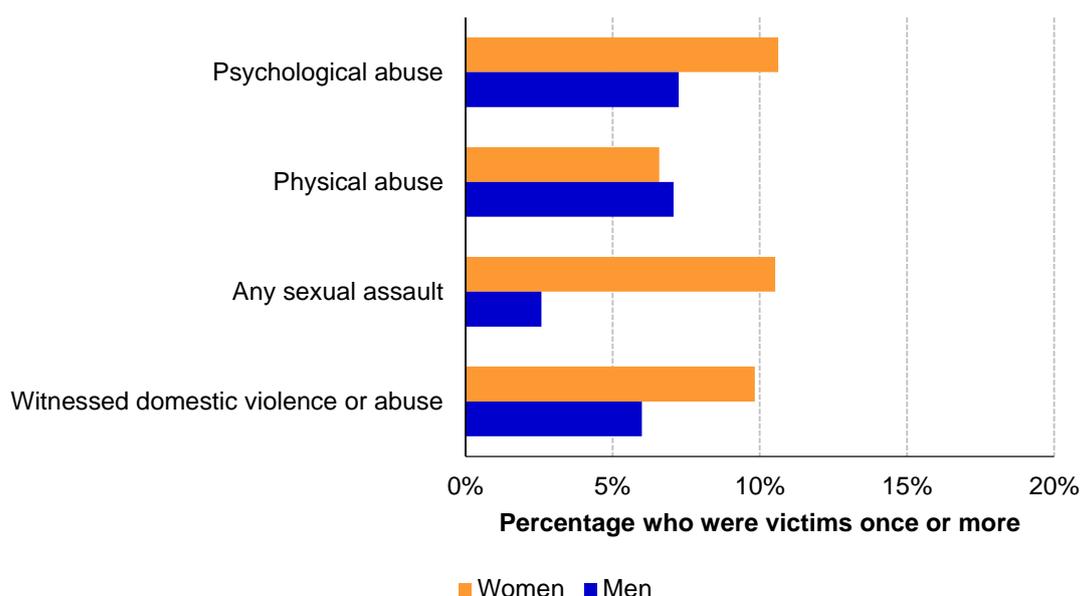
¹⁹ Number of evening visits to a pub/bar in the last month is typically used as an indicator of a respondent’s lifestyle.

Abuse during childhood²⁰

In the 2015/16 CSEW, adult respondents were asked whether they had experienced a range of abuse while they were a child.²¹ This covered abuse carried out by an adult, including psychological, physical, and sexual abuse and also having witnessed domestic violence or abuse in the home. This was the first time questions on abuse during childhood were included in the survey.

9% of adults (aged 16 to 59) had experienced psychological abuse, 7% physical abuse, 7% sexual assault²² and 8% had witnessed domestic violence or abuse in the home. Women were significantly more likely than men to report suffering any abuse and each individual form of abuse during childhood than men, except for physical abuse (Figure 3.07). The biggest difference was seen in sexual assault: women were almost 4 times as likely as men to have experienced this during childhood (11% compared with 3%).

Figure 3.07: Percentage who were abused during childhood among adults aged 16 to 59, by type of abuse and sex, year ending March 2016



²⁰ These data come from a self-completion module of the questionnaire, where the respondent is able to provide responses directly on the interviewer's tablet computer. In this instance significance was not explicitly tested.

²¹ Child being under 16

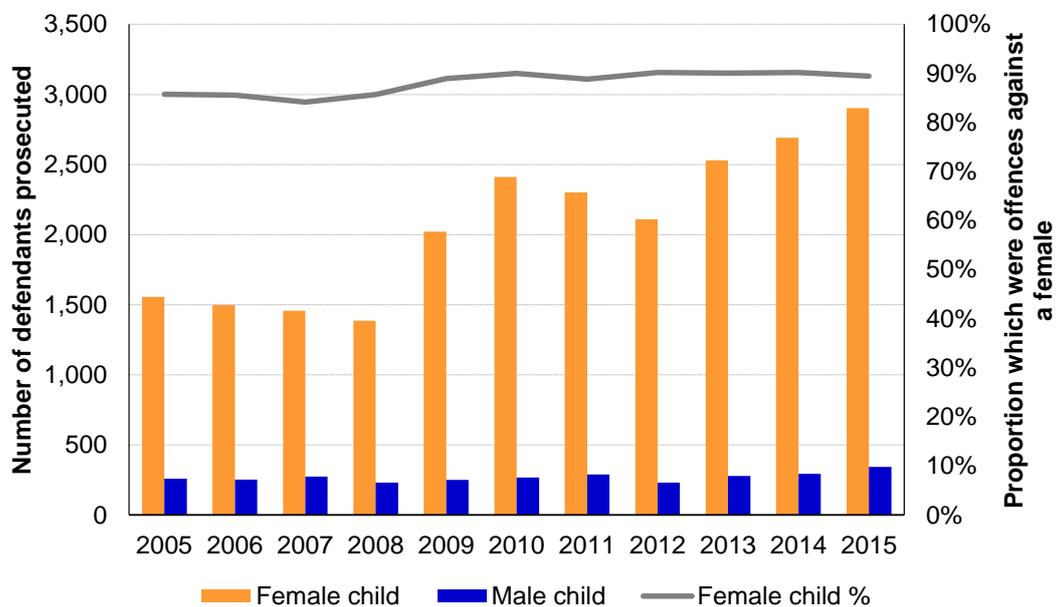
²² Any sexual assault being sexual assault by rape or penetration (including attempts) and other sexual assault including indecent exposure or unwanted touching.

Sexual abuse

Within this category, women were more likely to have experienced sexual assault by rape or penetration (including attempts) during childhood (3% of women, 1% of men). This amounts to an estimated 567,000 women, compared with 102,000 men. Over a quarter of female survivors (27%) of this type of abuse also experienced it as an adult, compared with 4% of men.

The prevalence of females in child sexual abuse cases is also seen in prosecution statistics²³; in 2015, 89% of defendants prosecuted against for child sexual abuse were prosecuted for an offence involving a female child. This proportion has been consistent over the decade (Figure 3.08).

Figure 3.08: Number and percentage of defendants prosecuted for child sexual abuse, by sex of child, 2005 to 2015



For sexual assault by rape or penetration, in terms of the survivor-perpetrator relationship, there were few differences between the sexes. However, men were more likely to have been abused by someone in a position of trust (such as a teacher, doctor, carer or youth worker) than women (15% compared with 4%), and women were more likely to have been abused by a partner or previous partner (10% compared with 1%).

12% of female victims and 25% of males told someone they knew personally about childhood sexual assault by rape or penetration (including attempts) at the time, usually a family member (18%). Only 10% of female victims told someone in an official position, with 8% reporting the abuse to the police. Only 2% of male victims reported the abuse to the police.

²³ From MoJ Criminal Justice Statistics Quarterly: December 2015. All child sexual assault and rape offences recorded by sex of victim, as specified in the offence.

As with sexual assault by rape or penetration, men who suffered other sexual assaults were more likely to have suffered them from a person in a position of trust than women (13% compared with 5%).

Psychological abuse

Of those who experienced psychological abuse as a child, the perpetrator was most likely to have been the victim's mother (40%) or father (35%). Women were more likely to have experienced this form of abuse from their mothers (42%) than fathers (33%), whereas men were equally likely to be abused by either parent.

Physical abuse

39% of victims of physical abuse were abused by their father. 29% were abused by their mother, 12% by a partner or previous partner, 10% by a step-father and 10% by another family member. The perpetrator of physical abuse against females was almost as equally likely to be the mother as the father (33% and 36% respectively). For males, the father was more likely to be the perpetrator of physical abuse, with 41% of victims being abused by their father and 24% by their mother. Women were more likely to be the victims of physical abuse by a partner or ex-partner than men (19% of women and 4% of men), and males were more likely to be the victim of physical abuse by a stranger than women (5% of women and 13% of men).

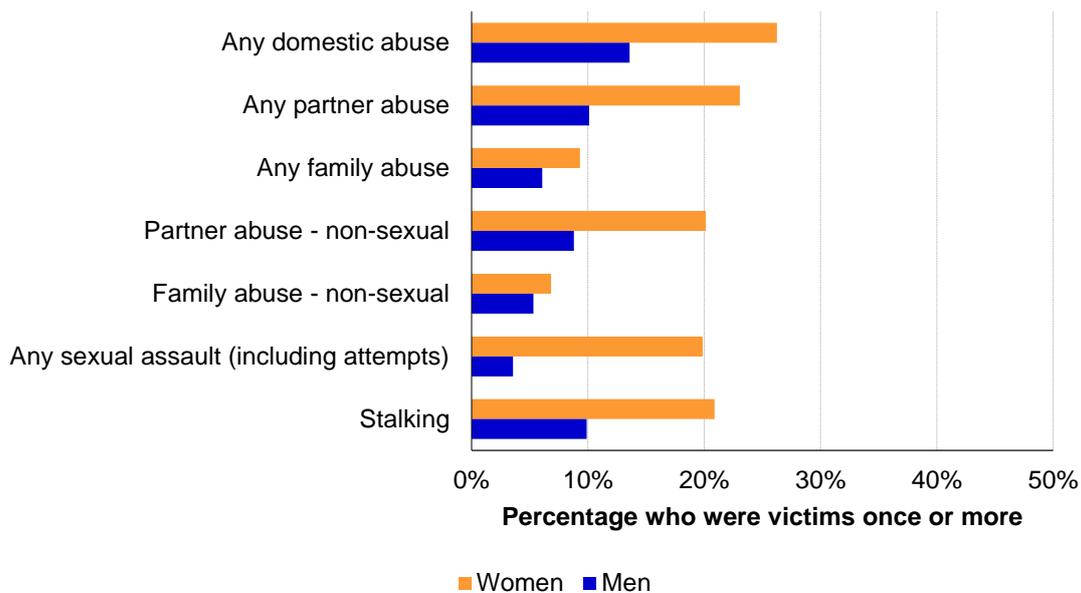
Intimate violence

Intimate violence is a collective term used here to refer to a number of different forms of physical and non-physical abuse consisting of partner abuse, family abuse, sexual assault and stalking. The term reflects the intimate nature either of the victim-offender relationship or the abuse itself.

Intimate violence experienced since the age of 16

In 2015/16, a quarter (26%) of women reported having experienced some form of domestic abuse at some point in their adult life, compared with 14% of men (Figure 3.09). Women were also about twice as likely to have experienced non-sexual partner abuse (women 20%, men 9%), family abuse (women 9% men 6%) and stalking (women 21%, men 10%). Women were considerably more likely to have experienced sexual assault or an attempted sexual assault as men, with 1 in 5 women (20%) saying they had experienced this since the age of 16 compared with only 1 in 25 men (4%)²⁴.

Figure 3.09: Percentage of adults who were a victim of intimate violence since the age of 16, by type of violence and sex, year ending March 2016



Intimate violence experienced in the last year

In 2015/16, 6% of adults were victims of domestic abuse (8% of women and 4% of men), 5% were victims of partner abuse (6% of women and 3% of men), and 2% were victims of family abuse (2% of women and 1% of men). The difference between sexes for the different types of intimate violence in the last year were generally similar to those reported since the age of 16.

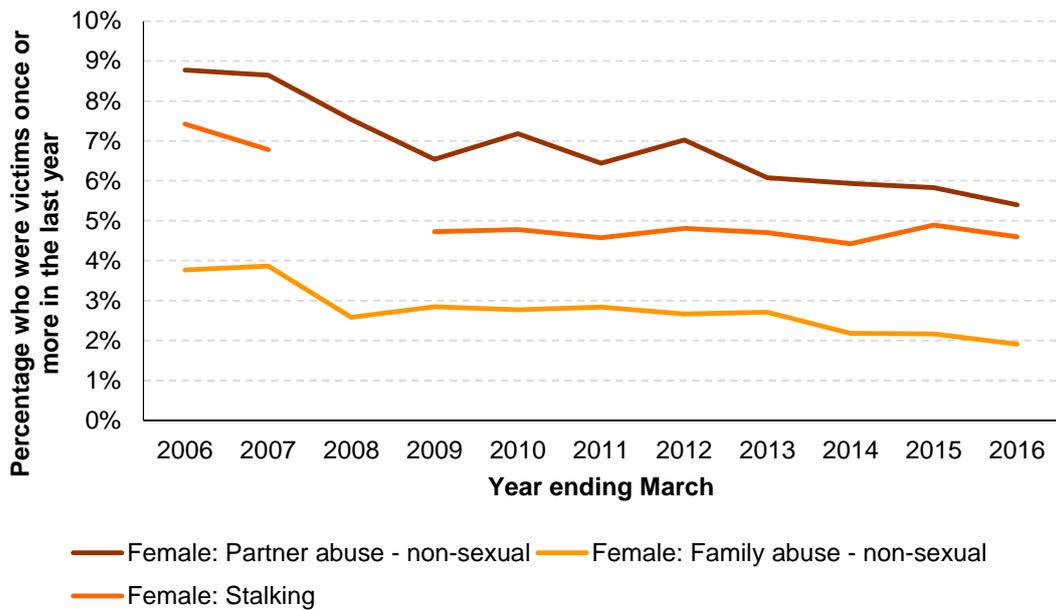
Over the decade, there has been a significant decrease in the number of women and men who reported experiencing non-sexual partner abuse or stalking, and among

²⁴ In this instance significance was not explicitly tested, but the difference is substantial.

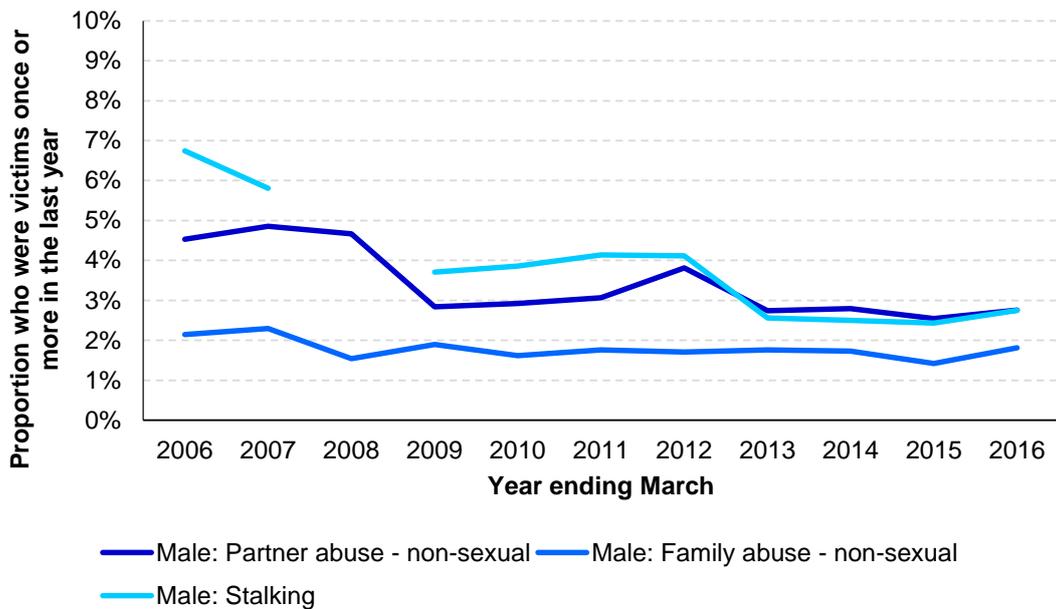
women in reporting experiencing non-sexual family abuse (Figure 3.10). The decrease in the number who reported sexual assault was not significant.

Figure 3.10: Percentage of adults who were victims of intimate violence in the last year, by type of violence and sex, year ending March 2006 to year ending March 2016²⁵

Females



Males



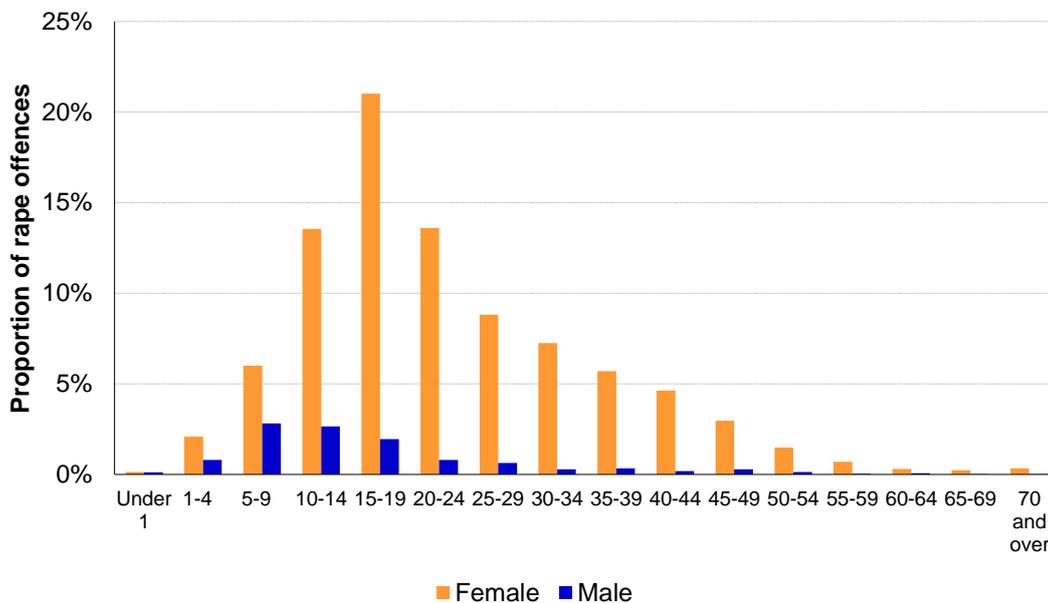
²⁵ Stalking excludes a data point for 2007/08 due to comparable questions on stalking not being included that year. Male family abuse – non-sexual did not have a significant change, but is shown for comparison with females. Sexual assault is not shown as the change is not significant for either sex.

Sexual abuse

In line with the higher proportion of women reporting having been a victim of sexual assault, 94% of defendants prosecuted for sexual assault were prosecuted for an assault on a female²⁶.

Females accounted for 89% of police recorded rape victims in 2014/15²⁷, with females aged between 10 and 24 years most likely to be the victims of rape, accounting for 48% of rape victims. 21% of rape victims were females aged between 15 and 19, compared with 1.9% of rape victims being males in this age group. Males were most likely to be victims of rape in childhood, with boys aged 5 to 14 years accounting for half of male rape victims (Figure 3.11). The high proportion of rape victims that are female is mirrored in the offences prosecuted: 92% of defendants proceeded against at the magistrates' court for rape were prosecuted for rape of a female.

Figure 3.11: Proportion of rape offences by age and sex of the victim, experimental statistics from 13 police forces, year ending March 2015



²⁶ From MoJ Criminal Justice Statistics Quarterly: December 2015. All sexual assault and rape offences recorded by sex of victim, as specified in the offence.

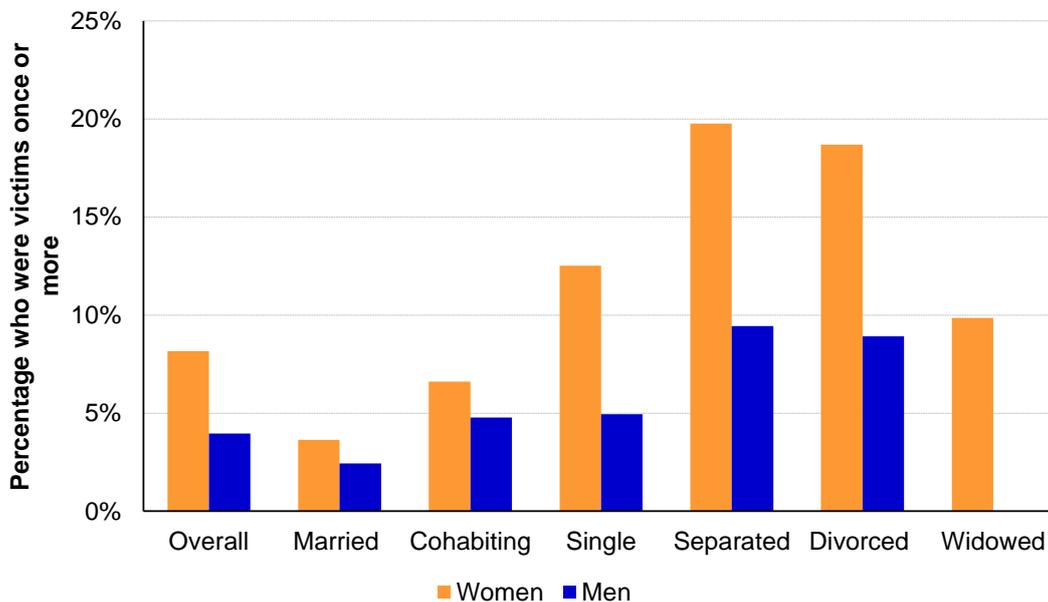
²⁷ Not designated National Statistics. Statistics on rape by age group are experimental statistics from 13 police forces that provided accurate data via the Home Office Data Hub. For more information see Focus on Violent Crime and Sexual Offences bulletin.

Domestic abuse

Domestic abuse includes partner or family non-physical abuse, threats, force, sexual assault or stalking. Based on the 2014/15 CSEW, 8% of women experienced domestic abuse, compared with 4% of men.

Women of almost all marital statuses were more likely than their male counterparts to have been a victim of domestic abuse. The difference was greater for single, separated and divorced people than it was for married people (Figure 3.12). For cohabiters the difference between women and men was not statistically significant.

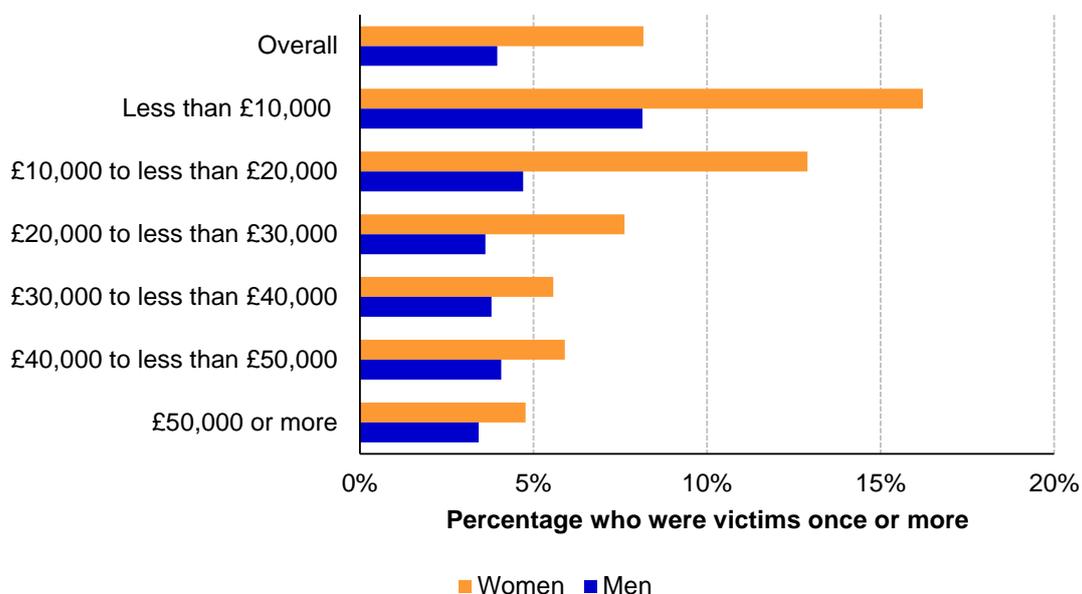
Figure 3.12: Percentage of adults aged 16 to 59 who were victims of domestic abuse in the last year, by marital status and sex, year ending March 2015



Both women and men who lived in a household structure of a single adult and child(ren) were more likely to have been a victim of domestic abuse in 2014/15 (23% and 18%), compared with those who lived in a household with adults and child(ren) (6% and 4%), or no children (8% and 4%).

Both men and women with a lower household income were more likely to have been a victim of domestic abuse in 2014/15 than those with higher household incomes. The difference between sexes was largest for household incomes between £10,000 and £20,000, at 13% of women and 5% of men (Figure 3.13).

Figure 3.13: Percentage of adults aged 16 to 59 who were victims of domestic abuse in the last year, by household income and sex, year ending March 2015



Domestic abuse by partners

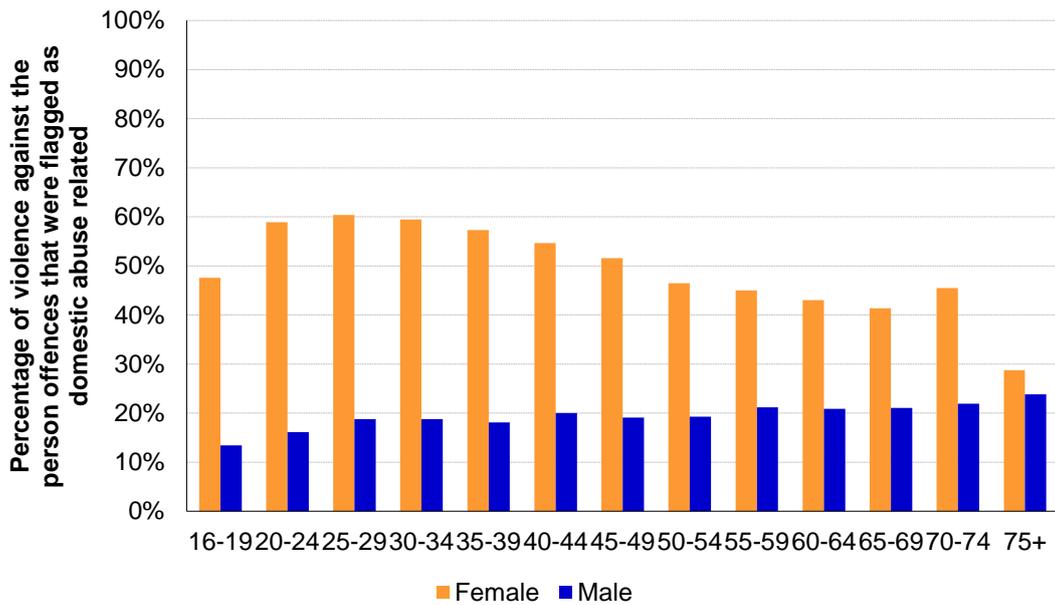
Women were more likely than men to feel non-physical effects as a result of partner abuse in 2014/15, such as mental or emotional problems (47% and 30% respectively). There was no significant difference between women and men in stopping trusting people/difficulty in other relationships (22% and 19% respectively). A similar proportion of women and men tried to kill themselves as a result (4% and 3% respectively).

In 2014/15, 26% of women and 10% of men told the police about the partner abuse experienced in the past 12 months. For women, this proportion has seen a decrease, whereas the proportion of men has remained stable.

*Domestic violence flagged by the police*²⁸

Of the violence against the person offences recorded by the police in April to September 2015, a higher proportion were flagged as domestic abuse for female victims than male.²⁹ This was true across all age bands, although the likelihood of an offence being flagged generally fell for females and rose for males as age increased (Figure 3.14).

Figure 3.14: Percentage of violence against the person offences recorded by the police that were flagged as domestic abuse related, by sex of victims, experimental statistics from 12 police forces, April to September 2015



²⁸ Not designated National Statistics – these are experimental statistics. This is the first time that these data have been collected as part of the data that the police forces provide to the Home Office on a mandatory basis.

²⁹ Domestic abuse related offences are defined as any incidence of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults, aged 16 and over, who are or have been intimate partners or family members, regardless of gender or sexuality.

Honour based violence

In 2015/16, there were 216 referrals to the CPS³⁰ from the police of honour based violence related offences, a fall from 251 in the previous year. 182 defendants were prosecuted, a fall from 225 in the previous year. 76% of victims in honour based violence prosecutions were female in 2015/16³¹.

Forced marriage

In 2015/16 there were 90 forced marriage referrals to the CPS³² from the police, compared with 82 in the previous year. There were 53 prosecutions, also a rise, up from 46 in the previous year. 32 of the victims in forced marriage prosecutions were female in 2015/16, compared with 4 males³³. On 16 June 2014 a new specific criminal offence of forced marriage came into force, whereas previously it had been dealt with under existing legislation such as kidnapping, false imprisonment and offences of violence. There were 5 prosecutions under this new offence in 2015/16 and 6 for breach of a forced marriage protection order.

³⁰ From the CPS Violence against Women and Girls crime report 2015-2016. This is based on CPS management information rather than official statistics

³¹ Of known sex. Victims with unknown sex accounted for 18% of victims in honour based violence prosecutions in 2015/16.

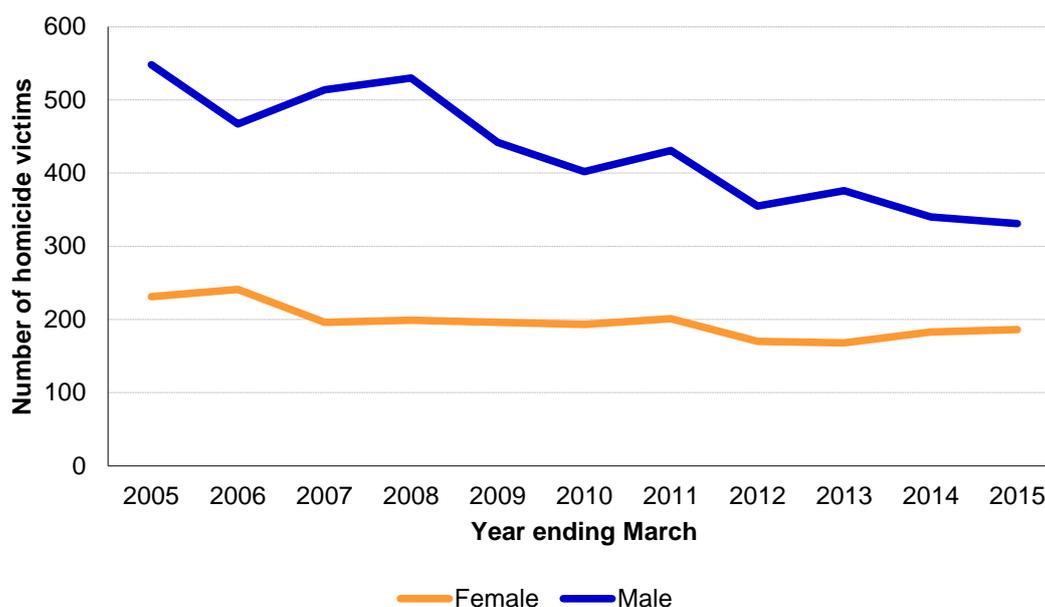
³² From the CPS Violence against Women and Girls crime report 2015-2016. This is based on CPS management information rather than official statistics

³³ Of known sex. There were 12 victims with unknown sex in forced marriage prosecutions in 2015/16.

Homicide³⁴

There were 518 homicide victims³⁵ in 2014/15; 331 male and 186 female. The number of female victims has remained fairly constant over the last decade, in contrast to the overall falling trend for male victims (Figure 3.15). As a result the proportion of homicide victims who are female has risen slightly from 30% in 2004/05 to 36% in 2014/15.

Figure 3.15: Number of homicide offences currently recorded by the police, by sex of victim, year ending March 2005 to year ending March 2015



Age

Similarly to violent crime in general, women were less likely than men to be a victim of homicide, for almost all adult age groups³⁶. Women aged over 75 were the only age group more prevalent among victims of homicide than their male counterparts (4.5% of all victims compared with 2.4%), but this can be mostly explained by reference to the population: 4.7% of the population were females aged over 75, compared with 3.3% being males over 75.

The only age group for which females represented a higher proportion of homicide victims than they did of the population was those aged under 1 (Figure 3.16). Males in this age band also represented a higher proportion of homicide victims than of the population, however a considerably higher proportion of homicide victims were males aged between 15 and 54 than would be expected based on population statistics alone.

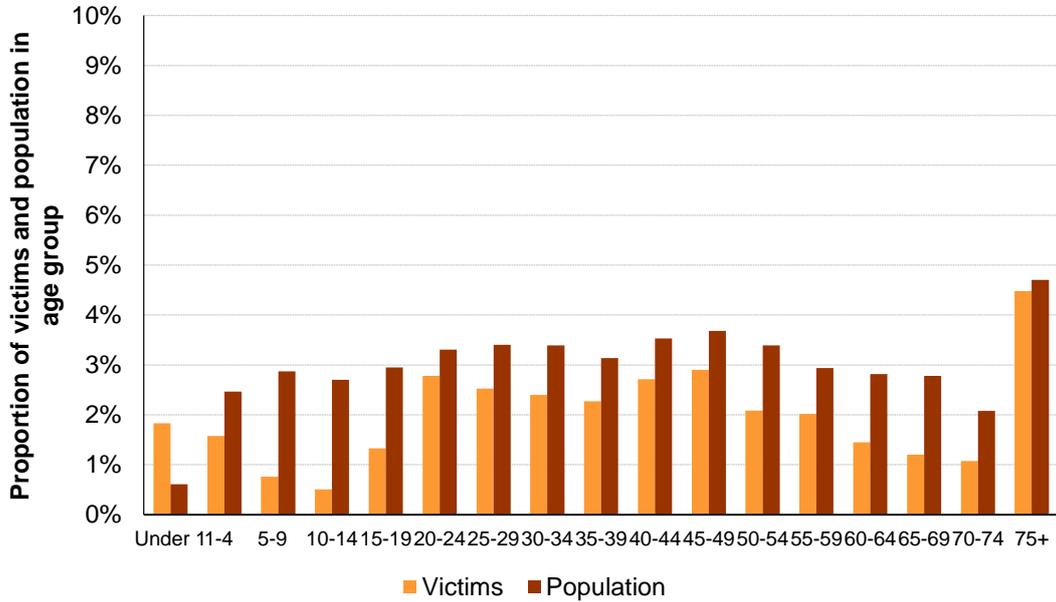
³⁴ From the Home Office Homicide Index, which data are not designated National Statistics

³⁵ This includes one victim of homicide in 2014/15 with unknown sex.

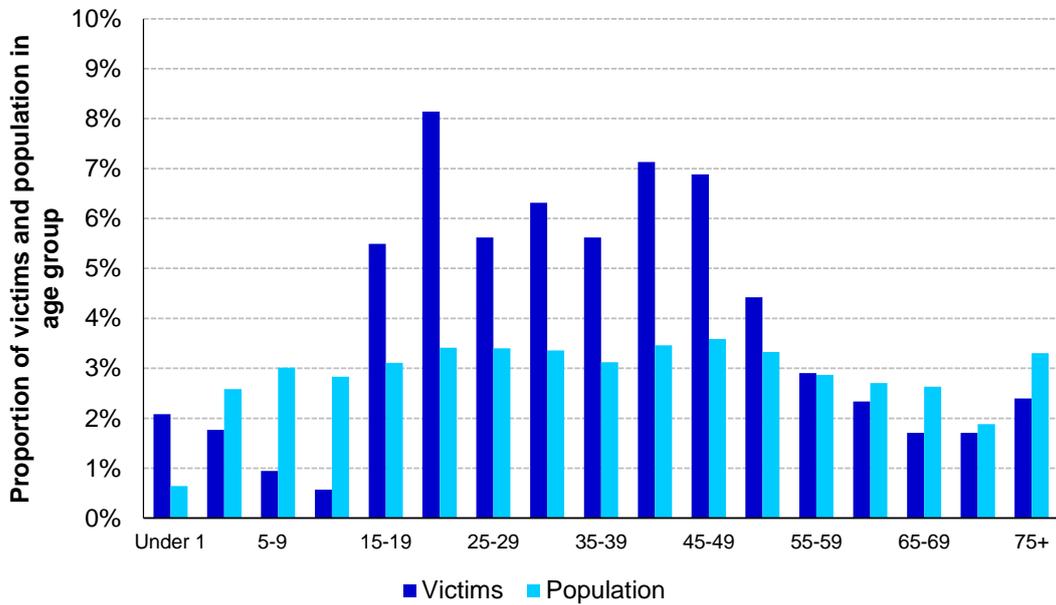
³⁶ Based on combined years, year ending March 2013 to year ending March 2015.

Figure 3.16: Age and sex profile of currently recorded homicide victims compared with that of the population, combined data for year ending March 2013 to year ending March 2015

Females



Males



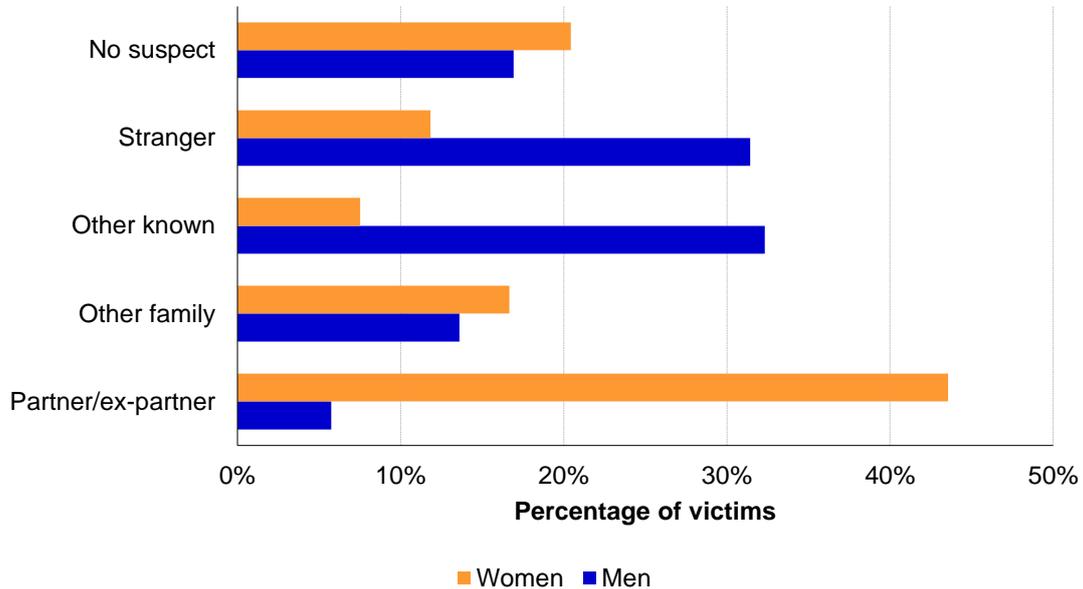
Method of killing

A sharp instrument was the most frequent method of homicide for both male and female victims in 2014/15, with over a third of homicides for both sexes committed using this method (38% for females and 35% for males). There were differences in the second most frequent method of killing of homicide victims between sexes, however. Men were far more likely to be killed by hitting or kicking without a weapon than women, with 25% of men being killed using this method, compared with only 6% of female victims. For female victims the second most prevalent method of being killed was asphyxiation or strangulation, with 18% of female victims being killed using this method compared with only 6% of male victims.

Relationship to principal suspect

The principal suspect for the killing of 44% of female homicide victims was a partner or ex-partner, whereas only 6% of male homicide victims had this relationship with the principal suspect³⁷ (Figure 3.17). These proportions have been fairly constant over the last decade. Male homicide victims were most likely to have been killed by someone they knew outside their family (32%) or a stranger (31%). In contrast, only 8% of female homicide victims were killed by someone they knew outside their family, and 12% by a stranger.

Figure 3.17: Proportion of homicide victims, by relationship of victim to principal suspect and sex of victim, year ending March 2015



³⁷ Where there are multiple suspects in a homicide case they are categorised in the Homicide Index as either the principal or a secondary suspect. There is only ever 1 principal suspect per homicide victim. If there is any conviction information available then the suspect with the longest sentence or most serious conviction is determined to be the principal suspect. In the absence of any court outcome, the principal suspect is either the person considered by the police to be the most involved in the homicide or the suspect with the closest relationship to the victim.

The majority of victims aged under 16 had a principal suspect who was known to them (65%, 35 homicides), and in all but 4 of these cases the suspect was a parent or step-parent. No suspect was identified and charged for almost all the remaining victims (30%, 16 homicides)³⁸. These proportions were similar for girls and boys.

Where a principal suspect is known, around 90% of the principal suspects were male for both male and female victims – there was no indication of a particular concordance between the sex of the victim and principal suspect.

Location

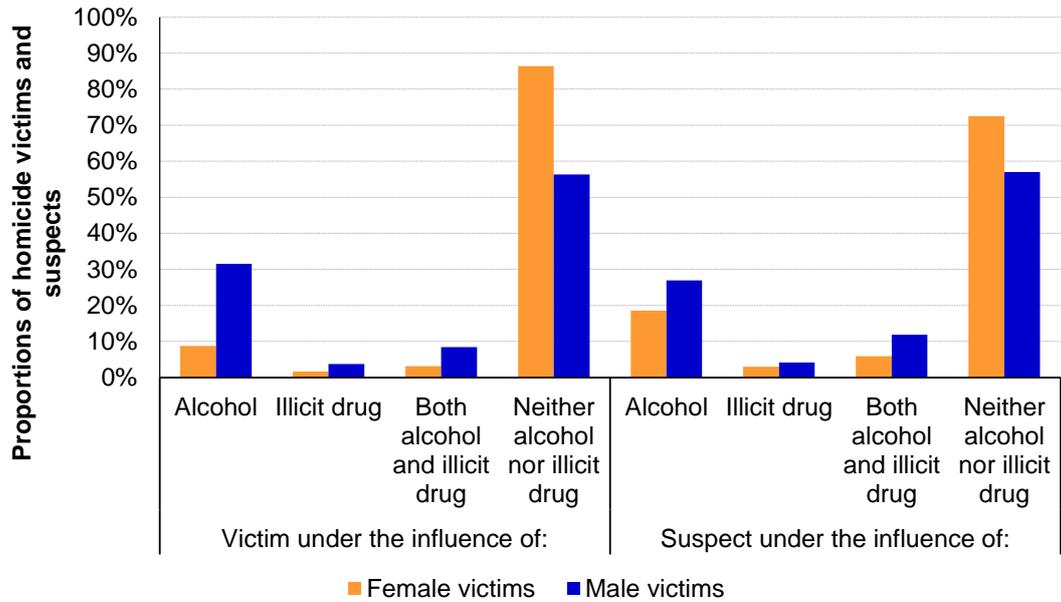
The location of the killing for most female victims was in or around a house or dwelling, accounting for 82% of female homicide victims recorded by police in 2014/15. Although still the most prevalent location, male victims were less likely to be killed in or around a house or dwelling (49%) than female victims. Men were more likely to be killed in the street than women, with around 25% of male victims being killed in the street compared with only 8% of women. (This seems to align with the differing tendencies of women and men to be killed by strangers or a known party, as discussed above, assuming that those known to the victim are more likely to have access to their home.)

³⁸ This number is likely to fall as police investigations continue.

Circumstances

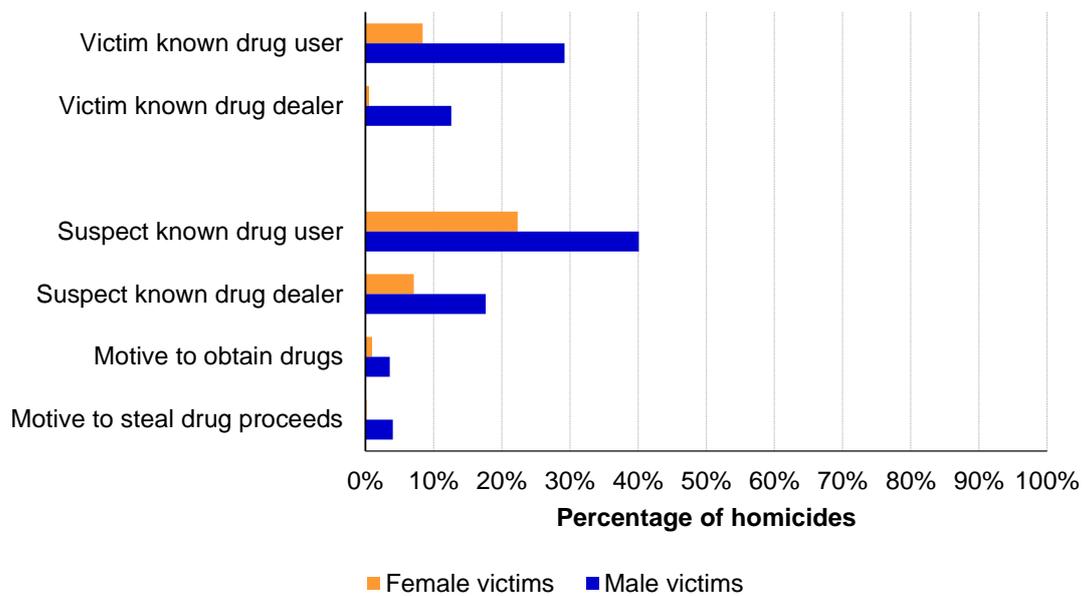
Homicides involving female victims recorded in the combined years ending March 2013 to March 2015 were less likely to have victims or suspects under the influence of alcohol or illicit drugs, compared with homicides involving male victims (Figure 3.18).

Figure 3.18: Proportions of homicide victims and suspects, by alcohol and drug status and sex of victim, combined data for year ending March 2013 to year ending March 2015



Similarly, female homicides were much less likely to involve drug users or dealers or to have a motivation involving drugs than those with male victims (Figure 3.19). 29% of male homicide victims were known drug users and 13% were known drug dealers, compared with 8% and 1% of female homicide victims respectively. (This is consistent with the sex breakdown of drug offending: a higher proportion of males than females who are dealt with through a caution or prosecution are dealt with for drug offences, as discussed in Chapter 4: Police Activity, and Chapter 5: Defendants.)

Figure 3.19: Percentage of homicide victims, by involvement in drugs and sex of victim, combined data for year ending March 2013 to year ending March 2015



There were few differences between the sexes in the circumstances surrounding their homicide more generally. Men were slightly more likely than women to have been killed in the context of a quarrel, revenge or loss of temper (49% of male victims compared with 45%), while women were slightly more likely than men to have been killed as an irrational act (9% compared with 6%).

Chapter 4: Police Activity

This chapter explores the activity of the police, by the sex of the suspect or offender they deal with. It is based on published figures: statistics on arrests come from the Home Office publication *Police Powers and Procedures England and Wales year ending 31 March 2016*³⁹; and statistics on out of court disposals come from the Ministry of Justice publication *Criminal Justice Statistics Quarterly: December 2015*. Additionally, experimental pilot data from national Liaison and Diversion services is presented, as supplied by NHS England.

Out of Court Disposals

Out of court disposals (OOCs) are sanctions that are used by the police, with reference to the Crown Prosecution Service (CPS), to address offences without recourse to the courts. Out of court disposals have an important role to play in the criminal justice system. They allow the police to deal quickly and proportionately with low-level, often first-time offending which does not merit prosecution at court, freeing them up to spend more time on frontline duties and tackling serious crime. OOCs can also provide reparation and a prompt resolution for victims.

The out of court disposals available to the police⁴⁰ and CPS in 2015 included: simple and conditional cautions; cannabis and khat warnings⁴¹; penalty notices for disorder (PNDs); and community resolutions⁴².

The use of out of court disposals (excluding community resolutions) has decreased steadily since 2007. In 2015, OOC numbers decreased, with 211,900 individuals issued an out of court disposal, a decrease of 61,800 (23%) compared with 2014, and of 451,700 (68%) since 2007.

The observed decrease was driven by a number of factors: the replacement in April 2008 of a target to increase offences brought to justice (OBTJ) with one placing more emphasis on bringing serious crimes to justice, which was subsequently removed in May 2010 (it is thought the change in target had a greater impact on OOCs than on convictions); the introduction of community resolutions, a non-statutory disposal available to the police since 2008/09; and the restriction of the use of PNDs to adults only from 8 April 2013. In addition, there has been a net decrease in police recorded crime across England and Wales between 2003 and 2015 (although this has increased since 2013) and in police stops and searches since 2010/11.

³⁹ Available here: <https://www.gov.uk/government/statistics/police-powers-and-procedures-england-and-wales-year-ending-31-march-2016>

⁴⁰ A pilot scheme was implemented from early November 2014 in Leicestershire and Staffordshire police forces and from late November in West Yorkshire to reduce the types of out of court disposals available for adult offenders. In the pilot areas, the only out of court disposals available are community resolutions and conditional cautions.

⁴¹ Khat warnings were available from 24 June 2014. Ethnicity and sex data is not available for Cannabis or Khat warnings.

⁴² Community resolutions statistics provided by the Home Office show those community resolutions which (with or without formal Restorative Justice) have been applied in accordance with College of Policing guidance. Ethnicity and sex data is not available for community resolutions.

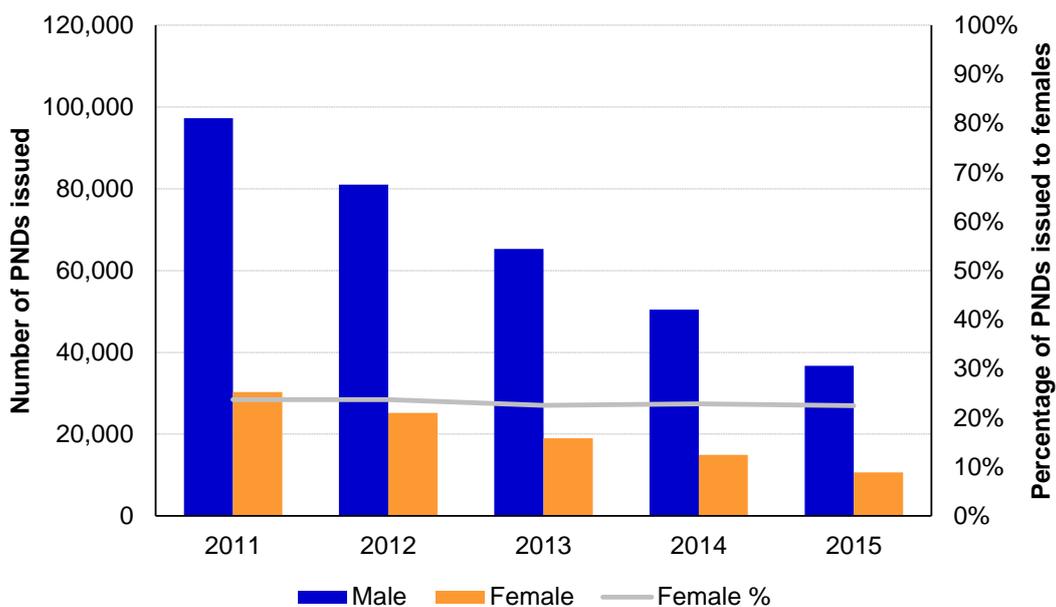
Penalty Notices for Disorder issued

Penalty Notices for Disorder (PND)⁴³ are commonly known as ‘on the spot fines’ - a fixed penalty of £60 for lower tier offence or £90 for higher tier offence (raised from £50 and £80 respectively from 1 July 2013 onwards).

PNDs are designed to tackle low-level, anti-social and nuisance offending for offenders aged 18 and over (prior to 8 April 2013, PNDs were also available for 16 and 17 year olds). Prior to the introduction of PNDs in 2004 and formal warnings for possession of cannabis in 2005, the only out of court disposal available to police was a caution.

Between 2011 and 2015 the total number of PNDs issued has decreased by 63% (80,200) to 47,400 (Figure 4.01). PNDs issued to males decreased by 62% (60,500), and PNDs issued to females decreased by 65% (19,600) in the same period. In 2015, 78% of PNDs were issued to males compared with 77% in 2014 and 76% in 2011; despite the fall in PNDs issued, the proportions issued to males and females have remained broadly stable, with just over three-quarters being issued to men and just less than a quarter to women.

Figure 4.01: Number and percentage of Penalty Notices for Disorder issued, by sex, 2011-2015



⁴³ There are no PNDs issued for which the sex of the recipient is unknown or not stated.

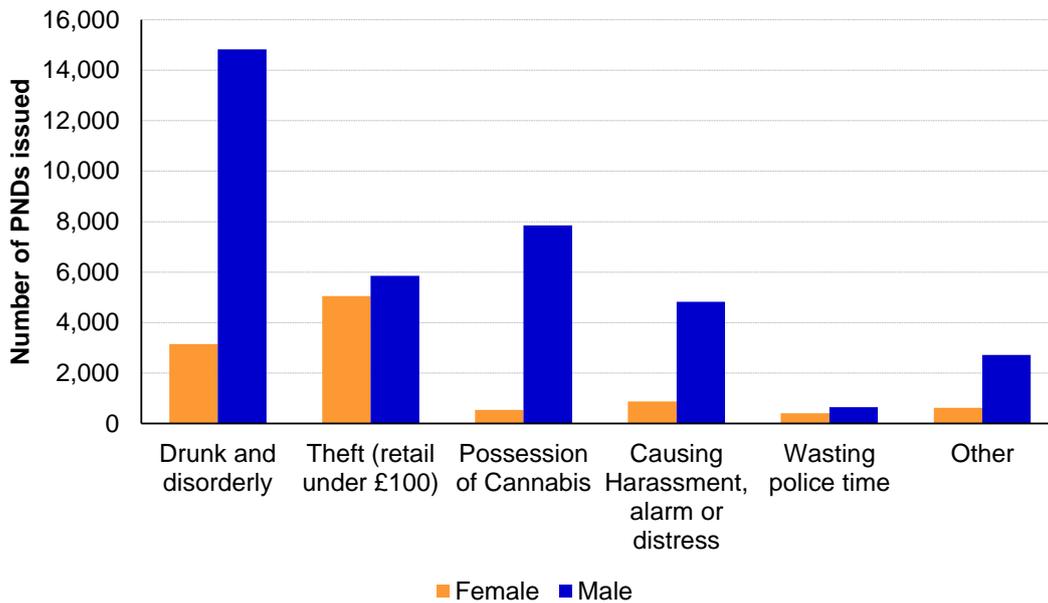
Penalty Notices for Disorder - Offences

PNDs are broken up into higher and lower tiers. Higher tier offences cover, for example, theft and being drunk and disorderly, and lower tier offences include offences such as trespassing on a railway and consumption of alcohol in a designated public place.

In 2015, the overwhelming majority of PNDs issued were for higher tier offences: 97% (35,500) for males; 98% (10,500) for females. This breakdown has remained consistent between 2011 and 2015.

However, there are differences in the specific offences for which males and females typically receive PNDs (Figure 4.02). Males received higher proportions of their PNDs for being drunk and disorderly (40% in 2015, compared with 30% for females), possession of cannabis (21% versus 5%) and causing harassment, alarm or distress (13% versus 8%), while females received higher proportions for theft [retail under £100] (47% versus 16%) and wasting police time (4% versus 2%). Since 2011 the proportions relating to being drunk and disorderly and possession of cannabis have increased, while the proportions relating to theft and harassment have fallen, but these trends are similar for both males and females⁴⁴.

Figure 4.02: Number of Penalty Notices for Disorder issued, by offence and sex, 2015



⁴⁴ Some of the legislation regarding PNDs has been slightly revised during this period – please see the accompanying technical guide for further details.

Penalty Notices for Disorder - Payment

Once a PND has been issued the recipient has 21 days, the Suspended Enforcement Period (SEP), in which to either pay the penalty or request a court hearing. No admission of guilt is required and by paying the penalty the recipient discharges liability for conviction for the offence. Instead of paying the penalty, PND recipients can request a court hearing. If a recipient fails to pay a PND or elect a court hearing within the SEP, a fine of one and half times the penalty amount is registered by the court. In 2015, 52% of PNDs were paid in full, and 32% resulted in a fine for late payment. There was little difference in these proportions between men and women.

*Cautions issued*⁴⁵

Police cautions are formal warnings which can be given by the police to those who have admitted an offence⁴⁶. A caution can be given when there is sufficient evidence to prosecute an offender for an offence for which they admit guilt, but where it is decided that a caution would be a more appropriate solution.

In 2015, the total number of offenders issued cautions was 125,400, compared with 234,100 in 2011, which represents a 46% decrease. Three quarters of these offenders cautioned (76%, 95,800) were males and a quarter (24%, 29,600) females, similar proportions to those for PNDs. Despite the fall in the number of offenders issued cautions, since 2011 the split between males and females has remained stable.

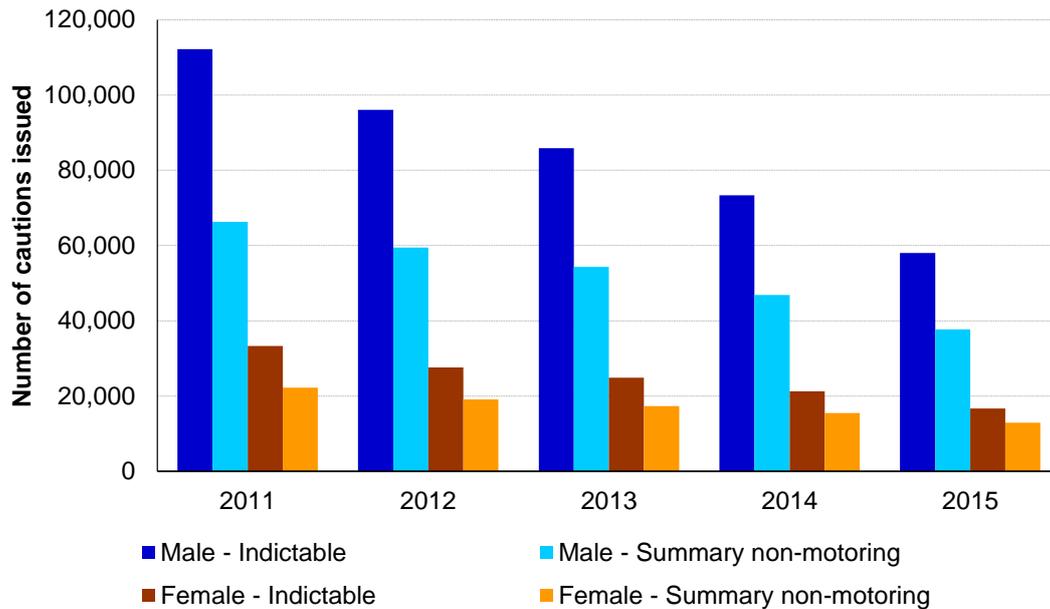
⁴⁵ Figures on cautions exclude cases where sex is not known.

⁴⁶ Summary motoring offences are not considered in relation to cautions or cautioning rates, because these are typically addressed through Fixed Penalty Notices instead (see Chapter 5: Defendants for further details). There is no published data available on Fixed Penalty Notices by sex.

Cautions - Offences⁴⁷

In 2015, 40% (50,700) of all offenders issued cautions were issued them for summary non-motoring offences, a fall of 43% since 2011 (Figure 4.03). For males, the proportion of offenders cautioned who were cautioned for these offences was 39% (37,800), and for females it was slightly higher, at 44% (12,900). The proportion of offenders issued cautions for summary non-motoring offences has increased slowly since 2011, by 2 percentage points for men and 4 percentage points for women.

Figure 4.03: Number of cautions issued by offence type and sex, 2011 to 2015



The total number of persons cautioned for indictable offences in 2015 was 74,700, 60% of those cautioned. This represents a decrease of 49% since 2011 (from 145,500); the sharper fall in indictable cautions has increased the proportion given for summary non-motoring offences, particularly for women.

There are greater differences in the indictable offence groups for which males and females typically receive cautions. A higher proportion of males cautioned for indictable offences were cautioned for drug offences (35% in 2015, compared with 17% for females) and criminal damage and arson (20% versus 15%), while females were more commonly cautioned for theft offences (42% versus 23%) and violence against the person (14% versus 7%). These differences broadly mirror those in the types of PNDs typically issued by sex. Since 2011 the proportion of those cautioned who were cautioned for theft has fallen slightly, while the proportion relating to criminal damage and arson has increased slightly, but these trends are similar for both males and females.

⁴⁷ Indictable offences are more serious offences that may (if triable-either-way) or must (if indictable only) be passed on to the Crown Court; while summary offences are typically less serious and almost always dealt with entirely in magistrates' courts. See accompanying technical guide for further details.

There are differences between adults and juveniles⁴⁸ in the offences for which they were typically cautioned: a smaller proportion of juveniles were cautioned for summary non-motoring offences; and among indictable offence groups, a smaller proportion were cautioned for drug offences and a larger proportion for criminal damage and arson and theft offences. However, there were similar relative differences in the offence groups committed between male and female juveniles as between males and females generally.

Cautioning rates

Cautioning rates are the proportion of offenders cautioned or convicted that were given a caution.

The cautioning rate for women was lower than for men overall, at 12% compared with 16% in 2015. However, it was higher for women than for men in respect of indictable offences, at 28% and 19% respectively. This difference is likely to result from the high numbers of females convicted for the summary non-motoring offence of TV license evasion: see Chapter 5: Defendants for further details. Cautioning rates have fallen sharply for both women and men since 2011, driven by the larger fall in cautions than convictions; for males, by 7 percentage points both overall and for indictable offences, and for females, by 9 percentage points overall and by 11 percentage points among indictable offences.

There were differences between the sexes in the cautioning rates for different indictable offences. The only⁴⁹ offence group for which males and females had a very similar cautioning rate was fraud offences, at 16% and 15% respectively. In contrast, there were greater percentage point gaps between female and male cautioning rates for criminal damage and arson (46% versus 32%) and drug offences (44% versus 32%) than for indictable offences as a whole, and a 30 percentage point gap between the female and male cautioning rates for violence against the person, (44% and 14% respectively).

Cautioning rates have fallen for all offence groups since 2011, by differing amounts – for example, that for criminal damage and arson has fallen by less than average and that for possession of weapons by more – but the fall in each relative to their original rate has been broadly similar for males and females. The only exception to this is violence against the person, for which the cautioning rate fell by 9 percentage points for men (from 23%) but only 6 for women (from 50%), despite the larger overall drop in the cautioning rate for indictable offences among women.

⁴⁸ Simple and conditional cautions became available to those aged 10 to 17 years (juveniles) in England and Wales in April 2013, replacing reprimands and warnings. These had only been available to adults prior to this, and youth conditional cautions were only available for 16 and 17 year olds in five pilot areas from January 2010.

⁴⁹ Robbery has not been considered, as the numbers cautioned are too low for a meaningful trend.

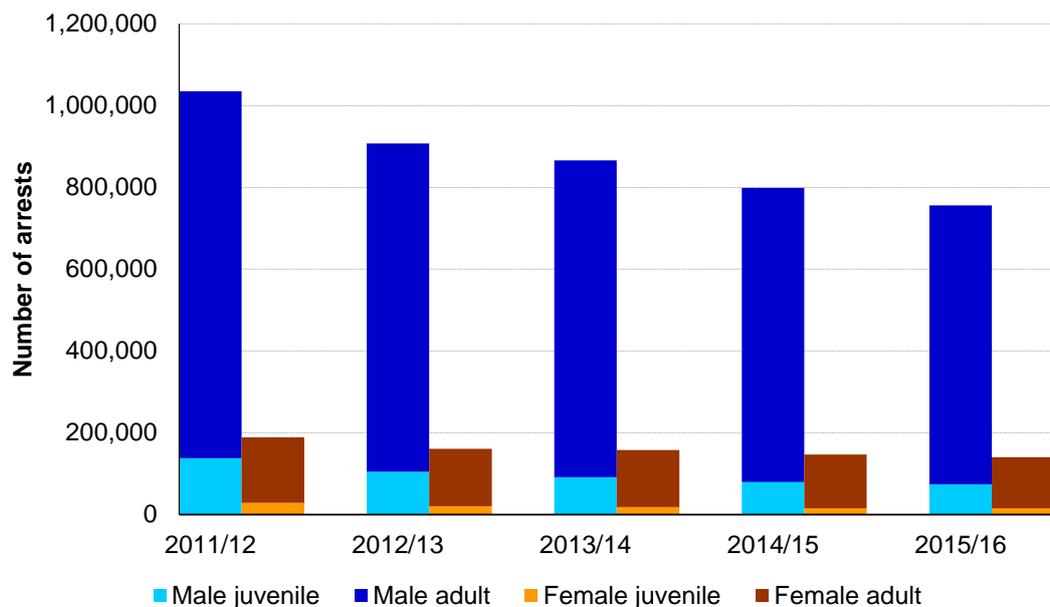
Arrests

The total number of arrests decreased by 27% between 2011/12 and 2015/16 (from 1.23 million to just under 0.90 million arrests), with a similar decrease for males (27%) and females (26%) during this time. The number of arrests has fallen by 5% since last year, to 896,000. This is despite a 4% increase in arrests for sexual offences during this time, of which men account for the vast majority. Men continue to account for the majority of all arrests (84% in 2015/16)⁵⁰.

Age groups

Both adults and juveniles saw decreases in the number of arrests since 2011/12 (Figure 4.04). The decrease in arrests for juveniles has been much greater, however, with a 48% decrease for juvenile females and 47% decrease for juvenile males over this period. Juvenile females made up a slightly greater proportion of all arrests for females than juvenile males did among males in 2015/16 (11% for females and 10% for males).

Figure 4.04: Number of arrests, by age group and sex, 2011/12 to 2015/16⁵¹



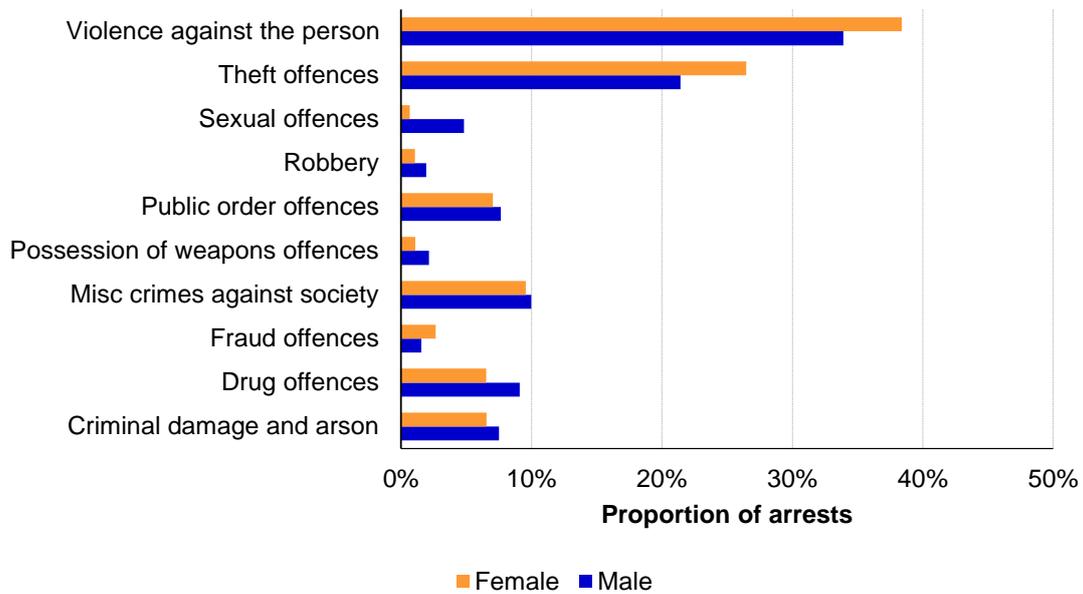
⁵⁰ No arrests have been published as belonging to a person of unknown sex.

⁵¹ Excludes cases where age is unknown.

Offence groups^{52,53}

Violence against the person and theft were consistently the two offence groups with the highest number of arrests for both females and males: violence against the person accounted for 34% of male arrests and 38% of female arrests, while theft offences made up 21% of male arrests and 26% of female arrests. Females were overrepresented in theft and fraud offences, accounting for 19% and 24% of all arrests for these offence groups respectively (Figure 4.05). Females only made up 3% of all arrests for sexual offences, with little variation from this figure across age groups.

Figure 4.05: Proportion of arrests within each offence group by sex, 2015/16



⁵² In 2015/16 the 'reason for arrest' offence groups were updated to match the groups used in crime statistics. Whilst this should not have an impact on the total number of arrests, or on the number of arrests broken down by age and sex, 2015/16 data broken down by offence group are not comparable with previous years' data. Though some offence groups have the same name as in previous years, the individual offences that make up that group may have changed, so these are still not comparable.

⁵³ Four forces (Norfolk, Nottinghamshire, Suffolk, and Wiltshire) could not supply data using the new 'reason for arrest' groups. These forces supplied data using the old groups, and estimation methods were used to recategorise their data in to the new groups. Data broken down by age and sex and total numbers of arrests are unaffected by this estimation i.e. actual data provided by the force are used.

Liaison and diversion services

Liaison and Diversion (L&D) services exist to identify offenders who have mental health, learning disability or substance misuse vulnerabilities when they first come into contact with the criminal justice system.

These services identify mental health issues and vulnerabilities that offenders may have so that they can either be supported through the criminal system pathway or diverted into a treatment, social care service or other relevant intervention or support service. L&D services aim to improve health outcomes, reduce re-offending and identify vulnerabilities earlier, thus reducing the likelihood that offenders will reach crisis-point.

Until 2014, these schemes were all operated locally, with a variety of types and levels of provision. In many areas there was no provision at all. From April 2014 a pilot national approach, led by NHS England, was trialled in 10 areas of the country⁵⁴, and this has since been rolled to cover 50% of the UK population⁵⁵.

Data from this national scheme in 2015/16 suggests that a total of 48,900 offenders were engaging with liaison and diversion services. Just over a fifth (22%) of those using liaison and diversion services were female, out of those who were classed as male or female⁵⁶, a higher proportion than among those arrested (as discussed in the arrests section earlier in the chapter).

Almost a third (30%) of offenders engaging with liaison and diversion services were identified as having issues with alcohol misuse, 28% as being involved in substance misuse, and 11% of them were found to misuse both alcohol and substances. Females were more likely to have been misusing alcohol (33%, compared to 29% of men) and males were more likely to have been misusing substances (30%, compared to 22% of women).

Out of all national liaison and diversion services users, over half of them (59%) were assessed as having a mental health need whilst 10% of both women and men had a known physical disability or need. Women were more likely to have a mental health need than men (64% compared to 59% for men). Of those with a mental health need, depressive illness was identified to be the most common mental health need for both men and women, with 37% of men and 42% of women being identified with this type of need. Over a fifth (21%) of men who were assessed as having a mental health need had schizophrenia or another delusional disorder, compared to 10% of assessed women.

⁵⁴ An evaluation of this pilot can be found at http://www.rand.org/pubs/research_reports/RR1283.html

⁵⁵ However, there remained the freedom for local standalone services to be retained, which may affect the usage of some pilot services (particularly in relation to substance abuse) in some areas. In addition, the partial coverage means the population to whom the national service was available may not be perfectly representative of the population as a whole. This data has been collected for operational and evaluative purposes and does not represent Official Statistics.

⁵⁶ Only 1% of people identified as intersex or did not disclose this information. They have been excluded from all analyses in this chapter.

There was no difference in the percentage of men and women identified as being in financial need (8% for both sexes). However, 18% of women were deemed to have been victims of abuse, compared to 6% of men using these liaison and diversion services. (This greater tendency for women to have been victims of abuse aligns with findings discussed in Chapter 3: Victims.)

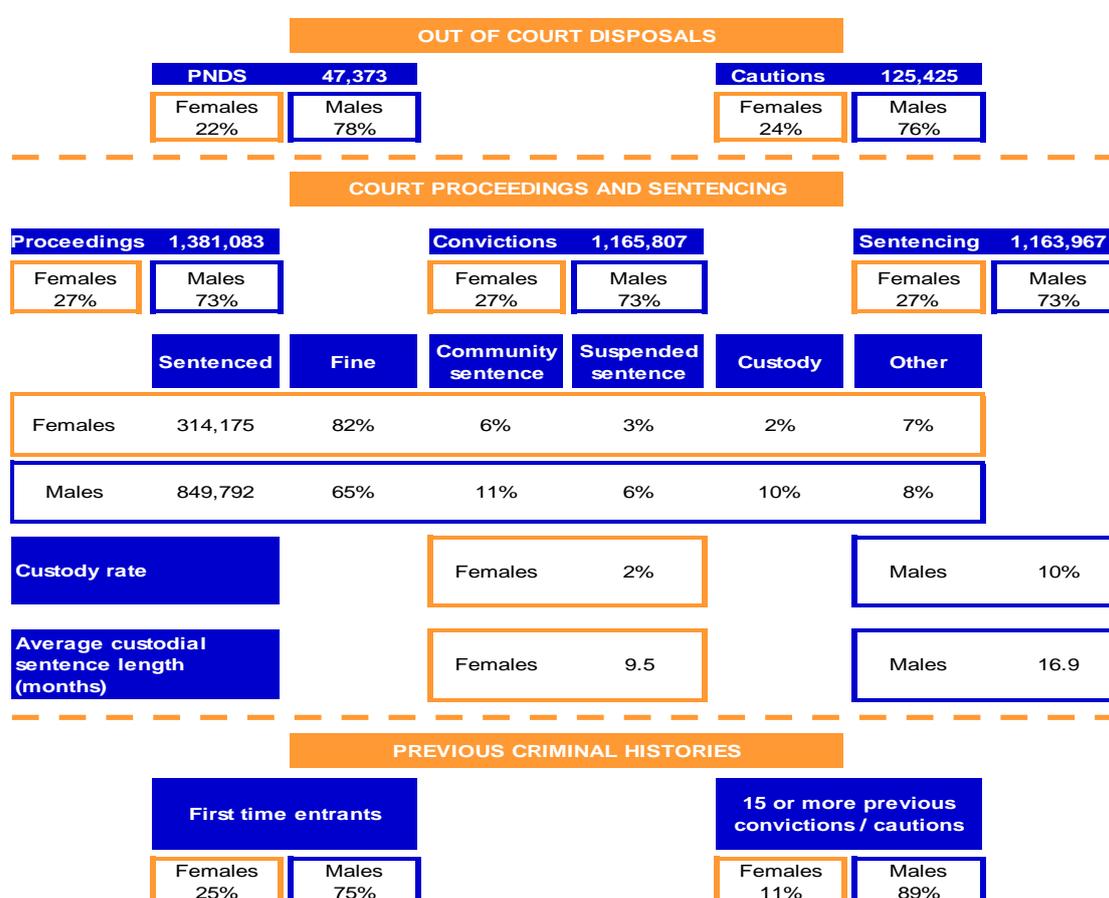
The most common offence group⁵⁷ for those using these liaison and diversion services was violence against the person (26%), followed by theft (11%) and public order - nuisance (10%). Females were more likely to have been being dealt with for violence against the person compared to men (29% and 26% respectively). Women offenders were also more likely to have been being dealt with for theft (14% compared to 11% for men). They were also more likely to have been being dealt with for public order - nuisance (14%, compared to 9%). Men were much more likely to have been being dealt with for a sexual offence than women (6% compared to 1% for women), in line with typical patterns of arrests and prosecutions.

⁵⁷ National liaison and diversion services offence groups are based on those used by the Home Office and are not directly comparable to those used in Criminal Justice Statistics Quarterly: December 2015, which are used throughout the majority of this bulletin.

Chapter 5: Defendants

This chapter explores outcomes for defendants in the Criminal Justice System (CJS)⁵⁸ drawing on data from the MoJ publication *Criminal Justice Statistics Quarterly: December 2015*⁵⁹. In addition, analysis is presented based on further breakdowns of *Criminal Court Statistics (quarterly): October to December 2015*⁶⁰ (for prosecuting authority, case management, appeals and representation at and election of the Crown Court), *Offender management statistics quarterly: April to June 2016*⁶¹ (for pre-sentencing reports) and *Legal aid statistics: April to June 2016*⁶² (for legal aid).

Figure 5.01: The journey of males and females through the Criminal Justice System⁶³, 2015



⁵⁸ A person can be dealt with separately by the Criminal Justice System on more than one occasion in a single year and therefore can be counted more than once.

⁵⁹ The Criminal Justice Statistics Quarterly: December 2015 publication can be viewed here: www.gov.uk/government/statistics/criminal-justice-statistics-quarterly-december-2015. This is the source throughout this chapter unless specified.

⁶⁰ Criminal Court Statistics (quarterly): October to December 2015 can be viewed here: <https://www.gov.uk/government/statistics/criminal-court-statistics-quarterly-october-to-december-2015>

⁶¹ Offender management statistics quarterly can be viewed here: www.gov.uk/government/statistics/offender-management-statistics-quarterly-april-to-june-2016

⁶² Legal Aid Statistics Quarterly can be viewed here: www.gov.uk/government/statistics/legal-aid-statistics-april-to-june-2016

⁶³ Where sex is known

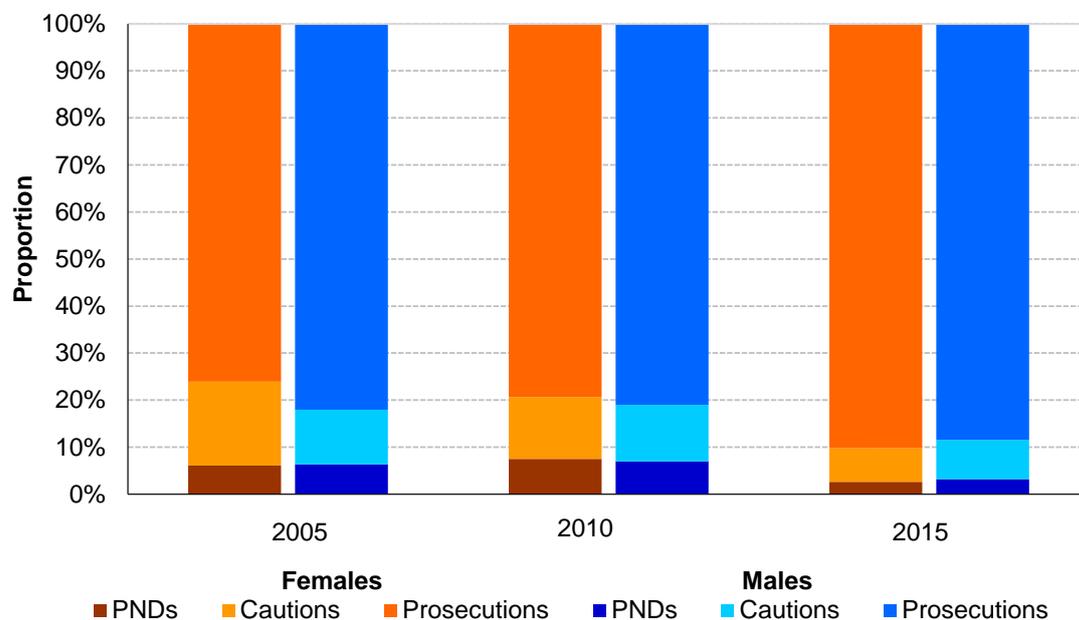
If there is sufficient evidence against the defendant and none of the out of court disposals are appropriate and it is in the public interest to prosecute, the police will formally charge the suspect. The law then requires the defendant to be brought before a magistrates' court as soon as possible. The defendant can be summoned to appear in court or remanded on bail or custody (Figure 5.01).

Individuals formally dealt with by the Criminal Justice System⁶⁴

This section compares disposals that are issued out of court (PNDs and cautions) with court proceedings. (See Chapter 4: Police Activity, for a more detailed analysis on out of court disposals, OOCs.) Over the past five years females have accounted for around a quarter (between 24% and 26%) of all individuals dealt with by the CJS through either prosecutions or OOCs⁶⁵.

Between 2005 and 2015, the overall number of both OOCs and prosecutions decreased. In contrast to the number of males prosecuted, which fell by 34%, the number of females prosecuted rose over this period by 6%, while the number issued OOCs decreased by around 60% for both females and males. As a result, the reduction in OOCs as a proportion of outcomes for individuals dealt with by the criminal justice system is larger for females than for males (Figure 5.02). Ten years ago, women were more likely than men to have been dealt with through an OOC rather than a prosecution (for females, 24%; for males, 18%) in 2015, this is no longer the case (females 10%; males 12%).

Figure 5.02: Proportions of individuals dealt with who are dealt with through prosecutions and out of court disposals, by sex, 2005, 2010 and 2015



⁶⁴ This section looks at persons only and excludes those where sex is not stated. Other defendants such as companies and public bodies are also excluded.

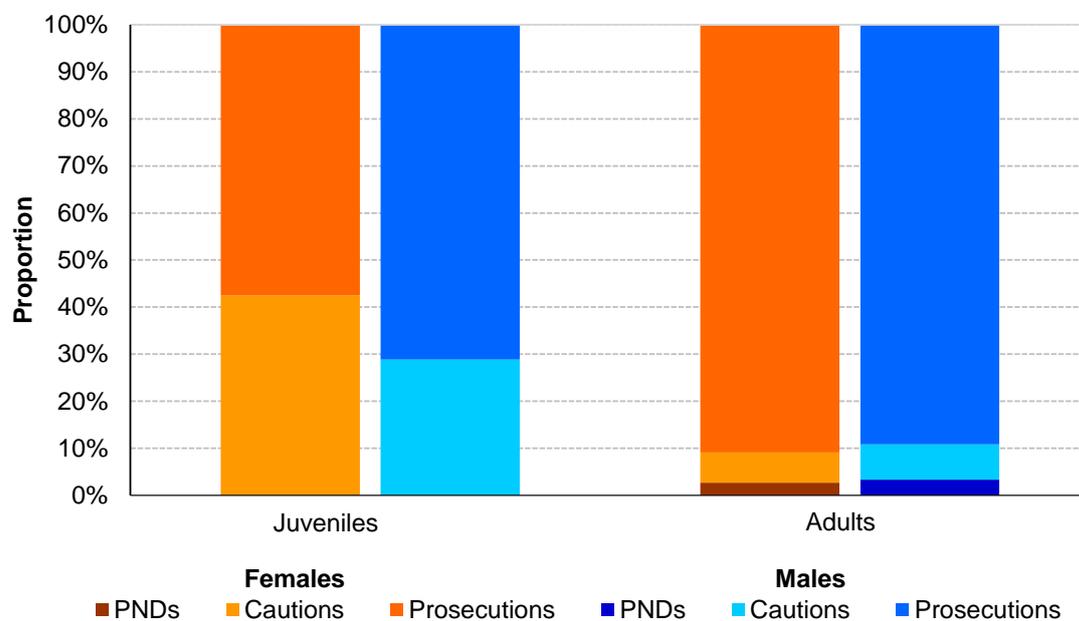
⁶⁵ Cannabis warnings and community resolutions will not be considered when looking at out of court disposals because they are not recorded by sex.

Over the last decade only the number of females prosecuted for summary⁶⁶ non-motoring offences rose, driving the increase in females prosecuted overall. In contrast, the number of males prosecuted for summary non-motoring offences fell, as did the number prosecuted for other offence types for both males and females (see Figure 5.06). The rise in female summary non-motoring offences can largely be attributed to the increasing number of females dealt with in court for TV licence evasion. The number of males proceeded against for TV licence evasion also rose, but not as strongly and was offset by a decrease in prosecutions for other offences.

In the latest year, TV licence evasion accounted for 36% of all prosecutions for female defendants, but only 6% for male defendants. TV licence evasion is not dealt with by the police, meaning out of court disposals are not available and each individual will be proceeded against at the magistrates' court. In each year from 2005 to 2015, more females than males were convicted for this offence. If enforcement officers suspect a household of watching or recording live TV without a valid licence and are not able to contact anyone at the property by letter or by telephone, they visit the household in person. Whichever adult occupant is contacted at the household and provides their details is the person that is prosecuted for the offence.

Overall the proportion of those dealt with in court was larger for adult females (91%) than for adult males (89%) in the latest year, but this was reversed for juveniles (females 58%, males 71%), who are seldom prosecuted for TV licence evasion (Figure 5.03).

Figure 5.03: Proportions of individuals dealt with who are dealt with through prosecutions, cautions and PNDs, by age group and sex, 2015



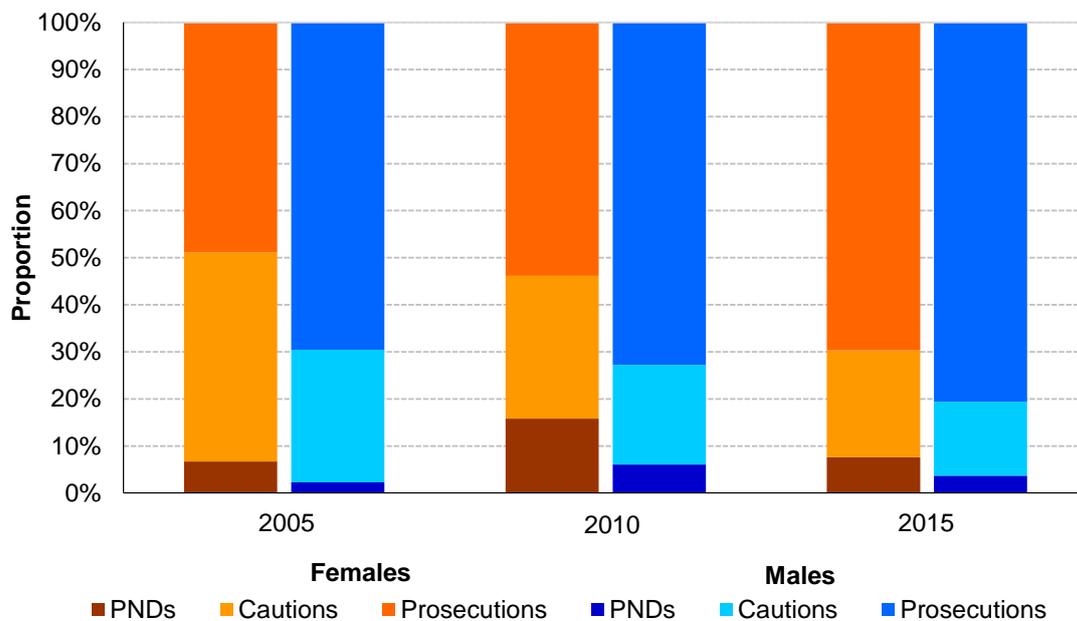
⁶⁶ Indictable offences are more serious offences that may (if triable-either-way) or must (if indictable only) be passed on to the Crown Court; while summary offences are typically less serious and almost always dealt with entirely in magistrates' courts. See accompanying technical guide for further details.

Indictable offences

The number of individuals given OOCs for indictable offences fell for both females and males in the period 2005-2015, with the fall in indictable OOCs being larger for females (68%) than males (59%). The number prosecuted for indictable offences also fell for both males (26%) and females (22%).

Since 2010 the proportion of males dealt with for an indictable offence who were dealt with in court increased from three-quarters (73%) of males in 2010 to four-fifths (81%) of males in 2015. Similarly in 2010, just over half (54%) of female defendants dealt with for an indictable offence were dealt with in court, increasing to 70% of female defendants in 2015. Although females remained proportionally more likely to be dealt with out of court for indictable offences compared with males, the gap between the sexes has narrowed over the decade (Figure 5.04).

Figure 5.04: Proportions of individuals dealt with for an indictable offence who are dealt with through prosecutions, cautions and PNDs, by sex, 2005, 2010 and 2015



Prosecutions and Convictions⁶⁷

Prosecutions

The number of prosecutions of male defendants declined steadily over the past decade (from 1.5 million in 2005 to 1.0 million in 2015, a fall of 34%), while the number of female defendants has varied from 340,000 to 370,000 defendants, with a net increase of 6% between 2005 and 2015⁶⁸. Nevertheless, females were still underrepresented among those dealt with at the criminal courts: in 2015 only 27% of those prosecuted were female.

Since around 2013 the number of prosecutions for summary offences has risen for both male and female defendants while the number of indictable offences fell. Although the majority of male and female defendants are prosecuted for summary offences, these account for a higher proportion of prosecutions for female defendants. Summary offences have accounted for an increasing proportion of females prosecuted over the past decade, rising from 81% in 2005 to 86% in 2015, while for males the proportion has fallen from 74% to 71% over the same period.

Furthermore, the types of summary offences defendants are typically prosecuted for differ by sex. For female defendants the majority of prosecutions were for non-motoring offences, whereas for males, the majority were for motoring offences.

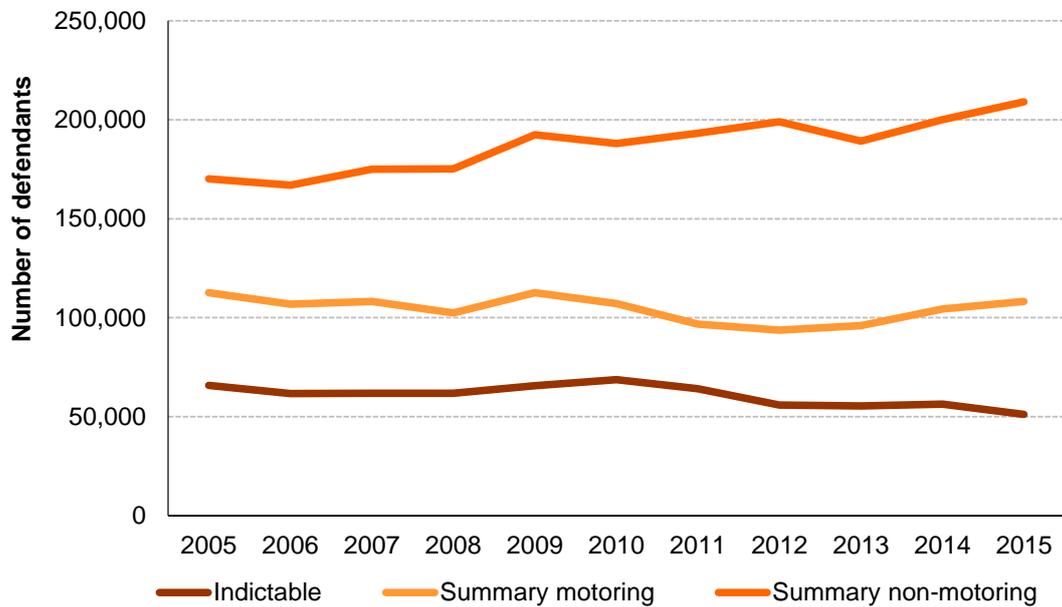
Between 2005 and 2015 the increasing number of female defendants proceeded against for summary non-motoring offences was partly offset by a fall in indictable offences over the same period and to a lesser extent by falling summary motoring prosecutions (Figure 5.05). In the same period, male defendant numbers fell for both indictable and summary offence types, and most strongly for summary motoring offences (by 300,000 defendants, or 42%).

⁶⁷ This section looks at persons only and excludes those where sex is not stated. Other defendants such as companies and public bodies are also excluded.

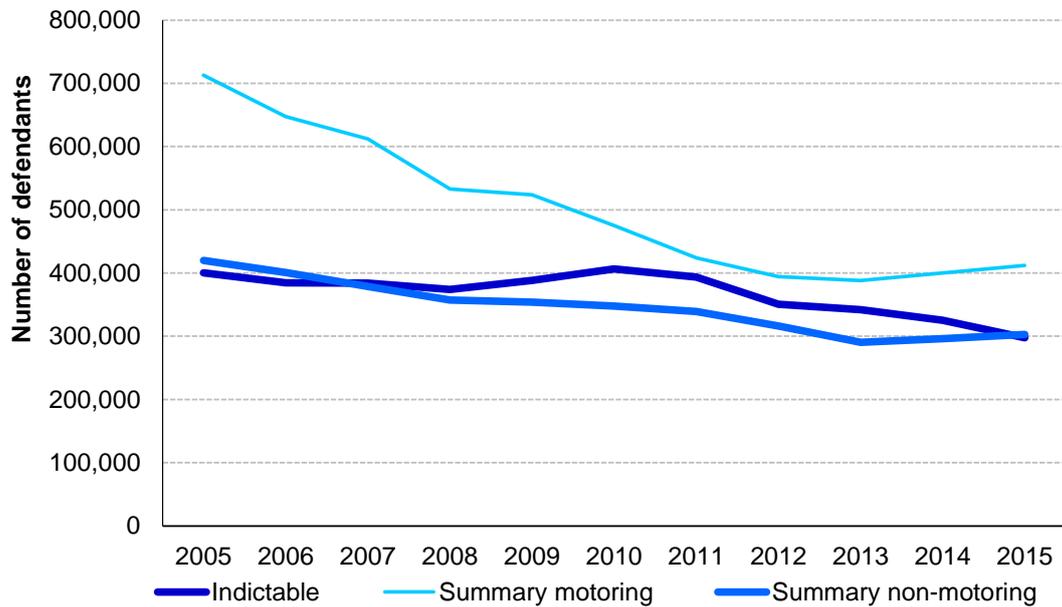
⁶⁸ Defendants with sex not stated accounted for 7% of all court proceedings.

Figure 5.05: Number of defendants proceeded against at magistrates' courts, by offence type and sex, 2005 to 2015

Females



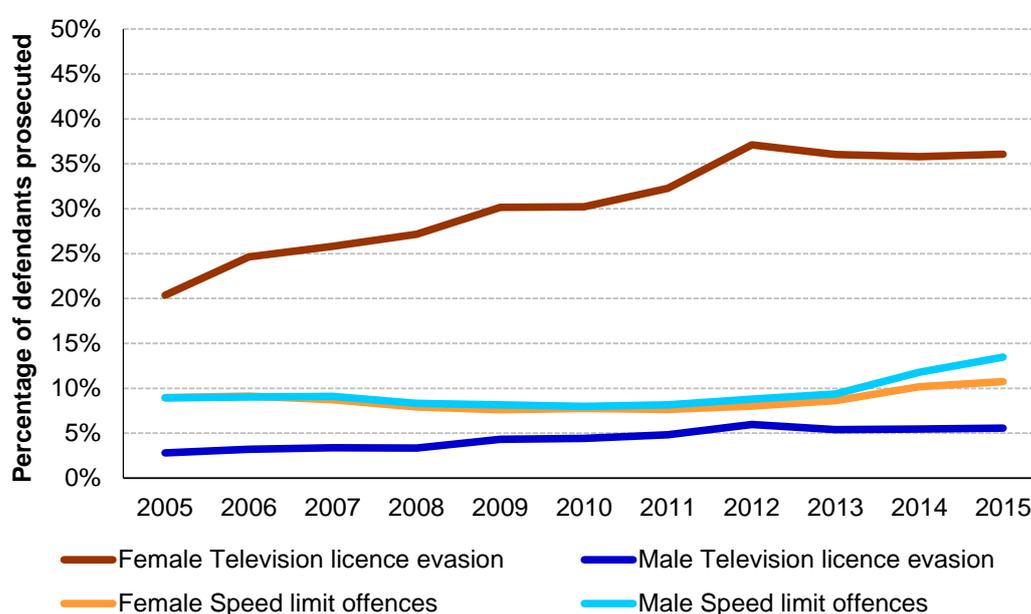
Males



As discussed above, the increase in female summary non-motoring offences, has been driven largely by the increase in the number of female defendants proceeded against for TV licence evasion over the past ten years. This offence accounted for 20% of all females prosecuted in 2005, however this increased to 36% in 2015 (Figure 5.06).

In 2015 speed limit offences were the second most common offence for which women offenders were proceeded against, while they were the most common offence for male defendants. Recently, speeding offence numbers dealt with in court rose for both males and females, driving the recent increases in summary motoring offences for both sexes. Speeding offences are often dealt with by the police through fixed penalty notices (FPN); when the speeding is deemed excessive or the defendant contests the FPN the case is referred to magistrates' courts. FPNs are reported separately⁶⁹, and their numbers have been increasing since around 2013 alongside prosecutions. Although speeding was the second most common offence women were proceeded against for, only 22% of speeding defendants were female⁷⁰.

Figure 5.06: Percentage of defendants who were prosecuted for TV licence evasion or speeding offences, by sex, 2005 to 2015



Regarding indictable offences in 2015, a larger proportion of male than female defendants was prosecuted for each indictable offence group except theft offences (47% of females, 32% of males) and fraud (females 10%, males 3%). Males are noticeably more likely than females to be prosecuted for drug offences (females 8%, males 16%), sexual offences (females <1%, males 4%) and violence against the person offences (females 8%, males 11%).

The proportion of male and female juveniles⁷¹ prosecuted for summary offences was considerably smaller than for adults, this is mostly due to low levels of juvenile prosecutions for motoring offences. The proportion of female juveniles prosecuted for summary non-motoring offences was larger than for male juveniles (47% and 26% in

⁶⁹ <https://www.gov.uk/government/statistics/police-powers-and-procedures-england-and-wales-year-ending-31-march-2016>. Data on FPNs is not available by sex of the offender.

⁷⁰ Where sex is known. 2% of defendants prosecuted had sex unstated.

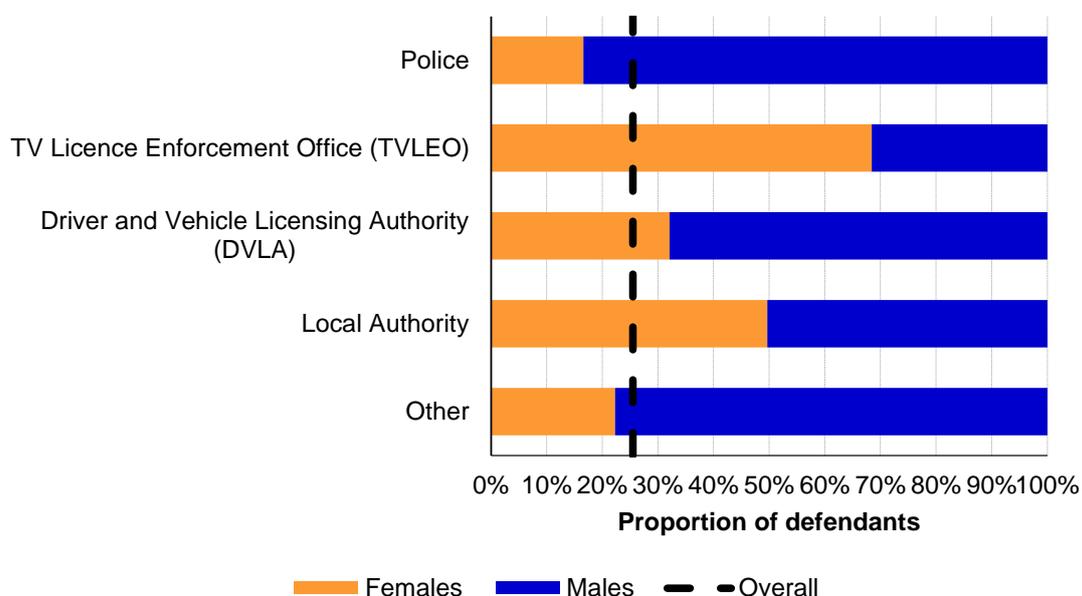
⁷¹ In this chapter, juveniles are aged under 18, in line with Criminal Justice Statistics Quarterly: December 2015.

2015 respectively), while the proportion of female juveniles prosecuted was equal or lower for all other offence groups except violence against the person (for male juveniles, 6%, and female juveniles, 7% of defendants prosecuted in 2015).

*Prosecuting authority*⁷²

In the latest year there were 1.5 million persons of known⁷³ sex that had a completed case, and 26% of those defendants were female. This proportion has increased by 3 percentage points since 2011 due to an increase in prosecutions of females and reduction in prosecutions of males, in line with the trend in the number of females and males prosecuted as discussed above. Police prosecutions accounted for 68% and the TV Licence Enforcement Office (TVLEO) for 13% of all prosecutions of defendants in 2015. DVLA and Local Authority prosecutors accounted for a further 5% and 3% of prosecutions respectively.

Figure 5.07: Proportion of the defendants brought to magistrates’ court that were of each sex, by prosecuting authority, 2015



Females were considerably more likely than males to have had their prosecution brought by a body other than the police. In 2015 there were 1 million prosecutions brought to the criminal courts by the police, of which only 17% were against female defendants. The number of police prosecutions have fallen for both male and female defendants by 9% and 2% since 2011 (respectively). In contrast, in 2015 there were 195,000 prosecutions brought to the criminal courts by the TVLEO, of which 68% were against female defendants (Figure 5.07). The number of TVLEO prosecutions increased by 16% for females and 3% for male defendants since 2011. Females also accounted for 32% and 50% of DVLA and Local Authority prosecutions respectively in

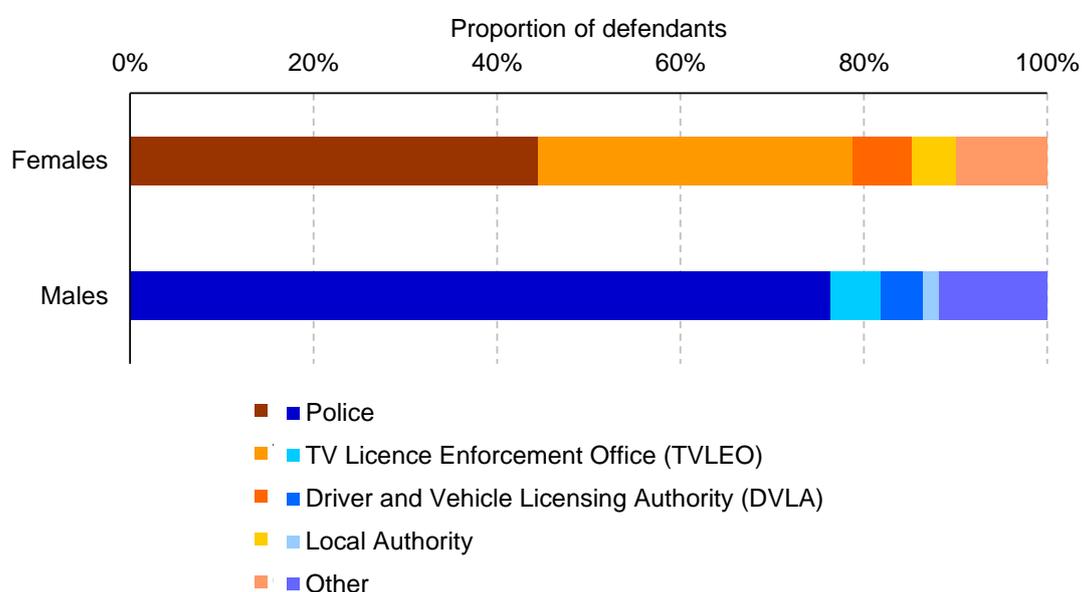
⁷² The data used for this section are sourced from the magistrates’ court administrative database LIBRA. They represent experimental statistics and tables on this data are provided in the accompanying overview tables.

⁷³ In 2015, there were a total of 1.6 million defendants, 7% of which had an unknown sex (this may include companies).

2015. These proportions have increased for both DVLA (by 9 percentage points) and Local Authority (by 7 percentage points) prosecutions since 2011. These increases were due to an increase in the number of prosecutions of female defendants by both the DVLA (58%) and Local Authorities (13%). DVLA prosecutions of males have increased by 2% whilst Local Authority prosecutions of male defendants have decreased by 14% over the same period.

These differences in the typical prosecuting authority by sex are related to the different types of offences for which men and women were typically prosecuted, with summary offences, and in particular TV license evasion, accounting for a greater proportion of female defendants prosecuted than male (Figure 5.08), as discussed above.

Figure 5.08: Proportion of the defendants brought to magistrates' courts that were brought by each prosecuting authority, by sex, 2015



*Criminal legal aid*⁷⁴

Criminal legal aid consists of legal aid carried out in police stations and in courts in relation to people accused of or charged with criminal offences. Legal advice and representation is provided to people being investigated or charged with a criminal offence. Criminal legal aid can be split into two categories, crime higher and crime lower. Crime higher concerns legal representation in the Crown Court and above. Crime lower work is carried out by legal aid providers at police stations⁷⁵, in magistrates' courts and prison⁷⁶. Crime lower work tends to be relatively high volume, lower cost units of criminal legal aid work.

⁷⁴ The source publication 'Legal aid statistics' can be found there:

<https://www.gov.uk/government/collections/legal-aid-statistics>

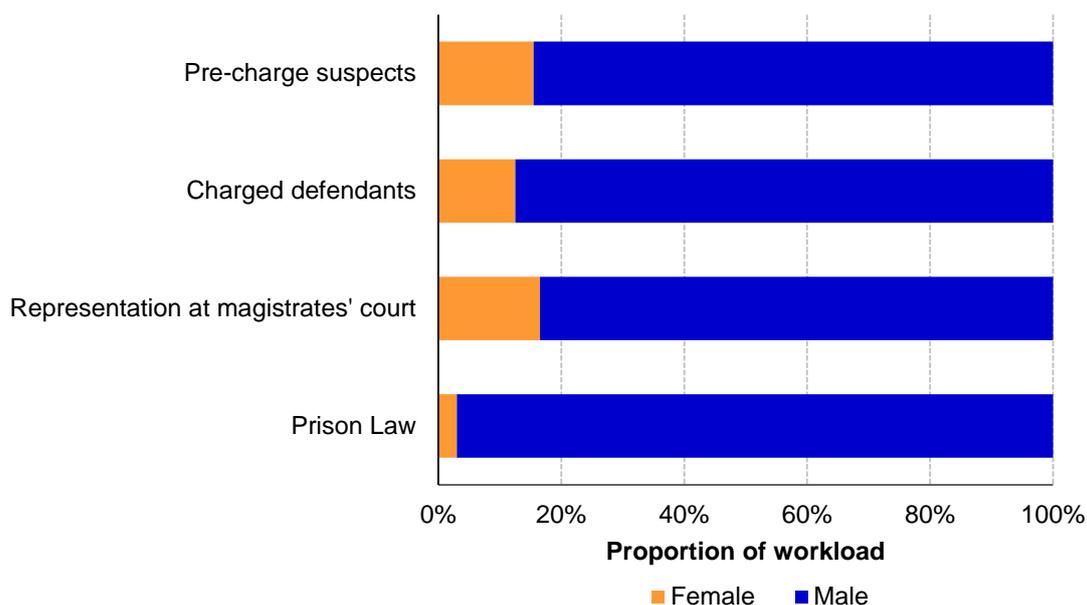
⁷⁵ Anyone in England and Wales who is interviewed by the police or attends a police station can receive advice funded by legal aid either on the telephone or by a solicitor in attendance with the suspect.

⁷⁶ For example for advocacy in parole board or parole board hearings, or freestanding prison law advice and assistance.

In 2015 around 16% of crime lower legal aid workload related to female clients, and 84% male. These proportions have changed very little over the last 5 year period⁷⁷. The female proportion is known to be even lower for crime higher workload at the Crown Court; 10% of this legal aid workload for crime higher was for females in 2015⁷⁸. For comparison, in 2015, 27% of prosecutions at the magistrates' court were of females, but only 11% of defendants tried at the Crown Court were women.

The breakdown of crime lower legal aid across the various categories of crime lower workload was similar for males and females: Pre charge work accounted for around two-thirds of overall crime lower work for both males and females (both 65%), and around one-third was for representation at the magistrates' court (32% for males, 34% for females). Legal aid for charged defendants accounted for a much smaller proportion of overall crime lower legal aid workload for both males and females (1%). However, prison law workload accounted for a larger proportion of crime lower workload for males than females (males 2.3%, females 0.4%) - this may be explained by the low number of women in prisons, as discussed in Chapter 7: Offenders under supervision or in custody. Only around 3% of those receiving crime lower legal aid in prison were female, in comparison to 12% - 16% of those receiving it at other points or overall (Figure 5.09).

Figure 5.09: Proportion of legal aid workload relating to each sex, by legal aid category, 2015



⁷⁷ Where sex is known. 1% of crime lower legal aid clients had an unstated sex.

⁷⁸ Where sex is known. 9% of crime higher legal aid clients had an unstated sex. No further breakdowns (for example by offence type and sex) are currently available for crime higher. The CSV is available here: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/533053/legal-aid-statistics-england-and-wales-client-diversity-data.csv/preview

In 2015 17% of the workload for legally-aided representation in the magistrates' court related to females and 83% to males; these proportions have been broadly stable over the last five years⁷⁹.

With the proportion of prosecutions that are of females having been broadly stable at around one quarter of all criminal court prosecutions over the last five years (see the Prosecutions section of this chapter) it appears that females were proportionally less likely to receive legal aid at the magistrates' court than males⁸⁰. One reason for this may be that a larger proportion of prosecutions of females were for summary offences (86%) compared with males (71%): less serious summary offences often will not meet the criteria set out in the Interests of Justice (IOJ) test for legal aid. The IOJ test considers the merits of a case (for example a person's previous convictions, the nature of the offence and the risk of custody). The more serious the charge or possible consequences for the defendant, the more likely that the case will qualify for legal aid.

While the number of proceedings against females rose by 1%, legal aid workload for representation at the magistrates' court relating to females declined by 32% between 2010 and 2015. The number of proceedings against males fell by 18% while legal aid workload for representation at the magistrates' court for males declined by 38% in the same period. This indicates an overall decrease in legal aid workload at the magistrates' courts, with a greater decline for females relative to the number prosecuted. This may in part be related to the fall in the proportion of prosecutions that were for indictable offences between 2010 and 2015 (5 percentage points for females, from 19% to 14%; 4 percentage points for males, from 33% to 29%), which are more likely to warrant legal aid, and in part to changes in legislation⁸¹.

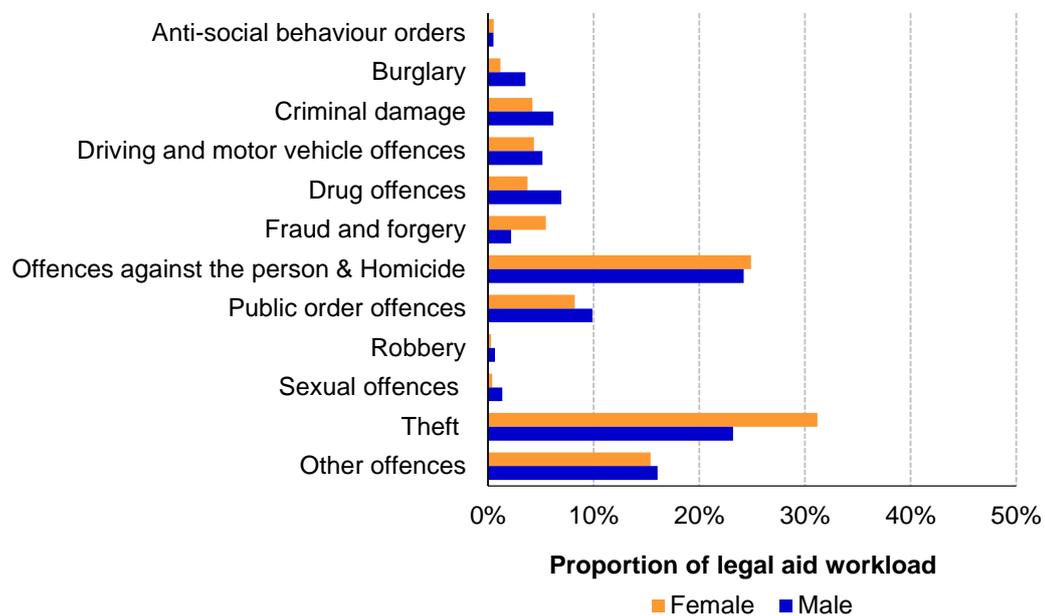
⁷⁹ Where sex is known. Less than 1% of legal aid recipients at the magistrates' court had sex unknown.

⁸⁰ Legal aid grants and proceedings data cannot directly be compared since the former relate to the period the claim for payment came in, not the time of the court proceedings.

⁸¹ As well as creating the Legal Aid Agency, the Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act also made changes to the scope and eligibility of legal aid and to exceptional case funding. These changes came into effect from 1 April 2013. The full details of the LASPO Act can be found here: www.legislation.gov.uk/ukpga/2012/10/enacted

In 2015, theft offences was the most common offence group⁸² for which females received legally aided representation at the magistrates' court. For females, 31% of all magistrates' court representation was for theft offences, compared with 23% for males (Figure 5.10). Offences against the person accounted for 25% of representation workload for females and 24% for males in 2015. Fraud and forgery offences also made up a higher proportion of magistrates' court representation workload for females (5%) than males (2%), while drug offences made up a higher proportion for males (7%) than females (4%); this mirrors the differences in typical offence groups prosecuted by sex. Legal aid representation pre-charge is very similar to legal representation at the magistrates' court and hence is not shown separately here.

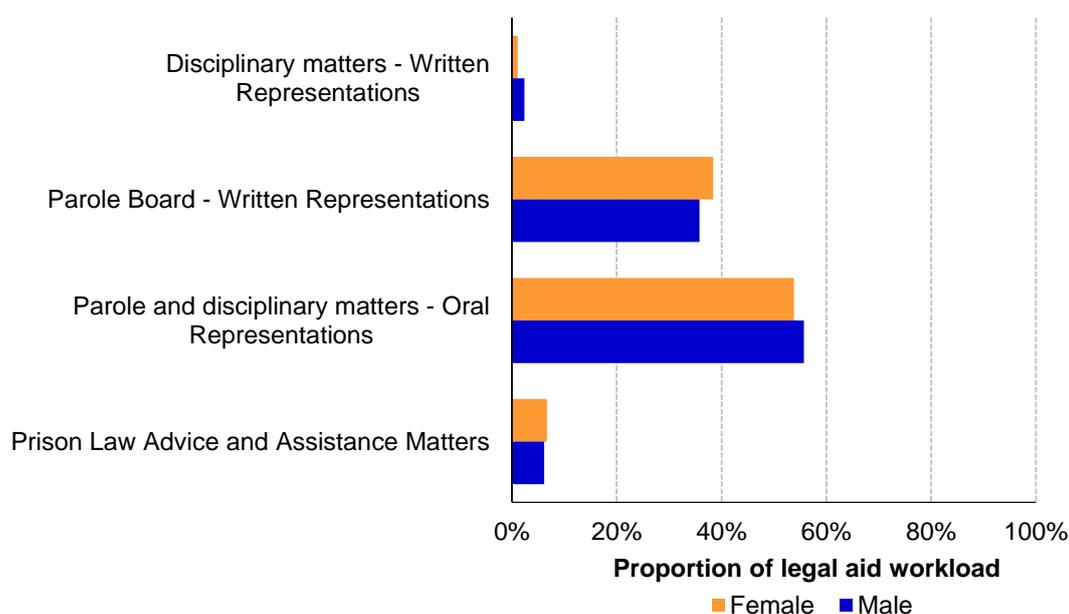
Figure 5.10: Proportion of legal aid workload for representation at magistrates' courts, by offence group and sex, 2015



⁸² Offence groups used in the recording of legal aid statistics are not directly comparable to those used in the Criminal Justice Statistics Quarterly: December 2015 and throughout the rest of this chapter.

In 2015 3% of the legally aided prison law workload related to females and 97% to males⁸³. The majority of prison legal aid workload was for oral representation for parole and disciplinary matters (for females, 54% of prison legal aid; for males 56%) and written representation to the parole board (for females 38%, for males 36%). Overall the differences between the sexes in the relative prevalence of different types of prison law representation were small (Figure 5.11), despite their different sentencing and behavioural tendencies as discussed in Chapter 7: Offenders under supervision and in custody.

Figure 5.11: Proportion of legal aid workload for prison law, by type of representation and sex, 2015



Crown Court committal

The proportion of male and female defendants prosecuted for indictable offences being committed for trial to the Crown Court has increased over the last decade. A smaller proportion of females (18% in 2015) than males (26% in 2015) prosecuted for indictable offences were sent for trial to the Crown Court. This is partly due to women being less likely to be sent for trial at the Crown Court for theft. For example, in 2015 nearly half (47%) of prosecutions of female offenders for indictable offences were for theft, but only 5% were committed for trial, while around one in three (32%) male offenders were prosecuted for theft but 13% were committed for trial. (This is discussed further in the shoplifting section of Chapter 8: Offence Analysis.) Females were also less likely to be committed for trial at the Crown Court for fraud offences (25% of females and 33% of males in 2015). The offence mix also plays a role: females were less likely to be prosecuted for violence against the person or sexual offences, which are often sent for trial at the Crown Court.

⁸³ Where sex is known. 1% of legal aid recipients in prison had sex unknown. Note that data pre-2015 is of lower quality and hence has been omitted from the commentary.

For both males and females the number of defendants at the Crown Court tried for indictable only offences decreased overall (by 5% to around 1,600 for females, and by 7% to 16,000 for males) over the last decade, while the number of defendants tried for triable either way offences also varied but increased overall (by 17% to around 7,600 for females, and by 26% to 60,000 for males) in the same time period.

Triable-either-way cases are tried at the Crown Court where magistrates feel the offence is sufficiently serious or complex to justify committal. However, it is also possible for the defendants or prosecution to elect for the case to be tried at the Crown Court, if they feel this mode of trial is preferable to a summary trial by magistrates.

In the latest year⁸⁴, the majority of defendants for triable-either-way (TEW) cases that were sent to the Crown Court were sent on the direction of the magistrates' court (93%). This proportion was slightly less for females (90%) than for males (93%).

The guilty plea rate (GPR), i.e. the proportion of defendants who pleaded guilty to all offences, varies for male and female defendants with whether they elect to be tried at the Crown Court. The GPR for defendants who elect to be tried at the Crown Court is much lower than the GPR for those directed by the magistrates' court. In 2015, of all defendants who entered a plea, the GPR for female defendants who elected to be tried at the Crown Court was 40%, compared with 67% for those directed. Male defendants who elected to be tried at the Crown Court had a GPR of 48%, compared with 74% for those directed. However, the difference in GPR between male defendants and female defendants is similar for those who elect to be tried at Crown Court (7 percentage points) and those who are directed there by the magistrates' court (8 percentage points); there does not appear to be any difference between the sexes in how intention to plead is associated with election of trial at the Crown Court.

*Representation at the Crown Court*⁸⁵

When defendants appear in court, they have the right to either speak for themselves or to be represented, i.e. to have someone with legal expertise speak on their behalf. In 2015, the proportion of defendants⁸⁶ that were known to have representation at their first hearing was 94% for females and 93% of males dealt with at the Crown Court. These proportions have remained relatively stable since 2010, ranging from 93% to 96% for both male and female defendants; there is no evidence of a gap between the sexes in Crown Court representation.

⁸⁴ Figures from this paragraph are sourced from the data underpinning the Criminal Court Statistics (quarterly): October to December 2015 bulletin. These figures are calculated differently from those used for the Criminal Justice Statistics Quarterly: December 2015 bulletin, which is used as the basis for the section on plea at the Crown Court and the remainder of the Crown Court committal section – they are not directly comparable to these sections. Please refer to the accompanying technical guide for further details.

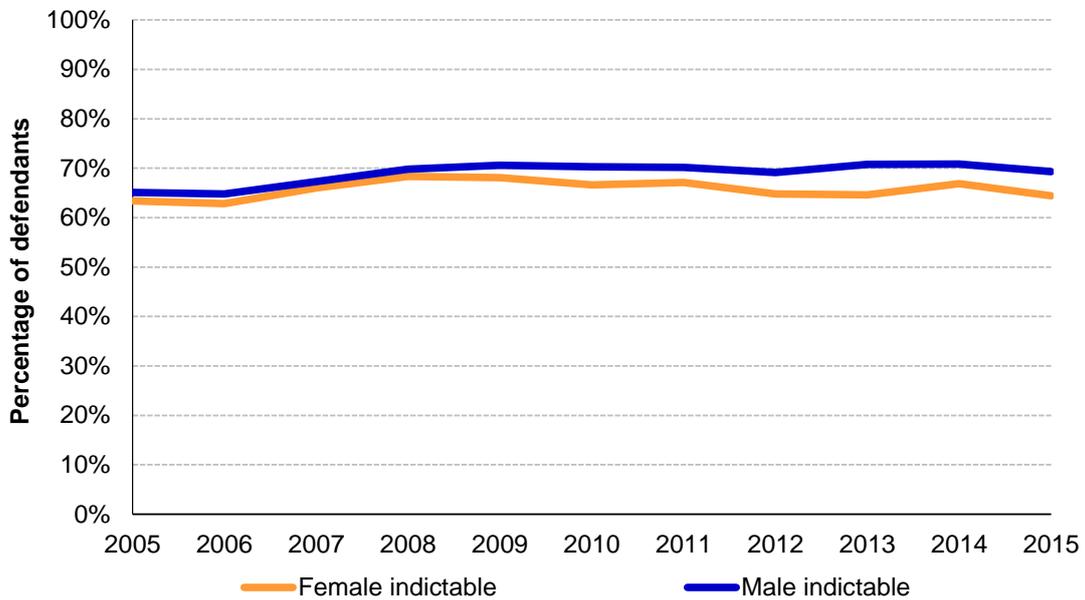
⁸⁵ Figures from this section are sourced from the data underpinning the Criminal Court Statistics (quarterly): October to December 2015 bulletin. These figures are calculated differently from those used for the Criminal Justice Statistics Quarterly: December 2015 bulletin, which is used as the basis for the remainder of this chapter unless specified. Companies and defendants with unknown sex have been excluded from this analysis. Please refer to the accompanying technical guide for further details.

⁸⁶ These figures exclude companies and persons with unknown sex. In 2015, there were 96,415 defendants dealt with in the Crown Court less than 1% of which had unknown sex or were a company.

Plea at the Crown Court

Over the last decade the proportion of defendants pleading guilty at the Crown Court has increased overall for indictable offences, for both males and females (Figure 5.12). However, the guilty plea rate was consistently lower for females (64% in 2015) compared with males (69% in 2015), and was also lower for females for all offence groups except criminal damage and arson (females 85%, males 77%) in 2015. Furthermore, for males the proportion of defendants pleading guilty was considerably lower for indictable only (50% in 2015) than for triable either way offences (74% in 2015), while these proportions were more similar for females (60% and 65% respectively in 2015).

Figure 5.12: Percentage of defendants for trial at the Crown Court that pled guilty, by sex, 2005 to 2015

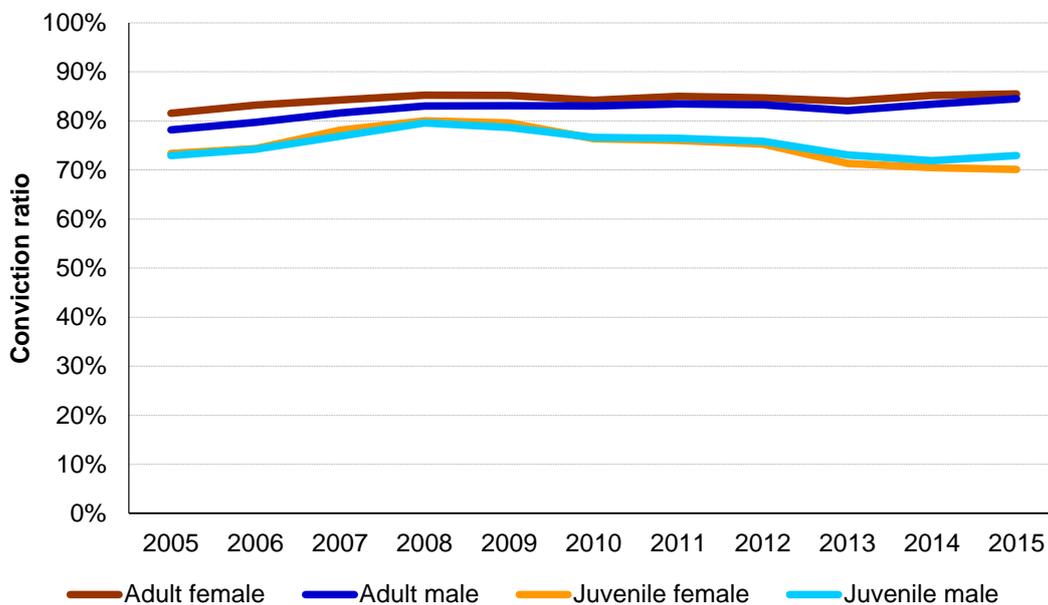


Convictions

As with prosecutions, the number of convictions has fallen for male offenders since 2005 (by 29%), while it has risen overall for female offenders (by 11%)⁸⁷ mirroring prosecutions. In 2015 27% of convictions were of female offenders and 73% of male offenders.

The conviction ratio⁸⁸ has been between one and three percentage points higher for female than male offenders over the past decade. It increased for both male and female defendants between 2005 and 2008, after which it remained broadly stable at around 84-85% for females and 82-84% for males. The conviction ratios were lowest for sexual offences for both females (46%) and males (55%), but were generally similar for both sexes. Overall, the conviction ratio was lower for juveniles compared with adults (Figure 5.13).

Figure 5.13: Conviction ratio, by age group and sex, 2005 to 2015



Remands

Police remand

Police remands are decisions made by a police officer on whether to detain or bail a defendant pending their first appearance in court or send a notice summoning them to appear in court. In 2015 there were 1.37 million defendants⁸⁹ directed to appear at magistrates' courts (including those who failed to appear).

⁸⁷ Offenders with sex not stated accounted for 6% of all convictions.

⁸⁸ The conviction ratio is calculated by dividing the number of defendants convicted by the number of defendants prosecuted in the same period

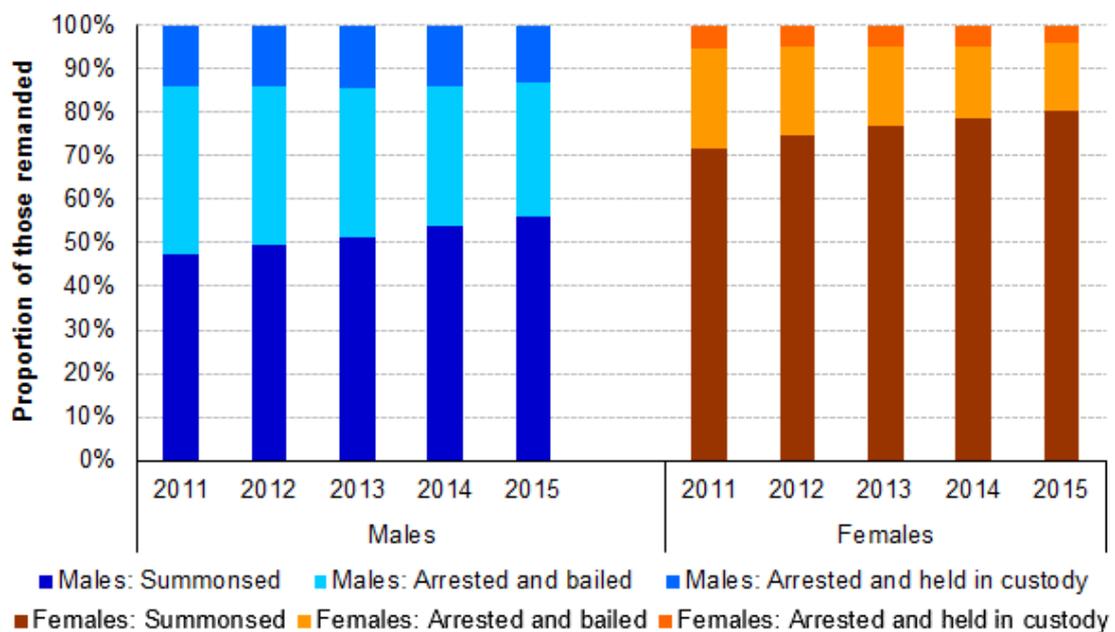
⁸⁹ Excluding companies and those of unknown sex, which comprise 7% of the total number of defendants. The total number of defendants in 2015 including companies and where gender is unknown is 1.56 million.

A lower proportion of female than male defendants were arrested and held in custody in each of the last five years. The proportion of females held in custody has remained broadly stable; it was 5% in each year since 2011 until it decreased by one percentage point to 4% in 2015. 13% of male defendants were held in custody in 2015; whilst this has fluctuated since 2011, it has also remained broadly stable.

Similarly, a lower proportion of female than male defendants have been bailed by the police since 2011. In 2015, 31% of male defendants were bailed, compared with 15% of females (Figure 5.14). There has been a steady decrease in the proportion of defendants given police bail since 2011 for both sexes, by 8 percentage points.

Since 2011, female defendants have been more likely than males to receive a summons and the proportion of males and females summonsed has increased. In 2011, 72% of females were summonsed compared with 80% in 2015; an increase of 9 percentage points. Similarly, the proportion of male defendants summonsed increased from 48% in 2011 to 56% in 2015. The differences observed in police remand decisions are likely to relate in part to the different types of offences for which women and men are typically prosecuted and hence the risk they are perceived as representing. Similar trends to those for police remand overall are generally seen for individual police force areas, although there are exceptions which may be driven by local circumstances.

Figure 5.14: Proportion of those remanded by the police, by remand status and sex, 2011 to 2015



Court remands

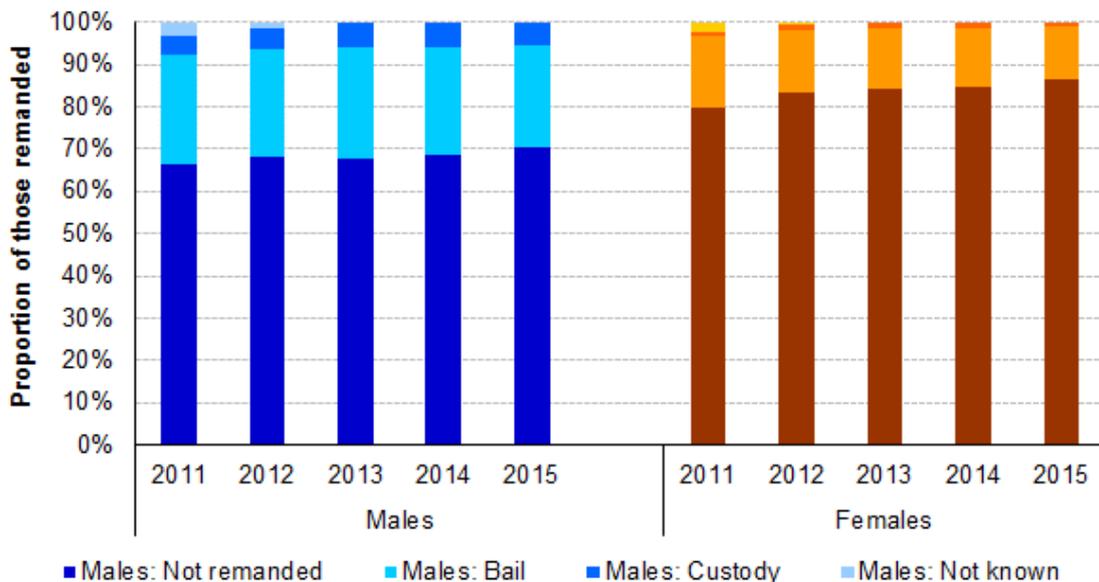
Court remands⁹⁰ are court decisions on whether a defendant charged with a criminal offence should be held in custody or released on bail, during the period of their trial or while they are awaiting sentence. The figures are compiled from a combination of the defendant's remand status during their trial and whilst awaiting sentence at magistrates' courts and the Crown Court.

Magistrates' court remand

The trends for females remanded by magistrates' courts followed a similar pattern to police remands, with females being less likely than males to be remanded in custody or bailed⁹¹ (Figure 5.15). In the last five years, 1% of females have been remanded into custody by magistrates' courts. In contrast, the proportion of males remanded into custody in 2015 was 5%; this has fluctuated slightly but remained broadly stable since 2011. The proportions of men and women bailed in 2015 were 24% and 13% respectively, both representing a small fall since 2011 (from 26% and 17%).

A higher proportion of females than males were not remanded by magistrates' courts since 2011; although an increase in defendants not remanded was observed for both males and females. In 2011, 80% of females were not remanded, rising to 86% in 2015. For males, 66% were not remanded by magistrates' courts in 2011, increasing to 70% in 2015.

Figure 5.15: Proportion of those remanded by magistrates' courts, by remand status and sex, 2011 to 2015



⁹⁰ 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).

⁹¹ Remand status is not known in a small minority of cases in 2011 and 2012, when those bailed and not remanded were being estimated – see the accompanying technical guide for further details.

Offences for which defendants remanded in custody were tried for in magistrates' courts

Theft offences are the offences for which both females and males have been most commonly remanded in custody by magistrates' courts since 2011. In 2015, one third of females (34%) and one quarter of males (24%) who were remanded in custody were remanded for theft offences. This trend has fluctuated for both sexes over time, but peaked in 2014 for females, when 38% of females who were remanded in custody by magistrates' courts were remanded for theft offences (the trend peaked in 2012 and 2013 at 29% for males). The percentage of females and males remanded into custody by magistrates' courts who were remanded for summary non-motoring offences has risen overall, to 16% in 2015 from 12% in 2011 for females and to 17% in 2015 from 13% in 2011 for males.

Males were more likely to be remanded in custody than females for all offence groups. In 2015, this was particularly true for defendants being proceeded against for robbery offences, where 45% of male and 30% of female defendants were remanded into custody by magistrates' courts; and for violence against the person offences, where 28% of male defendants were remanded into custody compared with 13% of female defendants.

Outcomes for defendants remanded in custody by magistrates' courts

In 2015, females remanded in custody by magistrates' court were less likely than males to be committed for trial or sentence to the Crown Court (47% and 58% respectively in 2015); and as likely as males to be acquitted (10% of both sexes remanded in custody by magistrates' courts in 2015). The trend for both sexes in terms of acquittals in magistrates' courts for those remanded into custody has remained broadly stable in recent years, from a high of 12% acquitted in 2011 and 2012 for males and for females, acquittals peaked in 2012 at 13%.

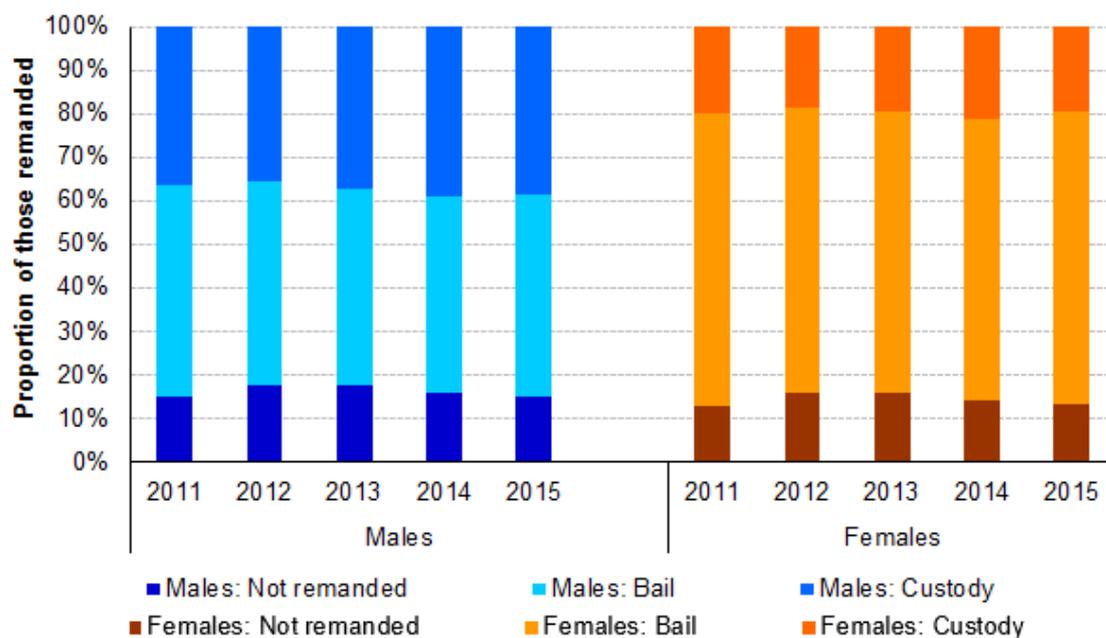
Sentencing outcomes handed to females and males by magistrates' courts also differed. In 2015, females remanded in custody and sentenced at magistrates' courts were more likely than males to be given a suspended sentence (17% and 14% respectively) or non-custodial sentence (37% and 35% respectively); and less likely to be handed an immediate custodial sentence (46% and 52% respectively). Since 2011, the trend for females being handed a suspended sentence has risen (up from 11%) whilst non-custodial outcomes have fallen (down from 44% in 2011). The same trend was observed for male defendants remanded in custody at magistrates' courts since 2011, when 9% were given a suspended sentence and 43% had a non-custodial outcome.

Crown Court remand

The proportion of all defendants remanded in custody⁹² at the Crown Court rose by two percentage points in 2015 compared with 2011, to reach 36%. Of the 11,700 females and 95,800 males appearing at the Crown Court in 2015, 19% and 38% respectively were remanded in custody. These proportions have both been broadly similar since 2011 – as for police and magistrates’ courts remand, women are consistently less likely than men to be remanded in custody at the Crown Court.

In contrast to what is seen for police and magistrates’ courts remand, however, women were consistently more likely than men to be bailed at the Crown Court – approximately two thirds of women were bailed (67% in the latest year) compared with just under half of men (47% in the latest year) (Figure 5.16). This difference is likely to be linked to the greater seriousness of offences typically dealt with at the Crown Court – most women were ‘not remanded’ by police or magistrates, but this is rarely appropriate for Crown Court cases. (Only 15% of males and 13% of female defendants were not remanded in the Crown Court in 2015, proportions which have remained similar for both males and females since 2011.)

Figure 5.16: Proportion of those remanded by the Crown Court, by remand status and sex, 2011 to 2015



⁹² Defendants remanded in custody might also have been remanded on bail or not remanded at another stage in the proceedings.

Offences for which defendants remanded in custody were tried for in the Crown Court

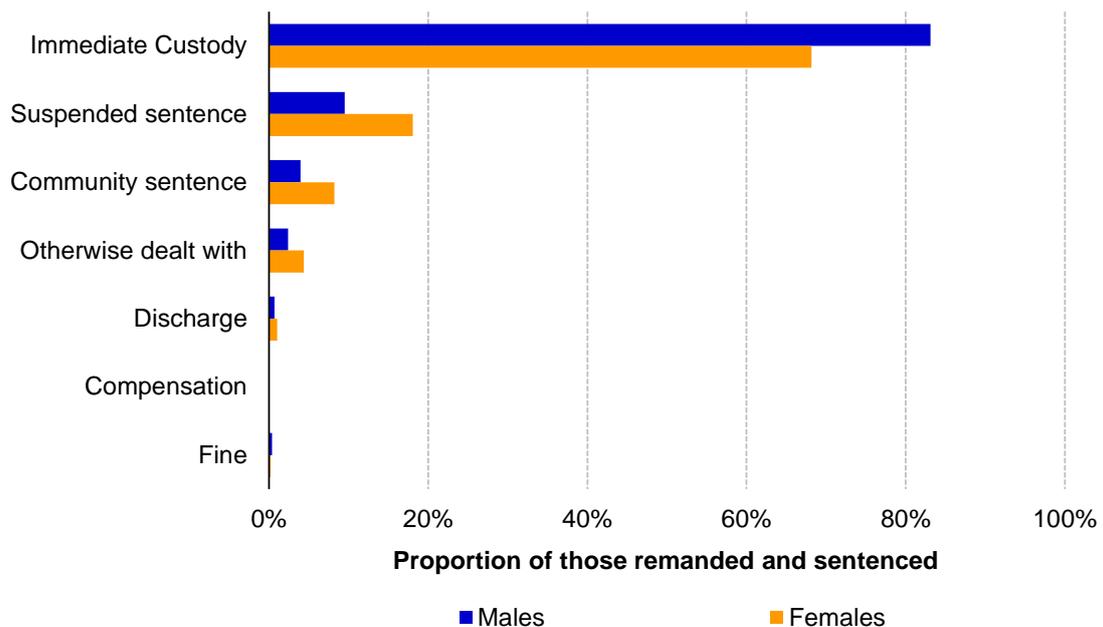
Of those of each sex remanded in custody by the Crown Court in 2015, a larger percentage of females than males were remanded into custody for miscellaneous crimes against society (16% of females and 11% of males remanded in custody), fraud offences and criminal damage and arson (each 5% and 2% respectively). Females were less likely to have been remanded in custody for sexual offences, with this offence group representing 2% of females on custodial remand compared with 8% of males. These trends have remained broadly similar since 2011. Females and males were both most commonly remanded in custody for violence against the person (23% and 22% respectively) and theft offences (19% and 20% respectively).

Outcomes for defendants remanded in custody at the Crown Court

In 2015, a higher percentage of females who were remanded in custody at the Crown Court were acquitted or not tried (15%) compared with males (12%), as a proportion of all sentencing outcomes for each sex. Since 2011, the trend for males has remained relatively stable compared with the trend for females; for whom the proportion acquitted has increased by four percentage points.

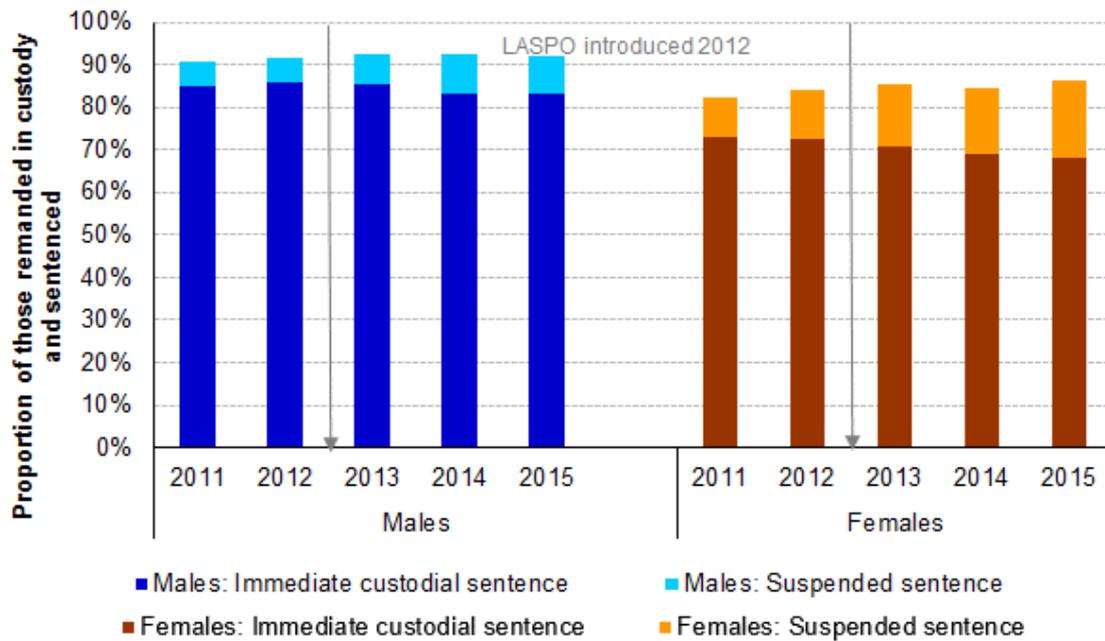
Typical sentencing outcomes handed by the Crown Court to female and male defendants who had been remanded in custody differed in 2015 (Figure 5.17). Female defendants who had been remanded in custody and sentenced at the Crown Court were less likely to receive a custodial sentence of either immediate custody or suspended sentence (86%) than were male defendants (93%). A higher proportion of males were given immediate custody (83%) compared with females (68%); however more females than males received a suspended sentence (18% and 9% respectively).

Figure 5.17: Proportion of those remanded in custody and sentenced at the Crown Court, by sentencing outcome and sex, 2015



The percentage of females remanded in custody by the Crown Court who were given immediate custodial sentences there has decreased since 2011 (Figure 5.18). In 2011, 73% of females remanded in custody were sentenced to immediate custody, which steadily decreased to 68% in 2015. In contrast, the proportion of females remanded in custody who received a suspended sentence at the Crown Court increased steadily since 2011; in 2011, 10% of these females were given suspended sentences, which rose to 18% in 2015. There has been a smaller rise for males remanded in custody who received suspended sentences over the same period of time; increasing from 6% in 2011 to 9% in 2015. Overall, the total proportion of custodial sentences (that is, both immediate custodial and suspended sentence order outcomes) for females remanded in custody at the Crown Court increased since the introduction of the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

Figure 5.18: Percentage of those remanded in custody and sentenced at the Crown Court, by custodial sentencing outcome and sex, 2011 to 2015

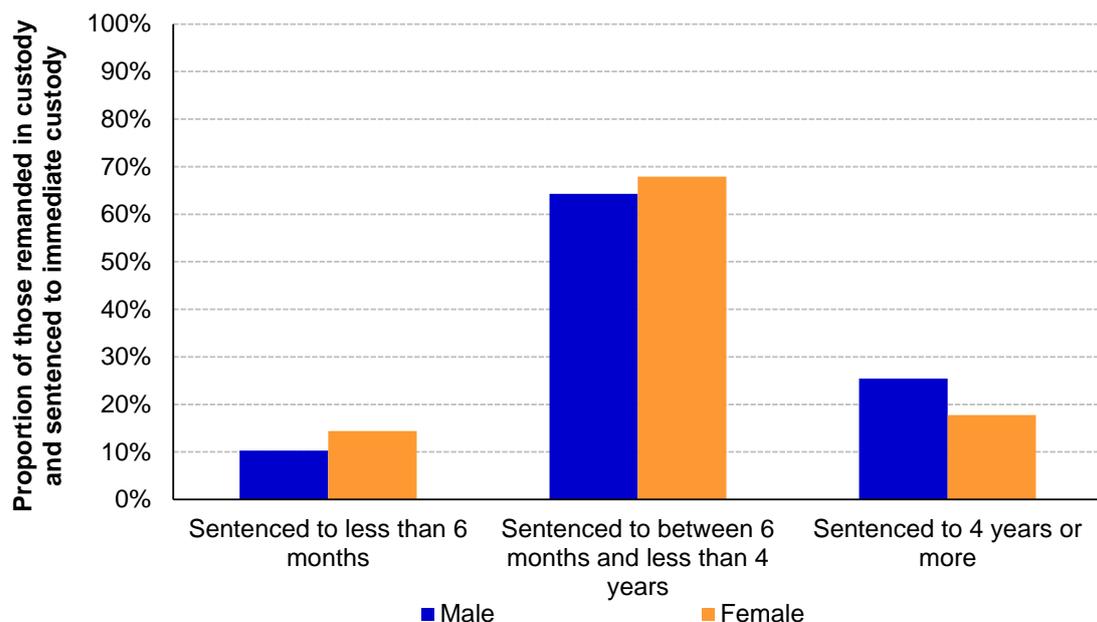


Sentence lengths handed for immediate custodial outcomes in the Crown Court

In 2015, 14% of females remanded in custody and sentenced at the Crown Court were handed an immediate custodial sentence of less than 6 months in length; compared with 10% of males.

Higher proportions of males than females who were remanded in custody by the Crown Court received a sentence length of four or more years; with one quarter (25%) of males and 18% of females handed a sentence of this length in 2015. Slightly higher percentages of females than males were handed immediate custodial sentence lengths of between 6 months and less than 4 years. In 2015, these proportions were 68% for females and 64% for males. Whilst these proportions have fluctuated over time, they have remained broadly stable for both sexes since 2011. The tendency for women remanded in custody to receive shorter immediate custodial sentences than men mirrors the trend for immediate custodial sentences more generally, as discussed later in this chapter.

Figure 5.19: Proportion of those remanded in custody and sentenced to immediate custody at the Crown Court, by sentence length and sex, 2015



Failure to appear

Failures to appear (FTA) occur when defendants do not attend court on a specified date, having either been summonsed or granted bail at an earlier stage. In 2015, the number of defendants who failed to appear was over 70,000.

Experimental statistics on failure to appear in 2015 by and sex show that women represented 18% of those failing to appear⁹³, a smaller proportion than of those prosecuted. They represented 19% of FTA at magistrates' courts and only 11% at the Crown Court, in line with their higher proportion of prosecutions for summary offences. However, patterns of failure to appear by offence type were generally similar for males and females.

95% of failures to appear by male defendants and 97% for female defendants for 2015 related to magistrates' courts. The majority of failures to appear were associated with triable-either-way offences. There were around 50,000 defendants failing to appear in 2015 in association with a triable-either-way offence. Triable-either-way offences accounted for similar proportions of failures to appear for both men and women, 72% and 74% respectively in magistrates' courts, 83% for both men and women in the Crown Court, and 72% and 75% respectively in all courts.

The number of failures to appear associated with indictable only offences was much smaller, even taking into account that fewer prosecutions relate to indictable only offences. Indictable only offences also accounted for similar proportions of failures to appear for both men and women, under 1% in the magistrates' Court, 16% and 14% respectively in the Crown Court, and 2% and 1% respectively in all courts.

The number of failures to appear associated with summary offences (both motoring and non-motoring) was also smaller than the number associated with triable-either-way offences, despite the much larger number of defendants prosecuted that related to summary offences. Summary non-motoring offences accounted for a slightly higher proportion of failures to appear for women than men (20% compared to 18% respectively) and summary motoring accounted for a slightly lower proportion of failures to appear for women than men (5% compared to 9% respectively). The higher proportion of failures to appear accounted for by summary non-motoring offences among women may partly reflect that women were most commonly prosecuted for these offences, but in general the greater tendency of females to have been prosecuted for summary offences was not seen in the offences for which they failed to appear.

⁹³ Of known sex. 2% of those failing to appear has sex unknown or not stated.

Case Management

The majority of cases at the Crown Court will involve a single defendant. However, there are some cases which will have more than one defendant. For this analysis cases with multiple defendants will be treated as a 'male' or 'female' case if all defendants in the case are of the same sex. Cases with both male and female defendants are defined as mixed, cases that have one or more defendants of unknown sex are defined as unknown and cases that have one or more defendants recorded as a company are defined as a company.

Case listing⁹⁴

When a 'for trial' case – a case that has the potential to go for trial by jury – proceeds to the point at which a trial by jury is required, the case will be listed for a trial hearing. (The majority of cases for trial do not reach the stage at which a trial hearing is listed due to the case completing without the need of a jury – e.g. if the prosecution drop the case or the defendant pleads guilty.) If the jury are sworn in at the trial hearing, then that listing is called an effective trial listing. There are instances in a case why the jury will not be sworn in for the trial hearing. Instances where the trial does not go ahead but that still require that trial listing to be relisted at later date are called ineffective trial listings.⁹⁵ Some cases will require multiple trial hearings and therefore can have more than one listing.

In 2015, there were 39,000 trial listings of which 4% (2,000) related to cases that had a mix of male and female defendants and 96% (37,000) related to cases which had all male or all female defendants.⁹⁷ Out of these 37,000 trial listings, 8% (3,000) related to cases with all female defendants, a proportion that has remained stable since 2010.

The proportion of trial listings that were ineffective is similar for trials involving either all male or all female defendants. In 2015, 15% of listings relating to a male case were ineffective whilst 16% of listings were ineffective for female cases. These proportions have remained relatively stable from 2010 to 2015, ranging from 14% to 15% for males and 13% to 17% for females.

⁹⁴ Data in this section is sourced from the Crown Court administrative system CREST. Figures discussed here are experimental statistics presented in tables accompanying this publication. For more information and statistics on Crown Court cases please refer to the Criminal Court Statistics (quarterly): October to December 2015 bulletin - <https://www.gov.uk/government/collections/criminal-court-statistics>

⁹⁵ For example if the defendant or a witness was absent then the trial listing would be categorised as ineffective.

⁹⁶ Instances where the circumstances of the case change such that neither a trial on that day nor any subsequent trials are needed are called a cracked trial listing. These are not discussed in this section because the implications of this depend greatly on the specifics of the case.

⁹⁷ Less than 1% of trial listings related to cases concerning companies or had defendants of unrecorded sex.

*Timeliness*⁹⁸

In 2015⁹⁹, the median number of days from the offence to the completion of the criminal case for both male and female defendants was 150 days – there was no difference between the sexes in overall case timeliness.

This compares to 2011, when female defendants had a median of 141 days whilst male defendants had a median of 126 days; whilst the median number of days for female defendants has increased since 2011, there has been a larger increase in the median number of days for male defendants, which reduced the difference in timeliness between female and male defendants almost year on year.

The time period between the offence and the completion of the criminal case can be broken up into three component parts: the time between the offence and the offender being charged; the time between the charge and the case first being listed at the magistrates' court; and the time between that first listing and the case being completed, in whichever form that completion takes.

Since 2011, the median number of days from offence to charge has consistently been higher for female defendants than for male defendants. In 2015, female defendants had a median of 102 days whilst male defendants had a median of 79 days. In 2011, both female and male defendants had a smaller median number of days (78 and 56 days respectively), but the number of days difference between the sexes has remained broadly stable over the period. The median number of days from charge to first listing has also been consistently higher for female defendants. In 2015, female defendants had a median of 33 days whilst male defendants had a median of 27 days, a slight increase of 4 and 3 days respectively since 2011. The median number of days from first listing to completion is zero for both males and females.¹⁰⁰

Fraud offences take more than a third longer for female defendants as male defendants (Figure 5.20). In 2015, fraud offences had the largest median number of days (503) from offence to completion for female defendants. Fraud was the second longest offence group for male defendants, at 368 days, with sexual offences at 409 days. As with overall timeliness, the gap between the sexes has narrowed since 2011, when female defendants had a median of 535 days and male defendants 300 days for fraud. The difference between male and female defendants may well be due to the relative volumes of different offences that make up the offence group. In 2015, benefit fraud offences accounted for 45% of all female fraud prosecutions and 20% of male

⁹⁸ The data used for this section matches defendants recorded in magistrates' courts with defendants who completed their case in the Crown Court to measure the length of a case. These are sourced from linked magistrates' courts and Crown Court administrative data systems – with a match rate of around 95%. Figures discussed here are experimental statistics from a new methodology where cases longer than 10 years, which were previously excluded, are now included in the data. Experimental tables on timeliness by sex are published in the overview tables accompanying this publication. For more information and statistics on timeliness please refer to the Criminal Court Statistics (quarterly): October to December 2015 bulletin - <https://www.gov.uk/government/collections/criminal-court-statistics>

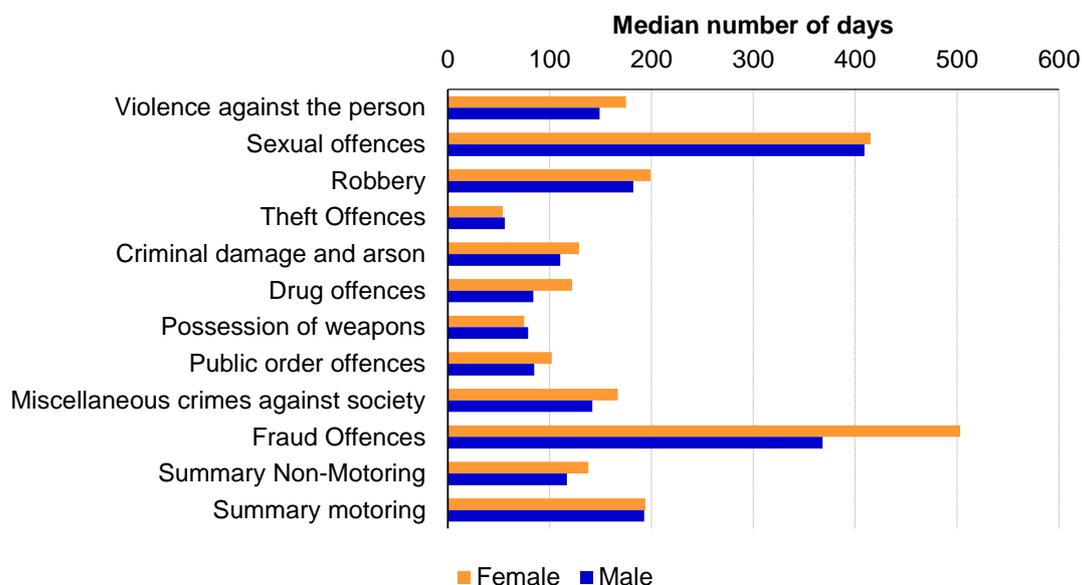
⁹⁹ In 2015, there were 1.5 million defendants who had completed cases in the criminal courts 7% of which had unknown sex.

¹⁰⁰ A median value of 0 indicates that the case had a first listing and completed on the same day.

prosecutions; the time taken for benefit fraud cases is discussed further in Chapter 8: Offence Analysis.

The second longest offence group for female defendants was sexual offences, with a median time of 415 days from offence to completion, similar to males. Again, in 2011, female defendants had a larger median (453 days) whilst male defendants had a smaller median (326 days). In 2015, female defendants had a longer median time from offence to completion for all indictable offence groups apart from theft and possession of a weapon. The same trend was seen in 2011, except for public order offences and robbery, which also took longer for male defendants. Female defendants with a summary offence had a longer median time from offence to completion than males from 2011 to 2015, except in the latest year where male defendants had a slightly longer median for summary motoring offences (196 days) than female defendants (194 days).

Figure 5.20: Median number of days from offence to completion, by offence group and sex, 2015



In contrast to the median, in the most recent two years, the mean ('average') number of days from charge to completion for male defendants has increased whilst remaining broadly stable for female defendants. This increase in average number of days for male defendants is due to an increase in sexual offence prosecutions.¹⁰¹

In 2015, the average number of days from offence to completion of a case was 184 days for male defendants and 166 days for female defendants. In 2011, male defendants had an average of 157 days and female defendants had an average of 162; by 2015, female defendants saw an increase of 4 days whilst male defendants

¹⁰¹ The mean is more susceptible to extreme outliers than the median. Timeliness figures for mean days can be skewed to show a shorter or longer average than the median due to a small number of very short or long cases (respectively). For example, sexual offences have a high proportion of extremely long cases, hence the substantial gap between the median and mean time from offence to completion for this group.

saw an increase of 27 days. This increase for male defendants has occurred in the latest 2 years and is primarily due to an increase in the time from offence to charge. The average number of days from offence to charge for male defendants was 108 in 2015 (an increase of 20 days from 2011). Female defendants had an average of 105 days (an increase of 6 days over the same period).

This increase for male defendants is driven by an increase in the number of sexual offences being prosecuted by the courts in 2013. Sexual offences take by far the longest on average of the offence groups, for both male and female defendants (in 2015 the average number of days from offence to completion was 1,812 and 1,870 respectively). In 2014, when the average time taken for male defendants started to increase, the number of completed sexual offence cases also increased (by 10% for male defendants and 40% for female defendants). Although female defendants saw a larger relative increase in sexual offence cases, the proportion of female cases that related to sexual offences was considerably lower than for male defendants (less than 0.1% versus 1%). This meant that although female defendants had a larger relative increase in sexual offence case completions in 2014, it did not have a large impact on overall timeliness for female defendants in the same way as for males.

Pre-sentence reports

Pre-sentence reports (PSRs)¹⁰² are typically prepared by the Probation Service to provide information to the court about the offender and any circumstances surrounding the offence, to help decide on a suitable sentence. This section looks at the types of PSR given at the courts, and the agreement (concordance) between recommendations made in PSRs and sentences issued at court and whether this differs between males and females.

In 2015 a total of 159,000¹⁰³ court reports were prepared, of which 15% were given for females and 85% for males. The total number of court reports has varied over the last four years (between 142,000 and 194,000) with the majority (over 70% in 2015) given at the magistrates' courts.

About half of PSRs were written, fast delivery PSR's¹⁰⁴ (females 49%, males 52%). Oral, fast delivery PSR's¹⁰⁵ were nearly as common, especially for females (females 41%, males 30%), while the 'standard' PSR's¹⁰⁶ which are given for the more serious offences were much less common and were given proportionally more often to male

¹⁰² Data on PSRs relates to those aged 18 or older and all offence types. All court reports included in published PSR statistics relate to offenders of known sex.

¹⁰³ The total number of court reports given here is higher than the number of court reports in the concordance data since reports include all sentences whether these are unrecorded or recorded as "Other".

¹⁰⁴ Fast Delivery PSR (written) – Normally completed on day of request and must be completed within 5 days. A fast delivery PSR is only suitable where the case was of 'low seriousness' or 'medium seriousness', and where the court indicates that a community sentence is being considered. May in certain circumstances also be suitable when the Court is considering custody. These reports may include a full risk assessment of the offender.

¹⁰⁵ Fast Delivery PSR (oral) – The Criminal Justice Act 2003 removed the requirement for all PSRs to be written. An oral report is usually completed within 24 hours of conviction where a limited amount of information is required by the sentencing court.

¹⁰⁶ Standard PSR – A standard delivery (adjourned) Pre-Sentence Report is based on a full risk assessment and is suitable for 'medium' and 'high' seriousness cases and/or where a custody is being considered.

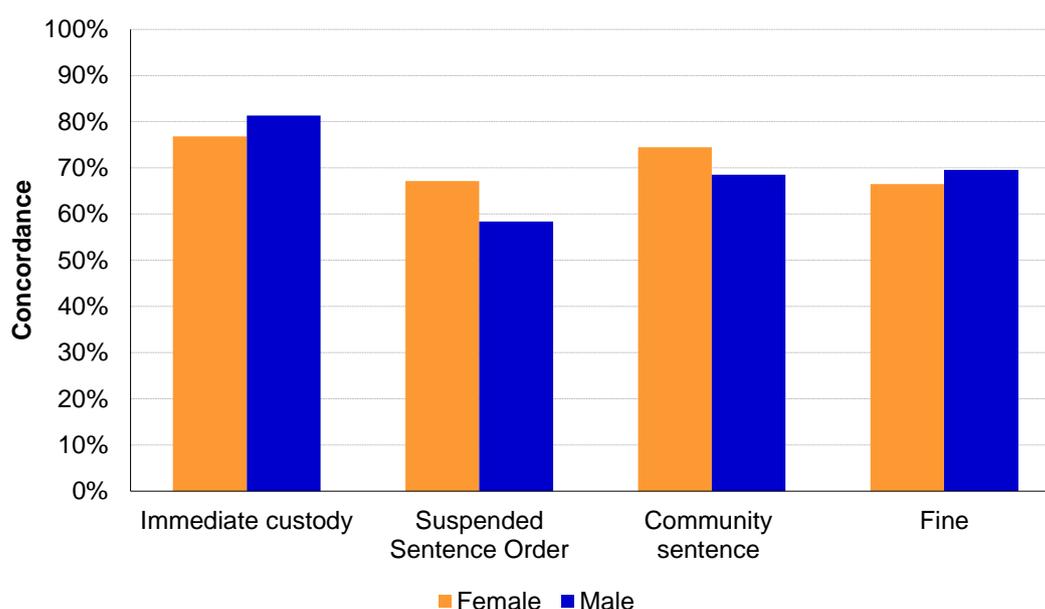
(17%) compared with female (9%) offenders. This aligns with the differences in the types of offence males and females were typically prosecuted for, as discussed earlier in this chapter. Since 2012 the overall proportion of standard PSRs has declined for females and males by around 15 percentage points.

For both female and male offenders oral, fast PSRs were uncommon at the Crown Court (male 5%, female 8%), while standard PSRs were more common (male 31%, female 20%) owing to the more serious nature of offences typically sentenced here. Nevertheless, females still had a lower proportion of standard PSRs than males.

Overall, females (73%) were slightly more likely than males (67%) to have their sentences concur with their PSR. In the latest year, a lower proportion of female offenders were recommended for immediate custody (female 4%, male 9%) and a higher proportion for community sentences (female 71%, male 65%) compared with male offenders. Compared with 2014 the proportion of both females and males recommended for a suspended sentence increased by 5 percentage points to 23%-24% which was compensated by a fall in proportion of community sentence recommendations.

In 2015, the highest level of concordance was for immediate custody (Figure 5.21), with 77% of female offenders and 81% of male offenders whose PSR recommended a custodial sentence going on to receive one. If immediate custody was not given for offenders recommended for it then a suspended sentence was the most likely sentence to be given to females (accounting for 13%), but 'other' sentences were the most prevalent for males (accounting for 9%). Furthermore, in 2015 a higher proportion of males (14%) received an immediate custodial sentence than females (8%) when another sentence option had been recommended in the PSR (e.g. a suspended sentence, community sentence or a fine).

Figure 5.21: The level of concordance between sentence recommendations and outcomes for female and male offenders, by sentence type, 2015



Sentencing¹⁰⁷

The number of males sentenced declined over the past decade (from 1.2 million in 2005 to 850,000 in 2015, a fall of 29%), while the number of females sentenced has varied from 289,000 to 310,000 defendants, with a net increase of 11% between 2005 and 2015¹⁰⁸. This mirrors the trends in numbers prosecuted and convicted. In 2015 27% of sentences were given to female offenders and 73% to male offenders.

Fines were the most common sentence given to both male and female offenders sentenced at all courts over the last decade (Figure 5.22). Fines were particularly prevalent amongst women, accounting for 65% of male and 82% of female offenders sentenced in the latest year (2015). The average fine amount given to females was £210 in 2015, while it was £260 for males. Fine amounts were consistently lower for females compared with males over the last decade.

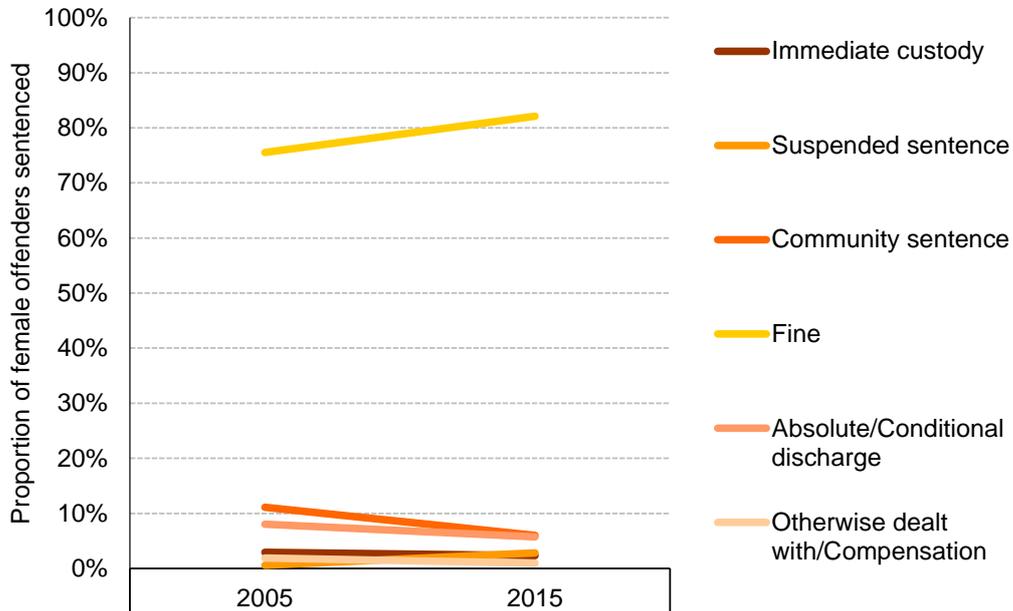
The community sentence was the second most common disposal for both female (6%) and male (11%) defendants, though its use has declined since 2010. Immediate custody (females 2%, males 10% in 2015) and suspended sentences (females 3%, males 6% in 2015) were also more common for males than females. While the proportion of females receiving immediate custody fell by 1 percentage point over the last decade, it rose by 2 percentage points for males. The proportion of suspended sentences rose for both females (2 percentage points) and males (5 percentage points).

¹⁰⁷ This section looks at persons only and excludes those where sex is not stated. Other defendants such as companies and public bodies are also excluded.

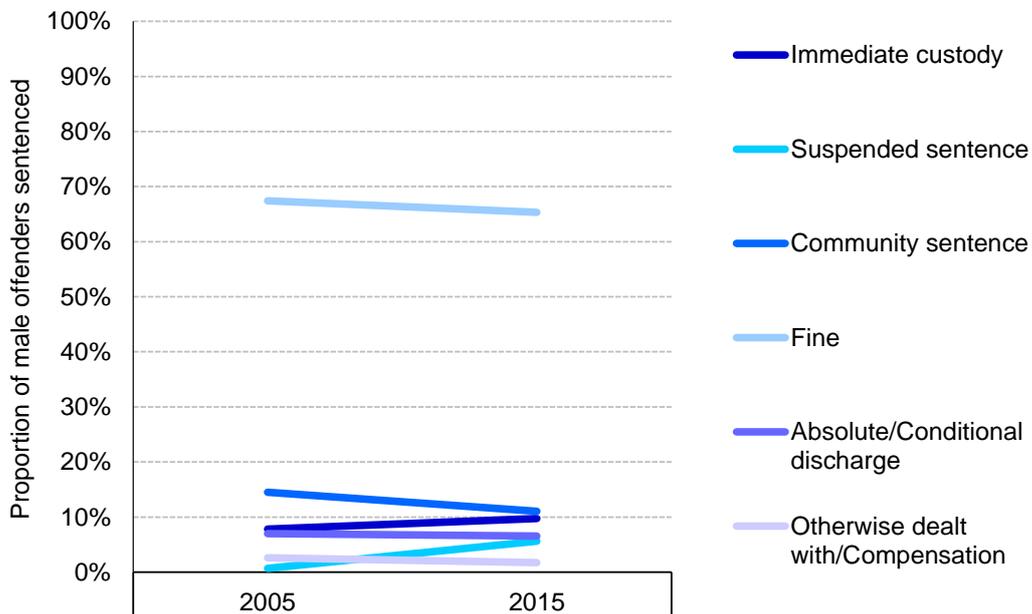
¹⁰⁸ Offenders with unknown sex accounted for 6% of all persons sentenced.

Figure 5.22: Proportion of offenders sentenced, by sentencing outcome and sex, 2005 and 2015

Females



Males



The most common sentence given to both male and female juvenile offenders over the last decade was a community sentence; however this was consistently higher for juvenile female offenders (75% compared with 68% for males in 2015). In contrast to adults the proportion of community sentences given has increased for juveniles since 2010 (by 5 percentage points for males and 2 percentage points for females), but as for adult offenders a higher proportion of juvenile males (7%) than females (2%) were sentenced to immediate custody at all courts.

The proportion of fines given to juvenile offenders was much lower than for adults, and a higher proportion of males (8% in 2015) than females (4% in 2015) received fines, whereas for adults the reverse was true (males 67%, females 83%). The most common offences juvenile males received a fine for were vehicle insurance offences and drug possession (specifically cannabis); these represented much lower proportions of offences for female than male juveniles. In contrast to adult females, juvenile females were seldom sentenced for TV licence evasion, for which the typical sentence is a fine (see Chapter 8: Offence Analysis).

Indictable offences

A smaller proportion of those sentenced for indictable offences were females (15%) than males (85%), and this is a lower proportion of females than among those sentenced for all offences (27%). Overall 13% of women sentenced were sentenced for indictable offences, compared with 29% of men.

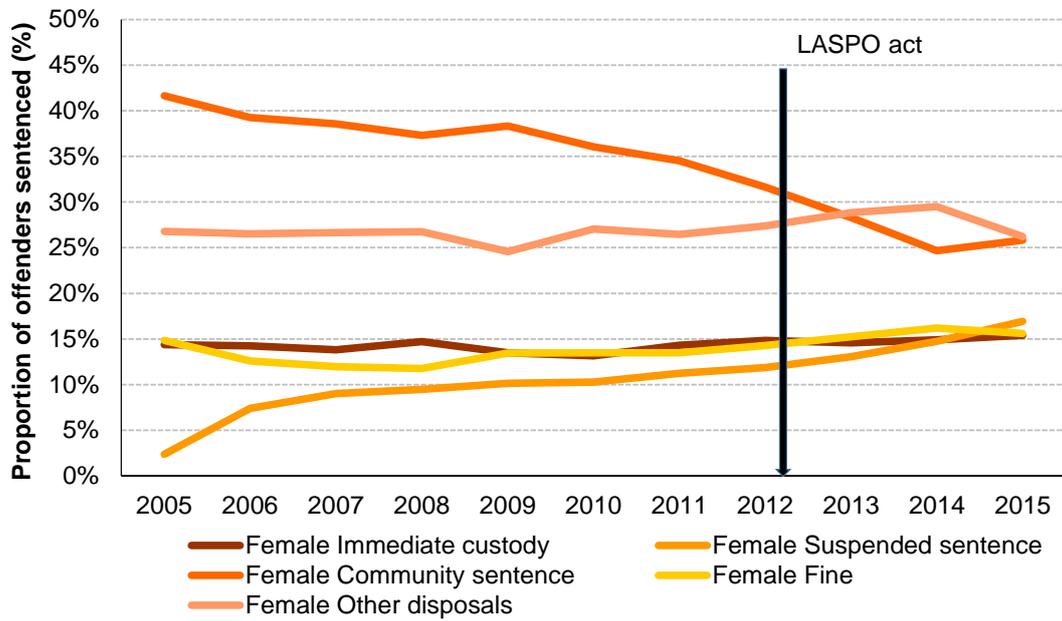
A different distribution of sentences is observed between male and female offenders for indictable offences (Figure 5.23). In the latest year, a custodial sentence was the most common sentencing outcome given to male offenders for indictable offences (given to 28% of male offenders compared with 15% of female offenders), while this was a community sentence for female offenders (26%, compared with 22% of male offenders). A consistently higher proportion of female offenders received conditional discharges (21%) when compared with male offenders (12%).

The use of community sentences fell as a proportion of all sentences for indictable offences between 2009 and 2015, with a decrease of 11 percentage points for males and 13 percentage points for females, whilst there was an increase in suspended sentences over the same period (by 6 percentage points for males and 7 percentage points for females). The observed trend may be due to changes in legislation¹⁰⁹ and judicial discretion as well as changes in the mix of indictable offences offenders were sentenced for.

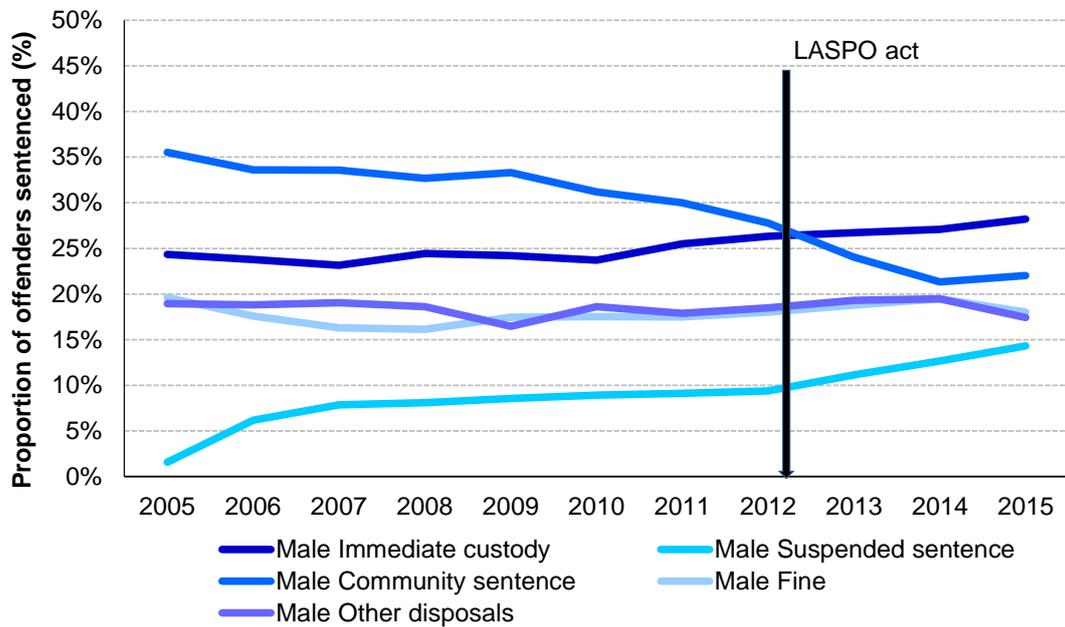
¹⁰⁹ The LASPO Act, passed on 3rd December 2012 reintroduced the suspended sentence order without requirements. Furthermore, it modified the length of the period of imprisonment that can be suspended. It is now possible for courts to suspend sentences of up to two years in prison (instead of 12 months). The Criminal Justice and Immigration Act (CJIA) in 2008 restricted the use of community sentences to imprisonable offences.

Figure 5.23: Proportion of offenders sentenced for indictable offences at all courts, by sentencing outcome and sex, 2005 to 2015

Females



Males



Offence Groups

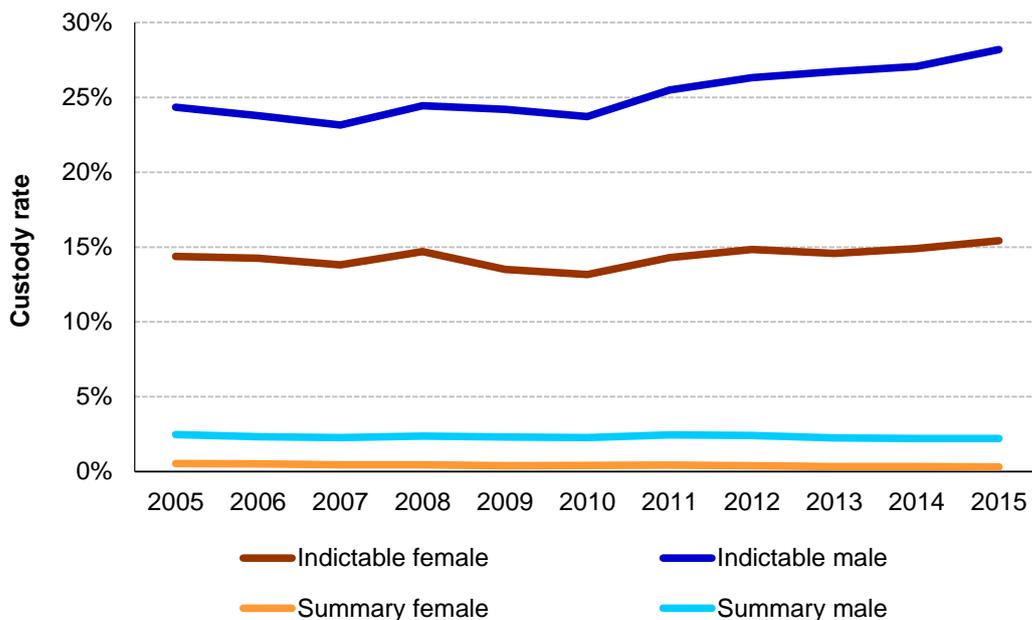
The different distribution of sentences for indictable offences between male and female offenders can partly be attributed to the type of offences they commit.

Although theft offences were the most common type of indictable offence for which both male and female offenders were sentenced, they accounted for a far higher proportion of females sentenced, one third (34%) of males compared with one half (51%) of females in the latest year. The proportion of female offenders sentenced for a theft offence has increased over the last decade while remaining broadly stable for male offenders over the same period. Male offenders were more likely than female offenders to be sentenced for violence against the person, sexual and drug offences while female offenders were proportionally more likely to be sentenced for fraud offences. A smaller proportion of females received an immediate custodial sentence compared with males for all offence groups. For further discussion of how different specific offences have different profiles by sex, see Chapter 8: Offence Analysis.

Immediate Custody

The custody rate (proportion of offenders sentenced to immediate custody) has been higher for male offenders in each year between 2005 and 2015, for both summary and indictable offences (Figure 5.24). In the latest year, the custody rate for male offenders sentenced for an indictable offence was almost double that of female offenders (male 28%, female 15%), and for summary offences it was 7 times higher (male 2.2%, female 0.3%). (A similar result could be seen when the odds of imprisonment for males and females under similar criminal circumstances were compared in the accompanying paper: Associations between being male or female and being sentenced to prison in England and Wales in 2015.)

Figure 5.24: Custody rate, by offence type and sex, 2005 to 2015

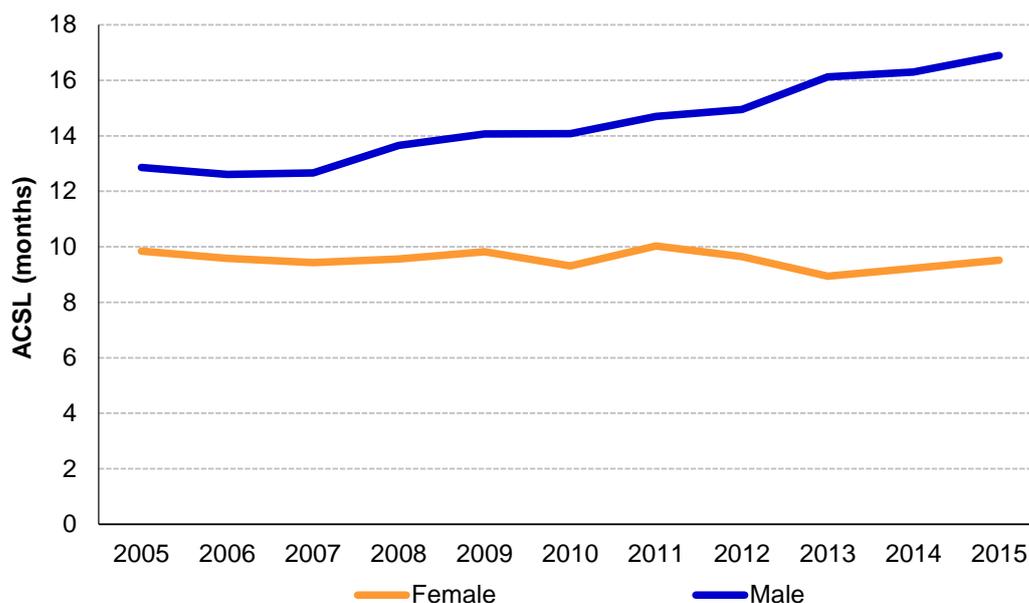


Over the past ten years, both male and female offenders have more commonly been given short sentences - determinate custodial sentences of less than 12 months; however the proportion of offenders given these shorter sentences has been higher for female offenders. In 2015, short sentences accounted for around three quarters (76%) of all female offenders given custodial sentences, compared with around 3 in 5 (63%) for male offenders.

The higher proportion of short sentences for female offenders means that by comparison, sentences of 12 months and over account for a greater share of sentences for male offenders compared with females. This is also reflected in a higher average custodial sentence length (ACSL) for male offenders (male 16.9 months, female 9.5 months in 2015). The proportion of male offenders receiving a sentence of 12 months or over has increased over the past ten years (from 32% to 37%) while remaining broadly stable for female offenders over the same period (fluctuating around 25%).

In each year between 2005 and 2015, male offenders had a higher ACSL than female offenders (Figure 5.25). Over this period the ACSL for male offenders has increased, while the ACSL for female offenders remained broadly stable. In 2015, male offenders had a higher ACSL than female offenders across the vast majority of indictable and summary offence groups. The exceptions were violence against the person offences (males 22.8 months, females 24.9 months) and criminal damage and arson (males 8.3 months, females 17.2 months) – and the ACSL for criminal damage and arson has been consistently higher for females compared with males over the last decade. The differences are likely to be a consequence of the type of offences that were committed by male and female offenders, as well as the mitigating and aggravating factors that affect each case.

Figure 5.25: Average custodial sentence length for offenders sentenced to immediate custody, by sex, 2005 to 2015



The overall increase in male ACSL is in part caused by changes in legislation¹¹⁰ and in part by the impact of sexual offences. More male offenders are being sentenced for sexual offences, and these sentences are getting longer (with the ACSL increasing by 20 months), which is driving up the overall average. The largest increase in ACSL within this offence group was for rape of a female child under 13 by a male, for which ACSL has more than doubled and the number sentenced to immediate custody is four times higher than in 2005.

The total number of males sentenced to immediate custody for sexual offences in 2015 was around 4,000, up from 2,700 in 2005; this change could be related to improved reporting and recording of sexual offences, as well as an increased public focus. The number of females sentenced to immediate custody for sexual offences was much smaller - 57 in 2015, up from 23 in 2005.

Appeals¹¹¹

Where offenders feel they have not received justice, they are able to appeal to a higher court: for magistrates' courts, the Crown Court; for the Crown Court, the Court of Appeal Criminal Division. There were 11,000 appeal cases¹¹², brought by persons challenging magistrates' court decisions, dealt with by the Crown Court in 2015. Out of these appeal cases, 84% related to cases with male appellants, a proportion that has remained broadly stable over the past five years. The number of cases appealed to the Crown Court increased by 2% in the latest year. This increase is driven by an increase in male appeal cases of 4%, while female appeal cases reduced by 6% - this slightly reduced the proportion of female appeal cases by 1 percentage point in the latest year. Over the past five years the number of appeals has reduced by 19%, driven by a decrease in both male and female cases (by 20% and 14% respectively).

The proportion of appeals that were allowed, dismissed or had a different result¹¹³ have remained stable over the past five years for both male and female appeals. Over the past five years the proportion of allowed appeals for female cases has remained between 45% and 47%, 3 to 5 percentage points higher than the proportion of allowed appeals for male cases. The proportion of dismissed appeals has been 3 to 5 percentage points lower for female cases (between 26% and 29%) relative to male

¹¹⁰ The LASPO Act, passed on 3rd December 2012, which abolished IPPs and Extended Sentences for Public Protection (EPPs) and replaced them with new Extended Determinate Sentences (EDSs). EDSs are included within the ACSL calculation, whilst IPPs and EPPs were previously excluded.

The introduction of the Criminal Justice and Immigration Act (CJIA) in 2008 restricted the use of indeterminate sentences for Public Protection (IPPs), which as mentioned are excluded from ACSL. Following this, there has been an increase in long determinate sentences (defined as for 10 years or more). Further legislative changes have made sentence lengths longer for certain offences – for example, the powers to sentence offenders convicted of a third domestic burglary offence to a mandatory minimum sentence of three years custody, as introduced by the Crime (Sentences) Act 1997 for offences committed after 30th November 1999, have been used increasingly in the last decade.

¹¹¹ This section has been produced from the same data source as Case Management – see that section for further details.

¹¹² This analysis on appeals only include appeals relating to person and also excludes appeal cases with mixed defendants due to the low number of mixed case appeals over the past five years. In 2015, there were 130 appeals relating to companies, cases with unknown sex of the defendant(s) and cases with a mix of male and female defendants – this accounted for 1% of the total number of appeals (113,000).

¹¹³ These include cases abandoned in court or before court appearance as well as cases remitted back to the magistrates' courts.

cases (between 31% and 32%). It should be noted that appeals can be made against a variety of decisions. The difference in proportions between allowed and dismissed appeals could be driven by differences in the offence mix between male and female defendants.

Although the number of appeals have reduced over the last five years for both male and female cases, the number of convictions¹¹⁴ at the magistrates' court has shown different trends. Male convictions at the magistrates' court have reduced by 16% whilst female convictions have increased by 4%. In 2015, females accounted for 28% of all known person¹¹⁵ convictions at the magistrates' court, a slight increase of 4 percentage points since 2010, as discussed in the convictions section above. Caution should be taken when directly comparing appeals with magistrate court convictions¹¹⁶, however; although there has been an increase in female magistrates' court convictions, this is mainly due to an increase in those for TV licence evasion. Some offences will have a higher probability of being appealed than others meaning an increase in magistrates' convictions should not directly result in an increase in appeals.

Ethnicity and sex

The most recent *Statistics on Race and the Criminal Justice System 2014* report¹¹⁷ found that Black, Asian and Minority Ethnic (BAME) groups appeared to be over-represented at most stages throughout the CJS relative to the population, compared with the White ethnic group. Similar trends tend to be seen in 2015, for both male and female offenders; the associations between sex and ethnicity and outcomes remain when both factors are considered simultaneously, as discussed in the accompanying paper: Associations between being male or female and being sentenced to prison in England and Wales in 2015¹¹⁸.

In 2015 87% of females prosecuted for indictable offences¹¹⁹ were white and 13% BAME. The proportion of BAME males was higher at 20% of all males prosecuted. Overall, in 2015 female BAME offenders had a lower conviction ratio (BAME 78%, White 83%) but higher custody rate (BAME 18% White 16%) for indictable offences than white female offenders. However, the same trends were observed for male BAME offenders (conviction ratio BAME 79%, White 84%; custody rate BAME 31% White

¹¹⁴ Figures on convictions are counted on a defendant basis and are taken from the magistrates' court data tool -<https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2015>

¹¹⁵ Defendants with an unknown sex accounted for 7% of all person convictions at the magistrates' court in 2015.

¹¹⁶ Appeals are counted on a case basis whilst convictions at magistrates' court are counted on a defendant basis. Data on magistrates' court convictions and appeals at the Crown Court are sourced from different administrative databases and therefore will have discrepancies in recording between the two systems.

¹¹⁷ *Statistics on Race and the Criminal Justice System 2014* can be found here:

<https://www.gov.uk/government/statistics/race-and-the-criminal-justice-system-2014>

¹¹⁸ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/479874/analysis-of-ethnicity-and-custodial-sentences.pdf

¹¹⁹ Summary offences are excluded as the ethnicity data is of insufficient quality and completeness

28%). Earlier research^{120,121} demonstrated that there was an association between being from a BAME background and being sentenced to custody.

While proportionally more female, white offenders received a conditional or absolute discharge (white 22%, BAME 19%), proportionally more female BAME offenders received a suspended sentence (white 16%, BAME 19%) or immediate custody (white 16%, BAME 18%). Male, white offenders also received a conditional or absolute discharge proportionally more often (white 14%, BAME 10%), however, white males were also more likely to receive a suspended sentence (white 15%, BAME 13%) while males from BAME backgrounds were more likely to receive immediate custody (white 28%, BAME 31%) or a fine (white 17%, BAME 20%).

The average custodial sentence length was 5 months longer for BAME females (14.7 months) than for White female offenders (9.6 months), and 6 months longer for BAME males (24.2 months) than for White males (18.1 months). These differences have changed very little since 2010, although the ACSL rose for both White and BAME males. (It remained relatively stable for white females and was more volatile for BAME females.) This is in agreement with *Statistics on Race and the Criminal Justice System 2014*, which found that since 2010, average custodial sentence lengths have risen for all ethnic groups, but remained consistently higher for all BAME groups compared with White offenders. Furthermore, over the last five years the ACSL for most offence groups was higher for male and female BAME offenders than their White counterparts, with the largest difference being ACSLs for violence against the person offences being around 12 months higher for BAME offenders of both sexes. Two exceptions were sexual offences, where the ACSL was longer for White male offenders (White 63.0 months, BAME 58.8 months), and criminal damage and arson, where the ACSL was around 2 months shorter for male and 4 months shorter for female BAME offenders.

Relative rate index

In order to better consider where any difference in the CJS process by sex arises, from prosecution through to sentencing, we have constructed a simple relative rate index model. A relative rate index (RRI) calculation^{122,123} allows for the identification of specific stages, decision points or junctures in the CJS where disproportionality emerges. Simply put, the RRI is a means of comparing the rates of CJS contact experienced by different groups. A rate is defined as the count of persons experiencing an event or outcome out of the total number of people who were 'at-risk' for

¹²⁰ Associations between police-recorded ethnic background and being sentenced to prison in England and Wales, as published in *Statistics on Race and the Criminal Justice System 2014*. Available here: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/479874/analysis-of-ethnicity-and-custodial-sentences.pdf

¹²¹ Also see the recent publication 'Associations between ethnic background and being sentenced to prison in the Crown Court in England and Wales in 2015', available from <https://www.gov.uk/government/statistics/associations-between-ethnic-background-and-being-sentenced-to-prison-in-the-crown-court-in-england-and-wales-in-2015> for disproportionality in the CJS with emphasis on ethnicity.

¹²² See technical documentation for details on how the relative rate index and its statistical significance is calculated.

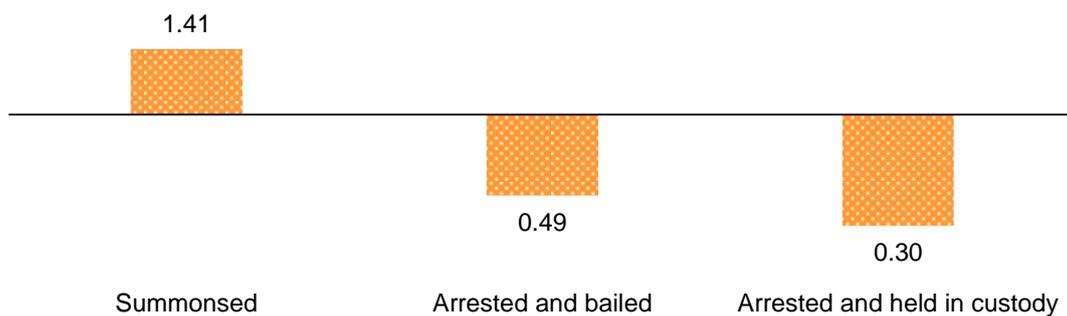
¹²³ Also see the recent publication 'Black, Asian and Minority Ethnic disproportionality in the Criminal Justice System in England and Wales' (see <https://www.gov.uk/government/publications/black-asian-and-minority-ethnic-disproportionality-in-the-criminal-justice-system-in-england-and-wales>) for disproportionality in the CJS with emphasis on ethnicity

experiencing the event or outcome. Determining groups 'at-risk' is pivotal for comparison: for example not all the population is 'at-risk' of a custodial sentence, only persons who were sentenced at a criminal court. By using an RRI calculation we can see the changes in proportions at each stage in the process separately.

Rates experienced by females relative to males were compared with determine whether they were significantly different from one another. A RRI value of one indicates no disproportionality. A value over one indicated females have a higher likelihood than males of receiving a certain outcome, a value below one indicates a lower likelihood.

Defendants can either be summonsed to court, or they can be arrested by the police and remanded in custody or bailed, depending on the type and seriousness of the offence. Females were more likely to be summonsed than males (by the equivalent of 141 females to 100 males, an index of 1.41), while males were more likely to be arrested and bailed or held in custody (by the equivalent of 30 females to 100 males being arrested and held in custody, an index of 0.3) (Figure 5.26). This may partly be due to the lower proportion of more serious, indictable offences committed by females compared with males, which would warrant an arrest and potentially custodial supervision. Furthermore, analysis¹²⁴ showed that females were significantly less likely to be arrested and held in custody for any offence type (RRI between 0.16 and 0.79).

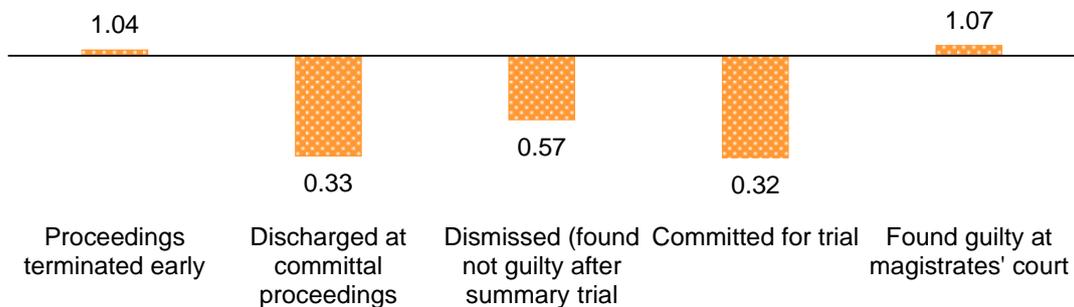
Figure 5.26: Relative rate index of the remand status of females versus males at first court contact, 2015



¹²⁴ Please refer to the tables published alongside this bulletin for results not shown in the figures.

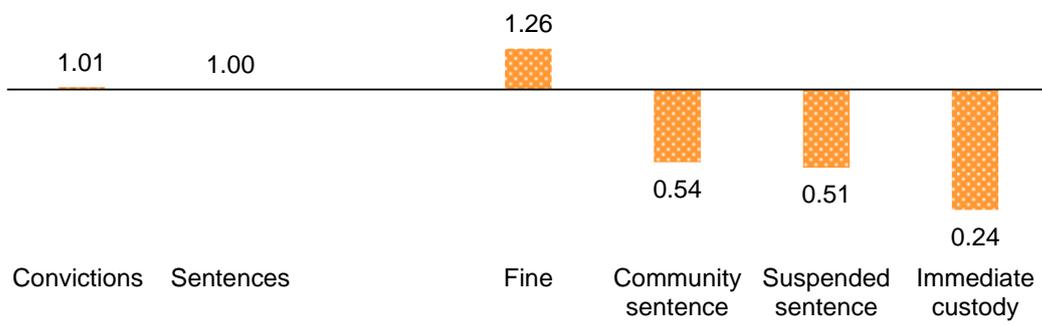
Defendants are then proceeded against at the magistrates' court. Prosecutions of females were slightly more likely to be terminated early, while males were more likely to be dismissed or discharged (Figure 5.27). While females were more likely to be found guilty at the magistrates' court, a greater proportion of males were committed for trial to the Crown Court. This may in part be a result of women committing proportionally more summary offences which are tried at the magistrates' court (in the latest year 87% of females and 71% of males were prosecuted for summary offences). Furthermore, while indictable only offences are tried at the Crown Court, it lies within the magistrates' discretion to decide if a triable either way case can be tried at the magistrates' court, and will depend on the seriousness of the offence committed and the complexity surrounding the offence. Further analysis showed that females were significantly less likely to be committed for trial to the Crown Court compared with males for triable either way offences (RRI of 0.7).

Figure 5.27: Relative rate index of females versus males following prosecution at the magistrates' court, 2015



After being convicted the offender is sentenced. Females were more likely than males to receive fines, but males were more likely to receive custodial or community sentences, among those sentenced (Figure 5.28).

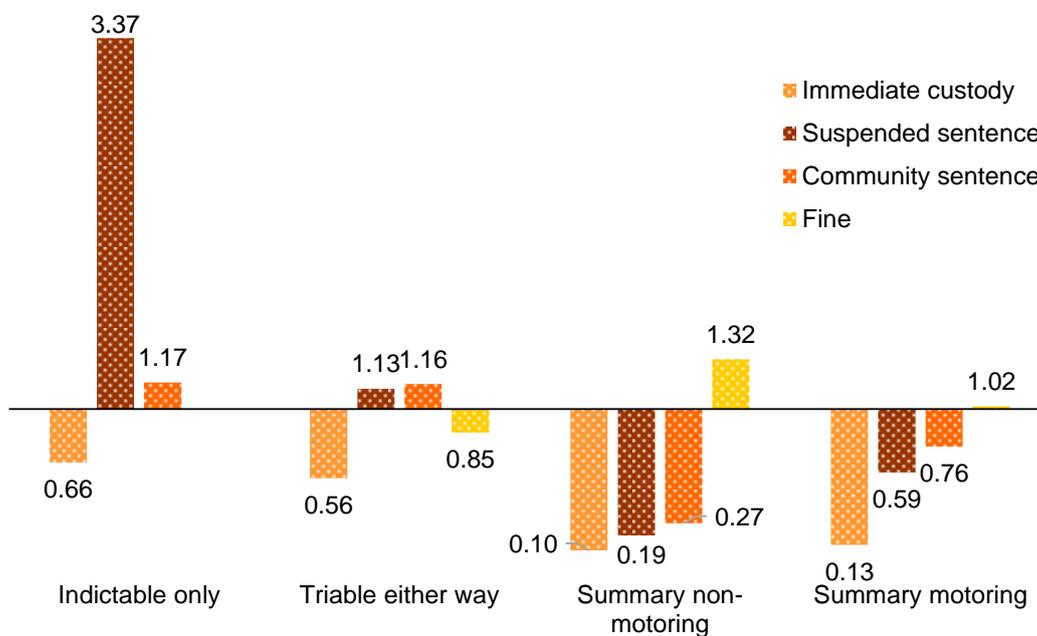
Figure 5.28: Relative rate index for females versus males at sentencing, 2015



A slightly different picture emerges when controlling for the specific offence type. Women were more likely than men to receive a suspended sentence for indictable only and triable either way offences, but were less likely to receive immediate custody regardless of offence type (Figure 5.29). The large disproportionality in indictable suspended sentences stems largely from the high proportion of women convicted for indictable miscellaneous crimes against society (42% of indictable only convictions) compared with men (14%), for which women were more likely to receive a suspended sentence (50% of sentencing outcomes) compared with men (24%)¹²⁵.

Females were more likely to receive fines for summary non-motoring offences, which may be explained by the large proportion of women prosecuted and sentenced for TV licence evasion within this offence group. There is slight disproportionality in the likelihood of fines being given to males and females for summary motoring offences.

Figure 5.29: Relative rate index for females versus males at sentencing, by offence type, 2015¹²⁶



¹²⁵ Drawn from the Criminal Justice Statistics Quarterly: December 2015 bulletin.

¹²⁶ Due to small numbers the relative rate index for indictable only fines is omitted.

Chapter 6: Offender Characteristics

This chapter explores the characteristics of offenders; for this bulletin, specifically their offending histories and patterns of reoffending. Information on offending history has been derived from the data underlying the Ministry of Justice publication *Criminal Justice Statistics: Quarterly: December 2015*. The statistics on proven reoffending represent further breakdowns of the Ministry of Justice publication *Proven reoffending statistics January 2013 to December 2014*¹²⁷.

Offending histories

First Time Offenders

Having a criminal history can influence the type of sanction and sentence an offender receives. A first time offender¹²⁸ is an offender who has been arrested by police in England or Wales; and who has received a first conviction, caution or youth caution for any offence¹²⁹ recorded on the Police National Computer.

First time offenders comprised 24% of the total number of offenders convicted or cautioned in 2015. This compares with 34% in 2005, and the proportion has decreased steadily over this ten year period. Of all female offenders cautioned or convicted in 2005, half were first time offenders (51%) – this decreased to just over a third (35%) in 2015. Of all male offenders cautioned or convicted in 2005, 3 in 10 (30%) were first time offenders. This decreased to around 1 in 5 (21%) in 2015.

In 2015, females¹³⁰ made up 1 in 4 (25%) first time offenders into the criminal justice system and around 1 in 7 (14%) offenders cautioned or sentenced for a further offence. There has been little change in this trend in the ten years since 2005 (Figure 6.01).

¹²⁷ Proven reoffending, 2014:

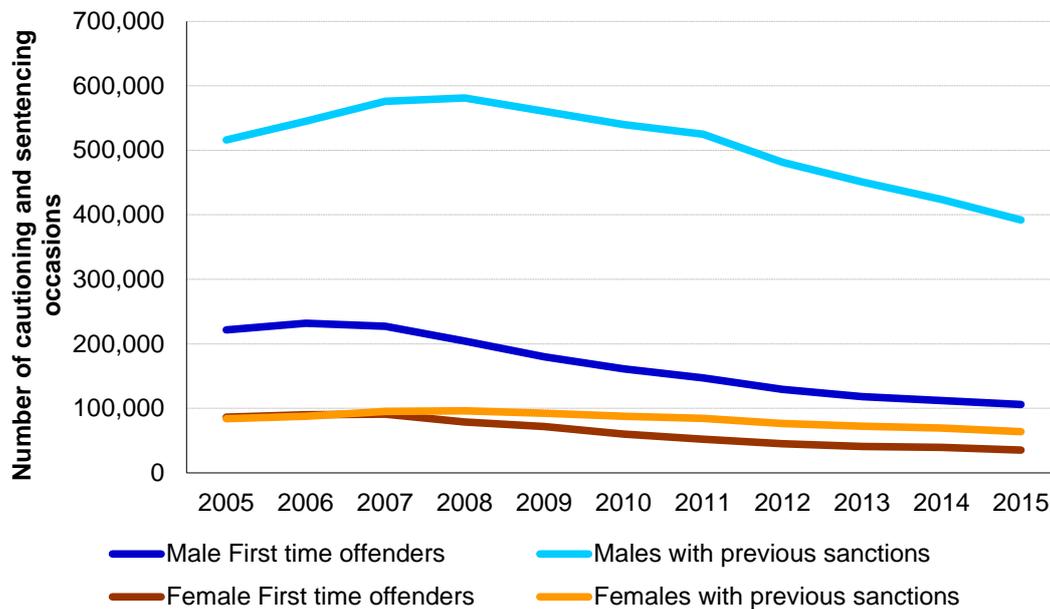
<https://www.gov.uk/government/statistics/proven-reoffending-statistics-quarterly-january-to-december-2014>

¹²⁸ The definition of “first time offender” is different from “first time entrant”. A first time entrant (FTE) to the criminal justice system is an offender residing in England and Wales at the time of the offence, who has been recorded on the Police National Computer (PNC) by an English or Welsh police force as having received their first conviction, caution or youth caution. Published figures for first time entrants exclude any offenders who, at the time of their first conviction or caution, were resident outside England or Wales. Offenders who had a conviction or caution outside England and Wales and who were arrested by a police force in England and Wales would be counted as a First Time Offenders (FTO).

¹²⁹ Where there were multiple offences on the same occasion, only the primary offence as recorded on the Police National Computer would be counted.

¹³⁰ Offenders whose sex was unknown were excluded from all analyses in this section, which might lead to very small inconsistencies with other published statistics on offenders. Between 2005 and 2015, offenders of unknown sex comprised less than 1% of offenders.

Figure 6.01: Number of cautioning and sentencing occasions for first time offenders and offenders previously cautioned or sentenced, by sex, 2005 to 2015



More than half (58%) of offences for which female first time offenders were cautioned or convicted in 2015 were summary offences (including summary motoring). This was slightly higher than for males (55%). This proportion was broadly stable for males from 2005 (52%) up to the current year, whereas for females it has steadily increased, from 43% in 2005.

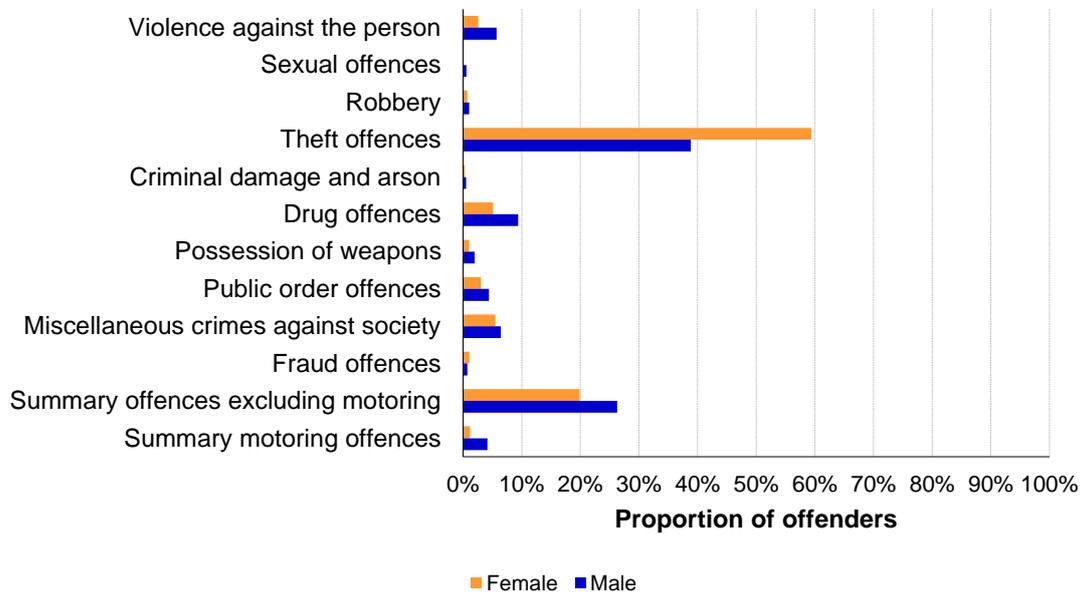
A higher proportion of female first time offenders have been cautioned or convicted for theft offences compared with males over the past decade, although the proportion for both sexes has declined. In 2015, 19% of females were cautioned or convicted as first time offenders for theft offences, compared with 11% of males. This represents a 14 percentage point decrease for females since 2005, compared with a 5 percentage point decrease for males. In contrast, a higher proportion of male than female first time offenders were cautioned or convicted for drug offences over the last decade (11% and 5% respectively in 2015). The greater tendency for female first time offenders to be cautioned or convicted for theft aligns with trends for offenders more generally, as discussed in Chapter 4: Police Activity and Chapter 5: Defendants.

Offenders with 15 or more previous cautions or convictions

The proportion of offenders with 15 or more previous cautions or convictions has increased to 23% in 2015, up from 13% in 2005.

In 2015, female offenders comprised 11% of the total number of offenders previously cautioned or convicted 15 or more times; an increase of two percentage points compared with 2005. Three in five (59%) of the offences committed by females with 15 or more previous cautions or convictions in 2015 were theft offences, a proportion which has been slowly increasing since 2005, when 47% of offences committed were theft offences. This compares with two in five (39%) offences being theft for male offenders with 15 or more previous cautions or convictions (Figure 6.02).

Figure 6.02: Proportion of the offences committed by offenders who have 15 or more previous cautions or convictions, by offence group and sex, 2015



Offenders receiving cautions

The proportion of all female first time offenders receiving cautions has declined over the last ten years, from 76% in 2003 to 59% in 2015. Over the last ten years, there has also been a decline in the proportion of all male first time offenders receiving cautions from around 61% to 49%. (See Chapter 4: Police Activity for consideration of the factors underpinning the decline in out of court disposals.) Juvenile offenders were more likely than adult offenders to receive a caution rather than a conviction for their first offence, with females (75%) more likely to receive a youth caution than males (64%) in 2015.

Looking more closely at male and female offenders cautioned in 2015 for an indictable offence, 39% of all females had one or more previous caution or conviction compared with 51% of all males. This difference could be due to the differences between the types of offences that males and females commit.

Offenders receiving sentences

Of all female offenders receiving a sentence in 2015 for an indictable offence, 84% had at least one previous caution or conviction. For males this was slightly higher, at 89%.

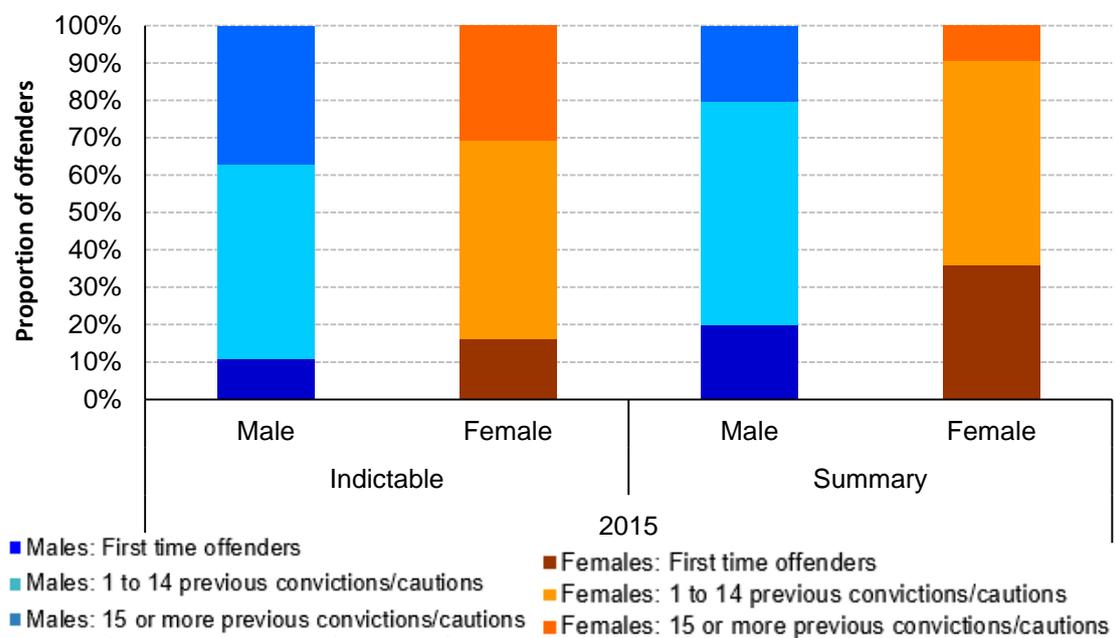
One reason for this is that a larger proportion of male offenders sentenced for an indictable offence had 15 or more previous sanctions (37%, compared with 31% of female offenders). The proportion of females and males sentenced for an indictable offence who had 15 or more previous cautions or convictions has increased over time: in 2005, 16% of females and 26% of males sentenced had 15 or more previous sanctions. Even though a higher proportion of males than females who were sentenced for indictable offences had 15 or more previous cautions or convictions in each year of the last decade, the proportion of females has risen to a greater extent (14 percentage points compared with 11).

Over the last decade, the proportion of males and females sentenced for indictable offences who had between 1 and 14 previous sanctions also decreased. In 2005, two-thirds (67%) of females sentenced had between 1 and 14 previous sanctions compared with 64% of males. This decreased to 53% and 52% respectively in 2015. During the same period, the proportion of offenders sentenced for indictable offences who were first time offenders remained broadly stable for both females and males; with 16% and 11% respectively in this category.

As with indictable offences, females sentenced for summary offences were less likely than males to have been sanctioned previously. Of all female offenders receiving a sentence in 2015 for a summary offence, 64% had at least one previous caution or conviction, compared with 80% of males.

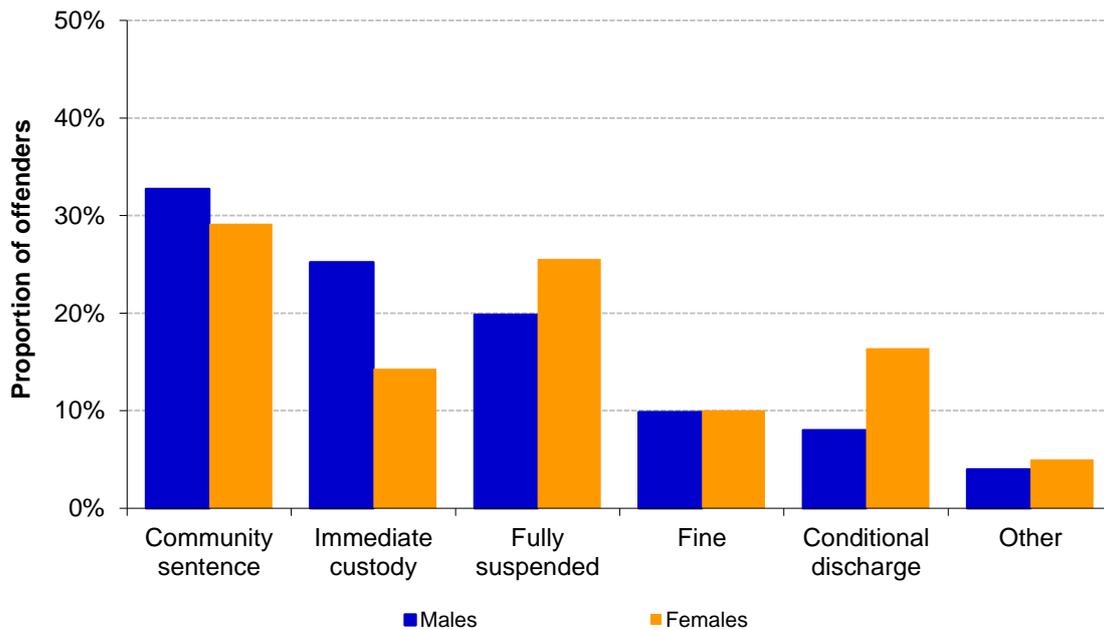
The percentage of female and male offenders sentenced for summary offences who had 15 or more previous convictions or cautions has fluctuated, but rose between 2005 and 2015. In 2005, 7% of females and 14% of males sentenced for summary offences had 15 or more previous sanctions; which rose to 10% and 20% respectively in 2015 (Figure 6.03). In contrast, the proportion of female and male offenders sentenced for summary offences who had between 1 and 14 previous convictions or cautions fluctuated but decreased over the last decade: for female offenders, falling by 2 percentage points to 55% in 2015, and for male offenders, falling by 5 percentage points to 60%. (The proportion of those sentenced for summary offences who were first time offenders fluctuated over the decade, but with no meaningful net change.)

Figure 6.03: Proportion of the offenders receiving sentences, by their number of previous cautions or convictions, offence type and sex, 2015



In 2015, the most common disposal for offenders convicted of an indictable offence with no previous sanctions was a community sentence for both males (33%) and females (29%). However, males were much more likely to receive an immediate custodial sentence (25%) than females (14%). In comparison, a higher proportion of females received suspended sentences and conditional discharges compared with males (Figure 6.04).

Figure 6.04: Proportion of the offenders sentenced for an indictable offence who have no previous sanctions, by their sentencing outcome and sex, 2015



In 2015, the most common disposal for offenders convicted of an indictable offence with 15 or more previous sanctions was immediate custody for both males and females, reflecting that repeat offenders are more likely to get an immediate custodial sentence. A higher proportion of males (42%) with 15 or more previous sanctions received an immediate custodial sentence compared with females (33%). In general, females were relatively more likely to receive conditional discharges and males to receive immediate custody, compared with members of the other sex with similar numbers of previous sanctions. The difference in sentencing between males and females is most likely due to the different nature and seriousness of the offences being committed, as discussed in Chapter 5: Defendants.

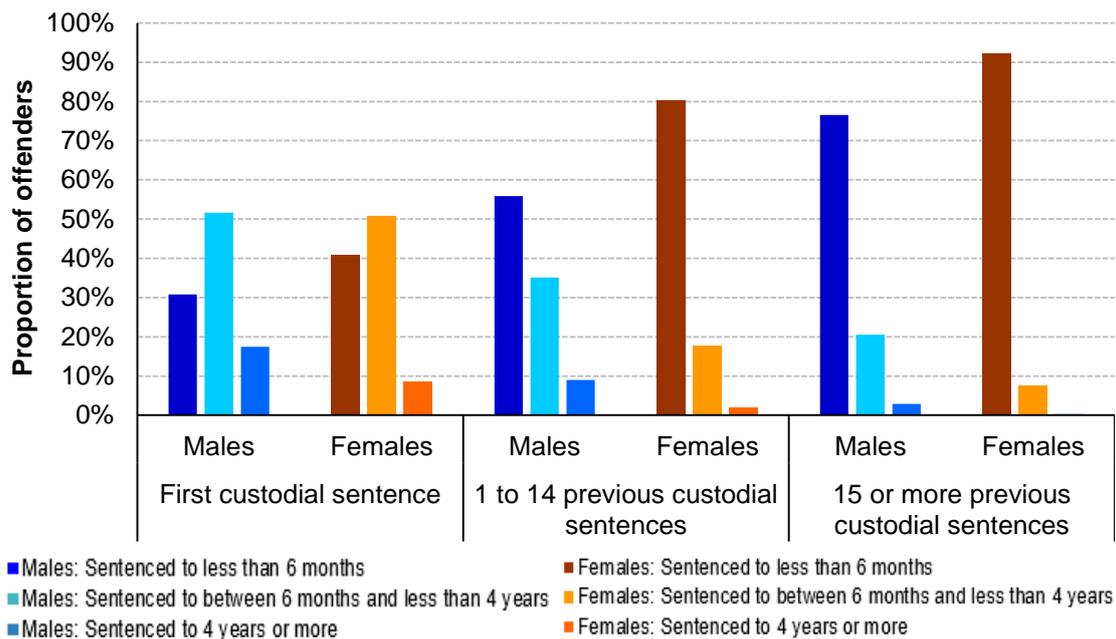
Sentence length and number of previous custodial sentences for offenders sentenced to immediate custody

Of those sentenced to immediate custody, one third (31%) of females were handed their first immediate custodial sentence, compared with 27% of males in 2015. Offenders with between one and 14 previous immediate custodial sentences represented higher proportions of males than females given an immediate custodial sentence (59% and 55% respectively). Those with 15 or more previous immediate custodial sentences represented the same proportion of females as males (each 15%) who were given an immediate custodial sentence in 2015.

In 2015, female offenders who were sentenced to immediate custody were more likely to be handed a custodial sentence of fewer than 6 months compared with males, regardless of whether or not the sentence given was a first custodial outcome (Figure 6.05). This was particularly true for female offenders who had 1 to 14 previous custodial sentences, with 80% receiving a sentence of fewer than 6 months compared with 56% of male offenders; a 24 percentage point difference. For offenders who had 15 or more previous custodial sentences, 92% of female offenders received sentences fewer than 6 months compared with 77% of male offenders.

Half of female offenders who were sentenced to immediate custody for the first time (51%) were handed a sentence of between 6 months and less than 4 years. A similar proportion was observed for male offenders (52%). A lower proportion of female first time offenders (9%) than males (17%) were given sentences of more than 4 years; whereas 41% of female offenders were given sentences of six months or less compared with 31% of male offenders.

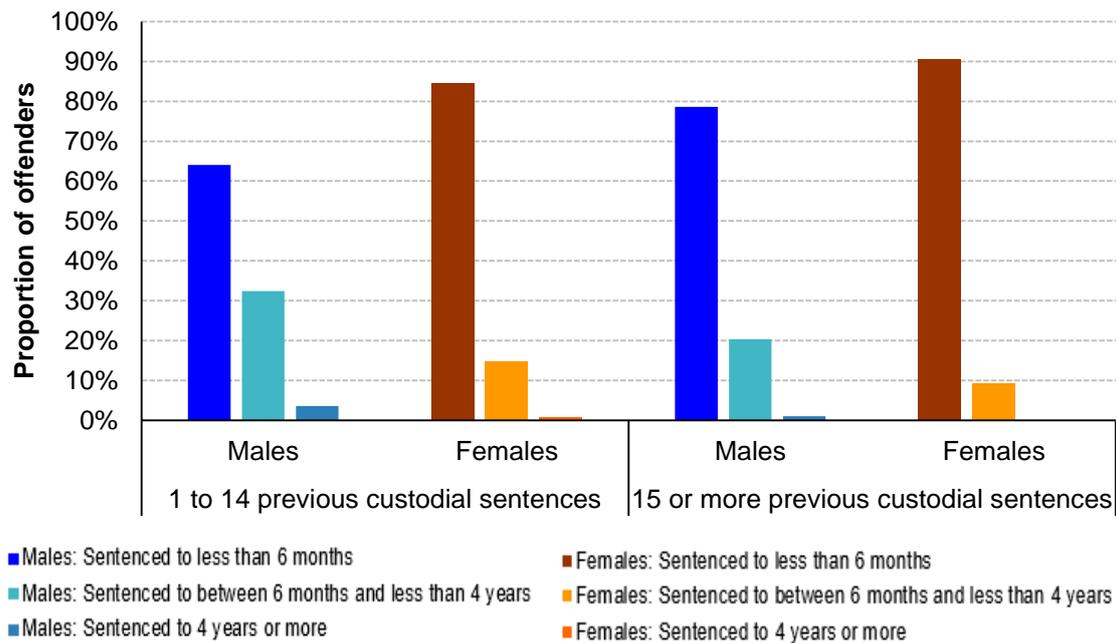
Figure 6.05: Proportion of the offenders sentenced to immediate custody, by their number of previous immediate custodial sentences, sentence length and sex, 2015



The majority of previous immediate custodial sentences for male and female offenders were less than 6 months, irrespective of the number of previous custodial sentences they held. This was particularly the case for female offenders who had 15 or more previous custodial sentences, where 91% of their previous sentences were of less than 6 months; compared with 79% of male offenders with 15 or more previous custodial sentences. The previous sentences of female offenders were more likely than those of male offenders with similar numbers of prior custodial sentences to be to 6 months or less, and less likely to have been either between 6 months and 4 years or to 4 years or more.

A higher proportion of previous immediate custodial sentences for female offenders who had 1 to 14 previous custodial sentences were of between 6 months and less than 4 years than for females who had 15 or more previous custodial sentences (15% and 9% respectively). The same pattern was true for male offenders, with 32% of immediate custodial sentences for those who had 1 to 14 previous custodial sentences having been between 6 months and less than 4 years; compared with 20% for male offenders with 15 or more previous custodial sentences.

Figure 6.06: Proportion of previous immediate custodial sentences for those who had at least one previous immediate custodial sentence and who were given an immediate custodial sentence in 2015, by number and sentence length of previous immediate custodial sentences and sex



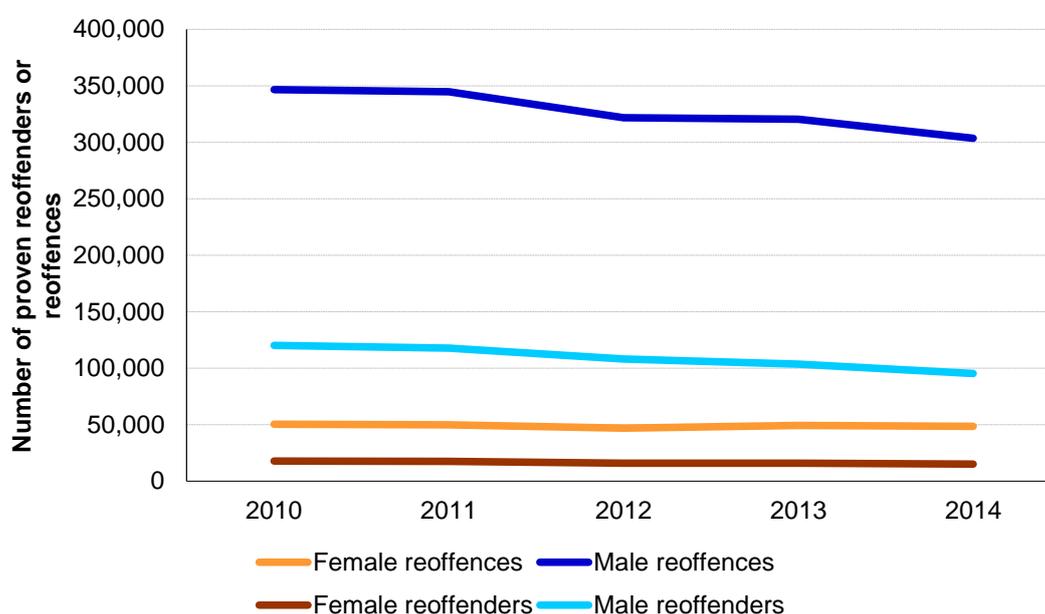
Proven Reoffending

This section looks at proven reoffending figures for offenders in England and Wales who were released from custody, received a non-custodial conviction at court or received a caution, reprimand or warning between January and December 2014. A proven reoffence is any offence committed in a one year follow-up period that resulted in a court conviction, caution, reprimand or warning within the one year follow-up or within a further six month waiting period to allow the offence to be proven in court. This section looks at proven reoffending figures for adult offenders.

In the 2014 cohort^{131,132}, 26% of male offenders reoffended within the follow-up period compared with 18% of females. This difference has been relatively stable, decreasing by 1 percentage point for both sexes since 2010. The average number of reoffences per reoffender, however, increased by 10% for males and 14% for females since 2010. This resulted in a shift to females having a higher number of reoffences in 2014 than males (3.24 versus 3.18).

Despite increases in average numbers of reoffences per reoffender since 2010, the overall volumes of reoffences and reoffenders have declined for both males and females. There has been a decline of 12% (to 304,000) and 21% (to 95,000) respectively in males, and 4% (to 49,000) and 16% (to 15,000) respectively in females (Figure 6.07).

Figure 6.07: Numbers of proven reoffenders and reoffences, by sex, 2010-2014



¹²⁵ Referred to as 'the 2014 cohort' within the text. More recent data are not available because proven reoffending is measured in a follow-up period.

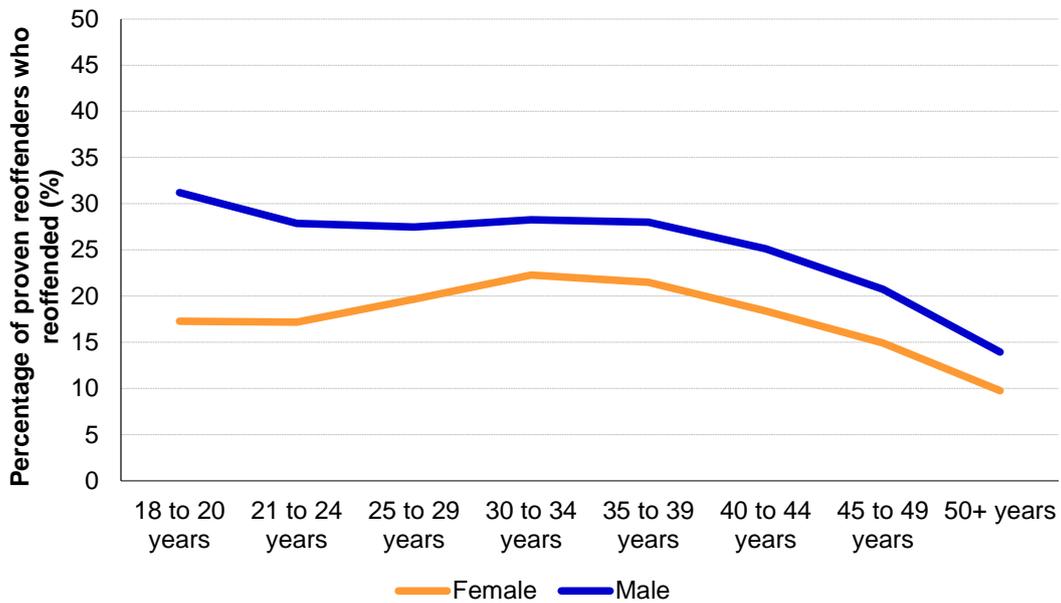
¹³² Offenders with missing sex information are excluded from the proven reoffending cohort.

Proven reoffending by age

Among adult males, the proportion of reoffenders who reoffended within the 2014 cohort was highest for those aged 18-20 (31%). It was lower for those aged 21-24 (28%) and remained broadly similar to this for those aged 25-39, following which reoffending proportions fell with age, reaching 14% at age 50+.

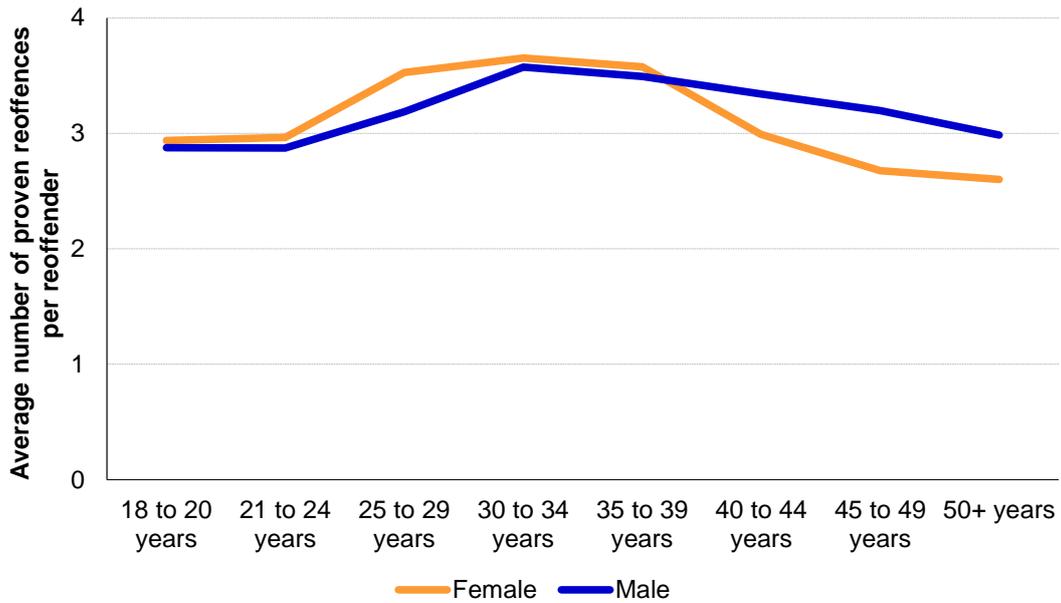
Among adult females, however, the proportion of reoffenders among those aged 18-20 was only 17%, and peaked at 22% among those aged 30-34. Following the male trend, the reoffending proportion then fell with age, to 10% at age 50+ (Figure 6.08).

Figure 6.08: Percentage of proven reoffenders who reoffended, by age and sex, 2014



Despite the age 18-20 group having the largest proportion of reoffenders among males, the age 30-34 group had the greatest average number of reoffences per male reoffender in 2014 (3.58) (Figure 6.09). This was also seen among female reoffenders, with an average of 3.65 reoffences per offender aged 30-34 years. Male reoffenders had higher average numbers of proven reoffences than females in the older age ranges (e.g. 2.99 versus 2.60 respectively for those aged 50+).

Figure 6.09: Average number of proven reoffences per reoffender, by sex and age, 2014

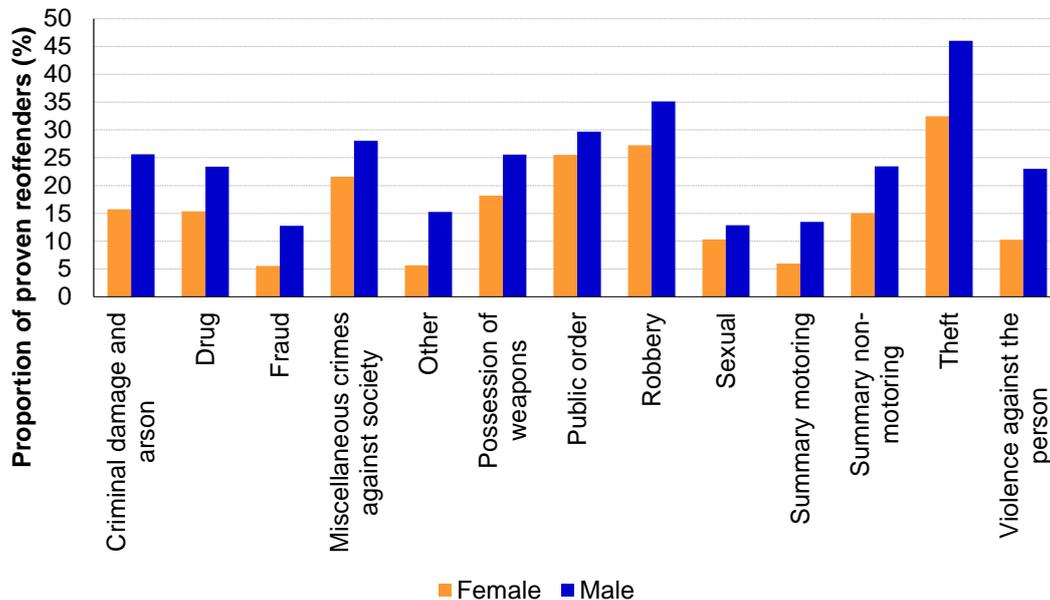


Proven reoffending by index offence group

The original offence that leads to an offender being included in the offender cohort is called the index offence. From 2010 to 2014, theft and robbery were the two index offence groups with the highest proportions of adult offenders who reoffended, for both sexes. Over the five year period, theft was consistently the index offence group with the highest proportion of reoffenders among males, with 46% of offenders from this index offence group reoffending in 2014 (Figure 6.10). This is also true for females, with a lower reoffending rate than for males (33% in 2014); apart from in 2010 when the rate of reoffending among females was higher for robbery.

There was a higher proportion of male than female offenders who reoffended in 2014 for all index offence groups. However, for some index offence groups, this difference was considerably greater than others. For example, the proportion of reoffenders among males with an index offence of violence against the person was more than double the female proportion, with 23% of male offenders and only 10% of female offenders reoffending within this group. The equivalent proportions for fraud and summary motoring offences among males were also more than double those for females, at 13% of males and 6% of females reoffending for both offences.

Figure 6.10: Percentage of proven reoffenders, by index offence group and sex, 2014

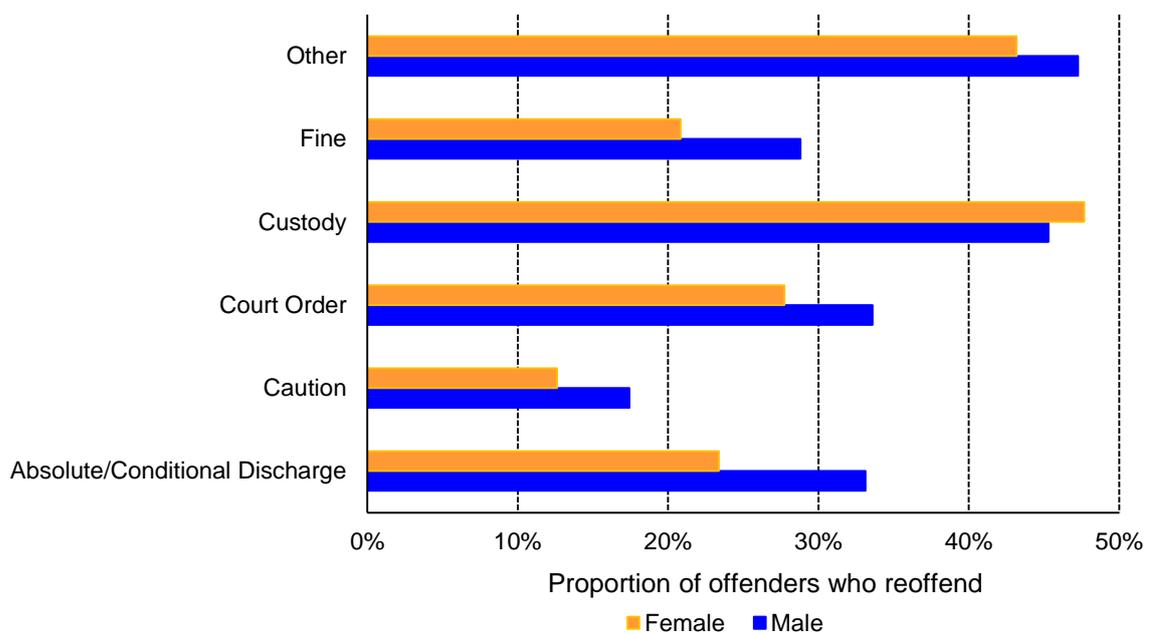


In general, the more previous known offences that an offender had, the more likely they were to reoffend. In 2014, of those with 11 or more previous offences, nearly half of both male and female adults reoffended (45% male; 47% female). In comparison, only 8% of adult males with no previous offences went on to reoffend, and only 6% of adult females.

There was a similar trend for the number of previous custodial sentences; the more custodial sentences an offender had had, the more likely they were to have reoffended (in both sexes). In 2014, of those with 11 or more previous custodial sentences, 78% of males and 68% of females reoffended, versus 17% of males and 13% of females who had no previous custodial sentences.

In 2014, for all types of index disposal (i.e. the sentencing outcome for the offence resulting in their inclusion in the offender cohort), excluding custody, a higher proportion of male adults than female adults reoffended. For absolute and conditional discharges, the proportion of male offenders that went on to reoffend was 10 percentage points higher than the corresponding proportion for females (33% versus 23%), and for fine disposals it was 8 percentage points higher (29% versus 21%). For custodial sentences however, males were less likely to reoffend than females (45% versus 48% respectively).

Figure 6.11: Percentage of proven reoffenders by index disposal and sex, 2014



When continuing to look more closely at an index disposal breakdown by custodial sentence length, females were slightly more likely to reoffend than males following sentences of less than 12 months (61% versus 60%), whereas males were more likely than females to reoffend when given longer sentences than this. There was a wider gap between male and female reoffending proportions following long custodial sentences; and notably no female reoffenders following sentences of over 4 years¹³³, compared with 16% among male offenders with equivalent sentence lengths.

For serious reoffending (indictable only offences), the volume of reoffences and offenders decreased between 2010 and 2014 for both males (22% and 18% respectively) and females (16% and 18% respectively). Within the 2014 cohort, 0.9% of males and 0.3% of females reoffended seriously, which has remained stable for both sexes since 2010. The number of serious reoffences per reoffender has also remained stable at 0.04 reoffences for males, and 0.02 reoffences for females.

¹³³ The '12 months or more' group excludes indeterminate sentences for public protection and life sentence prisoners.

Other characteristics – previous research

Statistics on Women and the Criminal Justice System 2013

In *Statistics on Women and the Criminal Justice System 2013*, we presented analysis on the prevalence of particular mitigating and aggravating factors by sex, and on their association with sentencing outcomes, for specific offence groups. This analysis was based on the 2013 Crown Court Sentencing Survey, which was a survey given to all judges (or other sentencers) sitting in the Crown Court, for them to complete every time a sentence is passed.

Key findings from this analysis included that, for the two offence categories of ‘theft, dishonesty and fraud’, and ‘assault and public order offences’, female offenders were generally more likely than males to have mitigating factors applied to their sentence and males were generally more likely than females to have aggravating factors applied. For female offenders, the predominant mitigating factors included the appearance of genuine remorse, the age of the offender, the offender having caring responsibilities and a lack of previous relevant convictions. Male offenders were less likely to have any of these taken into account, especially in relation to having caring responsibilities. The aggravating factors that appeared for male offenders included the presence of previous relevant convictions, the location of the offence, being a member of a group or gang and evidence of some degree of pre-planning or pre-meditation. All of these were less likely to appear for females, although threatened or actual use of weapons (or equivalent) appeared for a similar proportion of both genders. The differing use of mitigating and aggravating factors by sex contributed to differing custody rates, with males being far more likely to be given an immediate custodial sentence than females, although this could also partly be explained by the specific offences committed by males and females.

We also included analysis of employment, income and benefits before and after conviction / caution / release from prison. This was based on an administrative data share between the Ministry of Justice (MoJ), the Department for Work and Pensions (DWP) and Her Majesty’s Revenue and Customs (HMRC), which took place in 2013, linking offender data to P45 employment data and benefit data for 4.3 million offenders who received at least one caution or conviction for a recordable offence in England and Wales between 2000 and February 2013.

In 2010/11, female offenders were more likely than male offenders to be on benefits before and after their caution, conviction or prison sentence, whereas in the general population, males were more likely than females to be on benefits. P45 employment levels were very similar for both male and female offenders at the time of conviction/caution or release from custody, but males had a higher average income than females.

We have not been able to update these analyses for this publication, because more recent data is not available for either source. However, additional details are reported in the original bulletin¹³⁴.

Other research

There is a range of other past governmental research around the characteristics of women in the criminal justice system. Items which may be of interest include findings from the 2005-06 Surveying Prisoner Crime Reduction survey¹³⁵, which show that women who do commit crime often face complex circumstances:

- Female prisoners reported poorer mental health than male prisoners, with higher levels of suicide attempts, psychosis, and anxiety and depression.
- Female offenders were twice as likely as male offenders to report needing help for mental health problems.
- Female prisoners were more likely than male prisoners to have been taken into care, experienced abuse, and witnessed violence in the home as a child.
- Almost half (48%) of female prisoners said they committed their offence to support the drug use of someone else compared with 22% of male prisoners.
- A higher proportion of female prisoners who had dependent children were living with them prior to custody (around 60% compared with about 45% of male prisoners with children).
- Of offenders with dependent children, only around 25% of imprisoned mothers reported that their children lived with their partner during their imprisonment, compared with around 90% of children of imprisoned fathers.

Also, in 2015, further use of the data link between MoJ, DWP and HMRC enabled a better estimate of the proportion of women sentenced for criminal offences in 2012 with child dependents¹³⁶:

- Between 24% and 31% of all female offenders were estimated to have one or more child dependents.
- On average, those with child dependents had 2 children.
- Female offenders aged 25 to 44 were most likely to have child dependents.
- Among the different disposal types, women receiving immediate custody were significantly less likely to have child dependents (between 13% and 19%).

¹³⁴ Available from: <https://www.gov.uk/government/statistics/women-and-the-criminal-justice-system-2013>

¹³⁵ The SPCR survey is a longitudinal cohort study of 1,435 adult prisoners sentenced to between one month and four years in prison in 2005 and 2006. <https://www.gov.uk/government/collections/surveying-prisoner-crime-reduction-spcr> Updated data is also not available.

¹³⁶ A child dependent is defined as a child under 18, living in the care of an adult. <https://www.gov.uk/government/statistics/female-offenders-and-child-dependents>

Chapter 7: Offenders: under supervision or in custody

This chapter provides statistics relating to offenders in custody or under supervision in the community. Much of this information has previously been published in *Offender Management Statistics Quarterly*¹³⁷, *Safety in Custody Statistics*¹³⁸ and *Accredited Programmes Annual Bulletin*¹³⁹. In addition, further breakdowns are presented of offender learning, as published by the Department for Education, and survey results from Her Majesty's Inspectorate of Prisons¹⁴⁰ annual report.

Prison Population

The total prison population at 30 June 2015 was 86,000, which increased by 680 prisoners compared with the previous year. Despite this, the proportion of women remained stable, representing 5% of the population in 2015.

The total prison population included sentenced prisoners (84%), those on remand (14%) and non-criminal¹⁴¹ prisoners (2%). Compared with the previous year, the volume of sentenced prisoners increased by 2% whereas the volume of those on remand decreased by 3%. For both men and women, there was an increase in sentenced prisoners (2% and 1% respectively) and a decrease in the number on remand (3% and 10%)

Over the last ten years, the number of male prisoners has increased by 15% to 82,000, whilst the number of female prisoners has decreased by 14% to 4,000 (Figure 7.01).

Across this period, the number of adult males increased by 24%, whereas the number of males aged 15 – 20 years old decreased by 43%. This considerable reduction in juveniles was seen even more strongly for females; there was a decline in females of all age groups, but by 8% in adults and 63% in 15 – 20 year olds. This has led to a decrease in the proportion of females within the total prison population from 6% in 2005 to 5% in 2015.

There have also been increases in the volume of both White and BAME male prisoners over the past decade, by 13% and 20% respectively. For females, however, there has been a 3% decrease in White prisoners and 42% decrease in BAME prisoners.

¹³⁷ Offender Management Statistics Bulletin annual 2015 (includes quarterly publication, October to December 2015): <https://www.gov.uk/government/statistics/offender-management-statistics-quarterly-october-to-december-2015>

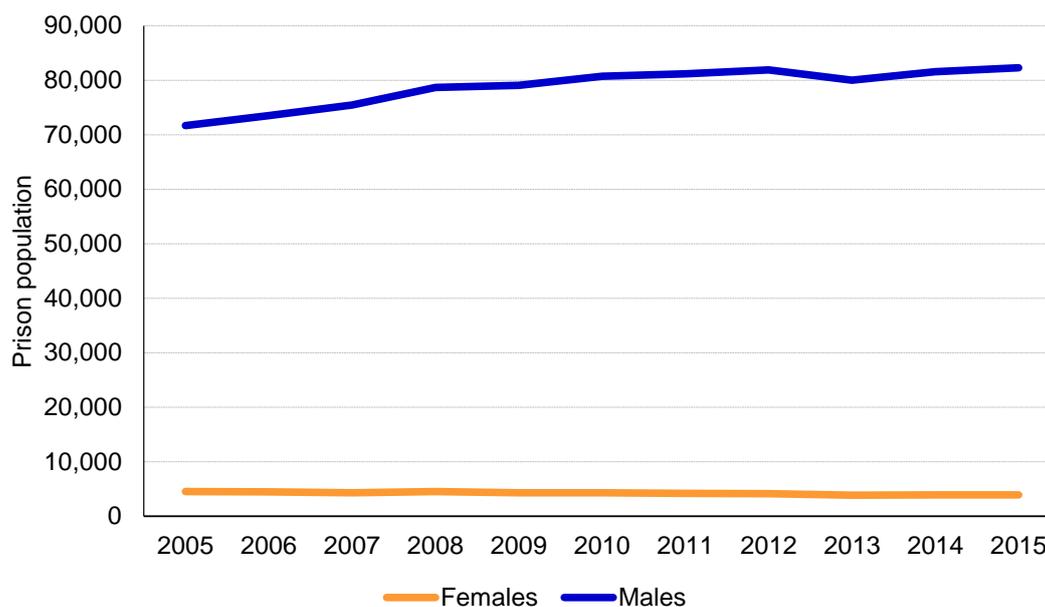
¹³⁸ Safety in Custody Statistics update to December 2015 (covers deaths, self-harm and assaults in prison custody in England and Wales): <https://www.gov.uk/government/statistics/safety-in-custody-quarterly-update-to-december-2015>

¹³⁹ Accredited Programmes Bulletin: 2014 to 2015 (starts and completions across prison and probation in each financial year between 2009 to 2010 and 2014 to 2015): <https://www.gov.uk/government/statistics/accredited-programmes-bulletin-2014-to-2015>

¹⁴⁰ HMIP annual report: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/538854/hmip-annual-report.pdf

¹⁴¹ Persons being held under the Immigration Act, plus those sentenced for civil offences (such as contempt of court and failure to pay child maintenance)

Figure 7.01: Prison population, by sex, at 30th June 2005 to 30th June 2015¹⁴²



The proportions of age groups within each sex have changed over the last decade. For both men and women, the proportion of adult prisoners increased in the last decade by 7 percentage points to 93% in males, and by 6 percentage points to 96% in females, whereas the proportions aged 15 – 20 years declined. Notably, in 2015, there were no women aged 15 – 17 years in the prison population¹⁴³, but 680 (1%) male defendants.

There have also been prominent changes in ethnicity proportions between men and women since 2005. Despite an overall decline in female prisoner volumes by 2015, the proportion of female prisoners who were White increased by 9 percentage points to 80%. In males, although the number of prisoners increased, the proportion of White male prisoners decreased by 1 percentage point to 73%. As male prisoners drive the trend, the overall proportion of White prisoners declined by 1 percentage point to 74% (63,000 individuals).

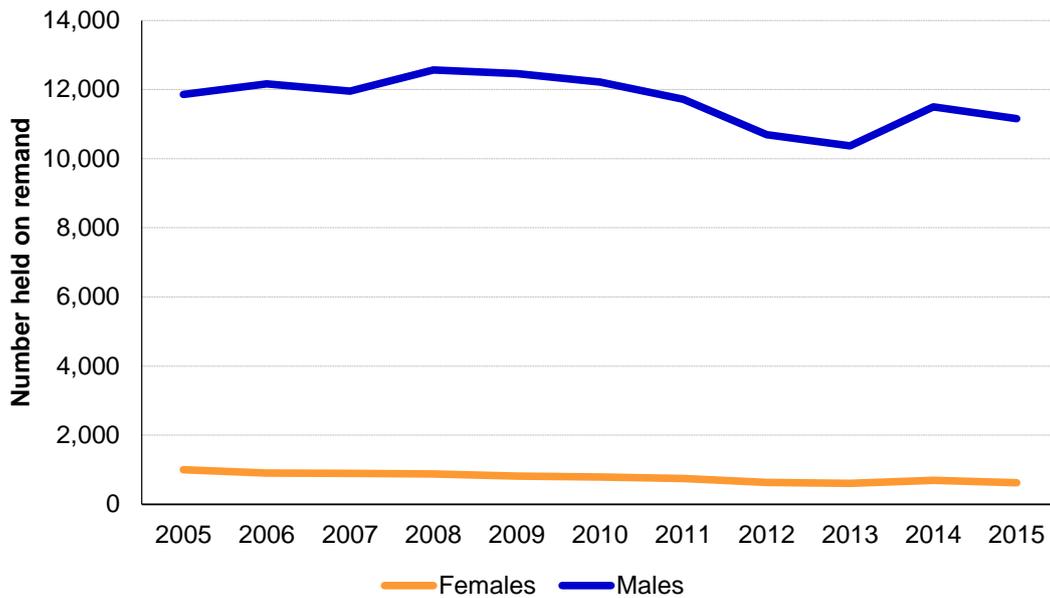
¹⁴² Data from 2009 to 2015 has been extracted from the new prison IT system.

¹⁴³ There are no female Young Offender Institutions

Remand

Within the prison population, for both males and females the number held on remand has decreased overall, by 6% and 37% respectively over the last decade, to 11,000 males and 630 females (Figure 7.02) In parallel, there was an upward trend in the overall volume of sentenced population, due to the direct impact of prisoners moving from one category to the other. See Chapter 5 for further information on remands, including by type.

Figure 7.02: Number of individuals held on remand, by sex, at 30th June 2005 to 30th June 2015¹⁴⁴

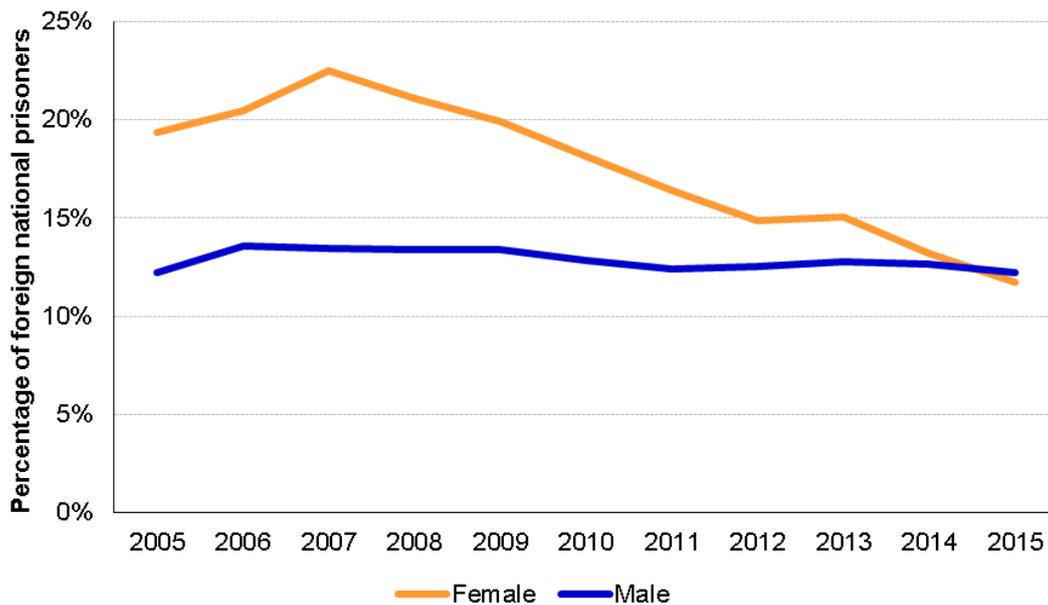


¹⁴⁴ Data from 2009 to 2015 has been extracted from the new prison IT system

Foreign nationals

Over the last decade, the proportion of foreign nationals in the female prison population peaked at 22% in 2007 and has since decreased to 12% at 2015. This was associated with the implementation of removal schemes to reduce the number of foreign nationals in prisons. The proportion of foreign nationals in the male prison population has remained stable, fluctuating between 12% and 14% across the decade. At 2015, the proportion of foreign nationals was almost equal for the male and female populations for the first time across the decade (Figure 7.03).

Figure 7.03: Percentage of prisoners who were foreign nationals, by sex, at 30th June 2005 to 30th June 2015¹⁴⁵



¹⁴⁵ Data from 2009 to 2015 has been extracted from the new prison IT system.

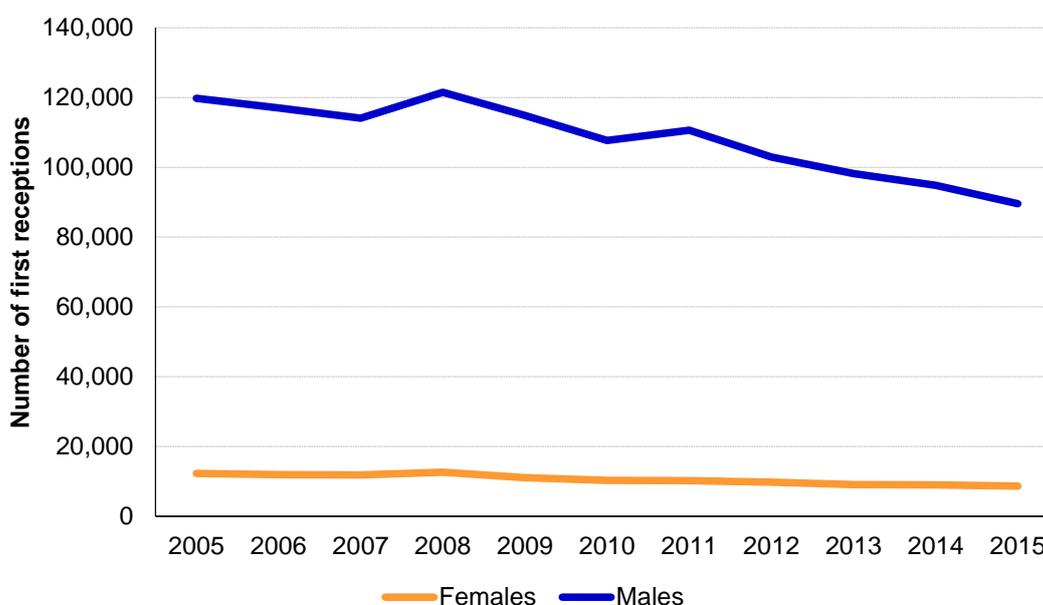
Receptions

First receptions

A 'First reception' describes the movement of unique individuals that are first received into prison custody following a court hearing for a particular set of offences committed, which gives the best indication of the number of new prisoners. This excludes those on remand in custody, who are then convicted and sentenced into custody.¹⁴⁶

There were 98,000 offenders received into custody as first receptions in 2015, of whom 91% were male and 9% were female. The higher proportion of female first receptions compared with the prison population is a result of the tendency for female offenders to have shorter average custodial sentence lengths, as discussed in Chapter 5: Defendants. Between 2005 and 2015, there has been a decline in the number of first prison receptions of males and females by 25% and 29% respectively (Figure 7.04).

Figure 7.04: Number of first prison receptions, by sex, 2005 to 2015^{147 148}



¹⁴⁶ A first reception is a measure which counts a prisoners first movement into custody following a court hearing for a particular set of offences committed, and therefore gives the best indication of the number of new prisoners in the reporting period. A first reception has three categories:

- i. remand first reception: this describes a prisoner's first movement into custody where the prisoner spends at least one day on remand.
- ii. sentenced first reception: this describes a prisoner's first movement into custody where the prisoner has been sentenced at court, and thus spends no time on remand.
- iii. civil non-criminal first reception: this describes a prisoner's first movement into custody where the prisoner has only been committed to custody for a civil offence (e.g. contempt of court).

¹⁴⁷ Volumes of first receptions for 2014 have been estimated with an imputation method due to data quality concerns.

¹⁴⁸ Data for 2015 have been published based on an improved prison IT system and alternative production method. However, 2015 data reported on in this section have been taken from published figures produced using a comparable method to previous years.

Remand admissions

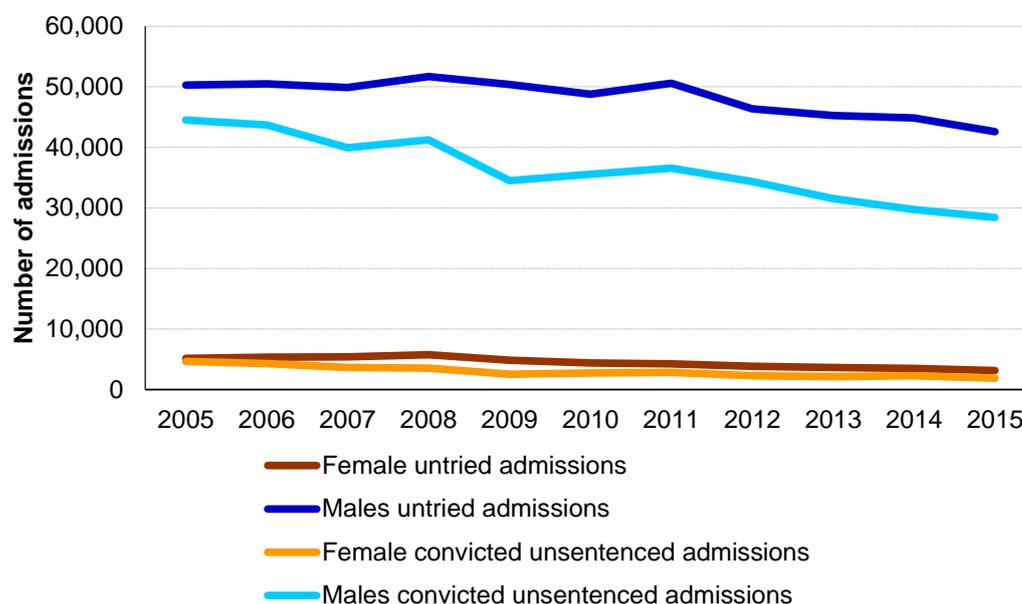
'Remand admissions' refer to the number of individuals who enter custody or have their custody status changed while on remand. There are two types of admission; untried admissions and convicted unsentenced admissions. Untried admissions are the number of prisoners that are received into custody following a court hearing as untried (i.e. awaiting commencement or continuation of trial prior to verdict), and convicted unsentenced admissions are the number of prisoners that are classified as convicted unsentenced (i.e. awaiting sentence) following a court hearing.

In 2015 there were 46,000 untried admissions and 30,000 convicted unsentenced admissions, both declined by 5% from 2014. There was a decline for both males (5% and 4%) and females (10% and 17%) in each category. Untried admissions and convicted unsentenced admissions at 2015 were 7% and 6% females (respectively).

Over the last decade, for males the number of untried admissions remained stable between 2005 and 2011, but declined between 2011 and 2015, resulting in an overall decline of 15% since 2005. For females, untried admissions rose between 2005 and 2008, but subsequently decreased, resulting in an overall decline of 40% between 2005 and 2015 (Figure 7.05).

The number of convicted unsentenced admissions showed a decline for males between 2005 and 2009. This was followed with a 6% increase from 2009 to 2011, but then continued to decline. Overall, there was a 36% decline across the decade. There was a similar trend for females, with a slight increase in these admissions between 2009 and 2011, despite the overall decline of 59% between 2005 and 2015. For both males and females, at 2015 the volumes of both untried and convicted unsentenced admissions were the lowest of the decade.

Figure 7.05: Number of remand admissions into prison, by type of admission and sex, 2005 to 2015^{149 150}



Sentences

Population under immediate custodial sentence¹⁵¹

The prison population under immediate custodial sentence is a reflection of sentencing outcomes at court and is impacted by both the number of offenders given immediate custodial sentences and sentence lengths.

Prison sentences can be divided into two broad groups: determinate sentences which are for a fixed period, and indeterminate sentences (these include life sentences and indeterminate sentences for public protection – IPPs). These have a minimum fixed period, known as a tariff, which must be served before release is considered by the Parole Board. At 30 June 2015, there was a higher proportion of males serving indeterminate sentences compared with females, 14% and 9% respectively.

¹⁴⁹ Volumes of first receptions for 2014 have been estimated with an imputation method due to data quality concerns.

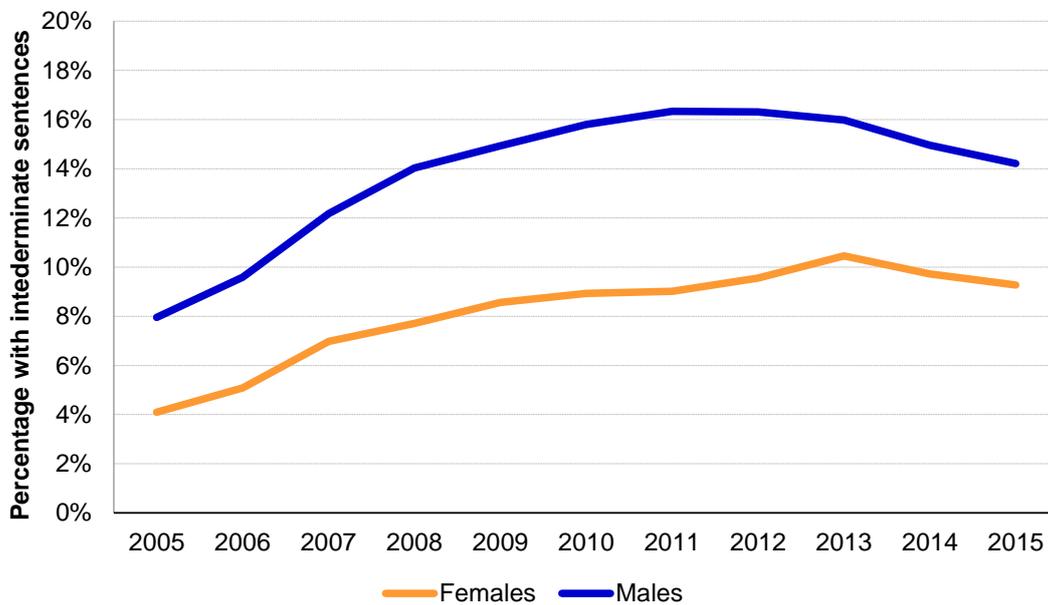
¹⁵⁰ Data for 2015 have been published based on an improved prison IT system and alternative production method. However, 2015 data reported on in this section have been taken from published figures produced using a comparable method to previous years.

¹⁵¹ Does not include fine defaulters

The proportion of males and females held under indeterminate sentences followed a similar trend, increasing over the last decade, but having shown an overall decline since 2012 for males and 2013 for females. This trend reflects changes in legislation under the LASPO Act 2012 impacting Indeterminate Sentence for Public Protection (IPPs) (Figure 7.06). This Act abolished the IPP and introduced the new Extended Determinate Sentence (EDS), which is available for offenders who would previously have received an IPP.

At 30 June 2015, EDS accounted for 3% of all sentenced male prisoners compared with 1% of female prisoners. For both indeterminate sentences and EDS, the higher proportions of males likely reflects the greater tendency of males to be convicted for the most serious offences.

Figure 7.06: Percentage of sentenced prisoners with indeterminate sentences, by sex, 30th June 2005 to 30th June 2015¹⁵²

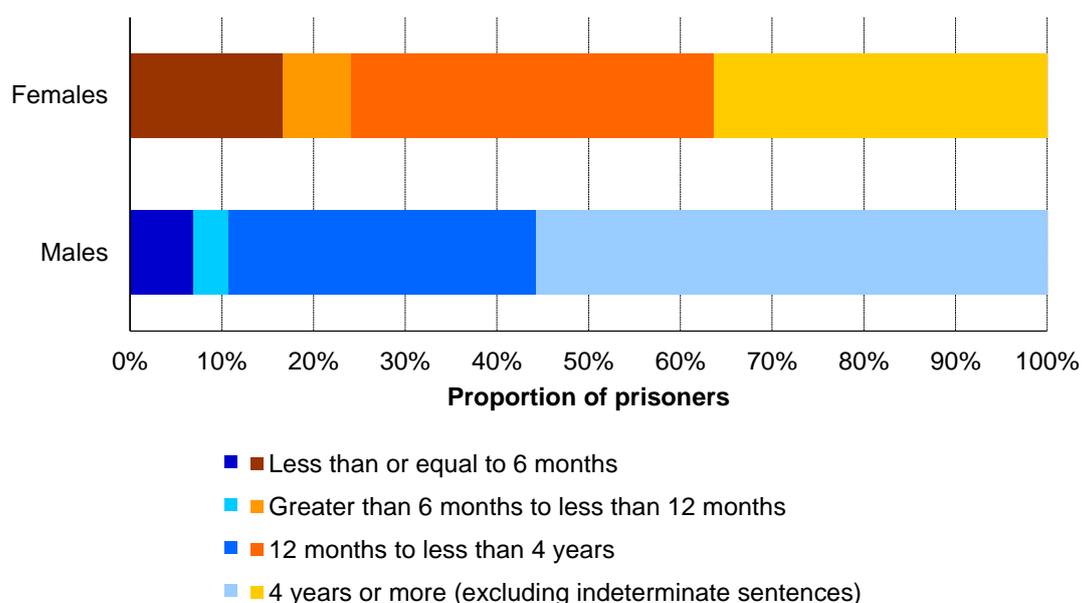


¹⁵² Data from 2009 to 2015 has been extracted from the new prison IT system.

The sentence length profile of males and females under a determinate sentence differs, with a higher proportion of females than males sentenced to less than 12 months in 2015 (21% versus 14% respectively), and a lower proportion of females than males sentenced to over 4 years (40% versus 47% respectively). This reflects sentencing data (discussed in Chapter 5: Defendants) which shows that on average, male offenders receive longer custodial sentences than female offenders, which is partly due to the different types of offences that males and females commit (Figure 7.07).

Over the last decade, the proportions of determinate sentence lengths have changed for men and women. At 2015, 95% of determinate sentences were given to male offenders and 5% to female, reflecting the overall prison population proportions. For men, the proportion of longer sentences (4 years or more) has increased by 7 percentage points to 55% (28,000), whereas for women there has been a 5% reduction in the proportion of longer sentences to 35% (910), and hence an increase in shorter sentences.

Figure 7.07: Proportion of prisoners serving determinate sentences per sentence length band, by sex, 30 June 2015



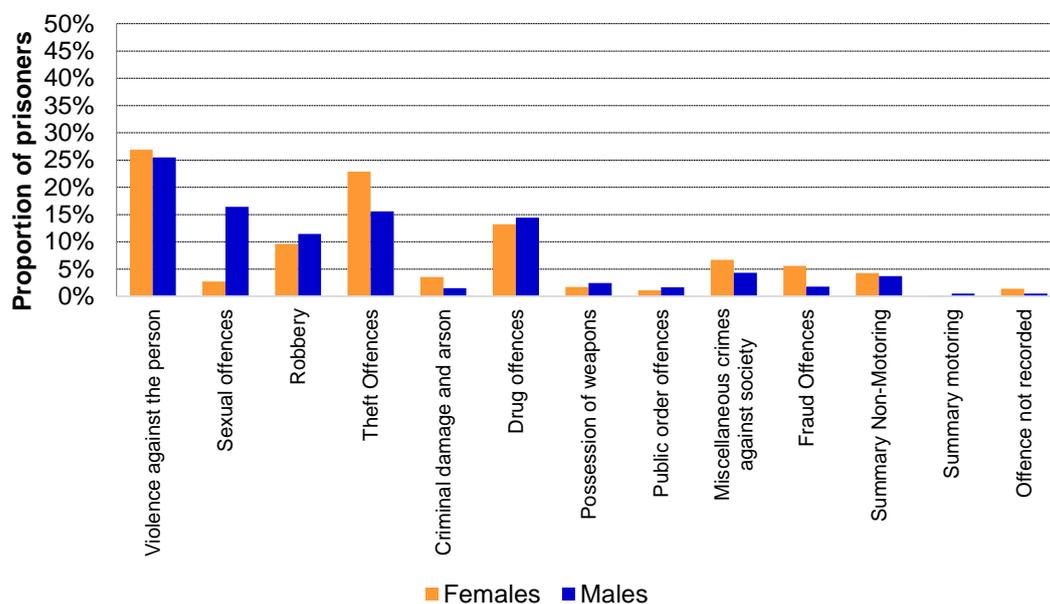
Males released from determinate sentences had served 62% of their sentenced time in prison in 2015, including time spent on remand, whereas females who were released had served 50% of their sentences.¹⁵³

¹⁵³ Figures cannot be compared with previous years due to the introduction of a new data source following improvements to IT systems. For prisoners subsequently recalled to custody, the proportion counted as having been spent in prison includes the time they spent on licence.

Sentence by offence type

For both male and female prisoners, the most common offence group for which they were convicted at 30 June 2015 was violence against the person (25% and 27% respectively), however the offence profile overall differed by sex (Figure 7.08). For male prisoners, the second most common offence groups for which they received a custodial sentence was theft (16%). This was followed by sexual offences (16%), which were much less common for female offenders. For female prisoners the second most common offence was theft (23%), followed by drug offences (13%) in line with typical patterns of female offending (as discussed in Chapter 5: Defendants).

Figure 7.08: Proportion of sentenced prisoners, by offence group and sex, 30th June 2015



For male prisoners, over the last ten years there has been an increase of 97%¹⁵⁴ in the number of prisoners under an immediate custodial sentence for sexual offences (to 12,000 prisoners at 2015). For female prisoners, there has been a notable drop of 66% in the number convicted of drug offences (430 prisoners at 2015). This reflects changes in the volumes sentenced for these offences, the custody rates and average custodial sentence length. (For further information on trends in these offences, see Chapter 5: Defendants and Chapter 8: Offence Analysis.)

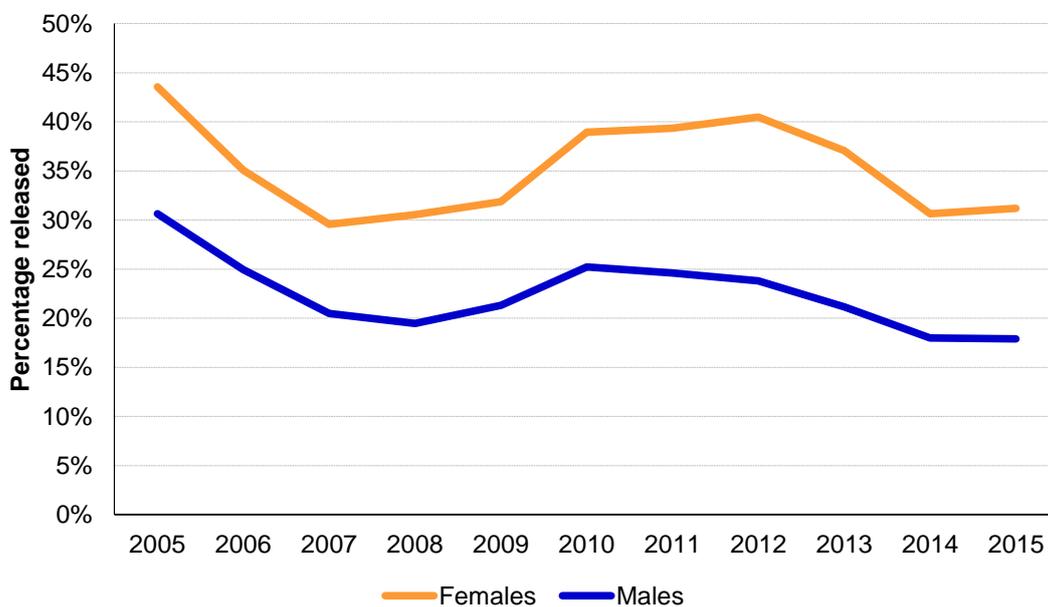
¹⁵⁴ On 30 June 2015 the classifications used to report the prison population by offence group transitioned over to the offence groups that the Office for National Statistics (ONS) introduced in 2013. Annual figures reported in this bulletin retain the old offence groups so cross-year comparisons can be made.

Releases

Of the 70,000 offenders released from custody in 2015, 91% were male and 9% female. These proportions differ from the proportions within the prison population, which were 95% and 5% respectively. This difference is driven by women being more likely to have a shorter sentence length than men, and hence being released from the prison population more frequently.

Between 2005 and 2008, the number of releases increased for both sexes but declined overall by 17% for males and 15% for females between 2005 and 2015 (Figure 7.09).

Figure 7.09: Number of annual releases, by sex, 2005 to 2015¹⁵⁵



Home Detention Curfew

Home Detention Curfew (HDC) allows for the early release of suitable, low risk offenders subject to an electronically monitored curfew. To be considered for release under HDC an offender must be serving a sentence between 12 weeks and less than 4 years.

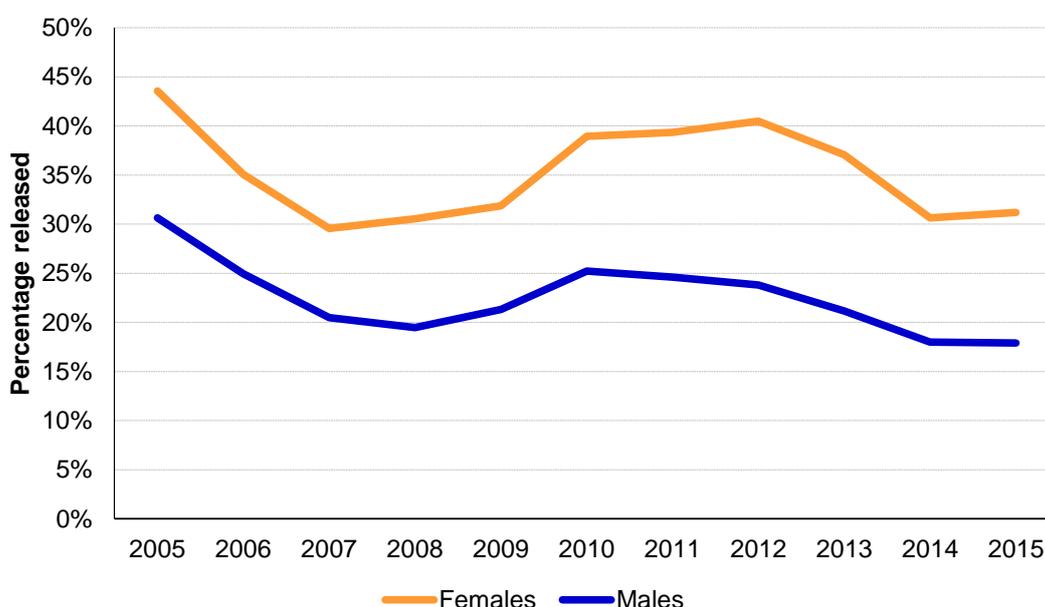
Offenders who are released onto HDC spend up to the last 135 days of the custodial part of their sentence outside of prison providing they do not breach the rules of their curfew. In 2015, of those eligible for release¹⁵⁶, 18% of males (7,000) were released

¹⁵⁵ Data for 2015 have been published based on an improved prison IT system and alternative production method. However, 2015 data reported on in this section have been taken from published figures produced using a comparable method to previous years.

¹⁵⁶ This is the number of offenders serving sentences of between 3 months and 4 years potentially eligible for release on Home Detention Curfew (HDC) in the relevant period. In practice offenders are subject to a risk assessment before being considered for release on HDC, so some of these offenders will turn out not to be eligible for release on HDC.

compared with 31% of females (1,000). Over the last decade, a higher proportion of females eligible for HDC have been released compared with males (Figure 7.10).

Figure 7.10: Percentage of those eligible who receive home detention curfew release, by sex, 2005 to 2015¹⁵⁷



Release on temporary licence (ROTL)

Release on temporary licence (ROTL) is a mechanism that enables prisoners to participate in necessary activities, outside of the prison establishment, that directly contribute to their resettlement into the community and their development of a purposeful, law-abiding life. Following a small number of serious failures of the ROTL process in 2012 and 2013, the ROTL rules were subsequently tightened. It has now become a complex process that can involve regular psychological assessments and constant risk management, particularly when it concerns prisoners who are considered to present a high risk of harm should they reoffend.

There is no automatic right of entitlement for ROTL to be granted. A prisoner will only be released on temporary licence if they are eligible for release and once they have satisfied a stringent risk assessment carried out by a designated ROTL Board at the prison.

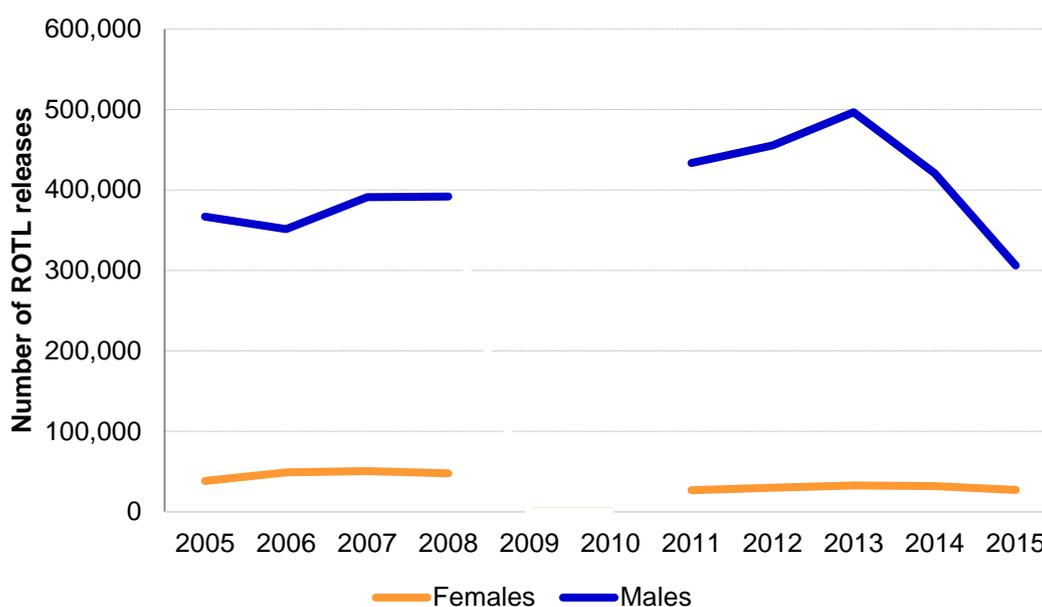
In 2015, there were 333,000 releases on temporary licence; 92% from male establishments and 8% from female establishments. These releases related to 7,000 individuals who had at least one instance of ROTL; 6,000 males (91%) and 610 females (10%). In 2015, there were only 155 failures of temporary release, although

¹⁵⁷ Data for 2015 have been published based on an improved prison IT system and alternative production method. However, 2015 data reported on in this section have been taken from published figures produced using a comparable method to previous years.

the failure rate of males was double the failure rate of females (0.051% and 0.026% respectively).

Over the last decade, the number of male ROTL releases rose by 35% between 2005 and 2013¹⁵⁸ and then decreased by 38% to the lowest point of the decade at 2015, reflecting the tightening of the ROTL process in 2013. This resulted in a 17% decrease overall since 2005. For female releases, there was a large decline following 2008, specifically by 17% between 2013 and 2015, following ROTL tightening. Female ROTL releases have shown a 29% decline overall since 2005 (Figure 7.11).

Figure 7.11: Numbers of ROTL releases, by sex, 2005 to 2015^{159 160}



Restricted patients

A mentally disordered offender may be diverted from the criminal justice system to hospital for treatment by a court under the Mental Health Act 1983. Prisoners may similarly be transferred from prison to hospital or ordered to receive treatment before completing a custodial sentence.

At 31 December 2015, there were 5,000 restricted patients detained in hospital; 87% of these were male and 13% female. Compared with 2005, there was a 37% increase in overall numbers of restricted patients. The numbers of patients have risen for both males and females, by 36% and 42% respectively across the decade to 4,000 males and 580 females. The age proportions of those detained have remained similar across the decade for men, with the 21-39 year age group being most likely to be detained (49% of the male total at 2015). For females, however, there has been a shift from 21-

¹⁵⁸ Excluding missing data between 2009 and 2010

¹⁵⁹ Data for 2015 have been published based on an improved prison IT system and alternative production method. However, 2015 data reported on in this section have been taken from published figures produced using a comparable method to previous years.

¹⁶⁰ Data is unavailable for 2009 and 2010

39 year olds being the most likely group to be detained in 2005 (53% of the female total), to 40-59 year olds being the most likely group at 2015 (49% of the female total).

Of the restricted patients admitted to hospital in 2015, 8% of males were admitted to a high security hospital, versus 3% of females. This proportion has decreased for both sexes since 2005, when 9% of males and 6% of females were sent to a high security hospital.

HMIP Prisons Inspectorate Survey Report¹⁶¹

Her Majesty's Inspectorate of Prisons for England & Wales aims to ensure independent inspection of places of detention, report on conditions and treatment, and promote positive outcomes for those detained and the public. The HMIP Annual Report 2015-16 identifies differences in reported prison experiences between male and female prisoners¹⁶².

From self-reporting, females were significantly more likely than males to be victimised by staff for their sexual orientation (3% versus 1%), to be victimised by other prisoners (38% versus 30%) and to have felt unsafe (49% versus 42%). Males, however, were more likely to report being assaulted by staff (5% versus 3%).

The survey also indicated that female prisoners received better support than males. Females were more likely to say that they had a member of staff to turn to for help (80% versus 70%), had a personal officer (64% versus 51%), or were easily able to make a complaint (62% versus 54%) or application (84% versus 76%). Similarly, female prisoners were more likely than male prisoners to report having their religious beliefs respected (58% versus 52%).

Females were more likely to state that they were treated fairly in the incentives and earned privileges (IEP) scheme than were males (51% versus 44%), and felt that different levels of the scheme encouraged behavioural change (51% versus 43%). Despite this, on 31 March 2015 there were a higher percentage of male prisoners on Enhanced IEP Status (39%) than female prisoners (35%), with similar percentage of males and females on a basic status¹⁶³. (However, as discussed further in the IEP section below, this may relate to differences in typical sentence lengths rather than behaviour.)

¹⁶¹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/538854/hmip-annual-report.pdf

¹⁶² 343 women and 6,362 men completed the questionnaires from all establishments.

¹⁶³ This information is not from the HMIP survey. It can be found within NOMS Annual Offender Equalities Report, 2014-2015:
<https://www.gov.uk/government/statistics/noms-annual-offender-equalities-report-2014-to-2015>

The HMIP survey results also suggested that females were more likely to take part in work or training. They were more likely than males to report that they went to the library once a week (41% versus 35%), or took part in education (35% versus 24%), skills training (16% versus 11%) or an offending behaviour programme (14% versus 9%). (This aligns with patterns of offender learning and completions of accredited programmes, as discussed below.) However they were less likely than males to report going to the gym (20% versus 30%) or exercising outside for multiple times a week (32% versus 47%).

Accredited programmes¹⁶⁴

A range of accredited programmes can be offered to offenders, varying in length, complexity and mode of delivery. Programmes have been developed to target the particular risks and needs for different types of offending behaviour, with the aim of reducing reoffending. Programme starts and completions are recorded by measuring attendance on the first and last day of the programme.¹⁶⁵

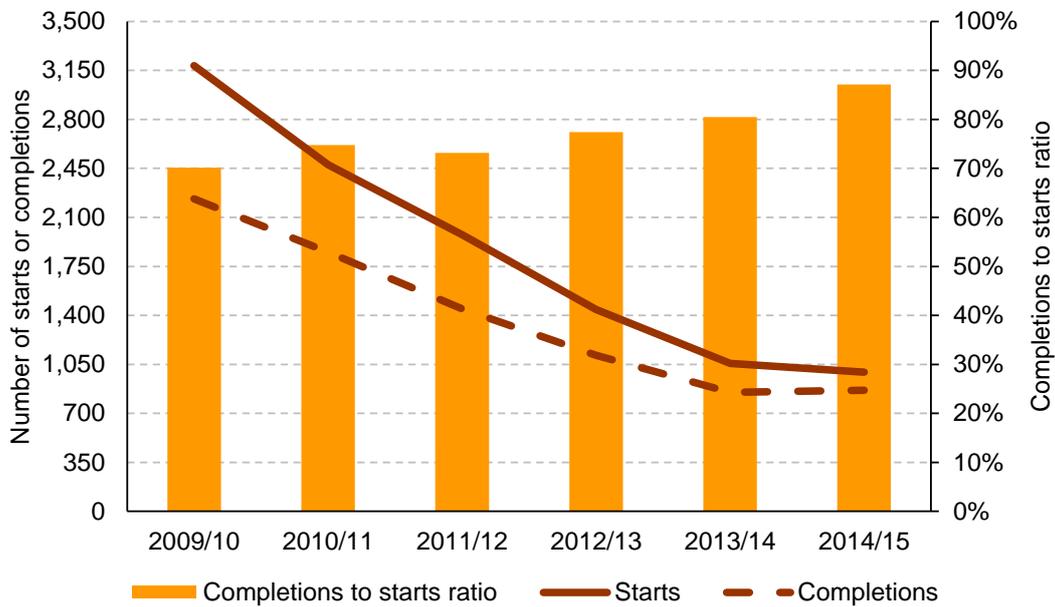
There were 23,000 starts and 18,000 completions of accredited programmes in 2014/15. Female offenders have accounted for 4% of starts and 5% of completions. Similar proportions were seen for starts and completions of probation (4% and 5% female respectively) and prison (both 5%) programmes separately. Female offenders have a higher ratio of completions to starts than males do, following a substantial rise over the last five years (Figure 7.12).

¹⁶⁴From 2009/10 to 2014/15 there have been 11 persons whose sex was not known on recording of the start or completion of the accredited programmes. These persons have been excluded from the analysis. Time periods in this section refer to financial years.

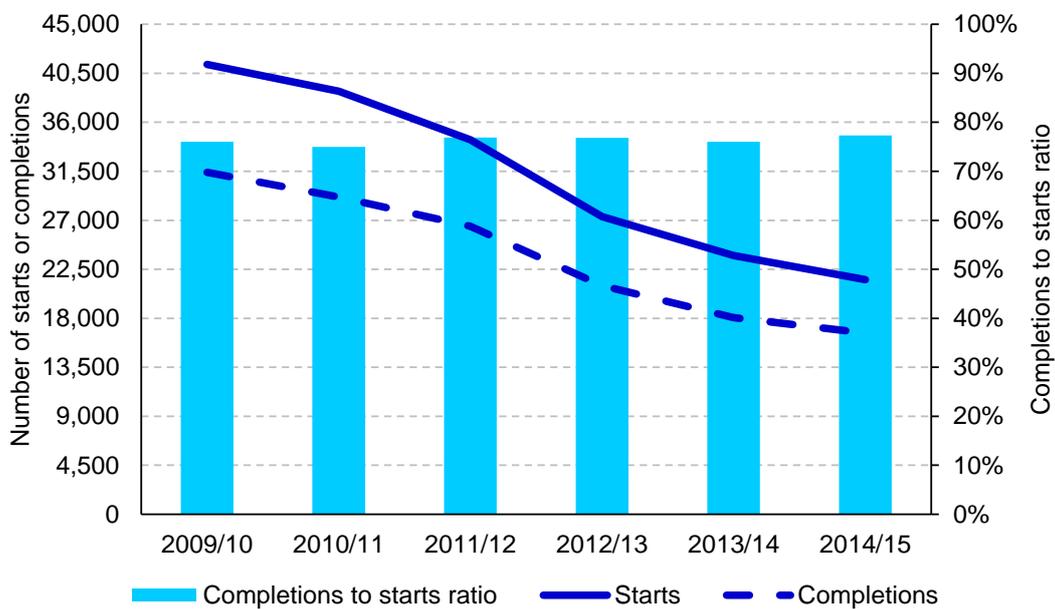
¹⁶⁵ For more information around data provided in this section please refer to Accredited Programmes Publication <https://www.gov.uk/government/statistics/accredited-programmes-bulletin-2014-to-2015>

Figure 7.12: Number of accredited prison and probation programme starts and completions and completions to starts ratio, by sex, 2009/10 to 2014/15

Females



Males



Accredited programme starts and completions fell overall between 2009/10 and 2014/15 (by 49% and 48% respectively). Starts and completions for females fell by 69% and 61% respectively, while for males the decreases in starts and completions were less, at 48% and 47% respectively. The reduction in probation programme starts over this period has been larger for female offenders (71%) than male offenders (42%). This is also true for prison programme starts, but with a smaller gap between the reduction for female (66%) and male (56%) offenders. Probation and prison programmes both have similar relative differences between the trends for female and male offenders for completions as they do for starts.

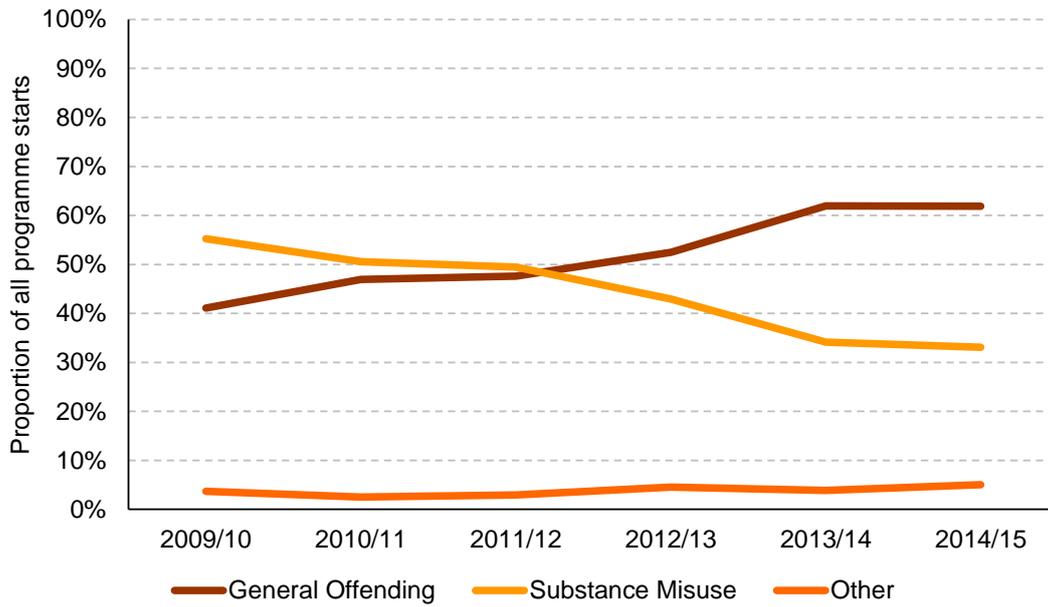
Over the past five years, the completion to start ratio¹⁶⁶ for female offenders has increased, by 17 percentage points, from 70% to 87%. This is due to a larger reduction in starts than completions in both prison and probation programmes. This same ratio for males remained broadly stable ranging between 75% and 77%. The completion to start ratio is higher for prison programmes for both sexes (for prison, 100% for males, 102% for females; for probation, 77% and 87% in the latest year).

Similarly to female prison programmes, male prison programmes have seen a larger reduction of starts relative to completions, increasing this ratio. However, unlike female probation programmes, the completion to start ratio for male probation programmes has remained broadly stable over the 5 year period. The prison completion to start ratios for both male and female offenders have increased since 2009/10, by 17 and 26 percentage points respectively. The ratios for probation programmes alone in 2014/15 have reached 64% for male and 76% for female offenders, an increase of 9 percentage points for female offenders but a decrease of 7 percentage points for male offenders since 2009/10.

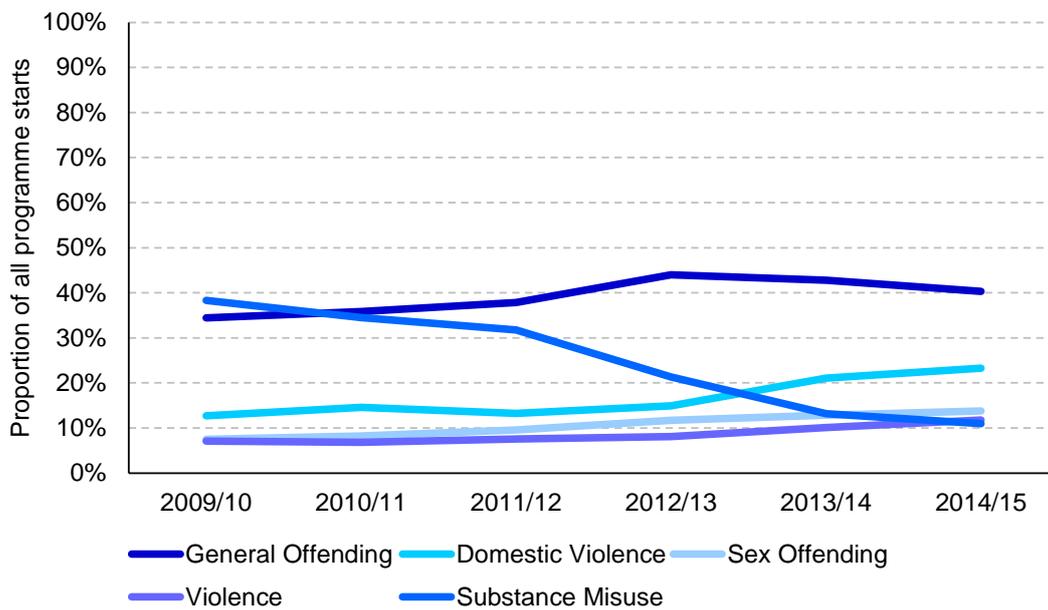
¹⁶⁶ This measure is used to show the relative difference in completion and start volumes for each year – it is calculated by dividing the number of completions by the number of starts. It should not be used for the purposes of attempting to calculate completion rates. Starts from one year may complete in a subsequent year, and completions in one year may have started in a previous year.

Figure 7.13: Proportion of accredited probation and prison programme starts, by programme type and sex, 2009/10 to 2014/15¹⁶⁷

Females



Males



¹⁶⁷ Domestic Violence and Sex Offending programmes are not available to female offenders.

Three types of programmes were available to female offenders: general offending, substance misuse and violence. Two more programmes were available to male offenders: domestic violence and sex offending. In the latest year female offenders accounted for 12% of substance misuse, 7% of general offending and 2% of violence programme starts and completions. These proportions have remained broadly stable since 2009/10.

In 2009/10, substance misuse had the highest proportion of starts for both male and female offenders. This proportion has reduced year on year for both male and females and in 2014/15 general offending had the highest proportion of programme starts. The substantial decrease in the number of programme starts for substance misuse over the five year period is partly due to changes in the way that substance misuse interventions are funded and commissioned. As of 1st April 2011, drug and alcohol treatment services became the responsibility of the Department of Health (DH), devolving the choice of programmes commissioned and funded to local partnerships, a number of which opted to deliver non-accredited programmes instead.

Offender Learning

Offender learning is available to prisoners in England aged 18 and above through the Offender Learning and Skills Service (OLASS)^{168,169}. These courses largely focus on English and maths at the start of a sentence, with attention shifting to vocational and other employability skills later on during a prisoner's sentence.

There were 101,600 participating learners during the academic year 2014/15, of whom 94,300 (93%) were male and 7,300 were female (7%). Women accounted for 4% of the prison population to whom OLASS offender learning is available¹⁷⁰, so they were over-represented among those participating in offender learning.

*Offender learning assessments*¹⁷¹

All offenders are assessed for their levels of English and maths on reception into custody. A similar proportion of those whose English and maths were assessed were female as among those participating in offender learning overall (both 7%). Maths assessments for women were, on average, higher than for men. For English assessments, outcomes were broadly similar for both men and women, albeit with a slight tendency for women to be assessed at a higher level (Figure 7.14).

¹⁶⁸ In eight contracted estate prisons, education delivery remains part of the price-per-place contract.

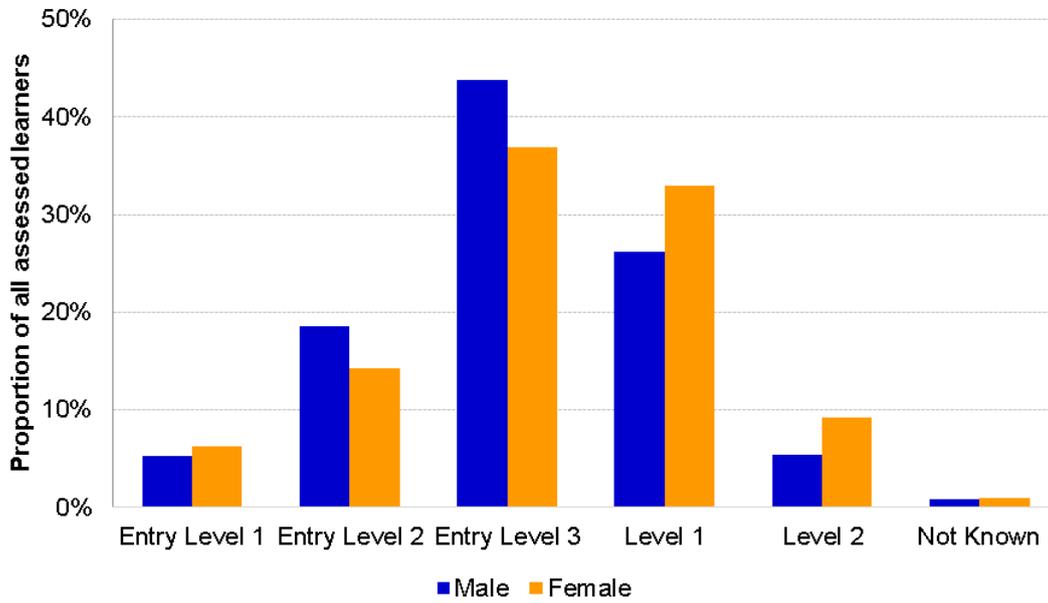
¹⁶⁹ All offenders included in published offender learning statistics are of known sex

¹⁷⁰ OLASS is not the provider in all institutions – only those that have access to it have been considered here. OLASS does not provide degree-level qualifications.

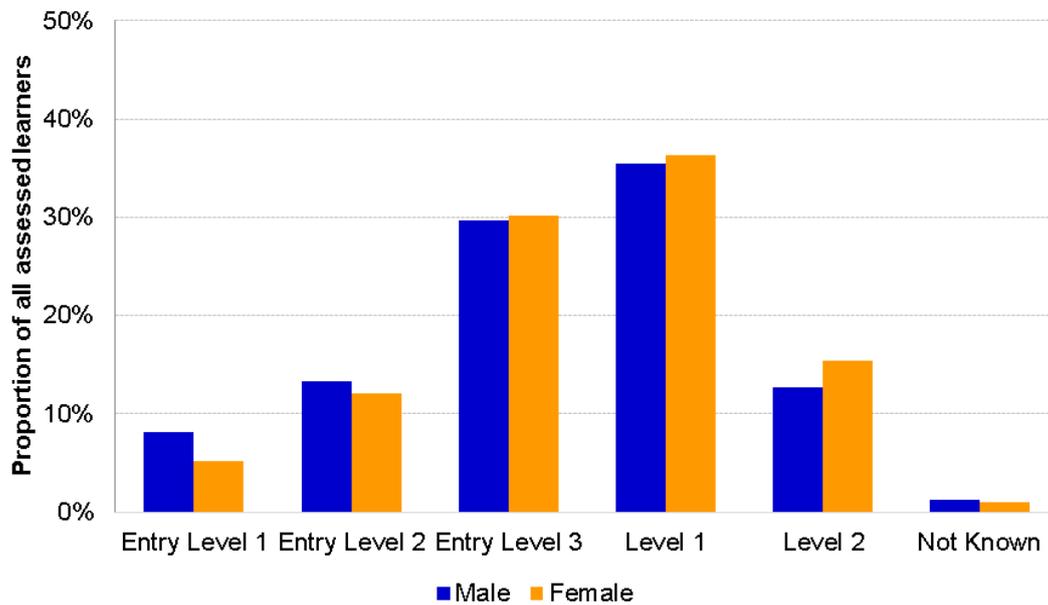
¹⁷¹ Learners may undertake each assessment more than once over an academic year, so participation cannot be compared with achievement in a single year. Learners are counted once for each distinct level of outcome they are assessed at in English or maths and once in the totals. Not all learners are assessed.

Figure 7.14: Proportion of offender learning assessment outcomes by subject, level and sex, 2014/15

Maths



English



Level of learning

Offenders are offered the opportunity to participate in a range of qualifications at different levels. There was little difference in the levels at which men and women learn. The most notable difference between the sexes was that women made up 13% of (small numbers of) offenders participating in a level 3 qualification, although women also make up a larger than representative proportion of learners at lower levels.

There were broadly similar proportions of women among those participating in English (6%) and maths (7%) learning as among those participating overall. Despite women typically being assessed at higher levels for maths than men, women make up a higher proportion of those participating in entry level maths (10%) than overall, with few other differences by sex in the level of participation for English and maths.

Patterns of achievements by sex and level of learning closely mirrored those of participation; there is no evidence of a difference in the likelihood of men and women achieving their learning outcomes.

Offender learner enrolments by sector subject area

Each learning aim a learner has can be classified by 'sector subject area', which is effectively a high-level description of the topic being worked on. In 2013/14, sector subject area breakdowns were generally similar between the sexes, both for enrolments and achievements.

Preparation for Life and Work was the most common aim for both men and women (45% and 42% of all aims for each sex, respectively). When comparing the percentage of subjects enrolled on within each sex, the largest difference was in retail, which was more popular for women than men (making up 20% of all aims for women and 10% for men). Construction was more popular for men than for women (8% of aims for men and 1% for women). Information and Communication Technology was the third most popular aim for both sexes, making up 14% of all aims for each.

Offender learning by disability¹⁷²

Of all offender learners in 2014/15, 26% of them declared they had a disability. This figure was a quarter for men (25%) and 37% for women. A quarter of male learners (25%) and a third of female learners (33%) who stated that they had a disability had a mental health difficulty (which aligns with the higher rate of hospitalisation discussed earlier in this chapter). Women learners were also more likely than men to have multiple disabilities (22% and 12% respectively of all learners with a disability). It is worth noting that these figures for learners with a disability or learning difficulty may not be representative of the prison population as they are only for prisoners participating in offender learning.

¹⁷² Learners with learning difficulties and/or disabilities are based upon self-declaration by the learner.

Discipline in prison establishments

Adjudications

In 2015 there were a total of 148,000 adjudications recorded in prison establishments, of which female establishments accounted for 5%; unrounded this represents a slightly higher proportion than they contain of the population.

Over the past five years the total number of adjudications in male establishments fell by 15% whilst the prison population increased by 2% over the same period. Conversely, adjudications in female establishments increased by 20% whilst the female prison population fell by 9%. The number of adjudications per prisoner in female establishments has increased from 1.6 in 2010 to 2.1 in 2015. Adjudications per male prisoner fell from 2.1 to 1.7 over the same period.¹⁷³

Adjudications increased in the latest year for both male and female establishments by 16% and 12% respectively. For male establishments, adjudications relating to white and BAME prisoners increased by 16% and 11% respectively. However in female establishments, adjudications for white prisoners increased by 18% whilst those for BAME prisoners remained stable.

In the latest year, there were 103,000 adjudications recorded for proven¹⁷⁴ offences of which female establishments accounted for 6% (6,000). Over the past five years the total number of proven adjudications has fallen in male establishments by 20%, with proven adjudications against White prisoners reducing by 15% and those against BAME prisoners reducing to a greater degree, by 29%. Conversely, proven adjudications have increased in female establishments by 11%, with proven adjudications against White prisoners increasing by 22% and those against BAME prisoners reducing by 25% over the same period. (This may be partly due to the change in female prison population over the last decade, when the number of BAME prisoners reduced by a greater proportion than White prisoners.) This has increased the overall proportion of proven adjudications relating to females by 2 percentage points from 4% in 2010 to 6% in 2015.

In 2015, the proportion of proven adjudications relating to disobedience/disrespect in female establishments was 44%, this was 6 percentage points higher than what was recorded in male establishments for the same year. Offences relating to unauthorised transactions were 4 percentage points lower in female establishments (20%) when compared with male establishments. Over the last five years, the proportion of adjudications relating to unauthorised transactions has reduced by 5 percentage points in male establishments and has fallen by 1 percentage point in female establishments. The proportion of adjudications for other offences has increased for male (from 8% to 14%) and female (from 12% to 16%) establishments.

In 2015, the average number of punishments per proven offence in female establishments was 1.86, slightly higher than is observed in male establishments

¹⁷³ Number of adjudications per prisoner is calculated using prison populations from each year on the 30th June

¹⁷⁴ Proven adjudications are those where an adjudicator is satisfied beyond reasonable doubt that a charge has been proved.

(1.78). In 2010 there was a larger difference between the two averages, with male establishments recording a higher average of 2.57 punishments compared with female establishments, which recorded an average of 2.03 punishments per offence; although punishments per offence were falling for both sexes, the decline has been much greater for men.

Incentives and Earned Privileges

Incentives and Earned Privileges (IEP)¹⁷⁵ is a system where privileges, in addition to minimum entitlements, can be granted to prisoners or young offenders subject to their reaching and maintaining specified standards of conduct and performance. All new prisoners who enter custody were given the Entry IEP¹⁷⁶ level (apart from those aged 15-17). (The analysis below excludes those on the Entry IEP level as any differences are a direct reflection of differences in adult receptions into custody.) If a prisoner passes the Entry IEP level after their first two weeks in custody they will be put onto the Standard IEP level. Prisoners on the Basic IEP level are those who fail their period on the Entry IEP level, have been downgraded from Standard IEP level, or in rare cases downgraded from the Enhanced IEP level. A prisoner has to be on the Standard IEP level whilst demonstrating they meet the criteria for the Enhanced IEP level for a minimum of 3 months before they can be put on the Enhanced IEP level.

On 31 March 2015¹⁷⁷, 61% of females were on the Standard IEP level whilst 56% of males had the same status. Males had a larger proportion of Enhanced level IEPs (39%) relative to females (35%), and males and females had similar proportions of prisoners on the Basic level (5% and 4% respectively). However, this may be a reflection of the tendency for female prisoners to have shorter custodial sentences rather than differences in prisoner behavior; they therefore may not spend enough time in custody to be eligible for an enhanced IEP.

Safety in prison custody¹⁷⁸

Assaults

There were 21,000 assault incidents in 2015, a 27% increase since the previous year and a 42% increase since 2005. In 2015, male establishments accounted for 96% of assault incidents, a higher proportion than males represent of the prison population and an increase of 4 percentage points since 2005. This is due to a reduction of female assault incidents by 30% and increase of male assault incidents of 48% over this period.

¹⁷⁵ Statistics on IEPs have been calculated from the proportions and prisoner population figures published in this bulletin: <https://www.gov.uk/government/statistics/noms-annual-offender-equalities-report-2014-to-2015>

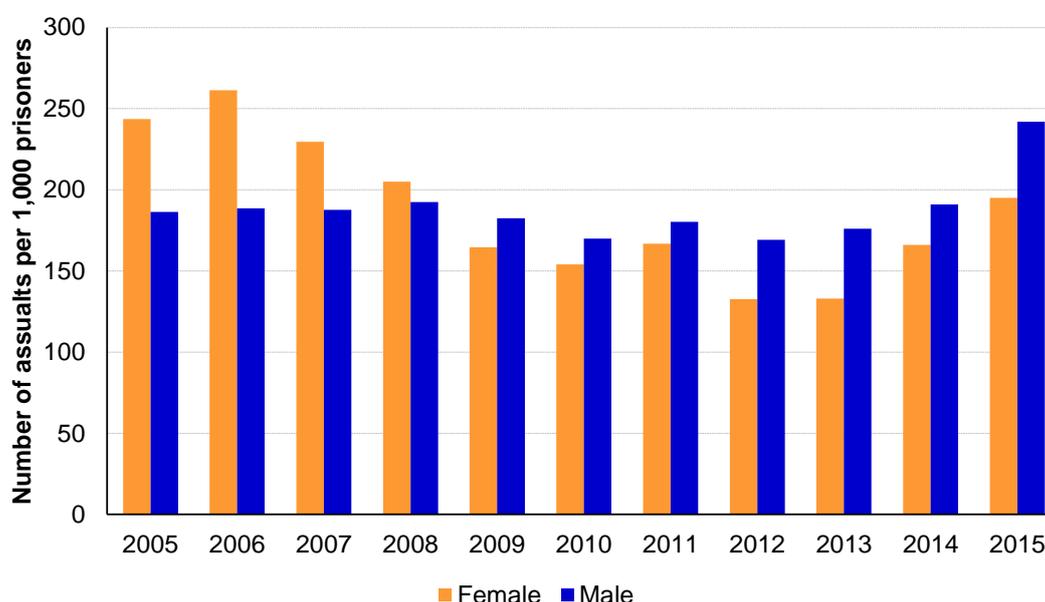
¹⁷⁶ on 31 March 2015, 14% of female prisoners and 8% of male prisoners were on Entry IEP

¹⁷⁷ A prisoner's IEP status is dynamic and therefore numbers seen here may not reflect their status over a year

¹⁷⁸ This section does not cover deaths in prison custody as the total number of deaths in female establishments are too low to provide any comparison between male and female cohorts (4 to 12 deaths each year in female establishments over the past 10 years). Data on deaths in prison custody can be found here: <https://www.gov.uk/government/statistics/safety-in-custody-quarterly-update-to-december-2015>

In the latest year, female establishments had a rate of 195 assault incidents per 1,000 prisoners. Male establishments had a higher rate of 242 assault incidents per 1,000 prisoners. The number of assaults in female establishments increased in the latest year by 17%, a trend that was mirrored by male establishments but at a higher rate (27%). Since 2009 the rate of assaults per 1,000 prisoners has been lower for female establishments compared with rates at male establishments, reversing the trend seen in earlier years (Figure 7.15). The rate of serious assaults per 1,000 prisoners¹⁷⁹ for female establishments has also been consistently lower over the past decade. In the latest year the rate of serious assaults per 1,000 prisoners was 34 for male and 14 for female establishments, with 98% of all serious assaults occurring in male establishments; a proportion that has increased by 3 percentage points since 2005.

Figure 7.15: Number of assaults per 1,000 prisoners, by sex of establishment, 2005 - 2015



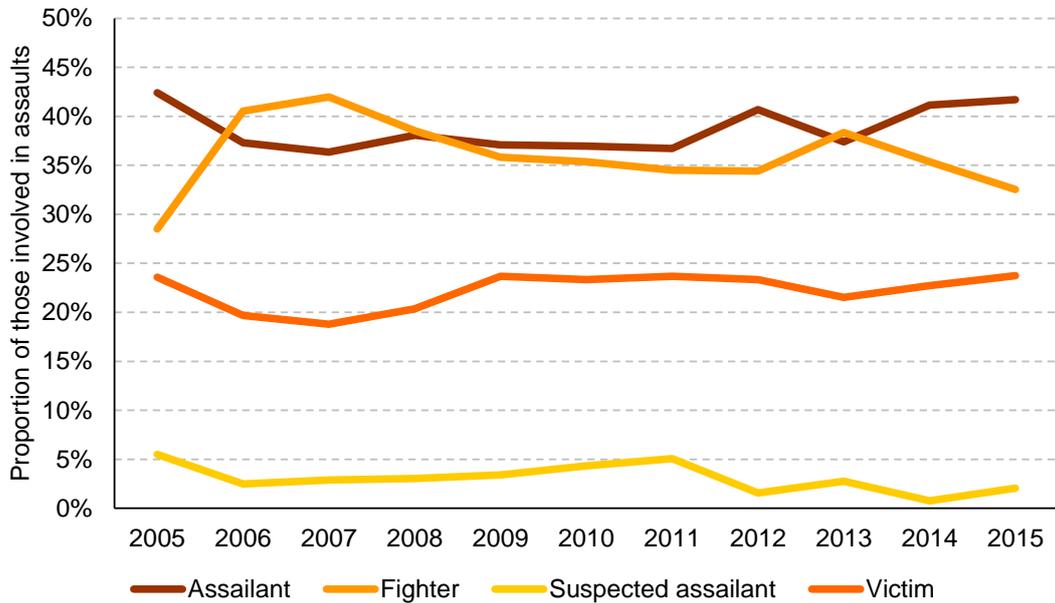
Those involved in assaults can be categorised as assailants, victims or fighters; the former types relate to an assault where there is a clear aggressor and victim, the latter to one where there is not¹⁸⁰. In the latest year, 42% of those involved in assaults were assailants in female establishments, compared with only 36% in male establishments. The proportion of assailants in female establishments has been consistently higher than male establishments over the past decade. Fighters accounted for 33% of females involved in assaults and 35% of males. The difference in the proportion of fighters between male and female establishments was larger in 2005 (15 percentage points) but has closed over the past decade. Victims also represented a slightly higher proportion of those involved in assaults in male institutions in the latest year, 26% compared with 24% for female establishments (Figure 7.16).

¹⁷⁹ This is calculated by multiplying the rate of assaults per 1,000 prisoner by proportion of assaults that were serious.

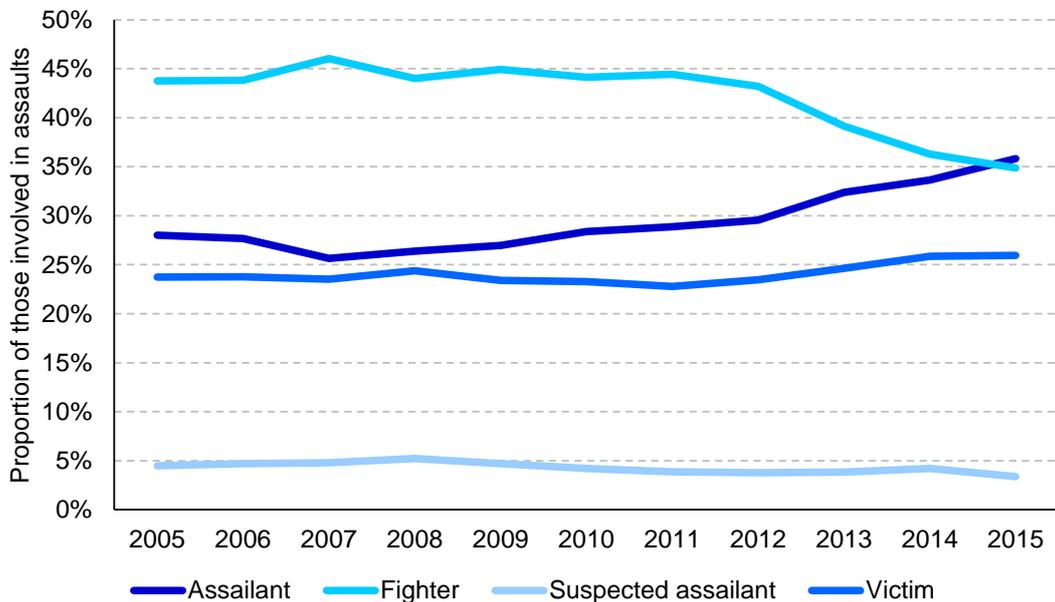
¹⁸⁰ Further categories include suspected assailant. The proportions of participants that are suspected assailants are low for both male and female institutions.

Figure 7.16: Proportion of those involved in assault incidents, by type of involvement and sex of establishment, 2005 – 2015

Female



Males



Female establishments account for a smaller proportion of assaults compared with 2005. Over the past decade both prisoner on prisoner and prisoner on officer assaults decreased for female establishments (by 21% and 42% respectively). The number of both prisoner on prisoner and prisoner on officer assaults in male establishments increased over the same period (by 46% and 56% respectively).

In the latest year there were 16,000 prisoner on prisoner assaults and 4,000 prisoner on officer assaults, with female establishments accounting for 3% (500) and 5% (200) of these respectively. A decade ago, the number of assaults on officers was 3,000, but female establishments accounted for 13% (400) of these assaults. In 2005 female establishments also accounted for 6% (600) of the total number of prisoner on prisoner assaults (11,000).

In 2015, prisoner on prisoner assaults accounted for 67% of all female assault incidents compared with 76% of male assault incidents. Prisoner on officer assault incidents accounted for 30% of female assault incidents and 21% of male assault incidents.¹⁸¹ In female establishments, the proportion of prisoner on officer assault incidents has reduced by 6 percentage points since 2005 whilst the proportion of prisoner on prisoner assault incidents increased by 8 percentage points over the same period. This is due to prisoner on officer assaults reducing to a greater extent than prisoner on prisoner assaults. The proportions of prisoner on officer and prisoner on prisoner assaults have remained unchanged for male establishments.

Self-harm

In 2015, there were 32,000 self-harm incidents, and just under a quarter of these occurred in female prisons – compared with the prison population, levels of self-harm were disproportionately high among female prisoners. Both male and female establishments have seen an increase in the number of self-harm incidents since the previous year (31% and 8% respectively). However, over the past decade the number of incidents in female establishments had decreased by 45% (from 13,000 to 7,000 incidents). Conversely, male establishments have seen an increase of self-harm incidents by 140% (from 10,000 to 25,000 incidents).

Female establishments have a much larger number of self-harming individuals per 1,000 prisoners relative to male establishments. In the latest year female establishments had 297 in 1,000 prisoners that self-harmed compared with 102 in male establishments. Female establishments also see a higher rate of self-harm incidents per individual. In 2015, there were 6.4 incidents per individual that self-harmed in female establishments and 3 incidents per individual in male establishments.

Whilst more female prisoners self-harm and self-harm more frequently than men, the data suggests that acts of self-harm incidents by male prisoners may be more serious. In 2015, the proportion of self-harm incidents that resulted in hospital attendance was 8.4% for male establishments and 2.2% for female self-harm incidents.

In 2015, the majority of self-harm incidents were due to cutting or scratching for both male (67%) and female (60%) establishments. Self-strangulation accounted for a much larger proportion of self-harm instances in female establishments (26%) compared with male establishments (6%). In male establishments the proportion of incidents related to hanging (8%) and overdose, self-poisoning or swallowing (9%) were higher than female establishments, which had proportions of 1% and 2% respectively.

¹⁸¹ The remaining proportions relate to prisoner on other or other type of assault incidents.

Probation¹⁸²

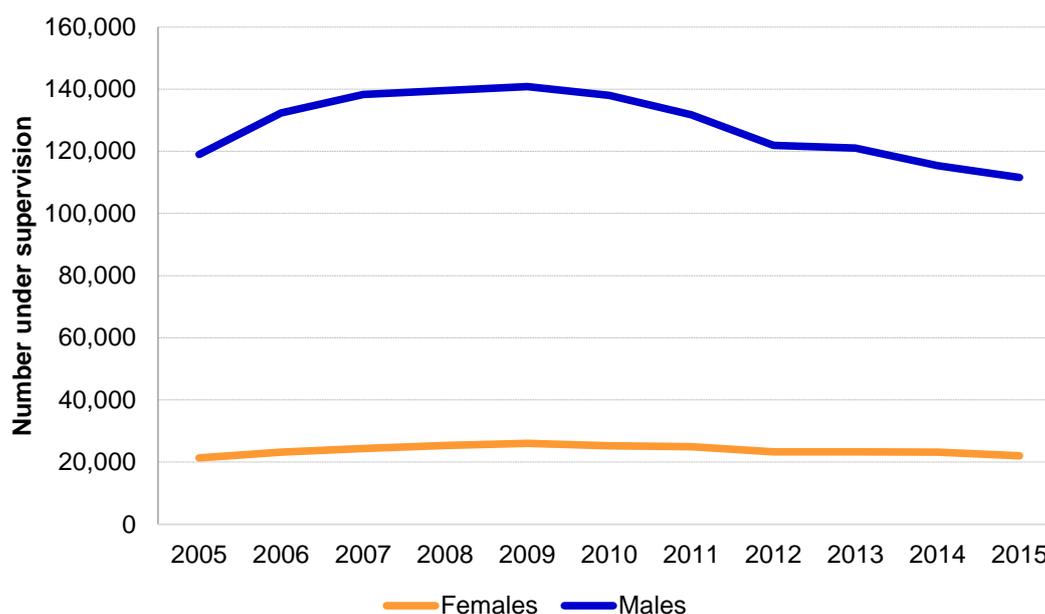
This section looks at offenders under supervision as a result of a court order. This includes those under supervision as a result of a community sentence or a suspended sentence order (SSO).

Probation caseload under supervision

In 2015, a total of 22,000 women (17%) and 112,000 men (83%) were under supervision as result of a court order. Although there has been a decline in volumes of 6% for males and 3% for females (Figure 7.17), these proportions have remained stable since 2005.

Between 2009 and 2015, the number of offenders under supervision as a result of a community order fell by 26%, reflecting observed sentencing trends. This decrease was greater for men (27%) than women (20%). The number under supervision for SSOs decreased overall by 1% over the decade, however there were differences in trends across sex, with a 1% decrease for males and a 3% increase for females across the period.

Figure 7.17: Number of offenders supervised by the Probation Service under court orders, by sex, at end of period 2005 to 2015



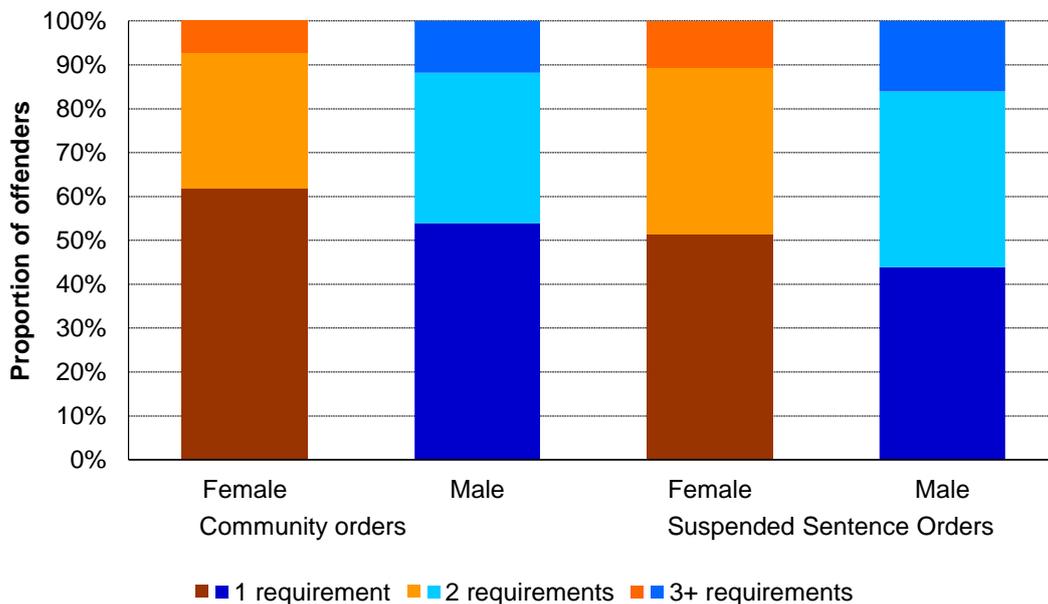
¹⁸² This section includes offences dealt with by the Probation Service, who generally deal with those aged 18 years and over. Those under 18 are mostly dealt with by Youth Offending Teams, answering the Youth Justice Board and are not included within these statistics. All offenders included in published probation statistics are of known sex.

The average length of a community order continued to be shorter for females in 2015 (12.4 months) than males (15.1 months). This was similar for SSOs, with an average length of 17.7 months for females and 18.5 months for males. For community orders in particular, this gap has widened since 2005 due to female average lengths continuing to decrease whilst those for males have been increasing.

Requirements

Women commencing supervision as a result of a community order or SSO generally had fewer requirements to comply with than men (Figure 7.18).

Figure 7.18: Proportion of offenders commencing supervision per number of requirements band, by type of order and sex, 2015



Unpaid work was the most common requirement applied to males for both community requirements (33%) and SSOs (29%), whereas it was the second most common requirement for females (23% and 22% respectively). Although unpaid work made up a greater proportion of requirements in males, females had a greater proportion of rehabilitation requirements in community orders (21% males; 25% females) and a greater proportion of supervision orders for SSOs (18% males; 23% females).

Timing

The number of male offenders under pre-release supervision has increased by 23% in the last decade, whereas for females it has decreased by 0.2%. However, between 2014 and 2015, there was a 25% rise from 3,000 to 4,000 women offenders under pre-release supervision.

For both sexes, post-release supervision has increased by 122% and 178% respectively, with a large proportion of this change occurring between 2014 and 2015. This rise is largely due to statutory supervision on release from prison for all offenders given custodial sentences: the Offender Rehabilitation Act (ORA) 2014 expanded licence supervision so that anyone sentenced to more than a day in prison will receive at least 12 months supervision on release.

In 2015, males were more likely to have their Community Order terminated early than women (51% versus 47%), but a slightly greater proportion of women had an order terminated early for good progress (20% versus 19%) rather than for other reasons such as conviction of an offence and failure to comply with requirements. This pattern was similar for terminations of SSOs, with male early terminations standing at 50% compared with 44% for females and a slightly larger percentage of women having early terminations for good progress than men (20% versus 19%).

Licence recalls

In 2015, there were 20,000 men and 1,000 women recalled from licence (95% and 5% of the total, respectively). In men, 51% of these recalls were through the National Probation Service (NPS) and 49% were through Community Rehabilitation Companies (CRCs). In women, only 36% of the total were through NPS, and 64% through CRCs. This is likely to reflect differences in the composition of the NPS and CRC caseloads.

Reasons for recall differed between males and females in 2015¹⁸³. For males, the most common recall reason was 'further charge' (43% of recalls for males; 29% for females), whereas for females 'failure to keep in touch' was the most common reason (32% of recalls for males; 46% for females). 'Non-compliance' was the second most common reason for both sexes (42% for males; 40% for females).

In 2015, recalled females were more likely to have multiple recalls (13%) than males (11%), following a sentence of less than 12 months. However, the equivalent group of recalled men were more likely to have received at least one standard recall at some point during the year (40% of recalled men; 26% of recalled women). It is believed that this indicates that recalled women each received more, but shorter recalls over the year while recalled men received fewer but longer recalls on average. This difference was only evident in those recalled by CRCs. Among offenders supervised by the NPS there was no difference between men and women in either the proportion with multiple recalls or the proportion with standard recalls. This is likely to be due to a broader mix of female offenders within CRCs, giving greater scope for the use of fixed-term recalls.

For recalls in 2015, 70% of men and 65% of women were returned to custody within their target time¹⁸⁴.

¹⁸³ More than one recall reason can be recorded against each recall.

¹⁸⁴ Offenders are returned in target time if the end-to-end process takes less than 74 hours for emergency process recalls and less than 144 hours (6 days) for standard process recalls.

Chapter 8: Offence Analysis

This section looks at individual offences that are of interest, in terms of the differences between females and males in the Criminal Justice System, and whether this picture has changed over time. It is based on published figures: statistics on out of court disposals and court prosecutions come from the Ministry of Justice publication *Criminal Justice System Quarterly: December 2015*. The statistics on timeliness represent further breakdowns of the Ministry of Justice publication *Criminal Court Statistics (quarterly): October to December 2015*. The offences included in this chapter are:

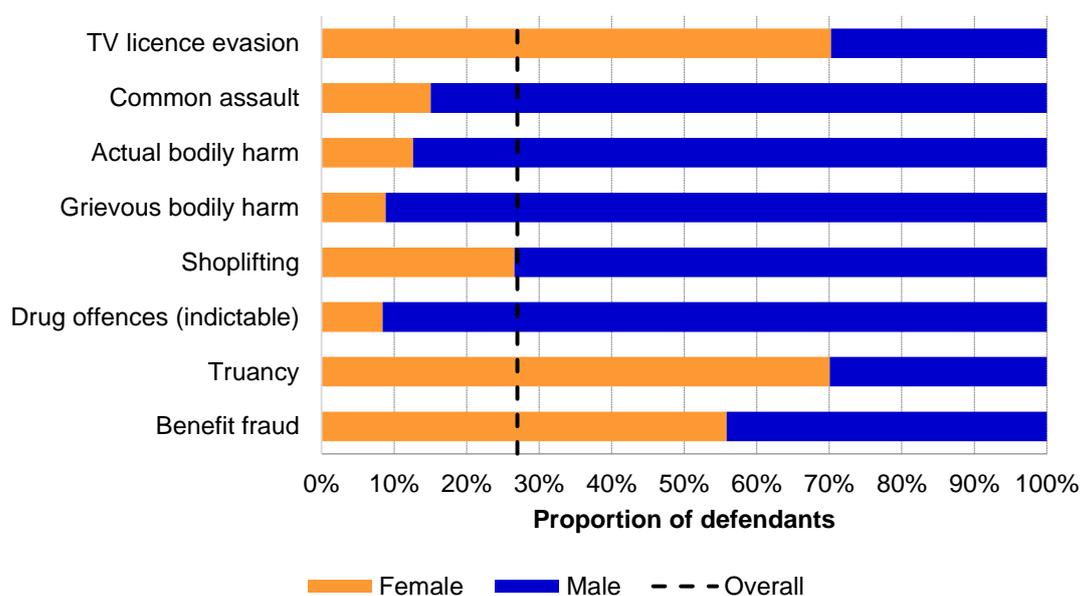
- **TV license evasion:** More females were convicted of this offence in 2015 than any other.
- **Common assault** (summary offence): A high number of both females and males were convicted for this offence in 2015.
- **Knife possession:** Women were less likely than men to be sentenced for this offence in 2015.
- **Actual Bodily Harm and Grievous Bodily Harm:** Women were less likely than men to be convicted for this offence in 2015.
- **Shoplifting:** Theft offences accounted for a high proportion of all convictions across both sexes, the majority of which were for shoplifting (80% of female theft convictions in 2015 were for shoplifting).
- **Drug offences** (indictable): The proportion of females sentenced to custody for these offences has been falling, while the proportion of males has remained stable.
- **Truancy (parent failing to secure attendance of child):** In 2015, this was one of the few offences for which more females were convicted than males.
- **Cruelty to or neglect of children:** In 2015, this was also one of the few offences for which more females were convicted than males.
- **Benefit fraud:** This is also one of the few offences for which more females were convicted in 2015 than males.
- **Offences with long custodial sentences:** The most common offence for which women received a long sentence was manslaughter, whereas for men it was rape of a female aged under 16.

Context : Overall, about a quarter of defendants prosecuted were female

As discussed in Chapter 5, in 2015, 27% of defendants¹⁸⁵ prosecuted in England and Wales were female¹⁸⁶.

This varies by offence (Figure 8.01); some offences for which females were disproportionately more likely to be prosecuted were: cruelty to or neglect of children, benefit fraud, TV licence evasion, and truancy (parent failing to secure attendance of a child).

Figure 8.01: Proportion of the defendants prosecuted for selected offences of each sex, by offence, 2015



There is also variation by offence in the outcomes, including by sex. Investigating these differences at offence level makes it possible to understand overall trends. For example, 36% of females prosecuted were prosecuted for TV licence evasion and almost all offenders receive a fine, which contributes to the overall fine prevalence for female offenders. This variation between the sexes at an offence level also means that differences for particular offence groups can result from differences in the specific offences underlying them.

¹⁸⁵ With known sex. Defendants with unknown or not stated sex accounted for 7% of all prosecutions in 2015.

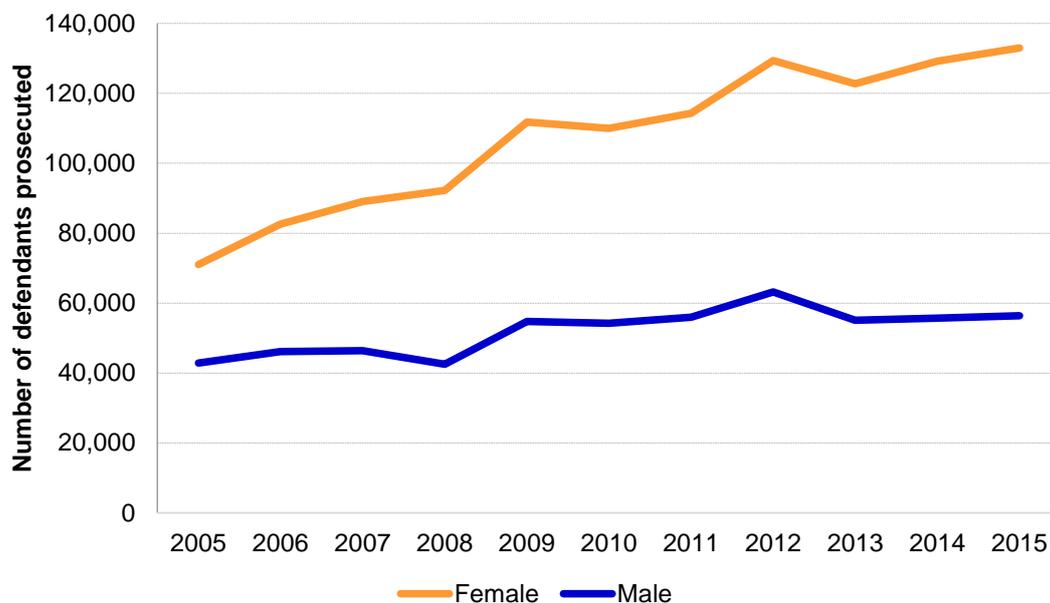
¹⁸⁶ See 'Criminal justice statistics outcomes by offence data tool' in Criminal Justice Statistics Quarterly: December 2015 to obtain all statistics on prosecutions, convictions and sentencing quoted in this chapter.

TV licence evasion : Females were disproportionately more likely to be prosecuted for TV license evasion than males, but sentencing behaviours were similar

The highest volume offence in 2015 was TV licence evasion, and 70% of the 189,349 defendants¹⁸⁷ prosecuted¹⁸⁸ for this offence were female. If enforcement officers suspect a household of watching or recording live TV without a valid licence and are not able to contact anyone at the property by letter or by telephone, they visit the household in person. The disproportionate likelihood of women being prosecuted for TV licence evasion may be because they are more likely to be at home, when enforcement officers call.

The overall number of defendants prosecuted for TV licence evasion has generally been increasing over the past ten years (Figure 8.02), and the proportion of defendants who are female has gradually increased from 62% to 70%.

Figure 8.02: Number of defendants prosecuted for TV licence evasion, by sex, 2005 to 2015



¹⁸⁷ Where sex was known. Defendants with unknown or not stated sex accounted for 1% of prosecutions for TV licence evasion in 2015.

¹⁸⁸ TV licence evasion is not dealt with by the police, meaning out of court disposals are not available and each individual will be proceeded against at the magistrates' court.

The conviction ratio in 2015 was 88% for females, and 86% for males. This has been fairly stable for both sexes, over the decade.

For both sexes the average number of days from offence to completion for TV licence evasion has remained fairly stable since 2011, and the median was 144 days for women and 155 days for men in 2015¹⁸⁹. The longest portion of this was the time from offence to charge, with a median of 106 days for women and 114 for men in 2015. The charge to listing time has been decreasing, from 49 days for both sexes in 2011 to 39 in 2015. For both sexes, the median number of days from first listing to completion was 0 in 2015, indicating that the case had a first listing and was completed on the same day.

Almost all female and male offenders received a fine for TV licence evasion. The average fine for TV licence evasion saw a sharp increase between 2005 and 2009 for both sexes. Since then, it has decreased in real terms¹⁹⁰. The average fine for both females and males was about £170 in 2015. No females or males were sentenced to immediate custody, a suspended sentence or community sentence for TV licence evasion in 2015.

¹⁸⁹ The means were similar: 139 for women and 154 for men. The similarity of the mean and median indicates there are not many extremely long cases for TV licence evasion.

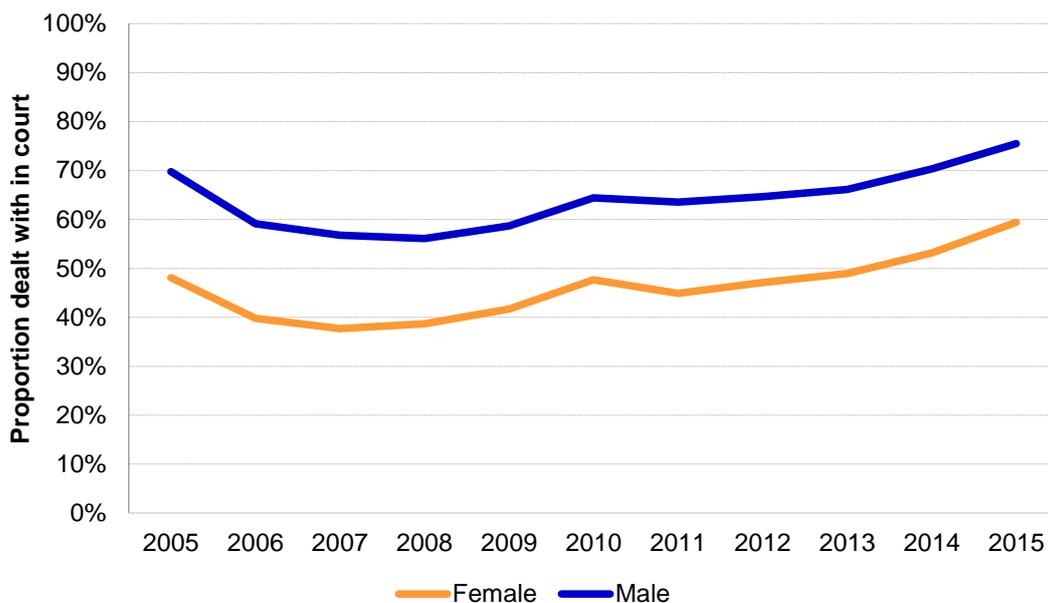
¹⁹⁰ Calculated using the Bank of England inflation calculator.

Common assault : One of the most common non-motoring offences for which males and females are dealt with, but males were more likely to be prosecuted and to get a custodial sentence

In 2015, common assault was the second most common non-motoring offence that defendants were prosecuted for, overall, and the most common non-motoring offence for males. It was the third most common for females. 15% of defendants¹⁹¹ prosecuted for this offence were female. The overall number of offenders prosecuted has increased by 14% over the decade, but the proportion who were female has been consistent.

The overall number of cautions¹⁹² and prosecutions for common assault has remained fairly stable over the decade, because the fall in cautions has offset the increase in prosecutions. Just over half of females charged with common assault were prosecuted in 2015 (the rest received cautions), while three quarters of males were prosecuted. Both of these proportions have fluctuated over the decade (Figure 8.03), but the gap between women and men remains consistent.

Figure 8.03: Proportion of defendants who were prosecuted (rather than cautioned) for common assault, by sex, 2005 to 2015



¹⁹¹ With known sex. Defendants with unknown or not stated sex accounted for 1% of offenders prosecuted for common assault in 2015.

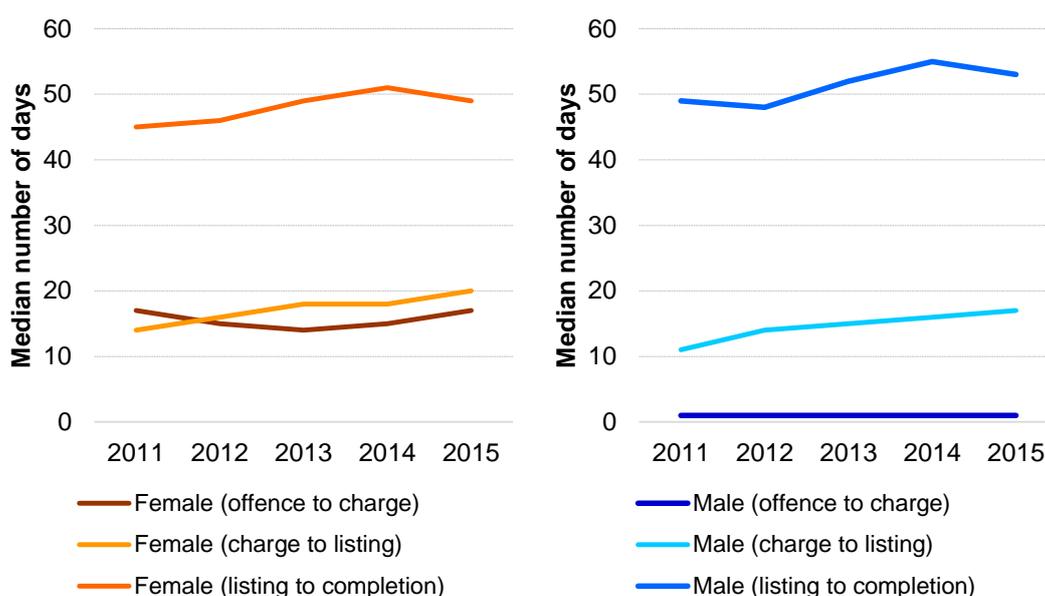
¹⁹² See 'Out of court disposals data tool' in Criminal Justice Statistics Quarterly: December 2015 to obtain all statistics on cautions and Penalty Notices for Disorder quoted in this chapter.

Females were less likely to be remanded in custody (3%) than males (9%) at the magistrates' court for common assault in 2015¹⁹³. The same is true for those dealt with for common assault at the Crown Court: 15% of females and 34% of males were remanded in custody. At the Crown Court, females were more likely to be remanded on bail (67%) than males (40%).

The conviction ratio for both females and males for common assault in 2015 was 67%. This peaked in 2008 (74% for women and 72% for men), and has declined since then.

Common assault cases with female defendants took longer on average than those with male defendants, with medians of 114 and 95 days respectively in 2015¹⁹⁴. This has been increasing since 2012, when the medians were 97 and 79 days respectively. For males this increase has come from the time taken from charge to listing and listing to completion; the median number of days taken from offence to charge has remained relatively low at 1 day. For female defendants, similar increases were seen in time taken from charge to listing and listing to completion. However, the median number of days taken from offence to charge fell until 2013 and then rose, to a median of 17 days in 2015, which is considerably longer than for men (Figure 8.04).

Figure 8.04: Median number of days taken from offence to completion for common assault cases, including cases over ten years, by sex, 2011 to 2015



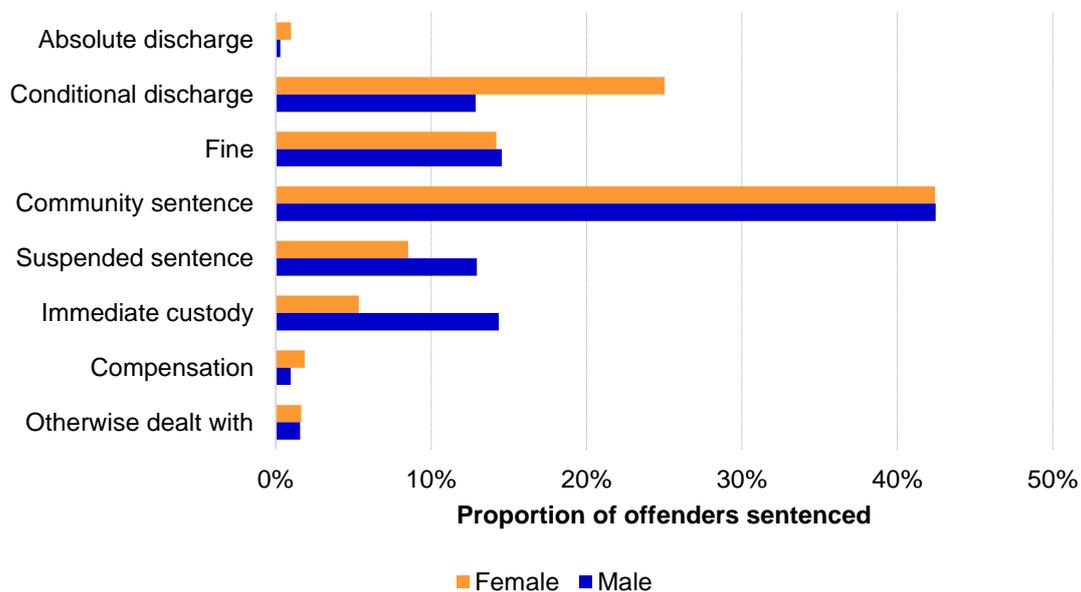
¹⁹³ See 'Prosecutions, convictions and remands data tool' in Criminal Justice Statistics Quarterly: December 2015 to obtain all statistics on remands quoted in this chapter.

¹⁹⁴ The mean was also higher for women: 139 compared with 121 days for men. The mean is higher than median, as it is more susceptible to extreme outliers.

About half of offenders sentenced of both sexes had a previous caution or conviction for common assault (47% of females and 49% of males)¹⁹⁵.

A community sentence was the most common sentence for common assault overall (42%), and conditional discharge, fine, immediate custody or a suspended sentence were also fairly common (12-15%). The sentences which males received were of a similar distribution to the overall, which is to be expected as they account for most offenders (Figure 8.05). For females, the proportion who received a community sentence was similar to males (42% for both). Females were more likely to receive a conditional discharge (25%) than males (13%), and less likely to receive a suspended sentence (9% compared with 13%) or immediate custody (5% compared with 14%). This mirrors overall sentencing differences.

Figure 8.05: Proportion of offenders sentenced for common assault, by sentencing outcome and sex, 2015



¹⁹⁵ See Table 8.02 for all statistics on previous cautions and convictions stated in this chapter.

Knife possession: an atypical crime for women¹⁹⁶

Data on cautions and sentencing for knife possession was taken from the Police National Computer (PNC). There are three types of knife and offensive weapon possession offences¹⁹⁷:

- Possession offences of having an article with a blade or point in a public place or on school premises¹⁹⁸,
- Possession of offensive weapon without lawful authority or reasonable excuse in a public place or on school premises¹⁹⁹,
- Offences involving threatening with a knife or offensive weapon in a public place or on school premises²⁰⁰

For the purpose of this analysis, all three offences are included. In 2015 there were around 17,000²⁰¹ knife possession offences which resulted in a caution or a court sentence, of which 8% were committed by women. Knife possession offences were atypical offences for women: in 2015 the proportion of females among those sentenced for indictable offences was 15% but the proportion of females among those sentenced for a knife possession offence was only 7%²⁰².

Over the last four years women were most likely to receive a community sentence for a knife possession offence (28% of those sentenced or cautioned in 2015) while men were most likely to receive immediate custody (29% in 2015) (Figure 8.06). The custody rate for knife possession offences is higher than for all indictable offences (for females, 21% compared with 15%; for males, 34% compared with 28% in 2015). It is also lower for females than for males. Relatively more women than men received a caution (18% and 13% in 2015 respectively): females were more likely to be dealt with out of court for knife possession offences, similarly to indictable offences in general, as discussed in Chapter 5: Defendants. (PNDs cannot be given for knife possession offences.)

¹⁹⁶ This section draws data from the following publication:

<https://www.gov.uk/government/collections/knife-possession-sentencing-quarterly> . The data presented here is not published elsewhere. Data on knife possession is included in Criminal Justice Statistics Quarterly: December 2015, but is not directly comparable to that in the above publication, which reports on an all offence basis and is how the MoJ reports on knife possession offences.

¹⁹⁷ Section 139A of the *Criminal Justice Act 1988*, which was inserted by the *Offensive Weapons Act 1996*, created two new offences which may be committed by any person who has with him on school premises: The offence of being in possession, on school premises, of a bladed or pointed article is punishable by up to two years' imprisonment and a fine. Possession of an offensive weapon on school premises is punishable by up to four years' imprisonment and a fine.

¹⁹⁸ Under section 139 of the *Criminal Justice Act 1988* it is an offence, for a person to have with him in a public place any article which has a blade or is sharply pointed, except a folding pocket knife with a cutting edge of three inches or less. The offence is punishable by up to six months' imprisonment and/or a fine following summary conviction, or up to four years' imprisonment and/or a fine following conviction on indictment (i.e. in the Crown Court).

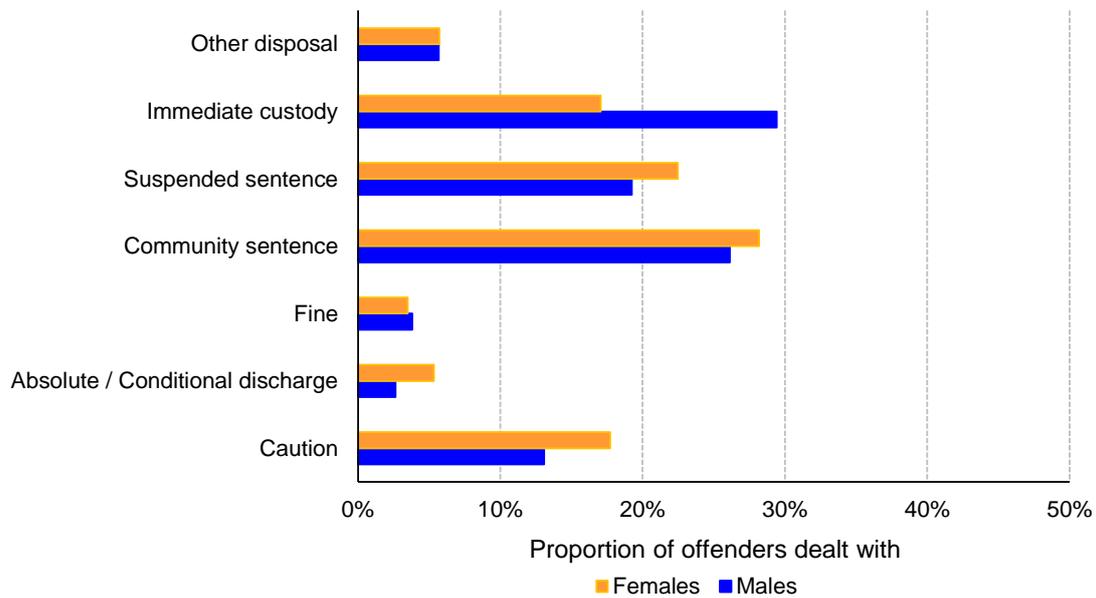
¹⁹⁹ This offence is punishable by up to six months' imprisonment and a £5,000 fine following conviction in the magistrates' court, or up to four years' imprisonment and an unlimited fine following conviction in the Crown Court. (section 1 of the *Prevention of Crime Act 1953*)

²⁰⁰ Low numbers of female offenders prevent meaningful analysis of this offence.

²⁰¹ Where sex is known. In 2015 0.3% of offenders had an unstated sex.

²⁰² Note that knife possession offence figures from the Police National Computer are on an all offence basis while figures from the MoJ Court Outcomes Database are on a principal offence basis – this comparison is not exact. Please refer to the technical guide for more information.

Figure 8.06: Proportion of offenders dealt with for knife possession, by sentencing or cautioning outcome and sex, 2015



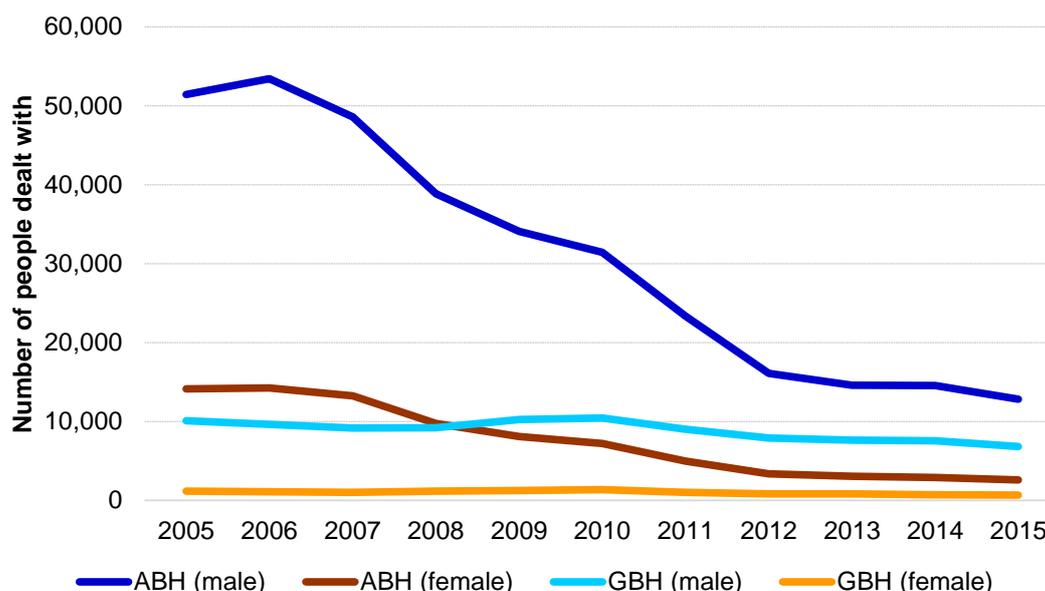
Women were more likely to be cautioned or sentenced for possession of an article with a blade or point (9% of all offenders were female in 2015) than for possession of an offensive weapon (6% of all offenders were female).

In 2015 females received an ACSL of 5.6 months for possession of an article with a blade or point and an ACSL of 7.1 months for possession of an offensive weapon. The ACSL was consistently 1-2 months shorter for females than males for both offences. In the latest year both females and males were most likely to receive a sentence up to and including 3 months for possession of an article with a blade or point, and most likely to receive a sentence over 6 months for possession of an offensive weapon.

Actual Bodily Harm and Grievous Bodily Harm²⁰³ : Fewer people were dealt with for these offences than in 2005, and women were less likely to be dealt with in court

The total number of people dealt with for Actual Bodily Harm (ABH) has fallen over the decade by 82% for women and 75% for men, to 2,600 and 12,800 respectively in the latest year. The number of women and men dealt with for Grievous Bodily Harm (GBH) has also fallen, by 42% and 33% respectively, to 670 and 6,800 in the latest year (Figure 8.07).

Figure 8.07: Number of people dealt with for ABH and GBH, by sex, 2005 to 2015



The proportion of defendants who were dealt with in court for ABH increased for both women and men over the decade, from 24% to 54% for women and 47% to 76% for men. The same was true for women dealt with for GBH: 86% were dealt with in court in 2005 compared with 96% in 2015. The proportion of men dealt with in court for GBH increased from 95% in 2005 to 98% in 2015.

Of those prosecuted, the conviction ratio for ABH has varied but risen overall for both women and men, and was 66% and 80% respectively in the latest year. The same was true for GBH, with a conviction ratio of 65% for women in the latest year, and 72% for men²⁰⁴. Over the decade, men have usually had a higher conviction ratio for each offence.

²⁰³ Includes GBH with intent, and GBH without intent.

²⁰⁴ GBH without intent is unusual in that there are more convictions than prosecutions (giving an apparent conviction ratio greater than 100%). A partial explanation for this may be that some offenders are originally prosecuted for GBH with intent, but this offence is downgraded to a GBH without intent, for example because of the difficulty of providing sufficient evidence to demonstrate a defendant's intent. In this report, the offences have been grouped together to give an overall conviction ratio.

The proportion of defendants who were remanded at the magistrates' court for ABH increased between 2011 and 2013, and has remained stable since then for both sexes, with women being less likely to be remanded in custody and more likely to be remanded on bail compared with men. In 2015, 81% of females were remanded on bail and 6% in custody, compared with 71% of males remanded on bail and 20% in custody. The rest were not remanded.

Similarly, the proportion of defendants who were remanded at the magistrates' court for GBH increased for both sexes between 2011 and 2013, and has remained fairly stable since then. In 2015, 74% of female defendants were remanded on bail and 23% in custody, compared with 36% on bail and 60% in custody for men; as with ABH, women were more likely than men to be remanded in bail and less likely to be remanded in custody. (The higher levels of custodial remand for GBH reflect the greater seriousness of the offence.)

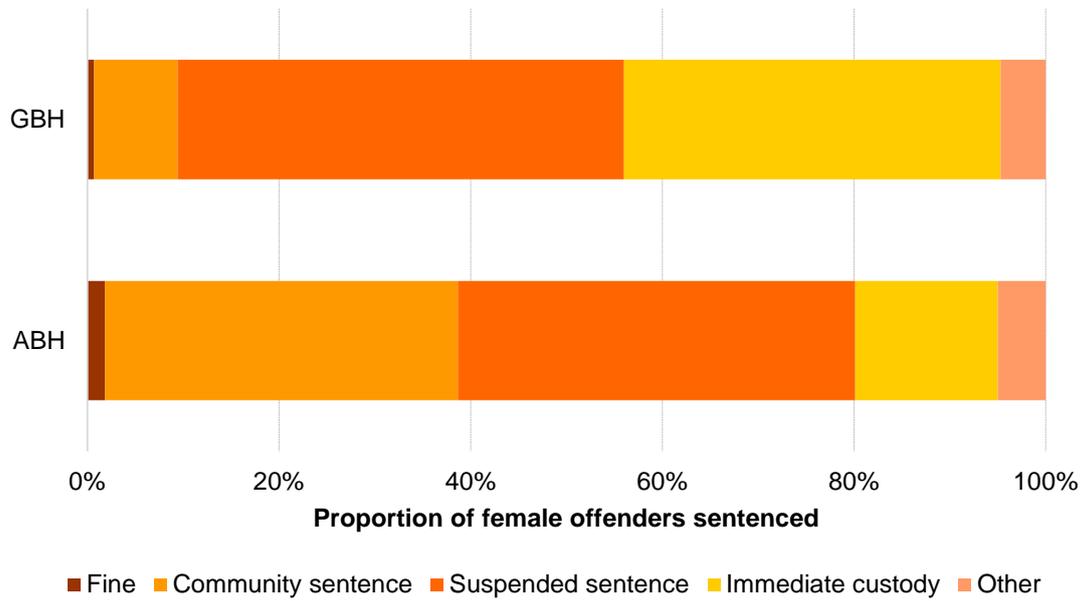
The proportion of defendants who were remanded at the Crown Court for ABH has remained fairly stable since 2011 for both sexes. Within this, the proportion who were remanded on bail (73% of women and 55% of men in 2015) has decreased and the proportion who were remanded in custody (17% of women and 35% of men in 2015) has increased. Similarly, the proportion of defendants who were remanded at the Crown Court for GBH has remained fairly stable since 2011 for both sexes. This is also true for the subgroups of those remanded on bail or in custody. In 2015, 66% of women were remanded on bail and 31% in custody, compared with 51% of men on bail and 45% in custody. The same differences between the sexes in patterns of remand for these offences, i.e. that male defendants were more likely to be remanded in custody than females, can be seen at the Crown Court as at magistrates' courts. This aligns with the overall patterns of remand by sex, as discussed in Chapter 5: Defendants.

Both female and male offenders were more likely to receive a community sentence or suspended sentence for ABH than GBH, for which immediate custody was more likely. Female offenders were more likely to receive a community sentence for ABH than males (37% compared with 21%). The proportion who received a suspended sentence was similar, at 41% of females and 37% of males. Similar proportions of females and males received a community sentence for GBH (9% and 7% respectively), but women were more likely to receive a suspended sentence (47%) than men (26%) (Figure 8.08). There has been an increase in the use of suspended sentences over the decade for both ABH and GBH, for both sexes, which mirrors overall trends. Similarly, the use of community sentences has decreased for both offences and sexes.

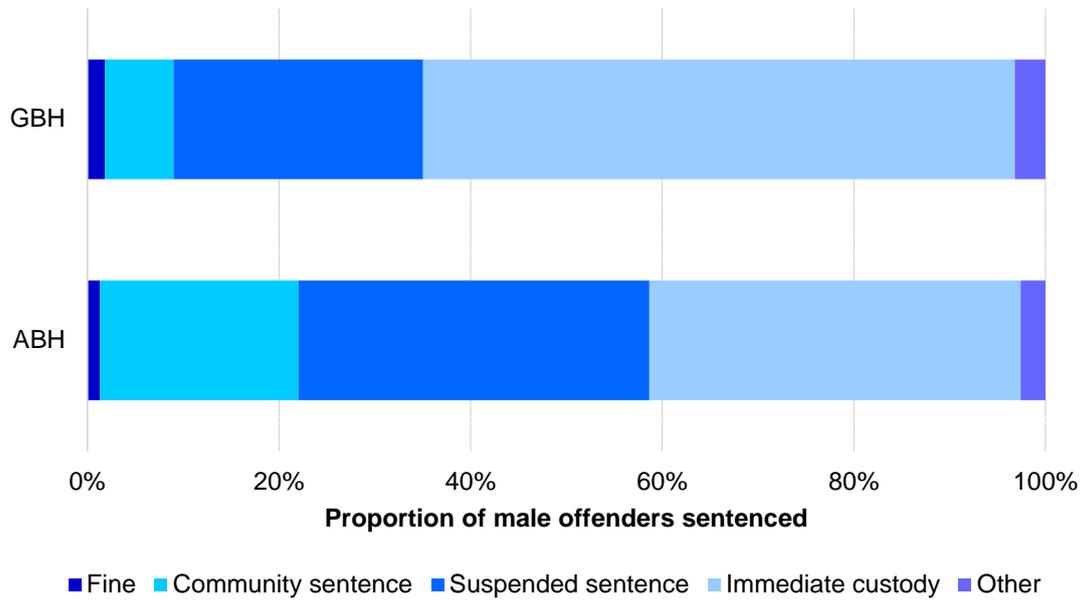
The immediate custody rate for ABH was fairly stable from 2005 to 2010 for females and males, then increased to 17% and 40% in 2014 respectively. It then slightly fell to 15% for females and 39% for males in 2015. For GBH, the rate has remained similar since 2005, and was 39% for women in 2015 and 63% for men. For both offences, men have consistently had a higher immediate custody rate.

Figure 8.08: Proportion of offenders sentenced for ABH and GBH, by sentencing outcome, offence and sex, 2015

Females



Males

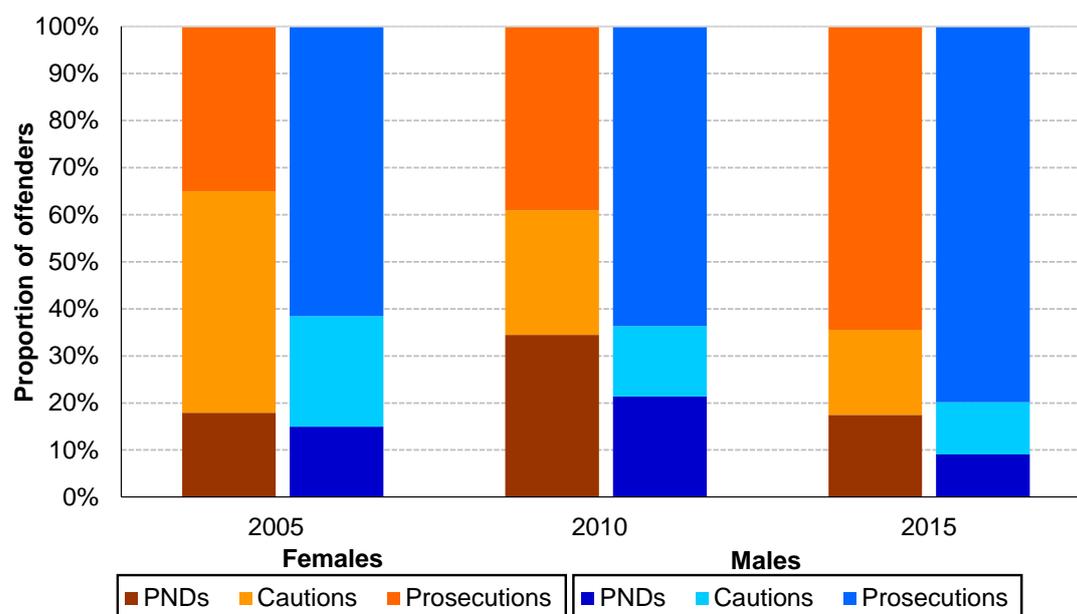


Shoplifting : Although women were less likely to be dealt with in court than men for this offence, three quarters of female theft prosecutions were for shoplifting in 2015

Shoplifting is another common offence, particularly so for females. In 2015, it accounted for about three quarters of females prosecuted for theft offences (77%), and about half (54%) against males. The total number of people dealt with for shoplifting has fallen by 43% over the decade for females, and by 25% for males. For both sexes, this fall has come almost entirely from the number given out of court disposals, which mirrors overall trends.

In 2015, shoplifting was most commonly dealt with in court (as opposed to with an out of court disposal), especially for male offenders (Figure 8.09). The difference between sexes may be because females and males commit different types of shoplifting offences; for example, a higher proportion of females receive a Penalty Notice for Disorder (PND) for the less serious offence of retail theft (under £100), than males.

Figure 8.09: Proportion of offenders given a PND, caution or conviction for shoplifting offences, by sex, 2005 to 2015



However, the use of out of court disposals for shoplifting has been falling since 2007 for cautions and 2009 for PNDs, for both sexes. This may be due to a combination of many factors, as described in Chapter 4. This fall has had a greater impact on females than males, because historically they were more likely to be dealt with out of court.

4% of females were remanded in custody at the magistrates' court for shoplifting in 2015, compared with 6% of males. 51% of those females who were remanded in custody and sentenced at the magistrates' court received immediate custody, compared with 56% of males. At the Crown Court, again a lower proportion of females were remanded in custody (18%) than males (26%).

A similar proportion of women and men were sent for trial at the Crown Court for shoplifting in 2015 (1%) and this has been consistent over the decade. Due to the high proportion of shoplifting offences within the indictable theft offence group for females, the committal rate for this offence group is lower for females (5%) than males (13%). This in turn is a driver of the overall committal rate for females being lower, as discussed in Chapter 5: Defendants.

The conviction ratio for shoplifting in 2015 for females was 92%, and similarly for males it was 93%. This has been fairly constant over the decade.

For both sexes, 89% of offenders sentenced had a previous caution or conviction for shoplifting, with other common previous offences being indictable drug offences and common assault.

In 2015, the average time from offence to completion was slightly higher for women (median of 42 days) than men (35 days)²⁰⁵. These times have both been increasing over the past five years. The increase is due to the average time from charge to listing increasing, for both sexes. The median time from offence to charge has remained very low for both sexes (1 day), as has the average time from first listing to completion (median of 1 day for women and 0 days²⁰⁶ for men in 2015).

The custody rate in 2015 for females sentenced for shoplifting was 15%, and for males was 22%. The overall custody rate for females, for indictable offences, was also 15%. This is to be expected, as shoplifting was by far the most prevalent indictable offence for females. The shoplifting custody rate for both women and men has been increasing since 2009.

The ACSL for shoplifting has decreased overall since 2005, for both sexes. In 2015, the ACSL for both sexes was 1.7 months. The average fine has fluctuated for both sexes. In 2015 it was £86 for women and £91 for men.

²⁰⁵ The mean was also higher for women: 77 compared with 70 days for men. The mean is higher than median, as it is more susceptible to extreme outliers.

²⁰⁶ A median value of 0 indicates that the case had a first listing and completed on the same day.

Drug offences : Women have become less likely to be sentenced to immediate custody for indictable drug offences

In 2015, females accounted for 8% of defendants²⁰⁷ prosecuted for indictable drug offences. The conviction ratio for females was 87%, and for males was 93%. These figures are similar to those a decade ago.

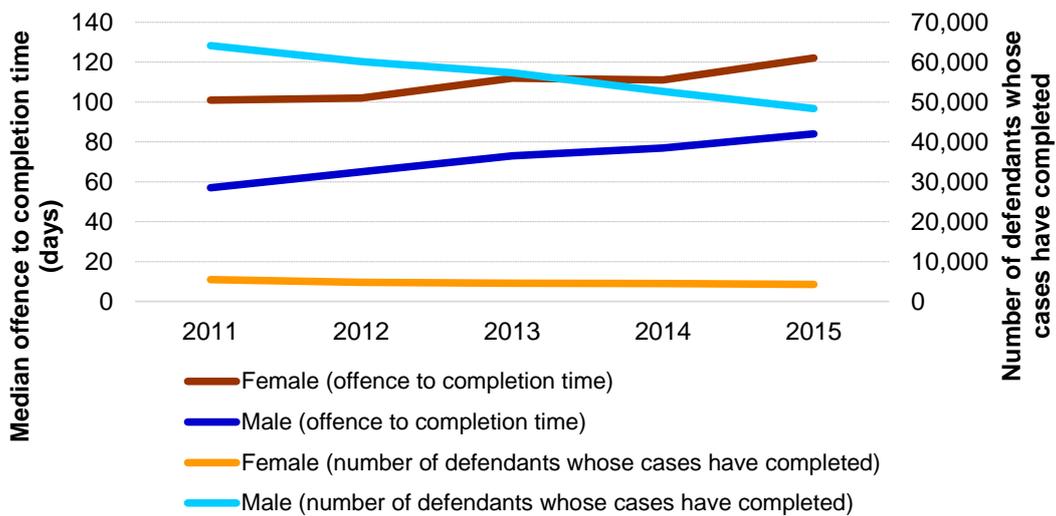
20% of females sentenced for indictable drug offences in 2015 were first time offenders, compared with 11% of males. 52% of females sentenced had a previous conviction or caution for an indictable drug offence, compared with 71% of males. However, females were more likely to have a previous caution or conviction for shoplifting (47%) than males (32%).

6% of females were remanded in custody at the magistrates' court for indictable drug offences, compared with 11% of males. Most defendants of both sexes who were remanded on bail or in custody were committed for trial at the Crown Court. At the Crown Court, about three quarters of females were granted bail, compared with half of males. Of those who were remanded in custody, 60% of females were sentenced to immediate custody, compared with 82% of males. The remainder of these females were mostly either acquitted (14% of those remanded in custody) or given a suspended sentence (13% of those remanded in custody). The proportion remanded in custody at the Crown Court for indictable drug offences has fluctuated but fallen overall from 21% in 2011 to 17% in 2015.

²⁰⁷ With known sex. Defendants with unknown or not stated sex accounted for 1% of defendants prosecuted for indictable drug offences.

Indictable drug offence cases with female defendants took longer than those with males, on average, in 2015, with a median of 122 and 84 days respectively from offence to completion²⁰⁸. This has been increasing since 2011, despite the number of defendants with completed cases falling (especially for males) (Figure 8.10).

Figure 8.10: Average number of days taken from offence to completion and number of defendants whose cases have completed, for indictable drug offences, 2011 to 2015

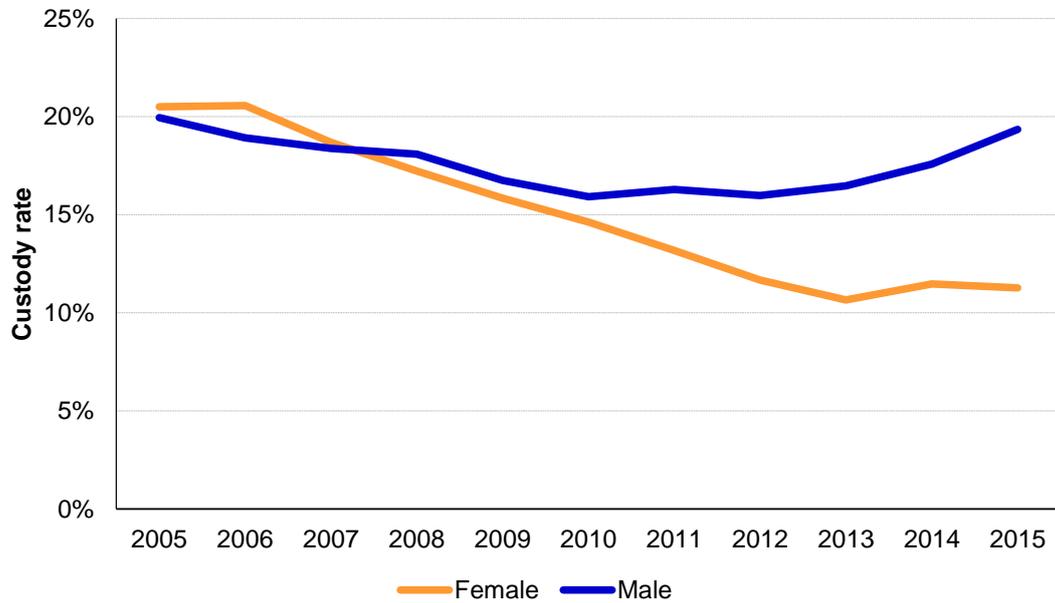


The increase for both females and males in time taken is due to the average number of days from offence to charge increasing, from 41 days in 2011 to 48 days in 2015 for women, and from 1 day in 2011 to 15 days in 2015 for men.

²⁰⁸ The mean was also higher for women: 183 compared with 145 days for men. The mean is higher than median, as it is more susceptible to extreme outliers.

The custody rate for women, for indictable drug offences, has fallen by 9 percentage points over the past decade (Figure 8.11). This does not mirror overall trends: the custody rate for women, for all indictable offences, has remained stable.

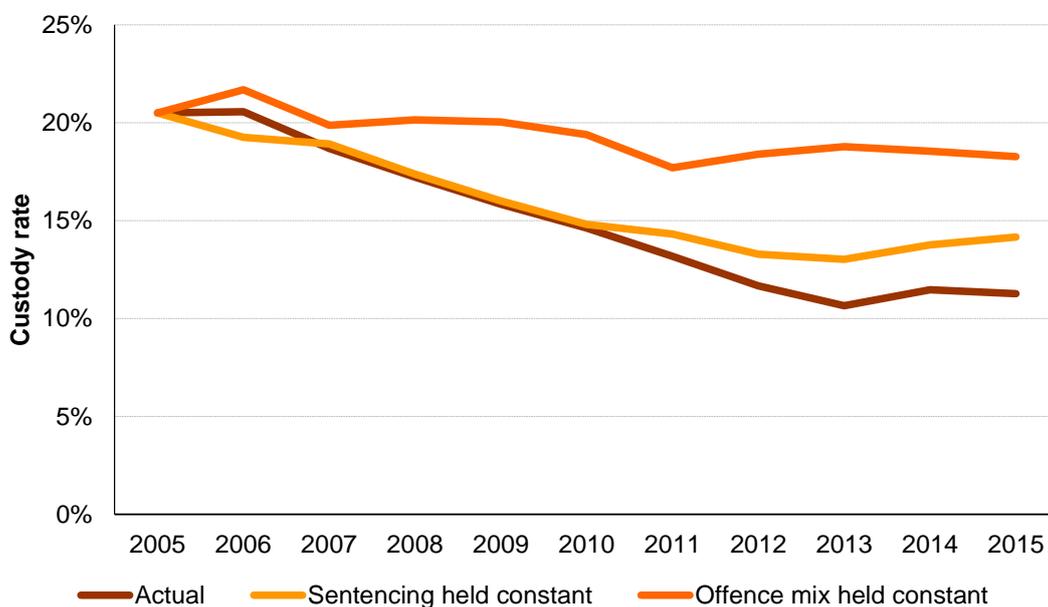
Figure 8.11: Custody rate for indictable drug offences, by sex, 2005 to 2015



The ACSL for indictable drug offences was generally falling for both sexes until 2012, and has increased since then. In 2015, it was 29 months for women and 34 months for men.

The change in sentencing outcomes may be due to a focus on diverting female offenders from custody²⁰⁹ or another change in sentencing behaviours, or it could be due to a change in the case mix (or a combination of factors). Figure 8.12 shows that if sentencing behaviour had not changed, more female offenders would have been sentenced to immediate custody in recent years. However, this difference is only small and later in the decade. A larger effect seems to come from the offence mix; if the offence mix had not changed, the custody rate would have remained relatively high. Therefore the fall in custody rate seems to be mostly due to changes in the types of indictable drug offences women have been sentenced for.

Figure 8.12: Custody rate for female sentenced for indictable drug offences, the custody rate if sentencing patterns did not change, and the rate if the offence mix did not change, 2005 to 2015²¹⁰

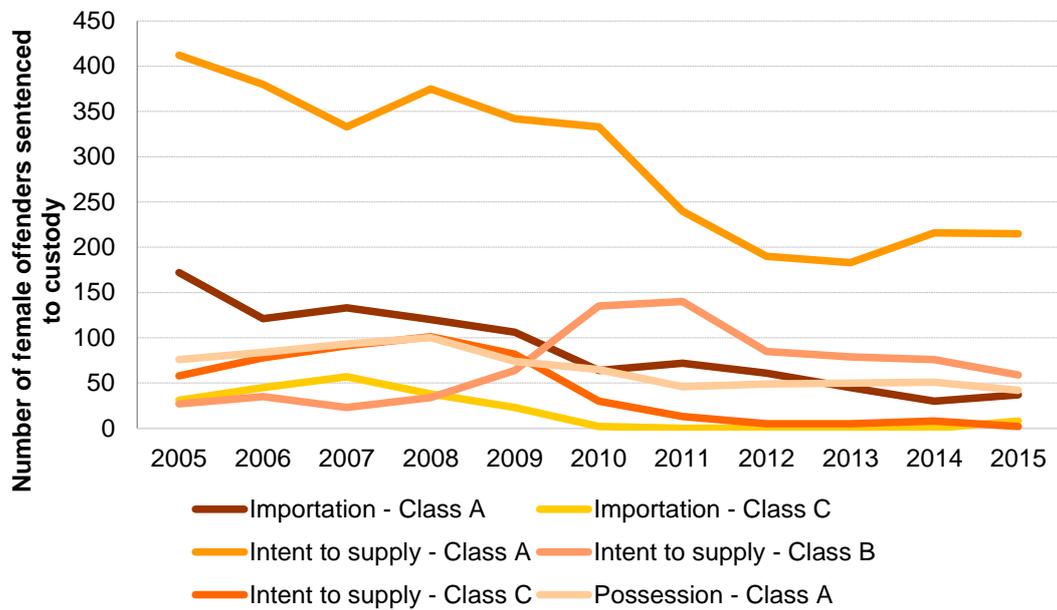


²⁰⁹ For example, see page 9 of <http://www.justice.gov.uk/publications/docs/corston-report-march-2007.pdf>

²¹⁰ Projected by first holding constant (for each offence) the proportion of offenders receiving each disposal, but allowing the volumes of each offence to vary as they did. Secondly, then holding constant (for each sentencing disposal) the offence mix, and allowing volumes of each sentencing disposal to vary as they did. These were both aggregated for each year to obtain the projections.

Figure 8.13 shows the offences for which the number of women sentenced to immediate custody has fallen. Most noticeably, fewer women have been sentenced to immediate custody for intent to supply a class A drug.

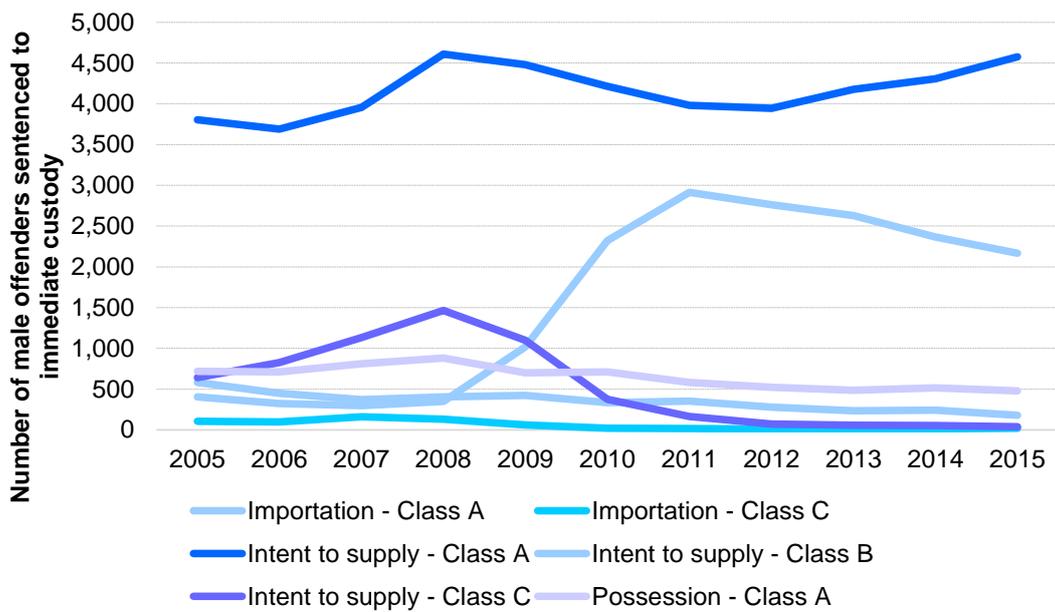
Figure 8.13: Number of female offenders sentenced to immediate custody for selected indictable drug offences²¹¹, by offence, 2005 to 2015



²¹¹ Only high volume offences are shown.

Figure 8.14 shows that the same offences did not necessarily follow the same trend for male offenders, except for intent to supply (class C). While the number sentenced to immediate custody for intent to supply (class A) declined for women, it has remained high for men. These differences in offence mix may help to explain the differences in outcomes discussed above.

Figure 8.14: Number of male offenders sentenced to immediate custody for selected indictable drug offences, by offence, 2005 to 2015

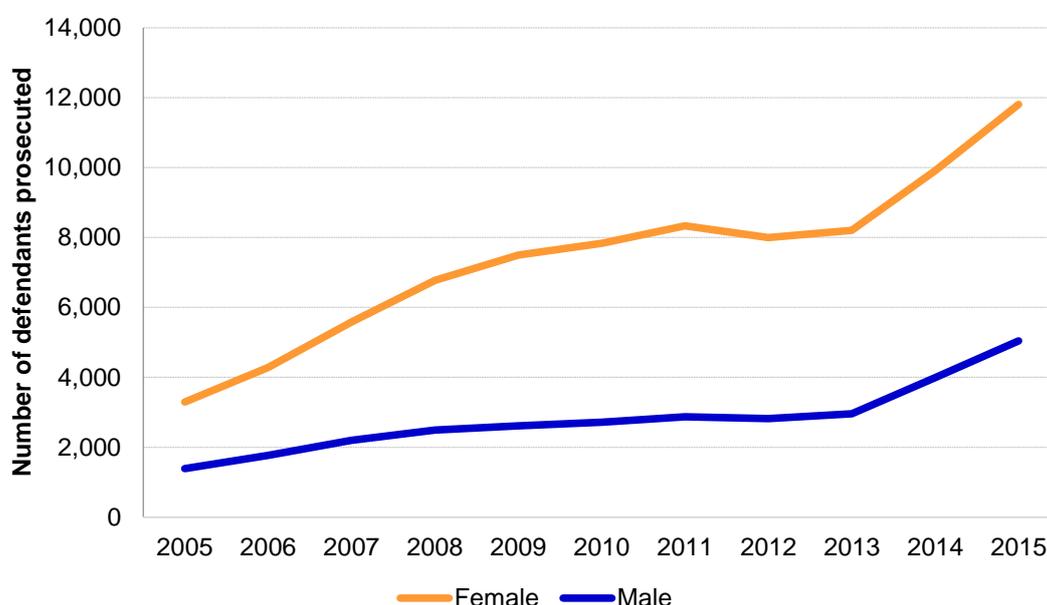


Truancy (parent failing to secure attendance of child): females were disproportionately likely to be prosecuted for this offence, but they have similar outcomes to males and were less likely to have a previous caution or conviction

In 2015, 16,850 defendants²¹² were prosecuted for truancy. Of these, 70% were female. This may be partly because lone parents with dependent children represented 25% of all families with dependent children in 2015, and females accounted for 90% of these lone parents²¹³. Assuming the number of families with two female parents is about the same as the number with two male parents, this means females were more likely than males to be responsible for a child.

The total number of defendants prosecuted for truancy has been rising (Figure 8.15), particularly since 2013. This follows an increased focus on truancy, including new rules on term-time holidays.

Figure 8.15: Number of defendants prosecuted for truancy, by sex, 2005 to 2015



No females were remanded in custody at the magistrates' court for truancy in 2015; 95% were not remanded. The custodial remand rate was similar for males. However, the conviction ratio was higher for women (79%) than men (70%).

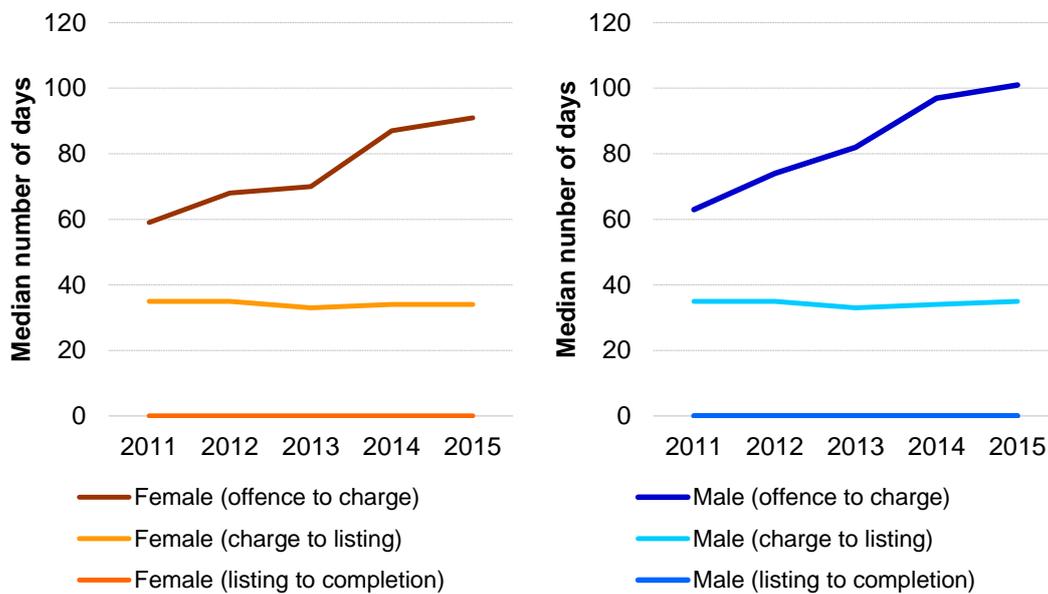
²¹² Of known sex. Defendants with unknown or not stated sex accounted for 19% of offenders prosecuted for truancy in 2015.

²¹³ See

<http://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/families/bulletins/familiesandhouseholds/2015-01-28#lone-parents>

The average time from offence to completion has been increasing for both female and male defendants since 2011, and the number of defendants whose cases have completed has been increasing since 2013. In 2015, the median number of days from offence to completion was 144 for women and 151 for men²¹⁴. The increase in overall time, over the decade, has been due to an increase in the average number of days from offence to charge (with a median of 91 for women and 101 for men in 2015). For both sexes, the median number of days from first listing to completion was 0 in 2015, indicating that the case had a first listing and was completed on the same day (Figure 8.16).

Figure 8.16: Median number of days taken from offence to completion for truancy cases, including cases over ten years, 2011 to 2015

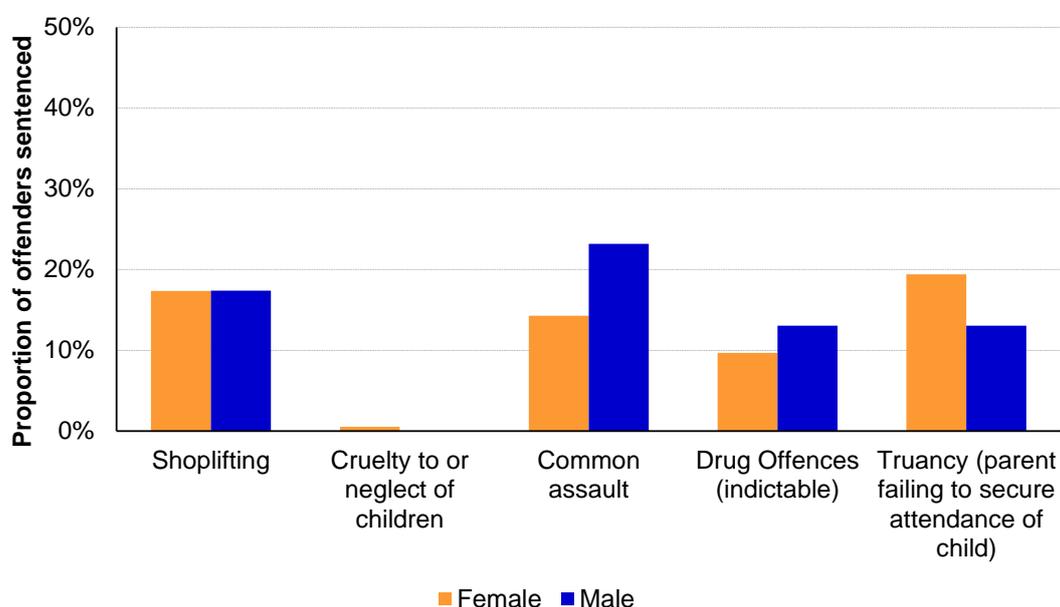


²¹⁴ The mean was also slightly lower for women: 149 days compared with 155 for men. The mean is higher than median, as it is more susceptible to extreme outliers.

Sentencing outcomes for truancy were similar for both sexes in 2015. About three quarters of both female and male offenders were given a fine in 2015, of on average £180. Due to a sharp rise from 2007 to 2009, and 2011 to 2012, the average fine for truancy has increased by approximately £20 in real terms for both women and men²¹⁵. The second most common outcome was a conditional discharge; about one seventh of offenders received them. 8 offenders were sentenced to immediate custody for truancy in 2015; all of these offenders were female.

Males sentenced were more likely to have a previous caution or conviction for common assault, and females were more likely to have a previous caution or conviction for truancy (Figure 8.17).

Figure 8.17: Percentage of offenders sentenced for truancy who had a previous caution or conviction for selected offences, by the offence for which they had a previous caution or conviction and sex, 2015²¹⁶



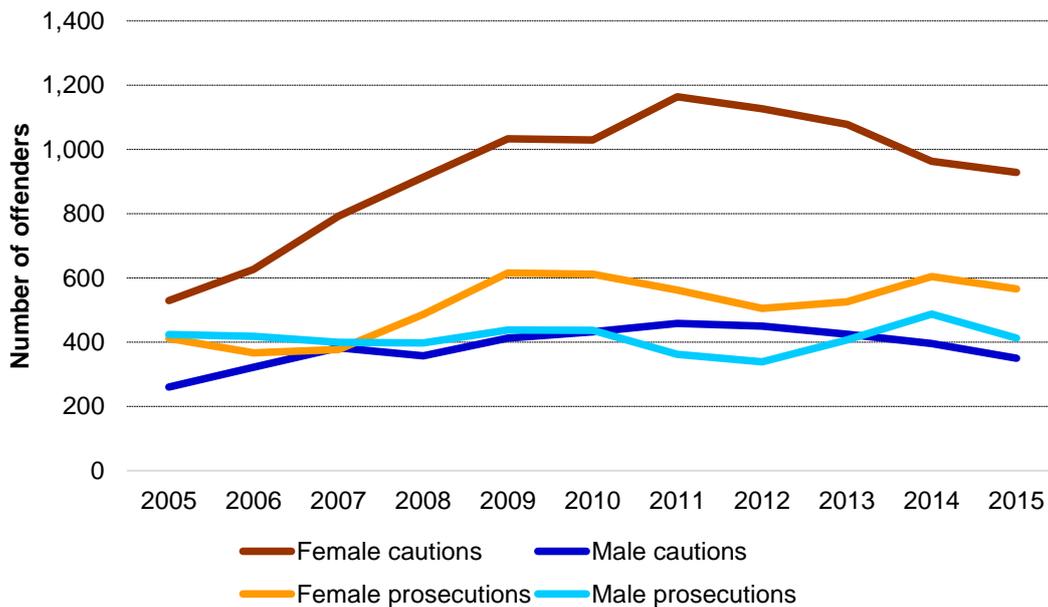
²¹⁵ Calculated using the Bank of England inflation calculator.

²¹⁶ An offender may be counted more than once if he or she has been convicted different offences previously so that the sum of offenders with the previous convictions or cautions may be greater than the number of index offenders.

Cruelty to or neglect of children : female offenders were relatively more likely to be cautioned, although males were less likely to be dealt with for this offence

In 2015, 1,300 offenders received a caution for cruelty to or neglect of children, and 979 offenders were prosecuted²¹⁷. Female offenders were less likely to go to court than males: 62% were cautioned rather than prosecuted, compared with 46% of males. Overall, more females were dealt with than males, and this has been consistent over the decade (Figure 8.18). The likely reason for this is similar to that for truancy: females were more likely than males to be responsible for a child.

Figure 8.18: Number of offenders cautioned or prosecuted for cruelty to or neglect of children, by sex, 2005 to 2015



Most females and males were granted bail at the magistrates' court (91% and 83% respectively in 2015) and Crown Court (80% and 75% respectively in 2015) for cruelty to or neglect of children in 2015.

²¹⁷ Of known sex. Defendants with unknown or not stated sex accounted for 1% of offenders cautioned and 1% of offenders prosecuted for cruelty to or neglect of children in 2015.

The median number of days from offence to completion for cruelty to or neglect of children cases was slightly lower for female defendants than males in 2015, at 257 and 280 days respectively. This has fluctuated over the past five years. The mean also fluctuated over the past five years, and in 2015 was slightly higher for females (504 days) than males (486). The difference between median and mean indicates that there are a small number of long cases for women, which will have driven up the mean far more than the median.

The conviction ratio in 2015 was slightly higher for females (79%) than for males (73%).

Male offenders were more likely to receive an immediate custodial sentence (29%) than female offenders (13%). Community sentences were more prevalent for female offenders (35%) than male (23%). The most common sentencing outcome for both sexes was a suspended sentence, at 46% of females and 41% of males sentenced.

The ACSL for cruelty to or neglect of children has fluctuated for both sexes over the decade, due to the relatively low (<200) numbers of people sentenced to immediate custody each year. The ACSL in 2015 was 21 months for women and 19 months for men.

Females sentenced for cruelty to or neglect of children in 2015 were more likely to have a previous caution or conviction for a similar offence (11%) than males (4%).

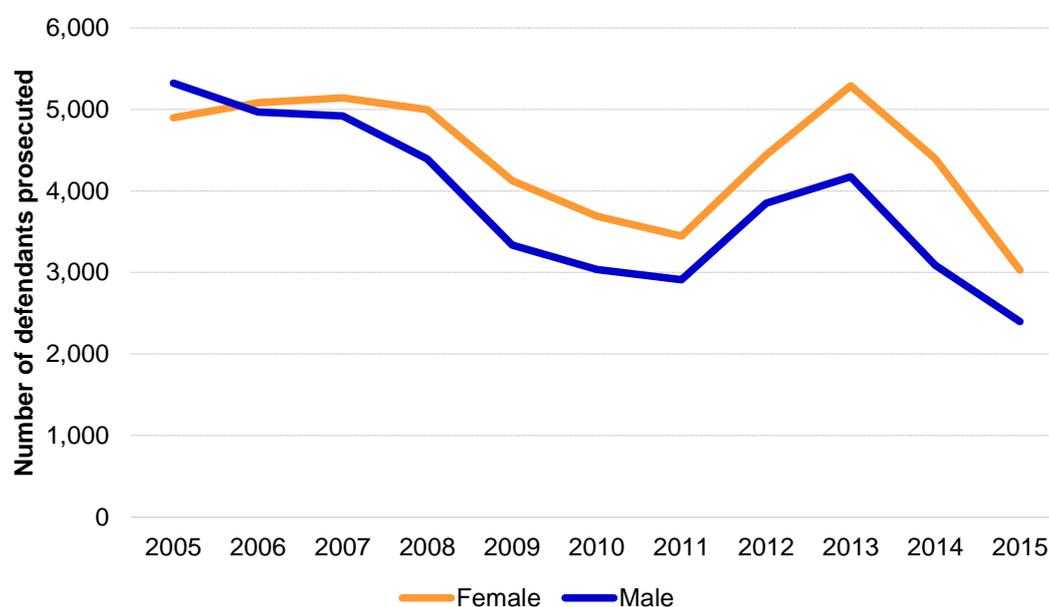
Benefit fraud: just over half of offenders prosecuted in 2015 were female and sentencing outcomes were similar for both sexes

Offenders who have committed benefit fraud may be convicted for an offence that specifically mentions benefit fraud, or for a more general offence such as an offence related to fraud, forgery, identity or serious organised crime. It is not possible to specifically identify benefit fraud within these more general offences and so the only offences included in this section are those that explicitly mention benefit fraud.

Two specific offences make up the vast majority of benefit fraud offences for which defendants are prosecuted and convicted at court: the triable either way offence of dishonest representation for obtaining benefits and the summary offence of false representation for obtaining benefits, contravention of regulations, etc. The main difference between these is that dishonesty needs to be proven in order to convict someone of dishonest representation, which is not the case for false representation. There was not a significant difference in the types of offences between sexes, with about three quarters of both female and male offenders of benefit fraud sentenced for dishonest representation, and about a quarter for false representation.

The total number of defendants prosecuted for benefit fraud has been volatile over the decade (Figure 8.19). 5,400 defendants were prosecuted for benefit fraud in 2015, and just over half of these were female²¹⁸. This proportion has increased overall from 48 to 56%, since 2005.

Figure 8.19: Number of defendants prosecuted for benefit fraud, by sex, 2005 to 2015



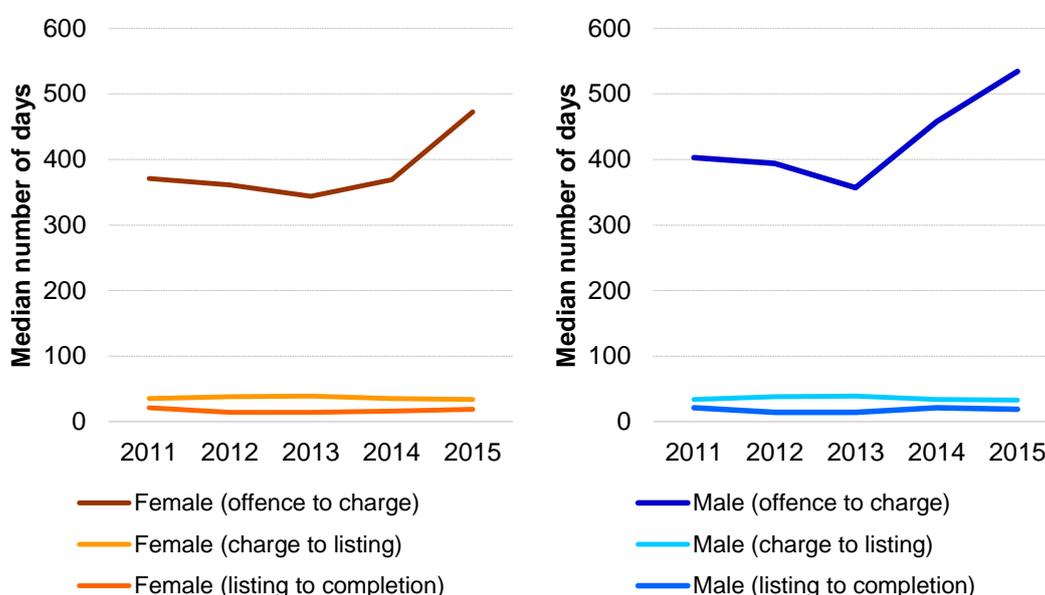
Just under half of both females and males were granted bail at the magistrates' court for benefit fraud in 2015 – most of the rest were not remanded. At the Crown Court,

²¹⁸ Of known sex. Defendants with unknown or not stated sex accounted for 18% of offenders prosecuted for benefit fraud in 2015.

about three quarters of females were granted bail (77%) and most of the rest were not remanded (21%). 2% were remanded in custody. Males were more likely to not be remanded (27%) and a lower proportion were granted bail than women (69%). 4% were remanded in custody.

Benefit fraud cases with female defendants took less time on average than those with male defendants, with medians of 593 and 687 days respectively in 2015²¹⁹. For both sexes, most of the time (87% for females and 86% for males) was spent in the offence to charge stage, on average. Despite a fall since 2011 in the number of defendants whose cases have been completed, the median number of days from offence to completion has been increasing for both sexes since 2013, for benefit fraud. This is due to an increase in the average number of days from offence to charge, rather than time taken in court (Figure 8.20).

Figure 8.20: Median number of days taken from offence to completion for benefit fraud cases, including cases over ten years, 2011 to 2015



The conviction ratio in 2015 was 92% for females, and 90% for males. For both sexes, this has increased by 8 percentage points over the decade. Sentencing outcomes were similar for females and males, with just under half of offenders receiving community sentences (43% and 42% respectively in 2015), and about a quarter receiving a suspended sentence (26% and 23% respectively). The remainder mostly received fines or a conditional discharge.

51 females and 91 males were sentenced to immediate custody, with an ACSL of 7.7 and 8.3 months respectively. The average fine was £225 for females and £264 for males. It is not possible to comment on reasons for the difference in ACSL and average fine, without knowledge of the unique mitigating and aggravating factors surrounding each case.

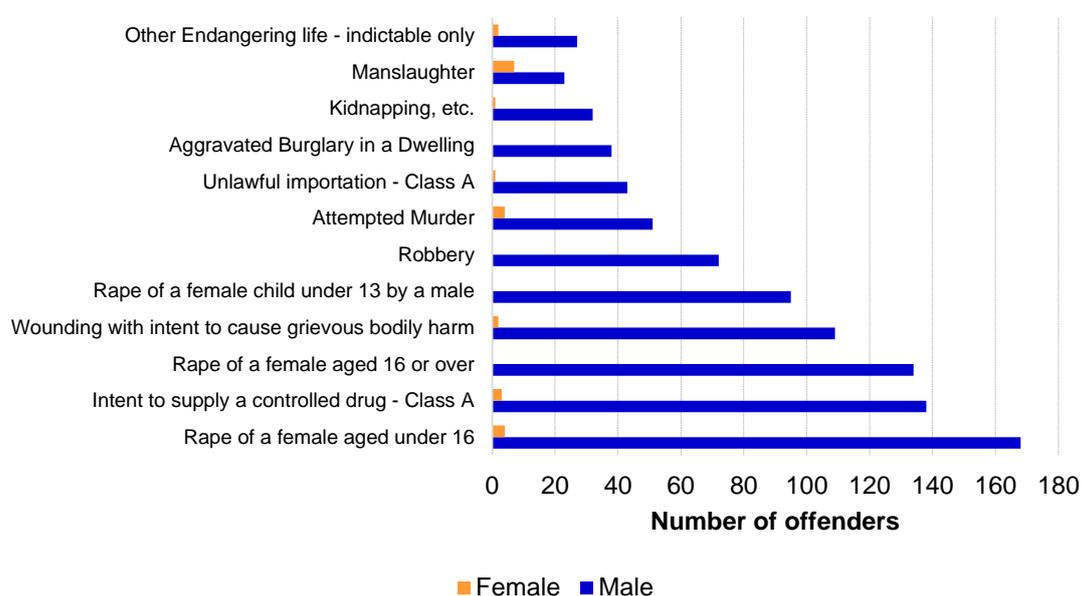
²¹⁹ The mean was also lower for women: 841 days compared with 967 days for men. The mean is higher than median, as it is more susceptible to extreme outliers.

Offences with long custodial sentences

In 2015, 17 women and 352 men received a life sentence. Of these, 14 (82%) and 252 (72%) were for murder, respectively. Offences for which multiple men and no women received life sentences include rape, attempted murder, GBH, robbery, and kidnapping.

24 women and 1,093 men received long determinate custodial sentences (over ten years) in 2015. For both, these included rape, drug supply, and violent offences (Figure 8.21). The most common offence for which women received a long sentence was manslaughter, whereas for men it was rape of a female aged under 16.

Figure 8.21: Number of offenders sentenced to immediate custody of over 10 years for selected offences²²⁰, by offence and sex, 2015



In 2015, 133 offenders were sentenced to immediate custody for manslaughter²²¹. Of these, 16% were female. This is higher than the overall rate; 8% of all offenders sentenced to immediate custody were female in 2015²²². However, the custody rate for manslaughter in 2015 was 75% for females and 91% for males. In addition, the average custodial sentence length (ACSL) for manslaughter, for females, was 113.2 months, whereas for males it was 85.3 months²²³ in 2015. This was the offence with the highest ACSL for female offenders, and was about double the length of their second longest ACSL (61.7 months, for causing death of a child or vulnerable person). It was also the only offence for which the ACSL was so noticeably higher for females. It is not possible to comment on reasons for this, without knowledge of the unique mitigating and aggravating factors surrounding each case.

²²⁰ Only the most common offences receiving long custodial sentences are shown.

²²¹ There were no defendants with unknown or not stated sex sentenced to immediate custody for manslaughter in 2015.

²²² Of known sex. Defendants with unknown or not stated sex accounted for 1% offenders sentenced to immediate custody in 2015.

²²³ Note that this calculation does not include life or indeterminate sentences.

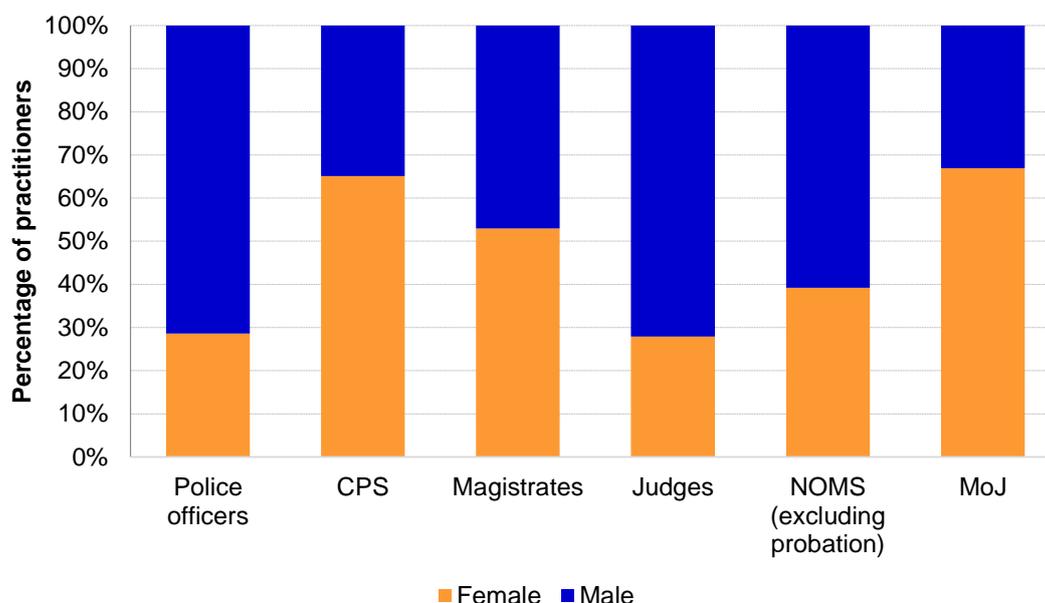
Chapter 9: Practitioners

This chapter reports on the trends in the composition of staff and practitioners throughout the criminal justice system (CJS) by sex. It draws upon a mixture of published and previously unpublished extracts of human resources records for different CJS organisations (see footnotes below for details). As in previous versions of this report, we will be including information on the makeup of the police, Ministry of Justice (MoJ), Crown Prosecution Service (CPS), magistracy and judiciary. Information on the National Offender Management Service (NOMS) will continue to be included, although data limitations will restrict what we are able to say about probation services. To allow for variable changes in headcount throughout the period considered, the sexes are best considered in terms of proportions of staff rather than absolute numbers.

Trends in CJS organisations

The proportions of female practitioners varies among the various organisations involved in the CJS²²⁴. Only slightly more than a quarter of judges and police officers (28% and 29% respectively) were female; females were considerably underrepresented in these organisations compared with the population as a whole. In contrast, two thirds of staff in the MoJ and CPS (67% and 65% respectively) were female. In general, CJS organisations dealing directly with offenders (e.g. the police or prison officers) were predominantly male, while back-office support functions such as civil servants were predominantly female (Figure 9.01).

Figure 9.01: Proportion of practitioners in organisations involved in the CJS of each sex, by organisation, most recent year available²²⁵



²²⁴ Information about sex was provided for all individuals in this chapter; there are no unknown or not stated cases for any of the CJS organisations discussed.

²²⁵ Latest data available for each – see footnotes below.

Across all organisations except the magistracy, there has been a slight trend for the makeup to become closer to an even split between the sexes since 2011²²⁶.

The largest increase in the proportion of females over this period has been amongst judges²²⁷, who have seen a 6 percentage point rise, from 22% to 28%. There has also been a 2 percentage point increase in the proportion of female magistrates²²⁸, although the magistracy is close to being equally split between men and women (having increased from 51% to 53%).

NOMS staff²²⁹ (excluding probation)²³⁰ have also seen increases in the proportion who are women over this period, from 36% to 39%. Within NOMS, there were clear differences in the sex breakdowns of different functions. There is a smaller proportion of females among the prison service than NOMS as a whole – 37%, having risen from 35%. However, 60% of those working in women’s prisons were female, a proportion that has been broadly consistent over the period and is similarly consistent across the whole of the female estate in 2015. In contrast to the prison service, three quarters (75%) of those working in the National Probation Service were female. The largest rise in the female proportion has been among NOMS headquarters staff, who have seen a 17 percentage point increase, from 41% to 58%.

There has been a smaller increase in the proportion of female police officers²³¹, which rose from 27% to 29% over this period. Over this period, the proportion of females among those joining the police force fluctuated, but had a net increase of 3 percentage points, from 28% to 31%. The proportion of joiners exceeded the proportion of leavers throughout this period, driving the overall increase, but the proportion of leavers who were female has been increasing much more quickly (from 14% to 23%).

As is seen in NOMS, there were differences in the sex breakdowns of different police support functions. Both special constables (31% female) and police community support officers (45% female) were more likely to be men than women, whereas police staff were mostly women (61%). All three of these police support functions have seen a consistent sex breakdown over this period.

²²⁶ Or the equivalent, for snapshot financial year rather than calendar year data.

²²⁷ Self-declared from HR records, for judges in courts only, as at 1 April 2012 – 2016. Reported in the 2016 Judicial Diversity Statistics: <https://www.judiciary.gov.uk/publications/judicial-statistics-2016/>

²²⁸ Self-declared from HR records, for serving magistrates, as at 1 April 2012 – 2016. Reported in the 2016 Judicial Diversity Statistics: <https://www.judiciary.gov.uk/publications/judicial-statistics-2016/>

²²⁹ Self-declared from HR records, as at 31 March 2012 – 2016. The 2014/15 MoJ Diversity Report is available from <https://www.gov.uk/government/publications/diversity-report-2014-to-2015>, but numbers will not match as this includes NOMS and only includes ‘on strength’ (i.e. paid) staff. Excludes probation, for consistency across years – probation officers in the NPS became part of NOMS when it was set up, having previously been part of the Probation Service.

²³⁰ Following the Transforming Rehabilitation reforms to probation and creation and subsequent transfer of the NPS into NOMS on 1 June 2014, it is not possible to make a direct comparison to previous years for probation staff. Data is not available for Community Rehabilitation Companies.

²³¹ Self-declared from HO records, as at 31 March 2012 – 2016. Police workforce statistics are available from <https://www.gov.uk/government/collections/police-workforce-england-and-wales>.

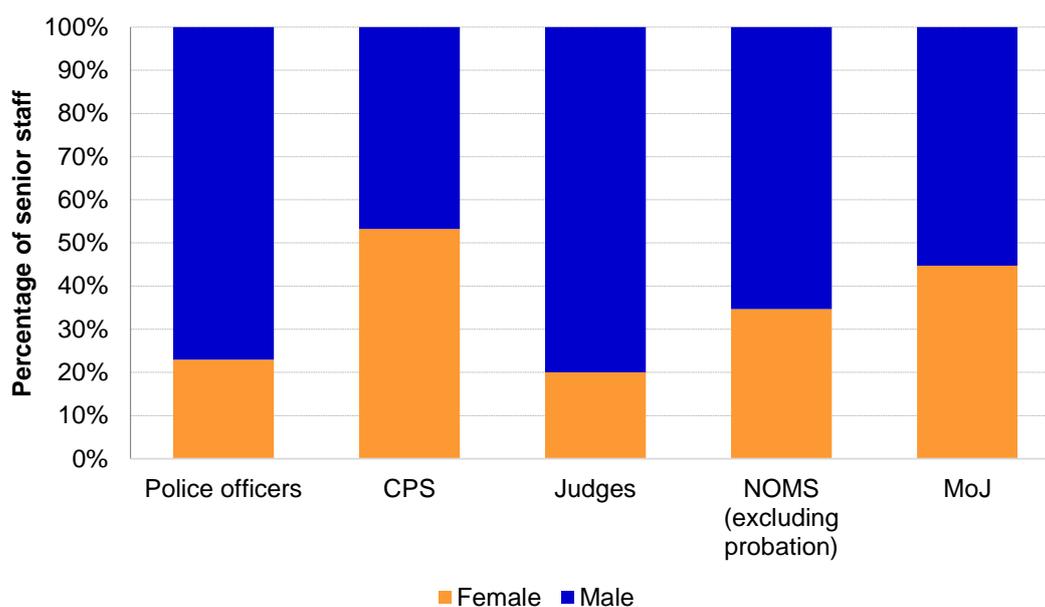
Very similar trends have been seen for MoJ²³² and CPS²³³ staff; both have seen their proportion of female staff fall by 1 percentage point over this period, to 67% and 65% respectively.

Trends in senior staff

The proportion of senior staff who were female was lower than for staff generally across all CJS organisations considered (Figure 9.02)²³⁴. This is a pattern commonly seen beyond the CJS, which is believed to be underpinned by a variety of factors, including the tendency of senior staff to be older (given changes in patterns of employment by sex over time), the impact of child-rearing on career trajectories, and sociocultural norms. Nevertheless, those organisations with higher proportions of female staff generally also tended to have higher proportions of their senior staff be female.

Across all these CJS organisations, there is a general trend for the proportion of senior staff who were female to have increased since 2011²³⁵, and to a greater extent than their proportion of female staff generally.

Figure 9.02: Proportion of senior practitioners in organisations involved in the CJS of each sex, by organisation, most recent year available



²³² Self-declared from HR records, as at 31 March 2012 – 2016. The 2014/15 MoJ Diversity Report is available from <https://www.gov.uk/government/publications/diversity-report-2014-to-2015>, but numbers will not match as this encompasses NOMS and only includes 'on strength' (i.e. paid) staff.

²³³ Self-declared from HR records, as at 31 December 2011 – 2015. CPS workforce diversity data can be found through: https://www.cps.gov.uk/data/equality_and_diversity/index.html, but numbers may not match where headcount specifications differ from those used by the ONS.

²³⁴ Caution should be taken when comparing figures for senior staff, however, because the numbers of individuals represented are small - changing a single case could have a noticeable effect.

²³⁵ Or the equivalent, for snapshot financial year rather than calendar year data.

The CPS has seen a 12 percentage point increase over this period in this proportion of senior women, mostly in the first two years of the period. In contrast, the MoJ saw its proportion remain broadly stable at around 40% for the first four years, before increasing to 45% in the latest year.

The CPS (53%) and MoJ (45%) have the highest proportions of senior staff who were female, with the CPS the only organisation considered to have women as a majority of its senior staff. However, these proportions were considerably lower than for their staff generally, and of the CJS organisations considered, the MoJ has the largest gap between the proportion of its male (1.5%) and female (0.6%) staff who were considered senior.

The police (23%) and judiciary (20%) have considerably lower proportions of senior staff who were female. However, this has increased steadily for the both organisations over this period, by 7 and 6 percentage points respectively.

35% of NOMS senior staff (excluding probation) were female, which is the closest to their proportion of female staff generally among the CJS organisations considered. This represents an 17 percentage point increase over this period. This is the largest increase among the CJS organisations considered.

Revisions Policy

In accordance with Principle 2 of the Code of Practice for Official Statistics, the Ministry of Justice is required to publish transparent guidance on its policy for revisions. A copy of this statement can be found at:

<http://www.justice.gov.uk/downloads/statistics/mojstats/statistics-revisions-policy.pdf>

The Ministry of Justice aims to avoid the need for revisions to publications unless they are absolutely necessary and put systems and processes in place to minimise the number of revisions.

Within the Ministry of Justice's statistical publications there can be three main reasons for statistics to be revised:

- Changes in how either source administrative systems collect information or a change in statistical methodology to improve accuracy and measurement.
- Receipt of subsequent information which alters our understanding of previous periods (for example – late recording on one of the administrative IT systems used operationally).
- Errors in our statistical systems and processes.

Our policy in handling revisions is to be transparent with users about:

- The need for revisions.
- How and when to expect revisions as part of our standard processes.
- The processes by which other revisions will be communicated and published.

To meet these commitments, all of our statistical publications will:

- Ensure that the need for major revisions for any series are pre-announced on the Ministry of Justice website.
- Include a detailed revisions policy within every release.
- Detail how users will be informed of the need for revisions.
- Give detailed and full explanations as to why the revisions were necessary.

In addition, the annual report from the Head of Profession to the National Statistician will:

- Provide information on how many revisions were required to our publications and the reasons for these.
- Publish a time-series of revisions due to errors in our statistical processes and procedures so we can monitor the quality of our outputs.

Contacts

Press enquiries should be directed to the Ministry of Justice press office:

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Other enquiries about these statistics should be directed to the Justice Statistics Analytical Services division of the Ministry of Justice:

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Email: CJS_Statistics@justice.gsi.gov.uk

General enquiries about the statistical work of the Ministry of Justice can be e-mailed to: statistics.enquiries@justice.gsi.gov.uk

General information about the official statistics system of the UK is available from: <http://statisticsauthority.gov.uk/about-the-authority/uk-statistical-system>

Feedback

The structure and content of this report is continually being reviewed to reflect user requirements. If you have any feedback about the changes referred to in the introduction, or the report more generally, please contact the production team through the Justice Statistics Analytical Services division of the Ministry of Justice:

Email: CJS_Statistics@justice.gsi.gov.uk

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