



Ministry
of Justice



Statistics on Women and the Criminal Justice System 2017

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

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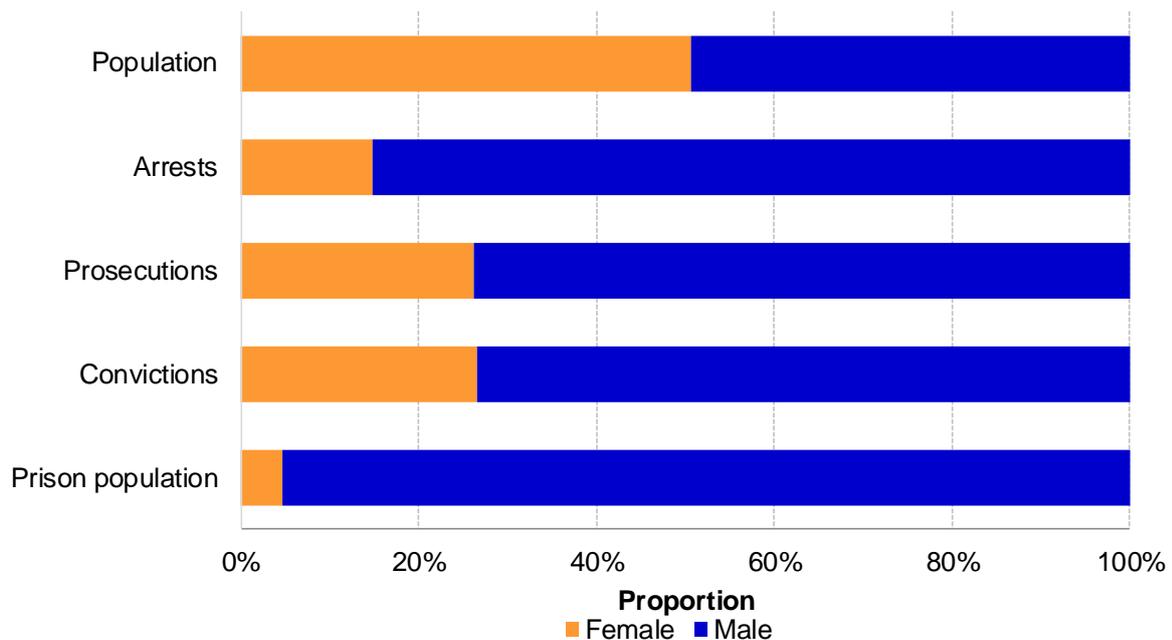
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1. Executive Summary

The 'Statistics on Women and the Criminal Justice System 2017' bulletin is a compendium of statistics from data sources across the CJS to provide a combined perspective on the typical experiences of males and females who come into contact with it. It brings together information on representation by sex among victims, suspects, defendants, offenders and practitioners within the CJS and considers how these experiences have changed over time and how they contrast to the typical experiences of males. 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 (e.g. offence, average income or age); differences observed may indicate areas worth further investigation, but should not be taken as evidence of unequal treatments or as direct effects of sex.

In general, females appear to be substantially underrepresented 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.

Figure 1.01: Proportions of males and females throughout the CJS, 2017



Victimisation

Males are more likely to be victims of a personal crime than females.

4.4% of males reported being a victim of a personal crime in 2017/18, while 3.5% of females reported victimisation. Overall personal crime rates continue to decrease, with a decrease of 1.9 percentage points for males, females and overall since 2011.

In 2017/18, 7.9% of females reported experiencing domestic abuse in the last year, compared to 4.2% of males.

The proportion of females who were a victim of domestic abuse at some point since the age of 16 was over twice the size of the proportion of males, with 28.9% of females reporting this compared to 13.2% of males.

There were 613 homicide victims in 2016/17 excluding the Hillsborough disaster, of which, 71% were male and 29% were female.

There was an 8% increase in homicide victims (excluding Hillsborough) since 2015/16 (25% increase when Hillsborough victims were included).

Police Activity

The majority (85%) of arrests continue to be accounted for by males in 2017/18.

The number of arrests has decreased by 8% overall compared to 2016/17, and by 8% for males and 11% for females.

Higher proportions of females in contact with Liaison and Diversion Services had mental health needs than males.

69% of adult females had mental health needs compared to 61% of adult males, where depressive illness was the most common need. In young people, 51% of females had mental health needs compared to 41% of males, where emotional and behavioural issues was the most common need.

The proportion of offenders issued Penalty Notices for Disorder (PND) and cautions has decreased over the last 5 years, the proportion issued to males and females has remained stable.

Compared to 2013, the number of PNDs issued has fallen by 69% to 25,900; 78% of which were issued to males and 22% issued to females. The number of offenders issued cautions has decreased by 54% to 83,300 when compared to 2013; of those cautioned, 77% were male and 23% were female.

Defendants

In 2017, 74% of defendants prosecuted were male, and 26% were female.

The number of prosecutions of male defendants declined steadily over the past decade by 32% (from 1.4 million in 2007 to 936,000 in 2017), while the number of female defendants decreased by 4% between 2007 and 2017.

The conviction ratio in 2017 was higher for female (88%) than male (86%) offenders, a trend that is consistent over the past decade

Since 2007, the conviction ratio for females increased from 84% to 88% in 2017. Males followed a similar trend with a conviction ratio of 81% in 2007 to 86% in 2017.

The custody rate was higher for male offenders in each year of the last decade

Males had a higher custody rate for indictable offences (34%) than females (20%). Females were 43% less likely to be sentenced to custody for indictable offences, relative to males.

Average custodial sentence length (ACSL) for male offenders in 2017 was 17.6 months, and 10.0 months for females.

This is driven in part by a higher proportion of female offenders receiving shorter sentence lengths of up to and including three months (57%), compared with 35% of male offenders.

Offenders under supervision or in custody

At 30 June 2018, 95% of all prisoners were male and 5% were female.

The total prison population at this point was 82,773, made up of 78,970 males and 3,803 females, however the proportion representation has remained stable over time.

Proportionally, females in custody were serving shorter sentences than males.

At 30 June 2018, 22% of females in prison were serving determinate sentences of less than 12 months, compared to 9% of males. 15% of females in prison were serving determinate sentences of less than 6 months, compared to 6% for males.

A higher proportion of female prisoners reported to have an alcohol or drug problem upon arrival into prison than males.

Significantly more females had an alcohol problem when they arrived in prison (24%) than males (18%); similarly for a drug problem (39% compared to 28%).

Females were significantly more likely to self-harm in prison, relative to males.

Females had a higher rate of self-harm incidents in prison (30%) than males (13%). females were 135% more likely to self-harm in prison, relative to males.

Offender Characteristics

The prosecution rate was twice as high for Black female defendants than White female defendants and over four times higher for Black male defendants than White males.

In 2017, the rate of prosecution was 2 per 1,000 population for Black female defendants 29 per 1,000 for black male defendants. Compared to 1 per 1,000 for White female defendant and 7 per 1,000 for White male defendants.

The age distribution of female and male defendants is broadly similar, with the majority of prosecutions concentrated between the ages of 20 and 45.

For both sexes, the 25 to 29 age band represented the highest number of those prosecuted in 2017, accounting for 18% of both sexes. Across most age groups, approximately 3 times more males were prosecuted than females.

A higher proportion of female offenders had no previous offender history, compared to males. A higher proportion of male offenders had a long criminal history.

In 2017, a greater proportion of female offenders were first time offenders (females 34% and males 21%). Male offenders tended to have a longer offender history, 26% of male offenders had 15 or more previous cautions or convictions compared to 18% of females.

The reoffending rate for males was higher than for females, however, females had the highest number of reoffences per reoffender.

Despite the lower reoffending rate (23.4% compared to 30.7% for males), female reoffenders had the highest average number of reoffences per reoffender, 4.32 compared to 4.02 for males.

A higher proportion of females were claiming out-of-work benefits after conviction/caution or release from prison. A higher proportion of males were in P45 employment and had a higher median P14 income.

Two years after conviction/caution or prison sentence, 50% of female offenders and 35% of males were on out-of-work benefits. A higher proportion of male offenders were in P45 employment (38%), compared to 35% of females and males had a higher adjusted P14 income (£15,600 compared to £9,100).

Offence analysis

Females accounted for 72% of prosecutions for TV license evasion in 2017.

TV license evasion was the most common offence for which females were prosecuted for. In 2017, TV license evasion accounted for 30% of all female prosecutions, compared to 4% of male prosecutions.

72% of defendants prosecuted for truancy (parent failing to secure attendance of child) were female.

Of the 16,400 defendants prosecuted for truancy, 11,800 (72%) were female. The conviction ratio for truancy was higher for females (80%) than males (70%). For both sexes, the most common outcome was a fine in 2017.

Shoplifting was the most common indictable offence that both males and females were prosecuted for.

Shoplifting accounted for 38% of all female indictable prosecutions, however, the proportion for males was smaller, accounting for 17% of indictable prosecutions.

Practitioners

Over the last 5 years, the representation of females has remained relatively constant in MoJ and CPS, however there have been increases in female representation in other organisations.

The largest increase in female representation was seen in HMPPS HQ by 10 percentage points to 59%. Other increases include a 5 percentage point increase in female court judges to 29%, and a 4 percentage point increase in HMPPS (excluding probation) to 40%.

The representation of females in senior staff was lower than the proportion of staff at all grades across the CJS organisations considered in this bulletin.

The highest proportions of senior staff who were female were in the CPS (54%) and MoJ (48%), where the CPS was the only organisation considered in this bulletin with a higher proportion of females at senior grades than males.

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, is a compendium of information on the representation of females (and males) 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 Her Majesty's Prison and Probation Service (HMPPS; previously 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.

This year in June the Ministry of Justice published the Female Offender Strategy¹, which sets out our vision and plan to improve outcomes for women in the community and custody. The strategy sets out the Government's commitment to a new programme of work for female offenders, driven by our vision to see:

- fewer women coming into the criminal justice system
- fewer women in custody, especially on short-term sentences, and a greater proportion of women managed in the community successfully;
and
- better conditions for those in custody.

The strategy aims to take an evidence-based approach to reduce crime and rehabilitating offenders. The analysis in this report addresses the key subject areas and goes some way to provide an evidence base for monitoring progress and aiding policy making decisions for the future.

¹ www.gov.uk/government/publications/female-offender-strategy

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 in 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 female (or male) 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. Much of the published annual Criminal Justice Statistics and some of the statistics published elsewhere can be cross-tabulated with other protected characteristics, such as ethnicity and age, however care must be taken when interpreting the results. 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.

Individuals with an unknown or not stated sex are not included in the analysis all proportions and totals are therefore *where sex is known*, unless stated otherwise. 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 throughout.

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.

Data

Every effort is made to ensure that the figures presented are accurate and complete. However, these data have been extracted from large administrative and survey 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, and data source changes have been clearly indicated to highlight that comparisons may not be made against previous years. The most recent data available during the compilation of this report has been included (usually the 2017 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 Statistics², 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:

- Police recorded rape from the Home Office
- National liaison and diversion services pilot data from NHS England
- Survey data from Her Majesty's Inspectorate of Prisons Annual Report
- Youth Custody data (Official Statistics)
- Substance Misuse treatment programmes (Official Statistics)

² Available at www.statisticsauthority.gov.uk/code-of-practice/

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

Information provided

Supplementary Excel (in an Open .ods format) 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.

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:

- Further information on national liaison and diversion schemes, such as accommodation need
- s136 Detentions under the Mental Health Act
- Restricted Patients
- a 'relative rate' analysis, looking at the likelihood of particular outcomes of females compared to males in the criminal justice system.

The Relative Rate Index³ (RRI) has been used in this publication, which is an increasingly adopted statistical approach to the comparison of the relative difference in rates between two groups and was widely used in the Lammy Review⁴.

The RRI is the rate of an event occurring for females divided by the rate for males, thus creating a single measure of relative disparity in outcomes for the two groups. An RRI value of 1 indicates no disparity, whereas an RRI greater than 1 indicates females had a greater likelihood of experiencing the particular outcome and an RRI less than 1 indicates females were less likely than males to experience the particular outcome.

There is also an update on the previous *Women and the Criminal Justice System* MoJ/DWP/HMRC data matching exercise, on employment, income and benefits before and after conviction / caution / release from prison.

The overall style and composition of the report have also been changed to align with *Statistics on Race and the Criminal Justice System 2016*, with the intention of making it easier for readers to interpret the relative experiences of males and females throughout the

³ Please refer to the technical guide for more information on Relative Rate Index (RRI)

⁴ www.gov.uk/government/organisations/lammy-review

CJS. Key messages are now provided in the executive summary and at the beginning of each chapter.

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.gov.uk

3. Victims

Males are more likely to be victims of a personal crime than females.

4.4% of males reported being a victim of a personal crime in 2017/18, while 3.5% of females reported victimisation. Overall personal crime rates continue to decrease, with a decrease of 1.9 percentage points for males, females and overall since 2011.

In 2017/18, 7.9% of females reported experiencing domestic abuse in the last year, compared to 4.2% of males.

The proportion of females who were a victim of domestic abuse at some point since the age of 16 was over twice the size of the proportion of males, with 28.9% of females reporting this compared to 13.2% of males.

There were 613 homicide victims in 2016/17 excluding the Hillsborough disaster, of which, 71% were male and 29% were female.

There was an 8% increase in homicide victims (excluding Hillsborough) since 2015/16 (25% increase when Hillsborough victims were included).

This chapter explores the nature, extent and risks of victimisation, as reported in the Crime Survey for England and Wales (CSEW)^{5,6}, The Homicide in England and Wales: year ending March 2017⁷, and associated publications including Sexual Offences in England and Wales: year ending March 2017⁸, Domestic abuse in England and Wales: year ending March 2018⁹, and the Nature of Violent Crime in England and Wales: year ending March 2017¹⁰.

Further information on other strands of victims of domestic abuse, rape and sexual offences; harassment; human trafficking; prostitution; child abuse; forced marriage; honour based violence; and pornography can be found in the CPS Violence against Women and Girls crime report 2017-2018¹¹.

⁵ The CSEW is a large nationally representative survey that asks people about their experience of being a victim of crime over the past year. 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.

⁶ Statistics used are from the CSEW 17/18 unless stated otherwise, and when differences are not referred to as being statistically significant these are either not statistically significantly different, or differences have not been tested.

⁷ Data is from the most recently published [Homicide in England and Wales appendix tables](#) from the CSEW (2016/17).

⁸ Data is from the most recently published [Sexual offences appendix tables](#) from the CSEW (2016/17).

⁹ Data is from the most recently published [Domestic abuse appendix tables](#) from the CSEW (2017/18).

¹⁰ Data is from the most recently published [Nature of Violent Crime appendix tables](#) from the CSEW (2016/17).

¹¹ Data is from the most recently published [Violence against women and girls tables](#) (2017/18). Management information rather than official statistics.

Crime Survey for England and Wales

Risks of victimisation

There was a falling trend in the proportion of both male and female adults who were victims of a CSEW crime, from 22.2% in 2011/12 to 14.8% in 2017/18 for males, and 20.3% to 14.0% for females, both significant decreases. However, there were no significant differences between males and females being a victim of a crime, similar to previous years. There was a significant difference between male and female victims of crime under the age of 16¹², with 7.5% of girls experiencing victimisation compared to 12.5% of boys in 2017/18. As with adults, there was a significant fall in children's reports of victimisation, falling 5 percentage points since 2011/12.

Perceptions of the Criminal Justice System

The proportion of adults who believed the Criminal Justice System to be fair in 2017/18 increased significantly since 2011/12 by 6.3 percentage points to 68.8%. This increase is seen across males and females, significantly increasing by 6.6 percentage points and 5.9 percentage points respectively in this period. There was a significantly higher proportion of males (70.5%) than females (67.2%) who believed the Criminal Justice System was fair in 2017/18¹⁴.

A lower proportion of adults believed that the Criminal Justice System was effective, with 52.9% supporting this statement. However, this figure showed a significant increase since 2011/12, where 43.7% adults believed that the Criminal Justice System was effective. There was no significant difference in the proportion of males (53.2%) and females (52.5%) who believed the Criminal Justice System was effective in 2017/18.

Personal Crime

Personal crimes are those against an individual that relate to the respondent's own personal experience rather than others in the household¹⁵. Like overall CSEW crime trends, the proportion of respondents who were a victim of a personal crime decreased by 1.9 percentage points between 2011/12 and 2017/18. This decrease was seen across both sexes (both by 1.9 percentage points). There was a significant difference between the proportion of males and females who were victims of personal crime in 2017/18, 4.4% of males and 3.5% of females).

From the previous 2016/17 crime survey, where the latest data on the breakdown of personal crime were available¹⁶, males were significantly more likely to be a victim of violence (2.1%) and robbery (0.3%) than females (1.3% and 0.2%, respectively). A significantly higher proportion of females were victims of theft from the person (0.9%) than males (0.6%) in 2016/17 (Figure 3.01).

¹² In this chapter children refers to those aged 10 to 15 unless stated otherwise.

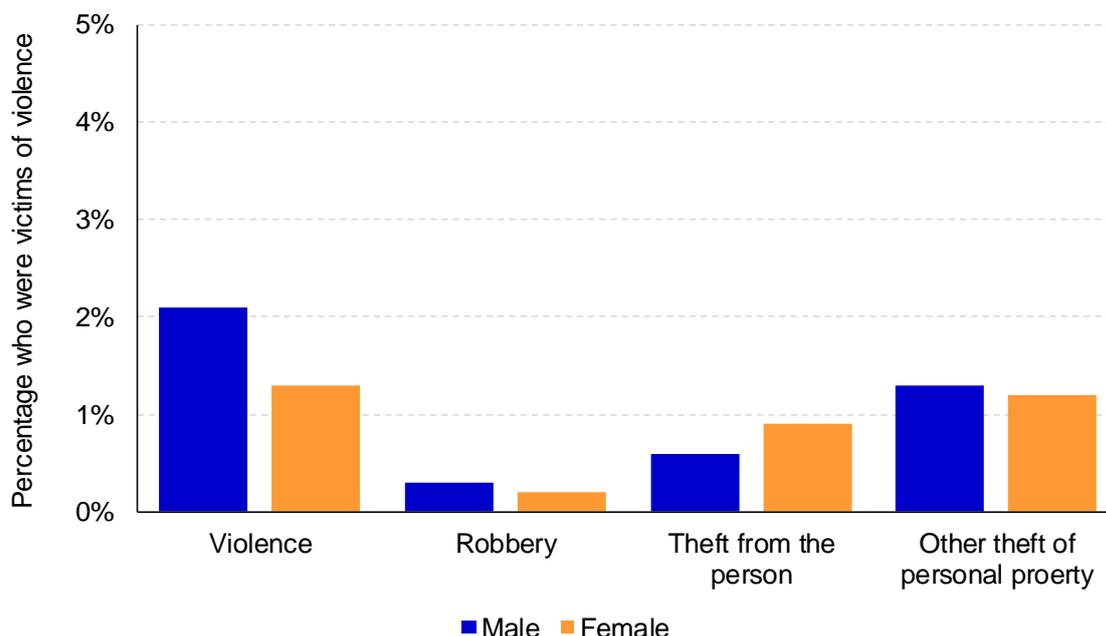
¹³ Other demographic data, such as age and ethnicity, are available in the [Crime in England and Wales Annual Trend and Demographic Tables](#). The tests for statistical significance are published in the Victims tables alongside this report.

¹⁴ Data for the year ending March 2018 are based on nine months of data as this question was not asked from October to December 2017. This was due to funding arrangement changes with the question sponsor. These questions have now been discontinued.

¹⁵ Personal crime is defined by the CSEW as comprising of all violence and thefts.

¹⁶ All violence, robbery, theft from the person, other theft of personal property.

Figure 3.01: Percentage of adults who were victims of personal crime, by type of personal crime and sex, 2016/17



In 2017/18, a significantly higher proportion of males than females aged 16 to 24 experienced a personal crime than any other age group, with the prevalence of personal crime tending to decrease as age increased.

Children – non-violent crime

Parallel to adult data, a smaller proportion of female children between the age of 10 and 15 reported experiencing a personal crime in 2017/18 (6.6%) than male children (11.7%). A higher proportion of male children were victims of all types of non-violent personal crime, except for theft from the dwelling or outside the dwelling, with a greater percentage of female children affected (a difference of 0.1 percentage points).

Violent Crime

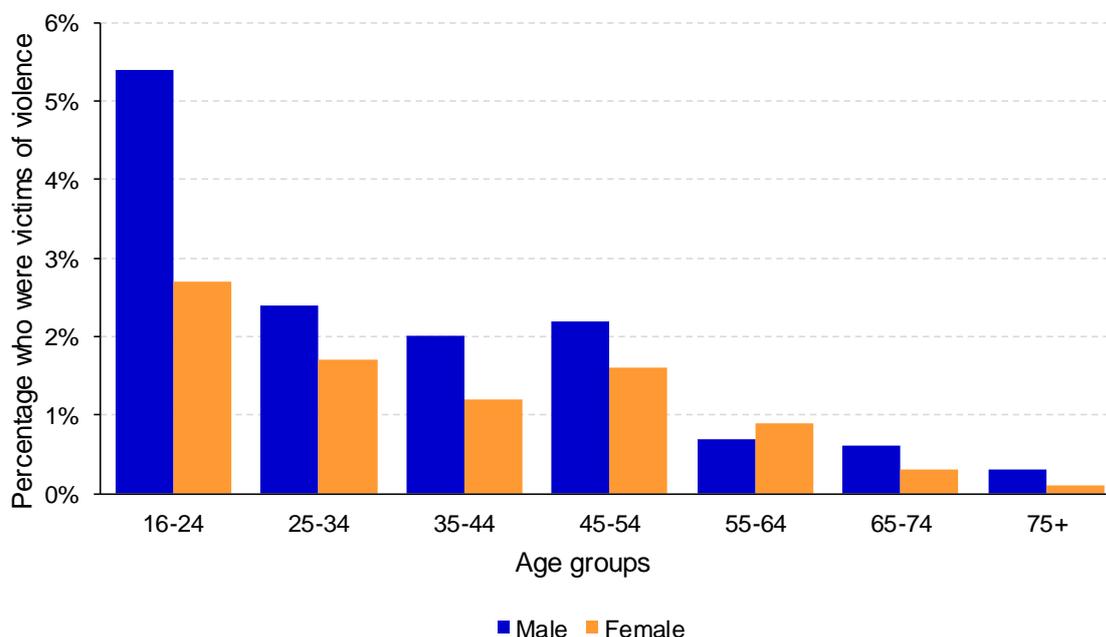
There was a significantly smaller proportion of females who were a victim of a violent crime in 2016/17 than males (2.1% of males and 1.3% of females). There was a higher proportion of males reporting prevalence of violence from a stranger (1.3%) compared to females (0.4% from a stranger)¹⁷. Data on victims of Domestic abuse in 2017/18 is discussed in more detail further into this chapter.

Age

The prevalence of violent crime was highest for those aged 16 to 24, for both sexes (5.4% for males and 2.7% for females) and the proportion of adults who experienced violent crime decreased as age increased (Figure 3.02). There was a significantly greater proportion of male victims of all violence in 2016/17 in every age group except 55 to 64 where there were more female victims (but no significant difference).

¹⁷ Difference between sexes for violent crime by a stranger was statistically significant.

Figure 3.02: Percentage of adults who were victims of violence once or more, by age group and sex, 2016/17



Children

In 2017/18, 4.4% of children aged 10 to 15 overall were a victim of violent crime. As with non-violent personal crime, a significantly higher proportion of male children (5.8%) were a victim than female children (3.0%).

Intimate violence

Intimate violence refers to a range of physical and non-physical abuse including domestic abuse, sexual assault and stalking. 'Intimate' reflects the nature of the relationship between victim and perpetrator or the nature or the abuse itself. Overall, from the CSEW data¹⁸, females were disproportionately affected across the spectrum of intimate violence.

*Sexual Assault*¹⁹

The proportion of females who were a victim of sexual assault at some point since the age of 16 was five times higher than males (20.3% for females compared with 3.8% for males). Similarly, 3.1% of females were a victim of sexual assault in the last year, compared with 0.8% of males²⁰. Higher proportions of females reported being a victim of sexual assault in the last year than males in every age group. The most common age group reporting victimisation for both sexes was 16 to 19 year olds, where 8.8% of females and 3.0% of males in that age group were victims of sexual assault in 2016/17. Indecent exposure or unwanted touching had the highest prevalence rate out of all sexual offences for both males and females.

¹⁸ CSEW data on intimate personal violence has increased to include respondents up to 74 years old. However, the 16 to 59-year-old data is used for comparison to previous years (and the 16 to 79 year old data shows no differences in comparison).

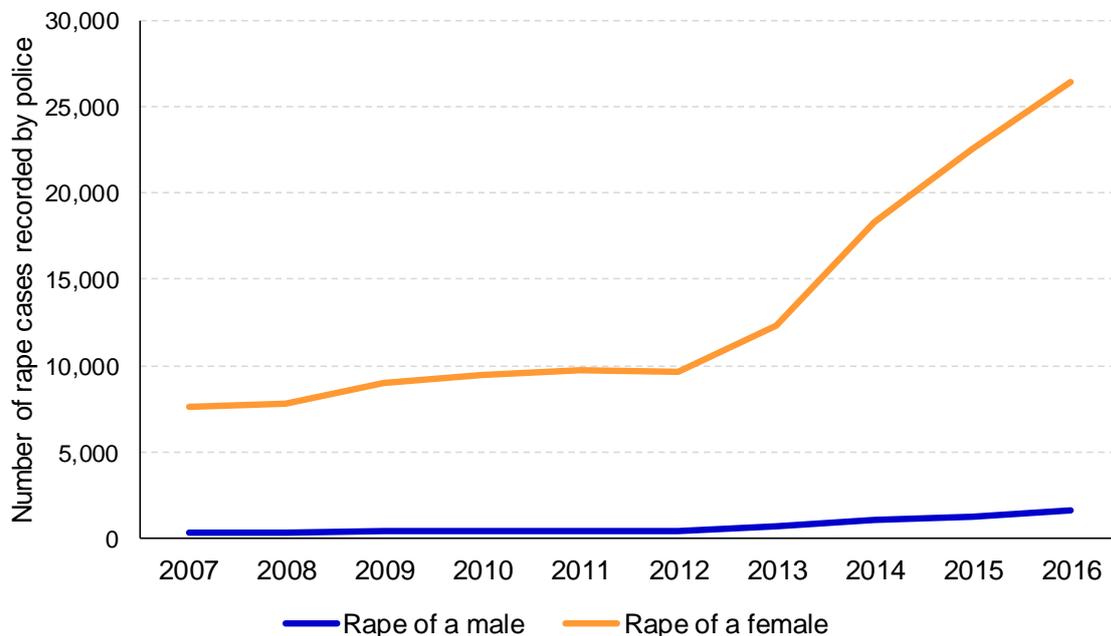
¹⁹ Data is from the [Sexual offences in England and Wales: year ending March 2017](#).

²⁰ Difference between sexes for experiencing sexual assault was statistically significant.

A greater proportion of female victims of sexual assault had a long-standing illness or disability, (5.3% versus 2.7% of those without). Moreover, 10% of full-time female students were a victim of sexual assault, more than three times the prevalence of the overall female population. Further distinctions in sex include the relationship to the perpetrator; 55% of female victims of sexual assault were assaulted by a partner or ex-partner, compared to 39% of male victims.

There was no significant change in the prevalence of female sexual assault victims of any sexual assault type, including rape, between 2004/05 (4.2%) and 2016/17 (3.1%), and this trend is the same for males. Increases in rape offences recorded by the police over recent years (Figure 3.03) are believed to be driven by improvements in crime recording by the police and more victims reporting the crimes to the police, including for 'non-recent' offences.

Figure 3.03: Number of cases recorded by police of rape of a victim aged 16 or over, by sex, 2007/08 to 2016/17



Domestic abuse²¹

Domestic abuse is made up of partner or family non-physical abuse, threats, force, sexual assault or stalking. The proportion of females who were a victim of domestic abuse at some point since the age of 16 was over twice the size of the proportion of males, with 28.9% of females reporting this compared to 13.2% of males²². Similarly, in 2017/18, 7.9% of females reported experiencing domestic abuse, compared to 4.2% of males. This difference was found in family abuse (2.4% of females, 2.0% of males) and significantly in partner abuse (6.3% of females, 2.7% of males). Significantly more females were the victim of domestic stalking overall than males (1.8% of females, 0.7% of males), as well as specifically by a partner (1.4% of females, 0.5% of males). This is in line with levels of overall stalking, as significantly more females were a victim of stalking (5.4%) than males (2.6%) in 2017/18.

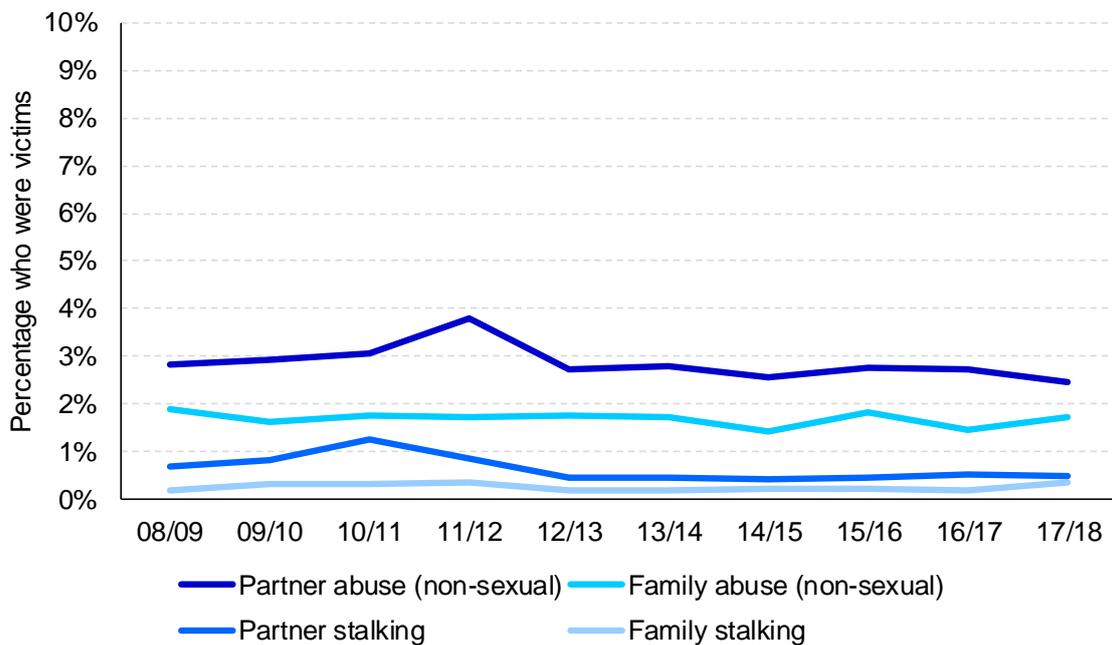
²¹ Data is from [Domestic abuse in England and Wales: year ending March 2018](#).

²² CSEW data on intimate personal violence has increased to include respondents up to 74 years old. However, the 16 to 59-year-old data is used for comparison to previous years (and the 16 to 79 year old data shows no differences in comparison).

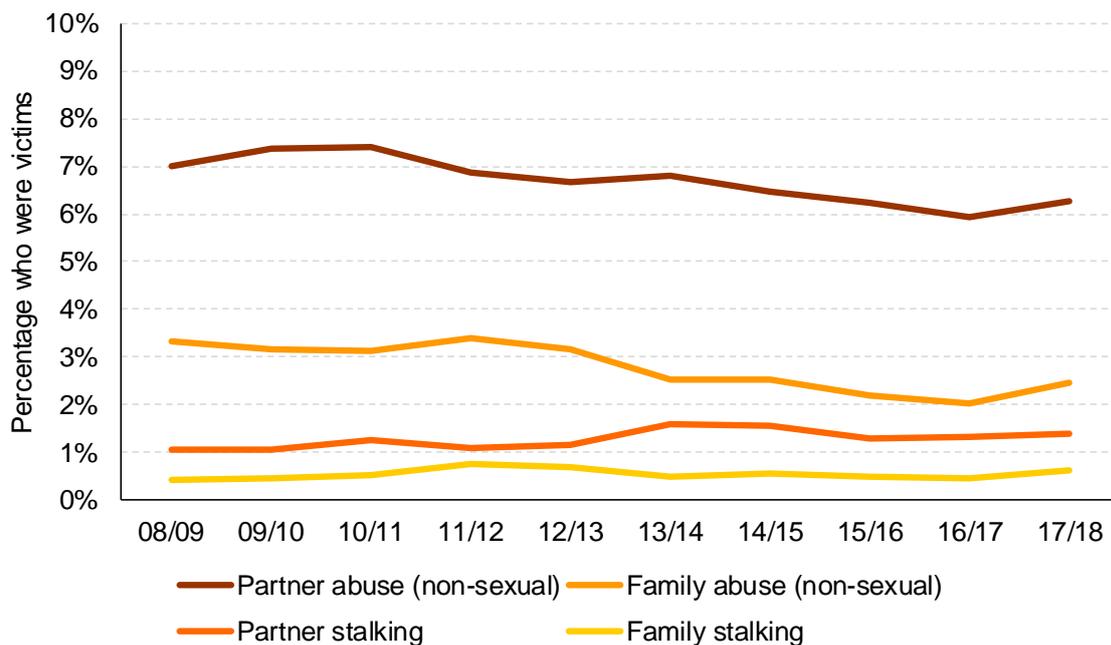
Domestic abuse in both males and females has significantly decreased since 2004/05. For males, prevalence of domestic abuse decreased from 6.5% to 4.2%, and from 11.1% to 7.9% for females. While both partner and family abuse significantly decreased in prevalence for females in this time, only partner abuse significantly decreased for males. Over the last decade, rates of domestic abuse have remained stable (Figure 3.04). A larger proportion of females experienced more than one type of abuse than males (20.8% compared with 17.1%).

Figure 3.04: Percentage of adults who were victims of domestic abuse in the last year, by type of abuse and sex, 2008/09 to 2017/18

Males



Females



Females were more likely to be victims of domestic abuse than males in every age group. The 20 to 24 year olds age group was the most prevalent for female victims (14.6%), the most prevalent for males was younger, the 16 to 19 year old group (6.0%).

Significantly more females than males of almost all marital statuses (married/ civil partnered, cohabiting, single and divorced) were a victim of domestic abuse²³. While historically a greater proportion of widowed males were victims of domestic abuse than females, sample sizes for the latest year were too small to produce a robust comparison.

Domestic abuse was more prevalent for both males and females from households with lower incomes. The greatest proportion for both sexes as well as the greatest difference between sexes was for household incomes of less than £10,000, at 21.4% of females and 9.7% of males.

Partner abuse

Of those who were victims of partner abuse in 2017/18, more male victims reported physical injuries overall (31.8%) compared with 22.7% of females, and more females reported 'severe bruising or bleeding from cuts' (3.4%) and 'other physical injury' (4.0%). More female victims reported non-physical effects following partner abuse (55.8% of females, 47.5% of males), such as causing mental or emotional problems and lacking trust and difficulty in other relationships. However, more males had tried to commit suicide following domestic abuse (11.0%) than females (7.2%). Statistical significance was not found in any of the comparisons.

Homicide²⁴

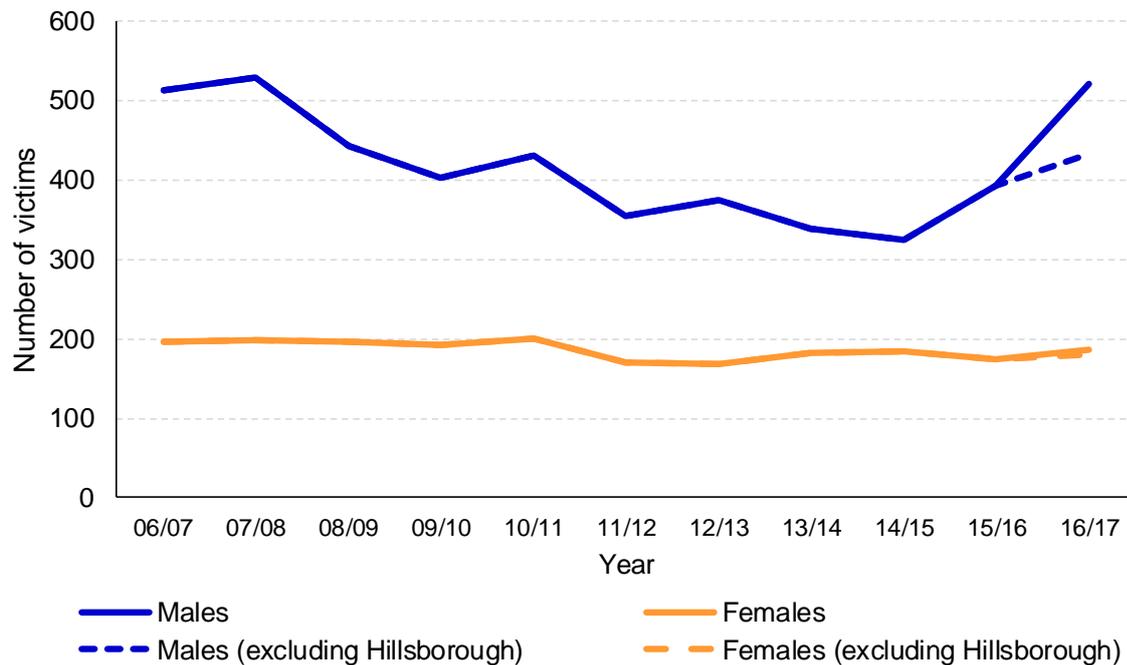
In 2016/17, there were 709 victims of homicide in England and Wales; 522 (74%) male victims and 187 (26%) female victims. This is an overall increase of 25% compared with 2015/16, and homicides are at a similar level to 10 years ago (2006/07). The overall increase of homicide victims since 2014/15 is driven by a 61% increase of male homicide victims, while the number of female victims has remained similar (Figure 3.05). This can partly be accounted for by the inclusion of the 96 victims of the Hillsborough disaster in the 2016/17 data, 89 of which, were male.

There were 613 homicide victims in 2016/17 excluding the Hillsborough disaster, of which, 71% were male and 29% were female. There was an 8% increase in homicide victims (excluding Hillsborough) since 2015/16 (25% increase when Hillsborough victims were included), driven by a 10% increase in male victims (33% increase when Hillsborough victims were included).

²³ While greatest sex disparity was in separated victims (8.3 percentage point difference), there was no significant difference between separated males and females due to a small base size.

²⁴ Data are from the most recently published [Homicide in England and Wales, 2016/17](#).

Figure 3.05: Number of homicide offences currently recorded by the police, by sex of victim, 2005/06 to 2016/17



As the inclusion of the victims of the Hillsborough disaster affects trends in the homicide data, the following breakdown of data excludes the Hillsborough victims to be able to compare data to previous years, unless stated otherwise.

Age

There were more male homicide victims than female in all age groups apart from females aged over 75, where 62% of victims in that age group were female. The most prevalent age group for male victims was 16 to 24 and 35 to 44 years old (20%) and was 35-44 years old for female victims (23%).

Method

In 2016/17, the most frequent method of homicide was a sharp instrument for both sexes (38% males, 29% females), accounting for 35% of all homicides, similar to previous years. This was followed for males by 'hitting, kicking etc' (23%) and by 'strangulation, asphyxiation' (14%), following the same trend over the past decade. For females, 'strangulation, asphyxiation' was the second most common method (18%). This follows the same trend for females over the past decade.

Location

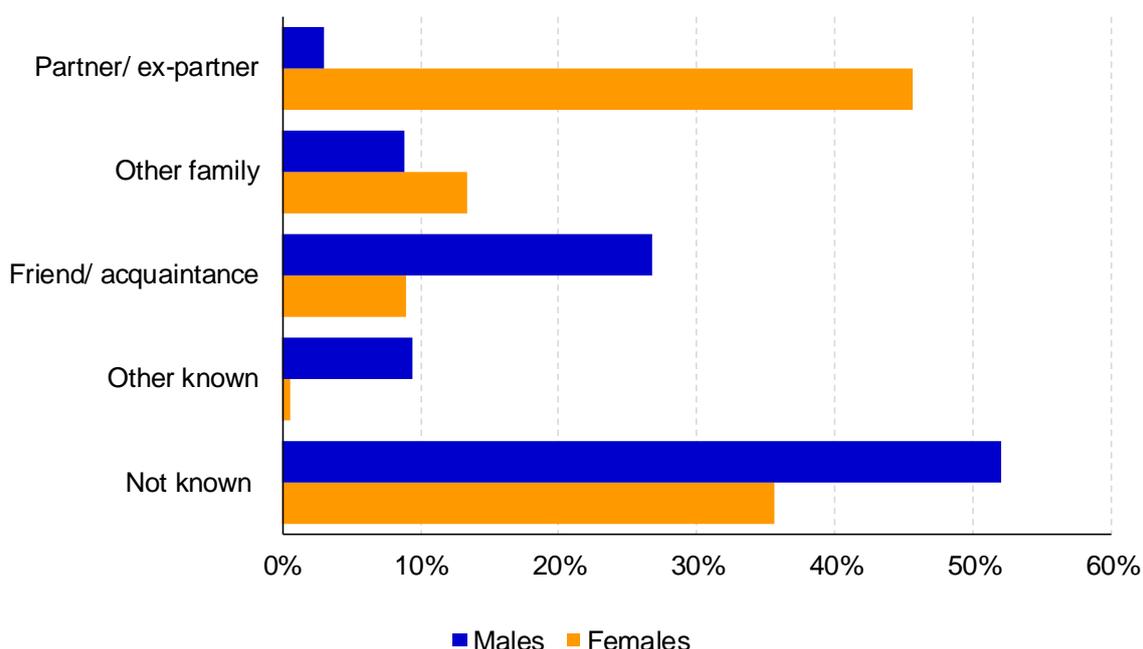
Most female homicides (76%) took place in the house, dwelling (in or around), in comparison to 44% of males. A higher proportion of males were a victim of homicide on the street (25%) compared to 7% of females, in line with previous years.

With Hillsborough included, a further 21% of all male and 7% of all female homicides overall were in a location marked as 'Other', disrupting the trend over the last decade²⁵.

Relationship to suspect

There is a distinction between male and female victims in their relationship with the principle suspect²⁶. A majority of males (52%) did not know their suspect, the highest in a decade²⁷. Consistent with previous years, most female victims of homicide were acquainted with the suspect (68%). Being killed by a partner or ex-partner was the most common relationship for female victims (46%), compared with 3% of male victims. Homicide cases often take time to be investigated, charged and go through the court system meaning there can be a time-lag for the case to complete this process and the data to become available²⁸.

Figure 3.06: Percentage of homicides by victim's relationship to perpetrator, by sex, 2016/17



For homicide victims under the age of 16, most victims knew their principle suspect (69% males, 59% of females). When the suspect was known to the victim, in 76% of cases they were a parent or step-parent. When the suspect was not known, there was no suspect at that time in 85% of cases.

²⁵ Due to homicides recorded from the Hillsborough Stadium in Sheffield, England.

²⁶ 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.

²⁷ With Hillsborough included, 123 suspects that were not known to male homicide victims between 2015/16 and 2016/17.

²⁸ The average number of days from offence to completion for all murder offences in 2017 was 443 days (taken from the [Criminal Courts Statistics January to March 2018](#) release). Timelines by offence group (and homicide is part of the wider 'Violence Against the Person' offence group), split by sex of the defendant is available in Chapter 5: *Defendants*.

Circumstances

The circumstances of homicides remained similar between males and females of all ages. The most common apparent circumstance for homicide was quarrel, revenge or loss of temper (46% of males and 44% of females), consistent with the last decade. Other circumstances made up 21% of both male and female circumstances for homicide.

4. Police Activity

The majority (85%) of arrests continue to be accounted for by males in 2017/18.

The number of arrests has decreased by 8% overall compared to 2016/17, and by 8% for males and 11% for females.

Higher proportions of females in contact with Liaison and Diversion Services had mental health needs than males.

69% of adult females had mental health needs compared to 61% of adult males, where depressive illness was the most common need. In young people, 51% of females had mental health needs compared to 41% of males, where emotional and behavioural issues was the most common need.

The proportion of offenders issued Penalty Notices for Disorder (PND) and cautions has decreased over the last 5 years, the proportion issued to males and females has remained stable.

Compared to 2013, the number of PNDs issued has fallen by 69% to 25,900; 78% of which were issued to males and 22% issued to females. The number of offenders issued cautions has decreased by 54% to 83,300 when compared to 2013; of those cautioned, 77% were male and 23% were female.

This chapter explores the activity of the police, by the sex of the suspect or offender they deal with. It covers statistics on arrests and detentions under the Mental Health Act (1983), which are published by the Home Office in the [Police Powers and Procedures, England and Wales, year ending 31 March 2018](#) publication. There are also sections covering statistics on out of court disposals which come from the [Criminal Justice Statistics Quarterly: December 2017](#), published by the Ministry of Justice, and experimental pilot data from national Liaison and Diversion services, as supplied by NHS England.

Arrests

The data in this section refers to arrests for notifiable crimes recorded by the police. In 2017/18, the total number of arrests carried out by police in England and Wales was 698,700²⁹, which is a decrease of 8% compared to the previous year and continues the downward trend as seen in Figure 4.01. The number of males arrested has seen an 8% decrease since the previous year, whereas the number of females arrested has decreased by 11%. Males accounted for the majority of all arrests, which has been between 83% and 85% since 2006/07, and was 85% in 2017/18.

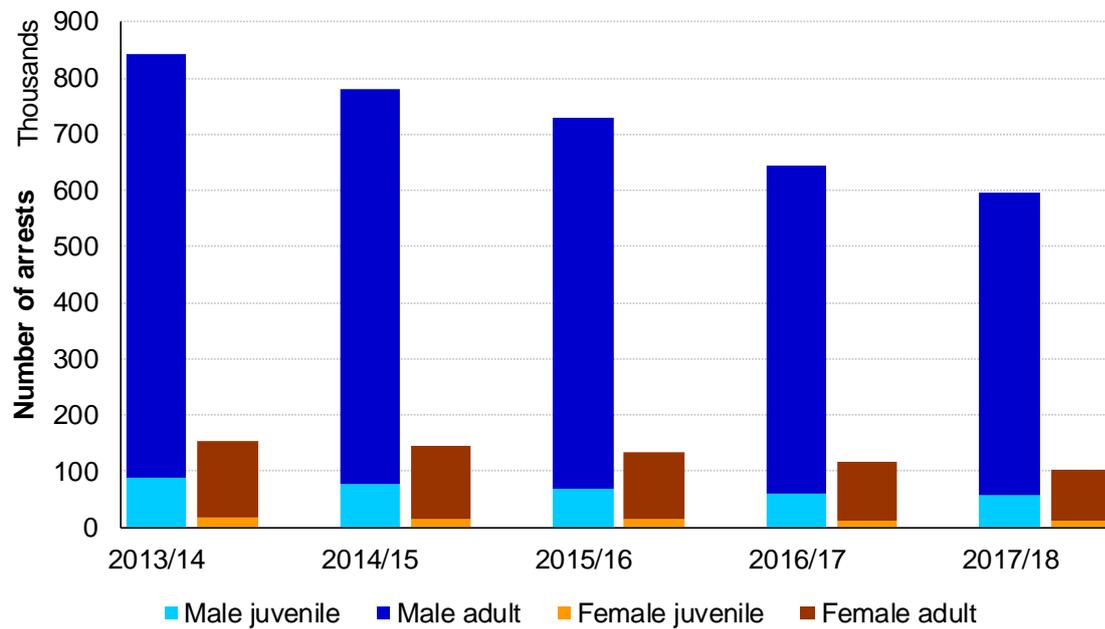
Age groups

When compared to 2013/14, there was an overall decrease of 30% in the number of arrests and this varied by sex and age. The decrease in number of arrests is greater for juveniles (38%) than adults (29%) compared to 2013/14, where arrests for female juveniles and adults

²⁹ Lancashire Constabulary were unable to provide the Home Office with arrests data in time for the Police Powers and Procedures publication. Therefore, to ensure comparability with previous years, Lancashire Constabulary are excluded from arrests analyses.

decreased by 43% and 32% respectively, and arrests for male juveniles and adults decreased by 37% and 28% respectively.

Figure 4.01: Number of arrests, by age group and sex, 2013/14 to 2017/18³⁰

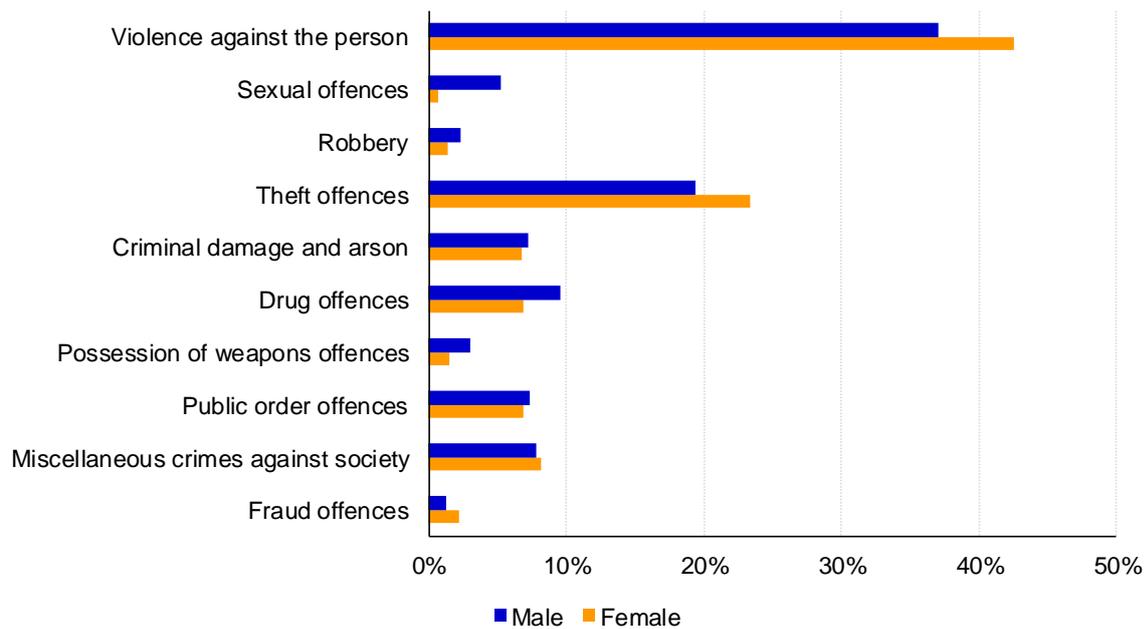


Offence groups

In 2017/18, violence against the person and theft were the two offence groups with the highest number of arrests for both females and males; violence against the person accounted for 37% of male arrests and 42% of female arrests, while theft offences accounted for 19% of male arrests and 23% of female arrests.

³⁰ Excludes cases where age is unknown (<1% of cases in each year).

Figure 4.02: Proportion of arrests within each offence group, by sex, 2017/18



Detentions under section 136 the Mental Health Act (1983)

Section 136 of the Mental Health Act (1983) can be used by the police if, in the officer’s judgement, an individual appears to be suffering from mental ill health and is in need of immediate care or control for the protection and safety of themselves and/or others³¹. The police may remove the individual from any public place and take them to a place of safety for up to 24 hours, which could be a health-based place of safety or under exceptional circumstances a police station.

In 2017/18, 29,700 individuals were detained under section 136 of the Mental Health Act (1983) in England and Wales, a 5% increase when compared to 2016/17³². Of the cases where sex of the individual being detained was recorded³³, 45% were female and 55% were male.

³¹ Individuals are detained under section 136 of the Mental Health Act to enable quick access to mental health care and not because an offence has been committed.

³² In 2017/18 Avon and Somerset, Cheshire, Devon and Cornwall, Dorset, Essex, Warwickshire and West Mercia all stated that new IT systems and processes had led to improved recording of detentions under section 136 of the Mental Health Act. Therefore, to ensure comparability across year, these forces have been excluded from the calculations for the year on year change.

³³ Sex was unknown in 1% of cases.

Liaison and diversion services

Liaison and diversion (L&D) services identify people who have mental health needs, learning disability, substance misuse or other vulnerabilities when they first come into contact with the youth and adult criminal justice system as suspects, defendants or offenders. These services are designed to support people through the early stages of the criminal justice pathway, refer them for appropriate health or social care, or enable them to be diverted away from the criminal justice system into more appropriate settings. 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 country, and as at April 2018 has been rolled out to cover 82% of the population in England³⁴.

Adults

In the financial year 2017/18, 65,600 adults were engaging with L&D services. Just over a fifth (22%) of those engaging with L&D services were female³⁵, a higher proportion than among those arrested (as discussed in the arrests section earlier in the chapter). The main source of referral was police custody, accounting for 73% of adults referred to liaison and diversion services; 73% of males and 75% of females.

The most common offence group³⁶ for those using these L&D services was violence against the person (29%), followed by public order – nuisance and ‘other’ offences (both 9%). A larger proportion of females were being dealt with for violence against the person compared to males (33% compared to 28%). Higher proportions of females were being dealt with for public order – nuisance (12% compared to 8% for males), ‘other’ offences (10% compared to 8% for males), and theft (11% compared to 8% for males). A larger proportion of males were being dealt with for a sexual offence than females (8% compared to 1% for females), in line with typical patterns of arrests and prosecutions.

Identified alcohol misuse	33% were identified as having issues with alcohol misuse; this affected 37% of females and 31% of males.
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Identified substance misuse	32% were identified as having issues with substance misuse; this affected 26% of females and 34% of males.
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³⁴ 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.

³⁵ 1% of people identified as intersex or did not disclose this information. They have been excluded from all analyses in this chapter.

³⁶ 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 2017, which are used throughout the majority of this bulletin.

Identified alcohol and substance misuse	13% were identified as having issues with both alcohol and substance misuse; this affected 11% of females and 13% of males.
Identified physical health need	10% were identified as having physical health needs; this affected 11% of females and 9% of males.
Identified mental health need	64% were assessed as having a mental health need; this affected 69% of females and 61% of males. Depressive illness was the most common need, affecting 29% of females and 25% of males. 12% of males had schizophrenia or another delusional disorder, compared to 6% of females.
Identified learning disability and social and communication difficulty	4% had a learning disability, which affected 4% of males and 3% of females. 4% had a social and communication difficulty (including autism spectrum disorder), affecting 4% of males and 3% of females.
Identified suicide or self-harm risk	14% were identified as at risk, and 6% were identified as at risk of harm through personal neglect; 15% of females and 14% of males were identified as at risk, whereas 6% of females and 5% were identified as being at risk of harm through personal neglect.
Identified financial and accommodation need	The proportions of males and females identified as having a financial need were similar, at 10% and 11% respectively. 18% of males and 17% of females were identified as homeless.
Identified abuse victim	Overall, 11% were identified as victims of abuse. A higher proportion of females were identified as victims of abuse, 21% compared to 8% of males, this is in line with findings discussed in Chapter 3: Victims).

Young people

The Youth Justice Liaison and Diversion scheme was developed in 2008 to enhance health provision within the youth justice system and facilitate help for children and young people with mental health and developmental problems, speech and communication difficulties, learning disabilities and other similar vulnerabilities at the earliest opportunity after they enter the youth justice system.

In the financial year 2017/18, 10,900 young people (aged 13 to 18) were engaging with L&D services. Out of those who identified as either male or female³⁷, a fifth (20%) of those engaging with L&D services were female. The main source of referral for young people

³⁷ 1% of people identified as intersex or did not disclose this information. They have been excluded from all analyses in this chapter.

overall was the police (58%), where 57% of males and 63% of females were referred to L&D services by the police.

The most common offence group³⁸ for young people in contact with liaison and diversion services was violence against the person (25%), followed by criminal damage (11%) and theft (10%) offences. A larger proportion of females were being dealt with for violence against the person compared to males (38% compared to 22%). Similarly, higher proportions of females were being dealt with for criminal damage (12% compared to 11% for males), and theft (11% compared to 10% for males). Conversely, the largest difference in proportions where a higher proportion of males were being dealt with for a particular offence was for robbery offences, for which 6% of males were being dealt with compared to 1% of females.

Suspected alcohol misuse	11% were suspected to have issues with alcohol misuse; this affected a higher proportion of females (18%) than males (9%).
Suspected substance misuse	25% were suspected to have issues with substance misuse; this affected a slightly higher proportion of males (25%) than females (21%).
Suspected alcohol and substance misuse	It was suspected that 7% had issues with both alcohol and substance misuse; this affected a higher proportion of females (10%) when compared to males (6%).
Identified physical health need	Overall, 3% were identified as having physical health needs; similar small proportions were seen when broken down by sex (3% each for females and males).
Identified mental health need	43% were assessed as having a mental health need; this affected 51% of females and 41% of males. Emotional and behavioural issues were the most common need, affecting 30% of females and 20% of males. A higher proportion of male young people were identified as having attention deficit disorder (10%, compared to 4% females) and 9% of females had depressive illness, anxiety, phobia, panic disorder, OCD or PTSD compared to 4% of males.
Learning disability and social and communication difficulty	9% were either indicative of having a learning disability or had a Statement of Educational Need (SEN), this was the case for 9% of males and 6% of females. 8% had a social and communication difficulty (including autism spectrum disorder), which affected 9% of males and 6% of females.

³⁸ 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 2017, which are used throughout the majority of this bulletin.

Identified education, employment or training need	Overall, just under a fifth of young people were identified as having educational, employment or training needs; 19% of males were identified with these needs compared to 18% of females.
Identified current suicide or self-harm risk	7% were identified as at risk, and 2% were identified as at risk of harm through personal neglect; 13% of females and 5% of males were identified as at risk, whereas 2% of females and males were each identified as being at risk of harm through personal neglect.
Identified financial and accommodation need	A small proportion of young people (2%) were identified as having financial needs, which was slightly higher for males at 3% when compared to females at 2%. 6% were identified as having accommodation needs; the proportion of which was higher for females at 8% compared to 6% for males.

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 police³⁹ and CPS in 2017 included: simple and conditional cautions; cannabis and khat warnings⁴⁰; penalty notices for disorder (PNDs); and community resolutions⁴¹.

The use of out of court disposals (excluding community resolutions) has decreased steadily since 2007. In 2017, 246,000 people were issued an out of court disposal, compared with 670,000 in 2007; a 63% fall overall.

There are several likely reasons for the decreases, many of which shift the focus towards more serious offences, including:

- The removal of the Offences Brought to Justice⁴² (OBTJ) target in 2008
- Changes in police activity, including a reduction in the use of police stop and searches since 2010
- Changes in targets set within police forces on 'clear up' rates that may have promoted use of these disposals
- Other changes in legislation that have restricted the use of cautions (Criminal Justice and Courts Act 2015) and PNDs (to adults only from 2013)

Penalty Notices for Disorder issued

Penalty Notices for Disorder (PNDs)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.

³⁹ 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.

⁴⁰ Khat warnings were available from 24 June 2014. Ethnicity and sex data is not available for Cannabis or Khat warnings.

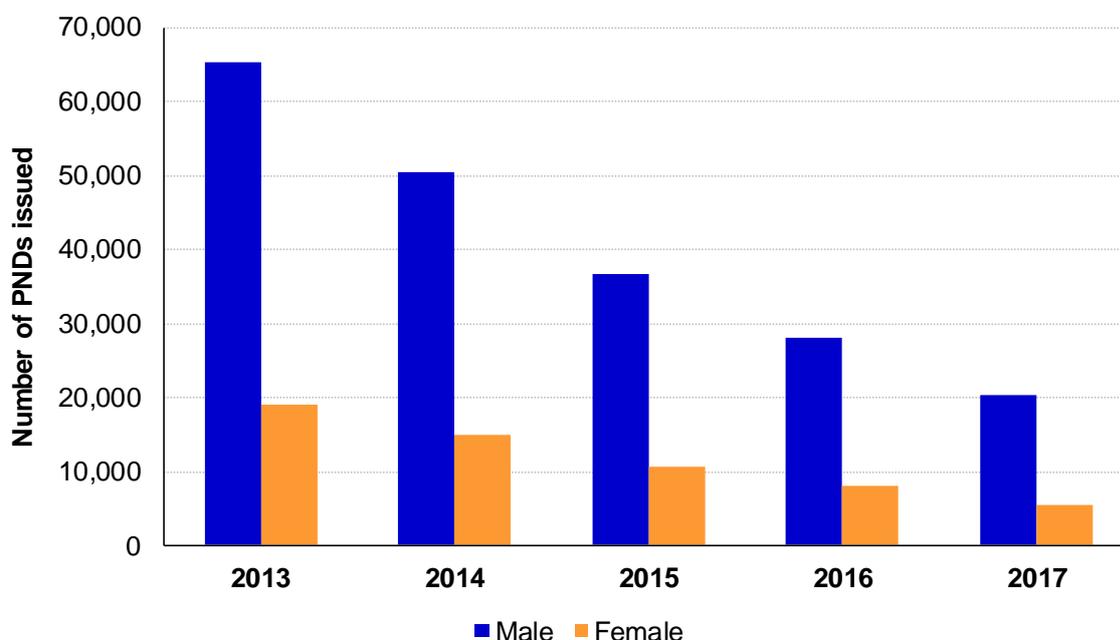
⁴¹ Community resolutions statistics provided by the Home Office show those community resolutions which (with or without formal Restorative Justice) have been applied in accordance with College of Policing guidance. Ethnicity and sex data is not available for community resolutions.

⁴² In 2002 a target was introduced to increase the number of offences brought to justice and reduce the gap between the numbers of crime recorded by the police and those for which a perpetrator is identified and in 2008 the target was removed

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

The use of PND's has been decreasing year on year since 2007. In 2017, 25,900 were issued compared with 84,300 in 2013; a decrease of 69%. PND's issued to males decreased by 69% to 20,300, and PND's issued to females decreased by 71% to 5,600 over the same period. Despite the fall in PND's issued, the proportions issued to males and females have remained broadly stable, with 78% being issued to males and 22% to females.

Figure 4.03: Number of Penalty Notices for Disorder issued, by sex, 2013-2017



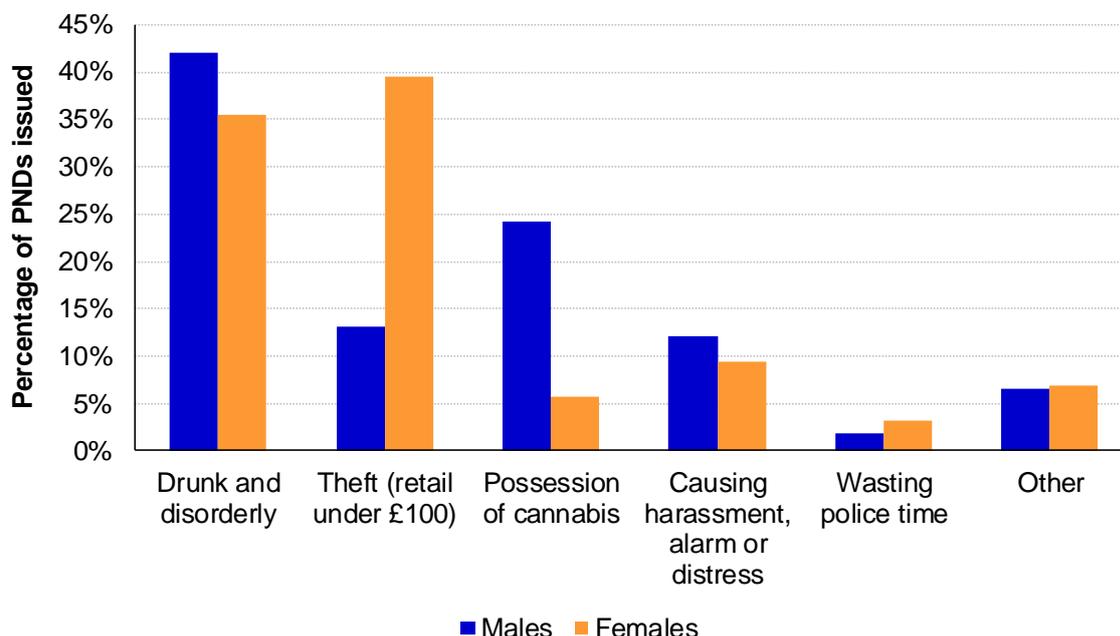
Penalty Notices for Disorder - Offences

The offences for which PND's are issued are divided into lower and higher tiers. Offences which attract a penalty of £90 are higher tier, including theft (retail under £100) and being drunk and disorderly; lower tier offences include offences such as trespassing on a railway and consumption of alcohol in a designated public place and attract a penalty of £60.

In 2017, the majority (98%) of PND's issued were for higher tier offences: 98% (19,900) of offences committed by males were higher tier; 99% (5,500) of offences committed by females were higher tier. This breakdown has remained relatively constant between 2013 and 2017.

When considering all offences for which a PND was issued in 2017, the proportions issued for specific offences varies for males and females (Figure 4.04). In 2017, a higher proportion of males received PND's for being drunk and disorderly (42% compared to 35% for females), possession of cannabis (24% compared to 6%) and causing harassment, alarm or distress (12% compared to 9%). Females received higher proportions of PND's for theft (retail under £100) (39% compared to 13% for males), and wasting police time (3% compared to 2%). Since 2013 the proportions of PND's being issued for being drunk and disorderly and possession of cannabis have increased, while the proportions relating to theft and harassment have generally fallen.

Figure 4.04: Percentage of Penalty Notices for Disorder issued, by offence and sex, 2017



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 2017, 50% of PNDs were paid in full, and 32% resulted in a fine for late payment. There was little difference in these proportions between males and females.

*Cautions issued*⁴⁴

Police cautions are formal warnings which can be given by the police to those who have admitted an offence⁴⁵. 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 2017, the total number of offenders issued cautions was 83,300, compared with 182,500 in 2013, which represents a 54% decrease. Of the offenders cautioned, 64,100 (77%) were male and 19,200 (23%) were female, similar proportions to those for PNDs. Despite the fall in the number of offenders issued cautions, since 2013 the split between males and females has remained broadly stable.

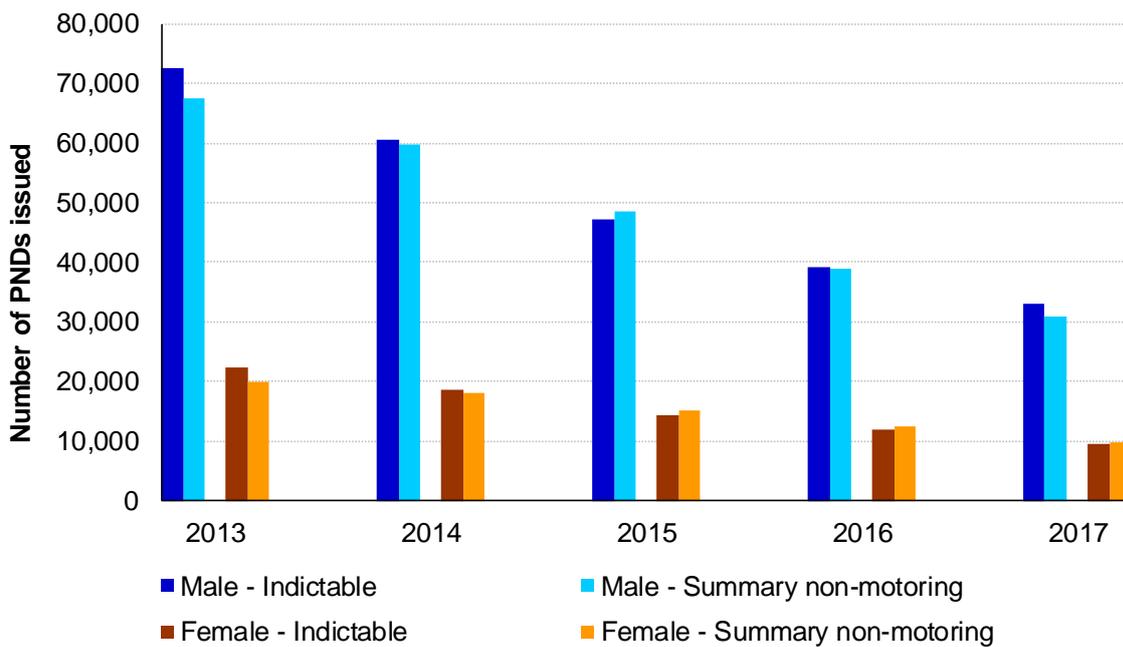
⁴⁴ Figures on cautions exclude cases where sex is not known (in 1% of cases)

⁴⁵ 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 – Offences ⁴⁶

In 2017, 49% (40,800) of all offenders issued cautions were issued them for summary non-motoring offences, a fall of 53% since 2013 (Figure 4.05). When split by sex, the proportion of male offenders cautioned for summary non-motoring offences in 2017 was 48% (31,000), and for females it was 51% (9,700). The proportion of males cautioned for these offences saw a small increase to 51% in 2015, however it is now at the same proportion as it was in 2013. In contrast, the trend for female offenders cautioned for summary non-motoring offences has seen an increase by 4 percentage points since 2013.

Figure 4.05: Number of cautions issued by offence type and sex, 2013 to 2017



The total number of persons cautioned for indictable offences in 2017 was 42,600, accounting for 51% of those cautioned. When compared to the 94,900 cautions for indictable offences issued in 2013, this is a decrease of 55%. Similar rates of decreases can be seen when cautions for indictable offences are split by males and females (down 54% and 57% respectively).

There are greater differences in the indictable offence groups for which males and females received cautions in 2017. A higher proportion of males cautioned for indictable offences were cautioned for drug offences (43% in 2017, compared with 19% for females), while females were issued a higher proportion of cautions for theft offences (47% compared to 24% for males) and violence against the person (20% compared to 11%). When compared to 2013, the offences which have seen the largest decreases in cautions being issued are criminal damage and arson, and theft offences (down 76% and 62% respectively). When split by sex, similar rates of decreases can be seen across these offences for males and females.

⁴⁶ 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.

Cautioning rates

The cautioning rate is the number of offenders who were given a caution divided by the number who were either cautioned or convicted (excluding convictions for motoring offences).

The cautioning rate for females was lower than for males overall, at 6% compared with 7% in 2017, however, it was higher for females than for males in respect of indictable offences, at 23% and 15% respectively. This difference is likely to result from a larger proportion of females convicted for the summary non-motoring offence of TV license evasion: see Chapter 8: Offence Analysis for further details. Cautioning rates have decreased overall for both males and females by 7 percentage each since 2013, driven by a more notable decrease in cautions than convictions. For indictable offences, cautioning rates for males decreased by 8 percentage points and by 13 percentage points for females.

There were differences between the sexes in the cautioning rates for different indictable offences. The offence groups⁴⁷ for which males and females had similar cautioning rates were fraud offences (12% and 13% respectively) and public order offences (11% and 10% respectively). Conversely, there were greater percentage point differences between male and female cautioning rates for violence against the person (13% compared to 38% respectively) and drug offences (29% compared to 39% respectively).

⁴⁷ Robbery has not been considered, as the numbers cautioned are too low for a meaningful trend.

5. Defendants

In 2017, 74% of defendants prosecuted were male, and 26% were female.

The number of prosecutions of male defendants declined steadily over the past decade by 32% (from 1.4 million in 2007 to 936,000 in 2017), while the number of female defendants decreased by 4% between 2007 and 2017.

The conviction ratio in 2017 was higher for female (88%) than male (86%) offenders, a trend that is consistent over the past decade

Since 2007, the conviction ratio for females increased from 84% to 88% in 2017. Males followed a similar trend with a conviction ratio of 81% in 2007 to 86% in 2017.

The custody rate was higher for male offenders in each year of the last decade

Males had a higher custody rate for indictable offences (34%) than females (20%). Females were 43% less likely to be sentenced to custody for indictable offences, relative to males.

Average custodial sentence length (ACSL) for male offenders in 2017 was 17.6 months, and 10.0 months for females.

This is driven in part by a higher proportion of female offenders receiving shorter sentence lengths of up to and including three months (57%), compared with 35% of male offenders.

This chapter explores outcomes for defendants in the Criminal Justice System (CJS) predominantly drawing on data from the [Annual MoJ Criminal Justice Statistics 2017](#) publication⁴⁸. Other sources drawn upon in this chapter include [Criminal Courts statistics](#) and [Legal Aid Statistics](#). When a suspect is formally charged, they are brought before a magistrates' court (as a defendant) as soon as possible. Following prosecution, defendants found guilty are subsequently convicted and sentenced. The defendant can be summoned to appear in court or remanded on bail or custody.

An [interactive Sankey diagram](#) showing the typical flows through the Criminal Justice System for each sex, offence type (Indictable and Summary offences) and offence group is published alongside the annual Criminal Justice System Statistics:

⁴⁸ The Annual [Criminal Justice Statistics December 2017](#) publication was released in May 2018.

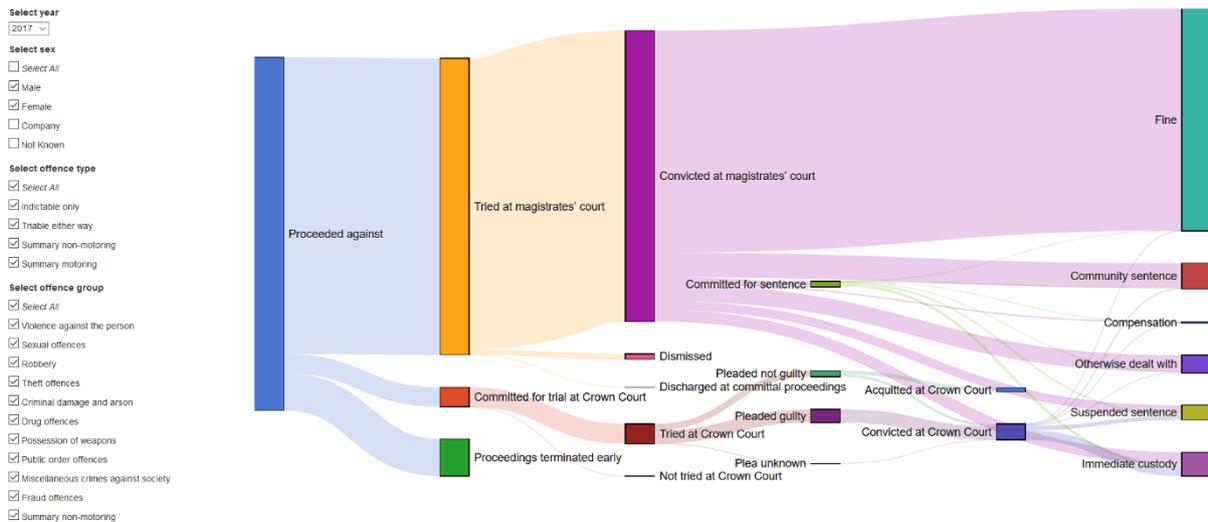
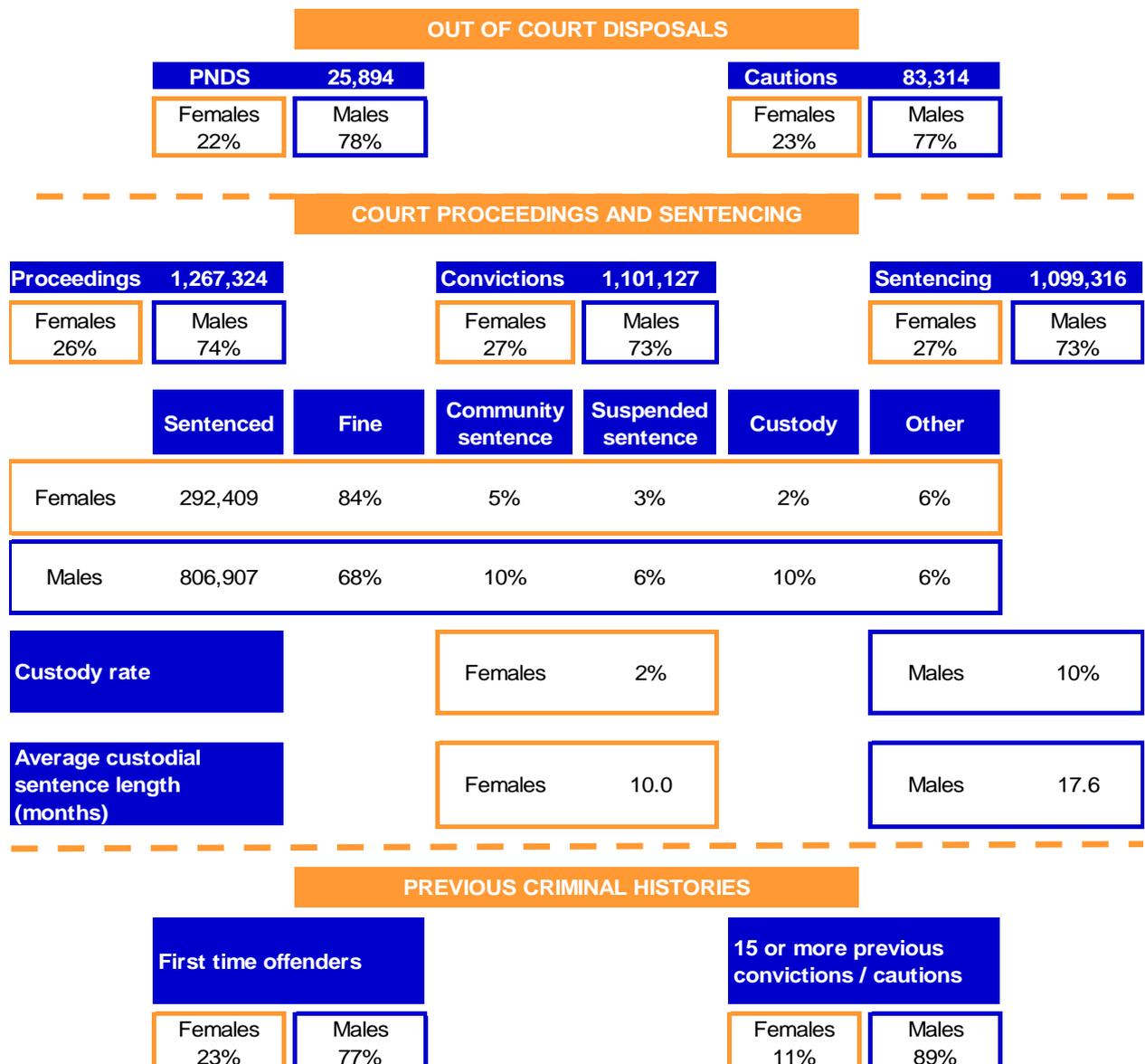


Figure 5.01: The journey of males and females through the Criminal Justice System, 2017

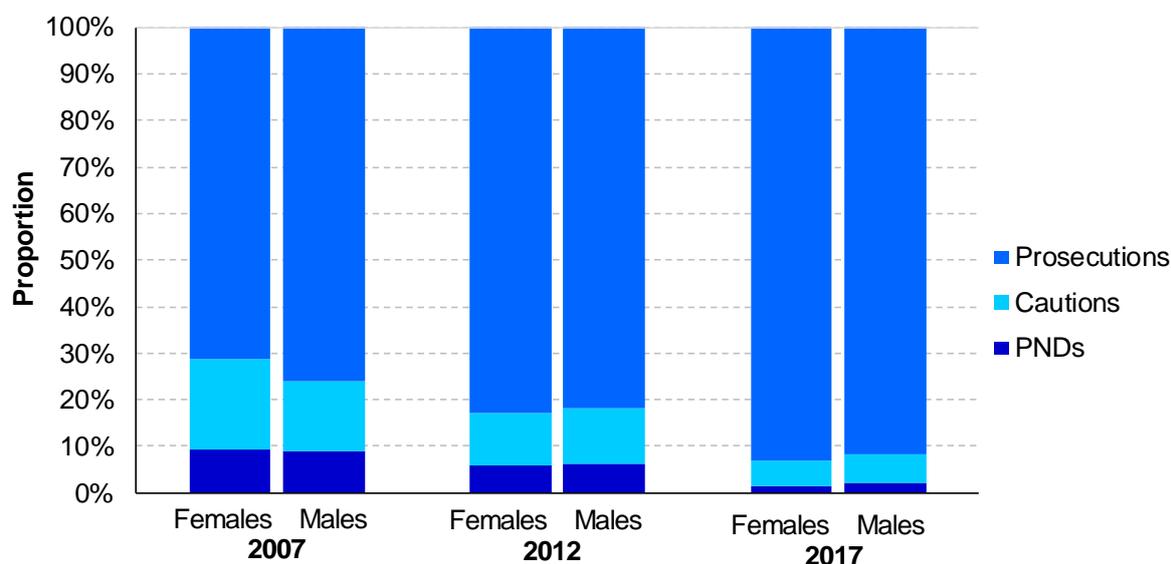


Individuals formally dealt with by the Criminal Justice System (CJS)⁴⁹

This section on individuals formally dealt with by the CJS combines 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 25% and 26%) of all individuals dealt with⁵⁰ by the CJS through either prosecutions or OOCs⁵¹. In 2017, 356,000 females (26%) and 1,021,000 (74%) males were formally dealt with by the CJS.

Between 2007 and 2017, the overall number of both OOCs and prosecutions decreased. The number of males prosecuted fell by 32% and the number of females prosecuted fell by 4% over this period, while the number issued OOCs decreased by around 80% for both females and males. As a result, the proportion of females dealt with by the CJS that were given an OOC was larger for females than for males before 2011. In 2007, a higher proportion of females (29%) were dealt with through an OOC than males (24%) however, in 2017, this was no longer the case (females 7% and males 8%) (Figure 5.02).

Figure 5.02: Proportions of individuals dealt with who are dealt with through prosecutions and out of court disposals, by sex, 2007, 2012 and 2017



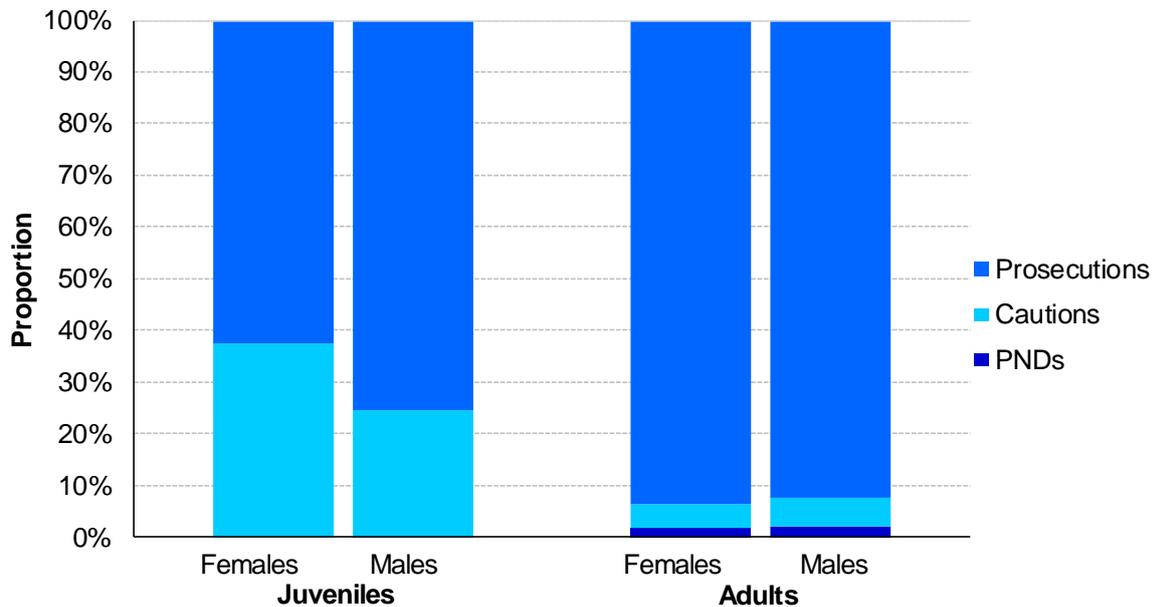
Overall the proportion of those dealt with in court was larger for adult females (93%) than for adult males (92%) in the latest year. There were 43,800 juveniles formally dealt with in 2017, equating to 3% of all individuals formally dealt with. The proportion of juveniles that were dealt with in court was 63% for females and 76% for males, therefore juveniles were more likely to be dealt with via an OOC (Figure 5.03).

⁴⁹ 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.

⁵⁰ Where sex is known.

⁵¹ Cannabis warnings and community resolutions will not be considered when looking at out of court disposals because they are not recorded by sex. OOCs in this report consists of 'Penalty Notices for Disorder' and Cautions.

Figure 5.03: Proportions of individuals dealt with who are dealt with through prosecutions, cautions and PNDs, by age group and sex, 2017



Indictable offences⁵²

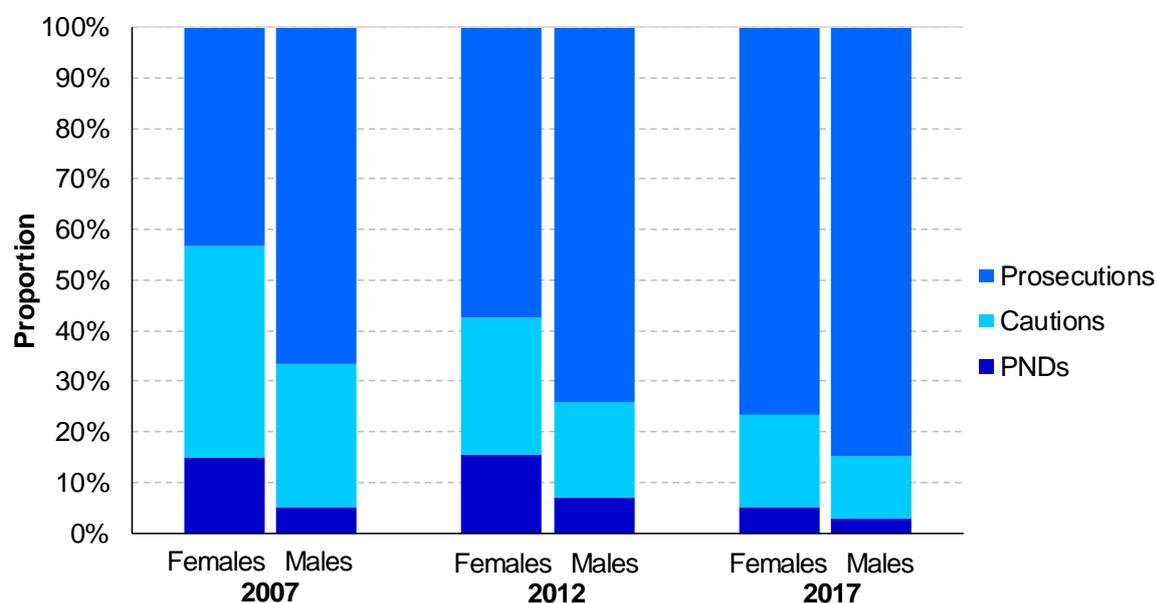
The number of individuals given OOCs⁵³ for indictable offences fell for both females and males in the period 2007 to 2017, with the fall in indictable OOCs (cautions) larger for females (83%) than males (78%). The number prosecuted for indictable offences also fell for both males (34%) and females (32%).

Since 2012, the proportion of males dealt with for an indictable offence who were dealt with in court increased from 74% to 85% of males in 2017. Similarly, in 2012, 57% of female defendants dealt with for an indictable offence were dealt with in court, increasing to 77% of females in 2017. 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 last decade (Figure 5.04).

⁵² 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.

⁵³ This would only refer to 'cautions' as PNDs are only given for summary non-motoring offences and cannabis warnings and community resolutions are not recorded by sex.

Figure 5.04: Proportions of individuals dealt with for an indictable offence who are dealt with through prosecutions, cautions and PNDs, by sex, 2007, 2012 and 2017



Prosecutions and Convictions⁵⁴

Prosecutions

In 2017, 74% of defendants prosecuted were male, and 26% were female. The number of prosecutions of male defendants declined by 32% over the past decade (from 1.4 million in 2007 to 936,000 in 2017), while the number of female defendants decreased by 4% between 2007 and 2017⁵⁵. Nevertheless, females were still underrepresented among those dealt with at the criminal courts: in 2017 26% of those prosecuted were female.

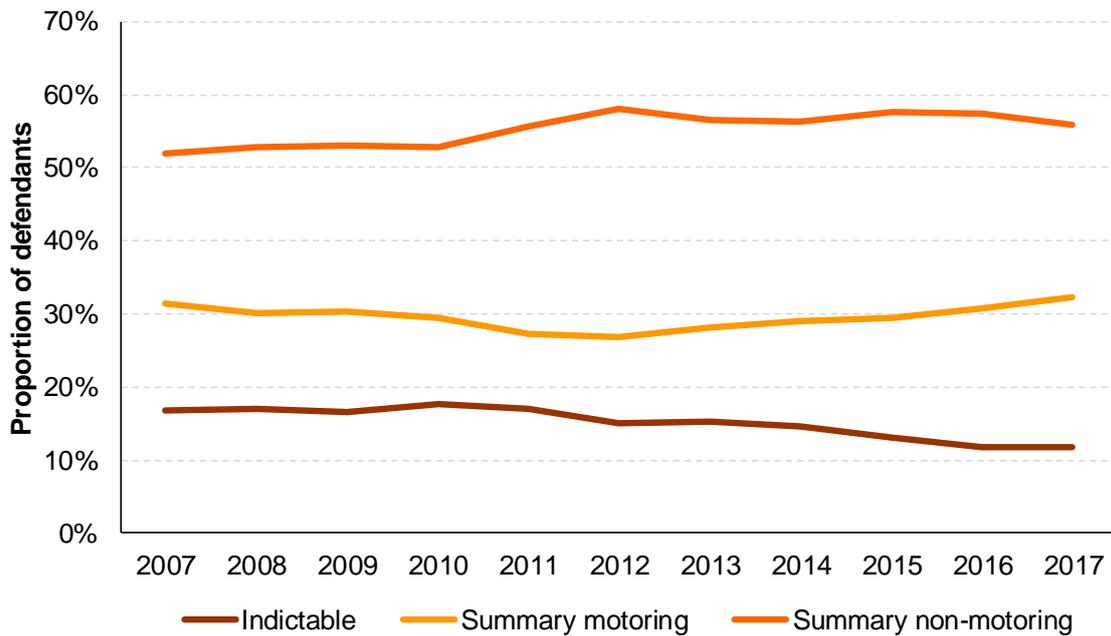
Between 2007 and 2017 the 3% increase in the number of female defendants proceeded against for summary non-motoring offences was offset by a 32% fall in indictable offences over the same period (Figure 5.05). In the same period, male defendant numbers fell by 34% for indictable offences, 33% for summary motoring offences, and 28% for summary non-motoring offences.

⁵⁴ 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.

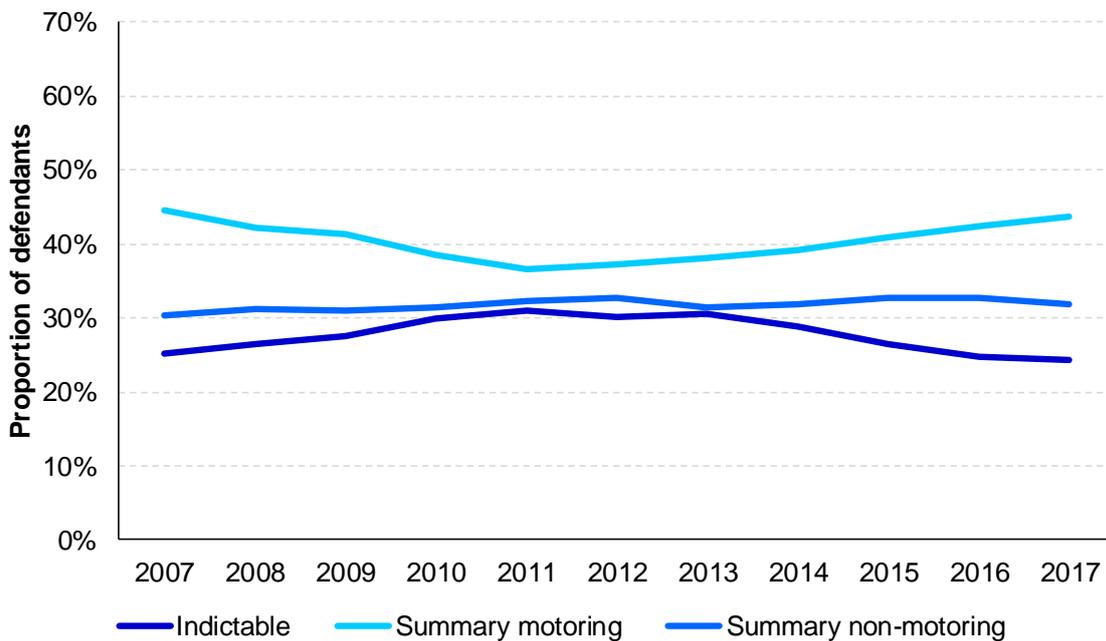
⁵⁵ Defendants with sex not stated accounted for 8% of all court proceedings, Companies and public bodies accounted for 1%.

Figure 5.05: Proportions of defendants proceeded against at magistrates' courts, by offence type and sex, 2007 to 2017

Females



Males



In 2017, 85% of all prosecutions for indictable offence were male defendants (15% female defendants). Of all summary offences, 71% of prosecutions were of male defendants (29% female).

Of those dealt with in court in 2017, 88% of females were prosecuted for summary offences, compared with 76% of males. The group that accounts for the highest proportion of male

prosecutions was summary motoring offences (44% of all prosecutions for males), while for females, summary non-motoring offences accounted for 56% of prosecutions.

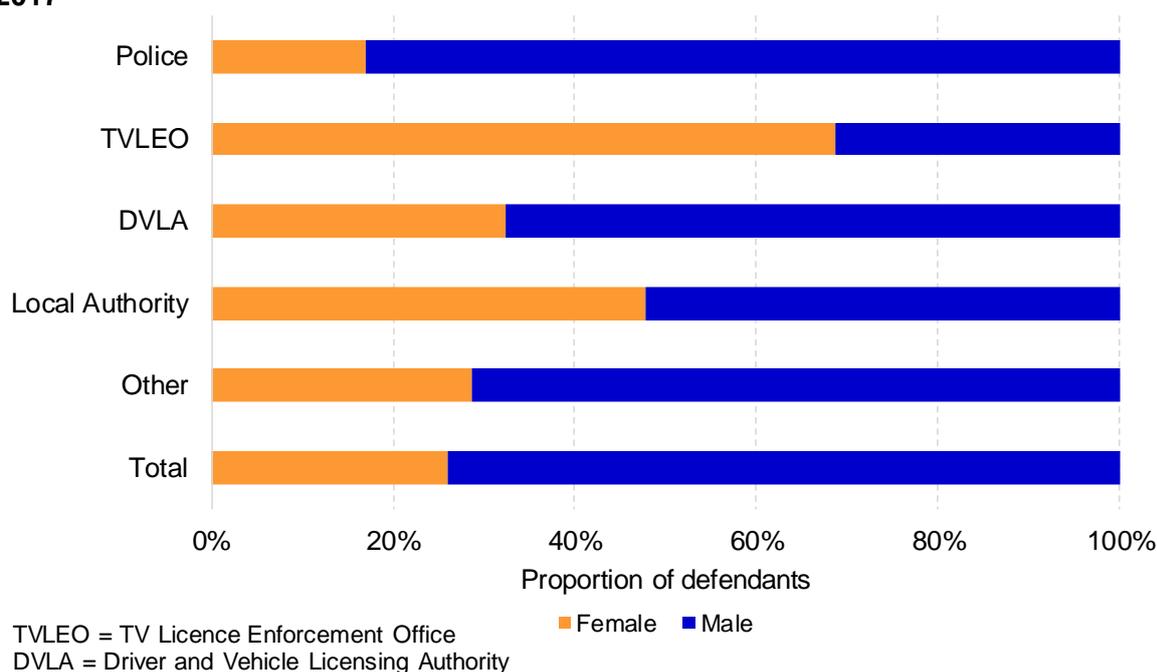
The proportion of prosecutions for indictable offences for male defendants in 2017 was higher for all offences groups other than theft offences (48% of female indictable prosecutions, 30% of males) and fraud (females 9%, males 3%). Males had higher proportion than females prosecuted for drug offences (females 9%, males 17%), sexual offences (females <1%, males 5%) and violence against the person (females 12%, males 15%).

Prosecuting authority ⁵⁶

There were 1.3 million persons of known sex⁵⁷ in 2017 that had a completed case, and 26% of those defendants were female.

Of these, a higher proportion of males were prosecuted by all bodies except the TV Licence Enforcement Authority, where 69% of prosecutions were against females (Figure 5.06). Of all female prosecutions, 55% were brought forward by another prosecuting authority other than the police, compared to 23% of male defendants, this has remained broadly stable since 2013.

Figure 5.06: Proportion of the defendants brought to magistrates' court by prosecuting authority and sex, 2017



Overall, the police accounted for the greatest proportion of prosecutions for female defendants, followed by TVLEO which is the only prosecution authority for which a higher number of females (102,300) were prosecuted than males (46,500), representing 69% of TVLEO prosecutions. The number of TVLEO prosecutions has decreased for females and male defendants, since 2013.

⁵⁶ 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.

⁵⁷ In 2017, there were a total of 1.4 million defendants, 8% of which had an unknown sex (this may include companies).

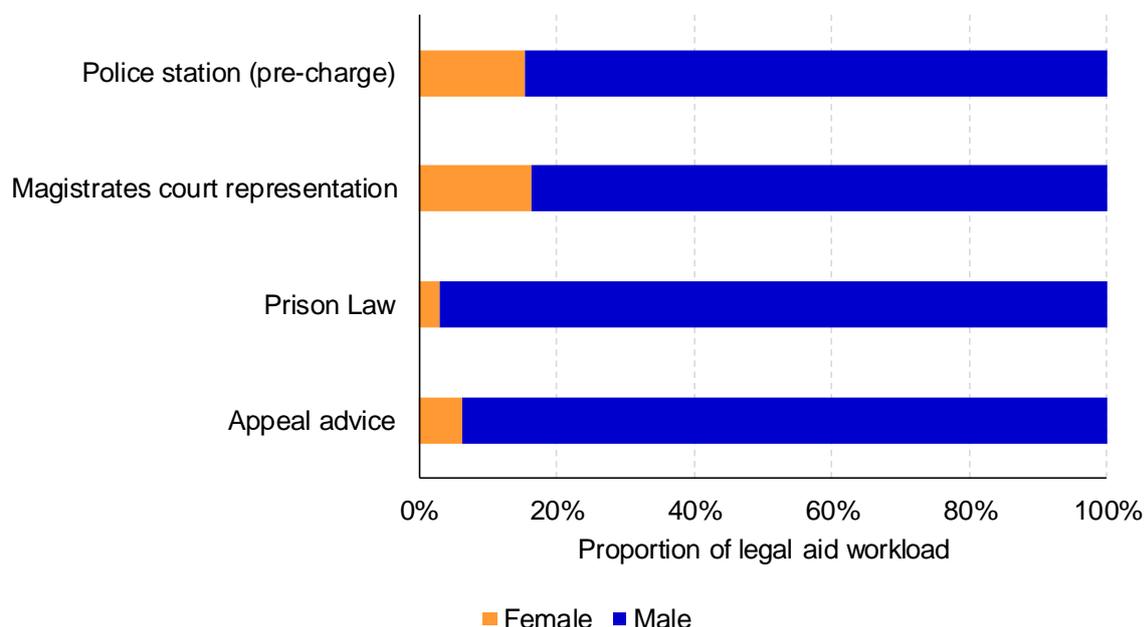
Females accounted for 32% and 48% of DVLA and Local Authority prosecutions respectively in 2017. These proportions increased for both DVLA (by 7 percentage points) and Local Authority (by 2 percentage points) since 2013. These increases were due to a rise in the number of prosecutions of female defendants by both the DVLA (73%) and Local Authorities (28%). Meanwhile, the number of male DVLA and Local Authority prosecutions has increased since 2013 but at a slower rate.

Criminal legal aid

Criminal legal aid consists of legal advice and representation provided to people being investigated or charged with a criminal offence, covering police stations, prisons, and the courts. 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 covers work carried out by legal aid providers regarding police station advice, magistrates' court work and prison law. Crime lower work tends to be relatively high volume, lower cost units of criminal legal aid work, compared to crime higher.

In 2017, 15% of the total crime lower legal aid workload was for female clients, with 85% for males. These proportions have remained stable over the last 5-year period⁵⁸. Similarly, female defendants were 16% of the magistrates' court representation legal aid workload in 2017 (Figure 5.07). The proportion of female legal aid recipients in the Crown Court was lower; 10% of the crime higher legal aid workload in 2017⁵⁹. For comparison, in 2017, 27% of all prosecutions at the magistrates' court were of females and 10% of all defendants tried at the Crown Court were female.

Figure 5.07: Crime lower legal aid workload by sex and legal aid category, 2017



Crime lower

In 2017, police station advice and magistrates' court representation constituted the majority of the total crime lower work load (97%). Police station advice alone made up 69% of the workload for both sexes in 2017, increasing from 62% for females and 61% for males since

⁵⁸ Where sex is known. 1% of crime lower legal aid clients had an unstated sex.

⁵⁹ Where sex is known. 5% of crime higher legal aid clients had an unstated sex.

2013. Representation at magistrates' court made up 31% of the workload for females and 29% for males in 2017 but has been steadily decreasing since 2013. In 2017, prison law comprised less than 1% of the female and 3% of the male workload; both proportions have decreased by one percentage point in the last 5 years but reflect falling prison population figures. Appeal advice and assistance made 1% or less of the workload for both males and females for the last 5 years.

In 2017, the most common offences for which female legal aid clients received police station advice were offences against the person (39%) followed by theft (17%). Correspondingly, male defendants also received police station advice mainly for offences against the person (31%) and theft (12%). Similar trends were found in magistrates' court representation.

For both males and females, the highest proportion of prison law legal aid work consisted of free standing advice and assistance: 37% for females and 35% for males in 2017. This is despite the proportions for this category of representation decreasing for both sexes since 2015, while the proportions for advocacy assistance at prison discipline hearings have increased. Female defendants have consistently comprised between 2-3% of the total proportion of prison law workload since 2015, in each category of work and overall.

Crime higher

Similar trends emerge from the crime higher legal aid workload. In 2017, 90% of crime higher legal aid work related to male clients. This proportion has remained very similar over the last 5-year period. Just as with crime lower, there has been a decreasing trend in the volume of crown court legal aid workload in this period, by 11% for both sexes since 2013. Across all sexes, the legal aid workload categories of appeal and committal for sentence were the smallest, while triable either way and indictable only offences were the largest. In 2017, around half of the female and male defendants in the crown court receiving legal aid did so for triable either way offences. These proportions have fallen steadily since 2015 for both sexes. Over the same period, the proportions receiving legal aid in the Crown Court for indictable offences increased from 24% to 28% for females and 29% to 31% for males. This trend reflects the offence type for which defendants were tried for in the Crown Court.

Crown Court cases

In 2017/18⁶⁰, 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 (89%). This proportion was slightly less for females (86%), than for males (90%).

Representation at the Crown Court⁶¹

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 2017, the

⁶⁰ Figures from this paragraph are sourced from the data underpinning the [Criminal Court Statistics \(annual\): January to March 2018 bulletin](#). These figures are calculated differently from those used for the Criminal Justice Statistics Quarterly: December 2017 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.

⁶¹ Figures from this section are sourced from the data underpinning the [Criminal Court Statistics \(annual\) January to March 2018 bulletin](#). These figures are calculated differently from those used for the Criminal Justice Statistics Quarterly: December 2017 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.

proportion of defendants⁶² that were known to have had representation at their first hearing was 95% for both females and 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.

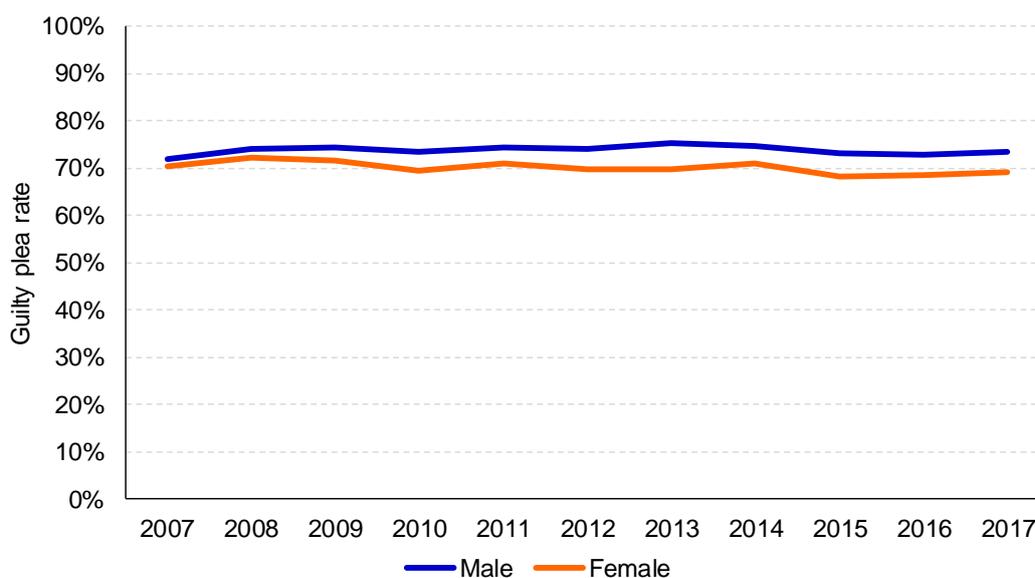
Plea at the Crown Court

In 2017, 10% of males and 13% females elected to be tried at the Crown court, as opposed to being directed. The guilty plea rate (GPR) (the proportion of defendants who pleaded guilty to all offences) of triable-either-way offences, varied for male and female defendants depending on election type. For both sexes, the GPR for defendants who elected to be tried at the Crown Court was lower than the GPR for those directed by the magistrates' court, at 47% for females elected, compared with 63% with those directed, and 51% for males elected, compared with 70% of those directed.

For both defendant who elected to be tried at Crown court and those who were directed, males had a higher GPR. The difference between the GPR of female defendants and male defendants for those who elected to be tried at Crown Court was 5 percentage points, and 7 percentage points for those directed there by magistrates' courts. There does not appear to be any difference between the sexes in how GPR is associated with election of trial at the Crown Court.

Over the last decade the proportion of defendants pleading guilty at the Crown Court has remained broadly stable overall for indictable offences, for both males and females (Figure 5.08). The guilty plea rate was consistently lower for females (69% in 2017, decreasing from 70% in 2007) compared with males (73% in 2017, increasing from 72% in 2007). The guilty plea rate was also lower for females for all offence groups except sexual offences (females 41%, males 37%) in 2017. Furthermore, for both males and females, the proportion of defendants pleading guilty was considerably lower for indictable only (52% and 59% respectively in 2017) than for triable either way offences (79% and 71% respectively in 2017).

Figure 5.08: Guilty plea rate at Crown Court, by sex, 2007 to 2017



⁶² These figures exclude companies and persons with unknown sex. In 2017, there were 79,600 defendants dealt with in the Crown Court less than 1% of which had unknown sex or were a company.

Number of hearings taken to input a guilty plea

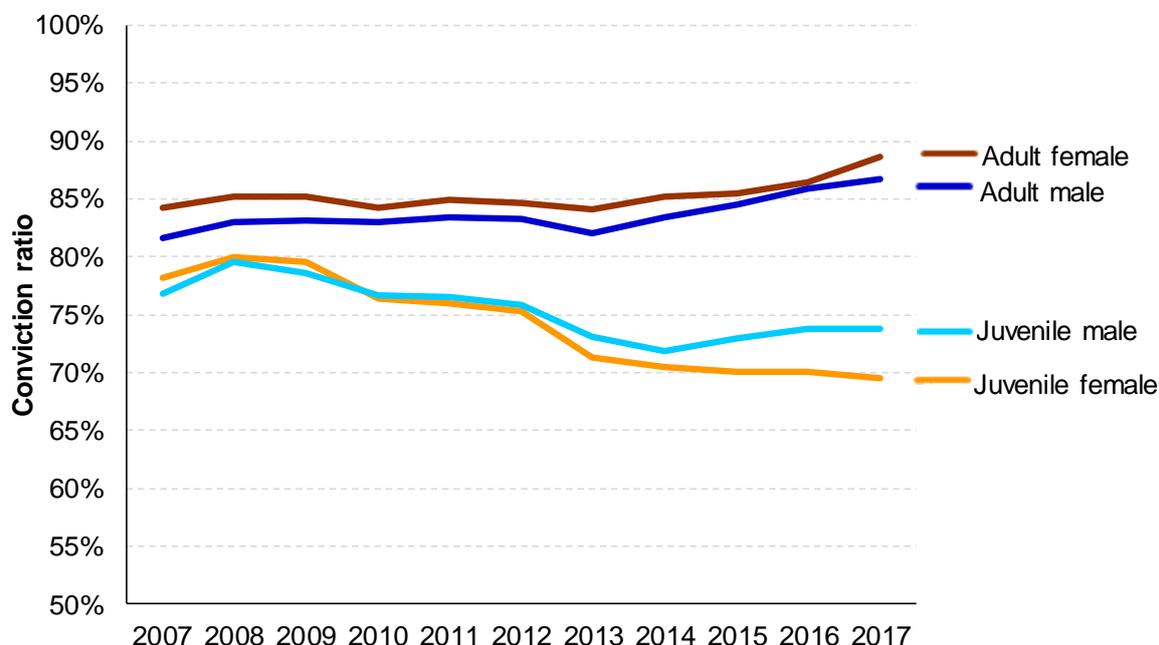
In 2017, the number of defendants entering a guilty plea, therefore meaning a trial did not occur, continued to decrease, down 18% when compared to 2016 for indictable offences. Where defendants had plead guilty, the proportion of defendants inputting an early guilty plea has continued to increase, with 89% of defendants entering a guilty plea within 2 hearings; an increase of 5% from 2016, and up 9% since 2014. In 2017, the same proportion of male and female defendants (89%) entered a guilty plea within 2 hearings. In 2014, the proportion was 81% for females, and 80% for males.

Convictions

In 2017, there were 1.1 million convictions, of which, 27% of convictions were of female offenders and 73% were of male offenders. The number of convictions has fallen for male offenders since 2007 (by 28%), while it has risen overall for female offenders (by 1%)⁶³.

The conviction ratio in 2017 was higher for female (88%) than male (86%) offenders, a trend that is consistent over the past decade. Since 2007, the conviction ratio for females increased from 84% to 88% in 2017. Males followed a similar trend with a conviction ratio of 81% in 2007 to 86% in 2017⁶⁴. In 2017, the conviction ratios were lowest for sexual offences for males (62%) and sexual offences and robbery for females (58%), but were otherwise generally similar for both sexes. Conviction ratios were higher for summary offences, and as a higher proportion of female offences were summary offences this in part explains the higher conviction ratio for females. Overall, the conviction ratio was lower for juveniles compared with adults (Figure 5.09).

Figure 5.09: Conviction ratio, by age group and sex, 2007 to 2017



⁶³ Offenders with sex not stated accounted for 8% of all convictions.

⁶⁴ The conviction ratio is calculated by dividing the number of defendants convicted by the number of defendants prosecuted in the same period

Remands

Police and pre-court remand

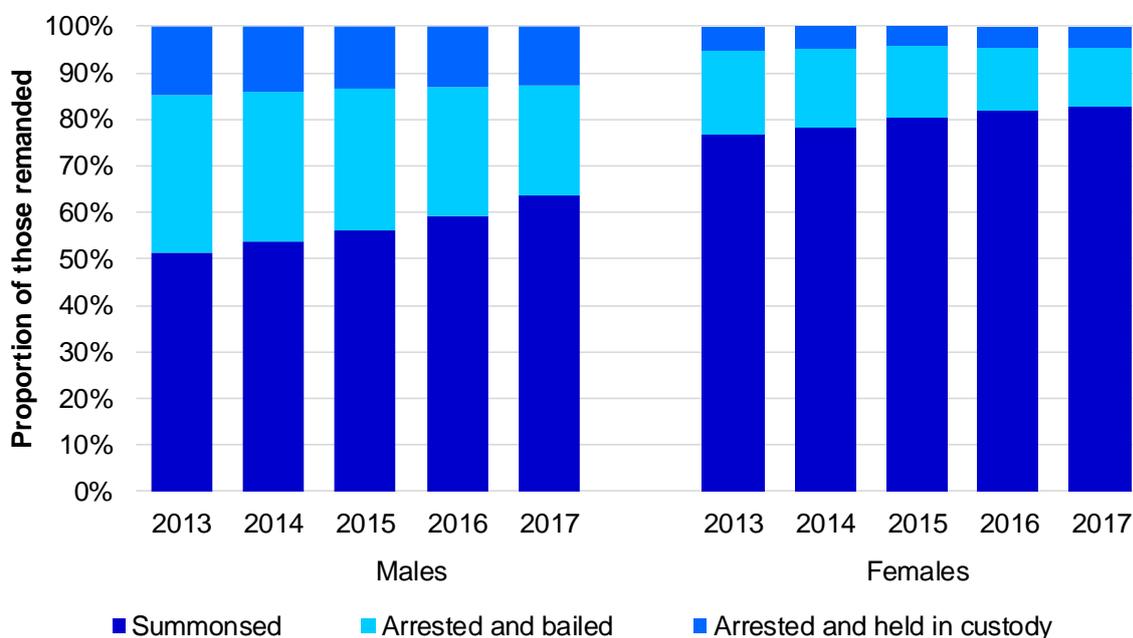
Police remands are decisions made by a police officer on whether to detain or bail a defendant pending their first appearance in court or send a notice summoning them to appear in court. Most individuals however, were summonsed to court via another prosecuting authority and therefore not remanded. In 2017, there were 1.33 million defendants⁶⁵ directed to appear at magistrates' courts (including those who failed to appear).

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; 4% of female defendants were held in custody in 2017. 13% of male defendants were held in custody in 2017; whilst this has fluctuated since 2013, it has also remained broadly stable.

Similarly, a lower proportion of female (13%) than male (24%) defendants were bailed by the police in 2017, decreasing by 6 percentage points for females and 10 percentage points for males since 2013 (Figure 5.10). A greater proportion of female (83%) than male (64%) defendants have received a summons, both increasing by 6 and 13 percentage points respectively.

The differences observed in police remand decisions are likely to relate in part to the different types of offences for which females and males are typically prosecuted and hence the risk they are perceived as representing.

Figure 5.10: Remand status prior to first appearance at court, by sex, 2013 to 2017



⁶⁵ Excluding companies and those of unknown sex, which comprise 9% of the total number of defendants. The total number of defendants in 2017 including companies and where gender is unknown is 1.46 million.

Court remands⁶⁶

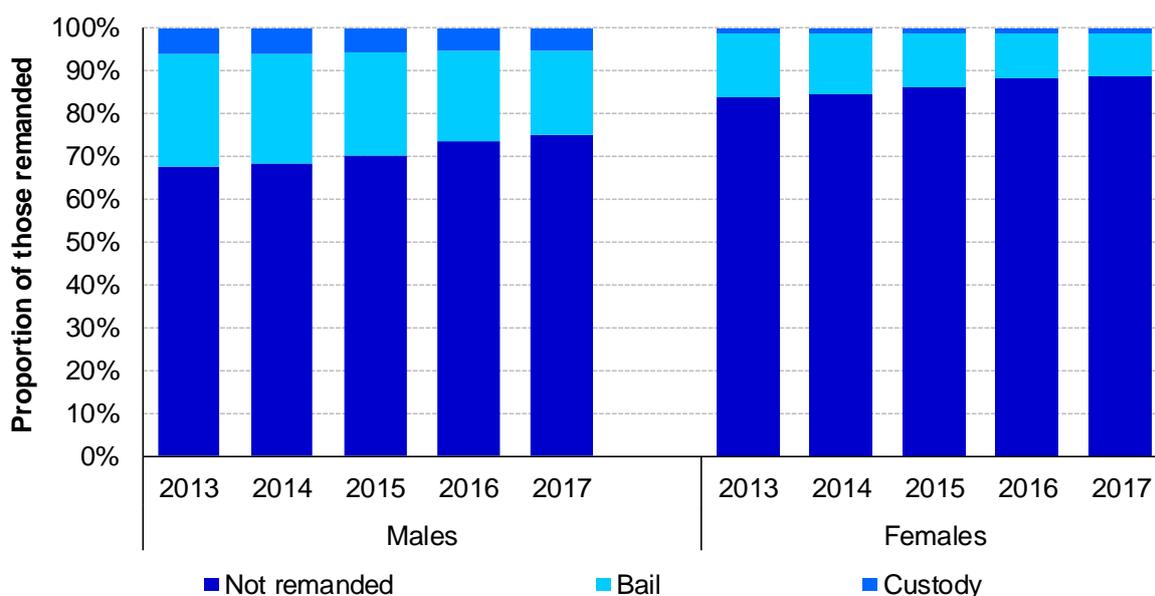
Court remands⁶⁷ are court decisions on whether a defendant charged with a criminal offence should be held in custody or released on bail, during the period of their trial or while they are awaiting sentence. The figures are compiled from a combination of the defendant's remand status during their trial and whilst awaiting sentence at magistrates' courts and the Crown Court.

Magistrates' court remand

The trends for females remanded by magistrates' courts follow a similar pattern to police remands, with females being less likely than males to be remanded in custody or bailed (Figure 5.11). In the last five years, 1% of female defendants have been remanded into custody by magistrates' courts. In contrast, the proportion of males remanded into custody in 2017 was 5%; this has remained broadly stable since 2013. The proportions of males and females bailed in 2017 were 19% and 10% respectively, both representing a fall since 2013 (from 26% and 15%).

In 2013, 84% of females were not remanded, rising to 89% in 2017. For males, 68% were not remanded by magistrates' courts in 2013, increasing to 75% in 2017.

Figure 5.11: Remand status at magistrates' courts, by sex, 2013 to 2017



Outcomes for defendants remanded in custody by magistrates' courts

In 2017, a lower proportion of the females remanded in custody by magistrates' court were sent for trial or sentencing at the Crown Court compared with males (49% and 60% respectively); and the same proportion as males were acquitted (10% of both sexes remanded in custody by magistrates' courts).

⁶⁶ Defendants are reported against their principal (i.e. most serious) remand status. Court custody includes those remanded in custody at any stage of proceedings at the Magistrates' or Crown Court who may also have been given bail or not remanded at some stage of those proceedings. Court bail includes those remanded on bail at any stage of proceedings at the Magistrates' or Crown Court who were never remanded in custody but who may also have been not remanded at some stage of those proceedings.

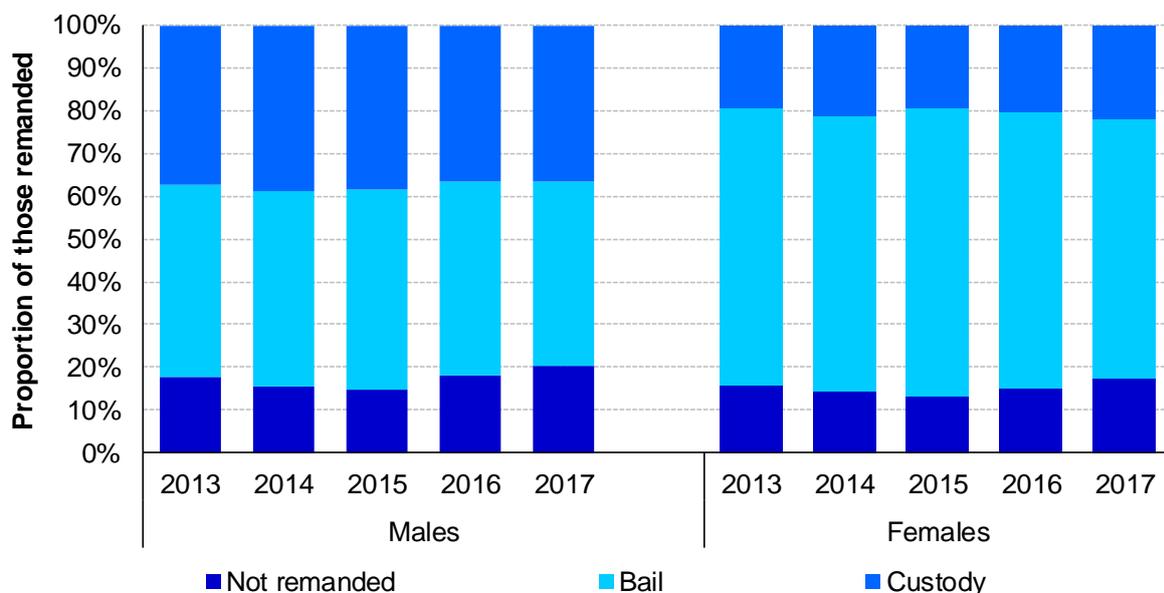
⁶⁷ The data in this section relates to persons remanded in each completed court case rather than to the number of remand decisions (a person may be remanded several times during a case)

Crown Court remand

The proportion of all defendants remanded in custody⁶⁸ at the Crown Court remained broadly stable over the past five years at 35%. Of the 9,300 females and 84,300 males appearing at the Crown Court in 2017, 22% and 37% respectively were remanded in custody. The proportion has been broadly similar for males since 2013 whilst for females there was an increase of 3 percentage over the same period. For police and magistrates' courts remands, females have consistently had a lower proportion than males to be remanded in custody at the Crown Court.

In contrast to what is seen for police and magistrates' courts remand, however, females consistently had a higher proportion than males to be bailed at the Crown Court; 61% females were bailed in the latest year compared with 43% of males in the latest year (Figure 5.12). This difference is likely to be linked to the greater seriousness of offences typically dealt with at the Crown Court; most females were 'not remanded' by police or magistrates, but this is rarely appropriate for Crown Court cases. (20% of males and 17% of female defendants were not remanded in the Crown Court in 2017, proportions which have remained similar for both males and females since 2013).

Figure 5.12: Remand status at Crown Courts, by sex, 2013 to 2017



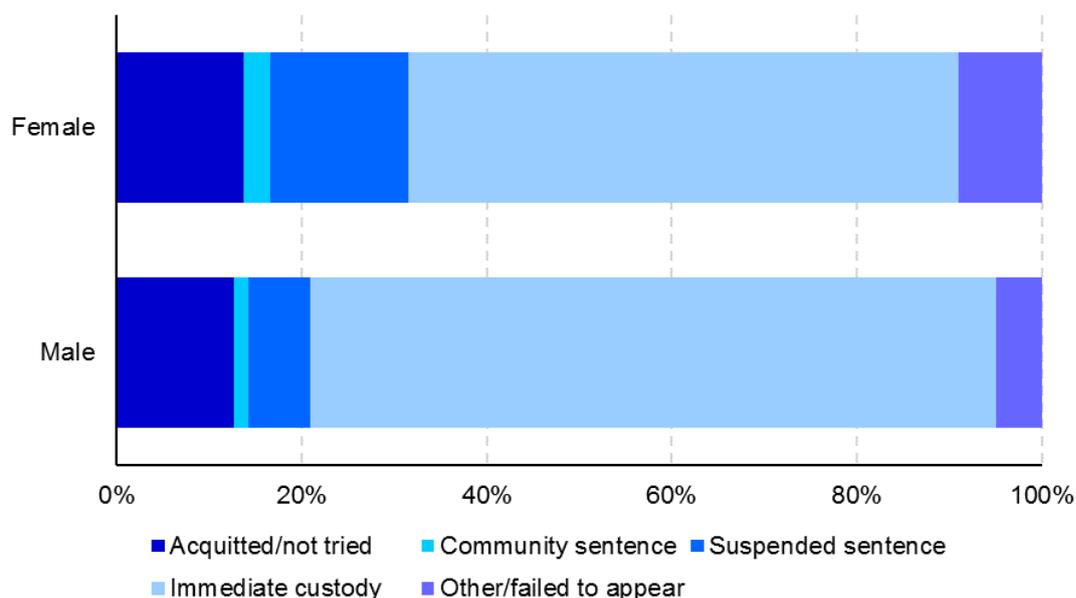
Outcomes for defendants remanded in custody at the Crown Court

In 2017, a higher percentage of females who were remanded in custody at the Crown Court were acquitted or not tried (14%) compared with males (12%), as a proportion of all sentencing outcomes for each sex. Since 2013, the trend for males and females has remained relatively stable.

Typical sentencing outcomes handed by the Crown Court to female and male defendants who had been remanded in custody differed in 2017 (Figure 5.13). A higher proportion of males were given immediate custody (86%) compared with females (71%); however more females than males received a suspended sentence (18% and 8% respectively).

⁶⁸ Defendants remanded in custody might also have been remanded on bail or not remanded at another stage in the proceedings.

Figure 5.13: Proportion of those remanded in custody and sentenced at the Crown Court, by sentencing outcome and sex, 2017



Failure to appear

Failures to appear (FTA) occur when defendants do not attend court on a specified date. In 2017, the proportion of defendants who failed to appear was 5% in the magistrate’s court and 3% in the Crown Court.

In 2017, females represented 19% of those failing to appear⁶⁹, a smaller proportion than of those prosecuted. They represented 19% of FTA at magistrates’ courts and only 12% 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.

Of all FTAs in 2017, 95% male and 97% of female FTAs related to magistrates’ courts. The majority of FTAs were associated with triable-either-way offences.

Case Management⁷⁰

Effectiveness of trials

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 drops 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 when the jury will not be sworn in for the trial hearing. Instances where the trial does not go ahead but that still require the trial to be relisted at later

⁶⁹ Of known sex. 2% of those failing to appear has sex unknown or not stated.

⁷⁰ Statistics on case management come from [Criminal Court Statistics](#).

date are called ineffective trial listings^{71 72}. Some cases will require multiple trial hearings and therefore can have more than one listing.

In 2017, there were 35,000 trial listings of which 4% (1,000) related to cases that had a mix of male and female defendants, and 96% (33,000) related to cases which had all male or all female defendants.⁷³ Of these 33,000 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 2017, 15% of listings relating to male cases were ineffective whilst 17% of listings were ineffective for female cases. These proportions have remained relatively stable from 2010 to 2017, ranging from 14% to 15% for males and 13% to 17% for females.

The proportion of trial listings that were effective differ slightly for trials involving either all male or all female defendants. In 2017, 51% of listings relating to a male case were effective whilst 45% of listings were effective for female cases. The proportion of effective trials for male defendants have slowly increased from 44% in 2010 to 51% 2017, whereas for female defendants the proportion of effective trials have decreased slightly from 49% in 2013 to 45% in 2017.

Timeliness⁷⁴

In 2017⁷⁵, the median number of days from the offence to completion of the criminal case for female defendants was 146 days and for male defendants was 152 days. This represents an increase since 2011 (142 and 126 days), due in part to an increase in the time between offence and charge or laying of first information. However, whilst the median number of days for female defendants has increased 3% since 2011, there was a larger increase in the median number of days for male defendants (21%). In light of these recent trends, the median durations have been lower for female defendants in the last two years.

The 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 2017, female defendants had a median of 105 days whilst male defendants had a median of 92 days. In 2011, both female and male defendants had a smaller median number of days (78 and 56 days respectively) between offence and charge. The median number of days from charge to first listing was 29 days for both males and females in 2017, whereas in previous years the median duration had always

⁷¹ For example if the defendant or a witness was absent then the trial listing would be categorised as ineffective.

⁷² 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.

⁷³ Less than 1% of trial listings related to cases concerning companies or had defendants of unrecorded sex.

⁷⁴ 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%. Tables on timeliness by offence are published in the overview tables accompanying this publication. For more information and statistics on timeliness please refer to the [Criminal Court Statistics \(quarterly\): January to March 2018 bulletin](#)

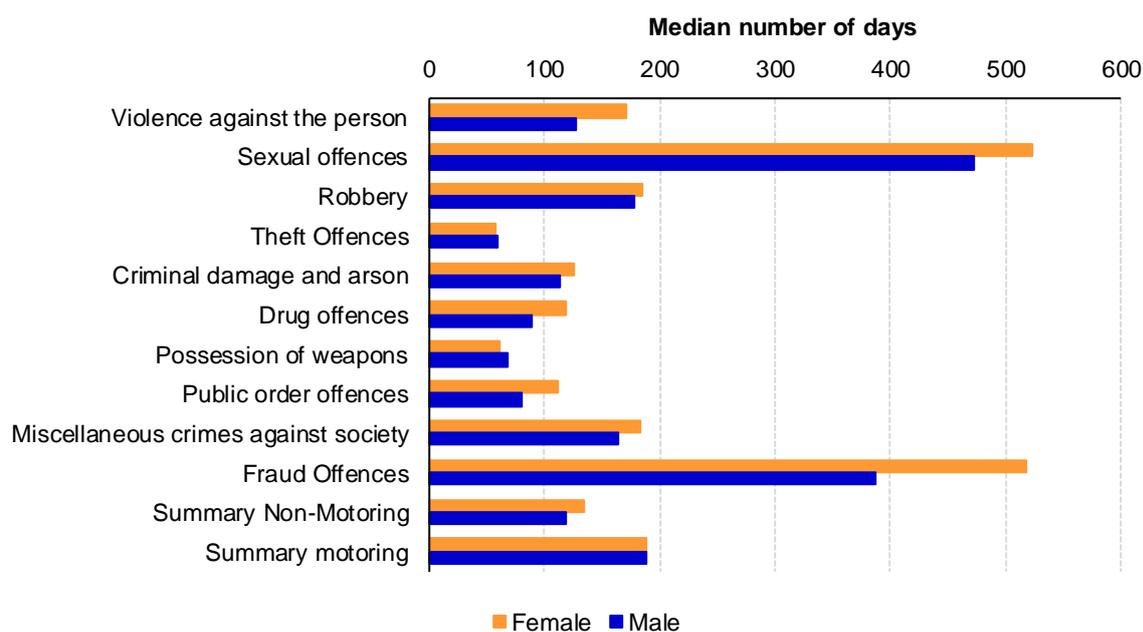
⁷⁵ In 2017, there were 1.4 million defendants who had completed cases in the criminal courts 9% of which had unknown sex.

been higher for females. In 2011, female defendants had a median of 37 days whilst male defendants had a median of 24 days. The median number of days from first listing to completion is zero for both males and females.⁷⁶

Public order offences, fraud offences and violence against the person offences all take over a third longer for female defendants than male defendants for offence to completion (Figure 5.14). In 2017, sexual offences had the largest median number of days (524) from offence to completion for female defendants, followed by fraud offences (518 days). Sexual offences (473 days) and fraud offences (387 days) also took the longest time for male defendants in 2017. As with overall timeliness, the gap between the sexes has narrowed since 2011, when female defendants had a median of 453 days for sexual offences and male defendants 326 days.

The second longest offence group for female defendants was fraud offences, with a median time of 518 days from offence to completion, compared with 387 days for males. Again, in 2011, female defendants had a larger median (535 days) whilst male defendants had a smaller median (300 days). In 2017, female defendants had a longer median time from offence to completion for all indictable offence groups, apart from theft and possession of weapons. The same trend was seen in 2011, except for public order offences and robbery, which also took longer for male defendants.

Figure 5.14: Median number of days from offence to completion, by offence group and sex, 2017



Pre-sentence reports

Pre-sentence reports (PSRs)⁷⁷ 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

⁷⁶ A median value of 0 indicates that the case had a first listing and completed on the same day.

⁷⁷ 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. Statistics on PSRs are published alongside [Offender Management Statistics](#).

courts, and the agreement (concordance) between recommendations made in PSRs and sentences issued at court and whether this differs between males and females.

In 2017, a total of 130,000⁷⁸ 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 130,000 and 159,000) but has decreased overall by 33% since 2012 (although there was a 12% increase between 2014 and 2015). The majority of PSRs (74%) were given at the magistrates' courts in 2017, a proportion that has been fairly consistent over time, however 79% of females were given their PSR at magistrates' courts, compared to 73% of males.

In 2017, 38% of PSRs were written, fast delivery PSRs⁷⁹ (females 32%, males 39%). Oral, fast delivery PSRs⁸⁰ were more common, especially for females (females 66%, males 57%), while standard PSRs⁸¹ which are given for the more serious offences were much less common and were given proportionally more often to male (4%) compared with female (2%) offenders. This aligns with the differences in the types of offence males and females were typically prosecuted for, as discussed in Chapter 8: *Offence Analysis*. Since 2014, the overall proportion of standard PSRs declined by 13 percentage points for females and by 21 percentage points for males. The overall number of standard PSRs decreased by 51% compared to 2016 to 5,000. For both female and male offenders, oral fast delivery PSRs were less common at the Crown Court (male 27%, female 31%), similarly standard PSRs were uncommon (male 12%, female 6%).

Overall, females (78%) were more likely than males (74%) to have their sentences concur with their PSR (concordance). In 2017, a lower proportion of female offenders were recommended for immediate custody (female 5%, male 9%) and a higher proportion for community sentences (female 65%, male 58%) compared with male offenders.

In 2017, the highest level of concordance was for immediate custody (Figure 5.15), with 84% of female offenders and 90% 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 second-most common to be given for both females and males (12% for females, 7% for males). Furthermore, in 2017 a higher proportion of males (13%) received an immediate custodial sentence than females (7%) when another sentence option had been recommended in the PSR (e.g. a suspended sentence, community sentence or a fine).

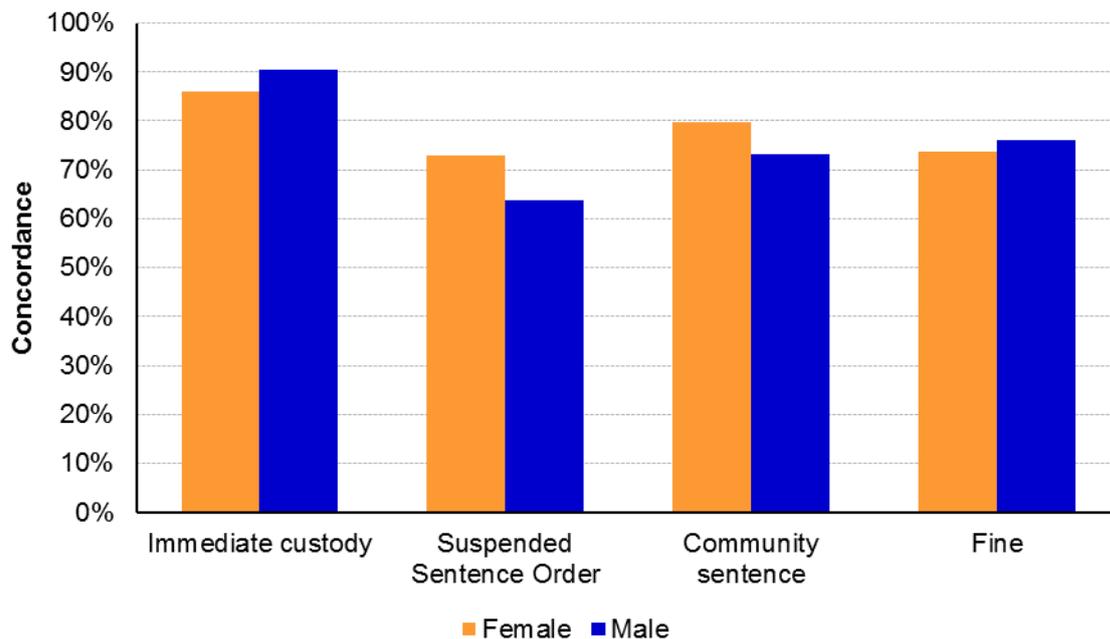
⁷⁸ The total number of court reports given here is higher than the number of court reports in the concordance data since reports include all sentences whether these are unrecorded or recorded as "Other".

⁷⁹ 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.

⁸⁰ 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.

⁸¹ 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.

Figure 5.15: The level of concordance between sentence recommendations and outcomes for female and male offenders, by sentence type, 2017



Sentencing⁸²

In 2017, there were 1.1 million offenders sentenced of which 73% were male and 27% were female.

The number of males sentenced decreased 28% over the past decade, from 1.1 million in 2007 to 807,000 in 2017, while the number of females sentenced has varied from 288,000 to 315,000 defendants, with a net increase of 1% between 2007 and 2017⁸³. This mirrors the trends in numbers prosecuted and convicted and is likely to be due to the change in offence mix for sentencing between 2007 and 2017.

Fines were the most common sentence given to both male and female offenders sentenced at all courts over the last decade. In 2017, fines were particularly prevalent amongst females (due to the greater likelihood of females being prosecuted for summary offences), accounting for 84% of female and 68% of male offenders sentenced (Figure 5.16). The proportion of fines rose for both females (9 percentage points) and males (4 percentage points) since 2007. The average fine amount given to females was £226 in 2017, while it was £305 for males. Fine amounts were consistently lower for females compared with males over the last decade.

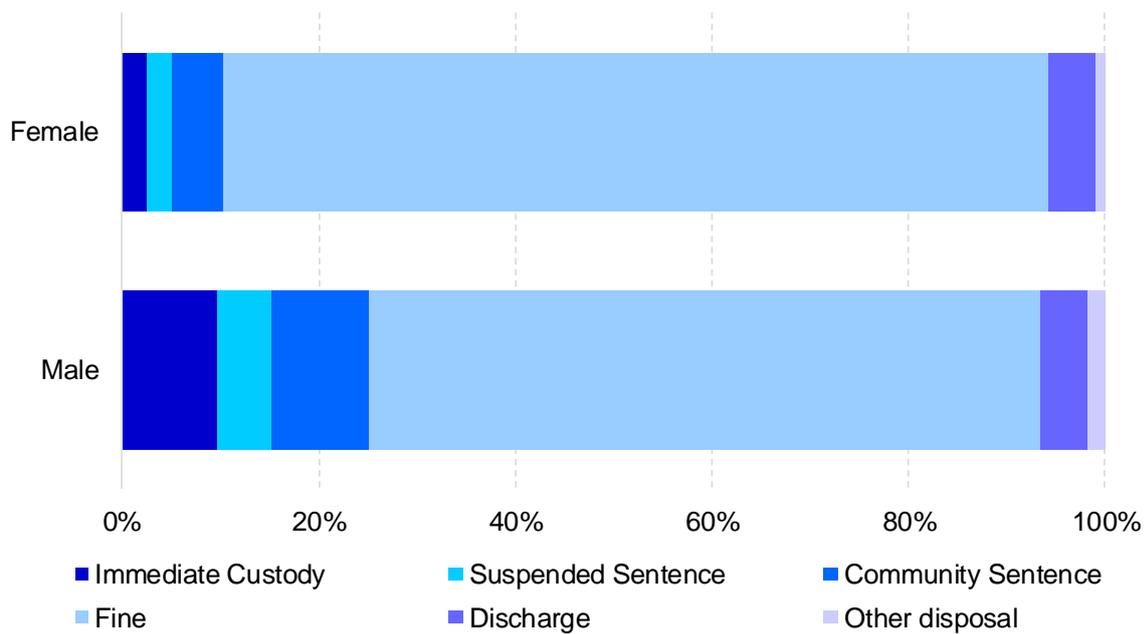
The community sentence was the second most common disposal for female defendants (5%) whilst community sentence and immediate custody was the second most common disposal for male defendants at 10% each respectively and suspended sentences (females 3%, males 6% in 2017) were also more common for males than females. While the proportion of females receiving immediate custody fell from 3% in 2007 to 2% in 2017, it

⁸² 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.

⁸³ Offenders with unknown sex accounted for 8% of all persons sentenced.

rose from 8% to 10% for males over the last decade. The proportion of suspended sentences rose for both females (1 percentage points) and males (3 percentage points).

Figure 5.16: Proportion of offenders sentenced, by sentencing outcome and sex, 2017



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 (74% compared with 68% for males in 2017).

Indictable offences

In 2017, 221,000 offenders were sentenced for indictable offences, of those sentenced 15% were female and 85% were male, females were therefore underrepresented as they accounted for 27% of all sentences, largely reflecting the different offence mix associated with females compared to males. Overall, 11% of females sentenced were sentenced for indictable offences, compared with 23% of males.

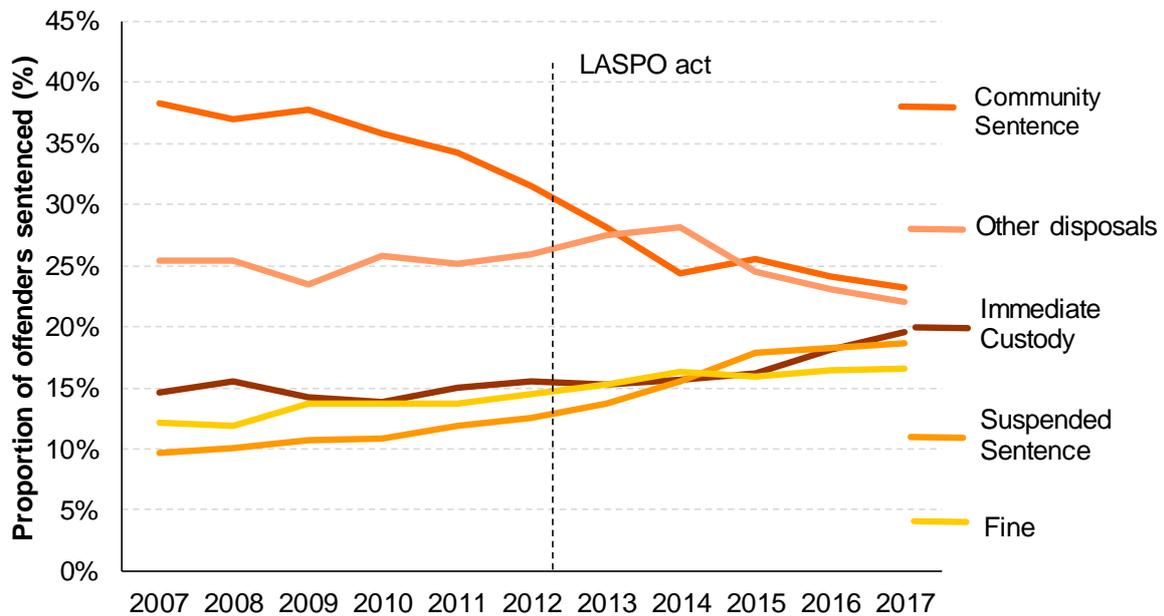
A different distribution of sentence outcomes varied between male and female offenders for indictable offences (Figure 5.17). In the latest year, a custodial sentence was the most common sentencing outcome given to male offenders for indictable offences with a custody rate of 34% compared with 20% for female offenders. Over the past decade the custody rate for males has consistently been higher for male offenders. Community sentences, accounted for a larger proportion of sentences for female offenders (23%, compared with 19% of male offenders). A consistently higher proportion of female offenders received conditional discharges (17%) when compared with male offenders (8%).

The use of community sentences fell as a proportion of all sentences for indictable offences between 2007 and 2017, with a decrease of 14 percentage points for males and 15 percentage points for females, whilst there was an increase in suspended sentences over the same period (by 8 percentage points for males and 9 percentage points for females).

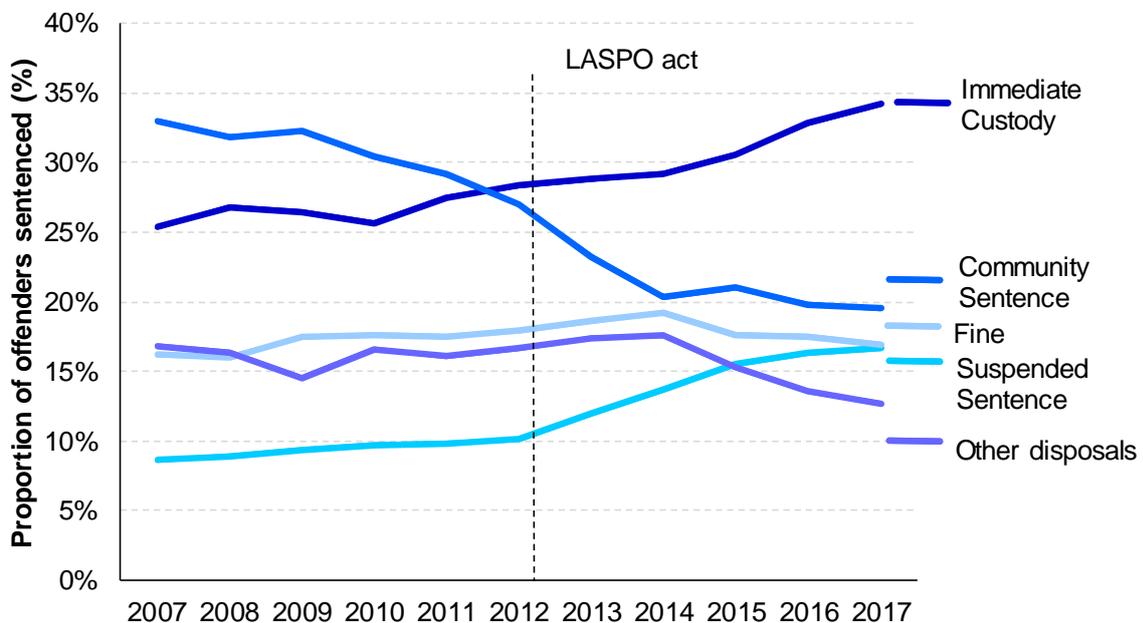
The observed trend may be due to changes in legislation⁸⁴ and judicial discretion as well as changes in the mix of indictable offences offenders were sentenced for.

Figure 5.17: Proportion of offenders sentenced for indictable offences at all courts, by sentencing outcome and sex, 2007 to 2017

Females



Males



⁸⁴ 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

Offence Groups

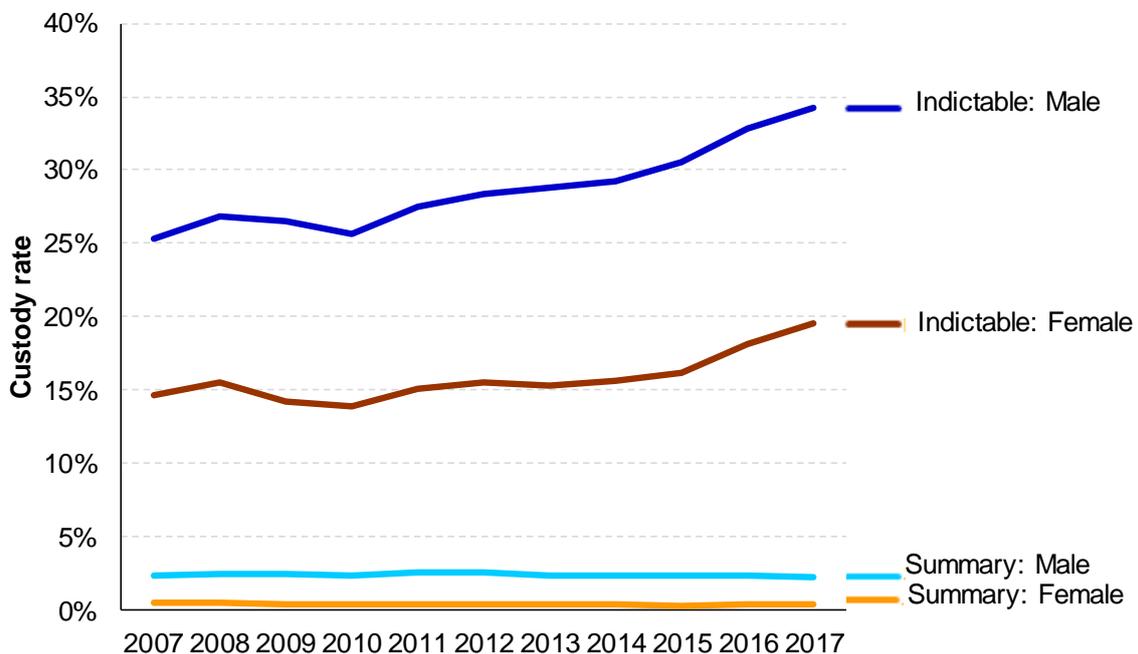
The different distribution of sentences for indictable offences between male and female offenders can partly be attributed to the type of offences they commit.

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 (32%) of males compared with one half (52%) of females in the latest year for indictable offences. The proportion of female offenders sentenced for a theft offence has increased by 5 percentage points over the last decade while decreasing for male offenders by 6 percentage points over the same period. A higher proportion of male offenders were sentenced for violence against the person, sexual and drug offences while a higher proportion of female offenders were 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) for indictable offences has been higher for male offenders in each year between 2007 and 2017, (Figure 5.18. In the latest year, the custody rate for male offenders sentenced for an indictable offence was 14 percentage points higher (male 34%, female 20%), and for summary offences the custody rate was 2.3% for males and 0.4% female.

Figure 5.18: Custody rate, by offence type and sex, 2007 to 2017



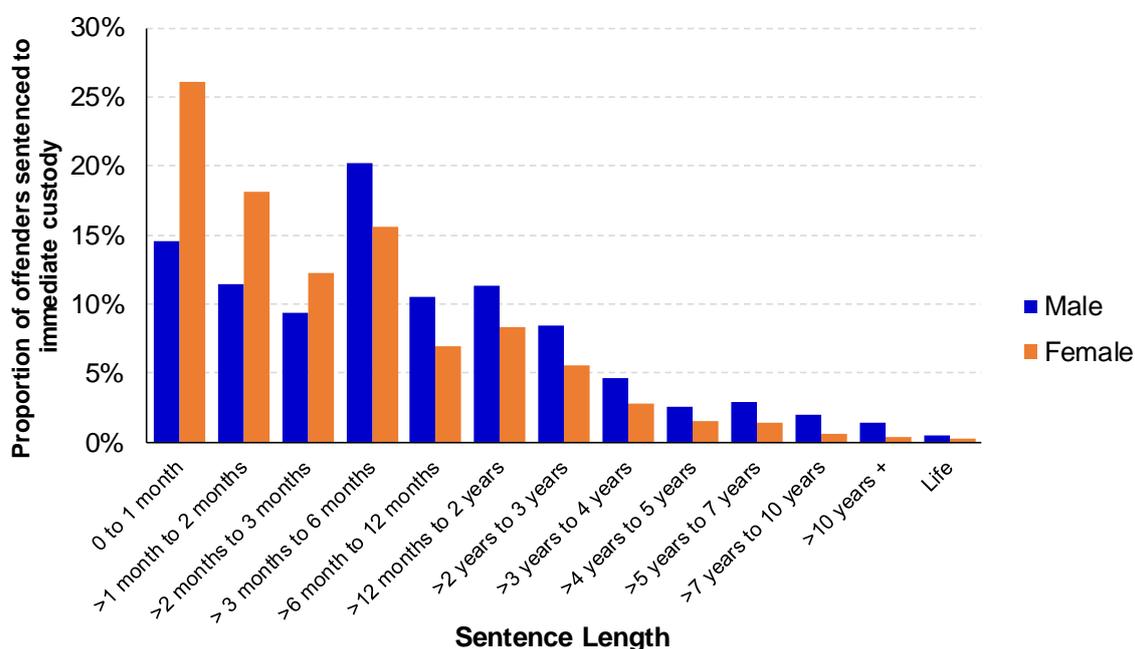
Over the past ten years, both male and female offenders have more commonly been given short sentences - determinate custodial sentences of less than 12 months; however, the proportion of offenders given these shorter sentences has been higher for female offenders. In 2017, short sentences accounted for 77% of all female offenders given custodial sentences, compared with 62% for male offenders.

Males had a higher custody rate for indictable offences (34%) than females (20%). This resulted in an RRI of 0.57 which is outside the range of small effect⁸⁵, representing a statistically significant indication of disparity, where females were 43% less likely to be sentenced to custody for indictable offences, relative to males.

Sentence lengths

In 2017, 57% of female offenders were sentenced to a custodial sentence length of up to and including three months, compared with 35% of male offenders. Of all female offenders sentenced to immediate custody since 2007, the proportion receiving up to and including three months by 10 percentage points while the proportion of male offenders receiving this sentence length remained broadly stable.

Figure 5.19: Proportion of offenders sentenced to immediate custody, by custodial sentence length and sex, 2017⁸⁶



The higher proportion of short sentences for female offender means that by comparison, sentences of 3 months and over account for a greater proportion of sentences for male offenders compared with female offenders (Figure 5.19). The proportion of male offenders receiving a sentence of 3 months or over has remained constant over the past ten years (65%) while decreasing for female offenders over the same period (from 54% to 43%). While the proportion of offenders receiving a sentence of a month or less has remained stable for male offenders over the past ten years (14% to 15%), there proportion of female offenders has increased by 6 percentage points in this time.

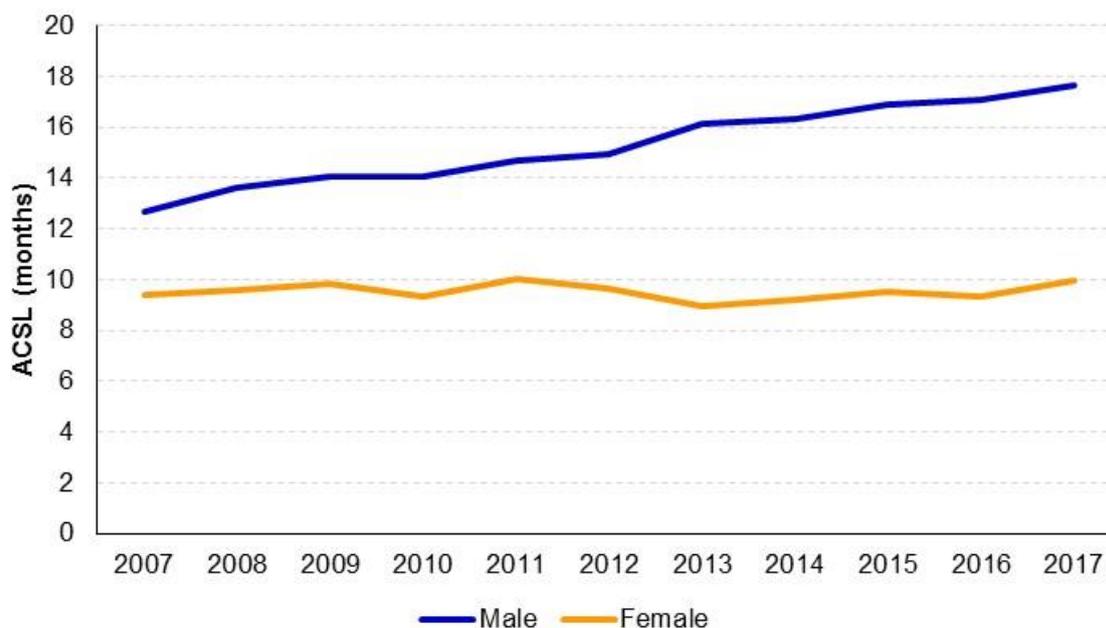
Average custodial sentence length (ACSL) for male offenders in 2017 was 17.6 months, and 10.0 months for females, driven in part by a higher proportion of female offenders receiving shorter sentence lengths of up to and including three months. In each year between 2007 and 2017, male offenders had a higher ACSL than female offenders (Figure 5.20). Over this period the ACSL for male offenders has increased, while the ACSL for female offenders

⁸⁵ RRI values which fall within the range of 0.80 to 1.25 are within the range where the magnitude of the difference in rates would not normally represent evidence of adverse impact to one group.

⁸⁶ Please note that the spacing of the time period displayed does not align with the actual time scale, for example the time between sentenced to custody for 0-1 month is smaller than 6 to 12 months.

remained broadly stable. In 2017, male offenders had a higher ACSL than female offenders across the most offence groups, the exception being violence against the person (males 23.6 months, females 24.9 months). 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 5.20: Average custodial sentence length for offenders sentenced to immediate custody, by sex, 2007 to 2017



The overall increase in male ACSL is in part caused by changes in legislation⁸⁷ and in part by the impact of sexual offences. More male offenders are being sentenced for sexual offences, and these sentences are typically getting longer (with the ACSL increasing from 43.2 months in 2007 to 59.8 months in 2017), 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 almost doubled. The ACSL for males sentenced for criminal damage and arson, and robbery has also driven up the average in the last decade, with an increase by 18.3 months and 16.7 months respectively.

Appeals⁸⁸

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

⁸⁷ 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 ASCL. 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.

⁸⁸ This section has been produced from the same data source as Case Management – see that section for further details.

Criminal Division. There were 10,000 appeal cases⁸⁹, brought by persons challenging magistrates' court decisions, dealt with by the Crown Court in 2017. Out of these appeal cases, 82% related to cases with male appellants, a proportion that has remained broadly stable over the past seven years. The number of cases appealed to the Crown Court decreased by 4% from 11,000 in 2016 to 10,000 in 2017. This decrease is driven by a decrease in male appeal cases of 5%, whilst female appeal cases have decreased by 1%. Since 2010, the number of appeals has reduced by 27%, driven by a decrease in both male and female cases (by 29% and 19% respectively).

The proportion of appeals that were allowed, dismissed, or had a different result⁹⁰ have remained stable over the past seven years for both male and female appeals. Since 2010, the proportion of allowed appeals has remained between 46% and 50% for female cases, and between 43% and 45% for male cases. The percentage of dismissed appeals has remained between 26% and 29% for female cases, and between 31% and 32% for male cases. It should be noted that appeals can be made against a variety of decisions and the difference in proportions between allowed and dismissed appeals could be driven by differences in the offence mix between male and female defendants.

⁸⁹ 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 seven years. In 2017, 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 (10,000).

⁹⁰ These include cases abandoned in court or before court appearance as well as cases remitted back to the magistrates' courts.

6. Offenders: under supervision or in custody

As at 30 June 2018, 95% of all prisoners were male and 5% were female.

The total prison population at this point was 82,773, made up of 78,970 males and 3,803 females, however the proportion representation has remained stable over time.

Proportionally, females in custody were serving shorter sentences than males.

At 30 June 2018, 22% of females in prison were serving determinate sentences of less than 12 months, compared to 9% of males. 15% of females in prison were serving determinate sentences of less than 6 months, compared to 6% for males.

A higher proportion of female prisoners reported to have an alcohol or drug problem upon arrival into prison than males.

Significantly more females had an alcohol problem when they arrived in prison (24%) than males (18%); similarly for a drug problem (39% compared to 28%).

Females were significantly more likely to self-harm in prison, relative to males.

Females had a higher rate of self-harm incidents in prison (30%) than males (13%). females were 135% more likely to self-harm in prison, relative to males.

This chapter provides statistics relating to offenders in custody or under supervision in the community, by sex (and where possible, also ethnicity). Topics include: Prison Population, [Youth Custody](#), Receptions and Admissions, Prisoners on remand and sentences served in custody (determinate and indeterminate), Releases, Home Detention Curfew, Release on Temporary License (ROTL)⁹¹, Her Majesty's Inspectorate for Prisons (HMIP) survey⁹², [Substance Misuse Treatment Programmes](#) 2016/17, [Offender Learning](#) 2016/17, [Safety in Custody](#): update to December 2017, [Deaths in or following police contact](#), Restricted Patients, Discipline in Prison Establishments (Adjudications), Probation (Community Orders and Suspended Sentence Orders), and License Recalls.

Much of this information has previously been published in *Offender Management Statistics Quarterly*⁹³, *Safety in Custody Statistics*⁹⁴. For information on progress and achievements pertaining to the equality objectives for the 9 protected characteristics, including sex and ethnicity within Her Majesty's Prison and Probation Service (HMPPS)⁹⁵, from the Equality Act 2010; please see the [HMPPS Offender Equalities report 2017](#).

The *HMPPS Offender Equalities report 2017* includes information on: Prison Population, Transgender prisoners, Mother and Baby Units, Safety in Custody, Deaths in Prison,

⁹¹ Stocks (Prison Population) are published in [Offender Management Statistics](#) 3 months ahead of flows (receptions, releases etc).

⁹² Bespoke analysis from the [2016/17](#) and [2017/18](#) Her Majesty's Inspectorate of Prisons annual reports (HMIP) annual reports.

⁹³ Offender Management Statistics Bulletin [annual 2017](#) (includes quarterly publication, October to December 2017). Covers receptions, releases, probation, licence recalls, adjudications and restricted patients.

⁹⁴ Safety in Custody Statistics [update to December 2017](#) (covers deaths, self-harm and assaults in prison custody in England and Wales)

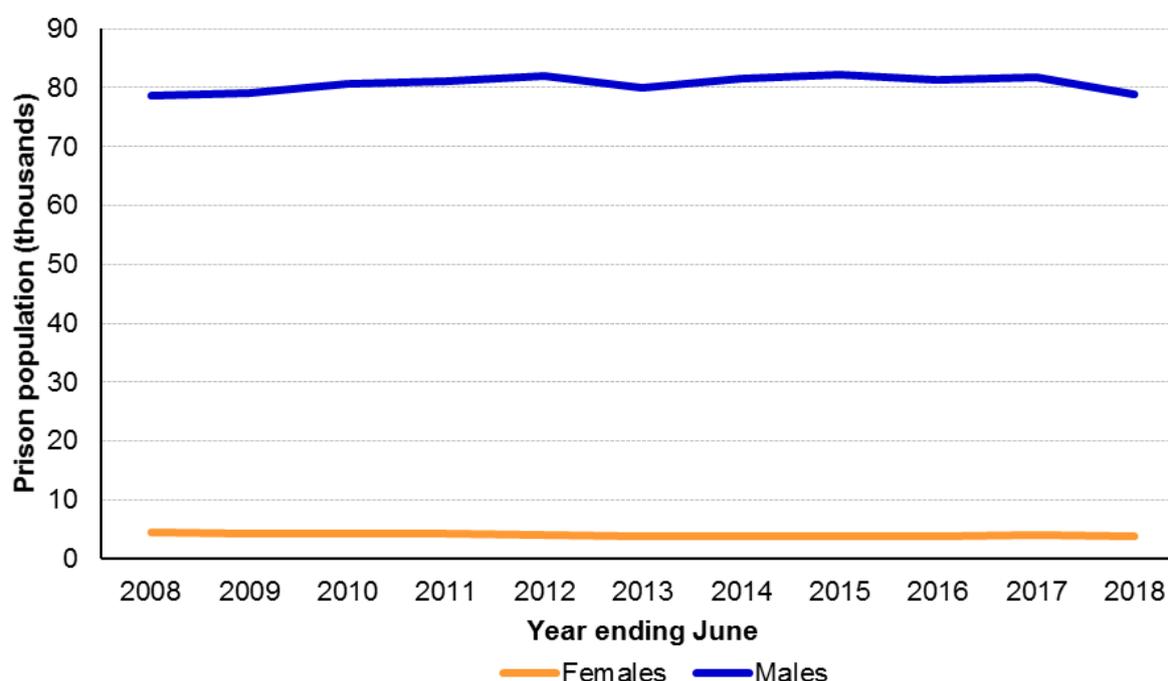
⁹⁵ Previously named National Offender Management Service (NOMS)

Absconds, ROTL, Temporary Release Failures, Adjudications, Incentives and Earned Privileges, Community Orders and Suspended Sentence Orders, Deaths in the Community, Order and License Completions, Home Detention Curfew, Electronic Monitoring and Reoffending.

Prison Population

The total prison population at 30 June 2018⁹⁶ was 82,773, a decrease of 3,090 prisoners (4%) compared to June 2017. Females represented 5% of the total prison population (3,803 in June 2018), a proportion that has been consistent over time (Figure 6.01). The total prison population included sentenced prisoners (88%), those remanded in custody (11%) and non-criminal prisoners⁹⁷ (1%).

Figure 6.01: Prison population, by sex, at 30 June 2008 to 30 June 2018⁹⁸



The overall trend in total prison population is largely driven by the number of males in the prison establishment. There was a 1% decrease in the total prison population since June 2008 there was no change (0%) for male prisoners, however, there was a 16% decrease in the female prison population (from 4,505 to 3,803) in the same 10-year period.

The number of adult males in prison increased by 9% in a 10-year period ending June 2018, and the number of males aged 15 to 20 years old decreased by 56%. There was a decline in females for all age groups; by 9% in adults and 72% in 15 to 20 year olds. This was largely driven by the fact that no females aged 15 to 17 have been sentenced to young offender institutions (YOIs) since 2013.

⁹⁶ Data on Prison Population uses the 30 June 2018 snapshot from the [January to March 2018 Offender Management Statistics publication](#).

⁹⁷ Persons being held under the Immigration Act, plus those sentenced for civil offences (such as contempt of court and failure to pay child maintenance)

⁹⁸ Data from 2009 has been extracted from the new prison IT system.

The majority of both male (73%) and female (83%) prisoners were White in June 2018, and there was no change in the proportion of White males in prison since June 2008, however there was a 12 percentage point increase in the proportion of White females in the same period. This is followed by the Black ethnic group for both sexes (13% of male prisoners and 8% of female prisoners), there was a 2 percentage point decrease in the proportion of Black male prisoners and an 11 percentage point decrease of the proportion of Black female prisoners over the same period. There was no change in the number of White male prisoners and an increase of 1% in the number of non-White male prisoners over the past decade. Within non-White male groups, there was a 44% increase in prisoners from the Mixed ethnic group, from 2,517 to 3,614. For females, there was a 1% decrease in White prisoners, from 3,163 to 3,145 and 51% decrease in non-White prisoners.

Youth Custody in the secure estate

In June 2018, the population of the secure estate for children and young people for under 18 year olds was 883. Of these, 857 (97%) were males and 26 (3%) were female⁹⁹. This proportional sex breakdown has remained broadly stable over the past ten years, despite the overall fall in the under 18 custody population. This resembles a similar sex breakdown to the adult prison population, of which, 95% were male and 5% were female in June 2018, a sex representation of the adult prison population that is consistent over time.

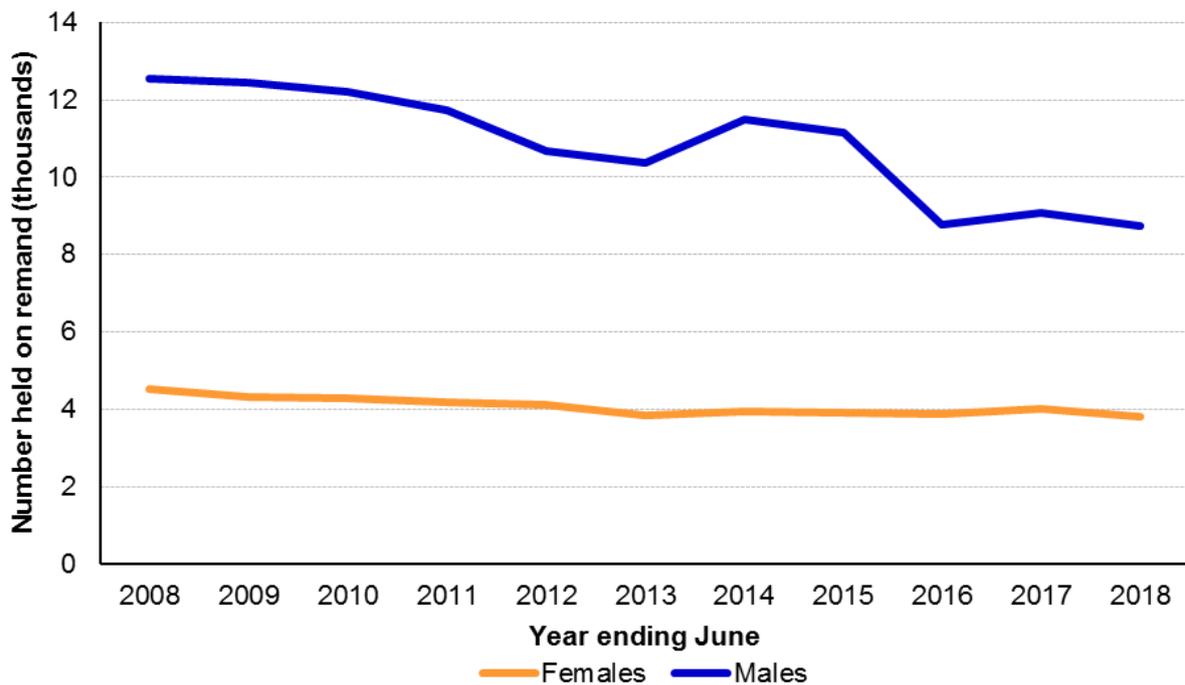
Remand

Within the adult prison population¹⁰⁰, the number held on remand has decreased overall for both sexes, to 8,752 males in custody on remand in June 2018 (a 30% decrease since June 2008) and to 533 females in custody on remand (a 39% decrease) (Figure 6.02). 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: *Defendants* for further information on remands, including by type.

⁹⁹ Monthly Youth Custody Official Statistics on the population in custody of children and young people within secure children's homes (SCHs), secure training centres (STCs) and young offender institutions (YOIs) are published by the [Youth Custody Service](#).

¹⁰⁰ Prison population will refer to the adult prison population throughout the report, unless stated otherwise.

Figure 6.02: Number of individuals held on remand in prison, by sex, at 30 June 2008 to 30 June 2018¹⁰¹



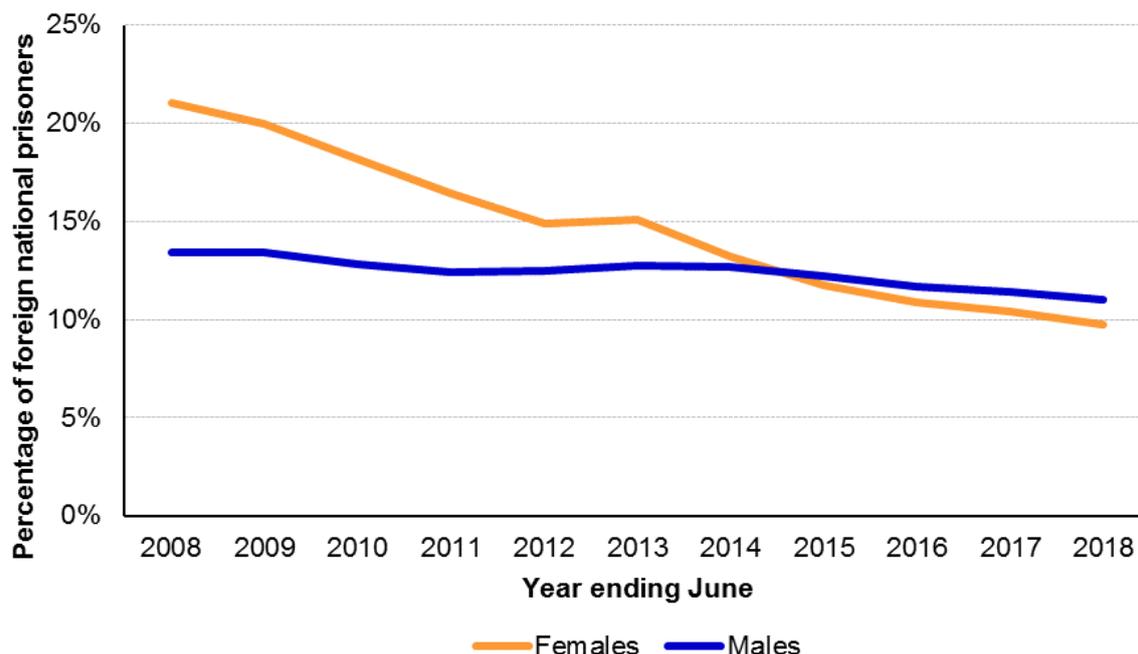
Foreign nationals

Over the last decade, the proportion of foreign nationals in the female prison population peaked at 21% in 2008 and has since decreased to 10% at 2018. This was associated with the implementation of removal schemes to reduce the number of foreign nationals in prisons¹⁰². Despite an 18% decrease over a decade, the proportion of foreign nationals in the male prison population remained stable, fluctuating between 11% and 13%.

¹⁰¹ Data from 2009 has been extracted from the new prison IT system.

¹⁰² This is also due to closures of some Immigration Removal Centres operated by Her Majesty's Prison and Probation Service (HMPPS) and moved to Home Office operations, which is not counted in this data.

Figure 6.03: Percentage of prisoners who were foreign nationals, by sex, at 30 June 2008 to 30 June 2018¹⁰³



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.¹⁰⁴

There were 83,917 offenders received into custody as first receptions in 2017¹⁰⁵, of whom 90% were male and 10% were female. This was a decline of 3% from the previous year, driven by a 3% decline for male offenders while females remained broadly stable. The higher proportion of female first receptions compared with the prison population is a result of female offenders having shorter average custodial sentence lengths, as discussed in Chapter 5:

Defendants.

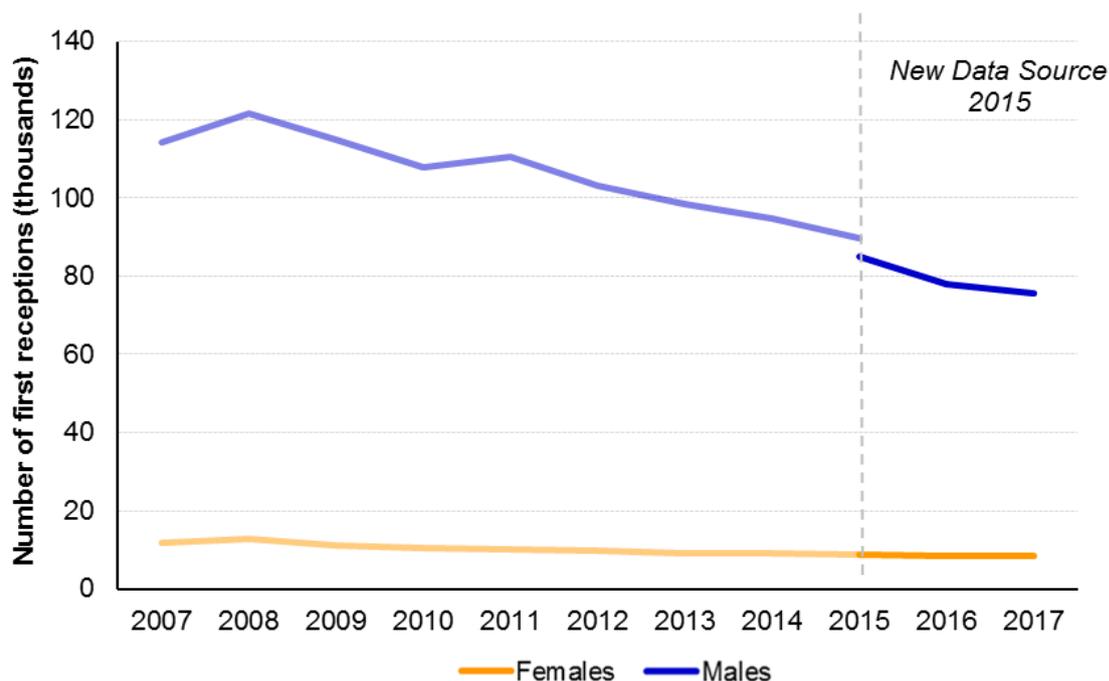
¹⁰³ Data from 2009 has been extracted from the new prison IT system.

¹⁰⁴ 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).

¹⁰⁵ Prison flows data uses calendar year (up to December 2017) from the [October to December 2017 Offender Management Statistics Publication](#).

Figure 6.04: Number of first prison receptions, by sex, 2007 to 2017^{106 107}



Remand admissions

'Remand admissions' are a count of individuals that are received into custody following a court hearing either as untried (awaiting commencement or continuation of a trial prior to verdict) or convicted unsentenced (awaiting sentence after a guilty verdict).

In 2017, there were 34,017 untried admissions and 20,778 convicted unsentenced admissions, a decline of 1% and 3% respectively from 2016. There was a decline for males of 2% for both untried admissions and convicted unsentenced admissions, an increase of 10% for female untried admissions and a decline of 9% for convicted unsentenced admissions compared to 2016. In 2017, female offenders accounted for 8% of all untried admissions and 7% of all convicted unsentenced admissions.

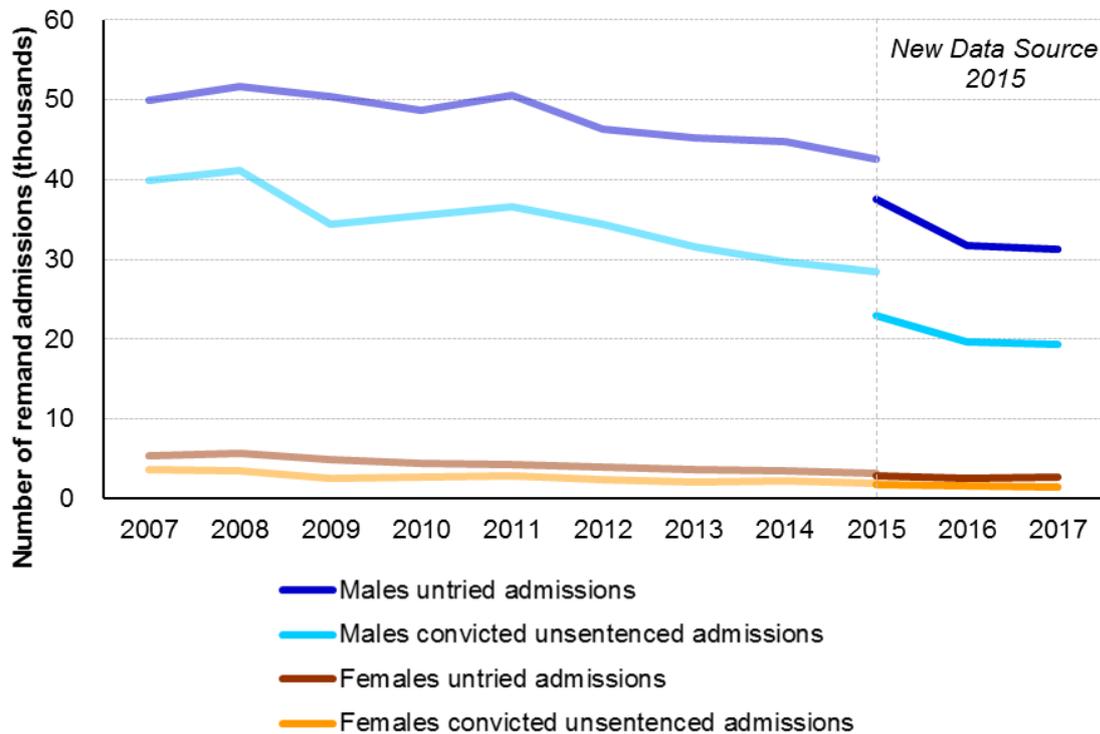
Over the last decade, for males the number of untried admissions remained stable between 2007 and 2011, but declined by 16% between 2011 and 2015¹⁰⁸. Between 2015 and 2017, untried admissions fell by a further 17% for males. For females, untried admissions between 2011 and 2015 decreased by 27%, and by 3% between 2015 and 2017 (Figure 6.05).

¹⁰⁶ Volumes of first receptions for 2014 have been estimated with an imputation method due to data quality concerns.

¹⁰⁷ Due to improvements in IT systems, prisons admissions data starting from 2015 is now taken from a different source and, for statistical reporting purposes only, are produced using a different method and therefore cannot be compared to previous years. The 2015 figures from both the old and new systems have been presented to aid comparison.

¹⁰⁸ Due to improvements in IT systems, prisons admissions data starting from 2015 is now taken from a different source and, for statistical reporting purposes only, are produced using a different method and therefore cannot be compared to previous years.

Figure 6.05: Number of remand admissions into prison, by type of admission and sex, 2007 to 2017^{109 110}



Sentences served in prison

Population under immediate custodial sentence¹¹¹

The prison population under immediate custodial sentence is a reflection of sentencing outcomes at court (See Chapter 5: *Defendants*) 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 2018, there was a higher proportion of males (14%) serving indeterminate sentences compared with females (11%).

Of those sentenced, the proportion of males and females held under indeterminate sentences followed a similar trend, increasing before 2012, but has shown an overall decline of 5 percentage points since June 2012 for males and remained stable since June 2013 for females. This trend reflects changes in legislation under the LASPO Act 2012 impacting IPPs. This Act abolished the IPP and introduced the new Extended Determinate Sentence (EDS), which is available for offenders who may previously have received an IPP.

¹⁰⁹ Volumes of first receptions for 2014 have been estimated with an imputation method due to data quality concerns.

¹¹⁰ 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.

¹¹¹ Does not include fine defaulters

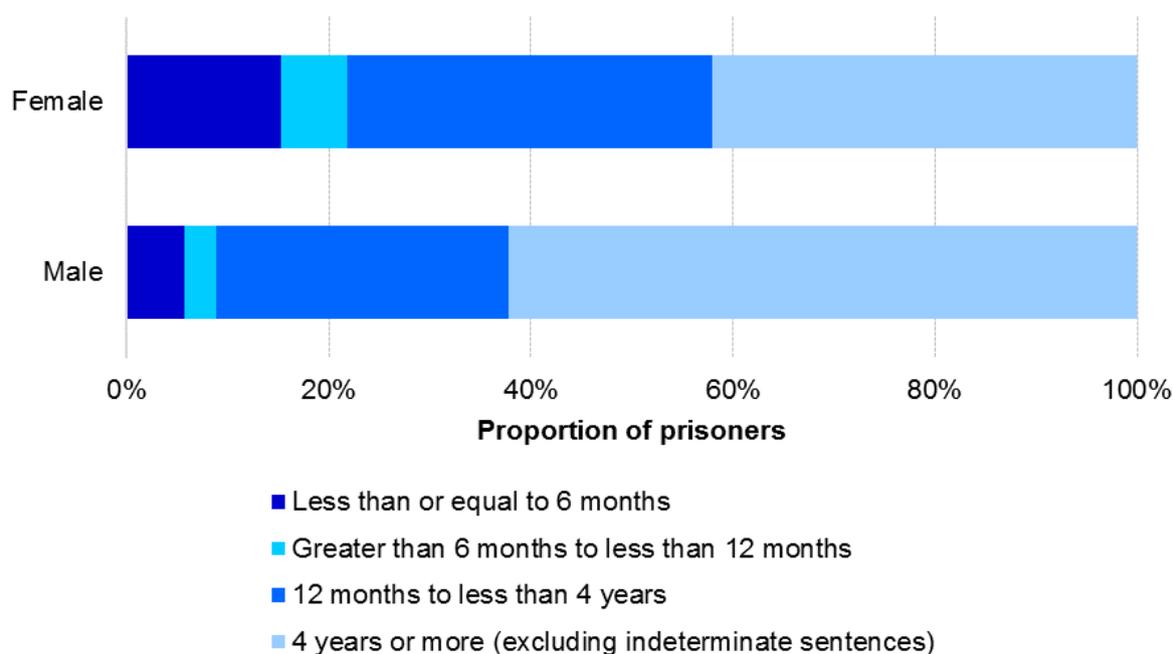
At 30 June 2018, EDS accounted for 7% of all sentenced male prisoners compared with 2% of female prisoners. For both indeterminate sentences and EDS, the higher proportions of males likely reflect the greater tendency of males to be convicted for the most serious offences.

Sentenced prisoners on determinate sentences

The sentence length profile of males and females under a determinate sentence differs, with a higher proportion of females (18%) than males (9%) serving a sentence of less than 12 months in June 2018, and a lower proportion of females (34%) than males (48%) serving a sentence of over 4 years. 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 6.06).

At 30 June 2018, 95% of those serving determinate sentences were males and 5% were females, reflecting the overall prison population proportions. For males, the proportion on longer sentences (4 years or more) increased by 19 percentage points to 62% (33,020) since 2008. There was a 6 percentage point decrease for males on shorter sentences from 15% in 2008 to 9% in 2018. There was an 9 percentage point increase in the proportion in prison on longer sentences for females, to 42% (1,095), and a 4 percentage point reduction of females on shorter sentences (less than 12 months) from 26% in June 2008 to 22% in June 2018.

Figure 6.06: Proportion of prisoners serving determinate sentences per sentence length band, by sex, 30 June 2018



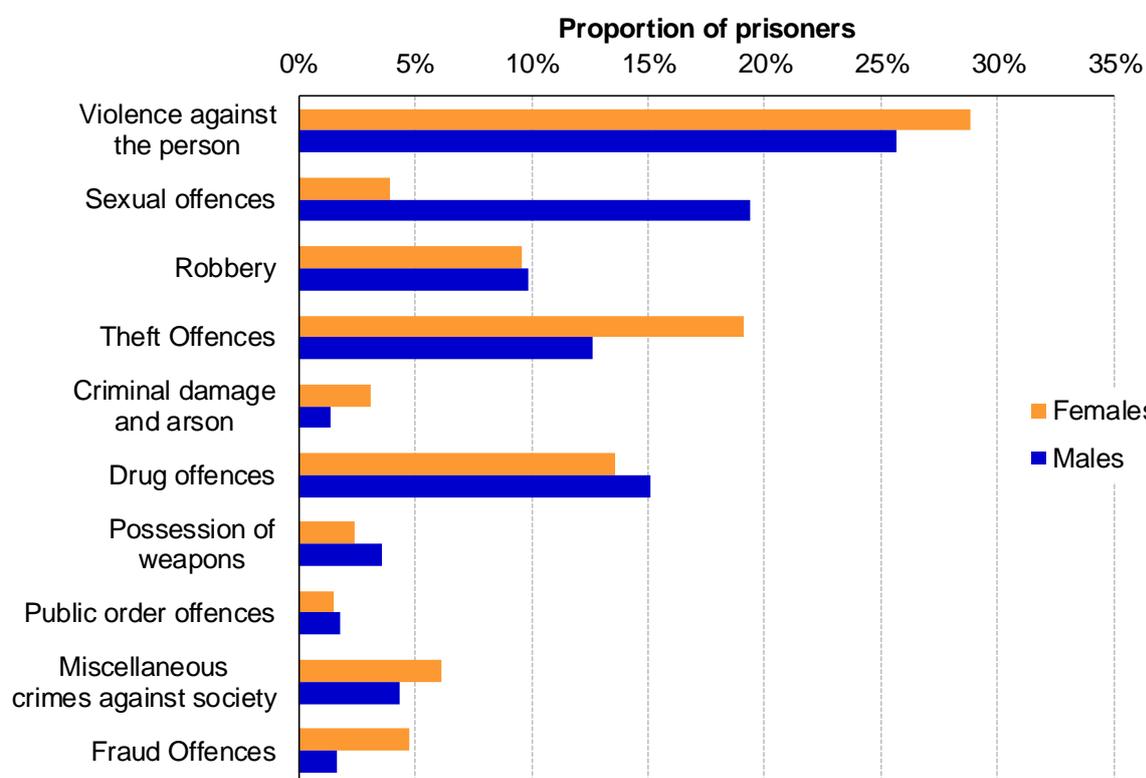
Males released from determinate sentences served, on average, 65% of their sentenced time in prison in year ending December 2017, including time spent on remand. Females

who were released had served an average of 50% of their sentences¹¹². This figure has been gradually increasing since 2015 for males (from 61%) and remained stable at 50% for females in the same period.

Sentences served in prison by offence type

For both male and female in prison under an immediate custodial sentence, the most common offence group for which they were in prison at 30 June 2018 was violence against the person (26% and 29% respectively), however the offence mix then differs by sex (Figure 6.07). For male prisoners, the next most common offence groups for which they received a custodial sentence were sexual offences (19%) and drug offences (15%). For female prisoners the second most common offence was theft (19%), followed by drug offences (14%) in line with typical patterns of female offending (as discussed in Chapter 8: *Offence Analysis*). This reflects volumes sentenced for these offences, the custody rates and average custodial sentence length. (See Chapter 5: *Defendants*)

Figure 6.07: Proportion of sentenced prisoners for indictable offences, by offence group and sex, 30 June 2018¹¹³



¹¹² Figures cannot be compared with earlier 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.

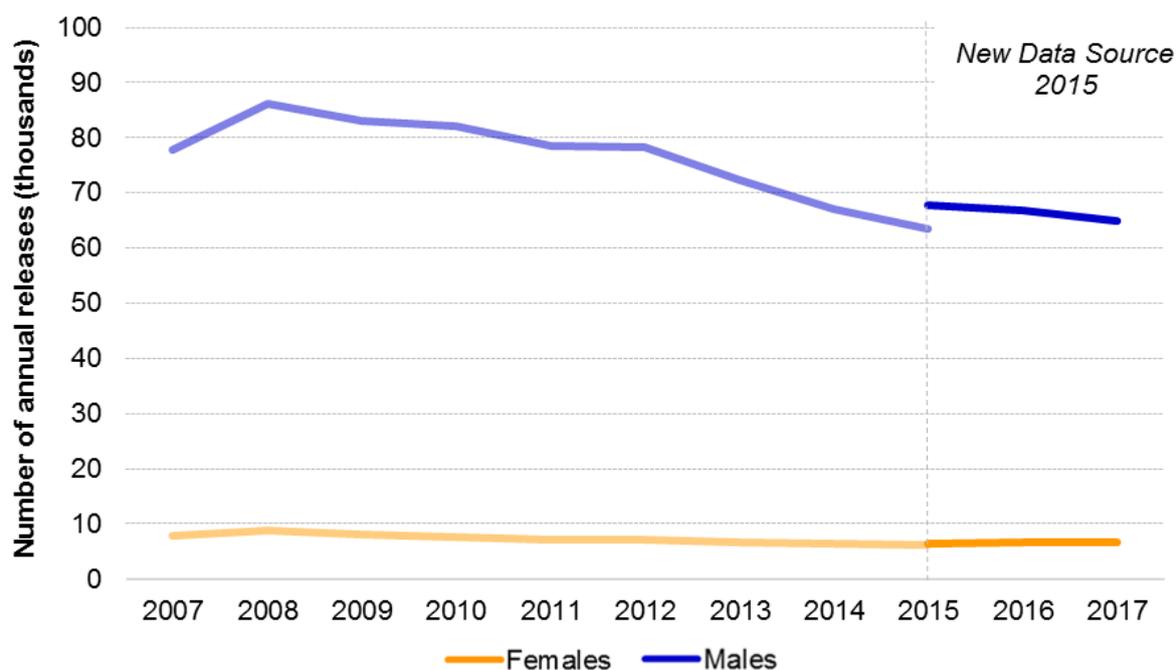
¹¹³ Due to continuing problems with data quality, since 1 July 2014, reporting on the populations in the 'Burglary' and 'Theft and Handling' offence groups used until 30 June 2015, has been disrupted. This is because, for statistical purposes only, some prisoners have been misallocated between these two offence groups. The reporting of these figures has been reinstated on the new offence group classifications, but has been suspended on these previous classifications.

Releases

Of the 71,495 offenders released from custody in 2017, 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 females more likely to receive a shorter average custodial sentences than males, and hence being released from the prison population more frequently.

Between 2007 and 2008, there was a sharp increase in the number of releases for both sexes (by 11% for male and 13% for females) but declined by 17% for males and 15% for females between 2005 and 2015 (Figure 6.08). After a change in data source, male releases decreased by 4% since 2015, and the number of releases for females has remained relatively stable over the past 3 years.

Figure 6.08: Number of annual prison releases, by sex, 2007 to 2017¹¹⁴



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.

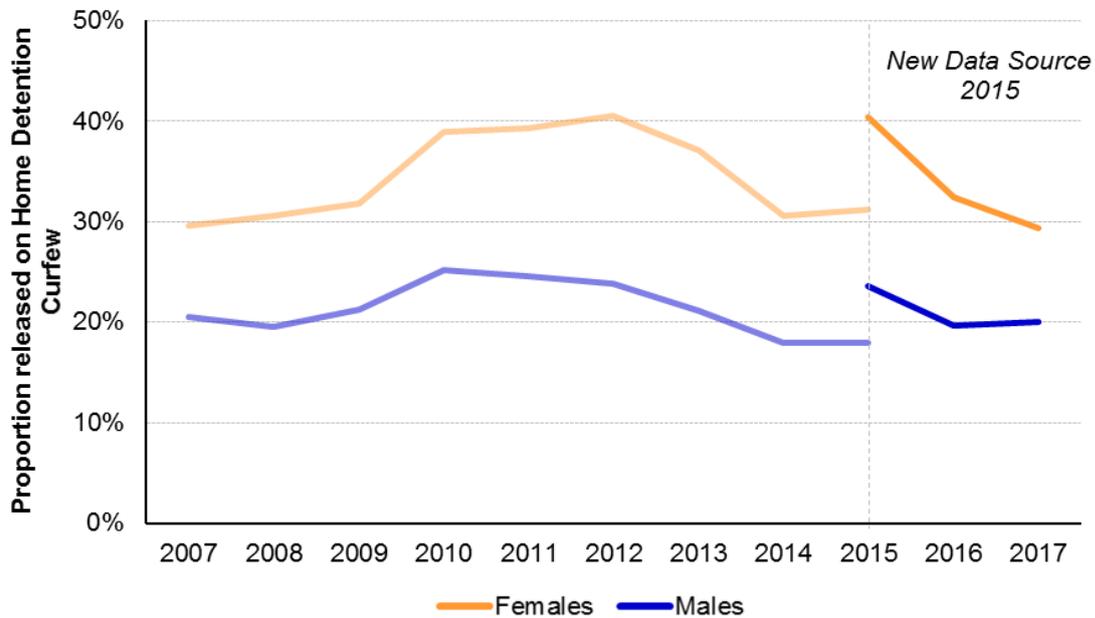
Offenders who are released onto HDC spend up to the last 135 days of the custodial part of their sentence outside of prison providing they do not breach the rules of their curfew. In 2017, of those eligible for release¹¹⁵, 20% of males (8,161) were released compared with

¹¹⁴ 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.

¹¹⁵ 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.

29% of females (1,151). Between 2007 and 2017, a higher proportion of females eligible for HDC have been released compared with males (Figure 6.09).

Figure 6.09: Proportion of prisoners eligible and receive home detention curfew release, by sex, 2007 to 2017¹¹⁶



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. By providing opportunities to work, learn and build family ties, temporary release helps ensure offenders don't return to crime when they leave prison and the vast majority abide by their ROTL conditions, with the compliance rate standing at well over 99%.

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 2017, there were 351,290 releases on temporary licence; 91% were for male offenders and 9% were for female offenders, this disproportionality is due to the female representation in the overall prison population (95% male, 5% female). These releases related to 7,503 individuals who had at least one instance of ROTL; 6,853 males (91%) and 650 females (9%). In 2017, there were 319 failures of temporary release, although the failure rate of males (0.093%) was higher than the failure rate of females (0.067%).

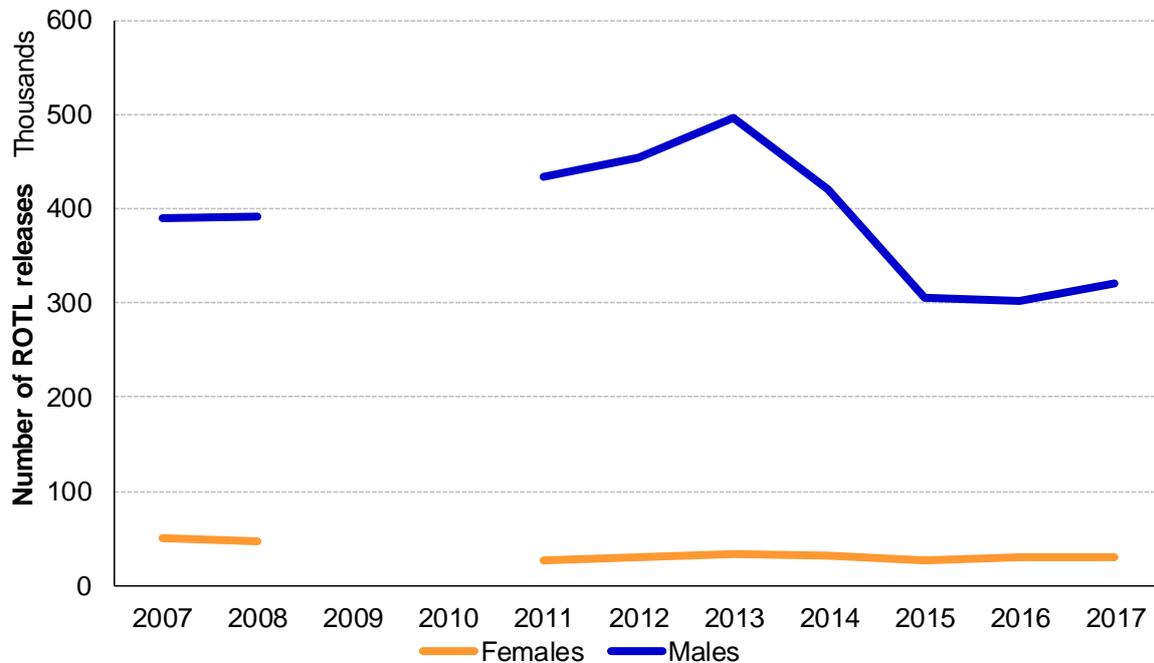
Since 2007, the number of incidences of male ROTL releases rose by 27% between 2007 and 2013¹¹⁷ and then decreased by 35% between 2013 and 2017, reflecting the tightening of

¹¹⁶ 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.

¹¹⁷ Excluding missing data between 2009 and 2010

the ROTL process in 2013. This resulted in an 18% decrease overall since 2007. For female releases, there was a decline following 2008, specifically by 8% between 2013 and 2017, following ROTL tightening. Female ROTL releases have shown a 40% decline overall since 2007 (Figure 6.10).

Figure 6.10: Numbers of Release On Temporary Licence releases, by sex, 2007 to 2017^{118,119}



HMIP Prisons Inspectorate Survey Report^{120,121}

Her Majesty’s Inspectorate of Prisons (HMIP) 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. Data from the HMIP survey uses inspection reports published between 1 April 2016 to 31 March 2018 and identifies differences in reported prison experiences between prisoners in male and female establishments.

¹¹⁸Data 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.

¹¹⁹ Data is unavailable for 2009 and 2010

¹²⁰ This section uses bespoke analysis published alongside this report from two years’ worth of data using inspection reports published in [2016/17](#) and [2017/18](#)

¹²¹ All comparisons are significant as less than 1% probability that the difference is due to chance for this section, unless stated otherwise.

Prisoners' background information, arrival and reception into prison

A significantly higher proportion of female prisoners (35%) reported having a disability than male prisoners (28%).

Significantly higher proportions of females arriving into prison reported having money worries (24% compared to 17% males) and housing worries (27% compared to 16% males).

Compared to males, a significantly higher proportion of females reported having children under the age of 18 (54% compared to 47%).

First night and induction

On their first night in prison when compared to male prisoners, significantly higher proportions of females were offered:

- tobacco or nicotine replacement (74% compared to 65%),
- toiletries and other basic items (63% compared to 54%),
- a shower (39% compared to 32%),
- a free phone call (67% compared to 45%),
- something to eat (74% compared to 63%), and
- the chance to talk to a listener or Samaritans (43% compared to 32%).

The same proportion of male and female prisoners reported being offered the opportunity to see someone from health care (66%).

On the wing

When compared to male prisoners, a significantly higher proportion of females:

- had their cell call bell answered within 5 minutes (44% compared to 26%),
- normally had enough clean, suitable clothes for the week (69% compared to 57%),
- were able to shower every day (95% compared to 81%),
- had clean sheets every week (85% compared to 60%),
- received cell cleaning materials weekly (76% compared to 53%), and
- were able to get to their stored property if they needed it (38% compared to 23%).

Relationships with Staff

Significantly higher proportions of female prisoners, felt that there were staff they could turn to if they had a problem (80% compared to 71% males) and were spoken to about how they were getting on in the previous week (36% compared to 29% males).

Time out of cell

A significantly smaller proportion of female prisoners spent less than 2 hours out of their cell on a typical weekday (8% compared to 20% of male prisoners) and a significantly higher proportion of females spent 10 or more hours out of their cell on a typical weekday (22% compared to 16% of males).

A significantly higher proportion of female prisoners reported that they typically attended the library twice or more per week (15% compared to 11% of male prisoners).

Applications and Complaints, legal rights

Similar proportions of males and females reported that it was easy to make an application (79% for females and 76% for males). Of those that made an application, a significantly higher proportion of females thought their applications were dealt with fairly (61% compared to 52% males) and were usually dealt with within 7 days (45% compared to 36% males).

A significantly higher proportion of females were easily able to make a complaint (61% compared to 54% of males). Of those that made a complaint, a significantly higher proportion of females thought they were dealt with fairly (39% compared to 29% males) and within 7 days (36% compared to 24% males).

Alcohol and Drugs

When compared to male prisoners, on entering prison, a significantly higher proportion of females reported having an alcohol problem (24% compared to 18%) and a drug problem (39% compared to 28%). Of those who had/have an alcohol problem, 64% of females and 59% of males reported that they had been helped with their alcohol problem while in prison¹²².

A significantly smaller proportion of females who reported they had developed a problem with illicit drugs whilst in prison (6% compared to 12% males), of which a significantly larger proportion felt they had been helped with their drug problem whilst in prison (75% compared to 59% males).

Safety and behaviour management

The same proportion of male and female prisoners said that they had ever felt unsafe in their current establishment (48%), but a significantly lower proportion of females reported they felt unsafe at the time of survey (18% compared to 22% males).

Compared to 68% of male prisoners, a significantly smaller proportion of females (56%) reported they had not experienced verbal abuse, threats or intimidation, physical assault, sexual assault, theft of canteen or property, bullying or victimisation from other prisoners.

A significantly smaller proportion of females had been physically restrained by staff in the previous 6 months (6% compared to 12% males).

Substance misuse treatment in secure settings

Annual reporting on data collected via Public Health England's National Drug Treatment Monitoring System presents the sex distribution for all clients in treatment in secure settings¹²³ for four substance groups: opiate, non-opiate only, non-opiate and alcohol and alcohol only¹²⁴. In 2016/17, just over 53,500 males and 5,700 females were treated for alcohol and drug misuse treatment (90% and 10% respectively), double the 5% proportion of females within the total average prison population in 2016/17¹²⁵. The number of females in

¹²² This is not statistically significant.

¹²³ The figures reported from the NDTMS reflect the number of people in custody undergoing substance misuse treatment, and therefore are not measures of prevalence of substance misuse in the custodial population.

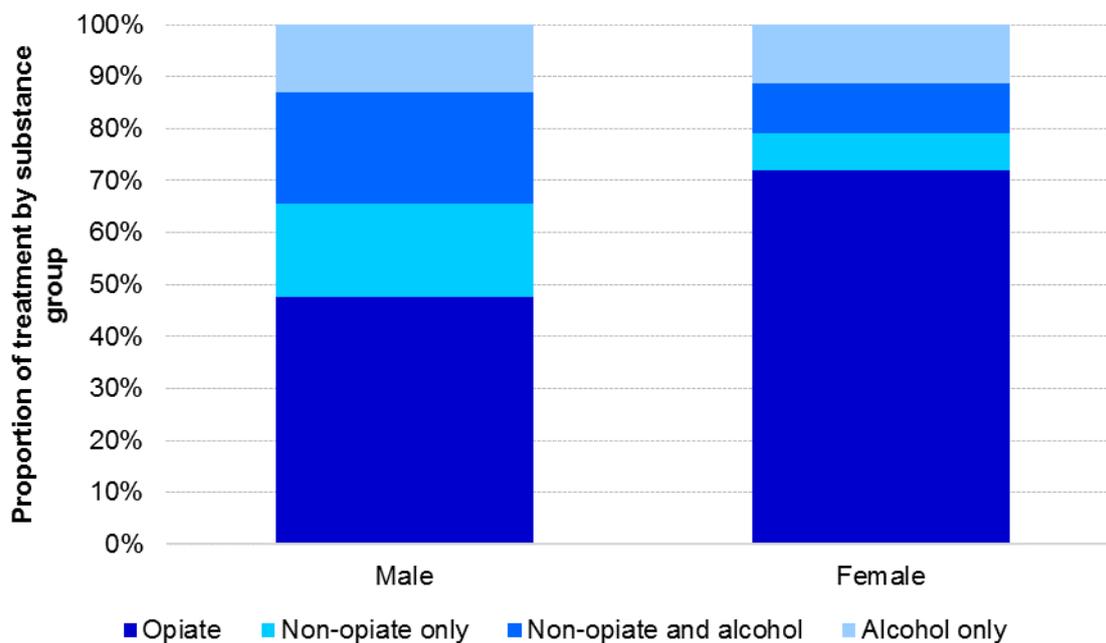
¹²⁴ Data is taken from table 4.3.1 of the [Substance Misuse Treatment in Secure Settings Statistics](#)

¹²⁵ Prison population used to compare with substance misuse treatment programmes uses data up to March 2017 from the [October to December 2016 quarterly update of the Offender Management Statistics](#). This is a different release than what is used in the prison population section of this report (where the data up to June 2018) from the March 2018 release is used.

substance misuse treatment in secure settings reduced by 4% between 2015/16 and 2016/17, compared with a 1% decrease of the number of males.

In 2016/17, 72% of females in treatment were treated for a dependency on opiates, up from 65% in 2015/16. Of all females in treatment 7% were treated for a dependency on non-opiates only, down from 11% in 2015/16. A further 10% were treated for a dependency on non-opiates and alcohol, and 11% for alcohol alone, which have both remained broadly stable in comparison to the previous year. Substance misuse treatment of males in secure settings has also remained broadly stable since 2015/16, with 48% of the males in treatment treated for a dependency on opiates in 2016/17, 21% for non-opiates and alcohol, 18% for non-opiates only and 13% for alcohol only.

Figure 6.11: Proportion of each substance group receiving substance misuse treatment, by sex, 2016/17



In 2016/17, just under 1,220 juvenile males and 150 juvenile females were treated for substance misuse in young people’s secure settings¹²⁶ (89% and 11% respectively)¹²⁷. Whilst there has been a 12% decline in the overall number of young people receiving substance misuse treatment between 2015/16 and 2016/17, the proportion of juvenile females treated for substance misuse has increased by 4 percentage points in 2016/17. Female juveniles in treatment¹²⁸ were more likely to be younger than males in treatment, as females had a median age of 15 years compared to a median age of 17 years for male juveniles.

¹²⁶ The substance misuse treatment data for juveniles in secure settings includes those residing in Youth Offending Institutions (67% of the treatment population), Secure Children’s Homes (18%), Secure Training Centres (9%), and Welfare Only Homes (7%).

¹²⁷ Data is taken from 7.2.1 of the [Substance Misuse Treatment in Secure Settings Statistics \(Official Statistics\)](#).

¹²⁸ The number of female juveniles in substance misuse treatment is small, meaning any small changes can sway the results. There were 41 female juveniles aged 15 in substance misuse treatment in 2016/17, and 40 female juveniles aged 16.

Offender Learning¹²⁹

Offender learning is available to prisoners in England aged 18 and above through the Offender Learning and Skills Service (OLASS)^{130,131}. 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 88,900 participating learners during the academic year 2016/17, of whom, 84,200 (95%) were male and 4,700 were female (5%).

*Offender learning assessments*¹³²

All offenders are assessed for their levels of English and maths on reception into custody. The proportion of English and Maths assessments taken by female offenders (both 6%) was similar to the proportion of females participating in offender learning overall (5%). Outcomes for both English and maths assessments for males were, on average, higher than for females

Level of learning

Offenders are offered the opportunity to participate in a range of qualifications at different levels.

There were similar proportions of females among those participating in English (6%) and maths (6%) assessments, as previously suggested. However, females made up a higher proportion of those participating with entry level Maths and English assessment outcomes. Entry level maths had larger proportions of female learners with assessment outcomes at entry level 1, entry level 2 and entry level 3 (8%, 10% and 7% respectively) compared to the 6% overall female participation rate. For entry level English the proportions of female learners with assessment outcomes at entry level 1, entry level 2 and entry level 3 was 7%, 8% and 7% respectively, again greater than the 6% overall female participation rate.

Within sexes, a higher proportion of females than males who participated in maths assessments had entry level assessment outcomes (8%, 28%, 48% for females at entry level 1, entry level 2, entry level 3 compared to males at 6%, 16%, 40% respectively). This is also seen in English assessments where higher proportions of entry level assessment outcomes were seen for females than males (10%, 21%, 37% for females at entry level 1, entry level 2, entry level 3 compared to males at 8%, 15%, 30% respectively).

¹²⁹ Data taken from the Offender Learning and Skills Service ([OLASS](#)) [Offender learning statistics](#), Department for Education 2016/17.

¹³⁰ In eight contracted estate prisons, education delivery remains part of the price-per-place contract.

¹³¹ All offenders included in published offender learning statistics are of known sex

¹³² 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.

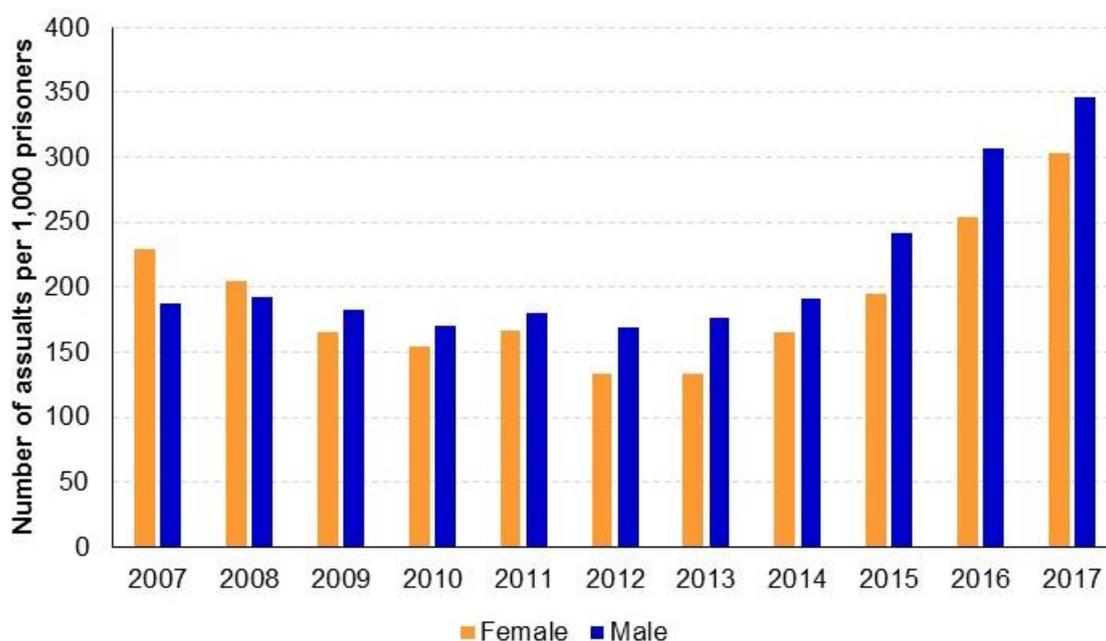
Safety in prison custody¹³³

Assaults

There was a record high of 29,500 assault incidents in 2017, a 13% increase from 2016 and a 93% increase since 2007. Male establishments accounted for 96% of all assault incidents, higher than the 95% prison population proportion that males represented, on average, in 2017¹³⁴. There was a 20% reduction of female assault incidents and 98% increase of male assault incidents since 2007.

For every 1,000 prisoners in female establishments, there were 303 assault incidents in 2017. Male establishments had a higher rate of 346 assault incidents per 1,000 male prisoners. Since 2009, the rate of assaults per 1,000 prisoners has been lower for female establishments than male establishments, reversing the trend seen in earlier years (Figure 6.12).

Figure 6.12: Number of assaults per 1,000 prisoners, by sex of establishment, 2007 to 2017



Serious assaults are those which fall into one or more of the following categories: a sexual assault; requires detention in outside hospital as an in-patient; requires medical treatment for concussion or internal injuries; or incurs any of the following injuries: a fracture, scald or burn, stabbing, crushing, extensive or multiple bruising, black eye, broken nose, lost or broken tooth, cuts requiring suturing, bites, temporary or permanent blindness. The rate of serious assaults per 1,000 prisoners¹³⁵ for female establishments has also been consistently

¹³³ 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 in the [Safety in Custody](#) update to December Quarterly Release. The HMPPS Offender Equalities 2017 report also includes information on Deaths in Custody for certain protected characteristics.

¹³⁴ Prison population used for the Safety in Custody analysis uses data up to December 2017 from the July to September quarterly update of the [Offender Management Statistics](#). This is a different release than what is used in the prison population section of this report (where the data up to June) from the March release is used.

¹³⁵ This is calculated by multiplying the rate of assaults per 1,000 prisoners by proportion of assaults that were serious.

lower than in male establishments since 2007, and 98% of all serious assaults occurred in male establishments in 2017; an increase of 1 percentage point since 2007. In 2017, the rate of serious assaults per 1,000 prisoners was 46 for male establishments and 23 for female establishments.

13% of males involved in assaults in prison were serious assaults, compared to 8% for females. This resulted in an RRI of 0.58, which falls outside of the range of small effect¹³⁶ and is a significant indication of disparity, where females were 42% less likely to be involved in serious assaults, relative to males.

Assailants, Fighters and Victims

When compiling statistics on assault in prison, participants are categorised in three ways. Where an incident involves a clear aggressor and victim, participants are categorised as assailants or victims. Where an incident does not involve a clear aggressor or victim, participants are categorised as fighters¹³⁷. In female establishments in 2017, 45% of those involved in assaults were assailants, compared with 39% in male establishments. The proportion of assailants in female establishments has been consistently higher than the proportion of assailants in male establishments over the past decade. The proportion of fighters in prison in 2017 was 29% for males and 24% for females in 2017, this was a decrease for both sexes since 2007, from 46% of male fighters and from 42% for females.

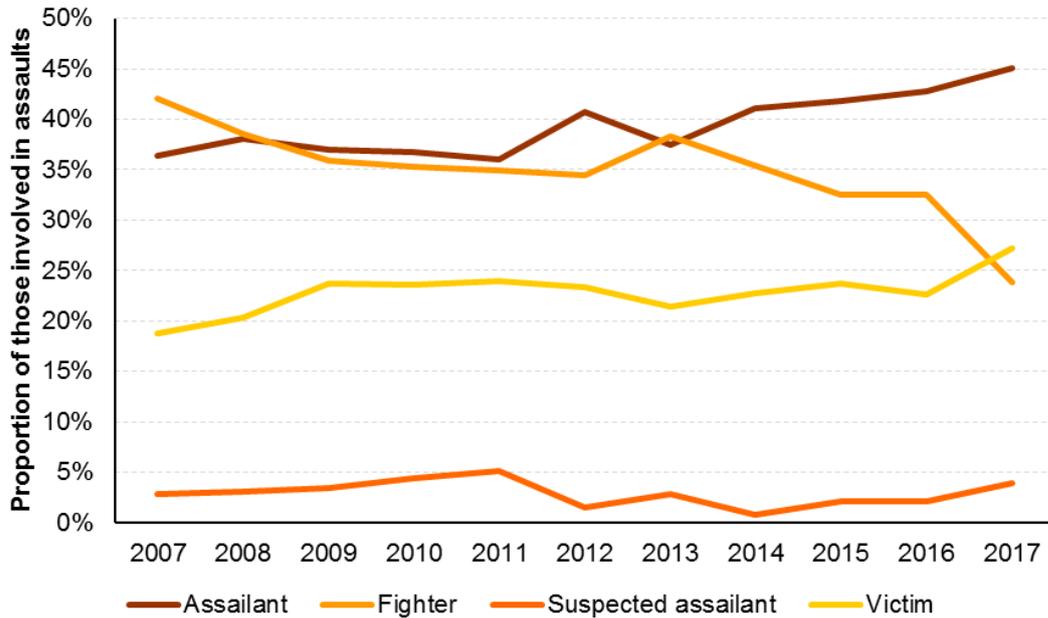
There was a higher proportion of victims involved in assaults in male establishments in 2017 (28%), compared with 27% for female establishments (Figure 6.13).

¹³⁶ RRI values which fall within the range of 0.80 to 1.25 are within the range where the magnitude of the difference in rates would not normally represent evidence of adverse impact to one group.

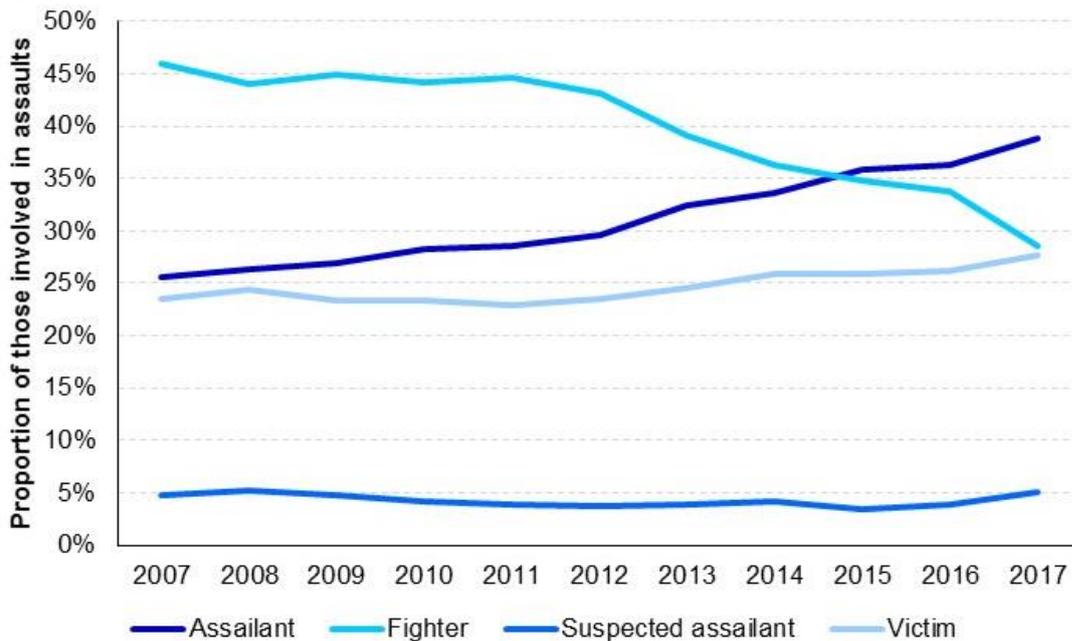
¹³⁷ Fighter refer to assault incidents in which there is no clear aggressor or victim. Such cases arise from offences of affray. Assailant refers to assault incidents in which there is a clear aggressor (assailant) and victim. Victim refers to assault incidents in which there is a clear aggressor (assailant) and victim. Further categories include suspected assailant. The proportions of participants that are suspected assailants are low for both male and female institutions. More information can be found in the [Guide to Safety in Custody statistics](#).

Figure 6.13: Proportion of those involved in assault incidents, by type of involvement and sex of establishment, 2007 to 2017

Female



Males



In 2017, there was a record high of 21,300 prisoner-on-prisoner assaults and 8,400 assaults on staff of which 96% were in male establishments. Assault incidents in female establishments accounted for 4% (800) of all prisoner-on-prisoner assault incidents and 5% (400) of all 8,400 assaults on staff in 2017.

Of all assault incidents taking place in female establishments in 2017, prisoner-on-prisoner assaults increased by 37% (from 600) since 2007, however assaults on staff¹³⁸ decreased by 6% (from 400). The 800 prisoner-on-prisoner assaults accounted for 67% of all assault incidents in female establishments in 2017 (of which, 8% were serious prisoner-on-prisoner assaults), and the 400 assaults on staff accounted for 32%, of which, 6% were serious.

Males accounted for 96% of all assault incidents in 2017, and had increased by 98% since 2007. Of all assaults taking place in male establishments, 20,500 (72%) were prisoner-on-prisoner assaults in 2017 (of which, 14% were serious), and 8,000 (28%) were assaults on staff (of which, 10% were serious). In male establishments in 2017, the number of prisoner-on-prisoner assault incidents increased by 79% and assaults on staff increased by 180% over the same period.¹³⁹

Self-harm

Self-harm in prison custody is defined as 'any act where a prisoner deliberately harms themselves irrespective of the method, intent or severity of any injury.' Although those who self-harm often do so covertly, in prisons such incidents are more likely to be detected and counted¹⁴⁰. In 2017, there were 44,700 self-harm incidents, and 19% (8,300) occurred in the female estate, compared with the prison population, levels of self-harm were disproportionately high among female prisoners, as females consistently represent 5% of the adult prison population. Self-harm trends do differ considerably between male and female establishments; male establishments had a rate of 445 incidents per 1,000 prisoners in male establishments (with an increase of 12% in the number of incidents since 2016) compared to a rate of 2,093 per 1,000 in female establishments (an increase of 8% in the number of incidents from 2016). However, the number of incidents in female establishments has decreased by 27% (from 11,000 to 8,000 incidents) since 2007 whereas male establishments have seen a 213% increase of self-harm incidents over a decade (from 11,600 to 36,300 incidents).

Female establishments have a much larger number of self-harming individuals per 1,000 prisoners relative to male establishments. In 2017 female establishments had 300 in 1,000 prisoners that self-harmed compared with 128 in male establishments.

Females had a higher rate of self-harm incidents in prison (30%) than males (13%). This resulted in an RRI of 2.35 which is well outside the range of small effect and a statistically significant indication of disparity, where females were 135% more likely to self-harm in prison, relative to males.

Female establishments also see a higher rate of self-harm incidents per individual. In 2017, there were 7.0 incidents per individual that self-harmed in female establishments and 3.5 incidents per individual in male establishments.

In 2017, the proportion of self-harm incidents that resulted in hospital attendance was 8% for male establishments and 2% for female self-harm incidents. The majority of self-harm incidents were due to cutting or scratching for both male (67%) and female (59%)

¹³⁸ Gender refers to the type of establishment. In general, the gender of the people involved in the assault will be the same as the type of establishment. In a minority of cases - typically assaults on staff - the gender may be different to the establishment type.

¹³⁹ Prisoner-on-prisoner assaults and assaults on staff are a subset of 'all assault incidents'.

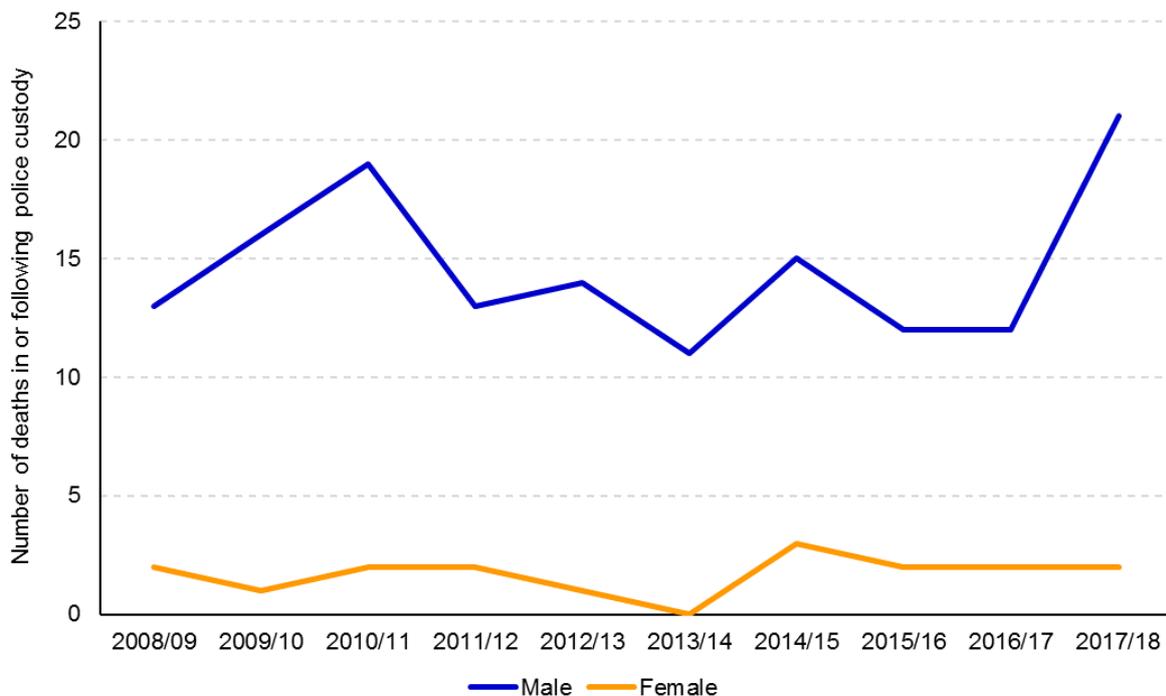
¹⁴⁰ For more information, please see the [Guide to Safety in Custody Statistics](#).

establishments. Self-strangulation accounted for a much larger proportion of self-harm instances in female establishments (28%) compared with male establishments (6%). In male establishments the proportion of incidents related to hanging (7%) and overdose, self-poisoning or swallowing (10%) were higher than female establishments, which had proportions of 1% and 3% respectively.

Deaths in or following police custody

The number of deaths in or following police custody¹⁴¹ increased from 14 in 2016/17 to 23 in 2017/18. This figure is the highest number of deaths in or following police custody since 2006/07. Male deaths in or following police custody increased from 12 in 2016/17 to 21 in 2017/18. There were two female deaths in or following police custody in 2017/18, the same since 2015/16. The number of female deaths has remained broadly stable in the last ten years, representing on average two custody deaths per year.

Figure 6.14 Number of deaths in or following police custody, by sex, 2008/09 to 2017/18



Deaths in the community, after prison, is available in the [HMPPS Offender Equalities 2017](#) report.

Restricted Patients

Restricted patients are mentally disordered offenders who are detained in hospital for treatment, this includes both adults and under 18s. The Secretary of State for Justice has

¹⁴¹ Deaths in or following police custody includes deaths that happen while a person is being arrested or taken into detention. It includes deaths of people who have been arrested or have been detained by police under the Mental Health Act 1983. The death may have taken place on police, private or medial premises, in a public place or in a police or other vehicle. Deaths during or following police contact, 2017/18, [policeconduct.gov.uk/research-and-learning/statistics/annual-deaths-during-or-following-police-contact-statistics](https://www.policeconduct.gov.uk/research-and-learning/statistics/annual-deaths-during-or-following-police-contact-statistics)

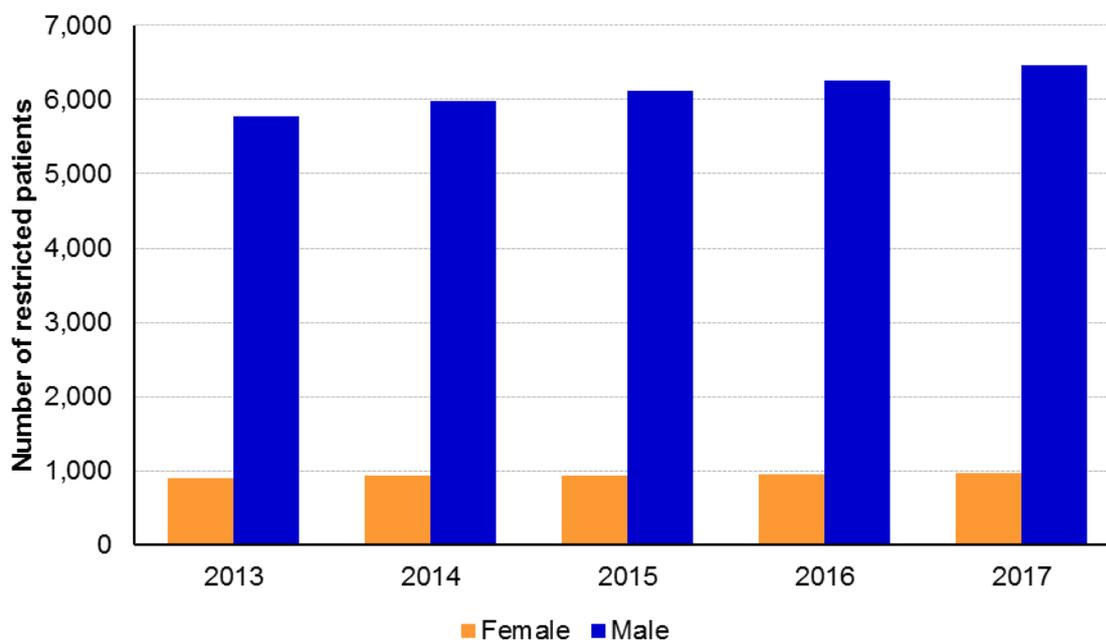
powers to make decisions about the management of these patients, under the Mental Health Act 1983 (the MHA).

Restricted patients are either mentally disordered offenders who are made subject to a hospital order at court with a restriction order, detaining them in a secure hospital, or those who are transferred to hospital from prison while on remand or while serving a sentence. In order to receive a hospital order or be transferred to hospital from prison, two medical reports are required, assessing that the offender suffers from mental disorder and that the criteria for detention in hospital under the MHA are met. Where the court considers it necessary to protect the public from serious harm, it will also make a restriction order. The Secretary of State may make a restriction direction when transferring a prisoner if he see fit; this has the same effect as a restriction order¹⁴².

Restricted patient population

As recorded on 31 December 2017 there were 7,422 mentally disordered offenders in the restricted patient system, 4,811 of which were detained in hospital and 2,611 were conditionally discharged and living in the community. Females constituted 13% (959) of the total population, 572 were detained in hospital and 387 conditionally discharged. In 2013 14% of the restricted patient population were female, this remained steady at 13% of the total population from 2014 to 2017. Both the male and female restricted patient population grew from 2013-2017, however the male population increased more rapidly (12%) than the female population (7%) between these years.

Figure 6.15: Restricted patients detained in hospital and conditionally discharged in England and Wales by gender as at 31 December 2013-2017

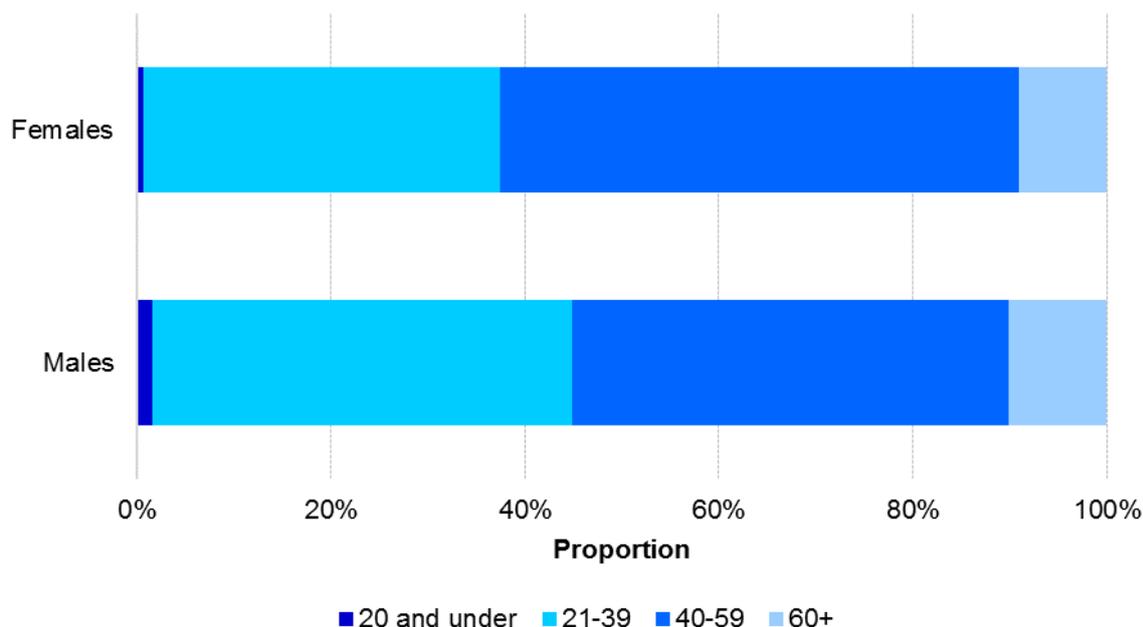


As at 31 December 2017 just over half of the female population (53%) were aged 40-59 and 37% were aged 21-39. Comparatively, fewer male restricted patients were in the 40-59 age bracket (45%), while those aged 21-39 constituted 43%. Between 2013 and 2017 there was

¹⁴² Further information on Restricted Patients can be found in the Technical Guide.

a 4% decrease in female restricted patients aged between 21-39 years old, in parallel, there was a 3% increase in those aged 40-59.

Figure 6.16: Restricted patients detained in hospital and conditionally discharged in England and Wales by age group and gender as at 31 December 2017



As at 31 December 2017, 60% of female restricted patients were detained in hospital, and 40% were discharged and living in the community. This was compared to 66% of male restricted patients detained in hospital and 34% conditionally discharged. From 2013-2017 there was a steady increase in the percentage of females conditionally discharged versus detained in hospital, overall this was 6%. There was also a slight upwards trajectory in conditionally discharged males in the restricted patient system from 2013-2017, this however was only 1%.

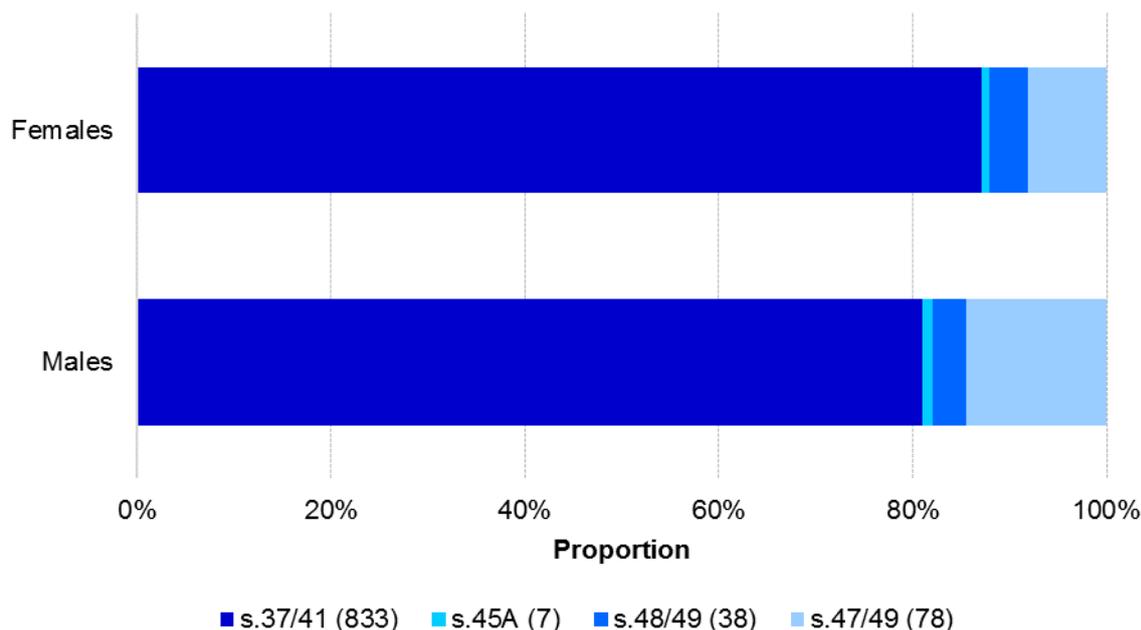
Restricted patients compared to the total prison population

Considering the overall prison population at 31 December 2017 where females made up 5% (3,919), 9% were transferred from prison, and there was a higher proportion of females as restricted patients overall (13%). Males made up 95% of the prison population (80,454) and accounted for 87% of restricted patients. As at 31 December 2017, there was a total of 1276 restricted patients detained in hospital who had been transferred from prison, 91% of those were male.

Admission categories

On 31 December 2017 87% of females in the restricted patient system were admitted via hospital orders with restrictions (s.37/41), while 8% transferred from prison at some time during their prison sentence (s.47/49). Of the male restricted patients, 81% were admitted via a hospital order with restrictions, while 14%, transferred from prison during their sentence- this is 6% higher than in the female population. Of the female population 4% had transferred from prison while unsentenced or untried (s.48/49) and 1% had hospital and limitation directions (s.45A), this is the same for the male population.

Figure 6.17: Restricted patients detained in hospital and conditionally discharged in England and Wales by admission category and gender as at 31 December 2017



The percentage of female restricted patients admitted under each category has remained stable since 2014 with little fluctuation, the same trend can be seen in the male population.

Offence Group

As on 31 December 2017, violence against the person and criminal damage and arson were the most common offence groups for females in the restricted patient system. The two least common were fraud and drug offences. This pattern of offence groups has remained largely unchanged since 2016.

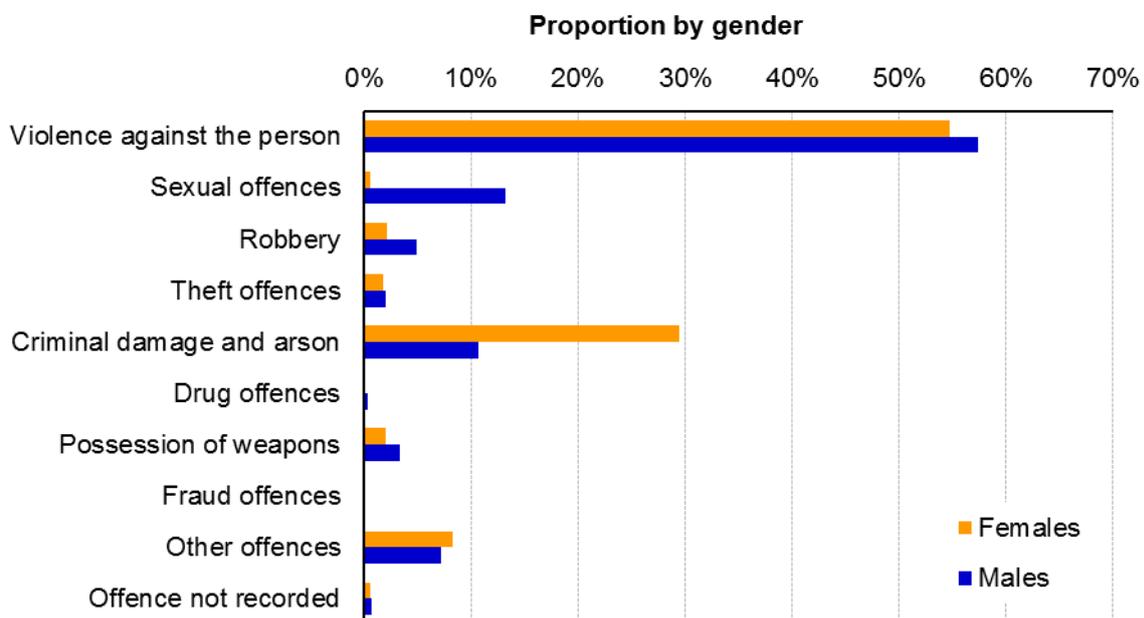
Comparatively, for males, as on 31 December 2017, the two most common offence groups were violence against the person and sexual offences. The two least common were also fraud and drug offences. The pattern of offence groups for males has similarly remained largely unchanged since 2016. The percentage of females in the restricted patient system with an offence group of criminal damage and arson is significantly higher than for males, 29% of females have this as their offence group, compared to only 11% of males. There is also a notable difference in the number of sexual offences as offence groups between males and females. In the male restricted patient population 13% of males have a sexual offence as their offence group, for females it is only 1%.

Comparing this to the offence groups of the prison population under immediate custodial sentence¹⁴³ (see earlier in this Chapter for a full breakdown of sentences served in prison by offence type), a much higher proportion of restricted patients were detained in hospital for violence against the person than for the prison population, as 57% male restricted patients

¹⁴³ Offence groups have been updated from 2016 to bring them closer to the categories used in prison population statistics. Prison population statistics include the categories of 'Public order offences', 'Miscellaneous crimes against society', 'Summary Non-Motoring' and 'Summary Motoring'. Offence data for restricted patients are not recorded at a level of detail which allows these categories to be identified so all are combined into the category of 'Other offences'

and 55% female restricted patients compared to 25% males in the prison population and 28% females in the female prison population. There were very small numbers in the drug offences for restricted patients (0%), this was not reflected in the prison population with 15% in the drug offences offence group (15% for males, 14% for females). Similarly, for theft offences, 2% of restricted patients were classified under this offence group, this figure was 13% for the prison population (13% for males, 20% for females). For restricted patients criminal damage and arson was a more common offence group for both females (30%) and males (11%) than for those under immediate custodial sentences these figures were 3% for females and 1% for males.

Figure 6.18: Restricted patients detained in hospital and conditionally discharged in England and Wales by offence group and gender as at Dec 2017



Discipline in Prison Establishments

Adjudications

In 2017 there were a total of 191,614 adjudication outcomes¹⁴⁴ recorded in prison establishments, of which female establishments accounted for 5%; the same proportion as the prison population. Of these adjudications, 124,884 were for proven offences¹⁴⁵, of which, females accounted for 6% (7,721). Out of all female adjudication outcomes, 74% were proven offences, compared to 65% for males, compared to 2010 there was a 4 percentage point decrease in this proportion for females and a 8 percentage point decrease for males.

In 2017, the highest proportion of proven adjudications related to disobedience/disrespect in female establishments (43%), this was 10 percentage points higher than male establishments (33%) for the same year. Offences relating to unauthorised transactions were 7 percentage points lower in female establishments (24%) when compared with male

¹⁴⁴ Refers to the number of all adjudications for which one or more punishments may be imposed onto an offender once proven guilty.

¹⁴⁵ Proven adjudications are those where an adjudicator is satisfied beyond reasonable doubt that a charge has been proved.

establishments (31%). Of all male proven offences 14% were violence, compared to 12% for females.

The most common form of punishment for both males (41%) and females (43%) was forfeiture of privileges. Of all male punishments, 10% (20,389) cases resulted in additional days added in prison for males, compared to 5% (692) of cases resulting in additional days for females. The number of punishments per offence for males and females decreased by 0.54 punishments per offence since 2010, and in 2017, the average number of punishments per proven offence in female establishments was 1.69, slightly lower than in male establishments (1.70).

Probation^{146 147}

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

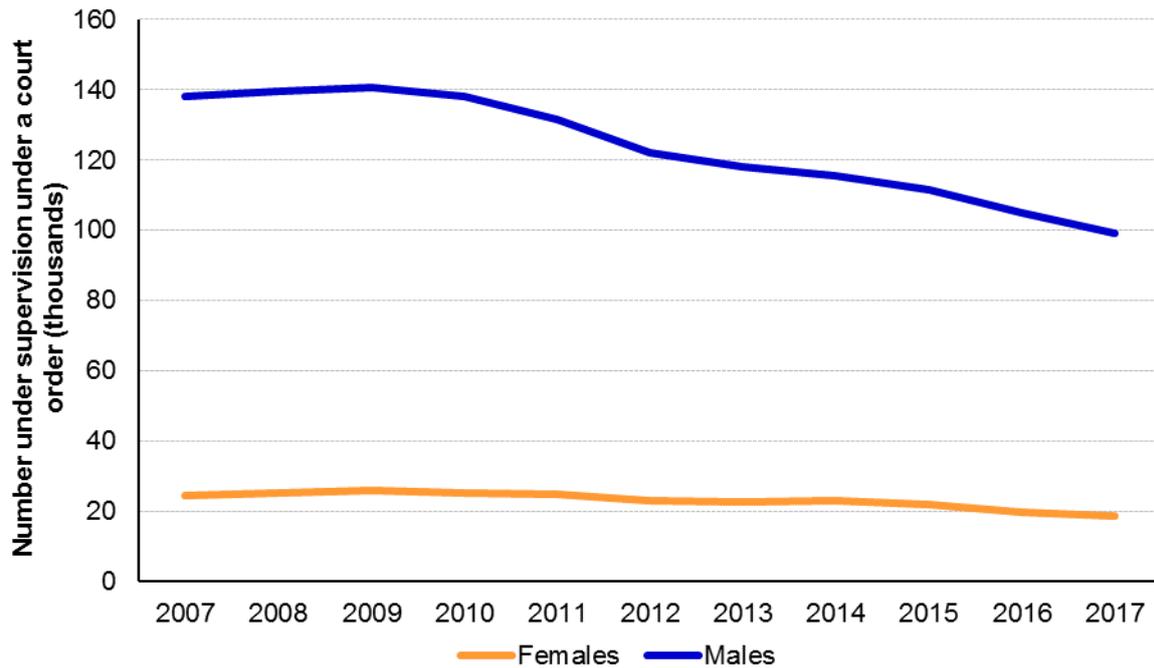
Offenders starting probation supervision

In 2017, a total of 18,711 females (16%) and 99,001 males (84%) started supervision as result of a court order. Although there was a 28% decline in volumes since 2007 for males and 23% for females (Figure 6.17), the proportions remained stable since 2007.

¹⁴⁶ 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.

¹⁴⁷ Probation: 2017 (annual) tables, and Probation: October to December 2017 (quarterly) tables are available alongside the [October to December Offender Management Statistics Quarterly](#) release.

Figure 6.19: Number of offenders starting supervision by the Probation Service under court orders, by sex, 2007 to 2017



Between 2007 and 2017, the number of offenders starting supervision as a result of a community order fell by 34%, reflecting observed sentencing trends. This decrease was greater for males (35%) than females (28%). The number starting supervision under SSOs decreased overall by 4% since 2007, however there were differences in trends across sex, with a 5% decrease for males and a no change for females across the period.

The average length of a community order continued to be shorter for females in 2017 (10.8 months) than males (12.1 months). This was similar for SSOs, with an average length of 16.6 months for females and 17.3 months for males.

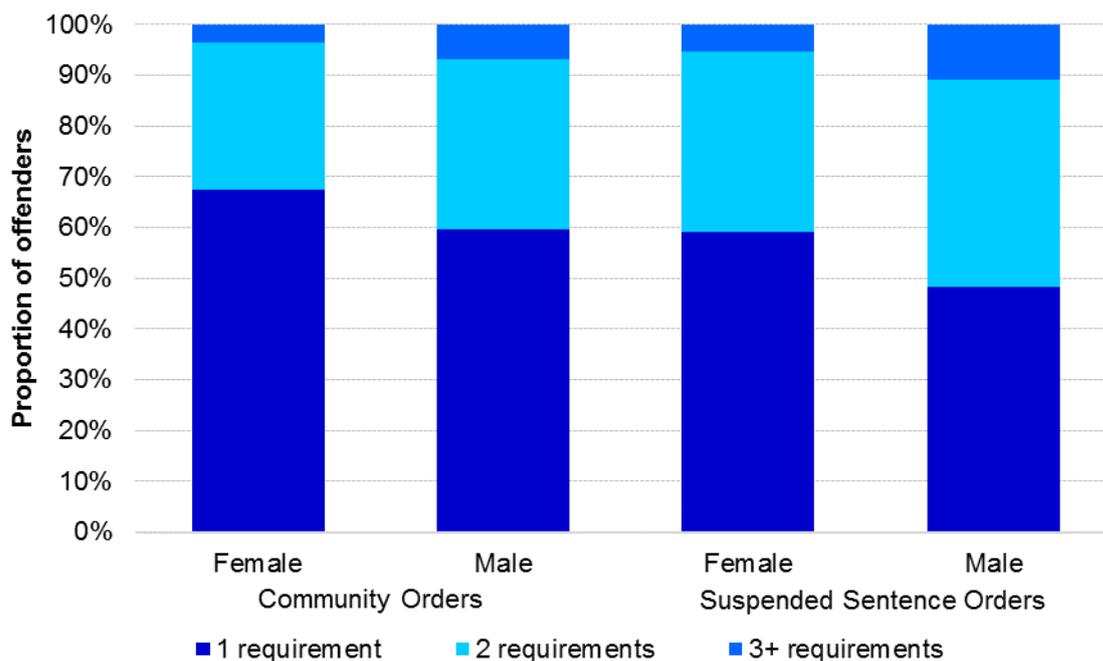
A greater proportion of males who received a Community order had a longer criminal history, 23% of males had 3-6 previous cautions or convictions compared to 22% of females. Females receiving community orders tended to have a shorter criminal history, 25% had 1-2 previous cautions or convictions compared to 21% of males. For SSOs, the most common offender history for males (22%) in 2017 also had between 3-6 previous cautions and convictions, compared to 17% females, however the most common offender history for females (33%) had no previous cautions or convictions, compared to 20% males.

Requirements

Females commencing supervision as a result of a community order or SSO generally had fewer requirements¹⁴⁸ to comply with than males. In 2017, females had an average of 1.4 requirements for a community order compared to 1.5 for males. For SSOs, females had an average 1.5 requirements, compared to 1.6 for males. The majority of males (60%) and females (68%) had one requirement for a community order, and the majority of males (48%) and females (59%) had one requirements for a SSO in 2017 (Figure 6.20).

¹⁴⁸ Examples of requirements are; rehabilitation, unpaid work, curfew, accredited program, drug treatment and alcohol treatment. Full list available in Probation tables

Figure 6.20: Proportion of offenders commencing supervision per number of requirements band, by type of order and sex, 2017



Rehabilitation was the most common requirement applied to males (36%) and females (46%) for community order requirements, closely followed by unpaid work for males (35%, 24% for females). Rehabilitation was also the most common requirement applied to both males (39%) and females (48%) for SSOs, and unpaid work was similarly the second-most common requirement for both males (30%) and females (23%) given an SSO.

Pre- and post- release supervision

In 2017, The number of male offenders under pre-release supervision¹⁴⁹ has increased by 22% since 2007, and 14% for females.

For both males and females, post-release supervision¹⁵⁰ increased by 153% and 216% respectively since 2007, with a large increase for both sexes occurring between 2014 and 2015 (90% for females and 44% for males). 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.

Of the community orders terminated in 2017, 71% male and 75% of female community orders were terminated successfully (i.e. ran their full course or were terminated early for good progress); for the termination of supervision periods of SSOs, 70% of all males had their SSO terminated successfully, compared with 76% females.

¹⁴⁹ Pre release supervision refers to home supervising officers along with probation staff in prisons work jointly with prison staff on sentence planning and management, including consideration of post-release issues.

¹⁵⁰ Post release supervision refers to all prisoners given a custodial sentence serve a proportion of their sentence in custody and are then released on licence. They are supervised on probation before and after release from custody.

Licence recalls¹⁵¹

Offenders who are released from prison on licence continue serving their sentence under supervision in the community. Offenders on licence are liable to be recalled to prison if they breach their licence conditions. However, the aim is always to support them to complete their licence successfully. Recalled offenders remain in prison only for as long as is deemed necessary to protect the public.

The increase in the level of recall compared with the mid-1990s owes much to the introduction of the executive recall power. The continuous growth in recall since then reflects the fact that offenders are on licence for longer and the growing belief that sentences needed to be effectively enforced.

In 2017, there were 20,263 male recalls and 1,651 female recalls from licence (92% and 8% of the total, respectively). The proportions of recalls for males were split equally between the National Probation Service (NPS) and Community Rehabilitation Companies (CRCs), whereas 26% of recalls for females were through the NPS and 74% were through CRCs. This is likely to reflect differences in the composition of the NPS and CRC caseloads.

Offenders that have been sentenced to more than a day in prison will receive at least 12 months supervision on release as a result of the Offender Rehabilitation Act 2014. This came into effect for those sentenced from 1 February 2015. Recalls of offenders that have breached conditions of their licence following a sentence of under 12 months are called ORA recalls. In 2017, there were 8,825 recalls of offenders released from a sentence of under 12 months, 89% (7,839) of which were males and 11% (986) were females.

Female offenders are more likely to receive short-term sentences, which is reflected in the increased proportion of female offenders recalled since the implementation of ORA in 2015. From 2016 to 2017, the number of female offenders recalled under ORA provisions has increased by 36%, from 726 to 986.

Reasons for recall differed between males and females in 2017¹⁵². There is usually more than one reason for recalling an offender from licence. The majority of male recalls (61%) involved the recall reason of non-compliance. However, the majority of female recalls (57%) involved the recall reason of failure to keep in touch. A higher proportion of males (45%) were recalled for alleged further offending compared to females (26%).

Of all offenders recalled, 77% were recalled only once in 2017, however a higher proportion of males (78%) were recalled once compared to the proportion of females recalled once (72%). This therefore means that a higher proportion of females (28%) were recalled more than once when compared to the proportion of males (22%) recalled more than once in 2017.

When considering probation providers, higher proportions of offenders supervised by CRCs had multiple recalls, which is more evident in female offenders (29%) than male offenders (23%). The difference in proportions was smaller in offenders supervised by the NPS, where 23% of females and 20% of males had multiple recalls.

This may be due to there being a broader mix of female offenders within CRCs. Additionally, CRCs only supervise lower risk offenders on determinate sentences. It is rare for those on

¹⁵¹ Please refer to the Licence Recalls: January to March 2018 tables published alongside the [Offender management statistics quarterly: January to March 2018](#)

¹⁵² More than one recall reason can be recorded against each recall.

indeterminate sentences to be recalled more than once in a given year, as there is a lengthier process for release following a recall. Similarly, offenders on determinate sentences supervised by the NPS tend to be higher risk offenders and are more likely to receive a standard recall, meaning that they spend a longer period in custody.

A recall can be issued on a standard or emergency basis. This is based on the perceived imminent risk that the offender poses and determines the target time between their licence being revoked and their return to custody. Standard recalls have a target time of 144 hours (6 days), whereas emergency recalls have a shorter target time of 74 hours, and are used for offenders who pose a higher risk to the public or of reoffending and warrant immediate detention. In 2017, a lower proportion of female offenders on determinate sentences were recalled on an emergency basis at 6%, compared to 13% of males.

For recalls in 2017, 60% of males and 49% of females were returned to custody within their target time¹⁵³.

¹⁵³ 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.

7. Offender characteristics

The prosecution rate was twice as high for Black female defendants than White female defendants and over four times higher for Black male defendants than White males.

In 2017, the rate of prosecution was 2 per 1,000 population for Black female defendants 29 per 1,000 for black male defendants. Compared to 1 per 1,000 for White female defendant and 7 per 1,000 for White male defendants.

The age distribution of female and male defendants is broadly similar, with the majority of prosecutions concentrated between the ages of 20 and 45.

For both sexes, the 25 to 29 age band represented the highest number of those prosecuted in 2017, accounting for 18% of both sexes. Across most age groups, approximately 3 times more males were prosecuted than females.

A higher proportion of female offenders had no previous offender history, compared to males. A higher proportion of male offenders had a long criminal history.

In 2017, a greater proportion of female offenders were first time offenders (females 34% and males 21%). Male offenders tended to have a longer offender history, 26% of male offenders had 15 or more previous cautions or convictions compared to 18% of females.

The reoffending rate for males was higher than for females, however, females had the highest number of reoffences per reoffender.

Despite the lower reoffending rate (23.4% compared to 30.7% for males), female reoffenders had the highest average number of reoffences per reoffender, 4.32 compared to 4.02 for males.

A higher proportion of females were claiming out-of-work benefits after conviction/caution or release from prison. A higher proportion of males were in P45 employment and had a higher median P14 income.

Two years after conviction/caution or prison sentence, 50% of female offenders and 35% of males were on out-of-work benefits. A higher proportion of male offenders were in P45 employment (38%), compared to 35% of females and males had a higher adjusted P14 income (£15,600 compared to £9,100).

This chapter looks at the interaction between sex and other key characteristics throughout the Criminal Justice System including, ethnicity, age, youth offending, offending history, and reoffending. This chapter also includes analysis on the benefit, employment and income background of offenders through a data sharing exercise between MoJ, DWP and HMRC.

Ethnicity

Prosecutions

In 2017, White female defendants accounted for 87% of all female prosecutions, while Black, Asian, Mixed and Chinese or Other female defendants accounted for 7%, 2%, 3% and 1% respectively. White male defendants accounted for 77% of all male prosecutions, while Black, Asian, Mixed and Chinese or Other male defendants accounted for 12%, 7%, 3% and 1% respectively¹⁵⁴.

The difference in prosecution rates¹⁵⁵ relative to the population was highest for males, and the highest rate of prosecutions was for the Black ethnic group. The rate of prosecutions for Black male defendants (29 per 1,000) was more than four times higher than for White male defendants (7 per 1,000). Mixed male defendants (14 per 1,000) had a prosecution rate just under two times higher than White male defendants. The rate of prosecutions for Black female defendants (2 per 1,000) was twice as high as White female defendants (1 per 1,000). Chinese or Other and Asian female defendants had the lowest rates of prosecutions of less than 1 per 1,000.

Convictions

From 2013 to 2017, the total number of convictions for indictable offences has followed a similar trend for all ethnicities for both females and males. Generally, the number of convictions has fallen in line with prosecutions.

Of all ethnicities, both White female and White male offenders had the highest conviction ratios¹⁵⁶ for indictable offences at 85% each, a trend that has been consistent since 2013 for male defendants but has fluctuated for female defendants. There were larger differences between conviction ratios for female defendants across ethnicities than males in 2017; with a difference of 11 percentage points between White females (85%) and Asian females (74%). The conviction ratio for males in 2017 ranged between 79% (Black male defendants) and 86% (White male defendants), a variation of 7 percentage points.

Non-White females had a lower conviction ratio (75%) than White females (85%), which resulted in an RRI of 0.89. Although the result is statistically significant, where non-White females were 11% less likely to be convicted after prosecution compared to White females, the RRI value falls within the range where the magnitude of the difference is relatively small¹⁵⁷ indicating the small difference in rates is not sufficient to suggest evidence of adverse impact.

A similar picture can be seen for males; non-White males had a conviction ratio of 80%, compared to 85% for White males, giving an RRI of 0.93. Whilst statistically significant, where non-White males were 7% less likely to be convicted than White males, the RRI falls

¹⁵⁴ Where ethnicity was known. Defendants with unknown or not stated ethnicity accounted for 21% of all indictable prosecutions in 2017.

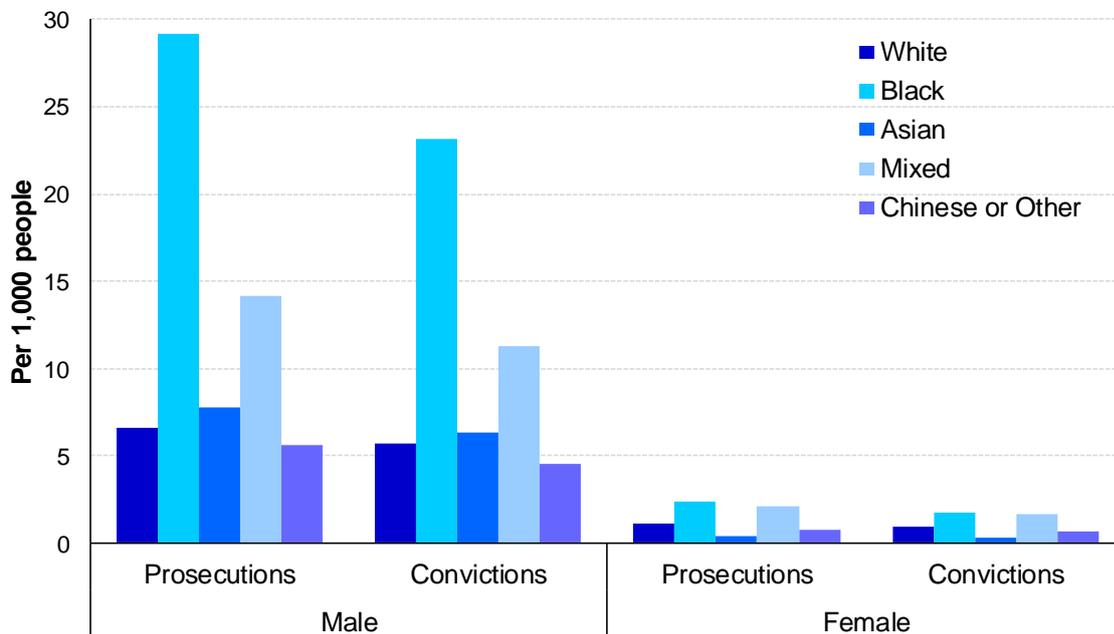
¹⁵⁵ Rates per 1,000 of the population per ethnic group were calculated by dividing the number of prosecutions for an ethnic group by the estimated population for that ethnic group and multiplying by 1,000.

¹⁵⁶ The conviction ratio is calculated by dividing the total number of defendants convicted by the total number of defendants prosecuted in the same period.

¹⁵⁷ RRI values which fall within the range of 0.80 to 1.25 are within the range where the magnitude of the difference in rates would not normally represent evidence of adverse impact to one group.

well within the range where the effect was small and therefore not sufficient to suggest evidence of disparity.

Figure 7.01: Prosecution and convictions per 1,000¹⁵⁸ people, by sex and ethnic group, England and Wales, 2017



Indictable offence groups

In line with the overall female conviction trends, theft offences were the most common indictable offence group for each ethnic group, and over half of White (57%) and Chinese or Other (54%) female defendants convicted of theft in 2017. Theft also accounted for the majority of convictions for Black (40%), Asian (43%) and Mixed (49%) females.

The male breakdown by ethnicity was more varied. The proportion of White male (36%) and Chinese or Other male offenders (26%) convicted for indictable offences was highest for theft offences. However, drug offences were the most common for Black (36%), Asian (29%), and Mixed male offenders (29%).

Remands^{159,160}

Of the 1,500 females remanded in custody at the Crown Court for indictable offences in 2017: 83% were White, 8% were Black, 4% were Asian, 4% were Mixed and 2% were Chinese or Other. In comparison, 24,000 males were remanded in custody at the Crown Court for indictable offences 72% of these were White, 14% were Black, 8% were Asian, 4% were Mixed and 2% were Chinese or Other.

¹⁵⁸ Rates per 1,000 of the population per ethnic group were calculated by dividing the number of prosecutions or convictions for an ethnic group by the estimated population for that ethnic group and multiplying by 1,000.

¹⁵⁹ Remands data in this section are based on the Crown Court's decision on whether a defendant prosecuted for a criminal offence, should – during the court proceeding – go on to be placed in custody or released on bail.

¹⁶⁰ Figures refers only to those with known ethnicity; for this group, ethnicity coverage was 81% in 2017.

Sentencing

The number of sentences for indictable offences given for both male and female offenders has decreased since 2013, while the proportion of sentences for each ethnic group has remained stable; this is similar to trends seen in prosecutions and convictions.

In 2017, the most common outcome for all male offenders was a custodial sentence (34%), whereas the proportion of females sentenced to immediate custody was lower at 20%. This difference in proportions of custodial sentences for male and female offenders are likely to be attributable to a range of factors including differences in the offence types they commit. A community sentence was the most frequent sentencing outcome for all female offenders (25%), and was a similar trend across all ethnic groups except for Chinese or Other.

Chinese or Other female offenders had the highest custody rate¹⁶¹ (25% each) for all female offenders, and custody rate ranged between 20% and 25% across all female ethnic groups. Custody rate for male offenders was highest for Chinese or Other, Asian and Mixed (39% respectively), Black males had a custody rate at 35%. Variation of outcomes between sexes was greatest for Asian offenders as Asian male offenders' custody rate (39%) was 18 percentage points higher than Asian female offenders (21%). Whereas, the lowest sex differences were within Black, Mixed and Chinese or Other, all with a 15 percentage point difference between males and females.

Average Custodial Sentence Length (ACSL)¹⁶²

Since 2013, the ACSL has risen for both male and female offenders from all ethnic groups¹⁶³, however, the increase has varied between ethnic groups. Asian offenders have seen the largest rise for males (4 months), whereas the largest increase for females was among Chinese or Other¹⁶⁴ (6 months). Both Asian females and males had the longest ACSL for indictable offences in 2017 at 18.1 months and 27.5 months respectively.

In 2017, the biggest sex disparity in ACSL was the Black ethnic group (14.1 months for females and 26.2 months for males), and the smallest disparity was for the White ethnic group (10.6 months for females and 19.2 months for males)¹⁶⁵ (Figure 7.02).

¹⁶¹ The custody rate is the proportion of all offenders sentenced to immediate custody, out of all sentencing outcomes.

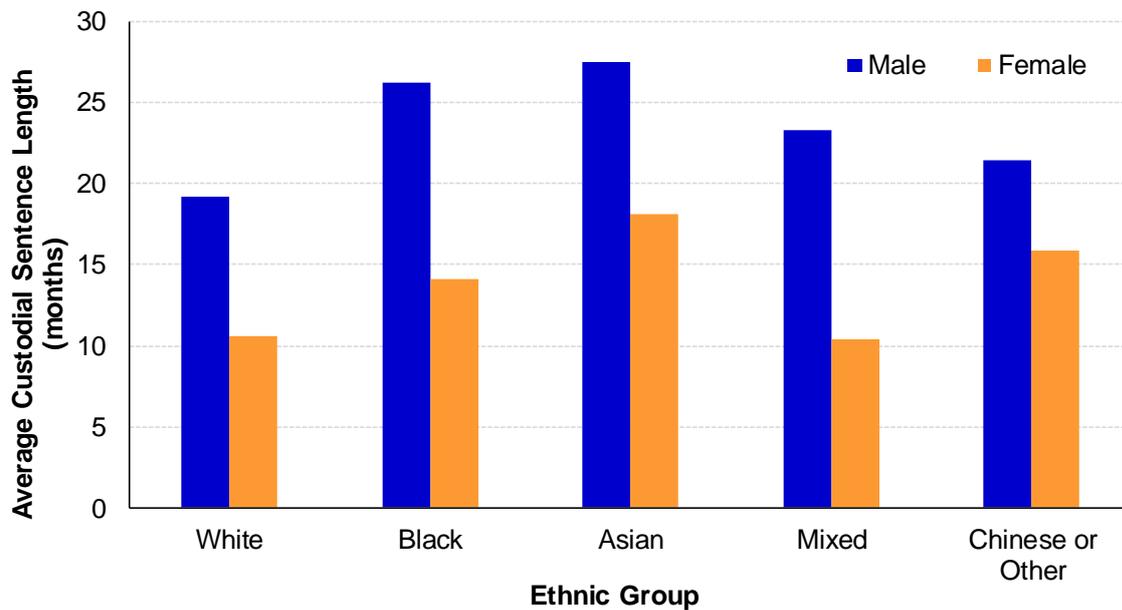
¹⁶² It must be noted that the majority of all offenders sentenced to immediate custody are males, and the majority of all male disposal outcomes are custodial (33%) due to committing more serious crimes, the population of ACSL is skewed and males will have a major impact on ACSL.

¹⁶³ The overall increase in ACSL may be connected to changes in sentencing guidelines – see accompanying technical guide for further details

¹⁶⁴ Chinese and other females are underrepresented in those sentenced to immediate custody, therefore due to small numbers, trends in ACSL should be interpreted with caution.

¹⁶⁵ This could be due to the difference in offence groups.

Figure 7.02: Average Custodial Sentence Lengths (ACSL) for indictable offences by sex and ethnic group, England and Wales, 2017



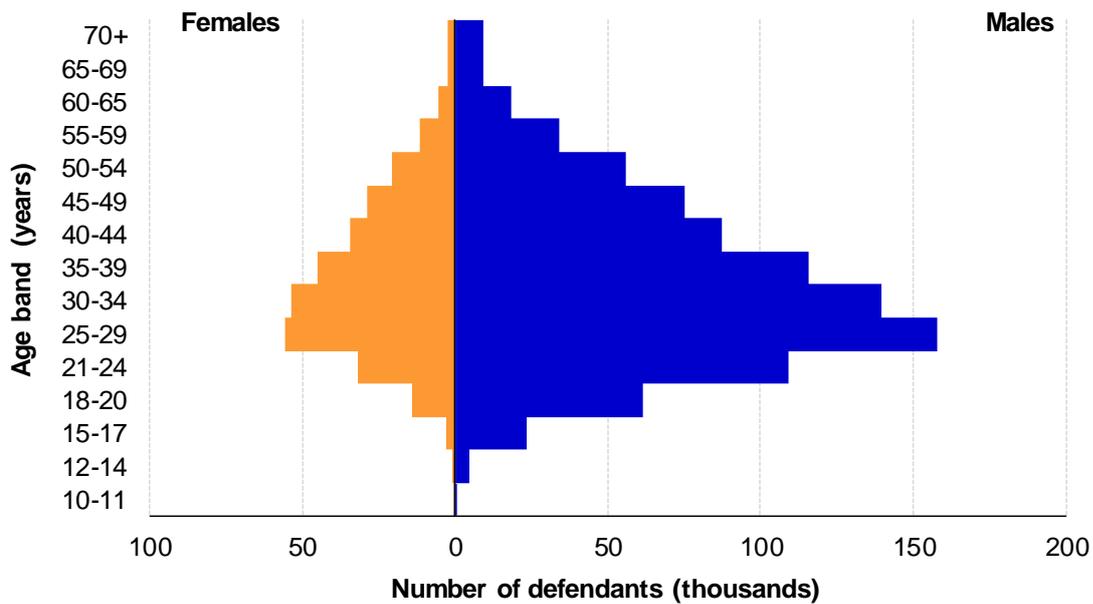
Age¹⁶⁶

Overall the age distribution of males and female defendants was broadly similar, with the majority of defendants concentrated between the ages of 20 and 45. For both sexes, the 25 to 29 age band, represented the highest number of those prosecuted in 2017. Despite the large difference in the number of male and female defendants, the 25 to 29 age category accounted for 18% of those prosecuted for both sexes. Males consistently had a larger number of prosecutions (approximately three times more) for most age ranges (Figure 7.03).

Although, there was a similar overall trend among males and females for both indictable and summary offences, there were some differences among individual offence groups. For theft offences, the highest proportion of female defendants were between the ages of 30 to 34 (21%), compared to defendants aged 35 to 39 for males (19%). Prosecutions for possession of weapons, peaked at 18 to 20 years old for males (15%), however, for females, it was those aged 25 to 29 who were most frequently prosecuted (17%) (Figure 7.03).

¹⁶⁶ The analysis in this chapter excludes defendants where age or sex is unknown unless stated otherwise.

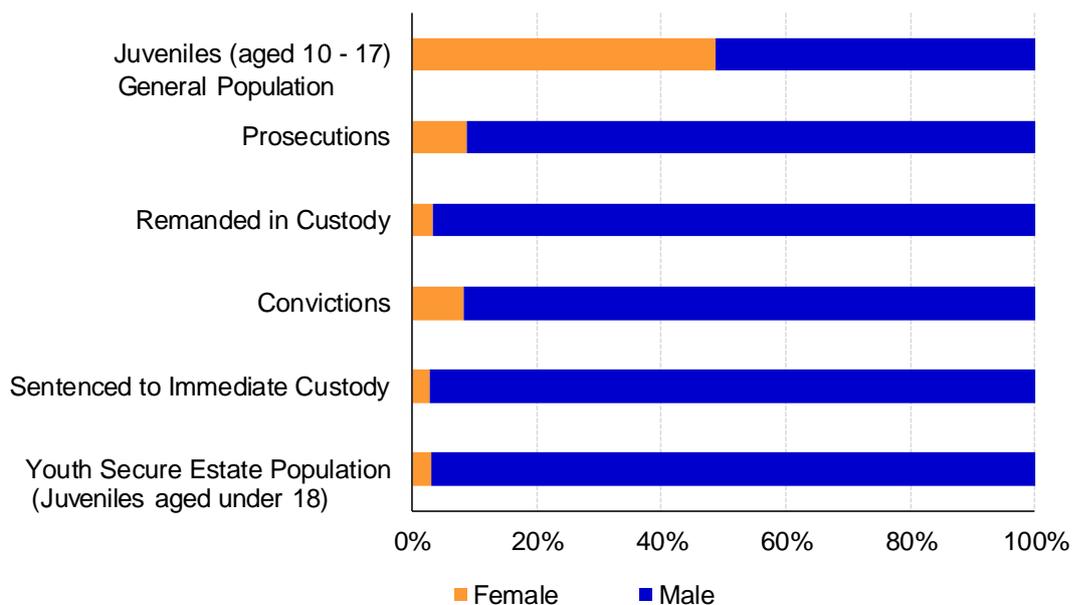
Figure 7.03: Age distribution of male and female defendants, England and Wales, 2017¹⁶⁷



Youth Offenders

The following section discusses youth offenders at different stages of the Criminal Justice System. Reference will usually be made to ‘juveniles’ by which we refer to individuals aged 10 to 17 years of age^{168,169}. It should be noted that because juvenile offenders comprise less than 10% of all offenders prosecuted for an indictable offence, trends should be interpreted with caution.

Figure 7.04: Proportion of children and young people in the Criminal Justice System, by sex, England and Wales, 2017



¹⁶⁷ Defendants with unknown age and sex are excluded

¹⁶⁸ In some cases, such as in the prison population, the age band for juveniles is defined differently.

¹⁶⁹ In this section, juveniles are the standard unit we are describing, even when not explicitly stating so in the text. The only exceptions are when we are deliberately discussing ‘all aged’ offenders.

Prosecutions

The number of juveniles prosecuted for indictable offences has fallen by 51%, from 29,000 in 2013 to 18,000 in 2017, compared to the 25% decrease seen in adult prosecutions.

In the general population females accounted for 49% of those aged 10-17, however, females are underrepresented in the defendant population, representing 9% of juvenile prosecuted for indictable offences in 2017. Between 2013 and 2017, females saw the largest decline, a decrease of 53% in prosecutions, compared to a 36% decrease of male juvenile prosecutions over the same period.

The number of juveniles prosecuted for indictable offences in relation to the general population varied between the sexes. In 2017, the prosecution rates per 1,000 people aged 10 to 17 in the population was highest for males at 6 per 1,000 people, whereas the rate for females was 1 per 1,000 people^{170,171}. Since 2013, this has remained stable for female juveniles, however, males have seen a decrease, from 10 per 10,000 in 2013.

Prosecutions for summary offences

In 2017, of all juvenile defendants prosecuted 45% were for summary offences, female juveniles accounted for 18% of the 15,000 prosecuted while males made up the rest (82%). Although still underrepresented, females account for a larger percentage of juvenile summary offence prosecutions than indictable offences. Furthermore, a larger number of females were prosecuted for summary offences than indictable, 2,600 (63%) compared to 1,500 (37%). This is contrast to male juveniles, for whom indictable offences accounted for the largest proportion of all prosecutions (57%).

Conviction ratio¹⁷²

The overall juvenile conviction ratio for indictable offences remained stable since 2013, at around 72%. However, the female conviction ratio in 2017 was 68%, 4 percentage points lower than in 2013 and 4 percentage points lower than the male conviction ratio (72%) in 2017.

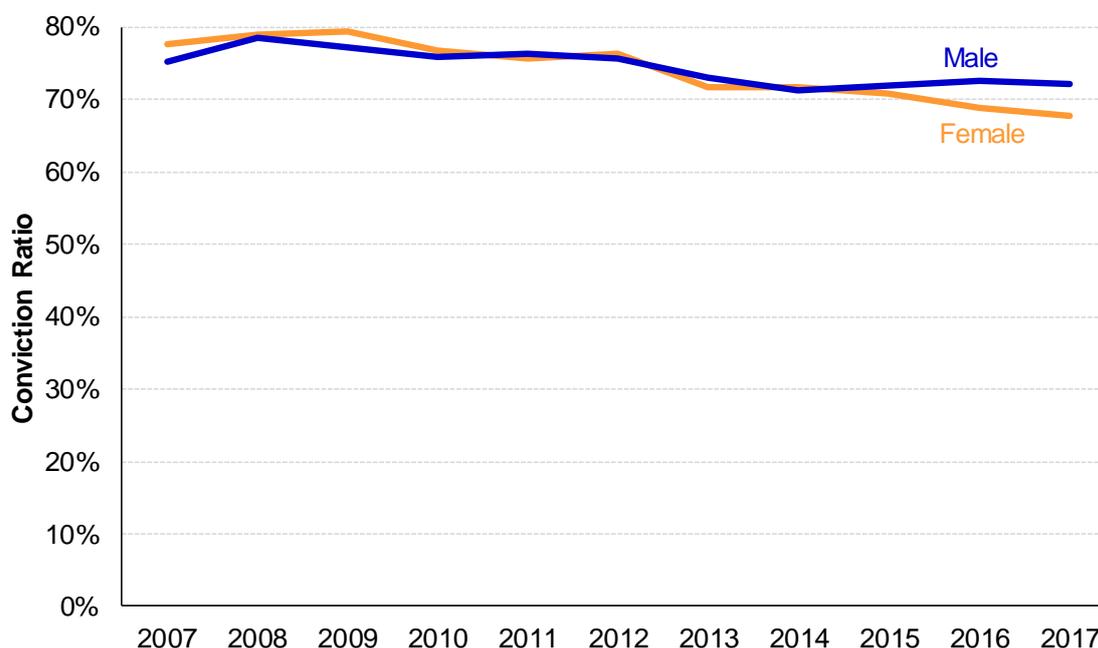
The conviction ratio for summary offences was slightly higher than indictable offences for both sexes in 2017. However, male juveniles had a higher conviction ratio (76%) than female juveniles (71%).

¹⁷⁰ Rates per 1,000 of the juvenile population for each sex were calculated by dividing the number of prosecutions per sex by the mid-2017 estimated population of males and females aged 10-17 and multiplying by 1,000.

¹⁷¹ 2017 mid-year population estimates taken from [NOMIS \(Official Labour Market Statistics\)](#)

¹⁷² The conviction ratio is defined as the ration of convictions to prosecutions for a principle offence over one year.

Figure 7.05: Juvenile conviction ratio for indictable offences, by sex, England and Wales, 2017



Male juveniles had a higher conviction ratio than females and resulted in an RRI of 0.94. Whilst this was a statistically significant result, where females were 6% less likely to be convicted after prosecution of an indictable offence than male juveniles, the RRI falls well within the range where the magnitude of the difference is relatively small¹⁷³ indicating the small difference in rates is not sufficient to suggest evidence of adverse impact.

Remands

In 2017, nearly half of both male and female juveniles remanded at Crown Court for indictable offences, were remanded on bail. However, the proportion of female juveniles remanded on bail (72%) was higher than males (47%). Alongside this, a higher proportion of males were not remanded (14%) than females (7%) and remanded in custody, 39% of male juveniles and 21% of female juveniles.

Custody Rate and Average Custodial Sentence Lengths (ACSL)

In 2017, the majority of juvenile custodial sentences (97%) were given to male juveniles¹⁷⁴, an increase of 2 percentage points since 2013. The overall juvenile custody rate has remained relatively stable since 2013, at approximately 7% for males and 2% for females. However, it is important to note that the number of juvenile females receiving custodial sentences was lower than males (approximately 50 females compared to 1,500 males).

In 2017, male juveniles had a higher ACSL than female offenders¹⁷⁵, at 17.4 months, compared to 12.8 months. Since 2013, there has been a decrease in ACSL for females, from 17.2 months¹⁷⁶, whereas the ACSL for male juveniles has increased from 15.9 months.

¹⁷³ RRI values which fall within the range of 0.80 to 1.25 are within the range where the magnitude of the difference in rates would not normally represent evidence of adverse impact to one group.

¹⁷⁴ Children and young people can be sentenced to custody in three different establishment types: Young Offender Institutions are for males aged 15-17 only, no females. Secure Children's Homes and Secure Training Centres are for males (those who are younger or have more complex needs) and females aged 10-17.

¹⁷⁵ This may be due to the types of sentences that the sexes are sentenced for.

Offending Histories¹⁷⁷

First Time Offenders

A first time offender 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 offence¹⁷⁸ recorded on the Police National Computer. For example, an offender who had a conviction or caution outside England and Wales and was arrested by a police force in England and Wales would be counted as a first-time offender.

First time offenders accounted for 23% of offenders who were cautioned or convicted in England and Wales in 2017. 77% of first time offenders were male, compared to 23% females¹⁷⁹. Of all female offenders cautioned or convicted in 2017, 34% were first time offenders, a decrease of 2 percentage points since 2013. A lower proportion of male offenders cautioned or convicted were first time offenders, 21% in 2017, this has remained broadly stable since 2013.

The majority (60%) of offences for which female first time offenders were cautioned or convicted for in 2017 were summary offences (including summary motoring). This was slightly higher than for males (54%). This proportion remained broadly stable for males since 2007 (between 52% and 55%) up to the current year, whereas for female it has steadily increased from 47% in 2007.

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 2017, 16% of females were cautioned or convicted as first time offenders for theft offences, compared with 9% of males. This represents a 15 percentage point decrease for females since 2007, compared with a 6 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 2017). 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 1 to 14 previous cautions or convictions

Offenders with 1 to 14 previous cautions or convictions accounted for 52% of all offenders in 2017, this is a decrease of 3 percentage points since 2013. 85% of those offenders with 1 to 14 previous cautions or convictions were male, compared to 15% who were female, a trend that has remained stable since 2013.

The trend of offenders with 1 to 14 previous cautions or convictions has seen a slight decrease since 2013, with the figures for males and females decreasing by 4 and 2 percentage points respectively. In 2017, 48% of all female offenders and 52% of male offenders had 1 to 14 previous cautions or convictions.

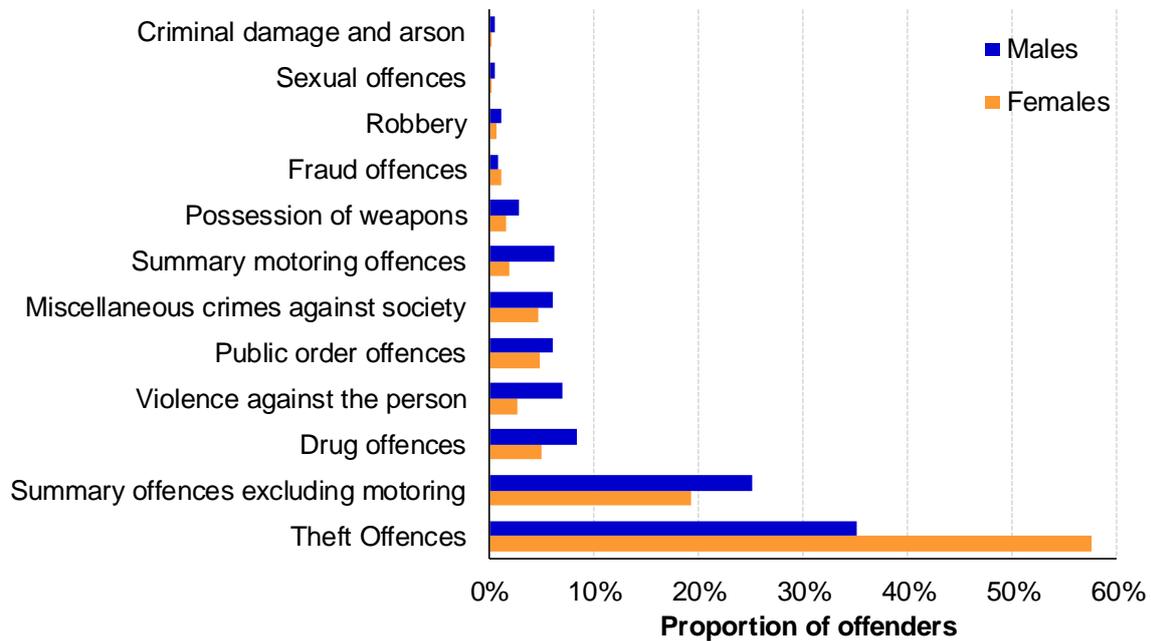
¹⁷⁶ Trends for juvenile female ACSL should be interpreted with caution due to the small numbers sentenced to immediate custody.

¹⁷⁷ Data for offending history includes both indictable and summary offences - unless otherwise stated – due to the high ethnic coverage for this data with only 3.7% of offenders' ethnicities being unknown.

¹⁷⁸ Where there were multiple offences on the same occasion, only the primary offence as recorded on the Police National Computer (PNC) would be counted.

¹⁷⁹ 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 2007 and 2017, offenders of unknown sex comprised less than 1% of offenders.

Figure 7.06: Proportion of the offences committed by offenders who have 15 or more previous cautions or convictions, by offence group and sex, England and Wales, 2017



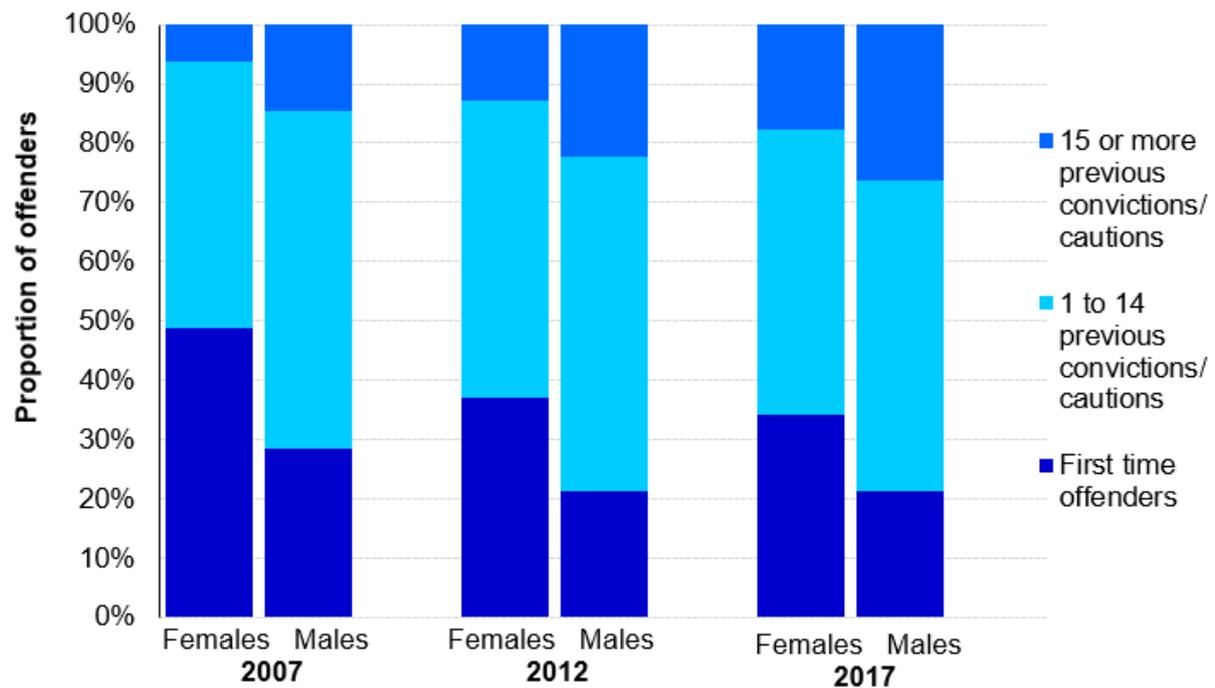
Offenders with 15 or more previous cautions or convictions

Offenders with 15 or more previous cautions or convictions comprised 25% of all offenders in 2017, an increase of 12 percentage points since 2007 (13%). In 2017, 89% of offenders with 15 or more previous cautions or convictions were male, compared to the 11% who were female.

The majority (58%) of the offences committed by females with 15 or more previous cautions or convictions in 2017 were theft offences, this compares with 35% of offences being theft for male offenders.

Since 2007, the proportion of female who had 15 or more previous cautions or convictions has nearly trebled, increasing from 6% in 2007 to 18% in 2017, compared to an increase of 12 percentage points for males (from 14% to 26%).

Figure 7.07: Proportion of males and female offenders by offending history, England and Wales, 2007 to 2017



Prolific Offenders

Using the MoJ definition of a prolific offender, found in the Prolific Offender Analysis paper¹⁸⁰ it has been seen that a majority of prolific offenders (89%) were male compared to 75% of non-prolific offenders between 2000 and 2016. Only 11% of prolific offenders were female in contrast to 25% of the non-prolific offenders. Female offenders are less likely to become a prolific offender, with 4% of female offenders going in to be prolific compared to 11% of males. However, the proportion of females in the prolific population increased from 8% in 2000 to 10% in 2016, where as in the non-prolific offender population the proportion of females fell from 26% in 2000 to 19% in 2016.

Offenders receiving cautions

In 2017, the proportion of first time offenders receiving cautions was 38%, a decrease from 56% in 2013. This decrease can be seen across both sexes, with the number of first time male offenders receiving a caution decreasing by 18% and females decreasing by 17% between 2013 and 2017.

Of all offenders who received a caution in 2017, 4% had 15 or more previous convictions, the same proportion as 2013. Of those offenders who received a caution and had 15 or more previous cautions or convictions 89% were male. Across the sexes, the proportion of caution given to offenders with 15 or more previous cautions of convictions was similar for males and females, at 4% and 2% respectively, this has remained constant since 2013.

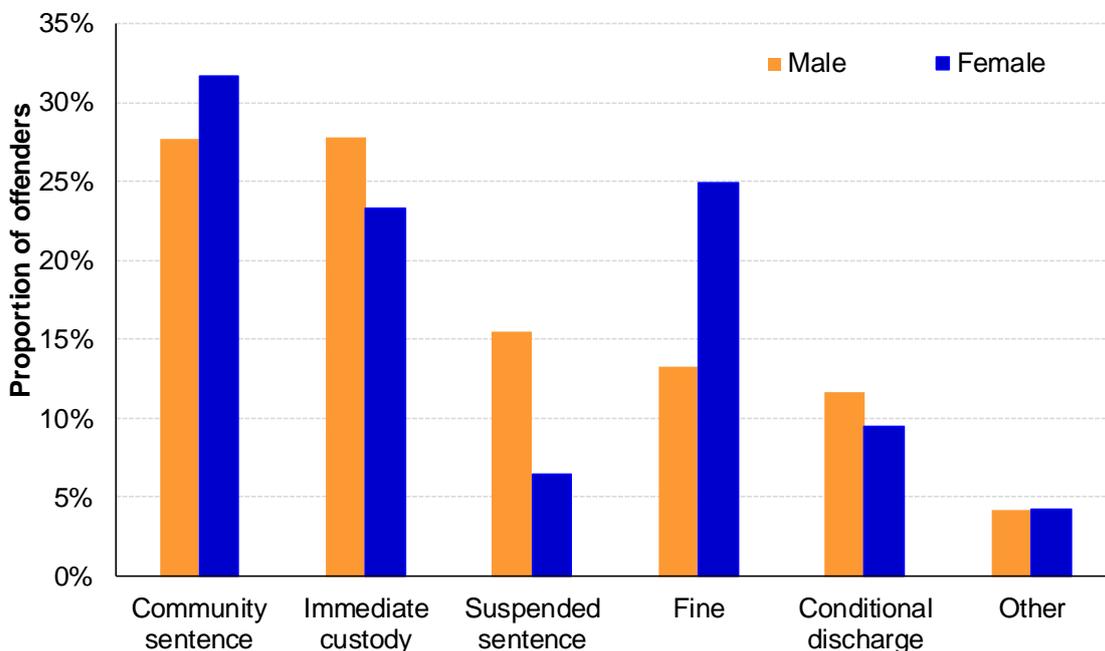
¹⁸⁰ See [Prolific Offender Analysis](#)

Offenders receiving sentences

Of all offenders sentenced in a criminal court in 2017, 82% had one or more previous convictions, a decrease from 86% in 2013. Of those sentenced who had an offending history were 87% male, compared to 13% female.

In 2017, the most common sentences for female offenders convicted of an indictable offence with no previous sanctions were community sentences and suspended sentences (28% respectively). In comparison, the most common sentence for males was a community sentence (32%), with 23% receiving a suspended sentence. A higher proportion of males received an immediate custodial sentence, 25%, compared to 13% of females (Figure 7.08).

Figure 7.08: Proportion of the offenders sentenced for an indictable offence who have no previous sanctions, by their sentencing outcome and sex, England and Wales, 2017



The most common sentence across all offenders convicted of an indictable offence with 15 or more previous convictions was immediate custody (46%), an increase from 42% in 2013, reflecting that repeat offenders are more likely to get an immediate custodial sentence. The proportion of males receiving immediate custody was higher than for females, 47%, compared to 37% for females in 2017.

Sentence length and number of previous custodial sentences for offenders sentenced to immediate custody¹⁸¹

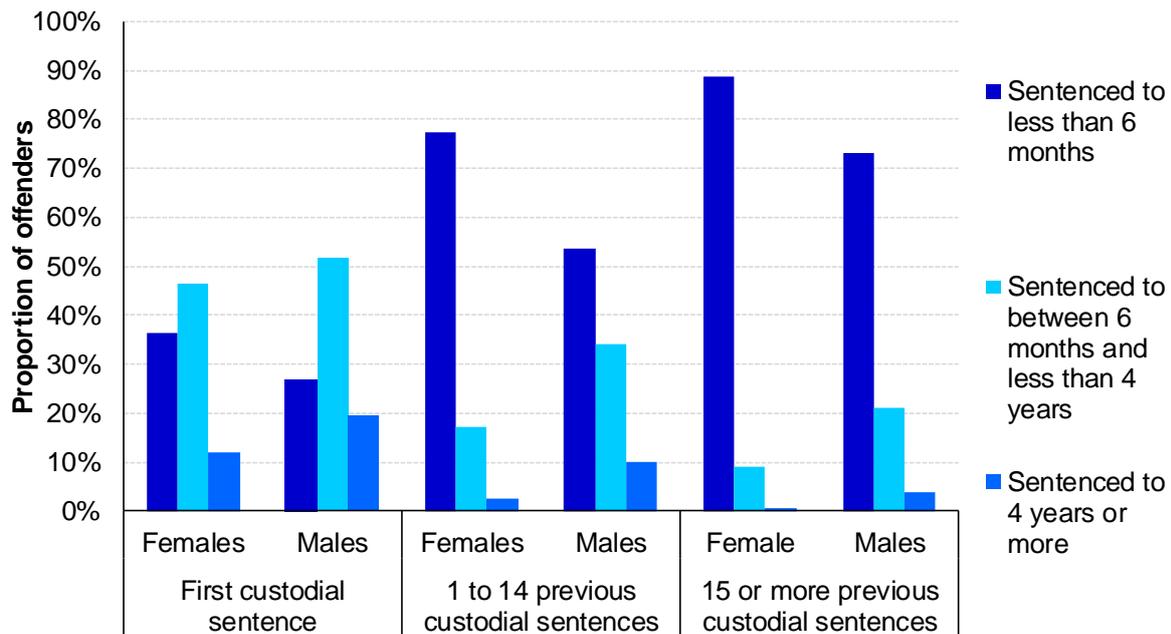
in 2017, of those sentenced to immediate custody, 28% of females were handed their first immediate custodial sentence, compared to 25% of males. Offenders with between one and 14 previous immediate custodial sentences represented a slightly higher proportion of males than females given an immediate custodial sentence (58% and 57% respectively). Those with 15 or more previous immediate custodial sentences represented a similar proportion of

¹⁸¹ The following data is a further breakdowns of published Offender Histories data and as such is only found in table 6.01 and 6.02 in the accompanying Offender Characteristics tables.

females as males (15% of females and 16% of males) who were given an immediate custodial sentence.

In 2017, a higher proportion of female offenders who were sentenced to immediate custody were 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. For offenders who had 15 or more previous custodial sentences, 89% of female offenders received sentences fewer than 6 months compared with 73% of male offenders (Figure 7.09).

Figure 7.09: Offenders sentenced to immediate custody, by previous immediate custodial sentence lengths and sex, England and Wales, 2017



Furthermore, 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 90% of their previous sentences were less than 6 months; compared with 76% of male offenders with 15 or more previous custodial sentences. This may be in part due to female offenders being dealt with for a higher proportion of less serious offences, and as a result receiving less severe sentences.

A higher proportion of previous immediate custodial sentences for female offenders who had 1 to 14 previous custodial sentences were 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 33% 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 21% for male offenders with 15 or more previous custodial sentences.

Proven Reoffending^{182 183}

A proven reoffence is defined as any offence committed in a one year follow-up period that leads to a court conviction, caution, reprimand or warning in the one year follow-up or within a further six month waiting period to allow the offence to be proven in court.

The Proven Reoffending publication reports on offenders who are released from custody, received a non-custodial conviction at court, or received a caution within a three month period, for all measures of reoffending. The data source used to compile the statistics changed in October 2015 following probation services reforms¹⁸⁴. The most recent reoffending data available is for the October to December 2016 cohort which uses the new data source, therefore comparisons will be made with the same quarter of 2015.

All offenders

The total number of offenders in the October to December 2016 cohort was 114,000. Of these, 19,400 were female (17%) and 94,600 were males (83%). This sex breakdown has remained stable since same quarter in 2015. In the latest cohort, the reoffending rate for females was 23.4%, compared with 30.7% for male offenders, this has also remained relatively stable since October to December 2015.

Despite lower reoffending rate, female reoffenders had the highest average of reoffences per reoffender. For October to December 2016, female reoffenders committed on average 4.32 reoffences, whereas male reoffenders averaged 4.02 reoffences.

Proven Reoffending: Adults

For the October to December 2016 cohort, among both adult females and males, the reoffending rate was highest for those aged 35 to 39 at 31.0% and 34.1% respectively. This age group also had the highest reoffending group for females in the same quarter in 2015, (28.1%), however, for males, the 18 to 20 age group had the highest reoffending rate (33.9%). In the most recent quarter, the 30 to 34 age group had the highest average number of reoffences per reoffender, at 4.97 for females and 4.47 for males.

In general, as age increased, the reoffending rate decreased for both sexes, with the 50+ reoffending rate the lowest in the cohort (12.4% for females and 16.2% for males). The older ages also had the lowest number of reoffences per reoffender, at 3.66 for females and 3.83 for males, this trend has been consistent since October to December 2015.

Proven Reoffending: Juveniles

Both females and males aged 10 to 14 in the October to December 2016 cohort, had the highest rate of reoffending for juveniles, at 30.9% and 43.2% respectively. This also represented the highest overall rate of reoffending of any age group, including adults.

For females aged 10 to 14, the reoffending rate increased by 1.2 percentage point since October to December 2015, while the reoffending rate for 15 to 17 year olds decreased by

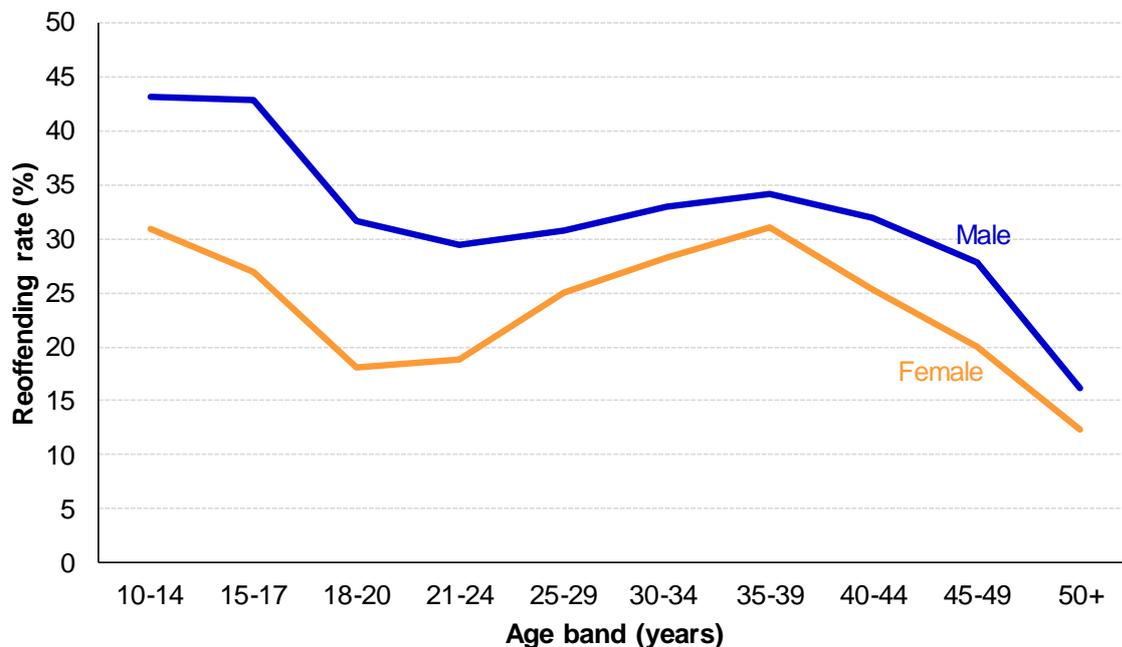
¹⁸² The proven reoffending statistics in this chapter are based on the new methodology, as announced in 'Response to consultation on changes to proven reoffending statistics' in April 2016. A key change to the methodology is changing to a three month cohort from the previous twelve month cohort.

¹⁸³ The statistics in this chapter are a further breakdown of published statistics and as such are not available elsewhere

¹⁸⁴ For more information on the impact of these changes please see the [Proven Reoffending Statistics Quarterly, October to December 2015](#). It is important to note that data for the October-December 2015 is not comparable with previous cohorts, due to the change in data source.

4.3 percentage points, creating a change in the age group with the highest reoffending rate. Whereas, for male juveniles, those aged 10 to 14 had maintained the highest reoffending rate since the same quarter in 2015, with the exception of July to September 2016.

Figure 7.10: Reoffending rate by age group and sex, October to December 2016 cohort, England and Wales

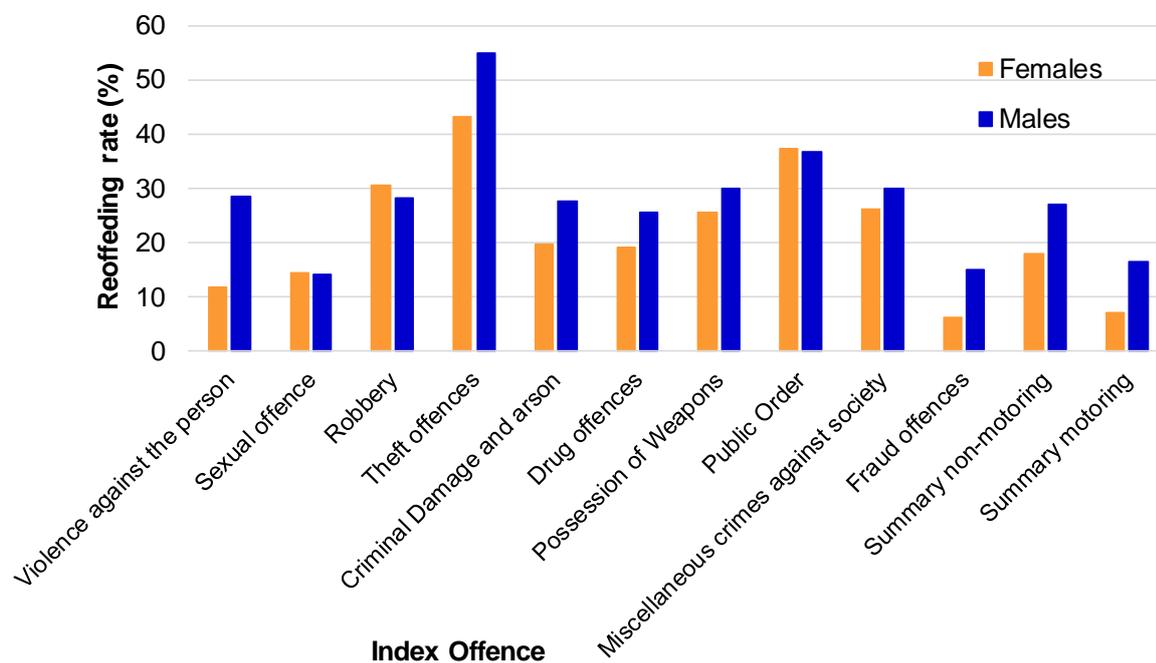


Reoffending by index offence group

The original offence that leads to an offender being included in the offender cohort is called the index offence. For both sexes in the October to December 2016 cohort, theft was the index offence group with the highest proportions of adult offenders who reoffended. The reoffending rate for theft for females was 43.3%, compared to 54.9% for males. This trend was also seen in the same quarter of 2015, however the reoffending rate for theft has increased slightly, by approximately 1 percentage point each for females and males. While theft represented the highest average number of reoffences per reoffender for males (5.51), the highest for females was for public order offences, at 6.06.

The reoffending rate was higher for males than females across all the index offences, except public order offences. However, generally the number of reoffences per reoffender was higher for females than males in the October to December 2016 cohort.

Figure 7.11: Reoffending rate by index offence and sex, October to December 2016 cohort, England and Wales



Proven reoffending by previous offences

The reoffending rate was highest for both sexes among adults with 11 or more previous offences, at 54.8% for females 49.1% for males 49.1%). Those offenders with no previous offences had the lowest reoffending rate, at 4.8% for female and 7.5% for males, this represents a decrease since October to December 2015 (from 5.5% and 8.0%). For these reoffenders, the average number or reoffences per reoffender was the most similar for both sexes, at 2.24 for females and 2.27 for males. However, for those with 11 or more previous offences, there was a more defined difference between the sexes. The average number of reoffences were reoffender was 5.32 for females, compared to 4.68 for males.

Proven reoffending by previous custodial sentences

In the latest cohort, a similar trend was seen for the number of previous custodial sentences; the more previous custodial sentences an offender had, the higher the reoffending rate, for both sexes. In 2014, of those with 11 or more previous custodial sentences, 83.1% of adult females and 73.7% of adults males reoffended, versus 14.0% of females and 17.0% of males who had no previous custodial sentences. For all other previous custodial sentences, the reoffending rate was higher for females than for males, this is in contrast to the overall proven reoffending rate, which is higher for males than females.

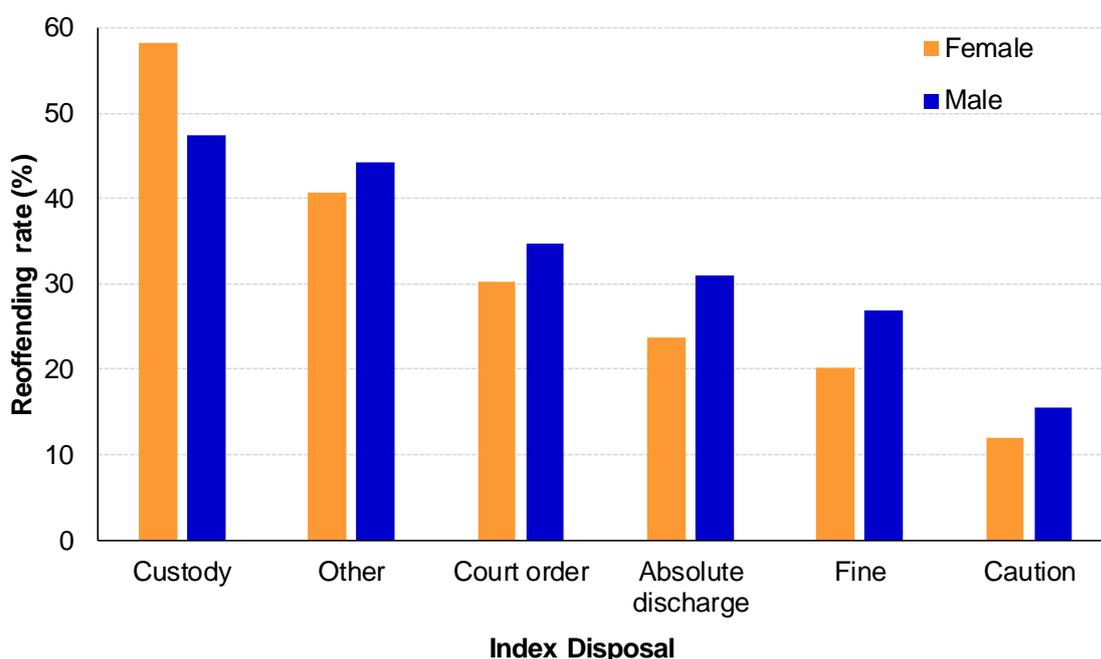
Proven reoffending by index disposal

In the October to December 2016 cohort, 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 custodial sentences, the female reoffending rate was 10.8 percentage points higher than males with the same sentencing outcome, 58.2% versus 47.4% respectively. The proportion of female offenders that reoffend after custody has increased since the same quarter in 2015, from 53.2, an increase of 5 percentage points. Whereas the male reoffending rate has decreased slightly, by 1.4 percentage points (from 48.8%).

Reoffenders who had been sentenced to custody also had the highest number of reoffences per reoffenders, at 6.36 and 5.27 for females and males respectively. The index disposal with the lowest reoffending rate was a caution (2.78 for females and 2.80 for males).

Figure 7.12: Reoffending rate by index disposal and sex, October to December 2016 cohort, England and Wales



Proven reoffending by custody length

When continuing to look more closely at an index disposal breakdown by custodial sentence length, the reoffending rate following a sentence of less than 12 months was higher for adult females (72.7%) than adult males (63.4%). Whereas the reoffending rate for males was generally higher than females for sentences longer than 12 months. Furthermore, there were few females that reoffended after serving over 4 years.

In the October to December 2016 cohort, both males and females who received shorter custodial sentences had a higher average number of reoffences per reoffender. For those serving less than 12 months, females had on average 6.59 reoffences, compared to 6.03 for male.

Proven reoffending for indictable only offences

In the latest cohort, the proportion of adult offenders who commit an indictable reoffence was 0.5% for females and 1.1% for males. This has remained broadly stable since October to December 2014. The number of serious reoffences per reoffender has also remained broadly stable at 1.26 reoffences for females, and 1.33 reoffences for males.

Employment, income and benefits before and after conviction / caution / release from prison

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) took place in 2016, linking offender data to P45 employment data and benefit data, for 4.7 million offenders who received at least one caution or conviction for a recordable offence in England and Wales between 2000 and mid-2015. This section summarises findings from that data share, focusing on comparisons between the sexes¹⁸⁵¹⁸⁶.

*Out-of-work benefits*¹⁸⁷¹⁸⁸

For offenders convicted/cautioned or released from prison in the 2011/12 tax year, a higher proportion of female offenders were claiming out-of-work benefits both before and after their caution/conviction or prison sentence, than male offenders.

The proportion claiming out-of-work benefits in the two years prior to a conviction/caution or prison sentence increased for both sexes as they got closer to conviction/caution or prison sentence, from 48% 2 years before to 53% 1 month before for females and 35% to 40% for males. This trend reversed after conviction/caution or release from prison for both sexes; 55% of female offenders were claiming out-of-work benefit one month after conviction/caution or release from prison, decreasing to 50% after two years. For male offenders, 43% were claiming an out-of-work benefit one month after conviction/caution or release from prison, decreasing to 35% after two years.

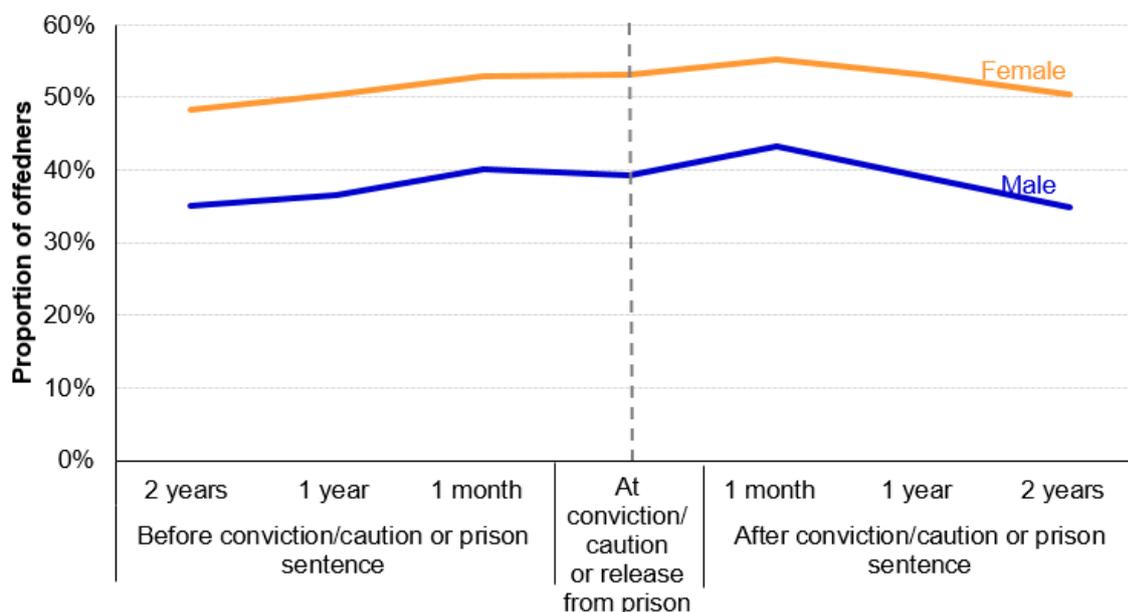
¹⁸⁵ The results in this section relate only to the 4.7 million individuals who were successfully matched to at least one benefit and/or P45 employment record, and relate to working age offenders only. This is an update of the [2013 MoJ/DWP/HMRC data share](#), see this publication for details of the data linking methodology.

¹⁸⁶ 82% of working age offenders in the matched data who were convicted/cautioned or released from prison for a recordable offence in 2011/2012 were male (this is consistent for all offenders, males accounted for 76% of all convictions where sex was known in 2011/12). For those released from prison, this was 92%.

¹⁸⁷ Out-of-work benefits include Jobseeker's Allowance, Employment and Support Allowance, Income Support, Incapacity Benefit, Passported Incapacity Benefit or Severe Disablement Allowance.

¹⁸⁸ This analysis is based on a cohort of 479,000 offenders who were claiming benefits or in P45 employment.

Figure 7.14: Proportion of working age offenders convicted/cautioned or released from prison in 2011/12, who were claiming out-of-work benefits one month¹⁸⁹, one year and two years either side of their conviction/caution or prison sentence, by sex



Of those released from prison, a higher proportion of females were claiming an out-of-work benefit than males: just under two-thirds (64%) of female offenders claimed out-of-work benefits one month after release in 2011/12 compared to just over half of male offenders (54%).

However, the change in proportion of offenders claiming out-of-work benefits was greater for males in the month immediately surrounding a prison sentence: 58% of female prisoners were claiming out-of-work benefits one month before their sentence, increasing by 6 percentage points to 64% one month after release. For male prisoners, the increase was 9 percentage points with 45% claiming out-of-work benefits one month before their sentence compared to 54% after release. However, when looking at the longer-term trend of two years before and after release from prison, the proportion of both male and female offenders remained similar, 56% of females and 39% of males claiming out-of-work benefits 2 years before and 55% and 40% 2 year after.

P45 employment^{190/191}

There was a small difference in P45 employment levels between female and male offenders, with 33% of female offenders and 35% of male offenders in P45 employment at the time of conviction/caution or release from custody in 2011/12. The P45 employment levels for both sexes increased between the two years prior the conviction/caution or custodial sentence to two years after, from 34% to 38% for males and 33% to 35% for females, however within this period, there were fluctuations in the proportion of offenders in P45 employment.

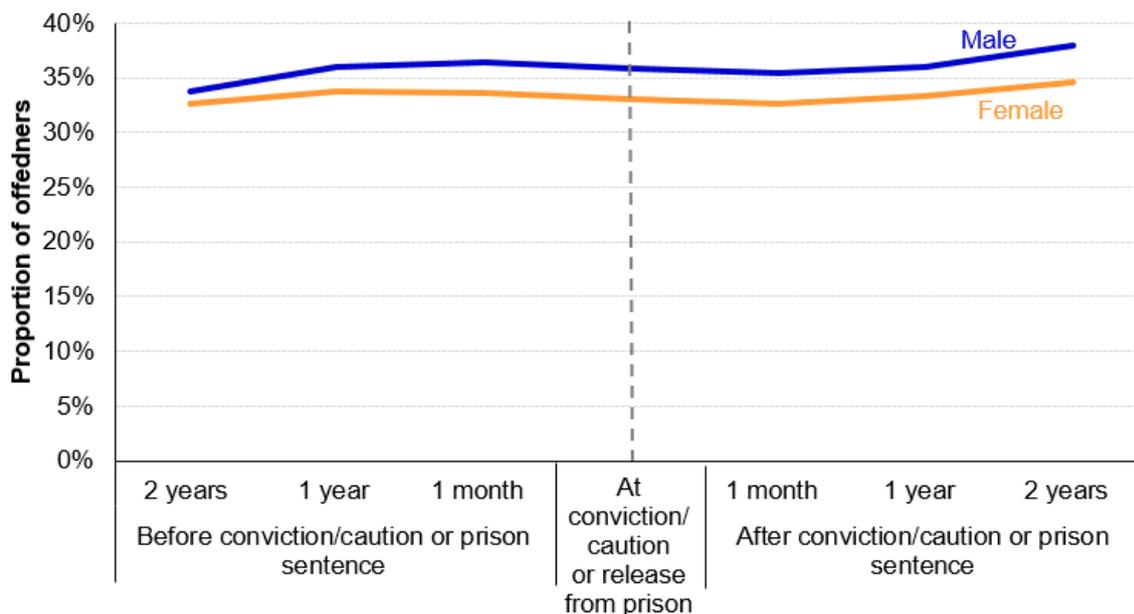
¹⁸⁹ The dashed line denotes the point of the offenders' conviction/caution or release from prison. Please note that the spacing of the time periods displayed in the graph does not align with the actual time scales – for example, the time period covered between conviction/caution or release and 1 month is much shorter than between 1 month and 1 year following.

¹⁹⁰ P45 employment excludes self-employment, cash-in-hand work and some lower paid jobs.

¹⁹¹ This analysis is based on a cohort of 55,000 offenders who were claiming benefits or in P45 employment.

For offenders just released from custody in 2011/12, the rates of P45 employment were higher for males at 16%, compared to 14% of females. This increased slightly to 21% for males and 23% for females two years after release. This is a similar proportion that were in P45 employment two years prior to their prison spell (21% for both).

Figure 7.15 Proportion of working age offenders convicted/cautioned or released from prison, who were in P45 employment one month¹⁹², one year and two years either side of their conviction/caution or prison sentence, by sex



P14 income¹⁹³

Male and female offenders' median gross P14 income (after adjusting for earnings inflation) increased year on year following conviction/caution or release from prison in 2003/04. This is likely due to the increase in the age of the cohort – for example, those who were 16 in 2004/05 would be aged 24 eight years later, and income generally tends to increase with age.

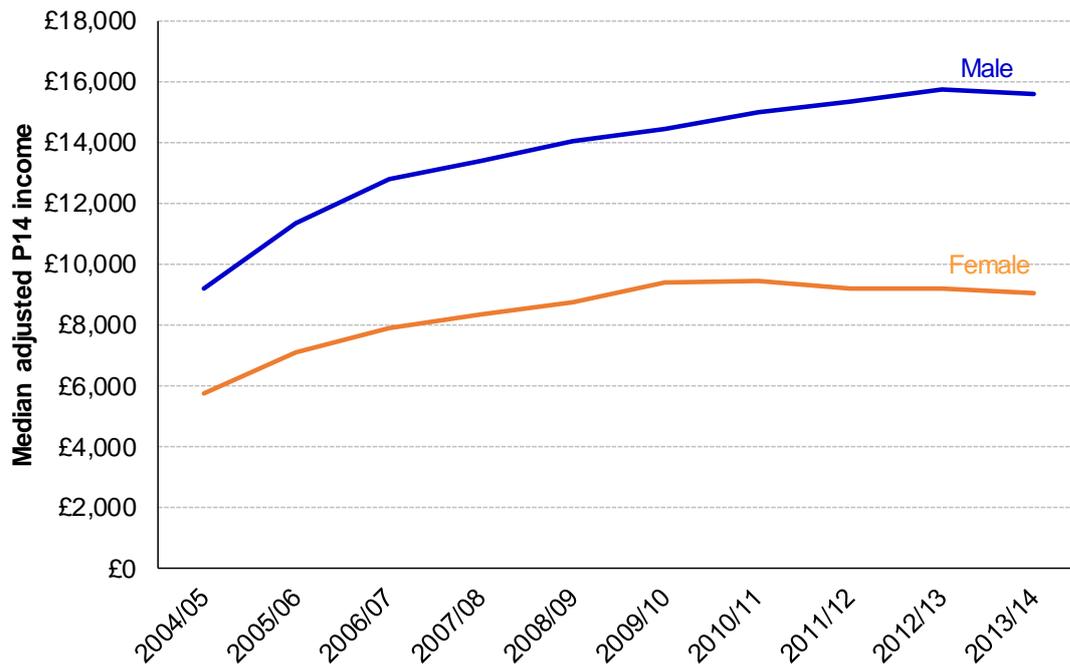
Median P14 gross income was lower for female offenders than for male offenders for all years following conviction/caution or release from prison in 2003/04. The data includes income for part-year and part-time working so differences between the sexes may also reflect differences in working time.

In 2004/05, one year after caution/conviction or release from prison, the median income for males was £9,200 compared to £5,800 for females. This increased to £15,600 for males in 2013/14, representing a year on year increase in income. However, despite an overall increase for females to £9,000 in 2013/14, for these female offenders their adjusted median P14 income has been decreasing since 2010/11.

¹⁹² The dashed line denotes the point of the offenders' conviction/caution or release from prison. Please note that the spacing of the time periods displayed in the graph does not align with the actual time scales – for example, the time period covered between conviction/caution or release and 1 month is much shorter than between 1 month and 1 year following.

¹⁹³ P14 income includes information on gross income derived from P14 forms sent to HMRC by employers. Income from self-employment, cash-in-hand work and some lower paid jobs is not included. P14 income includes income for part-year and part-time work, so does not only reflect full-time, annual income. This analysis includes P14 data for offenders whom P14 income information is held.

Figure 7.16: Median adjusted P14 income (to take into account earnings inflation) of offenders convicted/cautioned or released from prison in 2004/05, by sex



8. Offence Analysis

Females accounted for 72% of prosecutions for TV license evasion in 2017.

TV license evasion was the most common offence for which females were prosecuted for. In 2017, TV license evasion accounted for 30% of all female prosecutions, compared to 4% of male prosecutions.

72% of defendants prosecuted for truancy (parent failing to secure attendance of child) were female.

Of the 16,400 defendants prosecuted for truancy, 11,800 (72%) were female. The conviction ratio for truancy was higher for females (80%) than males (70%). For both sexes, the most common outcome was a fine in 2017.

Shoplifting was the most common indictable offence that both males and females were prosecuted for.

Shoplifting accounted for 38% of all female indictable prosecutions, however, the proportion for males was smaller, accounting for 17% of indictable prosecutions.

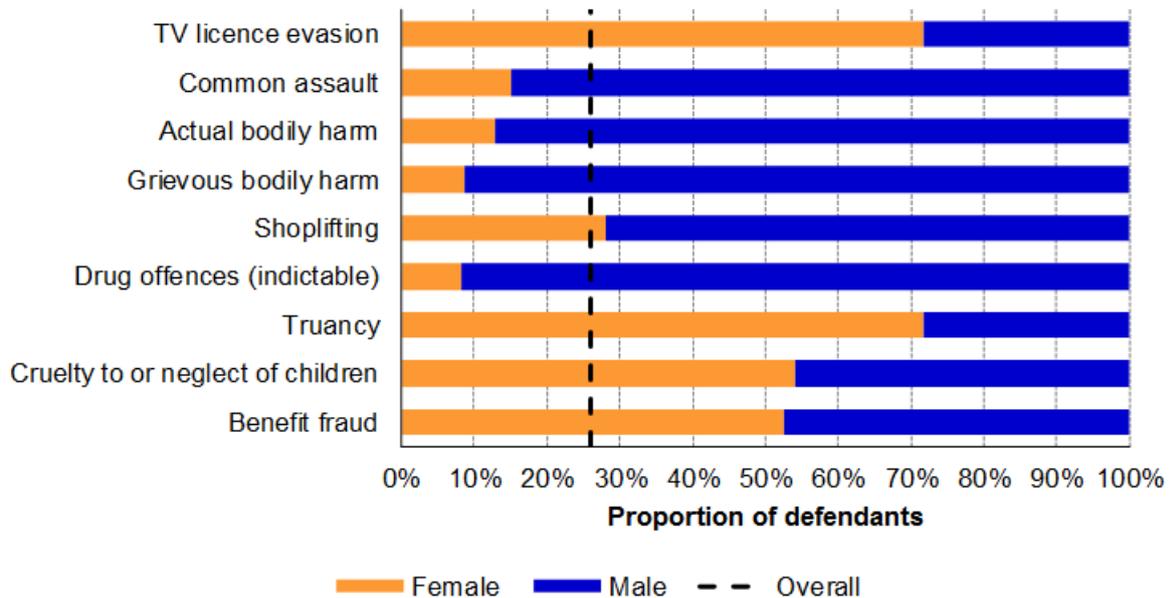
Context

As discussed in Chapter 5, in 2017, 26% of defendants¹⁹⁴ prosecuted in England and Wales were female¹⁹⁵. This varies by offence type, females accounted for a higher proportion of summary offences (29%) than indictable offences (15%). Within these broad offence types, there were specific offences for which females were disproportionately prosecuted for, these include: cruelty to or neglect of children, benefit fraud, TV licence evasion, and truancy (parent failing to secure attendance of a child).

¹⁹⁴ With known sex. Defendants with unknown or not stated sex accounted for 8% of all prosecutions in 2017.

¹⁹⁵ See 'Criminal justice statistics outcomes by offence data tool' in Criminal Justice Statistics Quarterly: December 2017 to obtain all statistics on prosecutions, convictions and sentencing quoted in this chapter.

Figure 8.01: Proportion of the defendants prosecuted for selected offences of each sex, by offence, England and Wales, 2017



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, 30% 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.

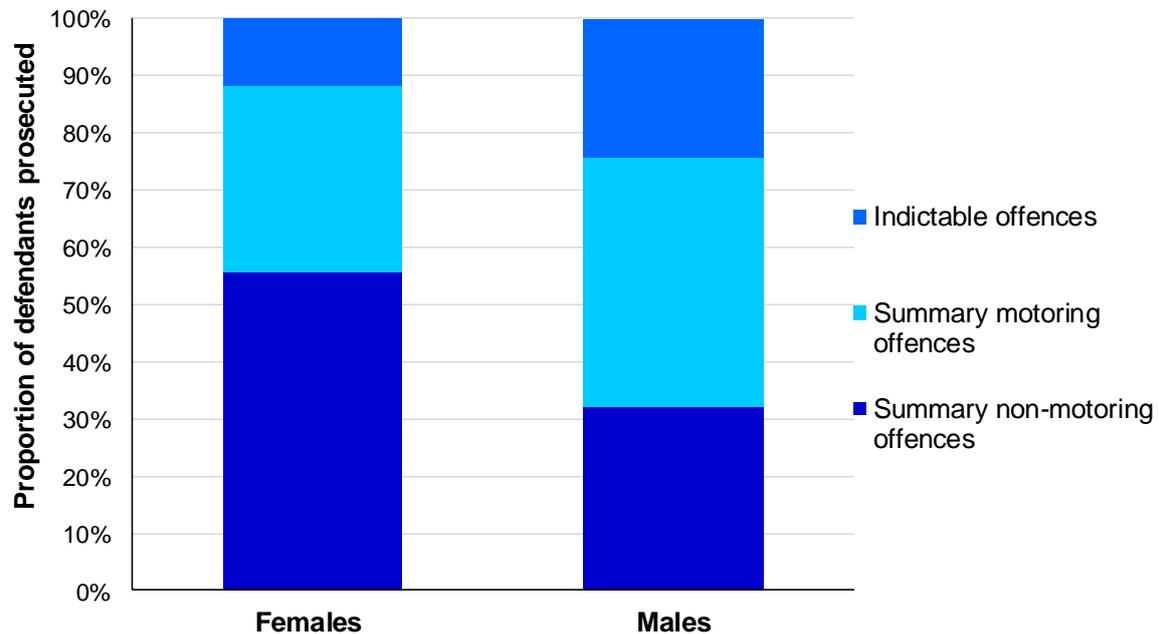
Summary Offences

As discussed in Chapter 5: Defendants, the majority of all offenders were prosecuted for summary offences (both summary motoring and non-motoring), accounting for 79% of prosecutions¹⁹⁶ in 2017. However, a higher proportion of females (88%) were prosecuted for summary offences than males (76%).

The split between summary offences is also different for females and males, with more females prosecuted for summary non-motoring (56%) than motoring offences (32%), while the opposite trend is seen for males (32% non-motoring and 44% motoring). This trend has remained stable over the last decade.

¹⁹⁶ Of prosecutions where sex was unknown, unknown sex accounts for 8% of all those prosecuted.

Figure 8.02: Proportion of defendants prosecuted by offence type and sex, England and Wales, 2017



The differences seen between males and females may be attributed to the breakdown of offence which they are prosecuted for. The offence for which females were most commonly prosecuted for in 2017 was TV license evasion, whereas, males were more likely to be prosecuted for speed limit offences than any other offences in 2017. These offences may influence the offence type breakdown seen by each sex.

Single Justice Procedure (SJP) Offences¹⁹⁷

SJP offences under the Criminal Justice and Courts Act 2015, allows cases involving adults charged with summary offences to be dealt with in a single magistrate sitting without the prosecutor or defendant being present. Offences which can be dealt with in this manner include, TV license evasion, TfL fare evasion, speeding and driving without insurance. Defendants retain the right to request to have their cases heard in a full hearing in open court if they wish.

Overall, the number of SJP offences has increased since the implementation in June 2015. In 2017, 615,300 offences were dealt with in this way¹⁹⁸. Of these, 34% were females and 66% were males, this is in comparison with the overall prosecutions for summary offences, for which females accounted for 29% of prosecutions in 2017.

In 2017 SJP offences accounted for 46% of defendants whose cases had been completed¹⁹⁹. However, differences can be seen between the sexes, SJP offences accounted for 41% of male completed cases, but 62% of female defendants with completed cases.

¹⁹⁷ Data in this section is a further breakdown of published Criminal Courts Statistics publication and as such cannot be found elsewhere. Data refers to the number of defendants whose cases have been completed.

¹⁹⁸ Where sex was known, defendant with unknown sex accounted for 1% of SJP offences in 2017.

¹⁹⁹ Cases where sex was known

Within these SJP offences, the most common offence for females was TV licence evasion, accounting for 46% of SJP offence in 2017 compared to 9% of males). Whereas, for males, there was a more even distribution among the most common SJP offence. Speeding offences detected by camera devices was the most frequent SJP offence but only accounted for 16% of the total in 2017 (compared to 9% of females).

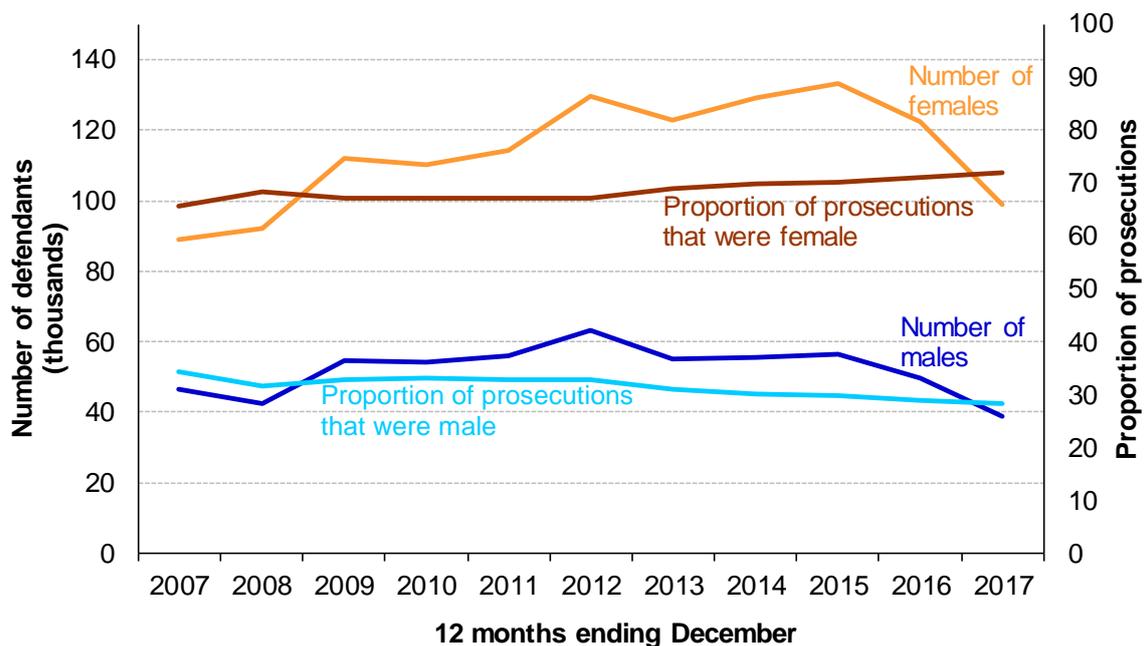
TV licence evasion

Females were disproportionately prosecuted for TV licence evasion in 2017, but sentencing behaviours were similar. 72% of the 137,913 defendants²⁰⁰ prosecuted²⁰¹ for this offence were female. A contributing factor to this is the greater availability of females in the home when a TV Licensing Enquiry Officer visits the house in person²⁰².

In 2017, TV licence evasion accounted for 30% of all female prosecutions, making it the most common offence for which females were prosecuted for. This is compared to 4% of male prosecutions.

The overall number of defendants prosecuted for TV licence evasion generally increased between 2007 and 2015, however, has been decreasing since then (Figure 8.03). The proportion of defendants who are female has increased from 66% to 72% since 2007.

Figure 8.03: Number of defendants prosecuted for TV licence evasion, by sex, England and Wales, 2007 to 2017



The conviction ratio in 2017 was 94% for females, and 92% for males, indicating an increase of 5 and 6 percentage points for females and males respectively since 2016.

²⁰⁰ Where sex was known. Defendants with unknown or not stated sex accounted for 1% of prosecutions for TV licence evasion in 2017.

²⁰¹ 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.

²⁰² 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.

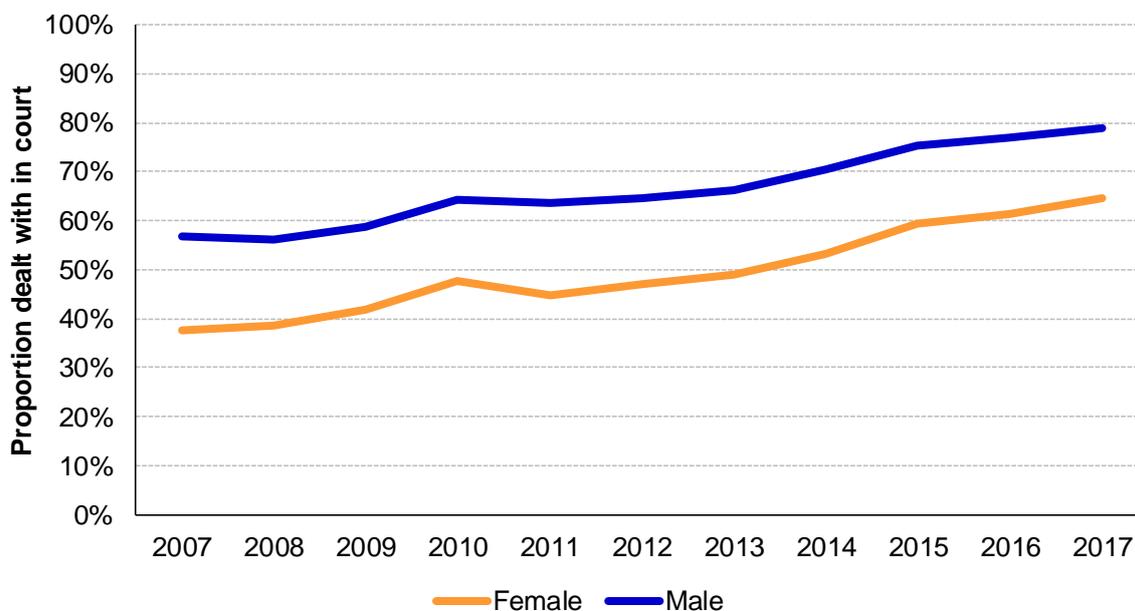
Almost all female and male offenders (over 99%) received a fine for TV licence evasion and in 2017, the average fine was £174 for females and £177 for males.

Common assault and battery

In 2017, common assault was the second most common non-motoring offence that defendants were prosecuted for. It was the most common non-motoring offence for males and the fourth most common for females. 15% of defendants²⁰³ prosecuted for this offence were female. The overall number of offenders prosecuted has decreased by 17% over the decade, but the proportion who were female remained consistent.

65% of females charged with common assault were prosecuted in 2017 (the rest received cautions), while 79% of males were prosecuted. Both proportions have seen a general increase over the last decade (Figure 8.04), but the gap between females and males remains relatively consistent.

Figure 8.04: Proportion of defendants who were prosecuted (rather than cautioned) for common assault, by sex, England and Wales, 2007 to 2017

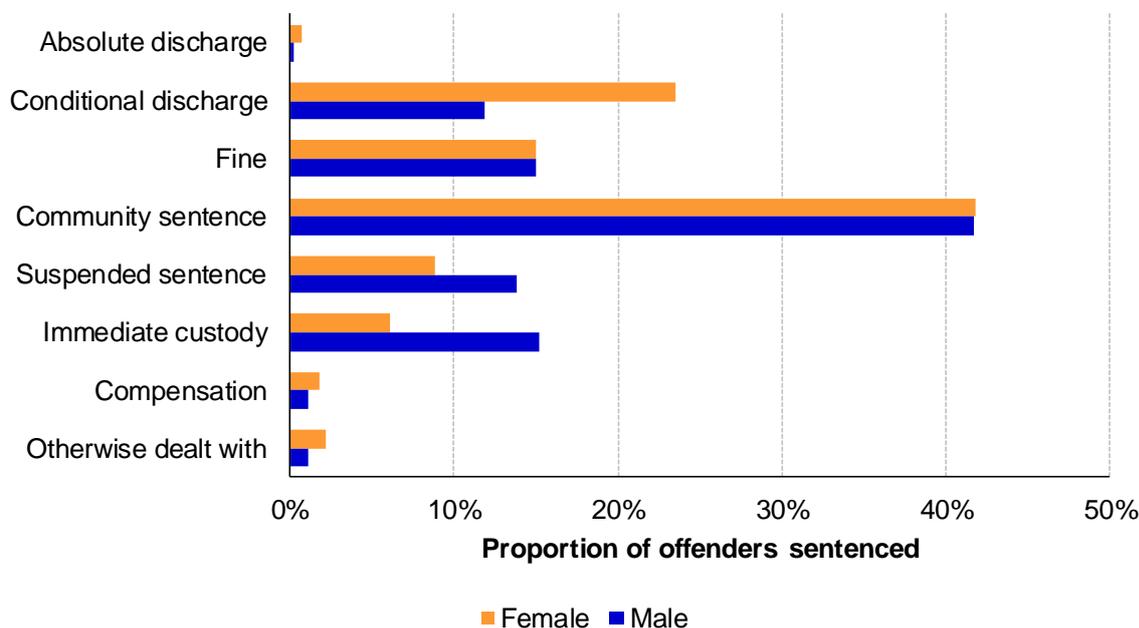


The conviction ratio for females and males for common assault in 2017 was 70% and 71% respectively, seeing a slight increase since 2016 and a relatively stable trend for both sexes over the last decade.

A community sentence was the most common sentence for common assault for both males and females (42%). Females were more likely to receive a conditional discharge (24%) than males (12%), and less likely to receive a suspended sentence (9% compared with 14%) or immediate custody (6% compared with 15%). This mirrors overall sentencing differences.

²⁰³ With known sex. Defendants with unknown or not stated sex accounted for 1% of offenders prosecuted for common assault in 2017.

Figure 8.05: Proportion of offenders sentenced for common assault, by sentencing outcome and sex, England and Wales, 2017



Knife possession²⁰⁴

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 offences²⁰⁵:

- Possession offences of having an article with a blade or point in a public place or on school premises²⁰⁶,
- Possession of offensive weapon without lawful authority or reasonable excuse in a public place or on school premises²⁰⁷,
- Offences involving threatening with a knife or offensive weapon in a public place or on school premises²⁰⁸

²⁰⁴ This section draws data from [Knife and offensive weapon sentencing statistics: October to December 2017](#). Data on knife possession is included in Criminal Justice Statistics Quarterly: December 2017, 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.

²⁰⁵ 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.

²⁰⁶ 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 imprisonment (i.e. in the Crown Court).

²⁰⁷ 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*)

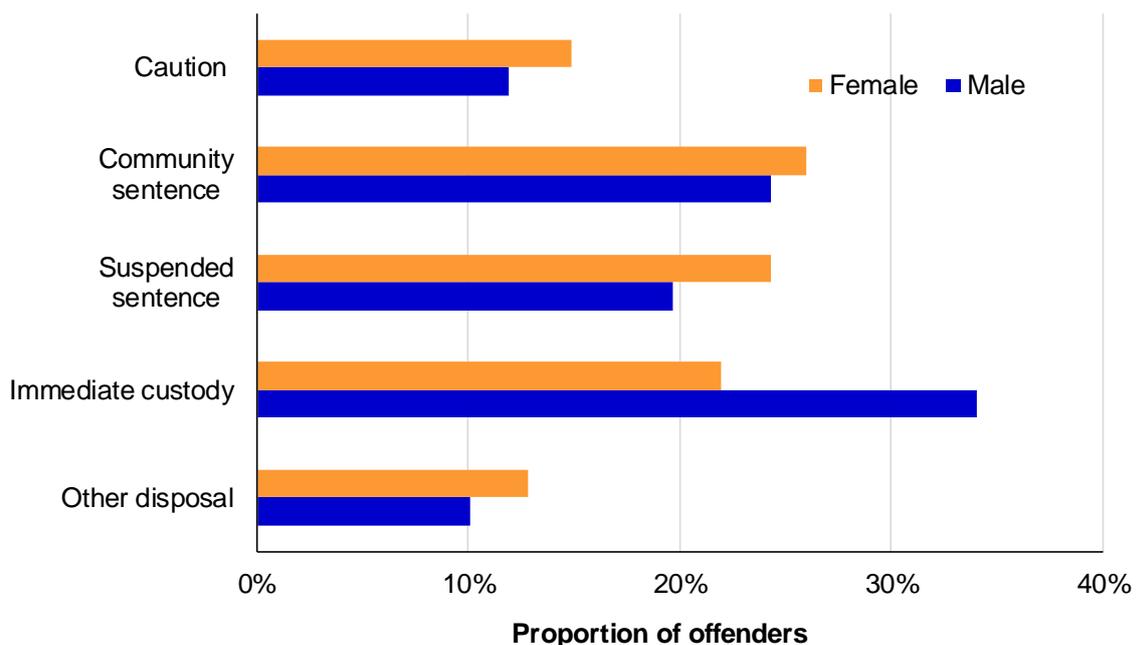
²⁰⁸ Low numbers of female offenders prevent meaningful analysis of this offence.

For the purpose of this analysis, all three offences are included. In 2017 there were around 19,000²⁰⁹ knife possession offences which resulted in a caution or a court sentence, of which 8% were committed by females. Knife possession offences were atypical offences for females: in 2017 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%²¹⁰.

Over the last four years, a higher proportion of females received a community sentence for a knife possession offence (26% of those sentenced or cautioned in 2017) while the most common outcome for males was immediate custody (34% in 2017) (Figure 8.06). The custody rate for knife possession offences is higher than for all indictable offences (for females, 26% compared with 20%; for males, 39% compared with 34% in 2017). It is also lower for females than for males.

A higher proportion of females than males received a caution, (15% and 12% in 2017 respectively): generally, 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.)

Figure 8.06: Proportion of offenders dealt with for knife possession, by sentencing or cautioning outcome and sex, England and Wales, 2017



In 2017, females received an ACSL of 5.1 months for possession of an article with a blade or point and an ACSL of 5.5 months for possession of an offensive weapon. The ACSL was consistently 1 to 2 months shorter for females than males for both offences. In the latest year the most common custodial sentence length for both females and males for both offences was 6 months. This represents a convergence between the custodial sentence lengths of the two offences since 2015.

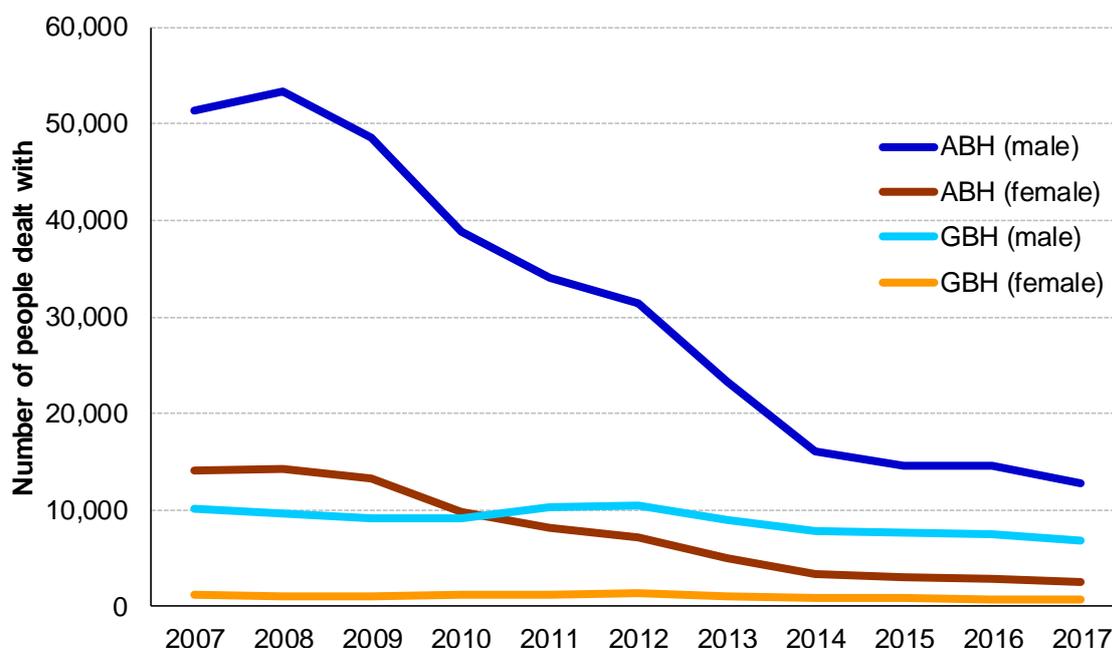
²⁰⁹ Where sex is known. In 2017 0.4% of offenders had an unstated sex.

²¹⁰ 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.

Actual Bodily Harm and Grievous Bodily Harm²¹¹

The number of people prosecuted for Actual Bodily Harm (ABH) has fallen between 2007 and 2017 by 61% for females (to 1,200) and males (to 8,000) respectively. The number of females and males prosecuted for Grievous Bodily Harm (GBH) has also fallen, by 35% and 28% respectively, to 600 and 6,300 in the latest year (Figure 8.07).

Figure 8.07: Number of people dealt with²¹² for Actual Bodily Harm and Grievous Bodily Harm, by sex, England and Wales, 2007 to 2017



Over the last decade, there has been an increase in the proportion of defendants who were dealt with in court rather than cautioned. The number of females dealt with in court for ABH increased from 23% to 59% and the number of males from 43% to 79%. An increase in the proportion of people dealt with in court was also seen in GBH for both females (from 90% to 96%) and males (increasing from 95% to 99%) between 2007 and 2017.

Of those prosecuted, the conviction ratio for ABH has varied over the past decade but has seen a decrease for both females and males in the latest year, and was 63% and 78% respectively in 2017. A decrease was also seen since 2016, for GBH, with a conviction ratio of 63% for females in the latest year, and 65% for males²¹³, both showing a decrease in the latest year. Over the decade, males generally had a higher conviction ratio than females for each offence.

The most common outcomes for female offenders sentenced for ABH was a suspended sentence (40%), however, for males a higher proportion received an immediate custodial sentence (42%). For GBH, a similar breakdown can be seen, with 45% of females receiving a suspended sentence, while 64% of males received an immediate custodial sentence.

²¹¹ Includes GBH with intent, and GBH without intent.

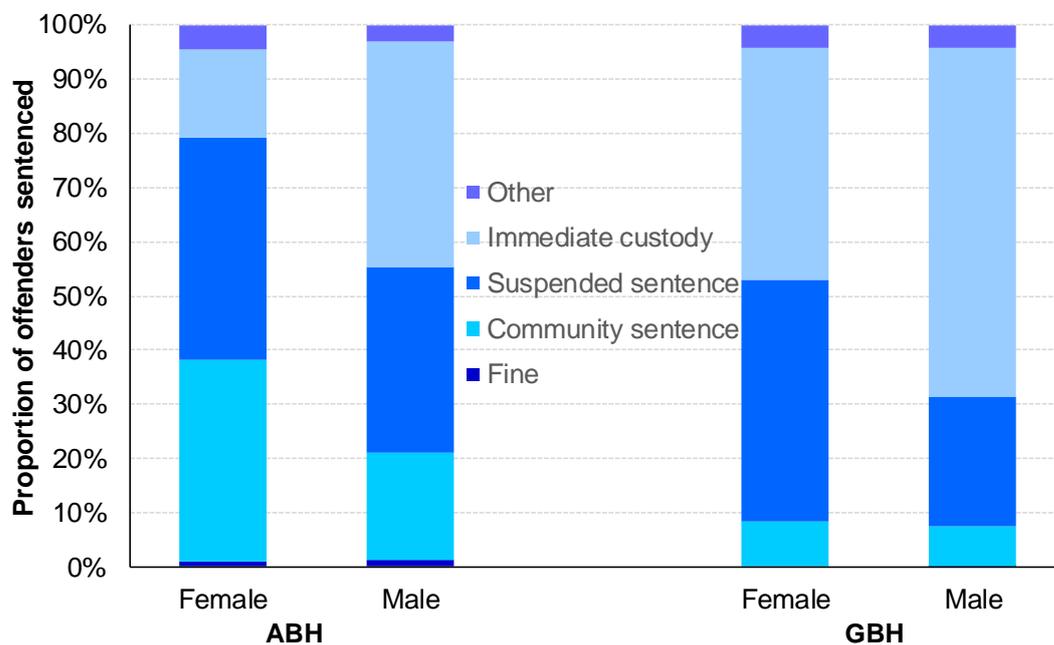
²¹² Includes defendant cautioned and convicted

²¹³ 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.

There has been an increase in the use of suspended sentenced over the last 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, however, the proportion of females receiving a community sentence continues to be higher than males for both offences.

The custody rate²¹⁴ for ABH has remained relatively stable since 2013 for both females and males. In 2017, the custody rate was 15% for females compared to 42% for males. The custody rate for GBH in 2017 was 43% for females and 64% for males. For both offences, males 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, England and Wales, 2017



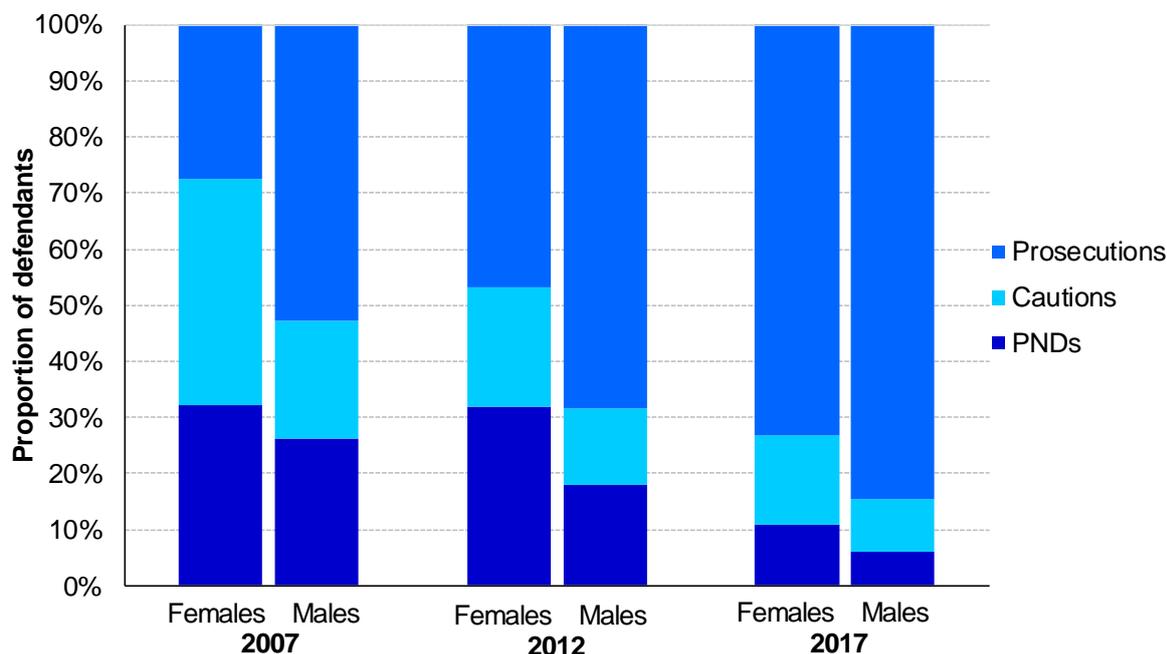
Shoplifting

Theft from shops (shoplifting) offences accounted for 38% of female indictable prosecutions in 2017, compared to 17% of male indictable prosecutions. The total number of people prosecuted for shoplifting has fallen by 12% over the decade for females (from 16,700 to 14,700), and by 26% for males (from 50,900 to 37,600). For both sexes, this fall has been driven almost entirely from the reduction of out of court disposals, which mirrors overall trends.

In 2017, shoplifting was most commonly dealt with in court (as opposed to with an out of court disposal), especially for male offenders (Figure 8.08). 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.

²¹⁴ Custody rate is calculated as the proportion of those sentenced to immediate custody out of all those sentenced.

Figure 8.09: Proportion of offenders given a PND, caution or conviction for shoplifting offences, by sex, England and Wales, 2007, 2012 and 2017



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.

The conviction ratio for shoplifting in 2017 was 93% for both females and males, this has been fairly constant over the last decade. The most common sentencing outcome for shoplifting offences for females was a conditional discharge, accounted for 25% of sentences. However, the most common sentencing outcome for males in 2017 was custody (26%).

The custody rate in 2017 for females sentenced for shoplifting was 19%, this is in line with the overall female custody rate of 20% for indictable offences. The custody rate for males was 26% and the shoplifting custody rate for both sexes has been increasing since 2009.

In 2017, the ACSL for females was 1.7 months and for males was 1.8 months. This represents a decrease since 2007 0.4 months for females and 0.3 months for males (both from 2.1 months). The average fine has fluctuated for both sexes, in 2017 it was £92 for females and £96 for males.

Drug offences

In 2017, there were 41,500 prosecutions for indictable drug offences, of which females accounted for 8% of defendants²¹⁵, this proportion has remained stable over the last decade.

The drug offence which females were most commonly prosecuted for was possession of controlled class A drug and the production, supply and possession with intent to supply a

²¹⁵ With known sex. Defendants with unknown or not stated sex accounted for 1% of defendants prosecuted for indictable drug offences.

controlled class A drug, both accounting for 25% of female indictable drug offence prosecutions. Whereas, in 2017, males were most commonly prosecuted for possession of cannabis (37%).

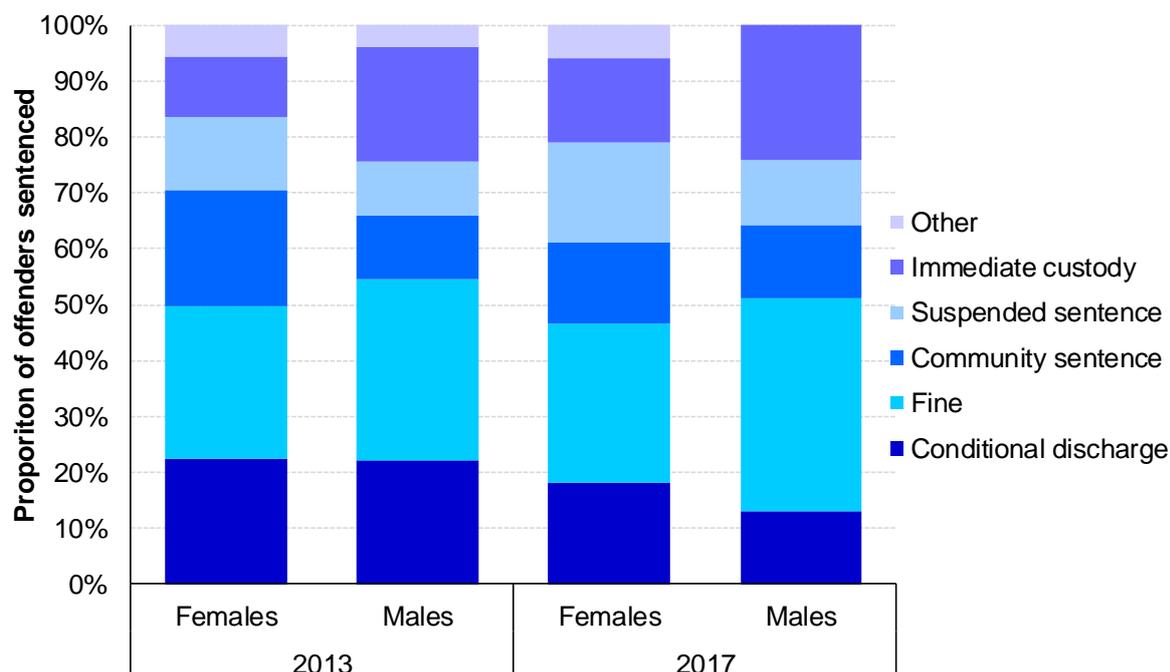
The conviction ratio for females was 82%, and for males was 92% in 2017, this represents a 7 percentage point decrease for females in the latest year and a 3 percentage point decrease for males. This follows the overall trend of a fall in the conviction ratio for indictable offences.

In 2017, 9% of females were remanded in custody at the magistrates' court for indictable drug offences, compared with 14% of males. The proportion of females remanded in custody at the Crown Court for indictable drug offences has fluctuated but has increased for females and males since 2015, to 22% and 35% respectively.

The most common sentencing outcome for indictable drug offences for both sexes was a fine, 29% of females and 37% of males in 2017. This proportion has increased since 2013, by 2 percentage points for females and remained stable males. Meanwhile, the proportion of offenders sentenced who received a conditional discharge has decreased, from 22 to 18% for females and 16% to 12% for males.

Immediate custody was a more common outcome for males (23%) than females (15%), in 2017, 7,900 males and 400 females were given a custodial sentence for indictable drug offences. The custody rate for females, for indictable drug offences, has increased since 2015, following a period of stability between 2013 and 2014 and a steady decline prior to 2014 (Figure 8.10). In 2017 the custody rate for females was 15%, compared to 20% for males for indictable drug offences.

Figure 8.10: Sentencing outcomes for indictable drug offences, by sex, England and Wales, 2013 and 2017



Production supply and possession with intent to supply a class A drug accounted for the majority of those sentenced to immediate custody for both females and males, 57% and 65% respectively in 2017. Over this period, the number of females sentenced to immediate custody for production supply and possession with intent to supply a class A drug, fell by 29% (from 333 to 237), while the number of males increased by 30% (from 4,000 to 5,200).

Truancy (parent failing to secure attendance of child)

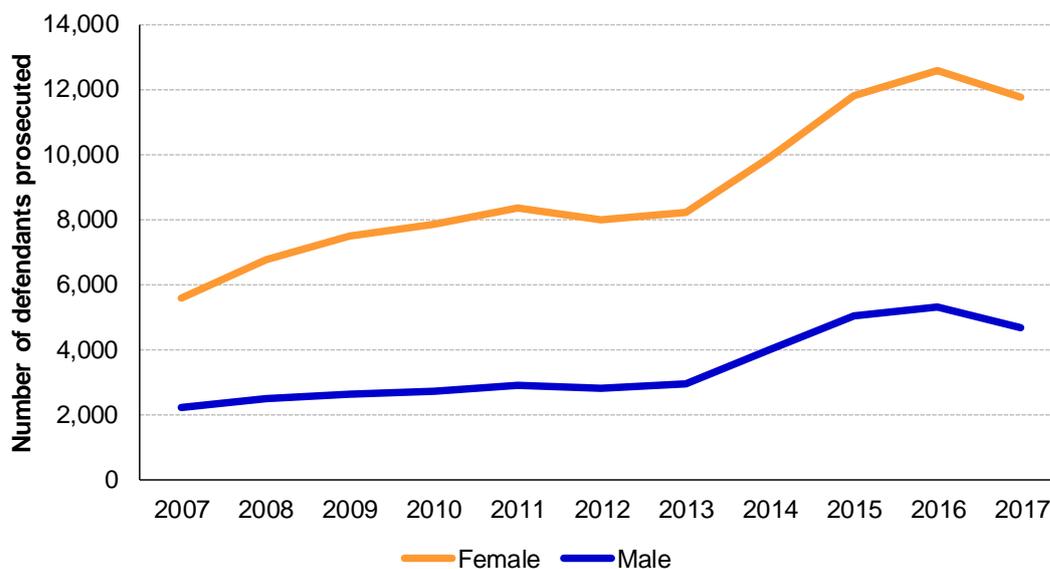
In 2017, 16,400 defendants²¹⁶ were prosecuted for truancy. Of these, 72% were female. This may be partly because lone parents with dependent children represented 22% of all families with dependent children in 2017, and females accounted for 90% of these lone parents²¹⁷. Assuming the number of families 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 rose between 2013 and 2016, following an increased focus on truancy and new rules on term-time holidays. However, there has been a decrease, in prosecutions for both sexes since 2016. (Figure 8.11). In 2017, the conviction ratio was higher for females (80%) than males (70%).

²¹⁶ Of known sex. Defendants with unknown or not stated sex accounted for 21% of offenders prosecuted for truancy in 2017.

²¹⁷ See the [Families and Households 2017 dataset](#) for further information on household types.

Figure 8.11: Number of defendants prosecuted for truancy, by sex, England and Wales, 2007 to 2017



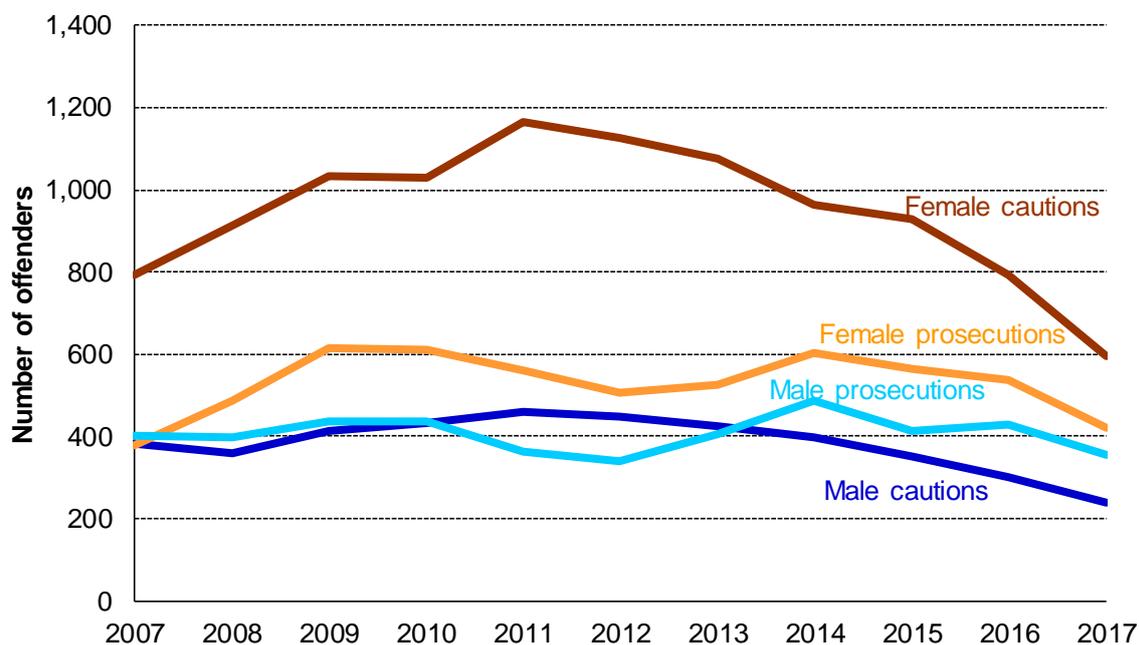
Sentencing outcomes for truancy were similar for both sexes in 2017, 77% of females and 81% of male offenders were given a fine, of on average £228 for females and £237 for males. This has been increasing for both sexes over the last decade. The second most common outcome was a conditional discharge; 14% of offenders received them. 10 offenders were sentenced to immediate custody for truancy in 2017; 9 of these offenders were female.

Cruelty to or neglect of children

In 2017, 830 offenders received a caution for cruelty to or neglect of children, and 780 offenders were prosecuted²¹⁸. A smaller proportion of female defendants were dealt with at court than males: 59% of females were cautioned rather than prosecuted, compared with 40% of males. Overall, more females were dealt with than males, and this has been consistent over the decade (Figure 8.12). The likely reason for this is similar to that for truancy: females were more likely than males to be responsible for a child. The conviction ratio in 2017 was higher for females (81%) than for males (75%), this has remained consistent over the last decade.

²¹⁸ 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 2017.

Figure 8.12: Number of offenders cautioned or prosecuted for cruelty to or neglect of children, by sex, England and Wales, 2007 to 2017



In 2017, a higher proportion of male offenders received an immediate custodial sentence (34%) than female offenders (17%). Community sentences were more prevalent for female offenders (25%) than male (17%). The most common sentencing outcome for both sexes was a suspended sentence, at 47% of females and 42% 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 (<100) numbers of people sentenced to immediate custody each year. The ACSL in 2017 was 25.8 months for females and 23.8 months for males.

Benefit fraud^{219 220}

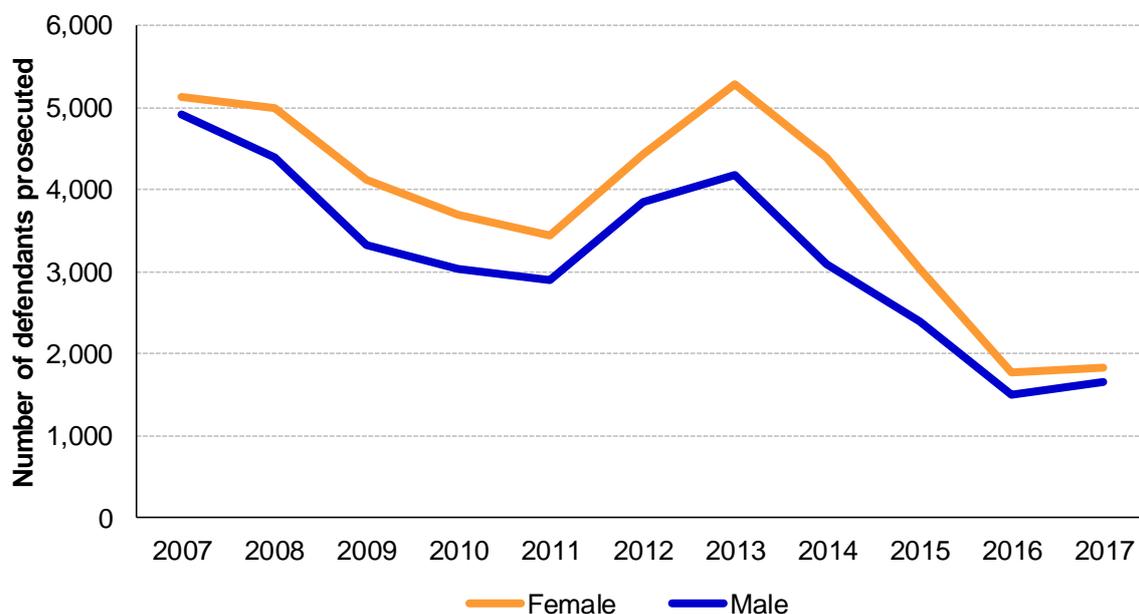
The total number of defendants prosecuted for benefit fraud has fluctuated over the last decade (Figure 8.13). 3,500 defendants were prosecuted for benefit fraud in 2017 and just over half of these were female²²¹. Females have accounted for over half of prosecutions of benefit fraud for the last decade.

²¹⁹ For this analysis, benefit fraud relates to the specific offences of '53.3 Benefit fraud offence – triable either way' and '151 Benefit fraud offences -summary' as found in the [Outcomes by Offence data tool](#) as it is not possible to identify benefit fraud offences that are included in broader offence categories.

²²⁰ The offences included relate to 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'

²²¹ Of known sex. Defendants with unknown or not stated sex accounted for 22% of offenders prosecuted for benefit fraud in 2017.

Figure 8.13: Number of defendants prosecuted for benefit fraud, by sex, England and Wales, 2007 to 2017



The conviction ratio in 2017 was 90% for females, and 91% for males. This is a decrease of 3 and 4 percentage points respectively since 2016. Sentencing outcomes were similar for females and males, with 41% of females and 43% of males receiving community sentences in 2017, and 21% of females and 20% of males receiving a suspended sentence. The remainder mostly received fines or a conditional discharge.

In 2017, 21 females and 33 males were sentenced to immediate custody, with an ACSL of 10.1 and 11.0 months respectively. The average fine was £228 for females and £271 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.

Controlling or Coercive Behaviour

Engaging in controlling or coercive behaviour in an intimate or family relationship was introduced as a new offence under Section 76 of the Serious Crime Act 2015. Since its implementation there have been 623 prosecutions with 468 of these occurring in 2017²²².

Prosecutions for this offence have predominantly been against male defendants. Of the 468 prosecutions in 2017, 454 of them were males (97%) compared to 9 females (3%)²²³. The conviction ratio for males was 51% and the most common sentencing outcome was immediate custody and the ACSL was 17.1 months²²⁴.

²²² Due to the recent creation of this offence, time should be allowed for it to gain traction in court.

²²³ 5 defendants had an unknown sex in 2017

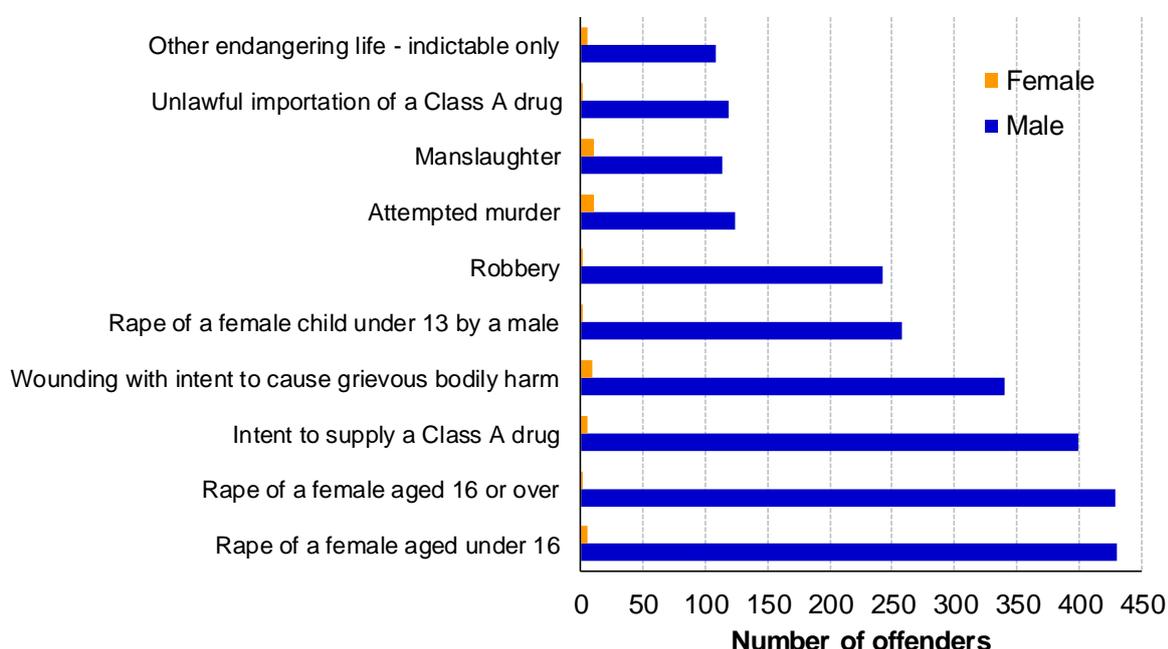
²²⁴ Due to small numbers of females prosecuted, they have been excluded from this offence analysis

Offences with long custodial sentences²²⁵

Between 2015 and 2017, 60 females and 1,078 males received a life sentence. Of these, 53 (88%) and 752 (70%) were for murder, respectively.

A further 62 females and 3,279 males received long determinate custodial sentences (over ten years and less than life) between 2015 and 2017. For both, these included rape, drug supply, and violent offences (Figure 8.14). The most common offences for which females received a long sentence was attempted murder and manslaughter, whereas for males it was rape of a female aged 16 or over.

Figure 8.14: Number of offenders sentenced to immediate custody of over 10 years and less than life for selected offences²²⁶, by offence and sex, England and Wales, 2015 to 2017



Between 2015 and 2017, the offence which had the highest ACSL²²⁷ for females was attempted murder, at 181.6 months. This was compared to 190.9 months for males, for whom, attempted murder also represented the highest ACSL. However, the number of females sentenced to immediate custody for this offence was small (15 females), so care should be taken when interpreting figures.

²²⁵ Due to small numbers of females, a 3-year average has been used in this section of analysis

²²⁶ Only the most common offences receiving long custodial sentences are shown.

²²⁷ ACSL excludes those sentenced to life imprisonment.

9. Practitioners

Over the last 5 years, the representation of females has remained relatively constant in MoJ and CPS, however there have been increases in female representation in other organisations.

The largest increase in female representation was seen in HMPPS HQ by 10 percentage points to 59%. Other increases include a 5 percentage point increase in female court judges to 29%, and a 4 percentage point increase in HMPPS (excluding probation) to 40%.

The representation of females in senior staff was lower than the proportion of staff at all grades across the CJS organisations considered in this bulletin.

The highest proportions of senior staff who were female were in the CPS (54%) and MoJ (48%), where the CPS was the only organisation considered in this bulletin with a higher proportion of females at senior grades than males.

This chapter reports on the trends in the composition of staff and practitioners throughout the criminal justice system (CJS) by sex. It draws upon published and previously unpublished extracts of human resources records for different CJS organisations. Information on sex breakdowns will be included for the police²²⁸, Ministry of Justice (MoJ)²²⁹, Crown Prosecution Service (CPS)²³⁰, Her Majesty's Prison and Probation Service (HMPPS)²³¹, magistracy²³² and judiciary²³³. 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. Figures are based on snapshots of data as at March 2017 (MoJ), 31 March 2018 (Police, CPS, HMPPS) and 1 April 2018 (magistracy and judiciary); for this section, these points in time will be referred to as the most recent year.

Trends in CJS organisations

The proportions of female practitioners vary across the CJS organisations²³⁴. In the most recent year, the representation of females in the police and court judges was 30% and 29% respectively. When considering the level of female representation across the various judicial roles in courts, senior roles had a lower representation of female judges than less senior roles. Larger proportions of staff in the MoJ and CPS (67% and 65% respectively) were

²²⁸ Data used in the [Police workforce statistics](#) are self-declared from Home Office records, figures used in this bulletin are as at 31 March 2018.

²²⁹ Data used in the [MoJ workforce monitoring report](#) are self-declared from HR records, figures used in this bulletin are as at March 2017.

²³⁰ [Workforce Diversity Data for the CPS](#) is self-declared from HR records, and the figures used for this bulletin are for 2017-18. These data are based on ONS headcount specifications and may differ from other published figures.

²³¹ [HMPPS workforce quarterly statistics](#) are based on self-declared information from HR records, figures used in this bulletin are as at 31 March 2018.

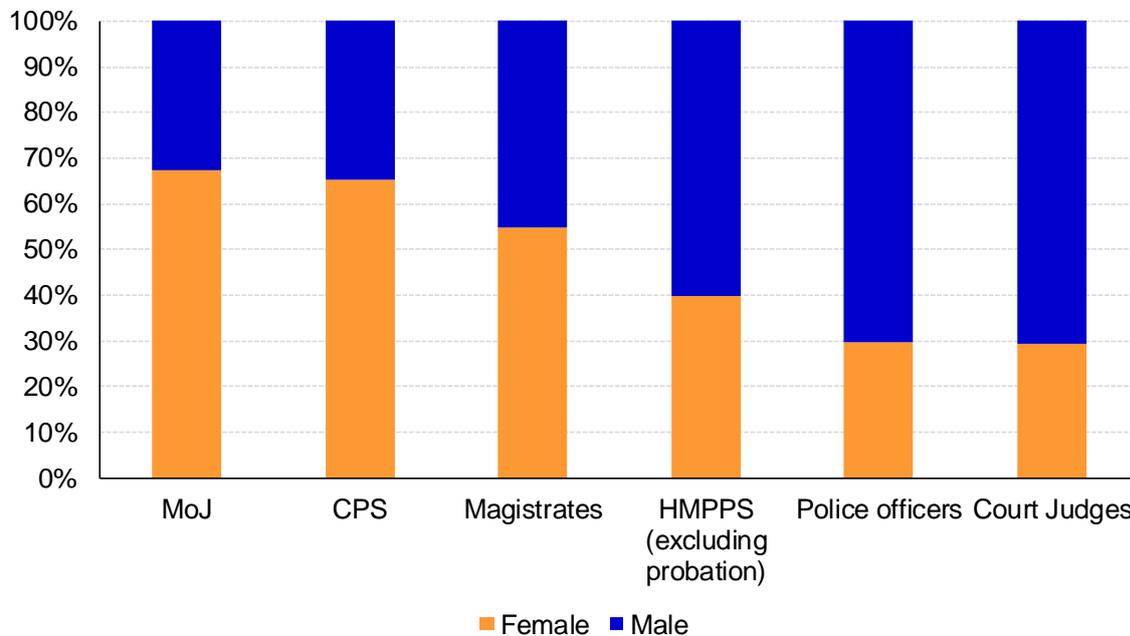
²³² Self-declared from HR records, for serving magistrates, as at 1 April 2018. Reported in the [Judicial Diversity Statistics](#) 2018 publication.

²³³ Self-declared from HR records, as at 1 April 2018. Reported in the [Judicial Diversity Statistics](#) 2018 publication, the quoted figures cover all court judges, i.e. those who deal with civil, family law and criminal cases.

²³⁴ 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.

female and in CJS organisations dealing directly with offenders (e.g. the police or prison officers) were predominantly male, while administrative and executive 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 available²³⁵



When considering trends in the five years to the most recent year, the representation of males and females have remained relatively constant in the MoJ and CPS, at 67% and 65% respectively in 2017. The representation of females for the HMPPS (excluding probation), police, and court judges is gradually increasing.

The largest increase in the representation of females over this period has been amongst court judges, increasing by 5 percentage points from 24% to 29%. There has also been a 3 percentage point increase from 52% to 55% in the proportion of female magistrates.

An increase in the representation of females can also be seen in HMPPS staff (excluding probation)²³⁶ over this period, from 36% to 40%. Within HMPPS, there were clear differences in the sex breakdowns of different functions. There is a smaller proportion of females among the prison service than HMPPS as a whole – 38%, having risen from 35%. However, 61% of those working in women’s prisons were female, a proportion that has been broadly consistent over the period and ranges between 55% and 66% across the whole of the female estate in the most recent year. In contrast to the prison service, just over three quarters (76%) of those working in the National Probation Service in the most recent year were female. The largest increase in representation of females over this five-year period has been among HMPPS headquarters and area services staff, from 49% to 59%.

²³⁵ Latest data available depending on whether snapshot is based on financial year (2017/18) or calendar year (2017)

²³⁶ 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.

There has been a smaller increase in the representation of female police officers, which has increased over the last five years by 2 percentage points to 30% in the most recent year. Over this period, the proportion of females among those joining the police force fluctuated, but had a net increase of 2 percentage points, from 32% to 34%. 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 more quickly than those joining (from 20% to 24%).

As is seen in HMPPS, there were differences in the sex breakdowns of different police support functions. Lower proportions of special constables and police community support officers were female (29% and 45% respectively), whereas the representation of females was higher in police staff (61%). All three of these police support functions have seen a consistent sex breakdown over this period.

The proportion of females in MoJ and CPS staff have remained stable throughout this period, both decreasing by less than 1 percentage point to 67% and 65% respectively.

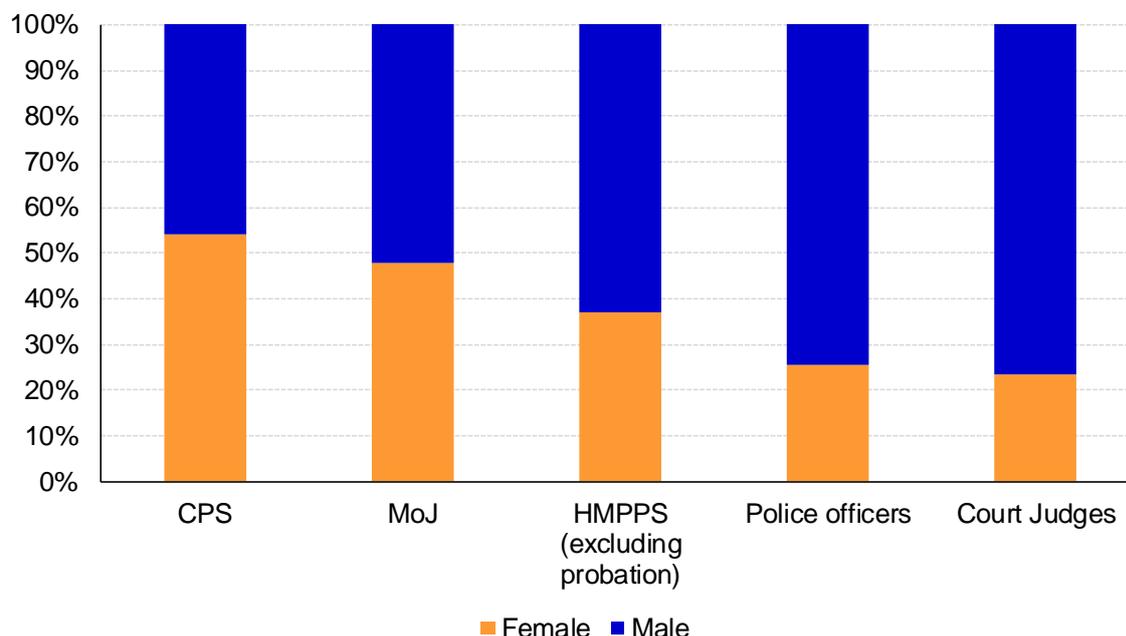
Trends in senior staff

The proportion of senior staff who were female was lower than the proportion of staff at all grades across the CJS organisations considered in this section²³⁷. 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) and the impact of child-rearing on career trajectories. Nevertheless, those organisations with higher proportions of female staff generally also tended to have higher representation of females in their senior staff.

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

²³⁷ 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.

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



In the most recent year, the CPS and MoJ had the highest proportions of senior staff²³⁸ who were female at 54% and 48% respectively, with the CPS being the only organisation where the representation of females in senior positions was higher than that of males. The proportion of females in senior roles in the CPS has increased since 2013, when it was at 52%, however these percentages relate to small numbers (41 females out of 76 in total in the most recent year) so this trend must be considered with caution as a small change in numbers can have a relatively large impact on percentages. Similarly, the MoJ has also seen an increase in the proportion of senior staff who were female, from 41% in 2013 to 48% in the most recent year.

The representation of females in senior positions was lowest in the police (25%) and court judges (23%) in the most recent year. Similar to the CPS and MoJ, the representation of females in senior roles has been increasing gradually since 2013, by 6 percentage points each (caution is to be taken when considering court judges as these percentages are based on small numbers).

The number of people in senior roles in HMPPS (excluding National Probation Service) is small in comparison to other CJS organisations discussed in this section, therefore extra caution must be taken when considering the representation of females. As at 31 March 2018, 37% of senior staff were female (17 out of 46 in total), a 5 percentage point increase when compared to as at 31 March 2014.

²³⁸ Senior roles are as follows: CPS - Senior Legal Manager, Chief Crown Prosecutor and Senior Civil Servant; MoJ – Senior Civil Servant; HMPPS - Senior Civil Servant; Police - Chief Inspector, Superintendent, Chief Superintendent, and Chief Officers; Judiciary – High Court Judges, Heads of Division and Lord Justices of Appeal.

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:

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.

Further information

National Statistics status

National Statistics status means that official statistics meet the highest standards of trustworthiness, quality and public value.

All official statistics should comply with all aspects of the Code of Practice for Statistics. They are awarded National Statistics status following an assessment by the Authority's regulatory arm. The Authority considers whether the statistics meet the highest standards of Code compliance, including the value they add to public decisions and debate.

It is the Ministry of Justice's responsibility to maintain compliance with the standards expected for National Statistics. If we become concerned about whether these statistics are still meeting the appropriate standards, we will discuss any concerns with the Authority promptly. National Statistics status can be removed at any point when the highest standards are not maintained, and reinstated when standards are restored.



Contact

Press enquiries should be directed to the Ministry of Justice press office:

Tel: 020 3334 3536

Email: newsdesk@justice.gsi.gov.uk

Other enquiries about these statistics should be directed to the Justice Statistics Analytical Services division of the Ministry of Justice:

Damon Wingfield, Responsible Statistician and Head of Criminal Justice Statistics
Ministry of Justice, 3rd Floor, 10 South Colonnade, London, E14 4PU

Email: CJS_Statistics@justice.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:
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.gov.uk

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