



CPS

Hate Crime Report

2014/2015 and 2015/16

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Foreword by the Director of Public Prosecutions

Hate crime creates fear and has a devastating impact on individuals and communities. The Crown Prosecution Service is committed to doing everything possible it can to tackle it.

In 2015/16, we completed 15,442 hate crime prosecutions - the highest number ever. There was a 41% increase in disability hate crime prosecutions compared to 2014/15; the highest ever proportion of sentence uplifts in racially and religiously aggravated crime cases; and the highest ever conviction rate in homophobic and transphobic prosecutions.

I would like to thank our hate crime co-ordinators and prosecutors for their work to improve our response to hate crimes.

We have introduced a new assurance regime which helps us to identify good practice, to learn lessons and to make improvements, and we have developed our training and guidance to best support our prosecutors. However, we know that much hate crime still goes unreported – and we know that we can deliver justice for more victims of these crimes.

Over the coming year we will build on our work so far to further improve the way we prosecute hate crime and the service we offer to victims and witnesses.

The next phase of our work in this crucial area is the development of new public policy statements on all strands of hate crime. We are working with communities to draft these statements – ensuring we reflect their experiences and concerns – and will then use them to inform improved guidance and training for our prosecutors. We are also establishing a joint hate crime strategy board with the police to ensure we are working together as effectively as possible, and have a range of measures planned to raise awareness and encourage the reporting of hate crime.

Finally, I would like to thank all those individuals and community organisations who have supported and advised the CPS through scrutiny panels and consultation exercises, as well as all victims and witnesses who have helped us to bring prosecutions.

Alison Saunders CB
Director of Public Prosecutions
July 2016

Overview

All strands

- In 2015/16 the CPS completed 15,442 hate crime prosecutions, the highest number achieved to date.
- The conviction rate across all strands of hate crime increased slightly from 82.9% in 2014/15 to 83.2% in 2015/16.
- Sentence uplifts¹ increased from 11.8% in 2014/15 to 33.8% in 2015/16, the highest proportion recorded to date.

Racially and religiously aggravated crime

- In 2015/16, the CPS completed 13,032 prosecutions for racially and religiously aggravated hate crime, an increase of 1.9% on the previous year when it completed 12,795 cases.
- The conviction rate in racially and religiously aggravated cases increased from 83.5% in 2014/15 to 83.8% in 2015/16.
- Sentence uplifts increased from 12.0% of cases in 2014/15 to 34.8% of cases in 2015/16, the highest proportion achieved to date.

During 2015/16 the Religiously Aggravated and Antisemitic Crime Action Plan was developed and implemented. The Hate Crime Assurance Scheme was extended to include racially and religiously aggravated offences and CPS guidance to prosecutors was updated in relation to offences alleging stirring up hatred.

Homophobic and transphobic crime

- In 2015/16, the CPS completed 1,469 prosecutions for homophobic and transphobic crime, an increase of 15.0% on the previous year when it completed 1,277 cases.
- The conviction rate for homophobic and transphobic crime increased from 81.2% in 2014/15 to 83.0% in 2015/16.
- Sentence uplifts increased from 13.5% of cases in 2014/15 to 37.8% of cases in 2015/16, the highest proportion achieved to date.

During 2015/16 specific guidance and training were delivered to prosecutors in relation to conducting cases alleging homophobic and transphobic crime. The continuing increase in the number of completed prosecutions and convictions is encouraging and indicates progress in addressing the gap between the incidence of people experiencing homophobic and transphobic offending and reporting it.

¹ A sentence uplift will apply in any hate crime prosecution where the evidence of hostility has been accepted by the court and the defendant pleads or is found guilty.

Disability hate crime

- In 2015/16, the CPS completed 941 prosecutions for disability hate crime, an increase of 41.3% on the previous year when it completed 666 cases.
- The number of convictions rose from 503 in 2014/15 to 707 in 2015/16, an increase of 40.6%.
- The overall conviction rate for disability hate crime fell slightly from 75.5% in 2014/15 to 75.1% in 2015/16.
- Sentence uplifts increased from 5.4% of cases in 2014/15 to 11.9% of cases in 2015/16, the highest proportion achieved to date.

During 2015/16 a mandated training package on disability hate crime for all CPS prosecutors was delivered. The tracking of live files by means of the Hate Crime Assurance Scheme was introduced which helps support casework quality through real time scrutiny, this is particularly important in respect of disability hate crime where the proportion of sentence uplifts remains small.

Crimes against older people

- In 2015/16, the CPS completed 3,759 prosecutions for crimes against older people, an increase of 1.8% on the previous year when it completed 3,693 cases.
- The conviction rate for these offences fell slightly from 80.8% in 2014/15 to 80.1% in 2015/16.²

The number of completed prosecutions for crimes against older people increased for the seventh year running. In 2016/17 a bespoke National Scrutiny Panel on crimes against older people will be established to assist the CPS in updating its policy and legal guidance to ensure it takes appropriate account of relevant issues in these cases, such as safeguarding and the prevalence of acquisitive crime.

² Crimes against older people prosecutions do not fall within the same statutory framework as hate crime with regards to sentence uplift.

Introduction

This is the eighth CPS Hate Crime Report and provides information on CPS performance in prosecuting the following crimes between April 2014 and March 2016:

- racist and religious hate crime;
- homophobic and transphobic hate crime;
- disability hate crime;
- stirring up hatred; and
- crimes against older people.³

The National Police Chiefs' Council (NPCC) and the CPS have agreed a common definition of hate crime which is:

“any criminal offence which is perceived by the victim or any other person, to be motivated by a hostility or prejudice based on a person’s race or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation; disability or perceived disability and any crime motivated by a hostility or prejudice against a person who is transgender or perceived to be transgender.”

Key words in the definition are “hostility” and “prejudice”, words which are used in their ordinary, everyday sense. The prosecution does not therefore need to prove *hatred* as the motivating factor behind an offence. Nor does the whole offence need to be motivated by hostility. It can provide the sole reason for the offending but, equally, such motivation can play a part or provide just one element of the offending behaviour.

The CPS seeks to build and maintain the confidence of communities affected by hate crime. The aim of this report is to give the public clear information about the work the CPS is doing to tackle hate crime and to provide details of its performance in this field. It also sets out the steps the CPS will take to support and sustain improved performance.

The report illustrates performance by means of available management data. It also provides examples of good practice, lessons learned, policy development and research, which have all contributed to an improvement in the service the CPS provides in respect of hate crime prosecutions and, in particular, the service it provides to victims and witnesses.

Steps taken in support of casework quality improvements are highlighted in the report. The Hate Crime Assurance Scheme was introduced in January 2015, requiring that designated Area hate crime co-ordinators check live and finalised cases in respect of case work quality and the accuracy of case flagging (the process by which the CPS identifies hate crime cases on its digital case management system).

³ Information about crimes against older people is included in this report. Such crimes may or may not be a hate crime depending on the facts of each particular case and references to hate crime data in this report do not include crimes against older people unless specifically stated.

CPS staff have been provided with additional guidance and training materials, including a mandatory disability hate crime package and specialist training on homophobic and transphobic crime to ensure that they are equipped to prosecute cases to the highest standard.

The CPS remains committed to the continuous improvement of data quality. Over the course of the reporting period the CPS has identified ways in which its data might be improved and has undertaken a series of detailed assessments to ensure accuracy. The CPS has previously published a hate crime report each year but the need for a comprehensive data quality review in 2015 meant that the 2014/15 report could not be published in 2015. The review confirmed the accuracy of hate crime data but, given the delay, the 2014/15 report was added to the 2015/16 data to create this two-year report. Annual reports will be reinstated for 2016/17 data.

In addition, and as part of its on-going commitment to improving the quality of data used in both internal and external reports, the CPS has introduced a revised method of reporting the outcomes of charging decisions. This method is used in the report and provides a more accurate figure for the percentage of defendant cases which proceeded to prosecution. For this reason, there may be some slight differences in the data reported from that in previous years. As a way of making the data more accessible to the public, the report now refers to conviction rates rather than attrition rates as used in earlier years. This report also provides comparative data from the past five years, where available, to highlight trends over time.

In addition to the analysis provided in this report, the underlying data on which CPS conclusions are based have been published. These data can be found on the CPS website at: www.cps.gov.uk/data/hate_crime/. It is important to note that the CPS collects data⁴ to assist in the effective management of its prosecution functions. The CPS does not collect data which constitute official statistics as defined in the Statistics and Registration Service Act 2007.⁵

⁴ Data on hate crime have been drawn from the CPS Case Management System (CMS) and associated Management Information System (MIS), which, as with any large scale recording system, is subject to possible errors with data entry and processing. The figures are provisional and subject to change as more information is recorded by the CPS. The CPS is committed to improving the quality of our data and from mid-June 2015 introduced a new data assurance regime which may explain some unexpected variance in future data sets.

⁵ The official statistics relating to crime and policing are maintained by the Home Office and the official statistics relating to sentencing, criminal court proceedings, offenders brought to justice, the courts and the judiciary are maintained by the Ministry of Justice.

Hate crime across all strands

Introduction

Against a background of significant change, the CPS has maintained its commitment to effective hate crime prosecutions and sustained a constructive dialogue with stakeholders across the criminal justice system (CJS), government departments, communities affected by hate crime and voluntary sectors.

The CPS remains responsive to the evolving hate crime environment. This is essential if the CPS is to improve the expertise of prosecutors and provide the highest quality service in respect of its casework and victim engagement. The CPS actively horizon scans for emerging issues. Such issues might arise from external sources such as inspection and research reports, parliamentary enquiries or community concerns. They might equally be identified from CPS practice and performance which it keeps under regular review.

Hate Crime Assurance Scheme

The CPS Hate Crime Assurance Scheme was introduced on 1 January 2015 to cover all disability, homophobic and transphobic cases. The scheme was extended to include racially and religiously aggravated cases from May 2015.

The scheme focuses on checking live case files so that feedback can be provided to individual prosecutors and managers to encourage improvement in case handling and case outcome. Completed cases are also checked for adherence to policy and for data accuracy. Feedback is central to the scheme as it provides a learning opportunity for individuals and CPS Areas. Reports are submitted centrally to support consistent application of the process and to encourage the identification and dissemination of best practice across the CPS and the wider CJS.

The most recent CPS Hate Crime Assurance report in the reporting period (November 2015) noted improvements in key aspects of case handling: the accuracy of flagging on the CPS digital case management system, the analysis of evidence in support of sentence uplift and the appropriateness of support to victims. These routine checks will continue to provide assurance that quality is consistent across the service and that improvements are being made.

The assurance process includes assessments of the handling and recording of sentence uplifts in all successful hate crime prosecutions. In 2013/14, before the introduction of the assurance scheme, announcements were recorded in 4.1% of cases. The rate, at the end of March 2016, reached 33.8%. Whilst this is a significant increase, this does not reflect the CPS level of ambition in this regard. Further improvement measures will be taken in the coming year, both internally and with relevant stakeholders, to ensure that sentence uplifts are appropriately considered, applied, announced and recorded.

Hate crime co-ordinators

Hate crime co-ordinators (HCCs) are experienced specialists who have been appointed in each CPS Area as well as in CPS Direct⁶ and were pivotal to the introduction of the Hate Crime Assurance Scheme. HCCs work to agreed minimum standards relating to performance management, community and stakeholder engagement and policy implementation and play an essential part in supporting hate crime prosecutions.

Biannual meetings of the hate crime co-ordinators' Network are focused on relevant issues arising from the Hate Crime Assurance Scheme and assist in identifying best practice, highlighting support needs, developing a consistent approach and sharing relevant updates. These meetings, the most recent of which was held in April 2016, are supplemented by monthly telephone conferences led by experienced HCCs to enable a constant dialogue across the CPS.

HCCs also contributed to the work of the CPS in this field in a number of other ways. They have assisted in the development of relevant support materials, engaged in resolving a range of operational issues, participated in compliance and assurance exercises, delivered specialist webinars and assisted in the planning and delivery of the National Scrutiny Panel⁷ on disability hate crime.

Summary of CPS activity

- A hate crime delivery plan was developed and implemented in support of the Hate Crime Strategy 2014/17.
- In January 2015, the Hate Crime Assurance Scheme was introduced to live and finalised files to support casework quality and data accuracy. The scheme is supported by Hate Crime Assurance Practice Notes.
- Area-based Equality, Diversity and Community Engagement Managers also contribute to the delivery of the Hate Crime Assurance Scheme. Additionally they support HCCs and provide effective community engagement.
- Two senior operational leads for hate crime were appointed in October 2014 (Deputy Chief Crown Prosecutor for Mersey-Cheshire, Alison Mutch, and Deputy Chief Crown Prosecutor for London, Gerallt Evans), both experienced HCCs.
- Monthly meetings took place between the Area HCCs to consider best practice and share lessons learned.

⁶ CPS Direct is responsible for providing charging advice to the police around the country, 24 hours a day, 365 days a year.

⁷ National Scrutiny Panels are composed of experienced practitioners and campaigners from a community perspective as well as key government and agency officials and provide a forum for discussion of defined topics relating to a designated strand of hate crime.

- Quarterly performance meetings with senior managers took place to discuss hate crime performance in relation to conviction rates, steps taken in support of quality assurance, improved sentence uplift recording, lessons learned and partnership working with the police.
- In June 2015, to reflect recent changes to relevant law and guidance and to ensure consistency from those engaged in presenting hate crime cases at court, the Instructions to Prosecuting Advocates were updated for disability hate crime, racially and religiously aggravated hate crime and homophobic and transphobic crime.
- To ensure that prosecutors are supported in making accurate and timely decisions, additional CPS training materials were developed. Examples of such packages include strand-specific checklists on points to consider when prosecuting hate crime, guidance relating to the making of charging decisions and an essential guide to sentence uplift.
- Training in June 2015 for CPS prosecutors, in advance of the introduction of Transforming Summary Justice,⁸ emphasised the importance of sentence uplift and the special measures available for witnesses and included a casework scenario arising from a homophobic incident.
- Updated guidance on special measures for witnesses was issued in May 2015. The provisions of the Youth Justice and Criminal Evidence Act 1999 provide support to those defined by the Act as vulnerable or intimidated and are highly relevant to victims and witnesses in hate crime prosecutions who can benefit greatly from the protection they give.

CPS engagement with partners

- CPS Areas support Local Scrutiny and Involvement Panels. Each panel, comprising a range of contributors with experience and expertise in relation to hate crime together with CPS personnel, reviews completed cases to identify learning points and good practice. Their input and expertise are invaluable and have contributed to, amongst other achievements, greater accuracy of case flagging on the CPS digital case management system; recognition of the value of Victim Personal Statements; and accuracy of evidential assessments in racially and religiously aggravated offences.
- The CPS is one of a number of agencies delivering the Government's commitment to effectively address hate crime. The CPS continues to build on effective joint working arrangements across government departments, with the National Police Chiefs' Council, College of Policing, Judiciary and community partners.
- In 2015, the CPS became a formal member of the National Police Chiefs' Council (NPCC) Hate Crime Working Group which brings together representatives across all forces in England and Wales. The group provides a mechanism for considering joint working arrangements and identifying and disseminating best practice. In the first year of collaboration, amongst other activity, the group

⁸ Transforming Summary Justice is a CJS initiative designed to ensure more effective case handling in the magistrates' courts.

agreed an action plan arising from a joint disability hate crime tracking exercise. Much of the work in the action plan has been completed, including the establishment of a regional network of police hate crime leads. Discussions between the CPS hate crime co-ordinators and the regional police leads have focussed on the need for greater use of file sampling to ensure effective case handling and data accuracy.

- A joint event for hate crime leads from police forces and CPS Areas was held in September 2015 at the College of Policing. The overall aim of the conference was for the police and the CPS to gain a better understanding of their respective issues and requirements for investigating and prosecuting hate crime in order to establish a more collaborative approach between police forces and CPS Areas.
- The CPS supports a range of cross-government initiatives such as the working groups on antisemitism and anti-Muslim hostility. These groups provide a forum for communities impacted by hate crime to raise concerns directly with national agencies with responsibility for addressing hate crime issues.
- The CPS participated in the cross-Government Hate Crime Strategy Board convened by the Ministry of Justice and Home Office. The reporting period included a review of progress against the action plan 'Challenge It, Report It, Stop It: the Government's Plan to Tackle Hate Crime (March 2012)'. The CPS met a number of commitments including, in respect of "building victim confidence", activity to raise awareness of the law on hate crime and increase reporting. This included workshops run for community groups by the CPS.
- CPS discussions with the Ministry of Justice have led to clarification over the use of Community Impact Statements in relation to hate crime. Community Impact Statements enable those engaged in the investigation, prosecution and sentencing of hate crime to be better informed as to the local context of the offending.
- The CPS continues to support the Advocate's Gateway which provides practical guidance for criminal justice practitioners in relation to supporting victims, witnesses and defendants with specific needs including those with mental health issues or learning disabilities.
- The CPS undertook a public consultation on revised guidance on prosecuting cases involving communications sent via social media, which concluded in May 2016. The updated guidance includes new sections on hate crime and the use of relevant court orders on conviction.

Next steps

The CPS will:

- consult on and publish public policy statements and update its legal guidance in relation to each strand of hate crime;

- explore the reasons for the non-attendance of victims and witnesses at court in hate crime cases and, alongside colleagues across the CJS, take steps to improve the position;
- put in place a new governance structure for hate crime work. The CPS will establish a joint hate crime strategy board with the police which will ensure increased collaborative working as well as providing direction and oversight to the work. It is anticipated that the new structure will become operational by September 2016;
- encourage the greater use of joint exercises with the police to quality assure cases as a means of ensuring consistency of handling;
- continue to monitor and improve the accuracy of hate crime case flagging on the CPS digital case management system via the Hate Crime Assurance Scheme;
- develop a community focused communications strategy to encourage awareness, confidence and reporting;
- publish guides on recognising and reporting hate crime. Building on previous community engagement and following detailed consultation, this work acknowledges the continuing barriers to reporting presented by a lack of awareness and understanding. One guide will be for individuals and will describe what a hate crime is and what to do about it as well as outlining available support mechanisms. A companion guide will be published for those in frontline services, who may be the first to hear about a hate crime or hate incident, and will provide essential guidance and signposting;
- refresh the school teaching packs on hate crime, produced by CPS North West, to increase awareness and the confidence to report amongst younger people;
- work with partners to develop national best practice standards to support third party reporting of hate crime;
- work with partners to develop guidance on the use of Community Impact Statements as a mechanism for improving awareness within the CJS of the impact that hate crime can have on communities;
- work with partners to promote greater use of Victim Personal Statements in hate crime cases; and
- continue to work with partners on the digitisation of the CJS, recognising that the development of shared systems provides a unique opportunity to capture the potential of technology to the benefit of the victims of hate crime.

Data

Table 1 below contains data for a set of key indicators for all hate crime prosecutions over the reporting period.

Table 1: Key indicators in hate crime prosecutions 2014/15 and 2015/16

Indicator	2014/15	2015/16
Police referrals for charging	14,376	12,997
Completed prosecutions	14,738	15,442
Conviction rate	82.9%	83.2%
Guilty pleas	73.8%	73.3%
No conviction: victim issues	31.3%	31.0%
Acquittal after trial	29.9%	28.9%
Sentence uplift recorded	11.8%	33.8%

- The number of hate crime cases referred, by the police to the CPS, for decision in 2014/15 was 14,376 which was an increase of 2.2% on the previous year's figure. In 2015/16 the number of referrals decreased by 9.6% to 12,997. This fall is reflected only in racially aggravated hate crime and homophobic hate crime as detailed below. Whilst the CPS cannot control the number of cases referred by the police for decision, potential reasons for the fall in 2015/16 will be explored with police colleagues and appropriate action identified.
- The conviction rate across all strands of hate crime was 82.9% in 2014/15. 2015/16 saw a slight increase in the rate to 83.2%. This compares with the combined average for all convictions of 83.1%.
- Guilty pleas featured in 74.1% of successful cases over the past five years, compared to the five year average for total caseload of 71.9%. Guilty pleas featured in 73.3% of successful outcomes across all strands in 2015/16 and in 74.0% of racially and religiously aggravated crime; in 73.9% of homophobic and transphobic crime; and in 63.4% of disability hostility crime.
- In 2014/15, the proportion of unsuccessful cases due to victim issues (i.e. where a victim retracts, unexpectedly fails to attend court or their evidence does not support the case) increased across all strands from 27.5% (593) in 2013/14 to 31.3% (789). In 2015/16, the proportion fell slightly to 31.0% which is still significantly higher than the corresponding data when considering all crimes prosecuted by the CPS (21.3%). In an effort to understand the reasons for this, an exercise was carried out during the final quarter of 2015/16. CPS Areas were asked to examine each case impacted by victim retraction or failure to attend over a two month period. Findings tend to suggest that there are a number of reasons why a victim may not support a prosecution, for example fear of intimidation or loss of earnings in respect of court attendance. In response to this, local action plans have been agreed with police forces seeking to identify, early in the proceedings, victims who may find it difficult to support a prosecution to conclusion, with a view to putting in place requisite support measures.
- In 2014/15, the proportion of unsuccessful cases due to acquittal after trial improved slightly from 30.4% (656) in 2013/14 to 29.9% (754). This improvement should be seen in the context of the increased volume of cases prosecuted. In 2015/16, this improvement continued and the proportion of unsuccessful cases due to acquittal after trial represented 28.9% of all unsuccessful cases.

- An announced and recorded sentence uplift in a successfully prosecuted hate crime case is a clear indicator of the law being applied to best effect. The proportion of successfully completed prosecutions with an announced and recorded sentence uplift was 11.8% in 2014/15, an increase from 4.1% the previous year. In 2015/16, this improving trend continued and the proportion of announced and recorded sentence uplifts reached 33.8%. This result provides an indication of the effect of additional guidance, support and CPS Area commitment to achieving success on the issue. Further steps will be taken to support continuing improvement in 2016/17.
- Table 2 below shows that the conviction rate across the combined strands of hate crime has continued its upward trend. It also shows that the fall in volume of completed prosecutions in 2012/13 has been reversed over recent years and now stands at its highest ever level.

Table 2: Completed hate crime prosecutions by outcome

	2010-11		2011-12		2012-13		2013-14		2014-15		2015-16	
	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%
Convictions	12,651	82.8%	11,843	83.4%	10,794	82.6%	11,915	84.7%	12,220	82.9%	12,845	83.2%
Unsuccessful	2,633	17.2%	2,353	16.6%	2,276	17.4%	2,159	15.3%	2,518	17.1%	2,596	16.8%
Total	15,284		14,196		13,070		14,074		14,738		15,442	

- In 2014/15, the number of completed prosecutions increased nationally by 4.7% on the previous year. Again, in 2015/16 the percentage increase was 4.8%. This increase was reflected across eight areas and, comparing the 2014/15 data and the 2015/16 data, the largest increases were seen in: West Midlands (33.7%), Wessex (9.1%) and Yorkshire and Humberside (8.8%).
- At the end of a prosecution, cases are allocated a principal offence category to indicate the type and seriousness of the charges brought. Table 3 below indicates that in 2014/15 and 2015/16, offences against the person and public order offences were the most common, representing 83.7% and 89.2% of all hate crime prosecutions over the reporting period (although in the context of disability hate crime, exploitative offending is more common than public order offending).

Table 3: Principal offence category for each hate crime strand

Principal Offence Category	Disability		Homophobic and Transphobic		Racially and Religiously Aggravated	
	2014/15	2015/16	2014/15	2015/16	2014/15	2015/16
Homicide	0.8%	0.6%	0.0%	0.0%	0.0%	0.1%
Offences against person	44.2%	48.0%	54.0%	59.2%	53.7%	76.4%
Sexual offences	4.9%	3.6%	1.3%	1.3%	0.3%	0.3%
Burglary	7.7%	8.7%	0.4%	0.3%	0.5%	0.3%
Robbery	9.6%	6.7%	1.9%	1.1%	0.7%	0.6%
Theft & handling	11.3%	12.1%	2.1%	1.7%	3.3%	1.7%
Fraud & forgery	6.1%	6.4%	0.1%	0.1%	0.1%	0.1%
Criminal damage	3.1%	2.9%	4.4%	3.9%	4.3%	3.3%
Drugs offences	0.9%	0.4%	1.7%	1.2%	1.1%	0.6%
Public order offences	8.5%	9.3%	30.3%	29.8%	31.4%	15.1%

Racially and religiously aggravated hate crime

Introduction

The separate reporting of racially and religiously aggravated hate crime began in 2010/11 whereas previously the data had been combined. Cases can now be flagged on the CPS digital case management system as racially aggravated, religiously aggravated or, where appropriate evidence is available, both.

The number of religiously aggravated hate crime cases remains small, therefore it is more difficult to identify meaningful trends in case volume fluctuations and prosecution performance characteristics. Nevertheless, the Crime Survey for England and Wales and the experience of community-based reporting centres underlines the persisting gap between the experience of hate crime and its reporting. The CPS is determined to play its part in raising awareness and increasing the confidence of communities to report, particularly in the light of such discrepancies. Activity to promote awareness and improve the confidence to report is being planned which includes the publication of guides on recognising and reporting hate crime.

The ability to identify and prosecute both racially and religiously aggravated offending remains of the utmost importance to the CPS. This is particularly so given the context of heightened tensions following domestic and international events over the reporting period and their direct impact on the communities affected by this type of hate crime.

CPS Activity specific to this strand

- The Hate Crime Assurance Scheme (see above) was extended to racist and religious offences in May 2015. Reports are submitted centrally to support consistent identification, dissemination and application of best practice.
- The Religiously Aggravated and Antisemitic Crime Action Plan was launched in May 2015. The plan included a commitment to refresh the legal guidance in relation to the prosecution of offending via social media, and to improve capacity to monitor and assess case file quality via the Hate Crime Assurance Scheme. All commitments were met.

Case study

In a CPS Thames and Chiltern case, the defendant was interrupted by two passers-by whilst spraying racist graffiti on an underpass wall. As the two witnesses walked by, the defendant swore at them. When the defendant went to a nearby public convenience, one witness took images of the graffiti on his phone and called the police. The police attended; the defendant claimed responsibility for the graffiti and was arrested.

On the way to the police station, the defendant racially abused an officer and was arrested for a racially aggravated public order offence. On arrival at the police station, the defendant was again racially abusive to another officer. The defendant's bail was opposed by the police as he had previous convictions for similar offending. He admitted guilt to racially aggravated criminal damage and racially aggravated s.4A Public Order Act offences at the first hearing and was sentenced to a total of 18 weeks' custody. The court announced that 6 weeks had been added to enhance the sentence as a result of the racial aggravation involved.

- Instructions for Prosecuting Advocates were updated in respect of racially and religiously aggravated crime in August 2015 to ensure that those charged with prosecuting CPS cases at court are fully appraised of the specific issues arising in respect of these cases.
- Feedback from Local Scrutiny and Involvement Panels and the Hate Crime Assurance Scheme highlighted the need for improved accuracy when flagging racially and religiously aggravated offences on the CPS digital case management system. As a result, an in-depth sampling exercise was undertaken of religiously aggravated offences. Lessons arising were discussed with Area hate crime co-ordinators and the issue will be kept under review going forward.

CPS engagement with partners specific to this strand

- A National Scrutiny Panel, focusing on religiously aggravated hate crime, was convened in September 2014 and suggested a number of actions for improvement. The actions were incorporated into the Religiously Aggravated and Antisemitic Crime Action Plan which committed the CPS to a number of key activities, such as the refresh of guidelines on prosecuting cases involving communications sent by social media and the delivery of a two day training event for specialist hate crime leads from the CPS and police. All actions in the action plan have been completed.
- In March 2015, the CPS provided its response to the findings of the All Party Parliamentary Inquiry Report into antisemitism and incorporated relevant actions into the Action Plan detailed above.
- The CPS supports a range of cross-government initiatives such as the working groups on antisemitism and anti-Muslim hostility. These groups provide a forum for communities impacted by hate crime to raise concerns directly with national agencies with responsibility for addressing hate crime issues.
- Guidance for prosecutors was developed and issued with the active engagement of the Community Security Trust and Tell MAMA.

Case study

In a CPS West Midlands case, two women were found guilty of attempting to deface a copy of the Qur'an at a football match.

During the game, club stewards reported that one of the women took a copy of the Qur'an from her bag, tore pages from the holy book and chanted racist songs. The second woman threw pages around the ground.

The defendants were arrested by the police who later charged them both with racially and religiously aggravated harassment of which they were found guilty. The first defendant was fined £300 with a £400 costs order and a £30 victim surcharge, whilst the second was fined £200 with a £400 costs order and a £20 victim surcharge.

Next Steps

The CPS will:

- make use of the Hate Crime Assurance Scheme to obtain a more detailed picture of case handling and outcomes to support greater consistency and address barriers to progress;
- build on the work of the Religiously Aggravated and Antisemitic Crime Action Plan by improving its ability to appropriately identify cases, providing support to prosecutors with the assistance of the community stakeholders, monitoring the quality of its case handling and disseminating positive outcomes to communities affected by this type of hate crime;
- update the CPS public policy statement and legal guidance on racially and religiously aggravated crime. The work will articulate the rationale for the CPS approach to these crimes and help improve practice throughout the prosecution process, including victim support. The project will be informed by a National Scrutiny Panel with a focus on community interests. The public consultation is due to commence at the end of July 2016;
- provide prosecutors with a face-to-face training package on the accurate identification of evidence in relation to racially and religiously aggravated crime. This training will be delivered by CPS Areas from November 2016; and
- increase monitoring, via the Hate Crime Assurance Scheme and hate crime co-ordinators, with regard to the appropriate flagging of racially and religiously aggravated crime on the CPS digital case management system.

Data

Table 4 below contains data for key indicators in racially and religiously aggravated crime over the reporting period.

Table 4: Key indicators in racially and religiously aggravated crime 2014/15 and 2015/16

Indicator	2014/15	2015/16
Police referrals for charging	12,071	10,728
Completed prosecutions	12,795	13,032
Conviction rate	83.5%	83.8%
Guilty pleas	74.5%	74.0%
No conviction; victim issues	31.6%	31.9%
Acquittal after trial	29.1%	28.0%
Sentence uplift	12.0%	34.8%

- In 2014/15, the police referred 12,071 racially and religiously aggravated hate crime cases to the CPS for decision. This represented a slight fall on the previous year's total of 12,184. The number of referrals fell again in 2015/16 to 10,728, a fall over the reporting period of 12.0%. The fall in police referrals is associated with racially aggravated offences only as set out above. Whilst the CPS cannot control the number of cases referred by the police for decision, reasons for the decline in 2015/16 will be explored with police colleagues and appropriate action identified.
- In 2014/15, the conviction rate for racially and religiously aggravated hate crime was 83.5%. This compares with the combined average for all CPS convictions which stood at 83.5% in 2014/15. In 2015/16, the rate improved slightly to 83.8%.
- Guilty pleas featured in 74.0% of successful outcomes of racially and religiously aggravated crime prosecutions in 2015/16. In 2014/15, the figure had been 74.5%. Guilty pleas can be seen as evidence of well constructed cases. They also lead to early resolution of prosecutions and can avoid the need for victims to give evidence.
- In 2015/16, the proportion of unsuccessful cases due to victim issues remained broadly the same as 2014/15 at 31.9%.
- In 2015/16, the proportion of unsuccessful cases due to acquittal after trial improved slightly from 29.1% (616) in 2014/15 to 28.% (591).
- The proportion of successfully completed prosecutions with an announced and recorded sentence uplift was 12.0% in 2014/15, an increase from 4.3% the previous year, and significantly increased to 34.8% in 2015/16. This result provides an indication of the effect of guidance, support and CPS Area commitment to achieving success on the issue. Further steps will be taken to support continuing improvement in 2016/17.

Table 5 below indicates the number of completed prosecutions and conviction rates over the past six years for racially and religiously aggravated offences.

Table 5: Completed prosecutions by outcome for racially and religiously aggravated offences

	2010-11		2011-12		2012-13		2013-14		2014-15		2015-16	
	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%
Convictions	11,038	83.1%	10,412	84.2%	9,415	83.1%	10,532	85.2%	10,680	83.5%	10,920	83.8%
Unsuccessful	2,239	16.9%	1,955	15.8%	1,919	16.9%	1,836	14.8%	2,115	16.5%	2,112	16.2%
Total	13,277		12,367		11,334		12,368		12,795		13,032	

- As indicated in Table 5, the conviction rate over the period 2010/11 to 2015/16 has remained stable in racially and religiously aggravated prosecutions. The volume of completed prosecutions over the period dipped in 2012/13 but has shown an improving trend since then.
- In 2014/15, the number of completed prosecutions increased nationally by 3.5% on the previous year. In 2015/16 the percentage increased again, this time by 1.9%. Eight CPS Areas reported increases in 2015/16 and the largest increases, when comparing the 2014/15 data and the 2015/16 data, were seen in: West Midlands (30.0%), South East (4.4%) and Wales (3.8%).

Table 6 below shows the number of prosecutions and their outcomes for racially aggravated offences since 2010/11.

Table 6: Completed prosecutions by outcome for racially aggravated offences

	2010-11		2011-12		2012-13		2013-14		2014-15		2015-16	
	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%
Convictions	10,566	83.1%	9,933	84.4%	9,107	83.3%	10,069	85.2%	10,123	83.5%	10,337	84.1%
Unsuccessful	2,145	16.9%	1,841	15.6%	1,828	16.7%	1,749	14.8%	2,007	16.5%	1,958	15.9%
Total	12,711		11,774		10,935		11,818		12,130		12,295	

As indicated in Table 6, the conviction rate over the period 2010/11 to 2015/16 has improved from 83.1% to 84.1% in racially aggravated prosecutions. The volume of completed prosecutions dipped to its lowest point in 2012/13 but over the past six years shows an improving trend.

- In relation to racially aggravated hate crime, the total number of police referrals was 11,531 in 2014/15 and 10,155 in 2015/16. The number of police referrals in relation to racially aggravated offences has fluctuated over the past six years, from 13,038 in 2010/11 followed by 12,357 and 10,330, to 11,719 in 2013/14. The fall in police referrals in certain strands of hate crime will be raised with the police for further consideration.
- Of the 12,130 racially aggravated cases prosecuted in 2014/15, 10,123 (83.5%) were successful and 74.5% of all successful outcomes involved guilty pleas. In 2015/16, the 12,295 completed prosecutions produced 10,337 (84.1%) successful outcomes and 74.3% involved guilty pleas.
- The proportion of successfully completed racially aggravated prosecutions with an announced and recorded sentence uplift was 12.1% in 2014/15, a figure which increased to 35.0% in 2015/16.

- The proportion of racially aggravated hate crime prosecutions failing due to victim issues was 31.6% of all unsuccessful prosecutions in 2014/15 and 32.6% in 2015/16.
- In 2014/15, prosecutions resulting in acquittal after trial amounted to 29.3% (588) of all unsuccessful cases. In 2015/16 the figures had improved to 27.5% (538).

Table 7 below shows the number of completed prosecutions and convictions over the past six years.

Table 7: Completed prosecutions by outcome for religiously aggravated offences

	2010-11		2011-12		2012-13		2013-14		2014-15		2015-16	
	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%
Convictions	472	83.4%	479	80.8%	308	77.2%	463	84.2%	557	83.8%	583	79.1%
Unsuccessful	94	16.6%	114	19.2%	91	22.8%	87	15.8%	108	16.2%	154	20.9%
Total	566		593		399		550		665		737	

- As Table 7 indicates, the trend in completed prosecutions since 2010/11 has been upward and has increased over this period by 30.2%. The conviction rate shows more variability over the whole period as might be expected from smaller volumes, but the trend over the period has seen a drop by over 4 percentage points. The CPS will ensure consistency and greater casework quality by means of the Hate Crime Assurance Scheme and other measures such as targeted training, guidance and support for prosecutors.
- Police referrals in relation to religiously aggravated crime in 2014/15 amounted to 540 (an increase of 16.1% on the previous year) and 573 in 2015/16.
- In 2014/15, 665 cases involving religiously aggravated hostility were prosecuted with an 83.8% conviction rate. 73.8% involved guilty pleas. In 2015/16, this figure increased to 737 of which 79.1% were successful. 68.9% of convictions involved guilty pleas.
- The proportion of successfully completed religiously aggravated prosecutions with an announced and recorded sentence uplift was 9.3% in 2014/15, a figure which increased to 31.9% in 2015/16.
- The proportion of cases failing due to victim issues improved over the reporting period from 30.6% of unsuccessful cases involving victim issues in 2014/15 to 23.4% in 2015/16.
- In 2014/15, prosecutions resulting in acquittal after trial amounted to 25.9% (28) of all unsuccessful cases. In 2015/16 the figure increased to 34.4% (53).

Working together

In the wake of events in Gaza and in Paris, and recognising the significant impact that such events can have on community confidence, CPS Yorkshire and Humberside made a commitment to build on existing relations with the Jewish community as part of its wider engagement with all communities. The aim was to increase the reporting of incidents and improve the subsequent handling of cases from initial investigation to prosecution. The Area meets, on a regular basis, with members of West Yorkshire Police and the Community Security Trust (CST) to discuss case handling and community reassurance measures.

Homophobic and transphobic hate crime

Introduction

The Criminal Justice Act 2003 was amended in 2012 to include hostility on the grounds of transgender identity as an aggravating factor. From August 2013, the combined flag (on the CPS digital case management system) of homophobic and transphobic crime was divided into two flags covering these elements of hostility separately.

This means that the data set out in the 2013/14 report will not be exactly comparable with data set out below.

CPS activity specific to this strand

- A specialist training course was delivered to Area hate crime co-ordinators and Equality, Diversity and Community Engagement Managers in March 2015. The session provided delegates with guidance on the key elements of prosecuting homophobic and transphobic hate crime to increase prosecutor confidence and performance.
- CPS Instructions to Prosecuting Advocates relating to homophobic and transphobic crime were updated in August 2015 to ensure that those charged with prosecuting CPS cases at court are fully apprised of the specific issues arising in respect of these cases.
- An aide memoire and practice lessons covering homophobic and transphobic hate crime have been provided to prosecutors.
- Training for prosecutors on Transforming Summary Justice (a CJS initiative designed to ensure more effective case handling in the magistrates' courts) included a case study dealing with homophobic crime.

Case study

In a CPS Wessex case, a group of three friends, two of whom were transgender women, were in the town centre considering whether to go to the beach. They were approached by a group of men one of whom shouted, "They're men" and punched the first woman to the face. The police attended and shortly afterwards arrested the defendant on suspicion of assault. The defendant initially denied the allegation and claimed that he had been assaulted first.

The defendant was charged with battery and pleaded guilty before the trial. In accordance with Area practice, the court bundle contained a reminder to prosecuting counsel on the relevance and use of s.146 Criminal Justice Act 2003. The advocate addressed the court on the application of s.146 and the requirement on the court to impose an uplift to sentence if it finds that the offence is transphobic. The prosecution stated that this was a clear transphobic offence and that s.146 applied. The defence conceded that the offending behaviour was transphobic and the court agreed.

The sentence was a 9 month referral order with a 2 month uplift for the transphobic element of the offence and a £50 compensation order.

CPS engagement with partners specific to this strand

- National Scrutiny Panel and Local Scrutiny and Involvement Panels were convened to engage with individuals with expertise and experience in the impact of homophobic and transphobic hate crime on communities.
- The CPS is represented on the External Reference Group of the Equality and Human Rights Commission (EHRC) project: '*Increasing the reporting of LGBT crime*'. The EHRC funded programme has established a Lesbian Gay Bisexual and Transgender (LGBT) consortium made up of some 35 agencies from across England, Scotland and Wales. The work supports victims and service providers with a focus on guidance and training. The project concluded in March 2016 by which time 282 training sessions had been delivered to criminal justice agencies, LGBT community members, LGBT young people, youth workers and schools. In addition, 22 written resources were produced for individuals, support agencies, and public services; 300 individuals were supported; two awareness campaigns were successfully run and a prototype reporting portal was developed.

Next steps

The CPS will:

- convene a National Scrutiny Panel to assist in re-drafting the public policy statement on homophobic and transphobic crime. There will be a public consultation in relation to the policy statement and, once settled, the accompanying legal guidance will be updated. This work is scheduled for completion in October 2016; and
- create a training package, for roll out across the CPS, in respect of homophobic and transphobic hate crime to be delivered to prosecutors by the end of March 2017.

Data

- 2014/15 was the first reporting year following the change to the Criminal Justice Act 2003 to incorporate transgender identity as an aggravating feature. The CPS is now able for the first time to report separately on its performance in relation to prosecutions involving transphobic hostility. Whilst two years does not provide a sufficiently robust basis on which to draw firm conclusions in respect of trend data, the fact that the CPS is now able to publish this data will be of reassurance to communities and will play a part in encouraging the confidence to report.
- In 2014/15, the police referred 56 transphobic cases to the CPS for a charging decision. This figure rose to 98 in 2015/16. There were 37 completed prosecutions under the transphobic crime flag on the CPS digital case management system in 2014/15 and 85 the following year.
- The conviction rates for transphobic cases each year were 75.7% (or 28 successful outcomes) and 80.0% (or 68 successful outcomes) respectively. Guilty pleas featured in successful outcomes in 73.0% of prosecutions in 2014/15 and 68.2% in 2015/16.

- No transphobic cases were recorded as unsuccessful due to victim issues in 2014/15 but there were 4 cases (23.5%) impacted in this way in 2015/16.
- In relation to defendants in transphobic cases, in 2014/15, 26 (70.3%) were men and 11 (29.7%) were women: a disclosure rate⁹ of 100.0%. In 2015/16, 66 (77.6%) were men and 19 (22.4%) were women.
- In relation to victims in cases of transphobic hate crime, in 2014/15, 20 (57.1%) were women and 12 (34.3%) were men (with a disclosure rate of 91.4%). In 2015/16, 51 (52.0%) were women and 27 (27.6%) were men (with a disclosure rate of 79.6%).
- The proportion of successfully completed transphobic hate crime prosecutions with an announced and recorded sentence uplift was 21.4% in 2014/15, a figure which increased to 35.3% in 2015/16.
- At this stage it should be noted that the transphobic crime case cohort is still too small to draw definitive trend conclusions.
- In 2014/15, the police referred 1,400 homophobic cases to the CPS for a charging decision. This figure fell to 1,241 in 2015/16. There were 1,240 completed prosecutions under the homophobic crime flag on the CPS digital case management system in 2014/15 and 1,384 the following year.
- The conviction rates for each year were 81.4% (or 1,009 successful outcomes) and 83.2% (or 1,151 successful outcomes) respectively. Guilty pleas featured in successful outcomes in 87.6% of prosecutions in 2014/15 and 78.2% in 2015/16.
- The proportion of successfully completed homophobic hate crime prosecutions with an announced and recorded sentence uplift was 13.3% in 2014/15, a figure which increased to 38.0% in 2015/16.
- The proportion of homophobic cases recorded as unsuccessful due to victim issues in 2014/15 was 32.9% and 28.7% in 2015/16.
- In relation to defendants in homophobic cases, in 2014/15, 1,040 (84.0%) were men and 198 (15.9%) were women: a disclosure rate of 100.0%. In 2015/16, 1,161 (83.9%) were men and 223 (16.1%), both years reflecting a disclosure rate of 100.0%.¹⁰
- In relation to victims in cases of homophobic hate crime, in 2014/15, 653 (61.4%) were men and 410 (38.6%) were women (with a disclosure rate of 85.0%). In 2015/16, 687 (61.4%) were men and 431 (38.5%) were women (with a disclosure rate of 83.0%).
- The proportion of successfully completed homophobic hate crime prosecutions with an announced and recorded sentence uplift was 13.3% in 2014/15, a figure which increased to 38.0% in 2015/16.

⁹ The term “disclosure rate” refers to the proportion of individuals whose relevant characteristic is known to the CPS.

¹⁰ The term “disclosure rate” refers to the proportion of individuals whose relevant characteristic is known to the CPS.

Table 8 highlights performance in relation to some key indicators in homophobic and transphobic crime over the reporting period.

Table 8: Key Indicators in homophobic and transphobic crime 2014/15 and 2015/16

Indicator	2014/15	2015/16
Police referrals for charging	1,456	1,339
Completed prosecutions	1,277	1,469
Conviction rate	81.2%	83.0%
Guilty pleas	71.3%	73.9%
No conviction; victim issues	31.7%	28.4%
Acquittal after trial	33.3%	34.0%
Sentence uplift	13.5%	37.8%

- In 2014/15, the police referred 1,456 homophobic and transphobic cases to the CPS for decision. This was an increase of 11.4% on the previous year's figure of 1,307. In 2015/16, the number decreased by 8.0% to 1,339. This fall will be explored further with police colleagues and appropriate action identified.
- In 2014/15, the conviction rate for homophobic and transphobic crime was 81.2%. This success rate compares with the combined average for all CPS convictions which stood at 83.5% in 2014/15. In 2015/16, the rate increased to 83.0%.
- In 2014/15, the proportion of successful cases arising from guilty pleas was 71.3% (911) and in 2015/16, the proportion of guilty pleas increased to 73.9%.
- There was an improvement in the number of cases failing due to victim issues. The proportion fell to 31.7% of unsuccessful cases (76) in 2015/16 from 33.8% (74) the year before.
- In 2015/16, the proportion of unsuccessful cases due to acquittal after trial increased slightly from 33.3% (80) in 2014/15 to 34.0% (85).
- The proportion of successfully completed homophobic and transphobic prosecutions with an announced and recorded sentence uplift was 13.5% in 2014/15, an increase from 3.8% the previous year, and there was a significant increase to 37.8% in 2015/16. This result provides an indication of the effect of additional guidance, support and CPS Area commitment to achieving success in this area. Further steps will be taken to support continuing improvement in 2016/17.

Table 9: Completed prosecutions by outcome for homophobic and transphobic offences

	2010-11		2011-12		2012-13		2013-14		2014-15		2015-16	
	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%
Convictions	1,034	80.7%	951	78.7%	885	80.7%	913	80.7%	1,037	81.2%	1,219	83.0%
Unsuccessful	247	19.3%	257	21.3%	211	19.3%	219	19.3%	240	18.8%	250	17.0%
Total	1,281		1,208		1,096		1,132		1,277		1,469	

- As illustrated in Table 9 above, the completed prosecutions in homophobic and transphobic cases continued to increase over the two year period. The figure of 1,277 prosecutions in 2014/15 was a 12.8% increase on the previous year. The 1,469 prosecutions represent a 15.0% increase on the previous year. Since 2010/11, completed prosecutions have increased by 14.7%. Over the same period the trend in conviction rates has increased by 2.3 percentage points.
- The CPS Areas experiencing the greatest increase in the number of completed prosecutions of homophobic and transphobic crime between 2014/15 and 2015/16 were: Thames and Chiltern (59.3%), North East (55.3%) and West Midlands (55.0%).

Case study

In a CPS Mersey-Cheshire case the complainant and others were subjected to homophobic abuse and assault.

The defendant was charged with assault by beating and was subsequently convicted. The sentence would have been a Category 3 offence but the homophobic element increased it to a Category 2 offence i.e. from a fine to a Community Order. The Community Order imposed was for 3 months with a curfew between

Working together

CPS North West held an event in London to promote the third in a series of educational resources aimed at challenging bullying and hate crime in schools. This free resource entitled “Lesbian, Gay, Bisexual and Transgender Hate Crime” was developed by the CPS in partnership with Stonewall, Gendered Intelligence, the Ministry of Justice and other partner organisations. It focuses on the impact of homophobic, biphobic and transphobic bullying and hate crime on victims as well as the potential consequences for victims and witnesses. The resource provides schools with materials and strategies to help them prevent such bullying and hate crime and to respond to it where it occurs. Following the launch, the material was highlighted in the Lord Mayor of London’s action plan to tackle hate crime.

Disability hate crime

Introduction

In 2015/16, the disability hate crime data shows improved performance in respect of the number of police referrals, the number of completed prosecutions and the number of convictions providing encouraging evidence of the impact of recent efforts on the part of the CPS and police. The CPS does however acknowledge the need to improve its performance in respect of the conviction rate and sentence uplift.

Community confidence is vital to ongoing efforts to increase reporting of hate crime and minimise its impact. This is especially important in respect of disability hate crime where reporting is historically low. The CPS benefits from a strong relationship with communities affected by disability hate crime as a result of a combination of structured engagement and transparent performance and hopes that, together with an improved conviction rate, community confidence will continue to grow. In turn, it is hoped that this will provide an environment in which increased numbers of those affected by hate crime will feel able to report.

CPS activity specific to this strand

- The Disability Hate Crime Action Plan (2011/14) was central to the CPS response to the *Joint Inspection of the Handling of Disability Hate Crime* across the police, prosecution and probation services. The plan's concluding report (July 2014) underlined examples of positive Area practice in support of effective prosecution practice in particular the value of:
 - leadership;
 - the positive contribution made by live case review and data accuracy checks in support of quality decision-making and positive outcomes;
 - case file scrutiny in supporting lessons learned and regular police liaison; and
 - the focus on the victim's perspective.

Case study

In a CPS Mersey-Cheshire case, the defendant and victim had known each other for the previous twelve months. They worked in the same industry and had on occasion worked on the same jobs. The victim has a speech impediment and physical disabilities arising from an accident in childhood.

The defendant set up a number of Facebook group pages which attracted a large number of followers and interest from co-workers. On these pages, he posted a number of photo-shopped images of the victim which were abusive and upsetting to the victim. He also posted a number of abusive and insulting comments. On separate occasions, the defendant also made abusive phone calls to the victim.

The CPS prosecuted this case as a disability hate crime. The defendant was charged with harassment without violence and pleaded guilty to two counts of harassment. The custodial sentence announced by the court was extended from four weeks to six weeks as a result of the disability aggravation.

In a Victim Personal Statement to the court, the victim said that the abuse was destroying his life and affecting his relationship and reported that the abuse had stopped him going out.

- In May 2014, the Joint Inspection follow-up report into disability hate crime highlighted continued weaknesses in all criminal justice agencies' responses to tackle performance on disability hate crime. In response, a further Disability Hate Crime Action Plan (October 2014) committed the CPS to a number of key activities which have been carried out: the Hate Crime Assurance Scheme has been successfully introduced; mandated training has been delivered to CPS prosecutors; the Minimum Standards have been revised and updated and reference material has been provided to prosecutors. The work of a National Scrutiny Panel on disability continues to support the development of updated policy and legal guidance.
- Treasury Counsel's advice was sought on the ambit of section 146 Criminal Justice Act 2003 and the CPS legal guidance was amended accordingly.
- A disability hate crime training package for prosecutors, mandated as face-to-face training, was delivered across the CPS between September 2015 and January 2016. The training incorporated the victim's perspective and included key data and relevant research. A scenario-based exercise provided an opportunity to examine disability hostility before case studies focused on the evidential base for sentence uplift. Delegate learning from the course will be incorporated into an aide-memoire for prosecutors.
- A guide relating to specific consideration of cases involving people with autism as victims, witnesses or defendants was developed and made available to prosecutors. Developed in CPS North West with the input of a leading campaigner and academic on the subject, the guide highlights essential considerations for the prosecutor and signposts external links to valuable resources.

CPS engagement with partners specific to this strand

- A National Scrutiny Panel on disability hostility was first convened in December 2014 and met on three further occasions the most recent of which was in March 2016. Building on the work of CPS Area Local Scrutiny and Involvement Panels in engaging with local community expertise, the National Scrutiny Panel discussed the concept of disability hostility as experienced by the victims of crime and contributed to the CPS decision to seek Counsel's opinion on the ambit of s.146 as detailed above. The National Scrutiny Panel has more recently explored the nature of offending and the gender profile of offenders providing confirmation that disability hostility has unique features and has contributed generously to the development of a public policy statement on crimes against disabled people.
- The CPS presented a session relating to reporting of disability hate crime to the Department for Work and Pension "Fulfilling Potential Forum". Forum members have been invited to contribute to the consultation on the public policy statement on crimes against disabled people.
- The CPS was represented by the Hate Crime Champion at a Ministerial Roundtable on disability hate crime in October 2015. The meeting provided a positive focus for discussion of existing challenges and identification of potential solutions.

Next steps

The CPS will:

- consult publicly in relation to a new public policy statement on crimes against disabled people with a view to publication in the December 2016. Once finalised, the policy statement will provide an essential framework for the consideration of all crimes against disabled people and will be used to further refresh the legal guidance on disability hate crime;
- develop, with the assistance of the NPCC, HMCTS and Citizens Advice, a statement on the support available to disabled victims and witnesses from initial reporting of an incident to the completion of any criminal proceedings;
- identify and execute further work necessary to address the relatively low conviction rate for disability hate crime which stood at 75.5% in 2014/15 and 75.1% in 2015/16 compared to the overall hate crime conviction rate of 82.9% and 83.2% respectively; and
- identify further steps to sustain the continuing improvement of the recording of announced sentence uplift in 2016/17.

Data

Table 10 highlights key indicators in relation to disability hate crime over the reporting period.

Table 10: Key indicators in disability hate crime 2014/15 and 2015/16

Indicator	2014/15	2015/16
Police referrals for charging	849	930
Completed prosecutions	666	941
Conviction rate	75.5%	75.1%
Guilty pleas	66.1%	63.4%
No conviction, victim issues	27.6%	25.2%
Acquittal after trial	35.6%	31.2%
Sentence uplift	5.4%	11.9%

- The volume of cases referred to the CPS by the police for a charging decision increased from 849 in 2014/15 to 930 in 2015/16, an increase of 9.5%.
- Although the number of convictions increased over the reporting period from 503 in 2014/15 to 707 last year, an increase of 40.6%, the conviction rate remained broadly consistent over the period at 75.1%. Work will be done, via the Hate Crime Assurance Scheme and an assessment of unsuccessful cases, to identify reasons for this and to identify measures for improving performance.

- The proportion of successful outcomes arising from guilty pleas was 66.1% in 2014/15 and fell slightly to 63.4% in 2015/16.
- The proportion of cases failing due to victim issues increased in 2014/15 to 27.6% (45) from 17.3% (18) the previous year. In 2015/16, the proportion of unsuccessful cases affected by victim issues improved to 25.2%.
- In 2014/15, the proportion of unsuccessful cases due to acquittal after trial improved to 35.6% (58). In 2015/16, this improvement continued to 31.2% (73) of all unsuccessful cases.
- The proportion of successfully completed prosecutions with an announced and recorded sentence uplift was 5.4% in 2014/15, an increase from 0.6% the previous year. In 2015/16, that figure had increased again to 11.9%. Whilst this result is encouraging, the figure remains considerably lower than that for other hate crime strands and steps to sustain continuing improvement will be identified via the Hate Crime Assurance Scheme. Work will also be undertaken with the courts to ensure consistent application of sentence uplifts.

Table 11 below shows how, since 2010/11, the total number of completed prosecutions has been on an upward trend. Over the two reporting years, much has been done by the CPS and police, locally and nationally, to enhance awareness of disability hate crime in order to increase reporting as well as improving the identification of cases by proactive investigation based on common understandings and approaches. The CPS, the NPCC and the College of Policing will continue to work to this agenda, starting with new guidance for those affected by hate crime and their advisers as to what constitutes a hate crime and what to do about it.

Table 11: Completed prosecutions by outcome

	2010-11		2011-12		2012-13		2013-14		2014-15		2015-16	
	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%
Convictions	579	79.8%	480	77.3%	494	77.2%	470	81.9%	503	75.5%	707	75.1%
Unsuccessful	147	20.2%	141	22.7%	146	22.8%	104	18.1%	163	24.5%	234	24.9%
Total	726		621		640		574		666		941	

- As illustrated in Table 11 above, the number of completed prosecutions increased in 2014/15 by 16.0%. This improvement was repeated in 2015/16 when the number of completed prosecutions increased by 41.3%. This relates in part to the increase in referrals from the police and also evidences the impact of the measures taken, by the CPS, to improve performance such as the provision of updated legal guidance, strand specific mandated training and the benefits brought by the Hate Crime Assurance Scheme.
- All 13 CPS Areas saw an increase in the number of completed disability hate crime prosecutions in 2015/16. Compared with 2014/15, the CPS Areas with the largest increases in disability hate crime

prosecutions in 2015/16 were Yorkshire & Humberside (108.5%), Thames and Chiltern (94.1%) and Wessex (93.1%).

Table 12: Principal offence category for each hate crime strand

Principal Offence Category	Disability		Homophobic and Transphobic		Racially and Religiously Aggravated	
	2014/15	2015/16	2014/15	2015/16	2014/15	2015/16
Homicide	0.8%	0.6%	0.0%	0.0%	0.0%	0.1%
Offences against person	44.2%	48.0%	54.0%	59.2%	53.7%	76.4%
Sexual offences	4.9%	3.6%	1.3%	1.3%	0.3%	0.3%
Burglary	7.7%	8.7%	0.4%	0.3%	0.5%	0.3%
Robbery	9.6%	6.7%	1.9%	1.1%	0.7%	0.6%
Theft & handling	11.3%	12.1%	2.1%	1.7%	3.3%	1.7%
Fraud & forgery	6.1%	6.4%	0.1%	0.1%	0.1%	0.1%
Criminal damage	3.1%	2.9%	4.4%	3.9%	4.3%	3.3%
Drugs offences	0.9%	0.4%	1.7%	1.2%	1.1%	0.6%
Public order offences	8.5%	9.3%	30.3%	29.8%	31.4%	15.1%

- At the end of a prosecution, cases are allocated a principal offence category (see Table 12 above) to indicate the type and seriousness of the charges brought. Offences against the person remained the most common representing 44.2% of all disability hate crime prosecutions in 2014/15 and 48.0% in 2015/16. Overall, there was a more significant range of offence categories represented within disability hate crime prosecutions than for any other strand of hate crime - perhaps reflecting the exploitative nature of some disability hate crime. This aspect of disability hostility was explored with the assistance of the National Scrutiny Panel on disability hostility and forms an essential element of the crimes against disabled people public policy statement that is currently in development.
- In 2015/16, most defendants in disability hate crime cases were men (75.3%), but there were a significantly higher proportion of women (24.5%) compared to other strands of hate crime (17.1% in racially and religiously aggravated hate crime and 16.5% in homophobic and transphobic hate crime). Most defendants were White British (72.1%) and those aged 25-59 accounted for 64.5% and a further 19.6% were 18-24. Of interest is the fact that the proportion of both 10-13 year olds and 14-17 year olds involved as defendants has declined from 4.9% and 23.5% respectively in 2007/08 to 1.3% and 9.6% in 2015/16.

Case study

In a CPS North West case, the defendant was the carer of the complainant. The complainant required 24 hour care in relation to cooking and washing and made extensive use of her iPad as an aid to communication.

The iPad was reported missing and, when asked about it by her line manager, the defendant denied all knowledge of its whereabouts. However, using its in-built technology, the complainant was able to trace the iPad to the defendant's home address. The defendant's explanation was not credible, first denying all knowledge and then contradicting herself and finally claiming that she had simply swept it up amongst a number of other items. She claimed to have only realised three days after the visit but then took a further week to do anything about it. When returned, it was discovered that many personal photographs had been removed by the defendant.

The defendant was convicted of theft and sentenced to 12 weeks imprisonment uplifted in view of the disability aggravation to 16 weeks suspended for 12 months. In addition, she was ordered to pay costs of £350 and compensation of £150.

Working together

CPS North East has been working with Durham Police; Safer Durham Community Safety Partnership; Safer Darlington Community Safety Partnership; and local voluntary organisation Community Hands, to raise awareness of disability hate crime and to increase the confidence to report it. One focus of this partnership work has been the production of a presentation which can be provided to disability groups. A central consideration in preparing the presentation was to ensure that community groups could make use of it at their own meetings and events rather than attending specific police and CPS sessions. In this way, the initiative aims to reach more individuals and their carers across all strands of disability. A “Train the Trainer” session will be held and extensive notes for trainers will be provided. The material has been piloted with people with learning disabilities and it is hoped that the sessions will commence from September 2016.

Stirring up hatred

Introduction

Hate crime focuses on hostility or prejudice against specific sections of society. Hostility carries the ordinary, everyday meaning of the word and its dictionary definition captures ill-will, unfriendliness, spite, ill-feeling, contempt, prejudice, resentment, dislike and hatred. However, the public order offences of “stirring up hatred” focus on hatred itself and the intention or likely effect of the offence in question.

The number of cases brought is much lower than for other offences covered in this report. This is due to higher evidential thresholds and the need to consider an individual’s right to freedom of expression. It is essential in a free, democratic and tolerant society that people are able to exchange views, even when offence may be caused. However, the CPS must also balance the rights of an individual to freedom of speech and expression against the duty of the state to act proportionately in the interests of public safety, to prevent disorder and crime, and to protect the rights of others.

Potential cases are referred to the Special Crime and Counter Terrorism Division by CPS Areas in line with the CPS Legal Guidance on Prosecuting Cases of Racist or Religious Crime and on Stirring up Hatred on the Grounds of Sexual Orientation. Prosecution of these offences requires the consent of the Attorney General.

Public concern relating to these cases has risen in recent times following the spike in hostility experienced and reported following incidents of domestic or international terrorism such as occurred in Paris and Copenhagen. Both third party reporting agencies, Tell MAMA and the Community Security Trust have noted increased levels of hate crime incidents immediately following such events.

CPS activity and engagement with partners

Feedback from Local Scrutiny and Involvement Panels, as well as the National Scrutiny Panel on religiously aggravated crime, highlighted the need for clarity of guidance relating to stirring up hatred cases. The CPS guidance was therefore updated in September 2015.

Next Steps

The CPS will:

- draw up a communications strategy, incorporating all strands covered by this report, ensuring appropriate focus on stirring up hatred;
- consolidate recording methods in support of transparency and community confidence; and
- hold a National Scrutiny Panel discussion around hate crime and extremism to provide reassurance and increase community confidence.

Case study

In a CPS East Midlands case, the defendant started a thread on his Facebook profile about the risks to Sikh girls should they go out with men from the Muslim community. Approximately 40 people participated in the Facebook conversation over a period of about six hours. Some of the people who joined the thread expressed a willingness to use violence against Muslims and others expressed concerns that the content would cause division. Over the course of these exchanges, the defendant and two other men's postings were of such a nature as to incite religious hatred and were threatening in content.

The conversation appears to have led to the creation of a dummy Facebook profile created for a 15 or 16-year-old Sikh girl. The intention was that when Muslim men interacted with the profile they would be challenged about their behaviour. However, what in fact happened, was that two Sikh men interacted with the Facebook profile. One of these men was followed, threatened, and humiliated at work.

It became clear from extensive communications data found by the police that a plan had been hatched to attack this man with weapons. The second victim set up a meeting with the Facebook user, whom he thought was a girl, but was targeted and attacked by two of the original defendants and a further man who used nunchucks and an imitation firearm. An arsenal of over 100 hand held weapons, nunchucks, knives, stun guns, knuckle dusters and batons were later found at the fourth defendant's address.

The first three defendants pleaded guilty to publishing material intended to stir up religious hatred, contrary to section 29C of the Public Order Act 1986 and were sentenced to 15 months' imprisonment, 18 months' imprisonment and 15 months' imprisonment respectively.

All defendants were charged and pleaded guilty to a range of charges relating to the assaults and weapons and were sentenced to terms of imprisonment.

Data

- There was one prosecution in 2014/15 for publishing or distributing written material intended to stir up religious hatred. The defendants pleaded guilty and received between 15 and 18 months detention.
- There was one prosecution in 2015/16 for publishing written material intending to stir up racial hatred. The defendant was found guilty and sentenced to a term of imprisonment of 3 years and 4 months.

Crimes against older people

Introduction

There is no statutory definition of a crime against an older person (CAOP) and no specific legislation. Sections 145 and 146 of the Criminal Justice Act 2003, which provide for a sentencing uplift in cases of racist and religious crime, homophobic and transphobic crime and disability hate crime, do not apply to crimes against an older person unless the crime also falls into one of these other categories. Sentencing guidelines do however invite courts to increase the sentence for offences against older people on the basis that their perceived vulnerability is an aggravating factor increasing the seriousness of the crime.

The CPS engages the sentencing guidelines in all applicable cases and applies a CAOP flag on the CPS digital case management system to crimes in the following circumstances to allow for identification of cases:

- where there is a relationship and an expectation of trust e.g. assault/theft by a carer or family member;
- where the offence is specifically targeted at the old person because they are perceived as being vulnerable or an 'easy target' e.g. a distraction burglary or a mugging;
- where the offence is not initially related to the older person's age but later becomes so e.g. a burglary where the burglar does not know the age of the householder but later exploits the situation on discovering that the householder is an older person;
- where offences appear to be in part, or wholly motivated by hostility based on age, or perceived age e.g. an assault, harassment or antisocial behaviour involving derogatory statements associated with the victim's age; or
- where an offender deliberately targets an older person because of his/her hostility towards older people.

The CPS recognises the range of criminal behaviours to which older people can be exposed. The CPS has been engaged in discussions that will help inform the work of a National Scrutiny Panel intended to revise the policy and legal guidance before the end of March 2017.

CPS activity specific to this strand

There were a number of developments over the year relating to both policy and the law which have impacted on the lives of older people. Of central interest was the introduction of the Care Act 2014, which

Case study

In a CPS East of England case, a gang of rogue traders who defrauded older people in Essex out of almost £1million were sentenced to a total of nearly 30 years in jail.

The men targeted elderly and vulnerable people charging them large sums of money for building and gardening work which was unnecessary, not completed or substandard, or a combination of all three.

Many of the victims did not realise the activity was fraudulent and in fact thought that the gang were being kind to them.

came into effect on 1 April 2015. The Act replaced the statutory guidance on safeguarding adults from abuse and neglect, *No Secrets*, with new guidance Care and Support Statutory guidance issued by the Department of Health. Against this background, a number of discussions have taken place to consider the CAOP policy and legal guidance and its overlap with practice within the wider criminal justice sector and beyond into social care.

Next steps

The CPS will:

- convene a National Scrutiny Panel to assist in re-drafting the public policy statement on CAOP. There will be a public consultation in relation to the policy statement and, once settled, the accompanying legal guidance will be updated. This work is scheduled to be completed by the end of March 2017;
- consult relevant partners as to how it can improve its knowledge of, and response to, criminality against, or concerning older people; and
- consider relevant measures to provide appropriate and consistent support to the victims of crimes against older people.

Data

Table 13 highlights key indicators in relation to crimes against older people over 2014/15 and 2015/16.

Table 13: Key indicators in crimes against older people in 2014/15 and 2015/16

Indicator	2014/15	2015/16
Police referrals for charging	4,305	3,568
Completed prosecutions	3,693	3,759
Conviction rate	80.8%	80.1%
Guilty pleas	73.7%	72.5%
No conviction: victim issues	24.2%	21.8%
Acquittal after trial	23.0%	25.0%

- In 2014/15, the number of cases referred to the CPS by the police and flagged on its digital case management system by the CPS as a CAOP increased by 29.8% from 3,317 in 2013/14 to 4,305. In 2015/16, the number of cases referred by the police and flagged by the CPS as a CAOP fell by 17.1% to 3,568 from the previous year.
- The number of completed prosecutions increased to 3,759 from 3,693 in 2014/15, an increase of 1.8%.

- The number of convictions increased over the reporting period from 2,983 in 2014/15 to 3,012 in 2015/16 whilst the conviction rate remained broadly consistent over the two years. More work will be done to identify measures for improving performance.
- In 2014/15, the number of guilty pleas was 2,720. This increased slightly in 2015/16 to 2,725. The proportion of successful outcomes arising from guilty pleas has fallen slightly over the two year period from 73.7% to 72.5%.
- The proportion of cases failing due to victim issues has increased since 2014/15 when it was 24.2% (172) to 21.8% (163) in 2015/16.
- In 2014/15, the proportion of unsuccessful cases due to acquittal after trial was 23.0% (163). In 2015/16, this figure increased to 25.0% (187) of all unsuccessful cases.

Table 14: Completed prosecutions by outcome for crimes against older people

	2010-11		2011-12		2012-13		2013-14		2014-15		2015-16	
	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%
Convictions	2,259	80.0%	2,332	81.3%	2,340	81.1%	2,369	81.1%	2,983	80.8%	3,012	80.1%
Unsuccessful	563	20.0%	535	18.7%	546	18.9%	553	18.9%	710	19.2%	747	19.9%
Total	2,822		2,867		2,886		2,922		3,693		3,759	

- The number of completed prosecutions increased from 3,693 in 2014/15 to 3,759 last year, an increase of 1.8%. Since 2010/11, completed prosecutions increased by 33.2%, whilst the conviction rate remained stable.
- 77.8% of defendants in completed prosecutions were men in 2015/16. Since 2010/11, the total number of male defendants has risen from 2,154 to 2,924.
- Recording of victim gender has increased very slightly from 80.9% of all victims in 2014/15 to 81.0% in 2015/16. As a result of improvements in both the identification of crimes against older people and the accuracy of recording, the CPS has enhanced its understanding of these crimes. The CPS now knows that the proportion of women victims is 47.0% with men identified as the victim in 34.0% of cases. In 2014/15, these figures had been 45.6% and 35.3% respectively. The challenge remains to identify not only the gender of all victims but other personal characteristics as defined under the Equality Act 2010 in order to improve the CPS understanding of this crime and its services to its victims.

At the end of a prosecution, cases are allocated a principal offence category to indicate the type and seriousness of the charges brought. Table 15 below shows the offence categories for COAP.

Table 15: Principal offence categories for crimes against older people

Principal Offence Category	2012/13	2013/14	2014/15	2015/16
Homicide	1.2%	1.1%	1.0%	1.0%
Offences against person	23.4%	27.4%	28.4%	31.3%
Sexual offences	1.2%	1.9%	1.6%	1.3%
Burglary	24.5%	21.7%	20.9%	20.4%
Robbery	7.5%	7.7%	6.5%	7.3%
Theft & handling	18.5%	17.1%	17.8%	16.8%
Fraud & forgery	14.5%	12.3%	13.0%	15.1%
Criminal damage	3.1%	3.8%	4.2%	3.1%
Drugs offences	0.8%	1.1%	0.7%	0.7%
Public order offences	2.3%	1.8%	2.3%	1.5%

- The proportion of cases categorised as Offences against the Person increased over 2015/16 but of note is the persistent focus on acquisitive crime with an emphasis on financial gain.

- The CPS Areas recording the highest increase in CAOP prosecutions between 2014/15 and 2015/16 were: Thames and Chiltern (22.8%), South West (19.2%) and East of England (14.1%).

Case study

In a CPS North West case, three care workers were sentenced to a total of seven years and six months for abusing 11 elderly residents at a nursing home.

All three pleaded guilty to ill-treatment of a person without capacity. One was additionally found guilty of sexual assault after a trial.

The Crown's case was that the defendants physically, verbally and emotionally abused vulnerable men and women for their own amusement.

Cases involving the abuse of vulnerable people, who are often unable to give evidence against the perpetrators themselves, are extremely difficult to prove and it is due to the willingness of the witnesses in coming forward in this case which brought an end to the abuse and enabled the CPS to bring the defendants to justice.

Annex A: prosecutions by CPS Area (2014/15)

All Hate Crime	CPS Prosecutions 2014 - 15				
	Convictions		Unsuccessful		Total
	Volume	%	Volume	%	
42 AREAS	12,220	82.9%	2,518	17.1%	14,738
Cymru Wales	650	81.7%	146	18.3%	796
Dyfed Powys	36	72.0%	14	28.0%	50
Gwent	81	83.5%	16	16.5%	97
North Wales	156	89.7%	18	10.3%	174
South Wales	377	79.4%	98	20.6%	475
East of England	628	86.7%	96	13.3%	724
Cambridgeshire	91	83.5%	18	16.5%	109
Essex	240	86.3%	38	13.7%	278
Norfolk	176	88.4%	23	11.6%	199
Suffolk	121	87.7%	17	12.3%	138
East Midlands	925	83.6%	182	16.4%	1,107
Derbyshire	177	81.9%	39	18.1%	216
Leicestershire	293	87.5%	42	12.5%	335
Lincolnshire	63	81.8%	14	18.2%	77
Northamptonshire	142	78.9%	38	21.1%	180
Nottinghamshire	250	83.6%	49	16.4%	299
London	2,676	79.4%	693	20.6%	3,369
Merseyside & Cheshire	711	84.0%	135	16.0%	846
Cheshire	218	86.9%	33	13.1%	251
Merseyside	493	82.9%	102	17.1%	595
North East	536	78.8%	144	21.2%	680
Cleveland	122	75.3%	40	24.7%	162
Durham	88	86.3%	14	13.7%	102
Northumbria	326	78.4%	90	21.6%	416
North West	1320	87.3%	192	12.7%	1,512
Cumbria	91	91.9%	8	8.1%	99
Greater Manchester	830	89.1%	102	10.9%	932
Lancashire	399	83.0%	82	17.0%	481
South East	697	83.1%	142	16.9%	839
Kent	234	81.8%	52	18.2%	286
Surrey	163	76.9%	49	23.1%	212
Sussex	300	88.0%	41	12.0%	341
South West	599	83.0%	123	17.0%	722
Avon & Somerset	344	84.7%	62	15.3%	406
Devon and Cornwall	173	79.7%	44	20.3%	217
Gloucestershire	82	82.8%	17	17.2%	99
Thames and Chiltern	777	82.1%	169	17.9%	946
Bedfordshire	83	73.5%	30	26.5%	113
Hertfordshire	239	86.3%	38	13.7%	277
Thames Valley	455	81.8%	101	18.2%	556
Wessex	516	83.8%	100	16.2%	616
Dorset	81	88.0%	11	12.0%	92
Hampshire & IOW	360	81.6%	81	18.4%	441
Wiltshire	75	90.4%	8	9.6%	83
West Midlands	1180	84.1%	223	15.9%	1,403
Staffordshire	166	83.8%	32	16.2%	198

Warwickshire	69	86.3%	11	13.8%	80
West Mercia	143	88.8%	18	11.2%	161
West Midlands	802	83.2%	162	16.8%	964
Yorkshire & Humberside	1005	85.3%	173	14.7%	1,178
Humberside	149	90.3%	16	9.7%	165
North Yorkshire	80	88.9%	10	11.1%	90
South Yorkshire	213	86.6%	33	13.4%	246
West Yorkshire	563	83.2%	114	16.8%	677

Racially and religiously aggravated crime	CPS Prosecutions 2014 - 15				
	Convictions		Unsuccessful		Total
	Volume	%	Volume	%	
42 AREAS	10,680	83.5%	2,115	16.5%	12,795
Cymru Wales	529	84.6%	96	15.4%	625
Dyfed Powys	29	78.4%	8	21.6%	37
Gwent	70	88.6%	9	11.4%	79
North Wales	116	92.1%	10	7.9%	126
South Wales	314	82.0%	69	18.0%	383
Eastern	526	86.5%	82	13.5%	608
Cambridgeshire	73	82.0%	16	18.0%	89
Essex	204	85.7%	34	14.3%	238
Norfolk	155	90.1%	17	9.9%	172
Suffolk	94	86.2%	15	13.8%	109
East Midlands	800	84.3%	149	15.7%	949
Derbyshire	153	81.8%	34	18.2%	187
Leicestershire	263	89.8%	30	10.2%	293
Lincolnshire	49	79.0%	13	21.0%	62
Northamptonshire	123	80.9%	29	19.1%	152
Nottinghamshire	212	83.1%	43	16.9%	255
London	2473	80.1%	616	19.9%	3,089
Merseyside & Cheshire	562	83.6%	110	16.4%	672
Cheshire	177	87.6%	25	12.4%	202
Merseyside	385	81.9%	85	18.1%	470
North East	466	79.5%	120	20.5%	586
Cleveland	109	77.3%	32	22.7%	141
Durham	69	85.2%	12	14.8%	81
Northumbria	288	79.1%	76	20.9%	364
North West	1136	89.1%	139	10.9%	1,275
Cumbria	69	94.5%	4	5.5%	73
Greater Manchester	723	90.0%	80	10.0%	803
Lancashire	344	86.2%	55	13.8%	399
South East	587	82.6%	124	17.4%	711
Kent	200	81.0%	47	19.0%	247
Surrey	151	77.8%	43	22.2%	194
Sussex	236	87.4%	34	12.6%	270
South West	506	83.4%	101	16.6%	607
Avon & Somerset	295	85.5%	50	14.5%	345
Devon and Cornwall	149	79.7%	38	20.3%	187
Gloucestershire	62	82.7%	13	17.3%	75
Thames and Chiltern	714	83.2%	144	16.8%	858
Bedfordshire	81	75.7%	26	24.3%	107
Hertfordshire	219	87.3%	32	12.7%	251
Thames Valley	414	82.8%	86	17.2%	500

Wessex	454	85.5%	77	14.5%	531
Dorset	71	89.9%	8	10.1%	79
Hampshire & IOW	312	83.2%	63	16.8%	375
Wiltshire	71	92.2%	6	7.8%	77
West Midlands	1043	83.6%	204	16.4%	1,247
Staffordshire	145	83.8%	28	16.2%	173
Warwickshire	60	85.7%	10	14.3%	70
West Mercia	118	88.7%	15	11.3%	133
West Midlands	720	82.7%	151	17.3%	871
Yorkshire & Humberside	884	85.2%	153	14.8%	1,037
Humberside	122	88.4%	16	11.6%	138
North Yorkshire	70	92.1%	6	7.9%	76
South Yorkshire	192	87.7%	27	12.3%	219
West Yorkshire	500	82.8%	104	17.2%	604

Homophobic and transphobic crime	CPS Prosecutions 2014 - 15				
	Convictions		Unsuccessful		TOTAL
	Vol	%	Vol	%	
42 AREAS	1,037	81.2%	240	18.8%	1,277
Cymru Wales	81	74.3%	28	25.7%	109
Dyfed Powys	4	57.1%	3	42.9%	7
Gwent	6	50.0%	6	50.0%	12
North Wales	22	84.6%	4	15.4%	26
South Wales	49	76.6%	15	23.4%	64
Eastern	61	85.9%	10	14.1%	71
Cambridgeshire	7	100.0%	0	0.0%	7
Essex	23	88.5%	3	11.5%	26
Norfolk	14	73.7%	5	26.3%	19
Suffolk	17	89.5%	2	10.5%	19
East Midlands	94	87.9%	13	12.1%	107
Derbyshire	17	100.0%	0	0.0%	17
Leicestershire	22	81.5%	5	18.5%	27
Lincolnshire	10	90.9%	1	9.1%	11
Northamptonshire	14	82.4%	3	17.6%	17
Nottinghamshire	31	88.6%	4	11.4%	35
London	148	77.5%	43	22.5%	191
Merseyside & Cheshire	110	85.3%	19	14.7%	129
Cheshire	27	81.8%	6	18.2%	33
Merseyside	83	86.5%	13	13.5%	96
North East	33	70.2%	14	29.8%	47
Cleveland	7	58.3%	5	41.7%	12
Durham	8	88.9%	1	11.1%	9
Northumbria	18	69.2%	8	30.8%	26
North West	109	79.0%	29	21.0%	138
Cumbria	13	92.9%	1	7.1%	14
Greater Manchester	64	87.7%	9	12.3%	73
Lancashire	32	62.7%	19	37.3%	51
South East	87	88.8%	11	11.2%	98
Kent	20	100.0%	0	0.0%	20
Surrey	10	66.7%	5	33.3%	15
Sussex	57	90.5%	6	9.5%	63
South West	59	81.9%	13	18.1%	72
Avon & Somerset	32	78.0%	9	22.0%	41

Devon and Cornwall	15	88.2%	2	11.8%	17
Gloucestershire	12	85.7%	2	14.3%	14
Thames and Chiltern	40	74.1%	14	25.9%	54
Bedfordshire	2	50.0%	2	50.0%	4
Hertfordshire	11	73.3%	4	26.7%	15
Thames Valley	27	77.1%	8	22.9%	35
Wessex	41	73.2%	15	26.8%	56
Dorset	4	80.0%	1	20.0%	5
Hampshire & IOW	35	74.5%	12	25.5%	47
Wiltshire	2	50.0%	2	50.0%	4
West Midlands	96	86.5%	15	13.5%	111
Staffordshire	11	78.6%	3	21.4%	14
Warwickshire	3	75.0%	1	25.0%	4
West Mercia	19	86.4%	3	13.6%	22
West Midlands	63	88.7%	8	11.3%	71
Yorkshire & Humberside	78	83.0%	16	17.0%	94
Humberside	18	100.0%	0	0.0%	18
North Yorkshire	6	66.7%	3	33.3%	9
South Yorkshire	13	72.2%	5	27.8%	18
West Yorkshire	41	83.7%	8	16.3%	49

Disability Hostility Crime	CPS Prosecutions 2014 - 15				
	Convictions		Unsuccessful		TOTAL
	Vol	%	Vol	%	
42 AREAS	503	75.5%	163	24.5%	666
Cymru Wales	40	64.5%	22	35.5%	62
Dyfed Powys	3	50.0%	3	50.0%	6
Gwent	5	83.3%	1	16.7%	6
North Wales	18	81.8%	4	18.2%	22
South Wales	14	50.0%	14	50.0%	28
Eastern	41	91.1%	4	8.9%	45
Cambridgeshire	11	84.6%	2	15.4%	13
Essex	13	92.9%	1	7.1%	14
Norfolk	7	87.5%	1	12.5%	8
Suffolk	10	100.0%	0	0.0%	10
East Midlands	31	60.8%	20	39.2%	51
Derbyshire	7	58.3%	5	41.7%	12
Leicestershire	8	53.3%	7	46.7%	15
Lincolnshire	4	100.0%	0	0.0%	4
Northamptonshire	5	45.5%	6	54.5%	11
Nottinghamshire	7	77.8%	2	22.2%	9
London	55	61.8%	34	38.2%	89
Merseyside & Cheshire	39	86.7%	6	13.3%	45
Cheshire	14	87.5%	2	12.5%	16
Merseyside	25	86.2%	4	13.8%	29
North East	37	78.7%	10	21.3%	47
Cleveland	6	66.7%	3	33.3%	9
Durham	11	91.7%	1	8.3%	12
Northumbria	20	76.9%	6	23.1%	26
North West	75	75.8%	24	24.2%	99
Cumbria	9	75.0%	3	25.0%	12
Greater Manchester	43	76.8%	13	23.2%	56
Lancashire	23	74.2%	8	25.8%	31

South East	23	76.7%	7	23.3%	30
Kent	14	73.7%	5	26.3%	19
Surrey	2	66.7%	1	33.3%	3
Sussex	7	87.5%	1	12.5%	8
South West	34	79.1%	9	20.9%	43
Avon & Somerset	17	85.0%	3	15.0%	20
Devon and Cornwall	9	69.2%	4	30.8%	13
Gloucestershire	8	80.0%	2	20.0%	10
Thames and Chiltern	23	67.6%	11	32.4%	34
Bedfordshire	0	0.0%	2	100.0%	2
Hertfordshire	9	81.8%	2	18.2%	11
Thames Valley	14	66.7%	7	33.3%	21
Wessex	21	72.4%	8	27.6%	29
Dorset	6	75.0%	2	25.0%	8
Hampshire & IOW	13	68.4%	6	31.6%	19
Wiltshire	2	100.0%	0	0.0%	2
West Midlands	41	91.1%	4	8.9%	45
Staffordshire	10	90.9%	1	9.1%	11
Warwickshire	6	100.0%	0	0.0%	6
West Mercia	6	100.0%	0	0.0%	6
West Midlands	19	86.4%	3	13.6%	22
Yorkshire & Humberside	43	91.5%	4	8.5%	47
Humberside	9	100.0%	0	0.0%	9
North Yorkshire	4	80.0%	1	20.0%	5
South Yorkshire	8	88.9%	1	11.1%	9
West Yorkshire	22	91.7%	2	8.3%	24

Crimes against older people	CPS Prosecutions 2014 - 15				
	Convictions		Unsuccessful		TOTAL
	Vol	%	Vol	%	
42 AREAS	2,983	80.8%	710	19.2%	3,693
Cymru Wales	250	86.8%	38	13.2%	288
Dyfed Powys	21	70.0%	9	30.0%	30
Gwent	29	90.6%	3	9.4%	32
North Wales	70	89.7%	8	10.3%	78
South Wales	130	87.8%	18	12.2%	148
Eastern	153	79.7%	39	20.3%	192
Cambridgeshire	33	82.5%	7	17.5%	40
Essex	56	76.7%	17	23.3%	73
Norfolk	24	77.4%	7	22.6%	31
Suffolk	40	83.3%	8	16.7%	48
East Midlands	209	83.6%	41	16.4%	250
Derbyshire	53	81.5%	12	18.5%	65
Leicestershire	57	83.8%	11	16.2%	68
Lincolnshire	19	90.5%	2	9.5%	21
Northamptonshire	25	71.4%	10	28.6%	35
Nottinghamshire	55	90.2%	6	9.8%	61
London	363	73.9%	128	26.1%	491
Merseyside & Cheshire	180	83.3%	36	16.7%	216
Cheshire	65	83.3%	13	16.7%	78
Merseyside	115	83.3%	23	16.7%	138
North East	168	76.0%	53	24.0%	221
Cleveland	45	77.6%	13	22.4%	58

Durham	40	74.1%	14	25.9%	54
Northumbria	83	76.1%	26	23.9%	109
North West	337	84.9%	60	15.1%	397
Cumbria	18	90.0%	2	10.0%	20
Greater Manchester	183	86.3%	29	13.7%	212
Lancashire	136	82.4%	29	17.6%	165
South East	213	78.0%	60	22.0%	273
Kent	105	78.9%	28	21.1%	133
Surrey	52	68.4%	24	31.6%	76
Sussex	56	87.5%	8	12.5%	64
South West	138	75.8%	44	24.2%	182
Avon & Somerset	59	77.6%	17	22.4%	76
Devon and Cornwall	61	76.3%	19	23.8%	80
Gloucestershire	18	69.2%	8	30.8%	26
Thames and Chiltern	199	88.8%	25	11.2%	224
Bedfordshire	33	86.8%	5	13.2%	38
Hertfordshire	66	90.4%	7	9.6%	73
Thames Valley	100	88.5%	13	11.5%	113
Wessex	151	78.6%	41	21.4%	192
Dorset	44	84.6%	8	15.4%	52
Hampshire & IOW	86	74.8%	29	25.2%	115
Wiltshire	21	84.0%	4	16.0%	25
West Midlands	299	76.9%	90	23.1%	389
Staffordshire	48	68.6%	22	31.4%	70
Warwickshire	25	89.3%	3	10.7%	28
West Mercia	48	81.4%	11	18.6%	59
West Midlands	178	76.7%	54	23.3%	232
Yorkshire & Humberside	323	85.4%	55	14.6%	378
Humberside	60	84.5%	11	15.5%	71
North Yorkshire	26	89.7%	3	10.3%	29
South Yorkshire	89	86.4%	14	13.6%	103
West Yorkshire	148	84.6%	27	15.4%	175

Annex B: prosecutions by CPS Area (2015/16)

All Hate Crime	CPS Prosecutions 2015 - 16				
	Convictions		Unsuccessful		TOTAL
	Vol	%	Vol	%	
42 AREAS	12,846	83.2%	2,596	16.8%	15,442
Cymru Wales	705	85.8%	117	14.2%	822
Dyfed Powys	40	78.4%	11	21.6%	51
Gwent	107	90.7%	11	9.3%	118
North Wales	166	93.8%	11	6.2%	177
South Wales	392	82.4%	84	17.6%	476
Eastern	585	85.0%	103	15.0%	688
Cambridgeshire	100	89.3%	12	10.7%	112
Essex	221	81.3%	51	18.8%	272
Norfolk	153	85.0%	27	15.0%	180
Suffolk	111	89.5%	13	10.5%	124
East Midlands	917	84.8%	164	15.2%	1,081
Derbyshire	187	87.0%	28	13.0%	215
Leicestershire	243	86.5%	38	13.5%	281
Lincolnshire	67	81.7%	15	18.3%	82
Northamptonshire	131	85.6%	22	14.4%	153
Nottinghamshire	289	82.6%	61	17.4%	350
London	2,720	77.5%	789	22.5%	3,509
Merseyside & Cheshire	675	83.9%	130	16.1%	805
Cheshire	222	90.2%	24	9.8%	246
Merseyside	453	81.0%	106	19.0%	559
North East	567	79.1%	150	20.9%	717
Cleveland	114	80.9%	27	19.1%	141
Durham	84	78.5%	23	21.5%	107
Northumbria	369	78.7%	100	21.3%	469
North West	1223	87.0%	183	13.0%	1,406
Cumbria	83	93.3%	6	6.7%	89
Greater Manchester	818	85.7%	136	14.3%	954
Lancashire	322	88.7%	41	11.3%	363
South East	765	86.1%	123	13.9%	888
Kent	293	85.9%	48	14.1%	341
Surrey	181	86.6%	28	13.4%	209
Sussex	291	86.1%	47	13.9%	338
South West	581	83.6%	114	16.4%	695
Avon & Somerset	315	82.5%	67	17.5%	382
Devon and Cornwall	186	86.1%	30	13.9%	216
Gloucestershire	80	82.5%	17	17.5%	97
Thames and Chiltern	822	82.1%	179	17.9%	1,001
Bedfordshire	119	89.5%	14	10.5%	133
Hertfordshire	221	82.2%	48	17.8%	269

Thames Valley	482	80.5%	117	19.5%	599
Wessex	582	86.6%	90	13.4%	672
Dorset	89	79.5%	23	20.5%	112
Hampshire & IOW	373	87.1%	55	12.9%	428
Wiltshire	120	90.9%	12	9.1%	132
West Midlands	1594	85.0%	282	15.0%	1,876
Staffordshire	189	84.0%	36	16.0%	225
Warwickshire	66	80.5%	16	19.5%	82
West Mercia	160	84.7%	29	15.3%	189
West Midlands	1,179	85.4%	201	14.6%	1,380
Yorkshire & Humberside	1110	86.6%	172	13.4%	1,282
Humberside	102	88.7%	13	11.3%	115
North Yorkshire	95	88.0%	13	12.0%	108
South Yorkshire	193	80.1%	48	19.9%	241
West Yorkshire	720	88.0%	98	12.0%	818

Racial & Religious Crime Prosecutions	CPS Prosecutions 2015 - 16				
	Convictions		Unsuccessful		TOTAL
	Vol	%	Vol	%	
42 AREAS	10,920	83.8%	2,112	16.2%	13,032
Cymru Wales	571	88.0%	78	12.0%	649
Dyfed Powys	30	83.3%	6	16.7%	36
Gwent	91	93.8%	6	6.2%	97
North Wales	134	96.4%	5	3.6%	139
South Wales	316	83.8%	61	16.2%	377
Eastern	493	85.7%	82	14.3%	575
Cambridgeshire	87	87.9%	12	12.1%	99
Essex	186	81.9%	41	18.1%	227
Norfolk	131	85.6%	22	14.4%	153
Suffolk	89	92.7%	7	7.3%	96
East Midlands	769	85.3%	132	14.7%	901
Derbyshire	155	86.6%	24	13.4%	179
Leicestershire	217	86.8%	33	13.2%	250
Lincolnshire	57	85.1%	10	14.9%	67
Northamptonshire	101	84.9%	18	15.1%	119
Nottinghamshire	239	83.6%	47	16.4%	286
London	2473	77.7%	709	22.3%	3,182
Merseyside & Cheshire	527	84.6%	96	15.4%	623
Cheshire	168	92.3%	14	7.7%	182
Merseyside	359	81.4%	82	18.6%	441
North East	454	79.9%	114	20.1%	568
Cleveland	98	81.0%	23	19.0%	121
Durham	65	81.3%	15	18.8%	80
Northumbria	291	79.3%	76	20.7%	367
North West	1016	87.7%	143	12.3%	1,159
Cumbria	60	93.8%	4	6.3%	64

Greater Manchester	694	86.4%	109	13.6%	803
Lancashire	262	89.7%	30	10.3%	292
South East	647	87.2%	95	12.8%	742
Kent	245	86.6%	38	13.4%	283
Surrey	164	87.2%	24	12.8%	188
Sussex	238	87.8%	33	12.2%	271
South West	492	86.0%	80	14.0%	572
Avon & Somerset	272	84.5%	50	15.5%	322
Devon and Cornwall	155	91.2%	15	8.8%	170
Gloucestershire	65	81.3%	15	18.8%	80
Thames and Chiltern	711	83.7%	138	16.3%	849
Bedfordshire	101	89.4%	12	10.6%	113
Hertfordshire	197	83.1%	40	16.9%	237
Thames Valley	413	82.8%	86	17.2%	499
Wessex	463	86.9%	70	13.1%	533
Dorset	75	78.9%	20	21.1%	95
Hampshire & IOW	298	88.2%	40	11.8%	338
Wiltshire	90	90.0%	10	10.0%	100
West Midlands	1379	85.1%	242	14.9%	1,621
Staffordshire	174	84.5%	32	15.5%	206
Warwickshire	54	78.3%	15	21.7%	69
West Mercia	131	85.6%	22	14.4%	153
West Midlands	1020	85.5%	173	14.5%	1,193
Yorkshire & Humberside	925	87.4%	133	12.6%	1,058
Humberside	82	90.1%	9	9.9%	91
North Yorkshire	70	89.7%	8	10.3%	78
South Yorkshire	153	79.7%	39	20.3%	192
West Yorkshire	620	89.0%	77	11.0%	697

Homophobic and Transphobic Crime	CPS Prosecutions 2015 - 16				
	Convictions		Unsuccessful		TOTAL
	Vol	%	Vol	%	
42 AREAS	1,219	83.0%	250	17.0%	1,469
Cymru Wales	88	83.0%	18	17.0%	106
Dyfed Powys	5	100.0%	0	0.0%	5
Gwent	10	71.4%	4	28.6%	14
North Wales	26	89.7%	3	10.3%	29
South Wales	47	81.0%	11	19.0%	58
Eastern	46	82.1%	10	17.9%	56
Cambridgeshire	0	0	0	0	0
Essex	19	86.4%	3	13.6%	22
Norfolk	14	82.4%	3	17.6%	17
Suffolk	13	76.5%	4	23.5%	17
East Midlands	89	83.2%	18	16.8%	107
Derbyshire	17	81.0%	4	19.0%	21

Leicestershire	20	95.2%	1	4.8%	21
Lincolnshire	7	63.6%	4	36.4%	11
Northamptonshire	25	96.2%	1	3.8%	26
Nottinghamshire	20	71.4%	8	28.6%	28
London	187	82.7%	39	17.3%	226
Merseyside & Cheshire	99	81.8%	22	18.2%	121
Cheshire	31	88.6%	4	11.4%	35
Merseyside	68	79.1%	18	20.9%	86
North East	59	80.8%	14	19.2%	73
Cleveland	3	75.0%	1	25.0%	4
Durham	12	85.7%	2	14.3%	14
Northumbria	44	80.0%	11	20.0%	55
North West	119	85.6%	20	14.4%	139
Cumbria	18	94.7%	1	5.3%	19
Greater Manchester	69	86.3%	11	13.8%	80
Lancashire	32	80.0%	8	20.0%	40
South East	80	81.6%	18	18.4%	98
Kent	26	81.3%	6	18.8%	32
Surrey	11	84.6%	2	15.4%	13
Sussex	43	81.1%	10	18.9%	53
South West	55	72.4%	21	27.6%	76
Avon & Somerset	28	73.7%	10	26.3%	38
Devon and Cornwall	19	65.5%	10	34.5%	29
Gloucestershire	8	88.9%	1	11.1%	9
Thames and Chiltern	67	77.9%	19	22.1%	86
Bedfordshire	11	100.0%	0	0.0%	11
Hertfordshire	19	82.6%	4	17.4%	23
Thames Valley	37	71.2%	15	28.8%	52
Wessex	74	89.2%	9	10.8%	83
Dorset	9	81.8%	2	18.2%	11
Hampshire & IOW	46	86.8%	7	13.2%	53
Wiltshire	19	100.0%	0	0.0%	19
West Midlands	145	84.3%	27	15.7%	172
Staffordshire	7	87.5%	1	12.5%	8
Warwickshire	11	100.0%	0	0.0%	11
West Mercia	19	79.2%	5	20.8%	24
West Midlands	108	83.7%	21	16.3%	129
Yorkshire & Humberside	111	88.1%	15	11.9%	126
Humberside	8	80.0%	2	20.0%	10
North Yorkshire	17	85.0%	3	15.0%	20
South Yorkshire	19	79.2%	5	20.8%	24
West Yorkshire	67	93.1%	5	6.9%	72

Disability Hostility Crime	CPS Prosecutions 2015 - 16				
	Convictions		Unsuccessful		TOTAL
	Vol	%	Vol	%	
42 AREAS	707	75.1%	234	24.9%	941
Cymru Wales	46	68.7%	21	31.3%	67
Dyfed Powys	5	50.0%	5	50.0%	10
Gwent	6	85.7%	1	14.3%	7
North Wales	6	66.7%	3	33.3%	9
South Wales	29	70.7%	12	29.3%	41
Eastern	46	80.7%	11	19.3%	57
Cambridgeshire	13	100.0%	0	0.0%	13
Essex	16	69.6%	7	30.4%	23
Norfolk	8	80.0%	2	20.0%	10
Suffolk	9	81.8%	2	18.2%	11
East Midlands	59	80.8%	14	19.2%	73
Derbyshire	15	100.0%	0	0.0%	15
Leicestershire	6	60.0%	4	40.0%	10
Lincolnshire	3	75.0%	1	25.0%	4
Northamptonshire	5	62.5%	3	37.5%	8
Nottinghamshire	30	83.3%	6	16.7%	36
London	60	59.4%	41	40.6%	101
Merseyside & Cheshire	49	80.3%	12	19.7%	61
Cheshire	23	79.3%	6	20.7%	29
Merseyside	26	81.3%	6	18.8%	32
North East	54	71.1%	22	28.9%	76
Cleveland	13	81.3%	3	18.8%	16
Durham	7	53.8%	6	46.2%	13
Northumbria	34	72.3%	13	27.7%	47
North West	88	81.5%	20	18.5%	108
Cumbria	5	83.3%	1	16.7%	6
Greater Manchester	55	77.5%	16	22.5%	71
Lancashire	28	90.3%	3	9.7%	31
South East	38	79.2%	10	20.8%	48
Kent	22	84.6%	4	15.4%	26
Surrey	6	75.0%	2	25.0%	8
Sussex	10	71.4%	4	28.6%	14
South West	34	72.3%	13	27.7%	47
Avon & Somerset	15	68.2%	7	31.8%	22
Devon and Cornwall	12	70.6%	5	29.4%	17
Gloucestershire	7	87.5%	1	12.5%	8
Thames and Chiltern	44	66.7%	22	33.3%	66
Bedfordshire	7	77.8%	2	22.2%	9
Hertfordshire	5	55.6%	4	44.4%	9
Thames Valley	32	66.7%	16	33.3%	48
Wessex	45	80.4%	11	19.6%	56
Dorset	5	83.3%	1	16.7%	6
Hampshire & IOW	29	78.4%	8	21.6%	37
Wiltshire	11	84.6%	2	15.4%	13
West Midlands	70	84.3%	13	15.7%	83

Staffordshire	8	72.7%	3	27.3%	11
Warwickshire	1	50.0%	1	50.0%	2
West Mercia	10	83.3%	2	16.7%	12
West Midlands	51	87.9%	7	12.1%	58
Yorkshire & Humberside	74	75.5%	24	24.5%	98
Humberside	12	85.7%	2	14.3%	14
North Yorkshire	8	80.0%	2	20.0%	10
South Yorkshire	21	84.0%	4	16.0%	25
West Yorkshire	33	67.3%	16	32.7%	49

Crimes against Older People	CPS Prosecutions 2015 - 16				
	Convictions		Unsuccessful		TOTAL
	Vol	%	Vol	%	
42 AREAS	3,012	80.1%	747	19.9%	3,759
Cymru Wales	223	82.9%	46	17.1%	269
Dyfed Powys	26	76.5%	8	23.5%	34
Gwent	35	85.4%	6	14.6%	41
North Wales	51	83.6%	10	16.4%	61
South Wales	111	83.5%	22	16.5%	133
Eastern	174	79.5%	45	20.5%	219
Cambridgeshire	30	81.1%	7	18.9%	37
Essex	73	76.8%	22	23.2%	95
Norfolk	35	81.4%	8	18.6%	43
Suffolk	36	81.8%	8	18.2%	44
East Midlands	207	80.2%	51	19.8%	258
Derbyshire	44	84.6%	8	15.4%	52
Leicestershire	37	82.2%	8	17.8%	45
Lincolnshire	30	85.7%	5	14.3%	35
Northamptonshire	22	68.8%	10	31.3%	32
Nottinghamshire	74	78.7%	20	21.3%	94
London	334	73.1%	123	26.9%	457
Merseyside & Cheshire	144	81.8%	32	18.2%	176
Cheshire	75	86.2%	12	13.8%	87
Merseyside	69	77.5%	20	22.5%	89
North East	184	84.8%	33	15.2%	217
Cleveland	54	85.7%	9	14.3%	63
Durham	41	83.7%	8	16.3%	49
Northumbria	89	84.8%	16	15.2%	105
North West	331	85.1%	58	14.9%	389
Cumbria	14	82.4%	3	17.6%	17
Greater Manchester	203	86.0%	33	14.0%	236
Lancashire	114	83.8%	22	16.2%	136
South East	211	78.4%	58	21.6%	269
Kent	106	79.1%	28	20.9%	134
Surrey	42	72.4%	16	27.6%	58
Sussex	63	81.8%	14	18.2%	77
South West	177	81.6%	40	18.4%	217
Avon & Somerset	59	83.1%	12	16.9%	71
Devon and Cornwall	87	81.3%	20	18.7%	107
Gloucestershire	31	79.5%	8	20.5%	39
Thames and Chiltern	222	80.7%	53	19.3%	275
Bedfordshire	29	93.5%	2	6.5%	31
Hertfordshire	75	81.5%	17	18.5%	92

Thames Valley	118	77.6%	34	22.4%	152
Wessex	164	79.2%	43	20.8%	207
Dorset	34	85.0%	6	15.0%	40
Hampshire & IOW	101	79.5%	26	20.5%	127
Wiltshire	29	72.5%	11	27.5%	40
West Midlands	305	77.0%	91	23.0%	396
Staffordshire	36	72.0%	14	28.0%	50
Warwickshire	17	81.0%	4	19.0%	21
West Mercia	56	77.8%	16	22.2%	72
West Midlands	196	77.5%	57	22.5%	253
Yorkshire & Humberside	336	82.0%	74	18.0%	410
Humberside	43	89.6%	5	10.4%	48
North Yorkshire	27	71.1%	11	28.9%	38
South Yorkshire	91	89.2%	11	10.8%	102
West Yorkshire	175	78.8%	47	21.2%	222

Annex C: Glossary

Hate crimes

Racial or religious incidents:	any incident which is perceived by the victim or any other person, to be motivated by hostility or prejudice based on a person's race or religion, or perceived race or religion.
Homophobic or transphobic incidents:	any incident which is perceived by the victim or any other person, to be motivated by hostility or prejudice based on a person's sexual orientation or transgender identity or perceived sexual orientation or transgender identity.
Disability incidents:	any incident which is perceived by the victim or any other person to be motivated by hostility or prejudice based on a person's disability or perceived disability.
Monitoring flags:	case types are identified using a number of monitoring flags, applied to relevant cases at the pre-charge stage. The flags allow managers to monitor proceedings during the life of the prosecution, and enable reporting of outcomes following the conclusion of the case. Flags are applied in cases of hate crime and to crimes against older people.
Crimes against older people:	offences in the categories below, where the victim is aged 60 or older: <ul style="list-style-type: none">• where there is a relationship and an expectation of trust, for example, theft or assault by a carer or family member• which are specifically targeted at the older person because they are perceived as being vulnerable or an easy target, for example, a distraction burglary or a mugging• which are not initially related to the older person's age but later becomes so, for example, a burglary where the burglar does not know the age of the householder, but later exploits the situation on discovering that the householder is an older person• which appear to be in part or wholly motivated by hostility based on age, or perceived age. For example, an assault, harassment or antisocial behaviour involving derogatory statements associated with the victim's age.

Case outcomes

Pre-charge decisions:	in all but minor cases, and those where a guilty plea is anticipated, Prosecutors are responsible for deciding whether a person should be charged with a criminal offence and, if so, what that offence should be.
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Charged:	cases where the CPS decision is to bring proceedings against the suspect.
No prosecution:	those cases where the CPS decision is not to prosecute for evidential or public interest reasons.
Out of court disposal:	where a caution, conditional caution, reprimand or final warning has been given or where the offence has been taken into consideration in relation to other charges.
Administrative Finalisation:	the suspect has failed to answer bail and a warrant is outstanding or the case has been finalised administratively for various reasons.
Other:	the outcome of the charging decision has not been recorded or is undefined.

Prosecutions

All defendants charged or summonsed whose case was completed in magistrates' or in the Crown Court during the period, including those proceeding to a trial or guilty plea, those discontinued and those which could not proceed.

Unsuccessful outcomes:	all completed prosecutions where the defendant is not convicted, comprising the following:
Discontinued and withdrawn:	consideration of the evidence and of the public interest may lead the CPS to discontinue proceedings at any time before the start of the trial. Included here are cases formally discontinued in advance of the hearing, those in which no evidence was offered, and those withdrawn at court. Also included are cases in which the defendant was bound over to keep the peace.
Dismissed after full trial:	cases in which the defendant pleads not guilty and proceedings are dismissed by the court after hearing the defence case.
Judge directed acquittal:	cases where at the close of the prosecution case against the defendant, a successful submission of 'no case' or 'unsafe' is made on behalf of the defendant, and the judge directs an acquittal rather than allow the case to be determined by the jury.
Jury acquittal:	when the defendant pleads not guilty and, following a trial, is acquitted by the jury.
All other unsuccessful outcomes:	comprising administrative finalisations, discharged committals and no case to answer.
Administrative finalisation:	when a prosecution cannot proceed because a defendant has failed to appear at court and a Bench Warrant has been issued for his or her arrest; or the defendant has died, or is found unfit to plead; or where proceedings are adjourned indefinitely.

No case to answer:	cases in which the defendant pleads not guilty and prosecution evidence is heard, but proceedings are dismissed by the court without hearing the defence case.
Convictions:	cases where the defendant is convicted following a prosecution, comprising:
Guilty plea:	where the defendant pleads guilty.
Conviction after trial:	cases in which the defendant pleads not guilty, but is convicted after the evidence is heard.
Proof in absence:	these are lesser offences - mostly motoring matters - which are heard by the court in the absence of the defendant.
Sentence uplift:	Sections 145 and 146 of the Criminal Justice Act 2003 provide for a sentencing uplift in cases of racist and religious crime, homophobic and transphobic crime and disability hate crime.

Reason categories for unsuccessful outcomes

Evidential:	where the prosecutor decides there is insufficient evidence to provide a realistic prospect of conviction.
Public interest:	where there is considered to be sufficient evidence but the prosecutor decides that public interest factors weigh against prosecution.
Unable to proceed:	where the evidence and the public interest support a prosecution, but circumstances make it impossible for the case to proceed.
Other reasons:	where the defendant is bound over, acquitted or dismissed after trial, or no other option is appropriate.
Administrative finalisation:	when a prosecution cannot proceed because a defendant has failed to appear at court and a Bench Warrant has been issued for his or her arrest; or the defendant has died; or is found unfit to plead: or where proceedings are adjourned indefinitely.

Reasons for unsuccessful outcomes

Victim retraction:	where the evidence of the victim supports the prosecution case, the victim refuses to be called as a witness, or retracts, or withdraws a complaint.
Victim non-attendance:	the victim is called as a witness in a trial, but fails to attend court.
Victim evidence	the evidence of the victim of an offence does

does not support case:	not support the prosecution of the defendant, leading to an unsuccessful outcome, but the victim however, has not retracted. (The reason title was amended in April 2013 to: 'The evidence of the victim does not come up to proof, but there is no retraction').
Conflict of evidence:	contradictions in prosecution evidence leads to an unsuccessful prosecution. (From April 2013 the guidance was amended to clarify that this reason is not to be used when the victim retracts, does not attend or their evidence does not come up to proof).
Essential legal element missing:	the prosecution cannot continue because an essential legal element is missing from the prosecution case. (The 'reason title' was amended in April 2013 to 'Incorrect charging decision – legal element missing'; the updated guidance made it clear that this reason is not to be used when the victim retracts, does not attend or their evidence does not come up to proof).
Other indictment or sentence:	the case does not proceed because the same defendant is the subject of either other indictments, or sentences in respect of other proceedings.
Acquittals after trial:	the defendant is found not guilty by the magistrates or jury after a contested hearing in which the defence is called on to present its case. (Cases dismissed no case to answer or judge directed acquittals are not included)
Principal offence category:	charged offences are allocated one of twelve offence categories to indicate the type and seriousness of the charges brought against the defendant at the time of finalisation.