

Crown Prosecution Service
Delivering justice



Violence Against Women and Girls Report

2018–19

INCLUDES DATA ON MEN AND BOYS

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Foreword by the Director of Public Prosecutions



The impact of violence against women and girls (VAWG) on victims, their families and their communities cannot be underestimated, and bringing perpetrators to justice is vital in building a more equal society. This report focuses on crimes that are committed primarily by men against women. However, they are also perpetrated against men and boys, and we are committed to securing justice for all victims – regardless of their sex or gender.

Tackling such complex and serious crimes requires a comprehensive and coordinated approach, which is why we are committed to working closely with partners across the criminal justice system and beyond to tackle this kind of offending. The CPS role – prosecuting the right person for the right offence and bringing offenders to justice wherever possible – is absolutely vital, but only forms one part of a meaningful solution.

This report demonstrates the breadth of activity across the different VAWG strands and how we are continuing to innovate against an increasingly challenging backdrop. For example, the UK's first conviction for female genital mutilation (FGM) and the introduction of a cross-system best practice framework for domestic abuse were important milestones.

However, in relation to rape and serious sexual offences in particular, the growing gap between the number of crimes recorded and the number of cases going to court is a concern for all of us. While it does not indicate any change in policy, or lack of CPS commitment to prosecute, understanding why this is happening and finding a way forward is urgent and necessary. We are therefore working closely with other government departments and stakeholders to support a wide-ranging cross-Government review of how rape and sexual offences are handled. As part of this, we have asked the CPS' independent inspectorate to review our work to help us understand this trend and any action we need to take.

This is the first annual VAWG report since I became Director of Public Prosecutions in November 2018. One of the changes I am making aims to increase transparency and accountability for CPS prosecution performance. In future, VAWG data will be published quarterly, providing more regular opportunities for discussions with stakeholders that are informed by the most up-to-date evidence, while helping us all to be agile in responding to shifting trends, new challenges and fresh evidence.

To reflect our commitment, the CPS has appointed Chief Crown Prosecutor (CCP) leads for each of the VAWG strands. These legal experts, along with wider policy and operational teams, will be responsible for improving performance in their respective areas.

A handwritten signature in blue ink that reads "Max Hill". The signature is written in a cursive, slightly slanted style.

Max Hill QC
Director of Public Prosecutions

Chief Crown Prosecutor leads

Domestic abuse and stalking – Kate Brown

“The CPS takes domestic abuse and stalking extremely seriously, and is determined to bring perpetrators to justice and provide victims with the greatest possible protection from repeat offending. In 2018-19, we led efforts to implement a cross-system best practice framework for domestic abuse. We are currently focusing on working with partners to bring the Domestic Abuse Bill into law, ensuring increased protection for victims.

“The majority of stalking – 79.1% in 2018-19 – is related to domestic abuse. Refreshing the joint police and CPS protocol on stalking has given officers and prosecutors the tools to better identify offending, and we continue to focus on working as collaboratively as possible across the criminal justice system.”

Rape – Siobhan Blake

“Rape and serious sexual offences can have a devastating impact, and we are committed to charging and robustly prosecuting these cases whenever it is right to do so. All cases are dealt with by specialist lawyers trained in understanding victim experiences and the impact of rape, as well as consent, myths and stereotypes. The past year has seen further training for prosecutors on the impact of psychological conditions – including those associated with trauma – and the cross-examination of complainants about their sexual history.”

“The growing gap between the number of rapes recorded and the number of cases going to court is a cause of concern for all of us in the criminal justice system. The CPS is working closely with other government departments and stakeholders in a wide-ranging cross-Government review of how rape and sexual offences are handled to try to better understand the current situation and how best to respond.”

So-called ‘honour-based’ abuse, female genital mutilation and forced marriage – Jaswant Narwal

“I am proud that 2019 saw the UK’s first conviction for female genital mutilation (FGM), and the CPS is committed to bringing to justice those who perpetrate so-called ‘honour-based’ abuse, FGM and forced marriage. This year we have established a new joint Police-CPS stakeholder group and revised our guidance to address the practices of ‘breast ironing’ and forced marriage where the victim lacks capacity.

“In the year ahead we will update guidance for prosecutors to address other common challenges – including demand for expert evidence and international jurisdictional issues – while incorporating what we have learned from recent cases. Ongoing conversations with communities, charities and the health sector will help us understand more about the fear and loyalty which can mean victims are reluctant to report crimes or support prosecutions, and find ways to overcome this.”

Child sexual abuse – Ed Beltrami

“Specialist prosecutors work on every child sexual abuse case, reflecting the fact that these are some of the most challenging and complex cases we deal with. We work across Government to deliver a whole system response – including understanding how new technologies are giving rise to new kinds of offending.

“We are also committed to supporting survivors of child sexual abuse. We have established a stakeholder forum of national charities, academics and survivors’ groups to advise on emerging trends and inform our policies and processes. We continue to innovate, for example in London we are working with partners to develop “The Lighthouse” – the first ever facility for young victims of sexual abuse to access medical, investigative and emotional support under one roof.”

Modern slavery – Lynette Woodrow

“Modern slavery is a particularly insidious crime – it is often hidden, taking place alongside a wide range of abuse and other criminal offences and involving multiple victims, offenders and locations. A multi-agency approach is vital to tackling this kind of offending, and over the past year the CPS has worked closely with law enforcement and other Government departments to support the Prime Minister’s modern slavery taskforce.

“Prosecutors have received specialist training in modern slavery cases, while guidance has been updated to reflect the changing landscape and case law in this area. As the UK prepares to leave the EU, our focus will remain on maintaining and improving relationships internationally to ensure cross-border offending continues to be brought to justice.”

Violence against Women and Girls crime report

Introduction

Violence against Women and Girls (VAWG) can have a devastating impact on victims, their families, and wider communities. These crimes have no place in our society. The Crown Prosecution Service (CPS) takes prosecuting VAWG crime seriously and continues to bring perpetrators to justice wherever possible.

The CPS Violence against Women and Girls (VAWG) report for 2018- 19 is an analysis of the key prosecution performance issues in each VAWG strand – domestic abuse, stalking, harassment, rape¹, sexual offences, forced marriage, so-called ‘honour-based’ abuse, female genital mutilation, child abuse, human trafficking for sexual exploitation, prostitution and pornography.

This report focuses on crimes that have been grouped together under the heading ‘VAWG’ because they are committed primarily, but not exclusively, by men against women and female victims are disproportionately represented within a pattern of coercion, power and/or control. However, these offences can also be targeted at men and boys. Our [public statement on our approach and support for male victims](#) clarifies our commitment to securing justice for *all* victims and perpetrators affected by crimes grouped together as ‘VAWG’ so our VAWG policies are applied fairly to all victims and perpetrators of these crimes. The report includes total data on all suspects, defendants and complainants, irrespective of sex or gender.²

The purpose of this report is for the CPS to be transparent about the data we hold and to enable our stakeholders to hold us to account. Each section of the report provides key data, commentary and case studies, as well as an outline of CPS activity over the past year and the steps we plan to take in the coming year to continuously improve. The data section of the report provides further detailed data by each VAWG strand. The [glossary](#) provides a fuller definition of each of the VAWG strands and CPS terminology.

The report is based on data from the CPS Case Management System, CPS Witness Management System and its associated Management Information System. This data does not constitute official statistics as defined in the Statistics and Registration Service Act 2007.³ and should be read in line with our explanation of the data.

Please note: More detailed terminology, outline of the police/CPS process and explanation of the data, any changes in calculations or terms used are outlined in the [data section of this report](#). The [underlying data for this report](#) can be found on the CPS website, in the Publications section.⁴

¹ A ‘rape’ flag is applied to CPS files from the start of a case, following an initial allegation of rape. This flag will remain in place even if the decision is taken to charge an offence other than rape or where a rape charge is subsequently amended, to ensure application of the principles of the rape and sexual offence policy.

² This report provides outcomes by defendant and cannot provide separate information on outcomes based on complainants or offences. To that end, data cannot be provided separately for the outcome of cases faced by female and male complainants; nor is it possible to correlate the sex/gender of the defendant with the sex/gender of the complainant.

³ The official statistics relating to crime and policing are maintained by the Home Office and Office for National Statistics 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.

⁴ Data is reported throughout this report; any additional underlying data is provided on the CPS website.

This will be the last VAWG Report of this type. In 2019-20 CPS will move to reporting data on a quarterly basis, thereby providing the most up-to-date management data more speedily. A brief annual report will also be provided at the end of the financial year.

Strategic context

In March 2019, a refreshed cross government strategy – [Ending Violence against Women and Girls 2016–2020](#) – was launched, outlining updated actions the Government is taking forward. The CPS has an important role in a range of new Criminal Justice System (CJS) initiatives, overseen by the VAWG Inter-Ministerial Group. Major areas of CPS activity that relate to this work include:

- the Domestic Abuse Best Practice Framework, which results from a joint project between the CPS, National Police Chiefs’ Council (NPCC) and Her Majesty’s Courts and Tribunals Service (HMCTS);
- the piloting of pre-recorded cross examination under section 28, which provide special measures to help vulnerable and intimidated witnesses give their best evidence in court and help to relieve some of the stress associated with giving evidence;
- contributing to the Government review of the CJS response to rape and serious sexual offences;
- the National Disclosure Improvement Plan, which constitutes the shared commitment of the CPS and the NPCC to make sustainable change to the way we exercise our duties of disclosure;
- new CPS guidance on stalking, harassment and ‘upskirting’ – linked to the Voyeurism Act, which came into force in February 2019; and
- following the CPS lead, the cross-government refreshed strategy includes a public statement on male victims for use across all government departments.

We will carry on working across government, with specialist third sector organisations and victims themselves, through our VAWG Local Scrutiny and Involvement Panels and our national VAWG External Consultation Group, to help to improve policy and practice, so that ultimately, ‘no woman should live in fear of violence, and every girl should grow up knowing she is safe, so that she can have the best start in life’.⁵

Operating context

The CPS is a demand-led organisation; we can only consider cases that are referred to us by the police or other investigators. The decrease in volumes of VAWG offences needs to be contextualised within the overall decrease in volumes across the CPS, especially the decrease in the number of suspects the police have referred to us for a charging decision.

As the decrease in police referrals has a significant impact on the number of charging decisions the CPS can make, this report includes data and analysis of the proportion of cases where we have taken a charging decision, advised no further action and where we have requested additional information from the police. We have also seen a significant increase in the number of cases which are recorded as having been ‘administratively finalised’; this is not a legal decision, but includes cases where the police have sought early investigative advice, or the CPS has requested additional information from the police to be able to make a charging decision, and no further evidence has been provided within three months. These cases may be reopened if further material is provided by the police.

⁵ HM Government, Ending Violence Against Women and Girls 2016-2020, Strategy Refresh, p4 available [here](#)

CPS data is available in the [CPS 2018-19 Annual report](#). In 2018-19⁶, compared with 2017-18, the CPS has continued to see decreases⁷ in:

- suspects referred to the CPS by the police for a charging decision – 8.2% decrease from 283,162 to 260,052;
- pre-charge decisions completed, following police referrals – 9.2% decrease from 273,723 to 248,427;
- the number of suspects charged by the CPS – 13.2% decrease from 187,545 to 162,717;
- the proportion charged, of all legal pre-charge decisions completed (to charge, to take no further action or an out of court disposal outcomes), decreased from 77.7% to 75.5%.
- the proportion administratively finalised (cases where the police do not respond to CPS requests for additional evidence or reasonable lines of enquiry within three months), of all pre-charge decisions, increased from 11.7% to 13.1%.
- prosecution volumes – 6.2% decrease from 453,071 to 425,098 in Magistrates' courts and 13% decrease from 80,090 to 69,713 in Crown Courts;
- conviction volumes – 6.7% decrease in from 384,311 to 358,663 in Magistrates' courts and 13.0% decrease from 64,016 to 55,674 in Crown Courts; and
- conviction rate – 0.5 percentage points decrease to 84.4% in Magistrates' courts and the conviction rate remaining steady at 79.9% in Crown Courts.

The CPS must be resourced to deal with the impact of changes in both the crime landscape and the criminal justice system. Our work is central to the delivery of the Government's security and justice strategies, so changes within the Criminal Justice System will impact on the CPS. The CPS welcomes the announcement in August 2019 of investment in the Criminal Justice System, including an additional £85m for the CPS over the next two years.

The Code for Crown Prosecutors

A new edition of [The Code for Crown Prosecutors](#) (the Code) was published in October 2018. The Code sets out how every criminal case must pass a two stage test before a person is charged:

- Firstly, does the evidence provide a realistic prospect of securing a conviction; and
- Secondly, is it in the public interest to prosecute?

The Code stands at the heart of any case we deal with, so it is essential it evolves to reflect changes in law and society. This edition included disclosure for the first time; the Code sets out that prosecutors have to consider whether there is any material held by the police or that may be available which could affect the decision to charge a suspect with a crime. It also clarifies the Threshold Test, which allows a suspect who presents a substantial bail risk, such as a serious risk of harm to the public, to be charged in the expectation that further evidence will be produced by the police. We have simplified the test, to ensure it is only applied when necessary and that cases are not charged prematurely.

⁶ [Link to definitions of terms and explanations in the data section of the report page A3.](#)

⁷ Apart from increases in administratively finalised cases included below.

Disclosure actions we have taken to improve prosecution performance

Disclosure is a vital part of every investigation and the preparation of every case for prosecution and trial. The CPS continues to work alongside the police to bring about lasting improvements in how disclosure is handled.

- We published [Phase Two of the National Disclosure Improvement Plan \(NDIP\)](#) in 2018, we implemented a range of joint measures with the police to address disclosure issues to:
 - embed the improvement measures introduced under Phase 1;
 - critically monitoring our disclosure performance throughout the life of a prosecution to assist our understanding of whether problems have been addressed or if they continue to persist; and
 - ensure improvements have the intended effect throughout the 43 police forces and fourteen CPS Areas.
- The Attorney General's [review of the efficiency and effectiveness of disclosure in the criminal justice system](#) noted the progress that has been made with NDIP Phase 1 and our strong commitment to improvement.
- We published [our guide to reasonable lines of enquiry and communications evidence](#) for police and prosecutors seeking to examine the digital devices, e.g. mobile phones of complainants and witnesses. This is not something that should be requested as a matter of course in every case. Only reasonable lines of inquiry should be pursued, to avoid unnecessary intrusion into a complainant's personal life. This approach was endorsed by the Court of Appeal⁸ when the CPS successfully appealed the decision of a trial judge to stop a case in which the complainant's mobile telephone had not been examined.
- We have developed processes to bring consistency to the way investigators search for relevant information on the digital devices of complainants and witnesses, to investigate a reasonable line of enquiry. Complainants and witnesses will be made aware of how their digital devices or records will be examined and how any data will be used, and asked for their informed consent for this to happen.

Future priorities

- The CPS and NPCC will publish a joint strategy on case progression, building on work we are doing to improve the effective handling of cases, from charge to trial. This will ensure vital remedial action is taken as soon as possible to reduce the demand placed on the criminal justice system by limiting the incidence of cracked and ineffective trials, over-listing, and the late warning and de-warning of witnesses.
- A new Disclosure Management Document has been used by the rape and serious sexual offences units and the Complex Casework Units since March 2018. We are evaluating the impact of this approach before developing criteria on its extension to further cases. This includes an assessment of the way the police are providing information on reasonable lines of enquiry to prosecutors and whether developing a Disclosure Strategy Document as a mechanism for this is an appropriate solution.
- Following the Senior Presiding Judge's approval, in principle, to the creation of a new section within the Crown Court Digital Case System to hold disclosure information documents, we will implement this new approach to serving disclosure materials and informing the court officer that our prosecutors have fulfilled their disclosure obligations.

⁸ [1 November 2018 R v E Court of Appeal.](#)

- CPS will continue to work with the police and stakeholders to improve how consent to investigation and disclosure of digital communications and third party material is requested from complainants. We will address concerns, to ensure that the language of the consent form is accessible to complainants and witnesses and that it achieves a consistent approach to reasonable lines of enquiry. It is intended to inform and provide for an appropriate investigative mindset on the part of the police as well as to inform and assist complainants.

Domestic abuse

Context

Domestic abuse is any incident, or pattern of incidents, of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members – regardless of gender or sexual orientation. It covers a range of abuse, including psychological, physical, sexual, financial or emotional, which is used by one person to maintain control over another. In the CPS we deal with all cases of domestic abuse regardless of the age of the defendant or the complainant. The ‘domestic’ nature of these crimes is an aggravating factor because of the abuse of trust involved, which has a particularly damaging effect on the victim.

The Policing and Crime Act 2017 introduced ‘release under investigation’ as an alternative to pre-charge bail. In February 2019, Her Majesty’s Inspectorate of Constabulary and Fire and Rescue Services (HMCIFRS) **identified that the number of people released on bail for domestic abuse had dropped by 65 per cent**, which has contributed to an increase in domestic abuse defendants failing to attend court. HMCIFRS also noted that reporting and recording of domestic abuse had increased by almost 90 per cent since 2014, but the arrest rate since 2017 had decreased in 23 forces.

Key CPS data and analysis

[Link here to the full data for domestic abuse in the data section pages A7-A14 where five years of data is provided.](#) Data provided below and in the data section of the report relates to all domestic abuse flagged defendants, and complainants, irrespective of sex or gender.

[Explanation of the data and terminology used are outlined in the data section of this report.](#)

The reduction in suspects referred to the CPS by the police for a charging decision has had the largest impact on CPS charging volumes in 2018-19. Referrals⁹ from the police fell from 110,653 in 2017-18 to 98,470 in 2018-19 – a decrease of 11.0%.

⁹ Prior to 2018-19, the data on ‘pre-charge decisions’ completed by the CPS was reported as ‘police referrals’ in the VAWG report. This 2018-19 report uses different terminology to clarify the data. It provides two sets of data – (i) ‘pre-charge receipt’ of cases – the number of suspects referred to the CPS by the police for a charging decision and (ii) ‘pre-charge decisions’ completed by the CPS (previously called ‘police referrals’) which is a CPS decision on whether to charge, take no further action, recommend an out of court decision, administratively finalise or ‘other’. The number of pre-charge receipts referred by the police relies on (a) the police identifying and flagging the cases, by suspect, prior to being referred to CPS and (b) CPS administrators identifying and flagging those cases on the CPS Casework Management System, when they are first registered.

Other key data includes:

- The total number of pre-charge decisions completed by CPS¹⁰, following police referrals, decreased from 110,562 in 2017-18 to 98,690 in 2018-19 – a decrease of 10.7%.
- The proportion of pre-charge decisions charged decreased from 70.3% in 2017-18 to 68.4% in 2018-19 – a decrease of 1.9 percentage points (ppt).
- Of all legal pre-charge decisions completed (to charge, to take no further action or an out of court disposal outcome), the proportion charged decreased from 75.9% in 2017-18 to 74.3% in 2018-19¹¹ – a decrease of 1.6ppt.
- Of all pre-charge decisions, the proportion administratively finalised (cases where the police do not respond to CPS requests for additional evidence or reasonable lines of enquiry within three months) increased from 7.3% to 8.0% – an increase of 0.7ppt.
- Completed prosecutions decreased from 89,091 in 2017-18 to 78,624 in 2018-19 – a decrease of 11.7%.

While convictions fell from 68,098 in 2017-18 to 60,160 in 2018-19 – a decrease of 11.7%, the conviction rate rose slightly from 76.4% to 76.5% – the highest rate ever recorded – and convictions after trial (exclusive of mixed pleas¹²) also increased by 1.5 percentage points.

Finally, the number of offences of controlling or coercive behaviour that were charged and reached a first hearing increased from 960 in 2017-18 to 1,177 in 2018-19. 13.5% of these offences were flagged as rape.

Actions we have taken to improve prosecution performance

- CPS worked jointly across the CJS to launch the Domestic Abuse Best Practice Framework to deliver consistent good practice for domestic abuse.
- We worked with partners across government and the CJS to develop the Domestic Abuse Bill to introduce wide-ranging statutory measures to tackle domestic abuse.
- CPS, MoJ and the police released [data](#) from 2012-13 to 2017-18 to support local scrutiny.
- We worked with the police and HMICFRS to examine referrals of domestic abuse cases, including the impact that changes to pre charge bail are having on these cases.
- CPS worked with the police to extend conditional caution pilots for domestic abuse from four to 10 police forces.¹³

¹⁰ The volume of pre-charge decisions completed by the CPS will be a total of those referred by the police (flagged by the police and CPS at registration) together with any flagged by CPS prosecutors and administrators at a later date, but before the final pre-charge decision is completed. The total pre-charge decisions data will be based on the date the charging advice was completed and provided to the police. Therefore, 2018-19 data may include pre-charge decisions on cases referred by the police to the CPS in 2018-19, 2017-18 or earlier. This explains why the volumes of pre-charge decisions are larger than the volume of pre-charge receipts, within the same time period.

¹¹ [See explanation of change of reporting percentage charged in the data section of the report](#)

¹² 'Exclusive of mixed pleas' are defendant cases where only 'not guilty' pleas are entered to all charges and a trial ensues.

¹³ Hampshire, West Yorkshire, Leicestershire and Staffordshire West Midlands have joined Avon and Somerset, Northamptonshire, Dorset, Thames Valley and Cambridgeshire.

Future priorities

- CPS will continue to work with Government and Parliament to bring the Domestic Abuse Bill into law.
- We will update CPS legal guidance to include a focus on understanding economic abuse, as well as addressing complex issues involving witness attrition.
- We will implement the new statutory guidance that is being provided by the Home Office for all government departments on domestic abuse, including controlling or coercive behaviour.
- We will continue to work with the police to address any decreases in domestic abuse referrals.
- CPS will continue to work with partners to implement the Domestic Abuse Best Practice Framework across the CJS.

Victim-centred prosecutions

Giving evidence in court can be a very difficult experience for victims of domestic abuse. Where possible, prosecutors work to find ways to minimise this and sometimes it will be possible to build a case that doesn't require the victim to come to court at all.

When a defendant pleaded not guilty in a DA case involving assault and criminal damage, the CPS played the 999 call to the defence at the custody hearing and advised that they would be making an application to use this as evidence. As a result, the defendant changed their plea to guilty and a trial was avoided.

The defendant was sentenced to a 12-month community order, 20 days rehabilitation activity requirement (RAR) and 140 hours unpaid work. He was ordered to pay £200 in compensation for injury and distress and a further £220 in compensation for damages. He was also issued with a restraining order for 24 months.

Tackling controlling or coercive behaviour

A 60-year-old man was sentenced to seven years in prison for controlling or coercive behaviour, harassment and sexual assault. His offences included threatening to confiscate the victim's mobile phone and withhold money if she disobeyed him. He also threatened her with a taser and belittled her in front of family and friends.

Stalking or harassment

Context

Stalking and harassment are often among the most complex offences that police and prosecutors deal with, and frequently involve victims who have faced harrowing experiences at the hands of manipulative offenders. Investigating and prosecuting these crimes requires a considered approach

that looks beyond one-off incidents towards the pattern of behaviour, and how this has affected the safety and wellbeing of a victim and their family.

Key CPS data and analysis

[Link here to the full data for Stalking or Harassment in the report section pages A15-A17 where five years of data is provided.](#) Data provided below and in the data section of the report relates to all offences, irrespective of the sex or gender of defendant or complainant. [Ministry of Justice data is provided in Annex 2 pages B7–B10.](#)

All data below refers to the number of offences in which prosecutions commenced and reached a first hearing in the magistrates' court.

- Combined, the number of stalking and harassment offences charged decreased from 11,992 in 2017-18 to 10,636 in 2018-19 – a decrease of 10.8%. 73.9% were domestic abuse (DA)-related, a rise from 73.3% in 2017-18.
- Stalking offences charged increased from 1,616 in 2017-18 to 2,209 in 2018-19 – an increase of 36.7% and the highest volume ever recorded. 79.1% were DA-related, an increase from 73.1% in 2017-18.
- Breaches of restraining order offences decreased from 17,012 in 2017-18 to 16,520 in 2018-19 – a decrease of 2.9%. 87.6% of these were DA-related, a rise from 87.2% in 2017-18.
- Breaches of non-molestation orders fell from 6,266 in 2017-18 to 5,536 in 2018-19 – a decrease of (11.7%). 95.2% of these were DA-related, a rise from 95.0% in 2017-18.

Actions we have taken to improve prosecution performance

- CPS worked with the NPCC and College of Policing to provide [guidance on harassment and stalking to its police responders](#). Police and prosecutors also held a workshop to cascade best practice.
- The CPS worked with the Home Office and police to develop statutory guidance to support the implementation of the [Stalking Protection Act 2019 Act](#), including a new civil Stalking Protection Order.
- An information pack was produced for Parliamentarians and their staff to help them recognise and report potentially criminal intimidatory behaviour, including stalking and harassment.

Future priorities

- CPS will work with the police to revise the [joint stalking or harassment protocol](#) and checklist, following consultation with victims and prosecutors.
- We will refresh CPS guidance on breaches of restraining orders and the new Stalking Protection Orders.
- CPS prosecutors will complete mandatory revised online training on stalking, harassment and restraining orders, building on previous training.
- The CPS and NPCC will continue to engage with Parliamentarians to support them to recognise potentially criminal intimidatory behaviour.

Taking stalking seriously

A defendant was initially charged with stalking (s.2A). However, having reviewed the file and read the victim's account of her experience, the prosecutor decided to charge the defendant with the more serious offence of stalking (s.4A) involving fear of violence or serious alarm or distress. The defendant had carried out offences against the victim for over two years, ranging from assault to criminal damage and then stalking. He had already been sentenced to two years' imprisonment in 2017, following numerous breaches of previous restraining orders.

The prosecutor could see that the defendant's behaviour had had a devastating effect on the victim's day-to-day life. She had been forced to leave her home and to place her children with her parents. The defence offered a plea to the lesser offence of harassment, but this was rejected.

The defendant eventually pleaded guilty on the day of the trial after previously entering guilty pleas to two breaches of a restraining order. He was sentenced to seven years and three months' imprisonment, with an indefinite restraining order.

Stalking and social media

A female defendant was convicted for a stalking campaign against her ex-partner. She texted the victim saying he was being watched and sent emails from fake accounts – including one claiming she had been kidnapped and raped. She broke into her own apartment and took photographs of herself bound and undressed. She falsely accused the victim of rape and used a false baby bump to claim she was pregnant by him.

She was convicted of stalking, sending malicious communications and one count of perverting the course of justice and sentenced to four and half years in prison and a restraining order.

Rape

Context

Rape and serious sexual offences are devastating crimes which can have a significant and profound impact on victims. The CPS is committed to charging and prosecuting rape cases whenever the test in the Code for Crown Prosecutors is met. It is of the utmost importance that these offences are dealt with robustly and the CPS has undertaken extensive work to ensure that prosecutors dealing with these cases are fully equipped to deal with the complexities that they can present.

Rape and serious sexual offence (RASSO) cases are all dealt with by specialist lawyers, highly trained in the complexities of these offences. This includes understanding victim vulnerabilities, the impact

of rape, consent issues, rape myths and stereotypes and the challenges of cases involving vulnerable witnesses and young people.

As with all offences, every case referred to us by the police is considered in accordance with the Code for Crown Prosecutors to determine whether it is right to bring charges¹⁴. The CPS is committed to charging, and robustly prosecuting rape cases, whenever the legal test is met. If the evidence in a case means there is not a realistic prospect of conviction, it must not proceed, no matter how sensitive or serious the allegation may be. Bringing the right cases to court is in the interests of complainants, suspects and the wider public.

As we have previously received queries on the difference between the Ministry of Justice (MoJ) and the CPS data on rape convictions we have outlined how they are measured differently, and used for different purposes in the data section of the report (add link). In brief, [the MoJ provides the National Statistics¹⁵ on rape](#), and their data records convictions for the specific offence of rape. The CPS records 'rape flagged' cases, which means it includes cases which followed an allegation of rape, but which may have resulted in another offence, such as sexual assault, being charged and/or convicted. The rape 'flag' remains in place to make sure that the case is managed in line with the principles set out in our rape and sexual offence policy. CPS 'rape flagged' data therefore shows a much larger number of prosecutions and convictions than the MoJ data for rape prosecutions and convictions. Further explanation on the differences is included in the [detailed data section](#) and the [MoJ data section in Annex 2](#).

The CPS is working closely with other government departments and stakeholders in the cross-Government review of the criminal justice response to adult rape and serious sexual offences in England and Wales. It is looking at how the CPS, police, courts and others can work together to improve our response to these cases and secure the best possible outcomes for victims. A whole system approach is important to understand the reasons for the significant changes that are being seen in the data.

Key CPS data and analysis

Note: More detailed terminology, outline of the police/CPS process and explanation of any changes in calculations or terms used are outlined in the [data section of this report](#). Brief summaries are provided in the footnotes of this section of the report.

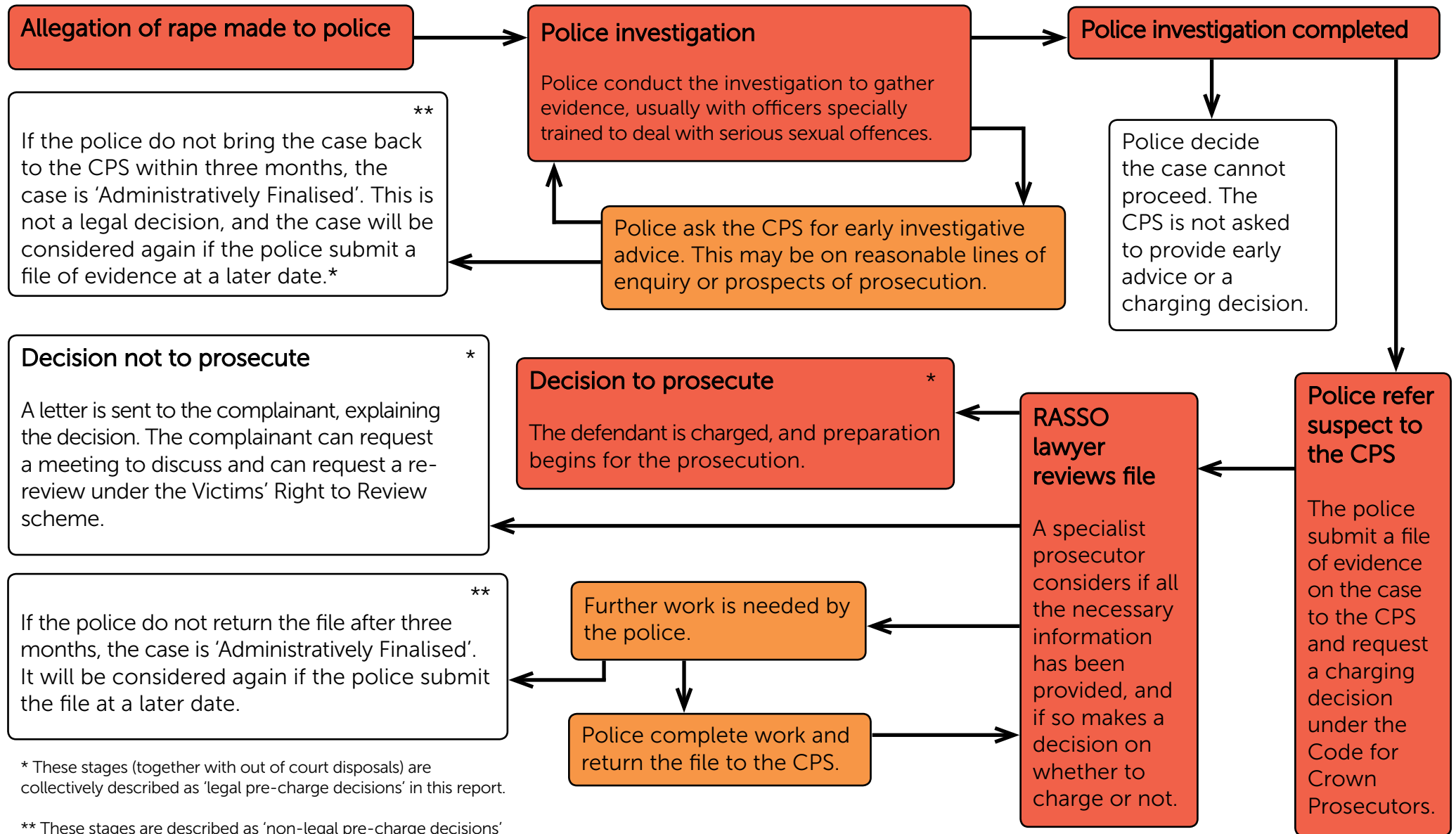
[Link here to the full data for rape in the report section pages A17-A26 where five years of data is provided](#). Data provided below and in the data section of the report relates to all rape-flagged defendants, and complainants, irrespective of sex or gender. [Ministry of Justice data is provided in Annex 2 pages B7-B10](#).

¹⁴ CPS includes total data on all suspects, defendants and complainants, irrespective of sex or gender.

¹⁵ The official statistics relating to crime and policing are maintained by the Home Office and Office for National Statistics 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.

Flow chart of a RASSO case

Steps necessary for a prosecution
 Steps which may be undertaken to support a prosecution
 Circumstances in which a case may end without a prosecution



* These stages (together with out of court disposals) are collectively described as 'legal pre-charge decisions' in this report.

** These stages are described as 'non-legal pre-charge decisions' in this report.

Key CPS prosecution performance data includes:

- The number of suspects referred¹⁶ by the police to the CPS for a charging decision decreased from 4,370 in 2017-18 to 3,375 in 2018-19 – a decrease of 22.8%.
- Pre-charge decisions completed by CPS¹⁷, following police referrals, decreased from 6,012 in 2017-18 to 5,114 in 2018-19 – a decrease of 14.9%.
- The proportion of pre-charge decisions charged decreased from 46.9% in 2017-18 to 34.4% in 2018-19 – a decrease of 12.5 percentage points (ppt).
- Of all legal pre-charge decisions completed (to charge, to take no further action or an out of court disposal outcome), the proportion charged decreased from 60.1% in 2017-18 to 48.2% in 2018-19¹⁸ – a decrease of 11.9ppt.
- The proportion administratively finalised (cases where the police do not respond to CPS requests for additional evidence or reasonable lines of enquiry within three months) increased from 21.7% to 28.6% – an increase of 6.9ppt.
- The average number of consultations per case increased from 1.98 in 2017-18 to 2.47 in 2018-19; for cases where the decision was to take no further action, it increased from 2.04 to 2.81.
- Completed prosecutions decreased from 4,517 in 2017-18 to 3,034 in 2018-19 – a decrease of 32.8%.
- The number of convictions decreased from 2,635 in 2017-18 to 1,925 in 2018-19 – a decrease of 26.9%.
- The conviction rate increased from 58.3% in 2017-18 to 63.4% in 2018-19 (5.1ppt); convictions after trial (exclusive of mixed pleas)¹⁹ increased by 7.4 percentage points to 56.7%.

Different types of rape cases:

- Acquaintance rape cases²⁰, where those who are raped know the perpetrator prior to the offence (excluding domestic abuse and child rape cases) are the highest proportion of all rape-flagged cases assessed for charging decisions following referrals by the police (42.4%) and therefore they impact on overall rape performance.
- In 2018-19, data on acquaintance rape cases involving young defendants (18-24 year olds) indicated a significant increase in the conviction rate from the previous year, but presented some of the greatest challenges in charging, prosecuting and convicting.

¹⁶ Prior to 2018-19, the data on 'pre-charge decisions' completed by the CPS was reported as 'police referrals' in the VAWG report. This 2018-19 report uses different terminology to clarify the data. It provides two sets of data - (i) 'pre-charge receipt' of cases – the number of suspects referred to the CPS by the police for a charging decision and (ii) 'pre-charge decisions' completed by the CPS' (previously called 'police referrals') which is a CPS decision on whether to charge, take no further action, recommend an out of court decision, administratively finalise or 'other'. The number of pre-charge receipts referred by the police relies on (a) the police identifying and flagging the cases, by suspect, prior to being referred to CPS and (b) CPS administrators identifying and flagging those cases on the CPS Casework Management System, when they are first registered.

¹⁷ The volume of pre-charge decisions completed by the CPS will be a total of those referred by the police (flagged by the police and CPS at registration) together with any flagged by CPS prosecutors and administrators at a later date, but before the final pre-charge decision is completed. The total pre-charge decisions data will be based on the date the charging advice was completed and provided to the police. Therefore, 2018-19 data may include pre-charge decisions on cases referred by the police to the CPS in 2018-19, 2017-18 or earlier. This explains why the volumes of pre-charge decisions are larger than the volume of pre-charge receipts, within the same time period.

¹⁸ See explanation of change of reporting percentage charged in the data section of the report.

¹⁹ 'Exclusive of mixed pleas' are defendant cases where only 'not guilty' pleas are entered to all charges and a trial ensues.

²⁰ The flagging used to distinguish the different types of rape cases is outlined in the [rape section of the data section of the report](#) and the [underlying data is also provided](#).

- In child rape cases, although charging decisions took longer in 2018-19, the time from charging to case finalisation decreased. These cases have had some of the highest rates of charging and convictions of all the rape flagged cases prosecuted, with the lowest proportion of dropped cases and those not convicted due to complainant attrition.

Potential factors which may have impacted on the drop in rape charges:

The growing gap between the number of rapes recorded by the police, and the number of cases going to court is a cause of concern for all of us in the criminal justice system. However, it is not an indication of any change in policy, or lack of CPS commitment to prosecute.

There are a number of factors which we believe have contributed to the drop in rape charges:

- a reduction in the number of referrals from the police to the CPS;
- an increase in the volume of digital data which takes time to investigate, and so may result in cases taking longer to reach the CPS;
- an increase in the number of consultations between the police and prosecutors pre-charge, with action plans put in place to set out what further work is needed for a charging decision to be made. This can result in charging decisions taking longer, but should mean stronger cases are taken forward; and
- an increase in the number and proportion of cases where the police have not responded to either early investigative advice or requests for more information.

Actions we have taken to improve prosecution performance

- CPS has produced a [psychological evidence toolkit](#) for prosecutors to help understand the impact of a range of psychological conditions, including those linked with trauma.
- Further updated legal guidance is outlined in the Sexual Offence section of this report.
- We produced a mandatory training podcast for prosecutors and CPS advocates covering the cross-examination of complainants about their sexual history (S.41 Youth Justice and Criminal Evidence Act 1999). It is also available for members of the external Bar.
- CPS carried out a survey with stakeholders, as part of a project to increase our understanding of how changes in sexual behaviour and digital evidence, especially in acquaintance rape cases, impact on rape prosecutions.
- Training on the handling of vulnerable witnesses was delivered to all CPS-employed RASSO advocates and delivery continues for members of the external Bar. The selection criteria for the RASSO Advocate Panel list, has also been updated to reflect new training requirements.

Future priorities

- The CPS will continue to work with partners and stakeholders on the cross-Government review into the criminal justice response to rape and serious sexual offences, and to take forward its recommendations, expected in Spring 2020.
- We will complete our project into the changing nature of sexual encounters, especially those linked to the use of digital technology, and will identify how learning outcomes will be used to improve prosecutorial practice. We will develop new guidance for prosecutors and update our guidance on myths and stereotypes.

- Training planned for 2019-20 includes induction for the CPS RASSO lawyers and Crown Advocates joining the RASSO Units, as part of the regular rotation of prosecutors.
- The youth RASSO course for prosecutors will be updated to further reflect any different considerations that apply to these cases e.g. in relation to public interest, charge selection and sentencing.
- Training will be undertaken by RASSO prosecutors on the appropriate use of Disclosure Management Documents in RASSO cases.
- We will continue to develop updates to the CPS RASSO legal guidance. Through consultation with groups supporting male victims, the guidance will include details of the experience of male victims to help challenge myths and stereotypes and provide details of support services available to them.
- Interim operational practice guidance on pre-trial therapy will be published, prior to full guidance, following stakeholder consultation. The guidance will enable all victims to receive the therapy they require in a timely fashion both to assist their recovery and to give their best evidence in criminal proceedings
- CPS will launch a toolkit for cases of same-sex violence. The purpose of this toolkit is to support prosecutors considering issues which may arise in relation to cases of sexual violence involving adults where both the complainant and suspect/defendant are the same sex or are transgender.

Court of Appeal support CPS appeal

R v E – Court of Appeal approves CPS approach on ‘reasonable lines of enquiry’.

In this case, a Crown Court judge stopped proceedings after ruling that the failure to seize a mobile telephone belonging to a complainant meant the defendant could not have a fair trial. The CPS appealed this ruling and the Court of Appeal ruled in favour of the CPS, deciding that a fair trial would have been possible.

Importantly, the Court of Appeal approved the CPS guidance on reasonable lines of enquiry saying that it ‘accurately...set out the considerations that investigators should have in mind when deciding what enquiries should be made during investigations into allegations of sexual offences’. The Court handed down guidelines which emphasised that seizing a phone is not automatically a reasonable line of enquiry in every case. Phones should not be examined as a matter of course, or on speculation, but based on the facts in each and every case.

Supporting a vulnerable victim

A victim with mental health issues and learning difficulties, residing in supported living, was given the assistance of an intermediary and support worker to enable her to give a full account of the rape. She had recorded some of the incident on her mobile phone, and this was used in evidence for charges of rape and assault by penetration.

The defendant entered not guilty pleas, suggesting that the victim had given her consent. Special measures, in the form of a live link, were arranged for the victim to give evidence, but ultimately weren't needed after the defendant made acceptable pleas on the day of the trial.

With the help of the police and her support worker, the victim attended the final hearing to read out her victim personal statement. The defendant was sentenced to seven years' imprisonment.

Sexual offences (excluding rape)

Context

There are a range of crimes that can be considered as sexual offences, where a person is coerced or physically forced to engage against their will, or when a person, male or female, touches another person sexually without their consent. What these crimes all have in common is they can have devastating consequences for victims.

It is recognised that many victims of sexual offences, including rape, are children and therefore flagged as child abuse – so there is an overlap of rape, sexual offences and child sexual abuse data.

Key CPS data and analysis

[Link here to the full data for sexual offence in the report section pages A26-A30 where five years of data is provided.](#) Data provided below and in the data section of the report relates to all sexual offence defendants, irrespective of sex or gender.

CPS records do not include details of pre-charge decisions regarding sexual offences (excluding rape) and therefore cannot provide data on police referrals or charged defendants. In 2018-19, the volume of prosecutions and convictions of sexual offences (excluding rape) decreased from the previous year, with an increase in the conviction rate after trial. Key data includes:

- Completed prosecutions fell from 12,005 in 2017-18 to 10,127 in 2018-19 – a decrease of 15.6%.
- Convictions fell from 9,654 in 2017-18 to 8,238 in 2018-19 – a decrease of 14.7%.
- Conviction rate rose from 80.4% in 2017-18 to 81.3% in 2018-19 – the highest rate ever recorded; convictions after trial (exclusive of mixed pleas)²¹ increased by 1.8 percentage points to 55.1%.

²¹ 'Exclusive of mixed pleas' are defendant cases where only 'not guilty' pleas are entered to all charges and a trial ensues.

Actions we have taken to improve prosecution performance

- CPS refreshed the RASSO legal guidance to include updates on S.41 YJCEA 1999, Sexual Harm Prevention Orders and ‘upskirting’²².
- The pre-trial video-recorded cross-examination pilots, across the CJS, for all vulnerable witnesses²³ were extended to six Crown Courts.
- A pilot was introduced for ‘intimidated’ witnesses (limited to [s17.4 YJCEA](#)) in sexual offences or modern slavery²⁴.

Future priorities

- The CPS will continue to engage with CJS partners for the roll-out of the use of pre-trial recorded cross-examination of complainants, which will help to reduce the delay and trauma associated with giving evidence.
- The work outlined in the rape section above also applies to serious sexual offences other than rape.

Protecting young women and girls

A defendant was sentenced to six years’ imprisonment and a Sexual Harm Prevention Order for an indefinite period after being found guilty of groping young women and girls at rush hour.

In the face of evidence from witnesses and CCTV footage, the defendant admitted 14 separate sexual assaults over the course of a year. These included three counts of sexual assault of a child under the age of 13.

So-called ‘honour-based’ abuse, forced marriage, and female genital mutilation

Context

So called ‘honour based’ abuse is a crime which has been committed to protect or defend the so-called ‘honour’ of the family and/or community. So-called ‘honour-based’ abuse²⁵ can be a collection of practices, which are used to control behaviour within families or other social groups to

²² The Voyeurism (Offences) Act 2019 added a new section 67A to the Sexual Offences Act 2003.

²³ The initial pilot continued in Leeds, Liverpool and Kingston-Upon-Thames Crown Courts. ‘Wave one’ of the national roll-out was commenced in June 2019 in the additional six Crown Court sites of Bradford, Carlisle, Chester, Durham, Mold and Sheffield. Partners include MoJ, HMCTS, NPCC/Police, CPS, Judicial Office, LAA, the Bar and Law Society.

²⁴ The pilot started in the three existing pilot sites of Liverpool, Leeds and Kingston-Upon-Thames. Read the full [Commencement Order](#). Partners are as in the original pilots.

²⁵ So-called ‘honour-based’ violence was changed to so-called ‘honour-based’ abuse in 2018.

protect perceived cultural and religious beliefs and/or honour. ‘Honour-based’ abuse is a violation of human rights and may be a form of domestic and/or sexual violence. There is not, and cannot be, any honour or justification for abusing the human rights of others.

A **forced marriage** is where one or both people do not (or in cases of people with learning disabilities or reduced capacity, cannot) consent to the marriage as they are pressurised, or abuse is used, to force them to do so. It is a form of domestic or child abuse and an abuse of human rights. The pressure put on people to marry against their will may be physical, emotional, psychological or financial.

The specific forced marriage offences under S121 Anti-Social Behaviour, Crime and Policing Act 2014 and S121 breach of a forced marriage protection order have now been in force for five years. This year’s report specifically focuses on these prosecutions.

Female Genital Mutilation (FGM) is a collective term for a range of procedures which involve partial or total removal of the external female genitalia for non-medical reasons. It is sometimes referred to as female circumcision, or female genital cutting. The practice is medically unnecessary, is extremely painful and has serious health consequences, both at the time when the mutilation is carried out, and in later life.

Key CPS data and analysis.²⁶

[Link here to the full data on so-called ‘honour-based’ abuse in the report section pages A30–A31.](#)

[Link here to the full data on forced marriage in the report section pages A31.](#)

[Link here to the full data on female genital mutilation in the report section pages A31.](#)

Data provided below and in the data section of the report relates to all defendants, and complainants, irrespective of sex or gender.

So-called ‘honour-based’ abuse

This year’s report focuses only on 2018-19 data for so-called ‘honour-based’ abuse, because quality assurance of the flagging recognised that guidance on gathering this data needs to be reviewed and updated. All cases were checked to ensure robust flagging.

- There were 80 so-called ‘honour-based’ abuse (HBA) pre-charge decisions completed, following referrals from the police of HBA-related offences, with 49 suspects charged.
- There were 72 prosecutions completed in 2018-19; with 41 convictions and a conviction rate of 56.9%.

Forced marriage

This year’s report focuses only on the forced marriage *offence* prosecutions, rather than all defendants flagged in ‘forced marriage’ cases, because quality assurance of the flagging in 2018-19 recognised that guidance on gathering this data needs to be reviewed and updated.

²⁶ The small number of cases indicates the need for caution in interpreting data in relation to these offences.

- In 2018-2019 there were four offences of forced marriage charged²⁷. Of these, there were four defendants prosecuted and three convicted.
- There were eight prosecutions for breach of a Forced Marriage Protection Order offence, resulting in eight defendants prosecuted, three of which were convicted.

Female Genital Mutilation

- Two defendants were prosecuted for female genital mutilation; one was convicted and the other acquitted. This was the first conviction ever in England and Wales.
- There were no prosecutions for breach of a FGM Protection Order (FGMPO).

Actions we have taken to improve prosecution performance

- A joint police-CPS 'honour-based' abuse, forced marriage and female genital mutilation stakeholder group was established to help improve investigation and prosecution performance.
- CPS legal guidance was revised to include the practice of 'breast ironing', address forced marriage where the victim lacks capacity, e.g. dementia or learning difficulties and include the revised definition of 'honour-based' abuse, in line with the cross-government definition.
- We implemented a quality assurance plan to improve the flagging of 'honour-based' abuse and forced marriage cases.
- We have created a unified network of CPS Area leads for 'honour-based' abuse, forced marriage and female genital mutilation and will hold regular conference calls with them to provide guidance and share good practice.
- The CPS legal guidance on female genital mutilation is being revised and we are consulting key stakeholders, to reflect practical experience of challenges in these cases, and to provide clarification on piercing and cosmetic surgery. We are aiming to publish the updated guidance in autumn 2019.
- We held conferences to identify good practice and lessons learnt from female genital mutilation investigations and prosecutions, particularly in London.

Future priorities

- We will hold a workshop to increase resilience and support for prosecutors dealing with so-called 'honour-based' abuse, forced marriage and female genital mutilation cases.
- We will provide robust flagging and ensure regular monitoring and reviews of performance for forced marriage and so-called 'honour based' abuse cases. Area leads will monitor flagging on a monthly basis. CPS-Police quarterly reviews will conduct an analysis of the flagged cases to ensure we have a joined up investigation and prosecution response to these crimes.
- A casefile review of specific forced marriage offence convictions, which started in 2018-19, will be completed and a toolkit/best practice guidance developed.
- We will work with stakeholders to identify and address the remaining obstacles to the prosecution of FGM allegations.

²⁷ Under S121 Anti-Social Behaviour, Crime and Policing Act 2014

- The CPS and NPCC are counter signatories to the 'Proclamation of Interagency Support for Female Genital Mutilation/Cutting Investigations between U.K. and U.S. Law Enforcement' and will continue to identify opportunities for joint working between our jurisdictions.

Partnership working to tackle forced marriage

A couple were convicted of tricking their daughter into travelling abroad to force her to marry her cousin. When she refused to go through with the wedding, her parents took her phone away and threatened her with violence. She was assaulted and her father threatened to slit her throat and to 'chop her up' in 18 seconds – one for each year of her life – if she refused to comply.

The British High Commission abroad, the Forced Marriage Unit and the overseas police worked together to rescue the victim and bring her safely back to the UK. Her father and mother were sentenced to four-and-a-half years' and three-and-a-half years' imprisonment respectively.

First FGM conviction

A mother was convicted of female genital mutilation (FGM) following a trial in January 2019. The CPS engaged with the police from the earliest possible stage, within days of the offence taking place.

Emergency surgery was needed as a result of the injuries inflicted. The defendant claimed that the victim had fallen onto a cupboard door when she was reaching for biscuits, but the police tested the area and did not find evidence of blood. Expert evidence demonstrated that the injury had not been caused accidentally, but was a deliberate and precise incision amounting to FGM.

The father denied any knowledge. He was also prosecuted but was acquitted after trial. The mother was sentenced to 11 years' imprisonment.

Child abuse

Context

Child abuse includes physical, emotional and sexual criminal offences, as well as neglect, of a child. A child is defined as any person under the age of 18. Child sexual abuse involves forcing or inciting a child to take part in sexual activity, whether or not the child is aware of what is happening and not necessarily involving a high level of violence. Child abuse can be committed by both men and women, or other children; and both boys and girls can be victims of these crimes.

Key CPS data and analysis

[Link here to the full data on child abuse in the report section pages A31-A42 where five years of data is provided.](#) Data provided below and in the data section of the report relates to defendants, and complainants, irrespective of sex or gender.

Note all data refers to child abuse-flagged cases, with those of child sexual abuse (CSA) being identified by any sexual offence flagged as child abuse. There is an overlap of rape, sexual offence and child sexual abuse data due to the volume of rape and sexual offences against children.

The reduction in the number of suspects referred by the police to the CPS for a charging decision together with the increase in the number of cases where the police do not respond to CPS requests for additional evidence or reasonable lines of enquiry within three months (administratively finalised cases), has had the largest impact on charging volumes in relation to child abuse, including child sexual abuse cases. There has been an increase in conviction rates for both child abuse and child sexual abuse.

Key data includes:

- The number of suspects referred by the police²⁸ to the CPS for a charging decision – decreased from 9,185 in 2017-18 to 7,138 in 2018-19 – a decrease of 22.3%.
- The total pre-charge decisions completed by CPS²⁹, following referrals from the police decreased from 11,986 in 2017-18 to 10,318 in 2018-19 – a decrease of 13.9%.
- The proportion of pre-charge decisions charged decreased from 63.0% in 2017-18 to 56.3% in 2018-19 – a decrease of 6.7 percentage points (ppt).
- Of all legal pre-charge decisions completed (to charge, to take no further action or an out of court disposal outcome), the proportion charged decreased from 72.6% in 2017-18 to 68.0% in 2018-19³⁰ – a decrease of 4.6 ppt.
- The proportion administratively finalised (cases where the police do not respond to CPS requests for additional evidence or reasonable lines of enquiry within three months) increased from 13.2% to 17.2% – an increase of 4.0ppt.
- Completed prosecutions decreased from 10,704 in 2017-18 to 8,814 in 2018-19 – a decrease of 17.7%.

While the number of convictions decreased from 8,350 in 2017-18 to 6,971 in 2018-19 – a decrease of 16.5%, the conviction rate rose from 78.0% in 2017-18 to 79.1% in 2018-19, an

²⁸ Prior to 2018-19, the data on 'pre-charge decisions' completed by the CPS was reported as 'police referrals' in the VAWG report. This 2018-19 report uses different terminology to clarify the data. It provides two sets of data - (i) 'pre-charge receipt' of cases – the number of suspects referred to the CPS by the police for a charging decision and (ii) 'pre-charge decisions' completed by the CPS (previously called 'police referrals') which is a CPS decision on whether to charge, take no further action, recommend an out of court decision, administratively finalise or 'other.' The number of pre-charge receipts referred by the police relies on (a) the police identifying and flagging the cases, by suspect, prior to being referred to CPS and (b) CPS administrators identifying and flagging those cases on the CPS Casework Management System, when they are first registered.

²⁹ The volume of pre-charge decisions completed by the CPS will be a total of those referred by the police (flagged by the police and CPS at registration) together with any flagged by CPS prosecutors and administrators at a later date, but before the final pre-charge decision is completed. The total pre-charge decisions data will be based on the date the charging advice was completed and provided to the police. Therefore, 2018-19 data may include pre-charge decisions on cases referred by the police to the CPS in 2018-19, 2017-18 or earlier. This explains why the volumes of pre-charge decisions are larger than the volume of pre-charge receipts, within the same time period.

³⁰ [See explanation of change of reporting percentage charged in the data section of the report.](#)

increase of 1.1%; and the proportion of convictions after trial (exclusive of mixed pleas)³¹ increased by 4.0 percentage points to 60.3%.

Within child abuse flagged defendants, key data specifically related to child sexual abuse includes:

- Completed prosecutions for child sexual abuse offences decreased from 6,378 in 2017-18 to 5,091 in 2018-19 – a decrease of 20.2%.
- Convictions for child sexual abuse offences decreased from 4,878 in 2017-18 to 4,023 in 2018-19 – a decrease of 17.5%.
- The conviction rate increased from 76.5% in 2017-18 to 79.0% in 2018-19 (2.5ppt); convictions after trial (exclusive of mixed pleas)³² increased by 5.8 percentage points to 61.5%.

Actions we have taken to improve prosecution performance

- We established a child sexual abuse stakeholder forum to identify any potential improvements to prosecution performance.
- The CPS worked with the NPCC Vulnerability Coordination Centre to address further improvements in the response to CSA.
- The CPS has continued to co-chair the Child Sexual Abuse Review Panel and developed e-learning modules for prosecutors on grooming.
- The CPS developed legal guidance for prosecutors on prosecuting cases involving child-like sex dolls and to engage with the new safeguarding arrangements. The guidance also includes details of the experience of, and support available for, male victims.
- We published guidance on ‘Vigilantes on the Internet - cases of Child Sexual Abuse’ to cover undercover officers and updated guidance on arranging or facilitating a child sex offence contrary to section 14 of the Sexual Offences Act 2003.
- The CPS provided material and witness statements to the Independent Inquiry into Child Sexual Abuse (IIOC)³³.
- We worked with the Sentencing Council on the revision of the ‘Cruelty to a Child and Causing or Allowing the Death or Serious Injury to a Child’ Sentencing Guidelines.
- The CPS worked with CJS partners in the development of ‘The Lighthouse’ - the first ever facility for young victims of sexual abuse to access medical, investigative and emotional support under one roof. The two-year pilot has been funded through £8 million of joint investment by Mayor’s Office for Policing and Crime (MOPAC), the Home Office, NHS England, and the DFE, with more than £1m additional funds from a partnership between Morgan Stanley and the National Society for the Prevention of Cruelty to Children (NSPCC).
- CPS participated in the EU Commission working group to tackle child sexual abuse, contributing to discussions about key challenges and the sharing of good practice.

³¹ ‘Exclusive of mixed pleas’ are defendant cases where only ‘not guilty’ pleas are entered to all charges and a trial ensues.

³² ‘Exclusive of mixed pleas’ are defendant cases where only ‘not guilty’ pleas are entered to all charges and a trial ensues.

³³ CPS gave live evidence to the IIOC in respect of five of their investigations: Anglican Church, Nottinghamshire Councils, Roman Catholic Church, Westminster and the Protection of Children outside the UK strand. We also contributed to the public hearings in the Accountability & Reparation strand of the Inquiry and continue to provide the Inquiry with relevant information in relation to their remaining investigations.

Future priorities

- CPS will work with the Department of Education and other CJS partners to explore the proposed offence of 'Wilful Concealment of Child Abuse'.
- The CPS will continue to work with the Child Sexual Abuse Stakeholder Forum to obtain an insight into emerging themes, particularly issues that might arise through the use of new technology.
- We will develop a prosecutor training course on new technology used to commit child sexual abuse.
- The CPS will undertake a project on Peer on Peer offending (with a view to understanding behaviours and development in adolescents) to inform and develop prosecution practices.
- The CPS will continue to work with CJS partners to complete the pilot and evaluation of 'The Lighthouse' while MOPAC works with partners to explore future funding opportunities to ensure this unique facility can continue to deliver this pioneering service beyond its two-year pilot phase.

Non-recent child sexual abuse

Two defendants were convicted of assaulting young boys in children's homes in the 1970s and 1980s. One was sentenced to eight years for indecent assault on three victims. He had been working at the residential homes at the time of the offences. His victims were able to identify him by his distinctive appearance, interest in playing the piano and by name.

The other defendant was convicted of indecent assault on one victim and sentenced to four years' imprisonment. At the time he had been working as the head of the centre and had previously worked as a part-time special police constable. The second defendant had also previously been convicted of committing similar offences against other children under his care at different homes – these convictions were used as supportive evidence during the trial.

Further Rotherham convictions for sexual exploitation

A man who sexually abused three girls in the 1990s was sentenced to 25 years' imprisonment for rape, actual bodily harm and threats to kill. He was convicted as part of the National Crime Agency's inquiry into the sexual abuse allegations in Rotherham.

His first victim was 13 years old and in the care of social services when he exploited and abused her. He was 22 years old at the time. Some years later – when he was 38 and 40 – he abused two further teenage girls.

Modern slavery and human trafficking

Context

Modern slavery is an umbrella term that encompasses the offences of human trafficking and slavery, servitude, forced or compulsory labour, as set out in different anti-slavery legislation. Modern slavery frequently involves multiple victims, offenders and places, and it is often hidden and involves or takes place alongside a wide range of abuses and other criminal offences. Modern slavery has a devastating, lasting impact on its victims. There is no place in our society for those who enslave others, whether for work, sexual or criminal exploitation or domestic servitude.

Key CPS data and analysis

[Link here to the full data on modern slavery and human trafficking in the report section pages A42–A50 where five years of data is provided.](#) Data provided below and in the data section of the report relates to all defendants, and complainants, irrespective of sex or gender.

The small number of flagged cases indicates the need for caution in interpreting this data in relation to the offences detailed below.

The reduction in the number of suspects referred by the police to the CPS for a charging decision together with the increase in the number of cases where the police do not respond to CPS requests for additional evidence or reasonable lines of enquiry within three months ('administratively finalised cases'), has had the largest impact on charging volumes in relation to modern slavery and human trafficking cases.

The number of offences, rather than defendants, prosecuted rose from 340 to 445, with an average number of victims and witnesses increasing to 11.6 per case compared with 10.6 in the previous year. The high number of victims may be an indication of the increased complexity of these cases under prosecution, which could increase the length of time they take to conclude from the date of offence.

Convictions increased from 185 in 2017-18 to 219 in 2018-19 – an increase of 18.4% and the conviction rate rose from 65.1% in 2017-18 to 68.0% in 2018-19 – an increase of 2.9%.

Key data includes:

- The number of suspects referred by the police – to the CPS for a charging decision – decreased from 293 in 2017-18 to 205 in 2018-19 – a decrease of 30.0%.
- The total of pre-charge decisions completed by CPS – following police referrals decreased slightly from 355 in 2017-18 to 340 in 2018-19 – a decrease of 15 (4.2%).
- The proportion of pre-charge decisions charged decreased from 67.3% in 2017-18 to 60.3% in 2018-19 – a decrease of 7.0 percentage points (ppt).
- Of all legal pre-charge decisions completed (to charge, to take no further action or an out of court disposal outcome), the proportion charged decreased from 77.9% in 2017-18 to 75.1% in 2018-19 – a decrease of 2.8ppt.

- The proportion administratively finalised (cases where the police do not respond to CPS requests for additional evidence or reasonable lines of enquiry within three months) increased from 13.5% to 19.4% – an increase of 5.9ppt.
- Completed prosecutions increased from 284 in 2017-18 to 322 in 2018-19 – an increase of 13.4%.
- Convictions increased from 185 in 2017-18 to 219 in 2018-19 – an increase of 18.4%.
- Conviction rate rose from 65.1% in 2017-18 to 68.0% in 2018-19 (2.9 percentage points).

Actions we have taken to improve prosecution performance

- CPS continued to work with law enforcement and other government departments to support the Prime Minister's modern slavery taskforce.
- We have worked pro-actively with the police to increase the number of robust cases and reduce the need to rely on the evidence of vulnerable complainants.
- Our legal guidance has been updated to reflect the changing profile of modern slavery and case law.
- We have delivered training events for our prosecutors, including good practice in prosecuting modern slavery cases and updates on the statutory defence for trafficked victims of criminal exploitation.

Future priorities

- The CPS will continue to support the cross-Government response, both domestically and internationally.
- We will work closely with the Home Office on the reform of the National Referral Mechanism to establish a process to improve victim cooperation and sustained support.
- We will seek to maintain or improve levels of co-operation with EU countries, following departure from the EU, by entering into bi-lateral arrangements and improve the links between Areas and the CPS International Division/Extradition Unit.

Tackling trafficking for sexual exploitation

A defendant was convicted of five offences of human trafficking for sexual exploitation and one offence of perverting the course of justice, for which she was sentenced to a total of 14 years' imprisonment. This was later increased on appeal to 18 years' imprisonment.

Five young, vulnerable women were trafficked from Nigeria into Germany where they were forced into prostitution. Prior to their departure, the victims were forced to undertake an oath at a voodoo ceremony, where they promised to repay the €38,000 they owed for their travel, not to inform police and not to run away. They were then forced to make a dangerous journey over land through Libya. During this ordeal, one woman was raped. She became pregnant as a result and had to pay for her own abortion before being forced to see further abusers on the same day.

The defendant, who was a British citizen, was arrested in London. During her trial, evidence was given by victims in Germany via live video link. So that the victims could feel safe giving their evidence, the prosecution arranged for a voodoo priest to reverse the oath and curses on them.

This was the first case prosecuted under the Modern Slavery Act involving victims that had no connection to the UK, but who had been victimised by a UK national.

Prostitution

Context

The CPS focuses on the prosecution of those who force others into prostitution, exploit, abuse and harm them. Our joint approach with the police, with the support of other agencies, is to help those involved in prostitution to develop routes out.

Key CPS data and analysis

[Link here to the full data on prostitution in the report section pages A51 where five years of data is provided.](#) Data provided below and in the data section of the report relates to all offences, irrespective of the sex or gender of defendant or complainant.

All data below refers to the number of offences in which prosecutions commenced and reached a first hearing in the magistrates' court.

- Causing, inciting or controlling prostitution for gain offences decreased from 96 in 2017-18 to 68 in 2018-19.
- Brothel keeping offences stayed steady (74).
- Kerb-crawling offences decreased from 106 in 2017-18 to 77 in 2018-19.

- Street offences increased slightly from 57 to 69.

Actions we have taken to improve prosecution performance

- CPS updated the legal guidance on prosecuting 'sex for rent' arrangements in circumstances where exploitation of prostitution for gain is evident.
- We have been involved in ongoing work with Adult Services Websites to provide intelligence and evidence to support prosecution of criminal offences, which links to our work on modern slavery and human trafficking.
- CPS contributed to the development of the revised 'National Policing Sex Work and Prostitution Guidance'.

Future priorities

- We will continue to support work arising from the National Working Group on sex working /prostitution, chaired by the NPCC.
- We will make relevant links with human trafficking policy and developments with drugs and gang-related offences, where sexual exploitation is a feature.

Controlling prostitution for gain

The defendant was convicted of offences including rape, controlling and coercive behaviour and controlling prostitution for gain. He was sentenced to 17 years in prison with a three-year extended licence.

The victim was trafficked to the UK from Romania for the purposes of sexual exploitation. Prior to travelling to the UK, the defendant had forced her to work as a prostitute in Romania. When she refused, she was assaulted numerous times. He also subjected her young children to assaults, including throwing them out into the snow. When she initially refused to travel to England with him, he threatened to kill her children.

A European Arrest Warrant was arranged after the defendant fled the country during the course of the proceedings. This complex case involved collaborative working between the CPS and local police in Romania.

Pornography, obscenity and communication offences

Context

These offences relate to images that are grossly offensive, disgusting or obscene. This may include images of extreme violence, mutilation, or sexual activity. So-called 'revenge pornography' relates to private sexual photographs and films of a person that have been disclosed without their consent,

with intent to cause that individual distress. Such images may be uploaded onto the internet, often by a person's ex-partner, to cause them distress, humiliation or embarrassment.

It is an offence to take, to permit to be taken, to make, to possess, show, or to distribute or publish an image of a child posed or pictured indecently, for example in a sexual way.

'Making' an indecent image does not just refer to a person taking a photo or video – it can also refer to a person downloading or printing an indecent image, or opening an email attachment containing an indecent image.

Key CPS data and analysis

[Link here to the full data on pornography, obscenity and communication offences in the report section pages A52-A54 where five years of data is provided.](#) Data provided below and in the data section of the report relates to all offences, irrespective of the sex or gender of defendant or complainant.

All data below refers to the number of offences in which prosecutions commenced and reached a first hearing in the magistrates' court.

Child abuse image offences decreased from 15,055 in 2017-18 to 11,096 in 2018-19. However, CPS was able to prosecute suspects more efficiently using fewer images. In 2014-15 the average number of offences per case was eight, in 2018-19 it was 3.6. These included a decrease in offences of sexual exploitation of children through photographs from 11,929 in 2017-18 to 8,799 in 2018-19.

Other key data includes:

- Obscenity and communication offences decreased from 8,112 in 2017-18 to 7,485 in 2018-19 (7.7%). Most malicious, offensive or indecent communications offences were domestic abuse- related.
- There were 28 prosecutions of rape pornography³⁴ in 2018-19; 26 in 2017-18.
- There were 376 prosecutions commenced of the offence of disclosing private sexual images without consent (so-called revenge pornography), lower than the previous year (464).
- There were 18 prosecutions commenced of the offence of possession of a paedophile manual, the same as in the previous year.

Actions we have taken to improve prosecution performance

- We revised the CPS legal guidance on Obscene Publications to clarify and assist prosecutors in assessing and prosecuting the range of 'obscenity' offences.

³⁴ Criminal Justice and Immigration Act 2008 {63(1), (7A), the offence of possession of an extreme pornographic image portraying rape/assault by penetration.

Future priorities

- We will revise and publish guidance on prosecuting cases of Extreme Pornography.
- Any further update of legal guidance, training and case studies for prosecutors will include details of the experience of male victims.
- We will work with the British Board of Film Classification (BBFC) as they begin their role as Age -Verification Regulator for online commercial pornographic services, under the Digital Economy Act 2017.
- We will support partners, including the Internet Watch Foundation, in their work in the detection and removal of indecent images of children.

Indecent images of children

A man was sentenced to nine years in prison for attempting to arrange or facilitate the commission of child sexual offences and possession and distribution of indecent images of very young children.

The defendant, a retired police officer, instructed another man to carry out the oral rape of a 6-year-old child and to share images of the act online. The defendant was also found to be in possession of thousands of indecent images of children, including some of those whose sexual abuse he had encouraged via the internet. During the course of this investigation the police identified two other defendants who were successfully prosecuted for serious sexual assaults on children. They received sentences of thirteen and seven years respectively.

These prosecutions followed a lengthy nationwide operation to disrupt the commission of sexual offences against children, which has led to over 50 successful prosecutions of sexual offenders to date.

Violence against Women and Girls data section of the report

The Violence against Women and Girls data section of the report provides detailed data analysis on each of the VAWG strands.

Violence against Women and Girls data section of the report

Explaining CPS data

The Crown Prosecution Service (CPS) collects data for case management purposes in order to assist in the effective management of its prosecution functions. The CPS continually reviews its recording processes and practices to further improve the collection and use of data held. The CPS does not collect data which constitutes official statistics as defined in the Statistics and Registration Service Act 2007.¹

The data in this report sets out VAWG case outcomes, based on the best available data from the CPS Management Information System. Explanatory notes are provided throughout the report to assist with the interpretation of the data.

Further information and deeper analysis of the prevalence of DA, rape, sexual offences, child abuse and stalking is available in the [Crime Survey of England and Wales \(CSEW\)](#) and from the Home Office and Ministry of Justice where available. The CPS contributes to further important annual publications of [DA](#) and [rape data](#) across the CJS from the Office of National Statistics (ONS) and the National Rape Monitoring Group, chaired by HMICFRS, respectively. These publications provide detailed information across police force areas in order to help build a clearer picture of the CJS-wide response, nationally and locally.

The data that forms the basis of the report is derived from the CPS Case Management System (CMS), CPS Witness Management System (WMS) and its associated Management Information System (MIS). The data is held within three separate databases within the MIS², based on defendants, offences and complainants or witnesses. Data cannot be correlated between the separate databases³. The report includes *total data on all perpetrators and complainants, irrespective of sex or gender*. Where possible, data is broken down, in the body of the report, by sex as well as overall volumes and proportions.

Domestic abuse, rape, forced marriage, so-called 'honour-based' abuse, child abuse and human trafficking cases are identified by flags manually applied to defendants in the CMS⁴ and reported through the MIS. This data is recorded on a 'suspect' (pre-charge) or 'defendant' (post-charge) basis and therefore provides data on police referrals and charged suspects as well as defendant

¹ The official statistics relating to crime and policing are maintained by the Home Office and Office for National Statistics 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.² As with any large scale recording system, data is subject to possible errors in data entry and processing. The figures are provisional and subject to change as more information is recorded by the CPS.

² As with any large scale recording system, data is subject to possible errors in data entry and processing. The figures are provisional and subject to change as more information is recorded by the CPS.

³ This report mainly provides outcomes by defendant and cannot provide separate information on outcomes based on complainants or offences. To that end, data cannot be provided separately for the outcome of cases faced by female and male complainants; nor is it possible to correlate the sex of the defendant with the sex of the complainant.

⁴ The CPS maintains a central record of prosecution outcomes with reference to a number of case monitoring flags, including DA, rape, forced marriage, so-called 'honour-based' abuse, child abuse and human trafficking. These flags are applied to cases identified as involving these types of offences by Area staff. The data that is produced is primarily used for monitoring performance and is accurate only to the extent that the flag has been correctly applied.

outcomes. In addition, it provides the facility to record equality profiles of defendants.⁵ We analyse the outcomes of prosecutions using the defendant database and therefore this report reflects that throughout.

Data for stalking, harassment, prostitution, pornography, obscenity, communications and sexual offences can only be obtained using the offences data recorded in the CMS and reported through the MIS. This data comprises the number of offences in which a prosecution commenced at magistrates' courts, and does not include any information on the number of referrals from the police, charged by CPS and the prosecution outcomes⁶. In addition data on complainant profiles is not available for these offences.

The WMS is a bespoke case management system designed by and for specialist Witness Care Unit (WCU) staff to effectively manage their cases. The WMS records and witness data and, where recorded, the system includes data reporting equality profiles of complainants (and witnesses). The WMS can only provide data on the *volumes* of complainants associated with prosecution proceedings, by sex (where available), rather than the *outcome* of those prosecutions. It does not include any data which reports the volumes of alleged complainants associated with pre-charge proceedings and therefore cannot include data on police referrals and CPS charging.

Equality profiles of defendants, by sex, ethnicity and age are assessed and reported on in this section of the report. Data on the equality profiles of complainants/victims are reported where available and we continue to look for ways in which to improve the complainant related data held in the CJS.

In line with government policy, we publish the underlying data used in our reports. The [underlying data for this report](#) can be found on the CPS website, in the Publications section.⁷

This year's report format has changed from last year's format, to provide more detailed graphs and tables with data over the last five years.

This will be the last CPS VAWG Annual Report of this type. In 2019-20 CPS we will move to reporting data on a quarterly basis, thereby providing the most up-to-date management data more speedily. A brief annual report will also be provided at the end of the financial year.

⁵ Equality profiles of defendants include data on their sex, age and ethnicity.

⁶ Sexual offence data (excluding rape) is an exception as it is derived from the principal offence category of 'sexual offences' by excluding rape flagged defendants and can therefore provide outcome of prosecutions.

⁷ Data is reported throughout this report; any additional underlying data is provided on the CPS website.

Terminology explained

The [glossary](#) provides more detailed definitions of the terms used below. The table provides a brief summary to explain the pre-charge data terms.

Term used	Explanation
Pre-charge receipts	The total of suspects referred by the police to the CPS for a charging decision.
Pre-charge decisions	Of all the suspects referred by the police, pre-charge decisions are those where CPS has completed making a decision on whether to charge, take no further action, recommend an out of court decision, administratively finalise or 'other' ⁸ . Pre-charge legal decisions include: charge, take no further action or recommend and out of court decision. Pre-charge non-legal decisions include: administratively finalised and 'other'.
Administratively finalised	Administratively finalised decisions are not legal decisions and may not be the end of the case. CPS may ask the police to provide further information where there is insufficient evidence to make a charging decision, or the police are requesting early investigative advice. If the police do not respond within three months, following reminders, the case is closed on CMS. This is known as an 'administrative finalisation'. If the police provide additional evidence, the case is reopened in CMS and, if possible, a charging decision is made. Cases where the CPS have advised the police to charge but the suspect has not been charged, due to the suspect not answering police bail or being located, will also be administratively finalised. If the suspect is subsequently located and charged the case is reopened in CMS.
NFA	NFA decisions are where CPS has decided that no further action should be taken; the case cannot proceed to charge as it does not meet the Code for Crown Prosecutor test, for either evidential or public interest reasons.
Charged	Charging decisions are where CPS is satisfied that the legal test for prosecution, set out in the Code for Crown Prosecutors is met: there is enough evidence to provide a 'realistic prospect of conviction' against each defendant and the prosecution is in the public interest.

Police receipts and pre-charge decisions

Prior to 2018-19, the data on 'pre-charge decisions' completed by the CPS was reported as 'police referrals' in the VAWG report. This 2018-19 report uses different terminology to clarify the data. It provides two sets of data - (i) 'pre-charge receipt' of cases – the number of suspects referred to the CPS by the police for a charging decision and (ii) 'pre-charge decisions' completed by the CPS'

⁸ 'Other' is when the result of the charging decision is not known or has not been given for that suspect.

(previously called 'police referrals') which is a CPS decision on whether to charge, take no further action, recommend an out of court decision, administratively finalise or 'other.'

The number of **pre-charge receipts referred by the police** relies on (a) the police identifying and flagging the cases, by suspect, prior to being referred to CPS and (b) CPS administrators identifying and flagging those cases on the CPS Casework Management System, when they are first registered.

The volume of **pre-charge decisions completed by the CPS** will be a total of those referred by the police (flagged by the police and CPS at registration) together with any flagged by CPS prosecutors and administrators at a later date, but before the final pre-charge decision is completed.

The total pre-charge decisions data will be based on the date the charging advice was completed and provided to the police. Therefore, 2018-19 data may include pre-charge decisions on cases referred by the police to the CPS in 2018-19, 2017-18 or earlier. This explains why the volumes of pre-charge decisions are larger than the volume of pre-charge receipts, within the same time period

Changes in reporting of percentage charged

The method for reporting the percentage of charges has been amended from previous years. Previously, the number of charges was divided by the total number of all pre-charge decisions, as defined on page A3, to provide the percentage charging rate.

For the past three years, there has been a significant increase in the proportion of rape cases which are administratively finalised. These are cases in which prosecutors have given early investigative advice and the investigation is concluded by the police without asking for a CPS charging decision or prosecutors have asked the police to collect further evidence by way of an action plan and there has been no response (usually within 3 months). These are not legal decisions and such cases can be re-opened if the police re-commence the investigation.

This year, the report intends to focus on the legal decisions made by prosecutors. Administrative finalisations have been removed from the calculation leaving only those cases where the prosecutor has considered all the available evidence and has decided to charge, take no further action in the case or to issue an out of court disposal. The charging rate has therefore been calculated as percentage of charged cases out of all legal decisions.

VAWG governance

In 2018-19, Chief Crown Prosecutors acted as CPS DA, Stalking and Harassment, RASSO, FM/HBA/FGM, CSA, Human Trafficking and Modern Slavery Champions, linking Headquarters and all CPS Areas, as well as meeting with the External Consultation Group (see below). National CPS VAWG strategy managers, in the Operations Directorate of CPS Headquarters, oversee the VAWG work across CPS Areas. They oversee the delivery of the VAWG strategy, especially through the VAWG assurance scheme outlined below. The national VAWG leads publish regular CPS VAWG newsletters, outlining updates of work across all VAWG strands.

In 2018-19 CPS Area VAWG co-ordinators continued to lead VAWG prosecutions locally and worked with Area Inclusion and Community Engagement Managers (ICEMs) in the running of Local Scrutiny and Involvement Panels (LSIPs). All Areas have panels covering VAWG issues – predominantly

addressing DA and rape prosecutions. In 2018-19 most focused on performance in cases with some specific scrutiny around coercion and control, child sexual assault, stalking, communication with victims, the Stalking or Harassment Protocol, the Domestic Homicide Review and the impact of social media in rape cases.

The VAWG co-ordinators worked with their Area Chief Crown Prosecutors in providing bi-annual reports on performance directly to the Director of Public Prosecutions (DPP) through the VAWG assurance scheme. Roundtable meetings were held in March 2018 and November 2018 to discuss the implementation of actions at a local level.

In 2018-19, at a national level, the CPS VAWG External Consultation Group (ECG) involved key VAWG expert groups to advise the CPS VAWG team. Locally stakeholders provide feedback and offer advice through CPS LSIPs.

VAWG Assurance Scheme

In 2018-19, CPS Areas continued to monitor their performance using the updated VAWG Assurance Scheme assessing a range of measures across domestic abuse and rape and serious sexual offences. This involved detailed analysis of pre-charge receipts; pre-charge decisions including charging, NFA and administrative finalisation; prosecution outcomes; attrition linked with complainant issues and, for rape and serious sexual offences, jury acquittals. Local trends in comparison to the national average were also considered. Following assessment of a broad range of measures, CPS Areas prepared commentaries on their overall assessment and identified any actions needed to address issues identified,

The VAWG Assurance Scheme is just one part of a wider regime of quality assurance exercises undertaken across the organisation. For example, a similar scheme exists to assess a range of measures related to Hate Crime. In addition, work is underway to improve the recording of the equalities profile of complainants in order to provide better data around the prevalence of these crimes by complainant profile.

Inclusion and Community Engagement strategy

In May 2018, the [Inclusion and Community Engagement strategy](#) was published. We are committed to engaging communities locally through VAWG Local Scrutiny and Involvement Panels and nationally through the VAWG External Consultation Group. CPS Areas have also embarked on a series of 'Community Conversations'⁹ with a number of VAWG stakeholders to improve their understanding of the issues and concerns of those impacted by VAWG from 'seldom heard'¹⁰ communities.

All CPS Areas have conducted a preliminary stakeholder mapping exercise. The exercise includes the identification of additional VAWG stakeholders with a view to identifying additional opportunities for

⁹ Led by senior leaders in each Area, 'Community Conversations' provide a mechanism for the CPS to engage with 'seldom heard' communities. They enable members of communities to share their concerns. They also allow the CPS to explain their role in the criminal justice system including: how decisions to prosecute cases are made, the Victims' Right to Review and the special measures that are available to vulnerable and intimidated victims and witnesses.

¹⁰ 'Seldom heard' is a term used to describe groups who may experience barriers to accessing services or are under-represented in decision making

partnership working with statutory and non-statutory organisations.

Social media

In 2018-19, the CPS worked with Department for Digital, Culture, Media and Sport (DCMS), the Home Office and other government departments in the lead up to the publication of the Online Harms White Paper. The White Paper consultation was launched in April 2019 and sets out the Government's plans for a package of measures, both legislative and non-legislative, to keep UK users safe online.

Impact of changes in pre-charge bail across VAWG

In May 2019, the NPCC issued new operational guidance to officers clarifying the use of pre-charge bail, following a decrease in its use since new arrangements were introduced through the Police and Crime Act 2017. Since the 2017 arrangements, there was an increase in the volume of suspects being released under investigation without bail, resulting in increased use of postal requisitions to call them to court. Her Majesty's Inspectorate of Constabulary, Fire and Rescue Services (HMICFRS) identified that the use of bail fell by 75 per cent (and 65 per cent for DA), six months after the new legislation. By December 2018, the number of suspects remanded on bail fell by 24 per cent and the number remanded in custody by seven per cent. This fall may have impacted on the number of defendants failing to attend court. Concern was specifically raised in relation to vulnerable victims, including those in domestic abuse and sexual offence cases.

These changes may to some extent be impacting on the non-attendance of defendants at first hearings for non-custody cases and it is possible that there is a link to the overall fall in prosecutions of VAWG cases identified within this report. CPS does not hold data on the number of defendants failing to attend court but the data on the percentage of adjournments due to warrants being issued indicates a rise¹¹.

¹¹ The number of warrants issued by the court at the first hearing has been steadily increasing overall, from 19.1% in Q1 2017-18 to 21.9% in Q4 2018-19. For DA the number of warrants increased from 5.9% to 7.1%.

Domestic Abuse data

[Link back to the main section on domestic abuse \(pages 8-10\)](#)

Data provided below relates to all domestic abuse (DA) flagged defendants, and complainants, irrespective of sex or gender, with further details of sex where available. The [underlying data for this section of the report](#) can be found in the domestic abuse section of the data on the CPS website.

Pre-charge data

Table 1: The number of suspects referred by the police to the CPS for a charging decision 2014-15 to 2018-19

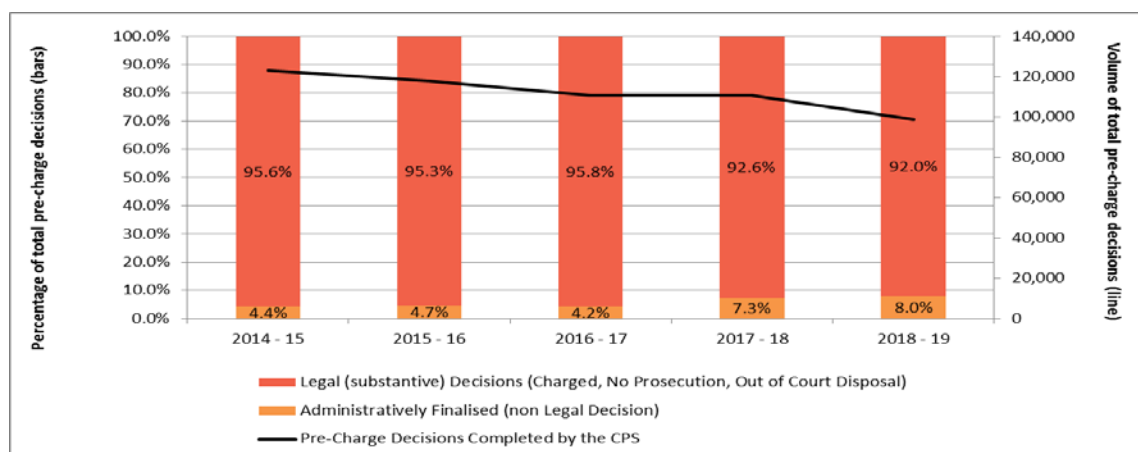
This table illustrates that there has been a significant reduction in referrals from the police over the past year.

	2014 - 15	2015 - 16	2016 - 17	2017 - 18	2018 - 19
Received from the police	126,461	124,292	112,844	110,653	98,470

Explanatory notes: Prior to 2018-19, the VAWG report recorded the data on 'pre-charge decision' completed by the CPS as 'police referrals'. This report provides two sets of data – (i) the receipt of cases from the police referred to us for a charging decision (Table 1) and (ii) 'pre-charge decisions completed by the CPS' (Graph 2) (previously called 'police referrals').

Graph 2: Pre-charge decisions completed by the CPS 2014-15 to 2018-19

This graph shows an overall reduction in total pre charge decisions since 2014-15, together with an increase in non-legal decisions since 2016-17.



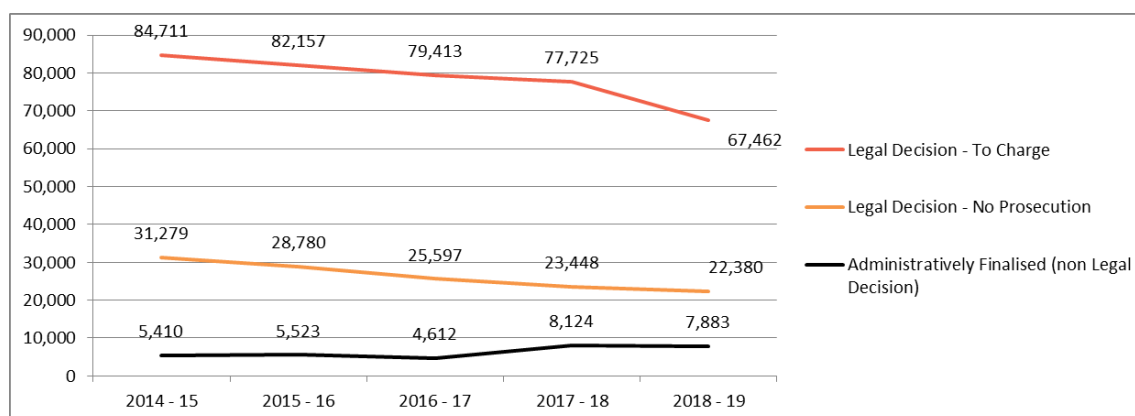
Explanatory Notes: The total pre-charge decisions data will be based on the date that the charging advice was provided to the police. Therefore, 2018-19 data will include cases referred to the CPS in 2018-19, 2017-18 or earlier. In addition, if the domestic abuse flag is missed off the case when it is received from the police, it may be added at a later stage. These are the reasons why volumes of pre-charge decisions completed in graph 2 are different from the volume of suspects referred by the police in Table 1.

Left Y axis is the percentage of the total pre-charge decisions, broken down into the proportion of legal decisions and administratively finalised (bar chart).

Right Y Axis is the volume of total pre-charge decisions completed by the CPS (line graph)

Graph 3: Pre-charge decision outcomes by volume 2014-15 to 2018-19

This graph illustrates that there has been a significant fall in decisions to charge over the past year.



Explanatory Notes: Out of court disposals, such as a caution or conditional caution (where these are an appropriate action) are also legal decisions. These are not included in the graph above due to the comparatively low numbers. During 2014-15 to 2017-18 there was an average of 1,307 out of court disposals per year. In the latest year there were 929.

The method of reporting percentage charging rate that was used in previous reports, (calculated as the proportion of suspects charged out of the total number of all pre-charge decisions, including administratively finalised) would produce the following:

- The proportion of the total of pre-charge decisions which were charged decreased from 70.3% in 2017-18 to 68.4% in 2018-19 – a decrease of 1.9 percentage points (ppt).

The method for reporting the percentage of charges has been amended from previous years as in Table 4 below. The charging rate has now been calculated as a percentage of charged cases out of all legal decisions.

This method specifically focuses on the legal decisions made by prosecutors that CPS is responsible for. As there has been an increase in the proportion of non-legal decisions (administratively finalised) in cases over the past three years, this data has been removed from the calculation leaving only those cases where the prosecutor has considered all the available evidence and has decided to charge, take no further action in the case or to issue an out of court disposal.

Table 4: Percentage of pre-charge decision outcomes completed by CPS 2014-15 to 2018-19

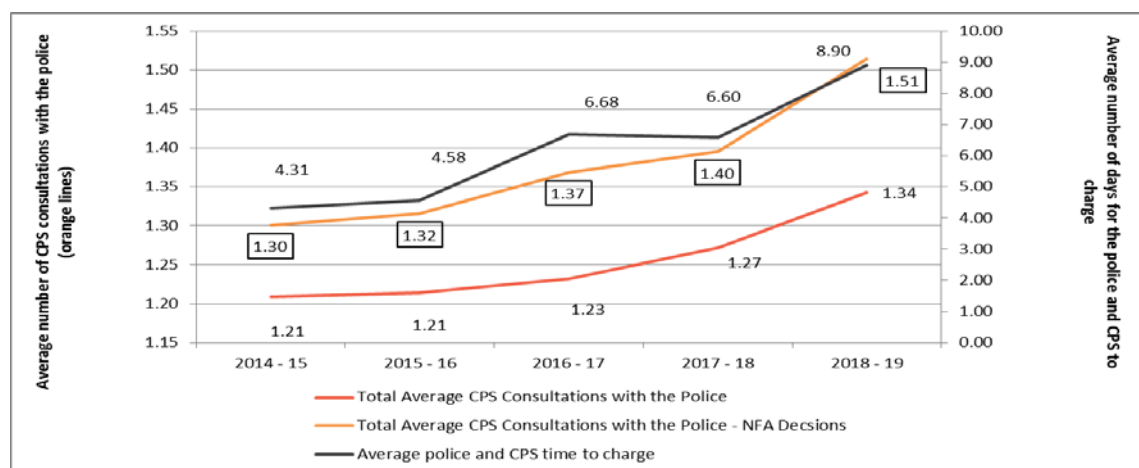
This table indicates that there have been only minor changes in the proportion of pre charge decision outcomes over the past year.

	2014 - 15	2015 - 16	2016 - 17	2017 - 18	2018 - 19
Legal (substantive) Decisions (Charged, No Prosecution, Out of Court Disposal)	95.6%	95.3%	95.8%	92.6%	92.0%
<i>Charged (% of Legal Decisions)</i>	72.1%	73.2%	74.8%	75.9%	74.3%
<i>No Prosecution (% of Legal Decisions)</i>	26.6%	25.6%	24.1%	22.9%	24.7%
<i>Out of Court Disposal (% of Legal Decisions)</i>	1.2%	1.2%	1.1%	1.2%	1.0%
Administratively Finalised	4.4%	4.7%	4.2%	7.3%	8.0%
Other	0.0%	0.0%	0.0%	0.0%	0.0%

Graph 5: Average timeliness of the CPS decision to charge (calendar days) compared with the average number of CPS consultations with the police 2014-15 to 2018-19.

This graph illustrates that more consultations take place on cases that result in No Further Action as prosecutors have advised on enquiries that might strengthen the case. Increased complexity and more consultations per case have led to an increase in overall timeliness.

Note that over 88% of Domestic abuse cases are heard in the Magistrates' Court and are often charged by CPS Direct as urgent remand cases. This means that the defendant is held in custody overnight and is brought before the court the next morning. This accounts for the relatively short timescales to make a charging decision (8.9 days).



Explanatory Notes: The average timeliness of the decision to charge includes both CPS time and police time and is a calculation of the average number of calendar days that have elapsed since the first submission of a case was sought by the police, to the date on which the last decision was made to charge. The data includes cases where the police were required to submit further evidence prior to a decision to charge. This generally includes more than one submission and more investigation.

Post-charge data

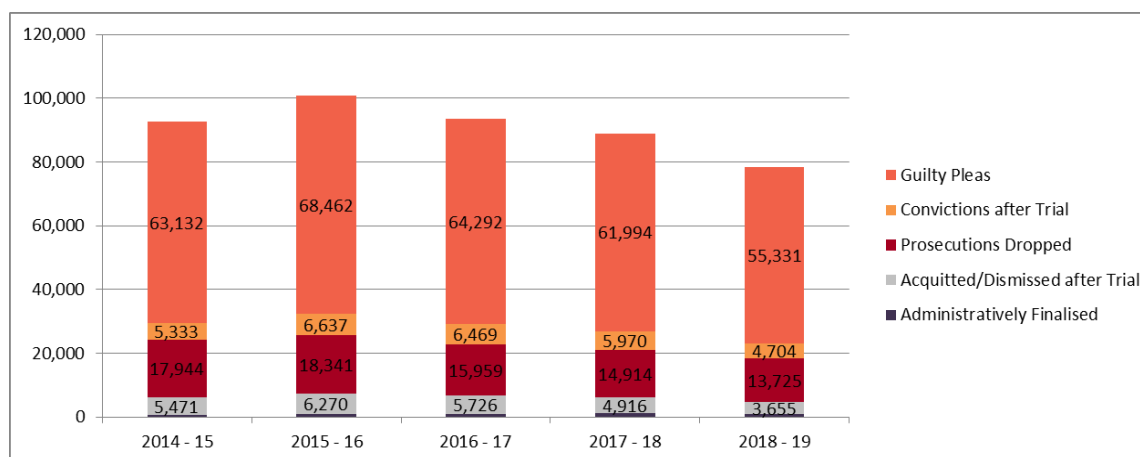
Table 6: CPS completed domestic abuse-flagged prosecutions by outcome 2014-15 to 2018-19

This table indicates that there has been a significant fall in prosecutions over the past year while the conviction rate has remained stable.

	2014-15		2015-16		2016-17		2017-18		2018-19	
	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%
Convictions	68,601	73.9%	75,235	74.5%	70,853	75.7%	68,098	76.4%	60,160	76.5
Non-convictions	24,178	26.1%	25,695	25.5%	22,737	24.3%	20,993	23.6%	18,464	23.5
Total	92,779		100,930		93,590		89,091		78,624	

Graph 7: Volume of prosecution outcomes 2014-15 to 2018-19

This graph provides a detailed breakdown of the volume of prosecution outcomes over the past five years.



Explanatory Notes: Post-charge administratively finalised cases are those where 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. If a bench warrant is executed the case may be reopened.

Table 8: Percentage prosecution outcomes 2014-15 to 2018-19

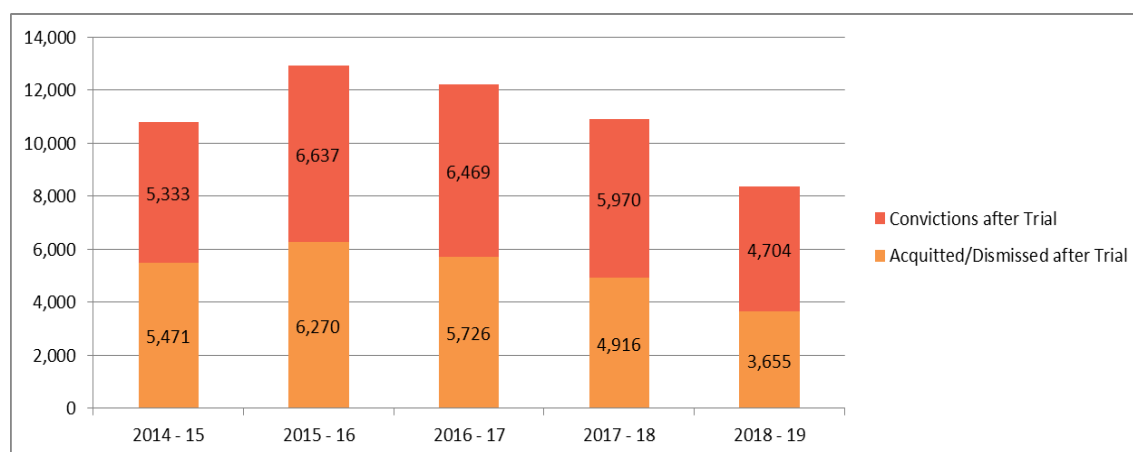
This table provides a detailed breakdown of the proportion of prosecution outcomes over the past five years.

	2014 - 15	2015 - 16	2016 - 17	2017 - 18	2018 - 19
Convictions	73.9%	74.5%	75.7%	76.4%	76.5%
Of which					
<i>Guilty Pleas</i>	68.0%	67.8%	68.7%	69.6%	70.4%
<i>Convictions after Trial</i>	5.7%	6.6%	6.9%	6.7%	6.0%
<i>Proved in Absence</i>	0.1%	0.1%	0.1%	0.2%	0.2%
Non-Convictions	26.1%	25.5%	24.3%	23.6%	23.5%
Of which					
<i>Prosecutions Dropped</i>	19.3%	18.2%	17.1%	16.7%	17.5%
<i>Acquitted/Dismissed after Trial</i>	5.9%	6.2%	6.1%	5.5%	4.6%
<i>Administratively Finalised</i>	0.8%	1.1%	1.1%	1.3%	1.4%

- In 2018-19, 88.1% of all DA-flagged cases were prosecuted in magistrates' courts.
- 76.8% of the 69,290 defendants prosecuted in the magistrates' court were convicted.
- 74.4% of the 9,334 defendants prosecuted in Crown Courts were convicted.

Graph 9: Volume of outcomes after trial 2014-15 to 2018-19

This graph shows that there has been a reduction in both the volume of convictions and acquittals – since 2015-16.



Graph 10: Percentage outcomes after trial 2014-15 to 2018-19

The graph shows that there has been a significant increase in the conviction after trial rate.

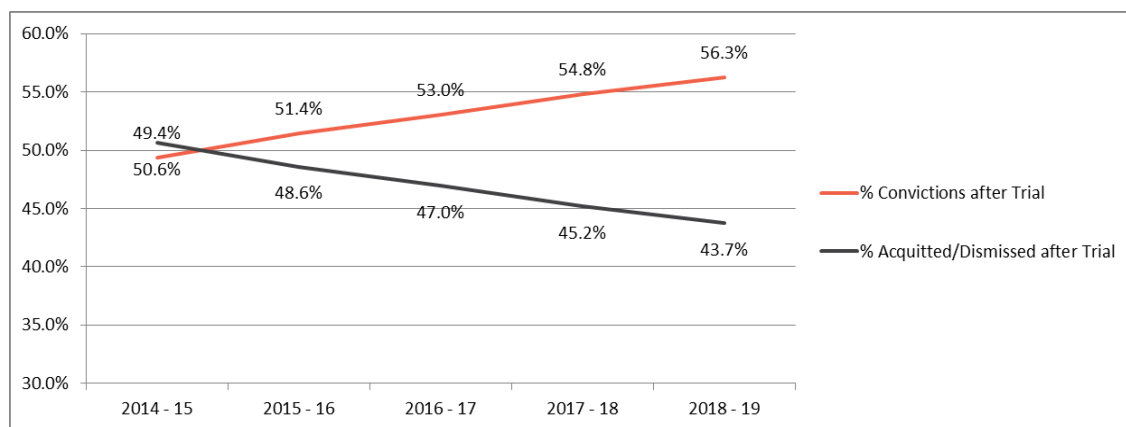


Table 11: Total non-conviction outcomes by reason 2014-15 to 2018-19

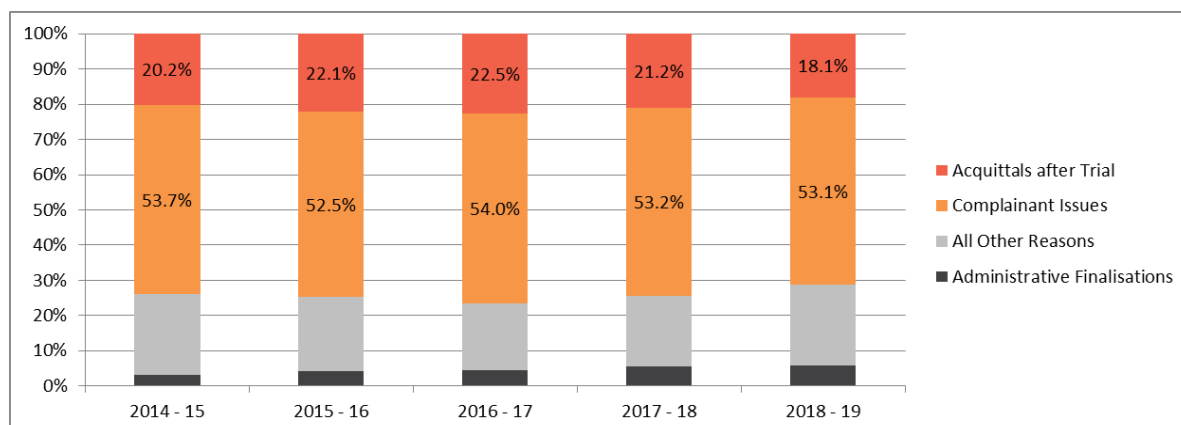
This table provides a detailed breakdown of reasons for non-conviction over the past five years.

	2014 - 15	2015 - 16	2016 - 17	2017 - 18	2018 - 19
Total Non Convictions	24,178	25,695	22,737	20,993	18,464
Acquittals after Trial	4,891	5,670	5,123	4,441	3,350
Complainant Issues	12,983	13,499	12,268	11,176	9,804
All Other Reasons	5,547	5,443	4,296	4,214	4,226
Administrative Finalisations	757	1,083	1,050	1,162	1,084

Explanatory Notes: Victim or complainant issues include retractions, non-attendance at trial or where the 'evidence of the complainant does not support the case'. Other reasons include conflict of evidence or an essential legal element missing.

Graph 12: Percentage non-conviction outcomes by reason 2014-15 to 2018-19

This graph provides a detailed breakdown of the proportions of the reasons for non-conviction over the past five years.



- Offences of controlling or coercive behaviour charged, and reaching a first hearing, rose from 960 in 2017-18 to 1,177 in 2018-19. 13.5% of these offences were flagged as rape.¹²

Equalities information

Sex

Defendants

- In 2018-19, of the 78,624 defendants prosecuted, 72,317 defendants were male, 6,218 were female and in 89 cases the sex was not recorded.¹³
- Where the sex of the defendant was recorded, 92.1% were male and 7.9% female,¹⁴ the same as in the previous year.
- 76.7% of male defendants were convicted (55,486) and 74.0% of female defendants (4,599).

Complainants

- For complainant data, from the CPS Witness Management System, 81,035 complainants were recorded. The recording of complainant sex rose from 79.2% to 90.3% in 2018-19, following measures undertaken to ensure more robust recording of sex, across police force areas.
- Of all complainants, 60,396 were female, 12,806 were male and in 7,833 cases the sex was not recorded.
- Where the sex of the complainant was recorded, 82.5% were female and 17.5% were male.

Ethnicity

Defendants

- In 2018-19, 67.2% of DA-flagged defendants were categorised as White (a fall from 70.1% in 2017-18),¹⁵ with 62.2% being identified as belonging to the White British category. 4.9% of defendants were identified as Black, a fall from 5.8% in the previous year and 4.8% were identified as Asian, a fall from 5.6% in the previous year.¹⁶

¹² A 'rape' flag is applied to CPS files from the start of a case, following an initial allegation of rape. This flag will remain in place even if the decision is taken to charge an offence other than rape or where a rape charge is subsequently amended, to ensure application of the principles of the rape and sexual offence policy.

¹³ It is not possible to provide data on the sex of complainants in relation to the sex of the defendant from the current data systems.

¹⁴ The figure is similar if calculated out of total, including unrecorded sex (92.0% male defendants and 7.9% female defendants).

¹⁵ The fall reflected the increase in ethnicity 'not recorded' rather than any substantial change in the volume of BAME defendants.

¹⁶ 9.2% of defendants did not state an ethnicity on arrest (a rise since 2017-18 of 2.6ppt) and 11.1% of defendants' ethnicity was not provided to the CPS by the police (a rise since 2017-18 of 1.9 ppt).

Complainants

- The recording of complainant ethnicity has improved with 65.1% recorded in 2018-19, from 52.9% in 2017-18.¹⁷ In 2018-19, 58.2% of DA-flagged complainants were categorised as White, with 54.5% being identified as belonging to the White British category. 2.1% of complainants were identified as Black and 3.3% were identified as Asian.¹⁸

Age

Defendants

- In 2018-19, from those defendants where age was recorded,¹⁹ the majority of defendants were aged 25–59 (78.8%) and 18–24 (16.9%).
- 19.0% of defendants (14,897) were aged 24 and under, with 1,533 (2.0%) of defendants being 14–17 years old and 72 (0.1%) aged 10–13.

Complainants

- From those complainants where age was recorded,²⁰ the majority were aged 25–59 (70.9%) and 18–24 (18.3%).
- 22.6% of complainants (17,095) were 24 years old and under, with 2,382 (3.1%) of complainants being 14–17 years old, 691 (0.9%) aged 10–13 and 166 under 10 (0.2%).
- There has continued to be an increase in recorded complainants over 70 years of age, year on year – in 2018-19 there were 1,752 complainants (2.3%).

Relationships

- Recording of the relationship between the perpetrator and complainant is not yet robust enough to assess. 50.9% of the data was recorded within the CPS database.
- The Standard Operating Practices (SOPs) for charging, magistrates' courts and Crown Courts were updated to request the recording of relationship data in DA-flagged cases. In addition, Chief Crown Prosecutors and VAWG co-ordinators were provided with instructions for the data input.
- In 2019-20 consideration will be given to the recording of this data through the Domestic Abuse Best Practice Framework.

The underlying data is provided in the linked annex at [Underlying Data/Violence Against Women](#). The CPS Area and police force data is at [Annex 1](#).

¹⁷ The data in 2017-18 was not robust enough to compare with 2018-19.

¹⁸ 10.4% of complainants did not state an ethnicity (a rise since 2017-18 of 3.1ppt) and 24.4% of complainants' ethnicity was not provided to the CPS by the police (a fall since 2017-18 of 15.4 ppt).

¹⁹ 99.9% of defendant ages were recorded in 2018-19 – similar to 99.8% in 2017-18.

²⁰ 93.4% of complainant ages were recorded in 2018-19 – a slight rise from 92.3% in 2017-18.

Stalking or harassment data

[Link back to the main section on harassment or stalking \(pages 11-12\)](#)

The CPS stalking and harassment data is only available from the offence-based data system. This data is therefore only available for the number of offences where a charge is given and is not available by defendant. We therefore cannot provide data on police referrals, charging and outcomes. Offence data is also not available by sex of defendant or complainant. All data below refers to the number of offences in which prosecutions commenced and reached a first hearing, in magistrates' courts.

Table 13: Harassment and stalking offences - prosecutions commenced and reaching a first hearing in a magistrates' court 2014-15 to 2018-19

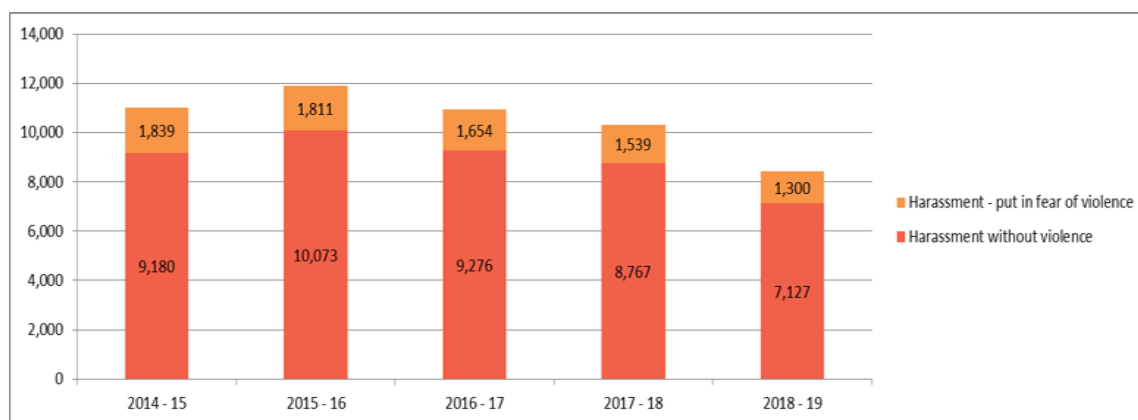
This table provides data on the volume of harassment and stalking offences, indicating the proportions of each offence that were flagged as domestic abuse.

		2014–15		2015–16		2016–17		2017–18		2018-19	
		Vol	% DA	Vol	% DA	Vol	% DA	Vol	% DA	Vol	% DA
Family Law Act 1996 {42A(1) and (5)}	Breach a non-molestation order – Family Law Act 1996	7,013	89.7	6,672	93.6	6,505	94.8	6,266	95.0	5,536	95.2%
PHA ²¹ 1997 {2(1) and (2)}	Harassment without violence	9,180	68.0	10,073	70.9	9,276	72.1	8,767	74.0	7,127	72.8%
PHA 1997 {4(1) and (4)}	Harassment – put in fear of violence	1,839	66.6	1,811	65.7	1,654	68.3	1,539	69.3	1,300	70.8%
PHA 1997 {2A(1) and (4)}	Stalking with fear / alarm / distress	676	69.7	643	70.9	510	68.6	921	76.9	1,246	79.8%
PHA 1997 {4A(1)(a) (b) (i) and (5)}	Stalking involving fear of violence	133	73.7	128	67.2	83	66.3	172	78.5	313	83.1%
PHA 1997 {4A(1)(a) (b) (ii) and (5)}	Stalking involving serious alarm / distress	294	66.0	331	61.3	366	59.0	523	65.0	650	76.0%
PHA 1997 {5(5) and (6)}	Harassment – breach of a restraining order on conviction	13,126	82.2	14,863	85.8	15,937	86.3	16,143	87.4	15,740	87.9%
PHA 1997 {5(5) and (6)}	Harassment – breach of a restraining order after acquittal	433	77.6	521	85.2	677	82.9	869	83.7	780	82.6%

²¹ PHA – Protection from Harassment Act.

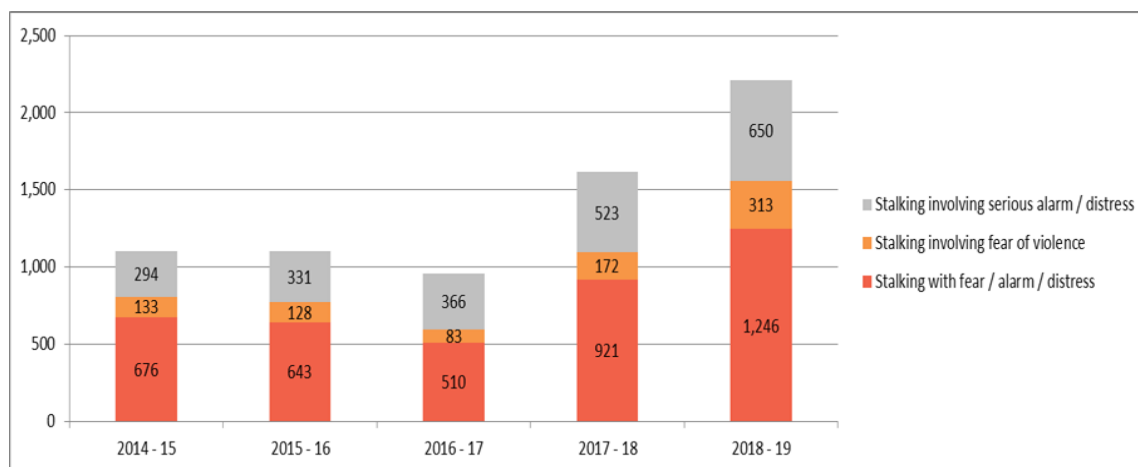
Graph 14: Volume of harassment offences 2014-15 to 2018-19

This graph illustrates the volume and proportion of the different harassment offences.



Graph 15: Volume of stalking offences 2014-15 to 2018-19

This graph illustrates the volume and proportion of the different stalking offences.



- Offence data is not available by sex, ethnicity or age of the defendant or complainant.
- National official statistics from the MoJ on stalking and harassment prosecutions and convictions for the calendar year 2018 are provided in [Annex 2](#). The data outlines the prosecution outcomes by defendant.
 - More defendants were prosecuted and convicted for stalking offences in 2018 compared with the previous year;²²
 - Fewer defendants were prosecuted and convicted for harassment offences than in the previous year;²³

²² The conviction ratio for s.2A PHA offences decreased, but the ratio increased for s.4A offences.

²³ The conviction ratio for s.2 Protection from Harassment Act (PHA) offences remained steady and decreased for s.4 offences.

- Fewer restraining orders²⁴ were issued on conviction and acquittal in 2018; and
- There were more prosecutions and convictions of breaches of restraining orders that had been imposed on conviction or acquittal.²⁵

Rape-flagged data

[Link back to the main section on rape \(pages 12-17\)](#)

This section primarily presents CPS data on rape prosecutions and convictions. However, as we have previously received queries on the difference between the Ministry of Justice (MoJ) and the CPS data on rape convictions we outline below how they are measured differently, and used for different purposes. The MoJ provides the National Statistics²⁶ on prosecutions, convictions and sentencing for the specific offence of rape, while CPS data is primarily collected for case management purposes to ensure that the principles of the rape and sexual offence policy are considered throughout the life of all relevant cases. It should be noted that there are important differences as to how rape offences are recorded between the different organisations' data systems.

MoJ count a rape conviction only where the final conviction is specifically for rape. A case that initially started as a rape but was eventually convicted as an alternative offence (such as a lesser sexual assault) would count as a conviction under the lesser offence.

In contrast, CPS flagged data on rape convictions includes all convictions where an allegation of rape has been made regardless of the final offence convicted. The rape flag will remain in place, even if the decision is taken to charge an offence other than rape or where a rape charge is subsequently amended, to ensure application of the principles of the rape and sexual offence policy.

This difference in recording leads to CPS recording a much larger number of prosecutions and convictions for rape than the MoJ. In addition, MoJ National Statistics are traditionally presented on a calendar year basis. The CPS method of recording has been used consistently in the annual VAWG report.

²⁴ MoJ statistics on restraining orders relate only to where defendants were issued restraining orders in relation to their principal offence.

²⁵ The conviction ratio across all prosecutions for breaches of restraining orders remained stable (90%).

²⁶ The official statistics relating to crime and policing are maintained by the Home Office and Office for National Statistics 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.

The table below provides a summary of MoJ.²⁷ and CPS data together, to highlight the differences in volumes.

Descriptions used by MoJ	Published statistics	Descriptions used by CPS	Published statistics
Defendants where the principal offence prosecuted was rape:	MoJ: 2018 (calendar year)	CPS flags all allegations of rape (this account for the larger volumes):	CPS: 2018-19 (financial year)
Proceeded against	1,588	Prosecutions completed	3,034
Convicted for rape	919	Conviction for rape, an alternative or lesser offence	1,925

Data provided below relates to *all* rape-flagged defendants and complainants/victims, irrespective of sex, with further details of sex where available. Data reported here will overlap with that in the Child Abuse section of the report related to child sexual abuse due to the proportion of rape flagged prosecutions that were perpetrated against children.

Further detail in respect of MoJ data and the differences between the datasets is provided in [Annex 2](#).

Note all data refers to CPS rape-flagged cases²⁸. The [underlying data for this section of the report](#) can be found in the Rape section of the data on the CPS website.

Pre-charge data

Table 16: The number of suspects referred by the police to the CPS for a charging decision 2014-15 to 2018-19

This table illustrates that there has been a significant reduction in referrals from the police over the past year.

	2014 - 15	2015 - 16	2016 - 17	2017 - 18	2018 - 19
Received from the police	4,104	4,385	4,595	4,370	3,375

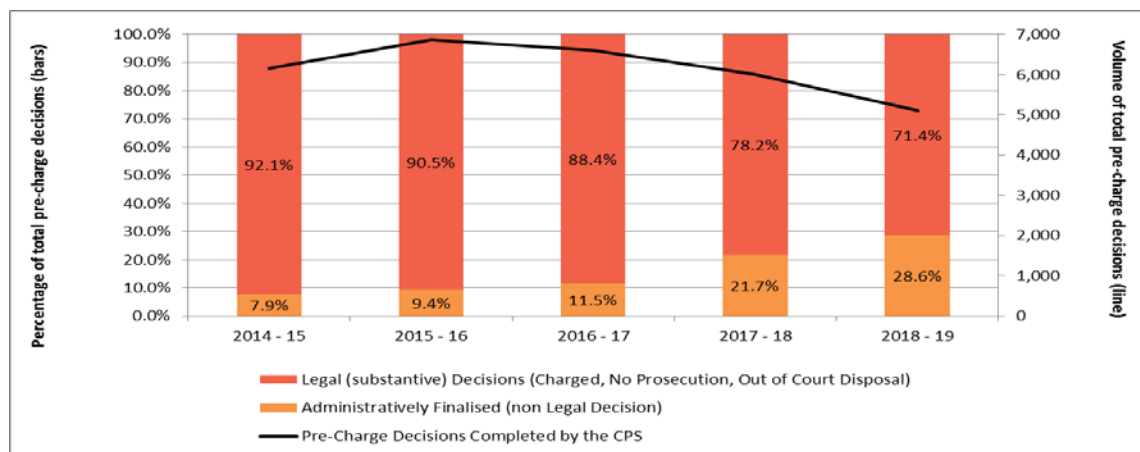
Explanatory notes: Prior to 2018-19, the VAWG report recorded the data on 'pre-charge decision' completed by the CPS as 'police referrals'. This report provides two sets of data - (i) the receipt of cases from the police referred to us for a charging decision (Table 16) and (ii) 'pre-charge decisions completed by the CPS' (Graph 17) (previously called 'police referrals').

²⁷ The MoJ figures relate to defendants for whom these offences were the principal offences for which they were dealt with.

²⁸ When cases involving an allegation of rape are referred by the police they are flagged as 'rape' in the CPS CMS data system.

Graph 17: Pre-charge decisions completed by the CPS 2014-15 to 2018-19

This graph shows a reduction in total pre charge decisions since 2015-16 together with an increase in non-legal decisions.



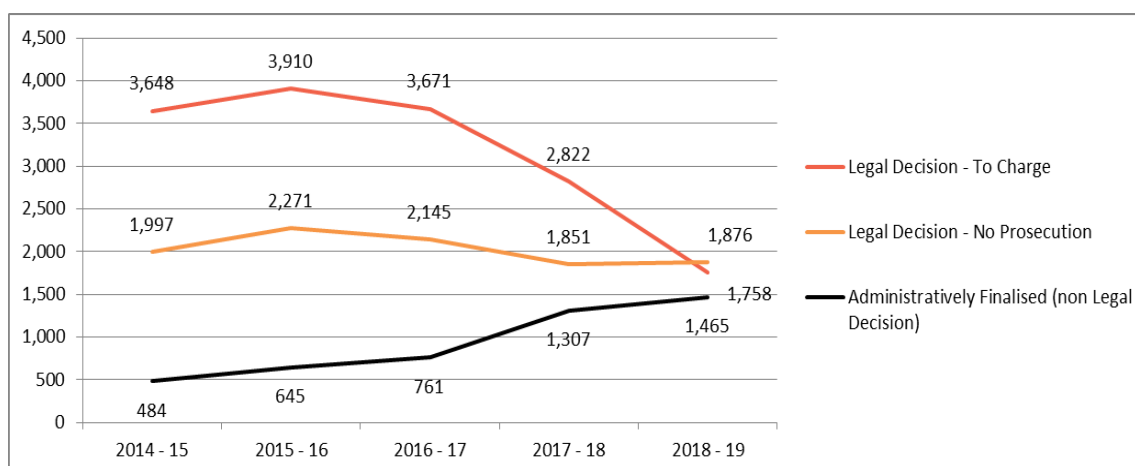
Explanatory Notes: The total pre-charge decisions data will be based on the date that the charging advice was provided to the police. Therefore, 2018-19 data will include cases referred to the CPS in 2018-19, 2017-18 or earlier. In addition, if the rape flag is missed off the case when it is received from the police, it may be added at a later stage. These are the reasons why volumes of pre-charge decisions completed in graph 17 are different from the volume of suspects referred by the police in Table 16.

Left Y axis is the percentage of the total pre-charge decisions, broken down into the proportion of legal decisions and administratively finalised (bar chart).

Right Y Axis is the volume of total pre-charge decisions completed by the CPS (line graph)

Graph 18: Pre-charge decision outcomes by volume 2014-15 to 2018-19

This graph illustrates that since 2015-16 there has been a convergence in the number of decisions to charge, not to charge and administrative finalisations.



Explanatory Notes: Out of court disposals, such as a caution or conditional caution (where these are an appropriate action) are also legal decisions. These are not included in the graph above due to the comparatively low numbers. During 2014-15 to 2017-18 there was an average of 27 out of court disposals per year. In the latest year there were 15.

The method of reporting percentage charging rate that was used in previous reports, (calculated as the proportion of suspects charged out of the total number of all pre-charge decisions including administratively finalised) would produce the following:

- The proportion of pre-charge decisions charged decreased from 46.9% in 2017-18 to 34.4% in 2018-19 – a decrease of 12.5 percentage points (ppt).

The method for reporting the percentage of charges has been amended from previous years as in Table 19 below. The charging rate has now been calculated as a percentage of charged cases out of all legal decisions.

This method specifically focuses on the legal decisions made by prosecutors that CPS is responsible for. As there has been a significant increase in the proportion of non-legal decisions (administratively finalised) in rape cases over the past three years, this data has been removed from the calculation leaving only those cases where the prosecutor has considered all the available evidence and has decided to charge, take no further action in the case or to issue an out of court disposal.

Table 19: Percentage of pre-charge decision outcomes completed by the CPS 2014-15 to 2018-19

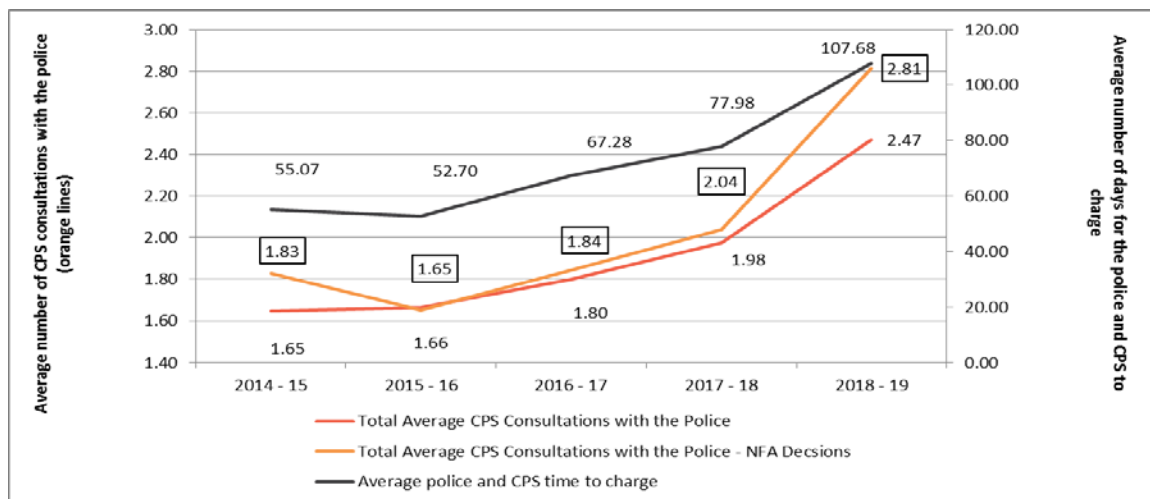
This table reports a large increase in the proportion of cases administratively finalised since 2016-17 and reports significant changes in the proportions of legal decisions over the last year.

	2014 - 15	2015 - 16	2016 - 17	2017 - 18	2018 - 19
Legal (substantive) Decisions	92.1%	90.5%	88.4%	78.2%	71.4%
<i>Charged (% of Legal Decisions)</i>	64.3%	63.0%	62.8%	60.1%	48.2%
<i>No Prosecution (% of Legal Decisions)</i>	35.2%	36.6%	36.7%	39.4%	51.4%
<i>Out of Court Disposal (% of Legal Decisions)</i>	0.5%	0.4%	0.5%	0.6%	0.4%
Administratively Finalised	7.9%	9.4%	11.5%	21.7%	28.6%
Other	0.0%	0.1%	0.1%	0.1%	0.0%

Graph 20: Average timeliness of the CPS decision to charge (calendar days) compared with the average number of CPS consultations with the police 2014-15 to 2018-19

The average time to respond to the police by way of a single consultation was around 30 days at the end of Q4 2018-19. With the increasing number of consultations per case, the overall average number of days to charge has risen to over 107 days.

This graph illustrates that more consultations take place on cases that result in No Further Action as prosecutors have advised on enquiries that might strengthen the case. Increased complexity and more consultations per case have led to an increase in overall timeliness.



Explanatory Notes: The average timeliness of the decision to charge includes both CPS time and police time and is a calculation of the average number of calendar days that have elapsed since the first submission of a case was sought by the police, to the date on which the last decision was made to charge. The data includes cases where the police were required to submit further evidence prior to a decision to charge. This generally includes more than one submission and more investigation.

Post-charge data

Table 21: CPS completed rape-flagged prosecutions by outcome 2014-15 to 2018-19

This table indicates that there has been a reduction in prosecutions since 2016-17, but an increase in the conviction rate.

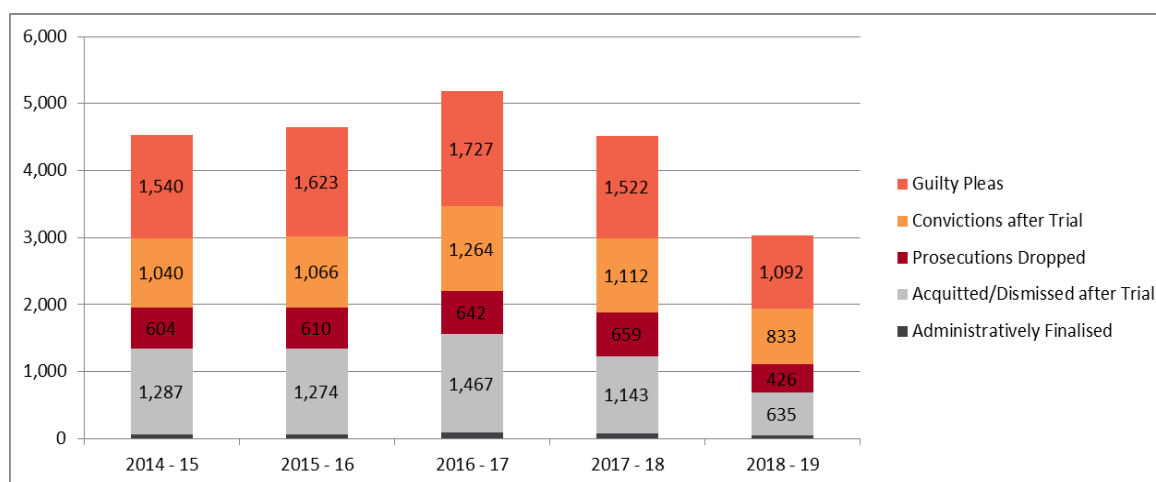
	2014-15		2015-16		2016-17		2017-18		2018-19	
	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%
Convictions	2,581	56.9	2,689	57.9	2,991	57.6	2,635	58.3	1,925	63.4
Non-convictions	1,955	43.1	1,954	42.1	2,199	42.4	1,882	41.7	1,109	36.6
Total	4,536		4,643		5,190		4,517		3,034	

- In 2018-19, of the 3,034 completed rape-flagged prosecutions, only 2,983 were allocated one of the twelve Principal Offence categories²⁹. Of these, 2,931 (96.6%) of cases initially flagged as rape were finally prosecuted for the principal offence categories of 'sexual offences, including rape' (2,401) or the other serious principal offences of 'homicides' (nine) or 'offences against the person' (521). 'Offences against the person' is a broad category and includes very serious offences such as Grievous Bodily Harm with intent through to lesser offences such as common assault.

²⁹ The remaining 51 were not allocated a Principal Offence Category because they were either administratively finalised or committed for sentence.

Graph 22: Volume of prosecution outcomes 2014-15 to 2018-19

This graph provides a detailed breakdown of the volume of prosecution outcomes over the past five years.



Explanatory Notes: Post-charge administratively finalised cases are those where 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. If a bench warrant is executed the case may be reopened.

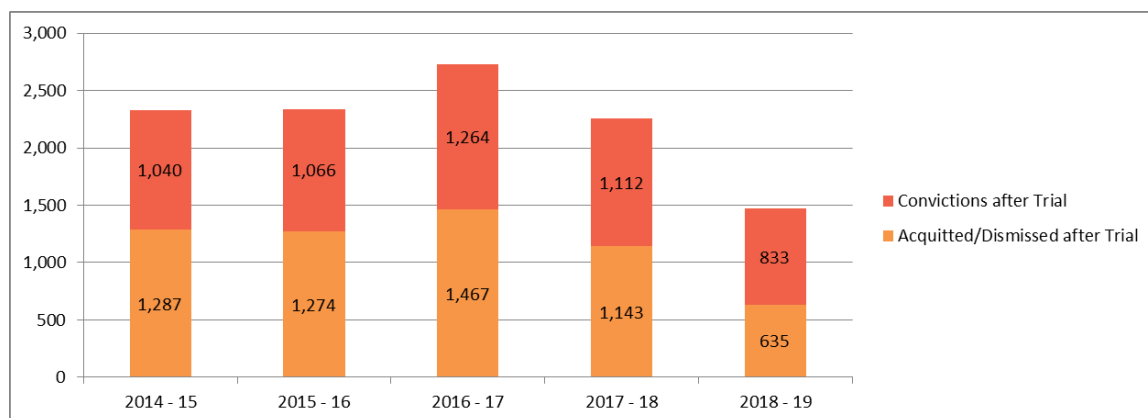
Graph 23: Percentage prosecution outcomes 2014-15 to 2018-19

This table provides a detailed breakdown of the proportion of prosecution outcomes over the past five years.

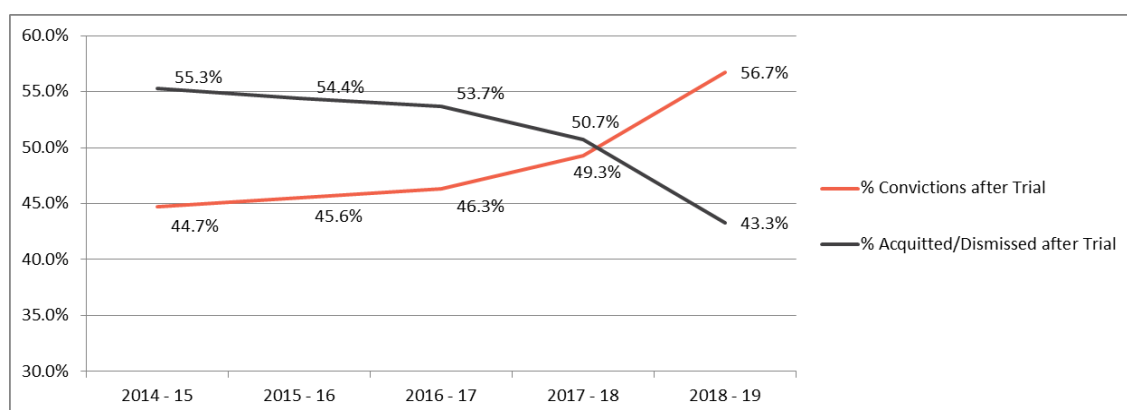
	2014 - 15	2015 - 16	2016 - 17	2017 - 18	2018 - 19
Convictions	56.9%	57.9%	57.6%	58.3%	63.4%
Of which					
<i>Guilty Pleas</i>	34.0%	35.0%	33.3%	33.7%	36.0%
<i>Convictions after Trial</i>	22.9%	23.0%	24.4%	24.6%	27.5%
<i>Proved in Absence</i>	0.0%	0.0%	0.0%	0.0%	0.0%
Non-Convictions	43.1%	42.1%	42.4%	41.7%	36.6%
Of which					
<i>Prosecutions Dropped</i>	13.3%	13.1%	12.4%	14.6%	14.0%
<i>Acquitted/Dismissed after Trial</i>	28.4%	27.4%	28.3%	25.3%	20.9%
<i>Administratively Finalised</i>	1.4%	1.5%	1.7%	1.8%	1.6%

Graph 24: Volume of outcomes after trial 2014-15 to 2018-19

This graph shows that there has been a reduction in both the volume of convictions and acquittals since 2016-17.

**Graph 25: Percentage outcomes after trial 2014-15 to 2018-19**

The graph shows that there has been an increase in the conviction after trial rate in the past year.

**Table 26: Total non-conviction outcomes by reason 2014-15 to 2018-19**

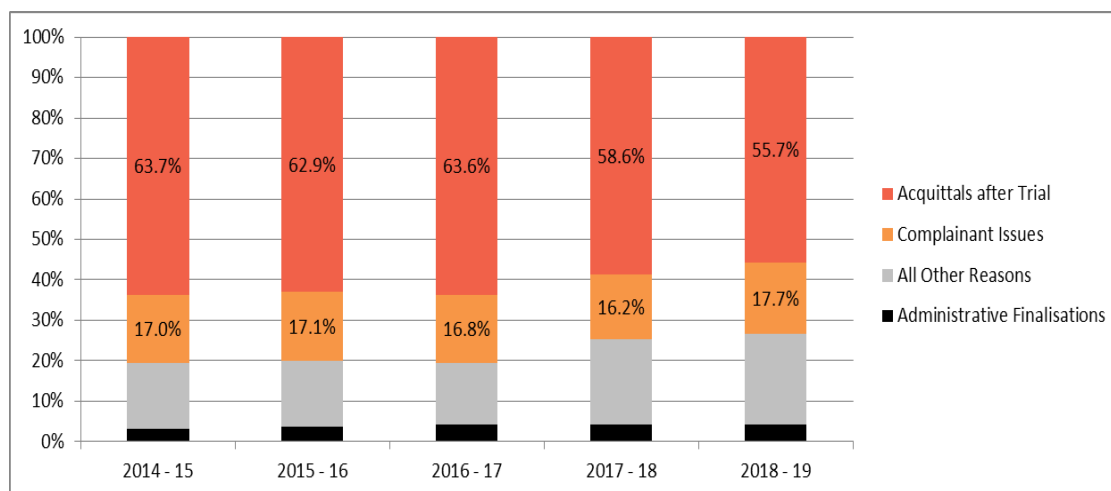
This table provides a detailed breakdown of reasons for non-conviction over the past five years.

	2014 - 15	2015 - 16	2016 - 17	2017 - 18	2018 - 19
Total Non Convictions	1,955	1,954	2,199	1,882	1,109
Acquittals after Trial	1,245	1,229	1,399	1,103	618
Victim Issues	332	335	370	304	196
All Other Reasons	314	320	340	395	247
Administrative Finalisations	64	70	90	80	48

Explanatory Notes: Victim or complainant issues include retractions, non-attendance at trial or where the 'evidence of the complainant does not support the case'. Other reasons include conflict of evidence or an essential legal element missing.

Graph 27: Percentage non-conviction outcomes by reason 2014-15 to 2018-19

This graph provides a detailed breakdown of the proportions of the reasons for non-conviction over the past five years.



- Out of all non-convictions, the proportion due specifically to jury acquittals fell from 57.8% in 2017-18 to 54.3% in 2018-19 (3.5ppt).

Different types of rape-flagged cases

- In 2018-19 rape-flagged cases were assessed according to the flags added to the case, to explore any difference due to the type of rape cases:
 - 'Rape and child abuse' (cases featuring a 'rape' flag and 'child abuse' flag);
 - 'Rape and domestic abuse' (cases featuring a 'rape' and 'domestic abuse' flag);
 - 'Rape, child abuse and domestic abuse' (cases featuring a 'rape' flag, a 'child abuse' flag and a 'domestic abuse' flag);
 - 'Rape only' (cases which only feature a 'rape' flag).
- 'Rape only' cases include stranger rape and acquaintance rape; the majority of these cases are acquaintance rape³⁰ and are therefore referred to as 'acquaintance rape' cases.
- For the first time, data is provided for this report on the breakdown of performance by the type of rape cases including by age bands of defendants ([underlying data for this report](#)).

³⁰ In January 2013, [An Overview of Sexual Offending in England and Wales](#), the first ever joint official statistics bulletin on sexual violence was released by the Ministry of Justice (MoJ), Office for National Statistics (ONS) and Home Office. It included information that approximately 90% of those who are raped know the perpetrator prior to the offence and only 10% of the most serious sexual offences were perpetrated by a stranger. [The 2018 update](#).

Equalities information

Sex

Defendants

- In 2018-19, of the 3,034 defendants prosecuted, 2,970 defendants were male, 53 were female, and the sex was not recorded for 11 defendants.³¹
- Where the sex of the defendant was recorded, 98.2% were male and 1.8% female.^{32 33}
- 63.3% of male defendants were convicted (1,881) and 69.8% of female defendants (37).

Complainants

- For complainant data, from the Witness Management System, 4,874 complainants were recorded. The recording of the sex of the complainant fell from 74.2% in 2017-18 to 72.3% in 2018-19.
- Of all complainants 2,955 were female, 569 were male and the sex was not recorded for 1,350 complainants.
- Where the sex of the complainant was recorded, 83.9% were female and 16.1% were male; there was a 4.0ppt rise in male complainants from 2017-18.

Ethnicity

Defendants

- In 2018-19, 53.0% of defendants were categorised as White, of which 47.6% were identified as belonging to the White British category. 7.9% of defendants were identified as Asian – a rise of 1.4ppt from 2017-18, and 8.9% were identified as Black – a fall of 0.4ppt.³⁴

Complainants

- 57.2% of complainant ethnicity is still not recorded, although slightly improved from 2017–18; therefore the data is not included in this report.

Age

Defendants

- In 2018-19, from those defendants where age was recorded,³⁵ the majority of defendants were aged 25–59 (60.8%) and 18–24 (20.5%).
- 27.1% of defendants (821) were aged 24 and under, with 179 (5.9%) of defendants being 14–17 years old and 21 (0.7%) aged 10–13 years.

³¹ It is not possible to provide data on the sex of complainants in relation to the sex of the defendant from the current data systems.

³² The figure is similar if calculated out of total, including unrecorded sex (97.9% male defendants and 1.7% female defendants).

³³ Female defendants are prosecuted for aiding, abetting or conspiring.

³⁴ 8.7% of ethnicity was not provided by the police in 2017-18 (a fall since 2017-18 of 1.0ppt) and 18.9% not stated by the defendant (a rise since 2017-18 of 5.4ppt).

³⁵ 99.7% of defendant ages were recorded in 2018-19 – similar to 99.6% in 2017-18.

Complainants

- From those complainants where age was recorded,³⁶ the largest groupings of complainants were aged 25–59 (49.6%) and 18–24 (24.6%).
- 48.5% of complainants (2,022) were aged 24 and under, with 647 (15.5%) of complainants being 14–17 years old, 302 (7.2%) aged 10–13 and 49 (1.2%) under 10.
- Out of all the male complainants³⁷ there was a greater proportion under 14 years compared with female complainants. Of all the female complainants there was a greater proportion aged 14–24, compared with male complainants.

The underlying data is provided in the linked annex at [Underlying Data/Violence Against Women](#). The CPS Area and police force data is at [Annex 1](#).

Sexual offences (excluding rape) data

[Link back to the main section on sexual offences, excluding rape \(pages 17-18\)](#)

CPS records do not include data relating to pre-charge decisions regarding sexual offences (excluding rape), as the principal offence category of ‘sexual offences’, which includes rape and all sexual offences, is only allocated to cases at the conclusion of prosecution proceedings.³⁸

Data provided below relates to *all* defendants of sexual offences (excluding rape), with further details of sex where available.³⁹ Data reported here will overlap with that in the Child Abuse section of the report related to child sexual abuse, as 37.3% of sexual offences (excluding rape) were perpetrated against children.

³⁶ 85.5% of complainant ages were recorded in 2018-19, the same as in 2017-18.

³⁷ Of all complainants with recorded age and sex.

³⁸ CPS sexual offences data (excluding rape) is derived from the principal offence category ‘sexual offences’ by excluding the rape flagged defendants. There is no separate monitoring flag for ‘sexual offences’ that is applied, either when the CPS receives a request to make a pre-charge decision or at receipt of the charged case file. The principal offence is allocated only at the conclusion of a prosecution proceeding, based on the most serious offence the defendant is charged with at the time of finalisation.

³⁹ Data on complainants is extracted from the Witness Management Service which includes no record of the complainants of sexual offences, other than rape, as that information is compiled only at defendant level.

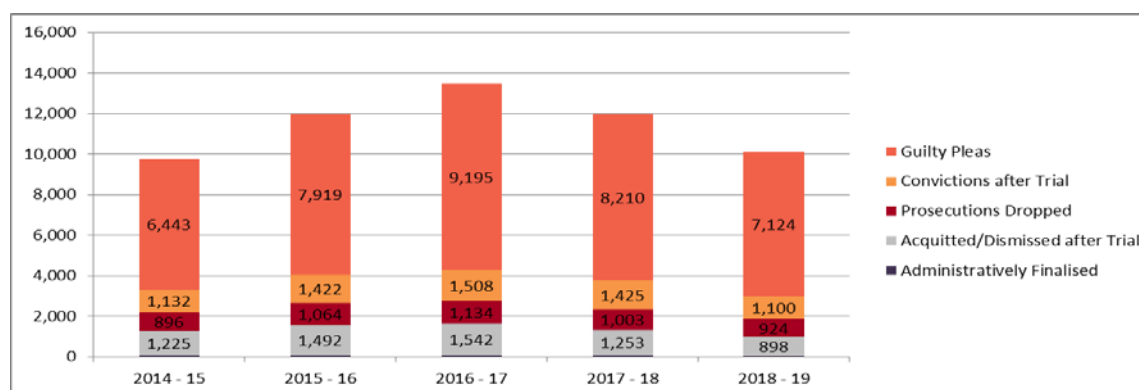
Table 28: CPS Completed sexual offences excluding rape flagged prosecutions by outcome 2014-15 to 2018-19

This table indicates that there has been a reduction in prosecutions since 2016-17 but an increase in the conviction rate.

	2014–15		2015–16		2016–17		2017–18		2018-19	
	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%
Convictions	7,591	77.5	9,351	78.0	10,721	79.5	9,654	80.4	8,238	81.3
Non-convictions	2,198	22.5	2,644	22.0	2,769	20.5	2,351	19.6	1,889	18.7
Total	9,789		11,995		13,490		12,005		10,127	

Graph 29: Volume of prosecution outcomes 2014-15 to 2018-19

This graph provides a detailed breakdown of the volume of prosecution outcomes over the past five years.



Explanatory Notes: Post-charge administratively finalised cases are those where 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. If a bench warrant is executed the case may be reopened.

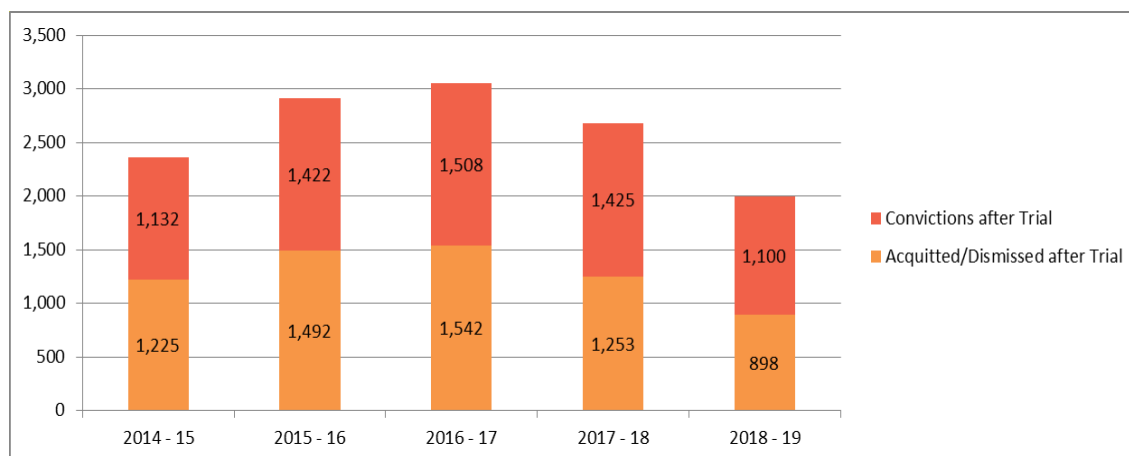
Table 30: Percentage prosecution outcomes 2014-15 to 2018-19

This table provides a detailed breakdown of the proportion of prosecution outcomes over the past five years.

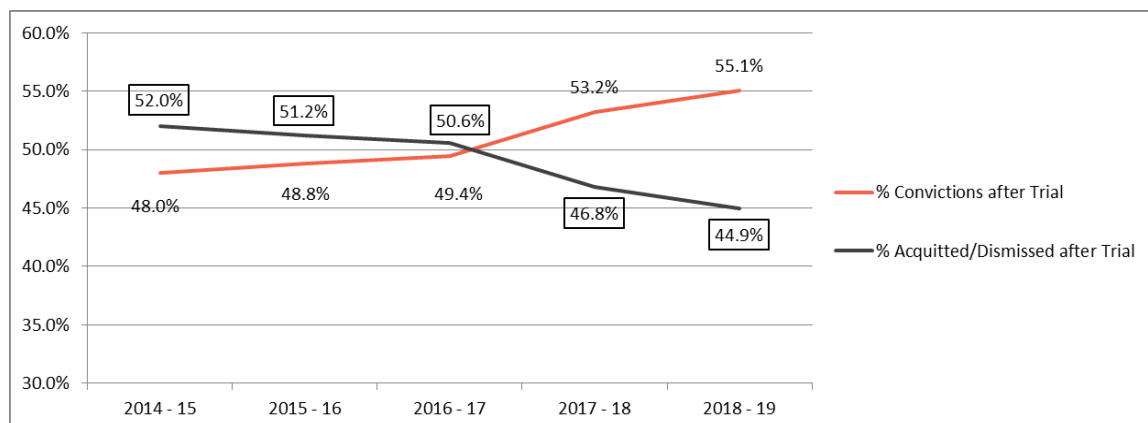
	2014 - 15	2015 - 16	2016 - 17	2017 - 18	2018 - 19
Convictions	77.5%	78.0%	79.5%	80.4%	81.3%
Of which					
<i>Guilty Pleas</i>	65.8%	66.0%	68.2%	68.4%	70.3%
<i>Convictions after Trial</i>	11.6%	11.9%	11.2%	11.9%	10.9%
<i>Proved in Absence</i>	0.2%	0.1%	0.1%	0.2%	0.1%
Non-Convictions	22.5%	22.0%	20.5%	19.6%	18.7%
Of which					
<i>Prosecutions Dropped</i>	9.2%	8.9%	8.4%	8.4%	9.1%
<i>Acquitted/Dismissed after Trial</i>	12.5%	12.4%	11.4%	10.4%	8.9%
<i>Administratively Finalised</i>	0.8%	0.7%	0.7%	0.8%	0.7%

Graph 31: Volume of outcomes after trial 2014-15 to 2018-19

This graph shows that there has been a reduction in both the volume of convictions and acquittals since 2016-17.

**Graph 32: Percentage outcomes after trial 2014-15 to 2018-19**

This graph shows that there has been a significant increase in the conviction after trial rate since 2016-17.

**Table 33: Total non-conviction outcomes by reason 2014-15 to 2018-19**

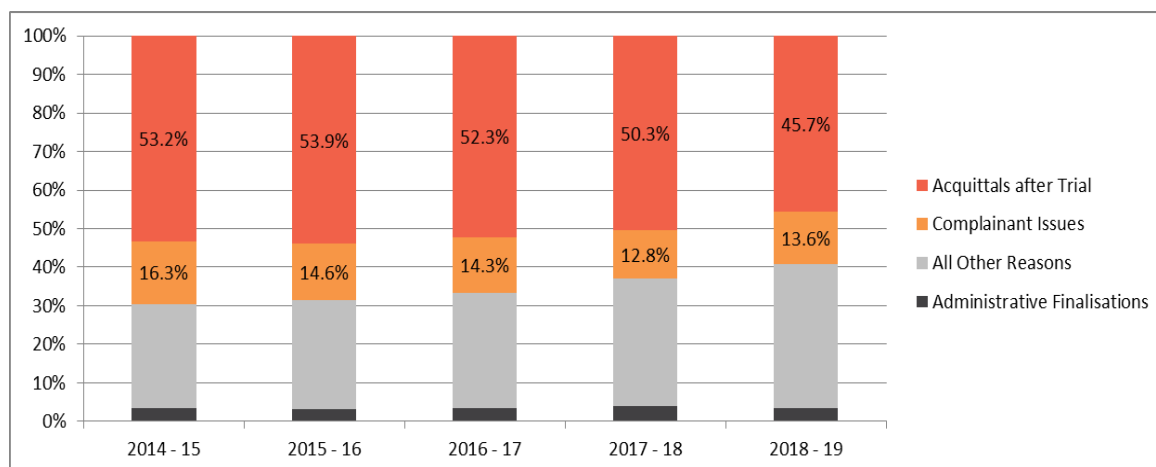
This table provides a detailed breakdown of reasons for non-conviction over the past five years.

	2014 - 15	2015 - 16	2016 - 17	2017 - 18	2018 - 19
Total Non Convictions	2,198	2,644	2,769	2,351	1,889
Acquittals after Trial	1,170	1,426	1,447	1,182	863
Complainant Issues	358	387	397	300	257
All Other Reasons	76	86	93	94	67
Administrative Finalisations	594	745	832	775	702

Explanatory Notes: Victim or complainant issues include retractions, non-attendance at trial or where the 'evidence of the complainant does not support the case'. Other reasons include conflict of evidence or an essential legal element missing.

Graph 34: Percentage non-conviction outcomes by reason 2014-15 to 2018-19

This graph provides a detailed breakdown of the proportions of the reasons for non-conviction over the past five years.



- Out of all non-convictions, the proportion due specifically to jury acquittals fell from 42.2% in 2017-18 to 36.9% in 2018-19 (5.3ppt).

Equalities information

Data on complainants is extracted from the Witness Management Service which does not record data relating to the complainants of sexual offences, other than rape.

Sex

Defendants

- In 2018-19, of the 10,127 defendants prosecuted, 9,803 defendants were male, 282 were female and the sex was not recorded for 42 defendants.
- Where the sex of the defendant was recorded, 97.2% of defendants were male and 2.8% female.⁴⁰
- 81.4% of male defendants were convicted (7,978) and 79.8% of female defendants (225).

Ethnicity

Defendants

- In 2018–19, 59.2% of defendants prosecuted for a sexual offence (excluding rape) were categorised as White (a fall from 2017-18); 53.8% were identified as belonging to the White British category.^{41 42}

⁴⁰ The figure is similar if calculated out of total, including unrecorded sex (96.8% male defendants and 2.8% female defendants).

⁴¹ The fall reflected the increase in ethnicity 'not recorded' rather than any substantial change in the volume of BAME defendants.

⁴² 17% of defendants did not state an ethnicity on arrest (a rise since 2017-18 of 3.7 ppt) and 11.3% of defendants' ethnicity was not provided to the CPS by the police (a rise since 2017-18 of 1.1 ppt).

- 5.0% of defendants were identified as Asian (1.1 ppt fewer than the previous year) and 5.1% were identified as Black (0.5ppt fewer than in 2017-18).

Age

Defendants

- In 2018-19, from those defendants where age was recorded,⁴³ the majority of defendants were aged 25–59 (71.5%) and 18–24 (13.5%).
- 16.0% of defendants (1,616) were aged 24 and under, with 2.3% of defendants (231) being 14–17 years old and 0.2% (22) aged 10–13 years old.

The underlying data is provided in the linked annex at [Underlying Data/Violence Against Women](#). The CPS Area and police force data is at [Annex 1](#).

So-called ‘honour-based’ abuse, forced marriage, and Female Genital Mutilation data

[Link back to the main section on so-called ‘honour-based’ abuse, forced marriage and female genital mutilation \(pages 18-21\)](#)

So-called ‘honour-based’ abuse data

CPS Areas prosecuting the greatest number of so-called ‘honour-based’ abuse (HBA) and forced marriage (FM) prosecutions were London, North West, West Midlands and Yorkshire and Humberside.

The data below relates to all cases flagged as HBA, following quality assurance of the flagging. This year’s report focuses only on 2018-19 data for so-called ‘honour based’ abuse, because quality assurance of the flagging recognised that guidance on gathering this data needs to be reviewed and updated. All cases were checked to ensure robust flagging.

This data relates to *all* defendants and complainants, irrespective of sex or gender, with further details of sex where available. The small number of cases indicates the need for caution in interpreting this data in relation to these offences.

- There were 80 HBA pre-charge decisions completed, following referrals from the police of HBA-related offences, with 49 suspects charged.
- There were 72 prosecutions completed in 2018-19, of which 68 were also flagged as domestic abuse.
- 64 defendants were male and eight were female.
- 70 complainants were recorded in the Witness Management System. Of all complainants, 31 were female, 16 were male and the sex of 23 complainants was not recorded.

⁴³ 99.8% of defendant ages were recorded in 2018-19 – similar to 99.9% in 2017-18.

- There were 41 convictions with a conviction rate of 56.9%.
- 24 out of the 72 prosecutions were discontinued.
- There were 17 non-convictions due to complainant attrition.

Forced marriage data

In previous reports, all cases flagged as 'forced marriage' were reported; not just those related to the FM legislation introduced in 2014. In 2018-19, following quality assurance of the flagging it was recognised that guidance needs reviewing and updating. In 2019-20 we will develop plans to quality assure the monitoring of FM cases regularly.

The specific forced marriage offences under S121 Anti-Social Behaviour, Crime and Policing Act 2014 and S121 breach of a forced marriage protection order have now been in force for 5 years. This year's report specifically focuses on these prosecutions.

- In 2018-2019 there were four offences of forced marriage charged. Of these, there were four defendants prosecuted and three convicted.
- Two defendants were male and two female. Three complainants were female.
- There were eight prosecutions for breach of a Forced Marriage Protection Order. Eight defendants were prosecuted, with three convictions, four acquittals and one wanted on warrant.
- Five defendants were male and three were female. Six complainants were female and in one cases there were five complainants – male and female.

Female Genital Mutilation data

- The CPS does not collate formal statistics in relation to FGM. We work with the police to seek early referrals of cases, ranging from early discussions, requests for early investigative advice to charging decisions.
- In 2018-19, there were two defendants prosecuted for FGM; one was convicted and the other acquitted. There were no prosecutions for breach of a FGM Protection Order (FGMPO)

Child abuse data

[Link back to the main section on child abuse \(pages 21-25\)](#)

Prosecutors are required to flag all cases of child abuse; with those of child sexual abuse (CSA) being identified by any sexual offence flagged as child abuse. Recent reports of sexual abuse that occurred in the past, when the victim was under 18 years of age, are recorded as CSA, regardless of the age of the victim at the time the report is made.

Data provided below relates to *all* child abuse-flagged defendants and complainants, irrespective of sex or gender, with further details of sex where available. CSA data reported here will overlap with that in the Rape and Sexual Offence sections.

Pre-charge data

Table 35: The number of suspects referred by the police to the CPS for a charging decision 2014-15 to 2018-19

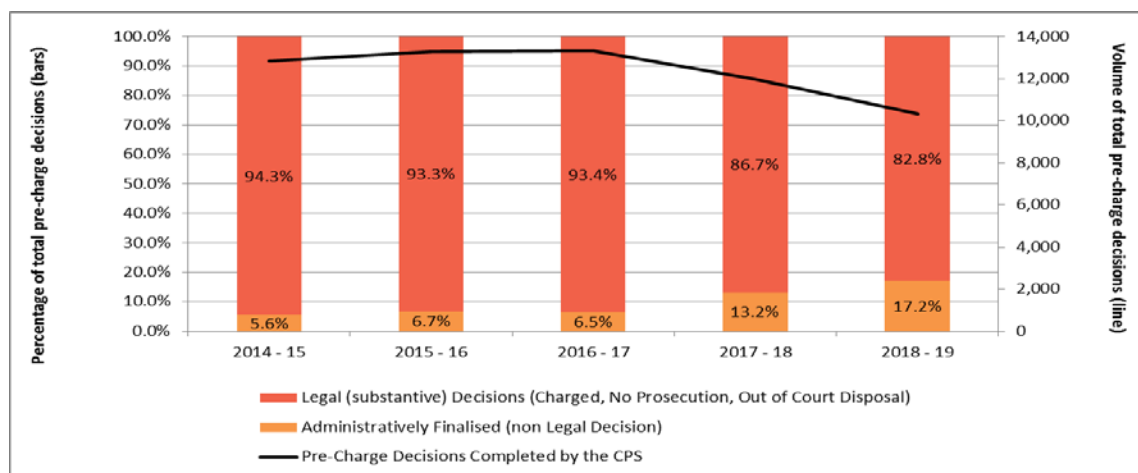
This table illustrates that there has been a significant reduction in referrals from the police over the past year.

	2014 - 15	2015 - 16	2016 - 17	2017 - 18	2018 - 19
Received from the police	10,232	10,900	10,329	9,185	7,138

Explanatory notes: Prior to 2018-19, the VAWG report recorded the data on 'pre-charge decision' completed by the CPS as 'police referrals'. This report provides two sets of data - (i) the receipt of cases from the police referred to us for a charging decision (Table 35) and (ii) 'pre-charge decisions completed by the CPS' (Graph 36) (previously called 'police referrals').

Graph 36: Pre-charge decisions completed by the CPS 2014-15 to 2018-19

This graph shows a reduction in total pre charge decisions since 2016-17 together with an increase in non-legal decisions.



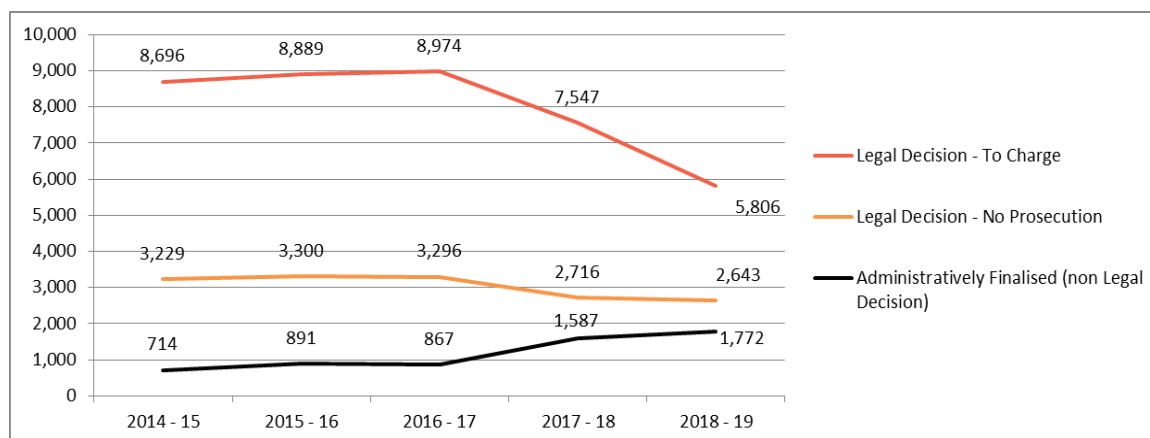
Explanatory Notes: The total pre-charge decisions data will be based on the date that the charging advice was provided to the police. Therefore, 2018-19 data will include cases referred to the CPS in 2018-19, 2017-18 or earlier. In addition, if the rape flag is missed off the case when it is received from the police, it may be added at a later stage. These are the reasons why volumes of pre-charge decisions completed in graph 36 are different from the volume of suspects referred by the police in Table 35.

Left Y axis is the percentage of the total pre-charge decisions, broken down into the proportion of legal decisions and administratively finalised (bar chart).

Right Y Axis is the volume of total pre-charge decisions completed by the CPS (line graph)

Graph 37: Pre-charge decision outcomes by volume 2014-15 to 2018-19

This graph illustrates that since 2016-17 there has been some convergence in the number of decisions to charge, not to charge and administrative finalisations.



Explanatory Notes: Out of court disposals, such as a caution or conditional caution (where these are an appropriate action) are also legal decisions. These are not included in the graph above due to the comparatively low numbers. During 2014-15 to 2017-18 there was an average of 169 out of court disposals per year. In the latest year there were 92.

The method of reporting percentage charging rate that was used in previous reports, (calculated as the proportion of suspects charged out of the total number of all pre-charge decisions including administratively finalised) would produce the following:

- The proportion of pre-charge decisions charged decreased from 63.0% in 2017-18 to 56.3% in 2018-19 – a decrease of 6.7 percentage points (ppt).

The method for reporting the percentage of charges has been amended from previous years as in Table 38 below. The charging rate has now been calculated as a percentage of charged cases out of all legal decisions.

This method specifically focuses on the legal decisions made by prosecutors that CPS is responsible for. As there has been a significant increase in the proportion of non-legal decisions (administratively finalised) in many rape cases over the past three years, this data has been removed from the calculation leaving only those cases where the prosecutor has considered all the available evidence and has decided to charge, take no further action in the case or to issue an out of court disposal.

Table 38: Percentage of pre-charge decision outcomes completed by the CPS 2014-15 to 2018-19

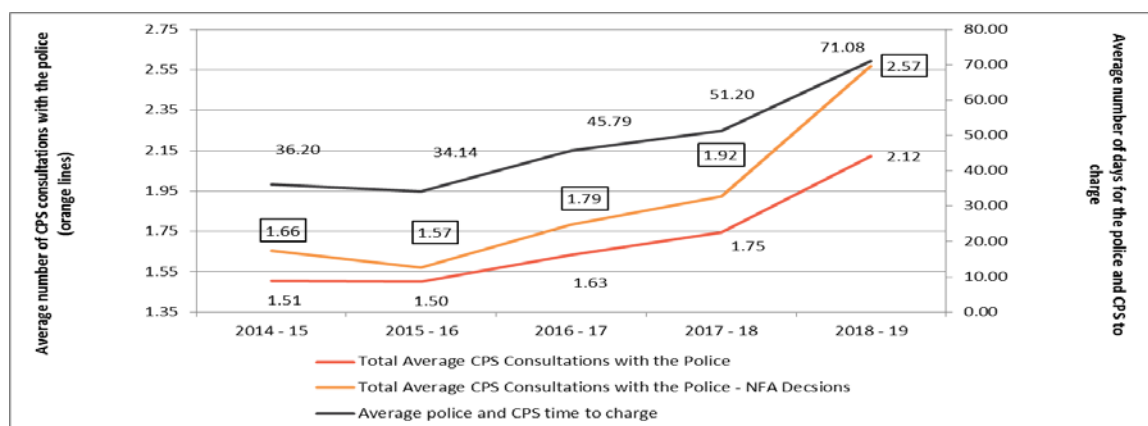
This table reports a large increase in the proportion of cases administratively finalised since 2016-17 and reports significant changes in the proportions of legal decisions over the last year.

	2014 - 15	2015 - 16	2016 - 17	2017 - 18	2018 - 19
Legal (substantive) Decisions (Charged, No Prosecution, Out of Court Disposal)	94.3%	93.3%	93.4%	86.7%	82.8%
<i>Charged (% of Legal Decisions)</i>	71.8%	71.8%	72.2%	72.6%	68.0%
<i>No Prosecution (% of Legal Decisions)</i>	26.7%	26.6%	26.5%	26.1%	30.9%
<i>Out of Court Disposal (% of Legal Decisions)</i>	1.5%	1.6%	1.3%	1.2%	1.1%
Administratively Finalised	5.6%	6.7%	6.5%	13.2%	17.2%
Other	0.1%	0.0%	0.1%	0.1%	0.0%

Graph 39: Average timeliness of the CPS decision to charge (calendar days) compared with the average number of CPS consultations with the police 2014-15 to 2018-19

The average time to respond to the police by way of a single consultation was around 27 days at the end of Q4 2018-19. With the increasing number of consultations per case, the overall average number of days to charge has risen to over 71 days.

This graph illustrates that more consultations take place on cases that result in No Further Action as prosecutors have advised on enquiries that might strengthen the case. Increased complexity and more consultations per case have led to an increase in overall timeliness.



Explanatory Notes: The average timeliness of the decision to charge includes both CPS time and police time and is a calculation of the average number of calendar days that have elapsed since the first submission of a case was sought by the police, to the date on which the last decision was made to charge. The data includes cases where the police were required to submit further evidence prior to a decision to charge. This generally includes more than one submission and more investigation.

Post-charge data

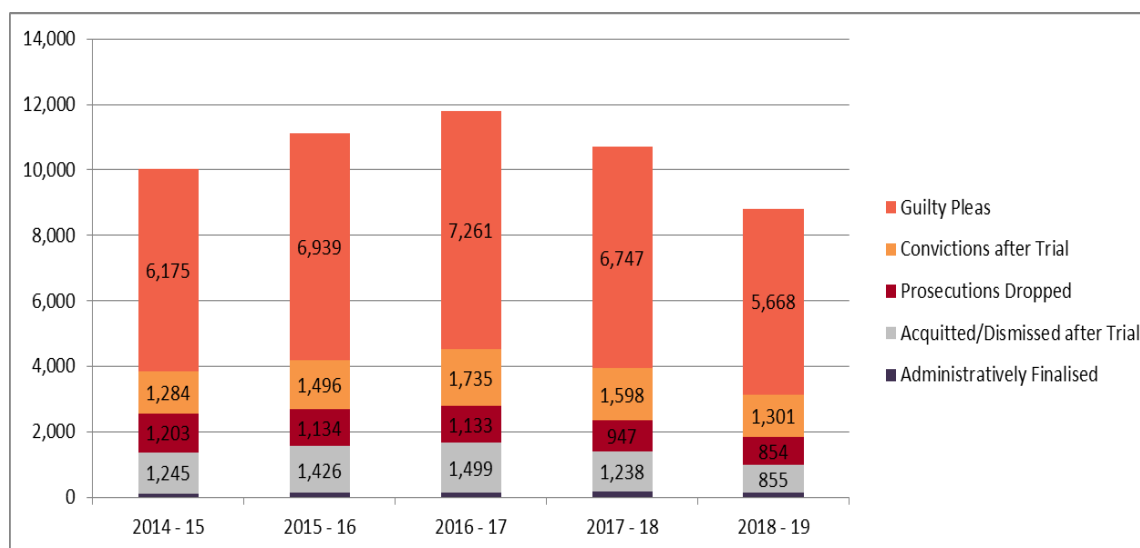
Table 40: CPS Completed child abuse-flagged prosecutions by outcome 2014-15 to 2018-19

This table indicates that there has been a reduction in prosecutions since 2016-17 but an increase in the conviction rate.

	2014–15		2015–16		2016–17		2017–18		2018-19	
	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%
Convictions	7,469	74.4	8,439	75.8	8,999	76.3	8,350	78.0	6,971	79.1
Non-convictions	2,576	25.6	2,691	24.2	2,794	23.7	2,354	22.0	1,843	20.9
Total	10,045		11,130		11,793		10,704		8,814	

Graph 41: Volume of prosecution outcomes 2014-15 to 2018-19

This graph provides a detailed breakdown of the volume of prosecution outcomes over the past five years.



Explanatory Notes: Post-charge administratively finalised cases are those where 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. If a bench warrant is executed the case may be reopened.

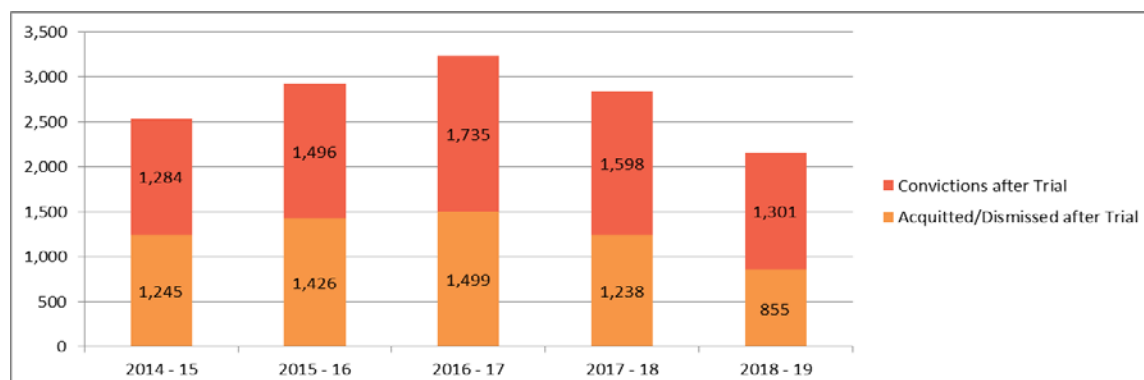
Table 42: Percentage prosecution outcomes 2014-15 to 2018-19

This table provides a detailed breakdown of the proportion of prosecution outcomes over the past five years

	2014 - 15	2015 - 16	2016 - 17	2017 - 18	2018 - 19
Convictions	74.4%	75.8%	76.3%	78.0%	79.1%
Of which					
<i>Guilty Pleas</i>	61.5%	62.3%	61.6%	63.0%	64.3%
<i>Convictions after Trial</i>	12.8%	13.4%	14.7%	14.9%	14.8%
<i>Proved in Absence</i>	0.1%	0.0%	0.0%	0.0%	0.0%
Non-Convictions	25.6%	24.2%	23.7%	22.0%	20.9%
Of which					
<i>Prosecutions Dropped</i>	12.0%	10.2%	9.6%	8.8%	9.7%
<i>Acquitted/Dismissed after Trial</i>	12.4%	12.8%	12.7%	11.6%	9.7%
<i>Administratively Finalised</i>	1.3%	1.2%	1.4%	1.6%	1.5%

Graph 43: Volume of outcomes after trial 2014-15 to 2018-19

This graph shows that there has been a reduction in both the volume of convictions and acquittals since 2016-17.

**Graph 44: Percentage outcomes after trial 2014-15 to 2018-19**

The graph shows that there has been a significant increase in the conviction after trial rate since 2015-16.

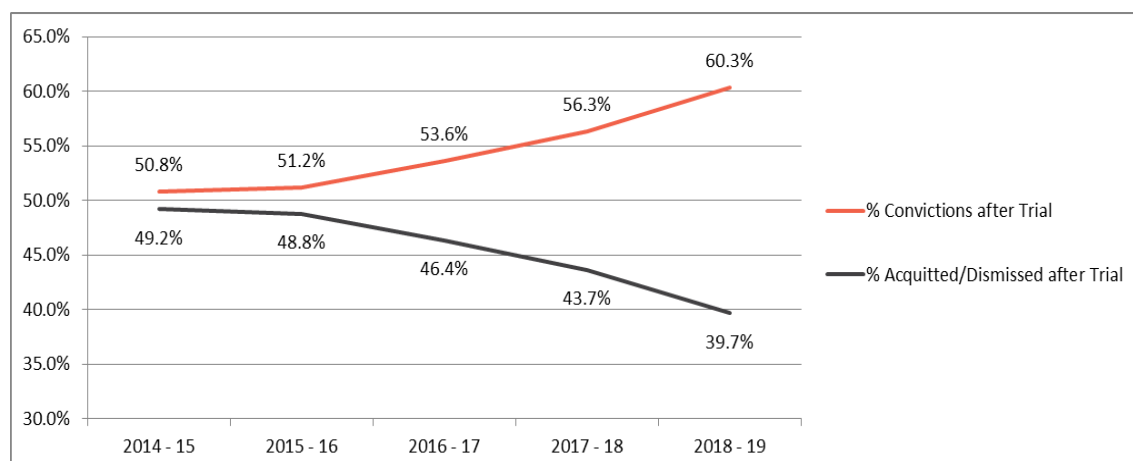


Table 45: Total non-conviction outcomes by reason 2014-15 to 2018-19

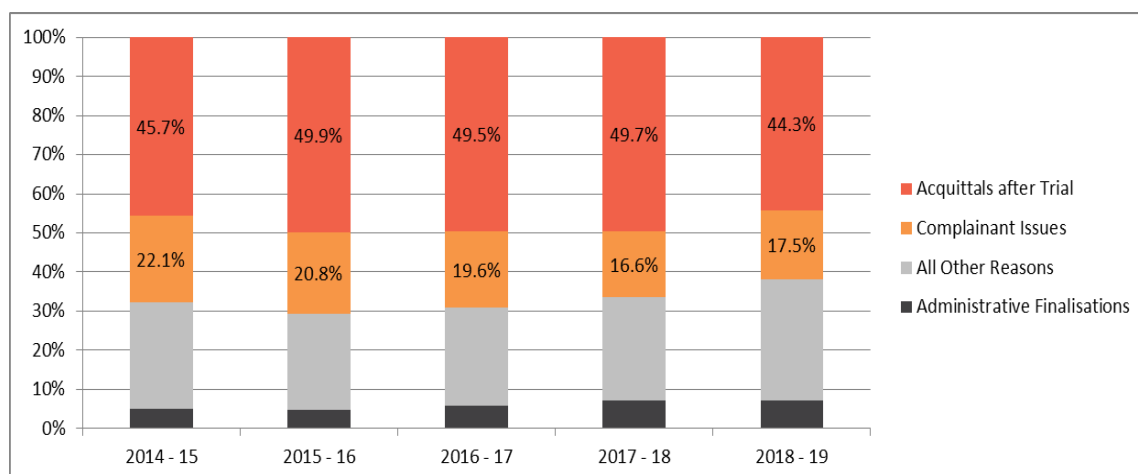
This table provides a detailed breakdown of reasons for non-conviction over the past five years.

	2014 - 15	2015 - 16	2016 - 17	2017 - 18	2018 - 19
Total Non Convictions	2,576	2,691	2,794	2,354	1,843
Acquittals after Trial	1,178	1,344	1,384	1,170	817
Victim Issues	569	559	549	391	322
All Other Reasons	703	658	700	624	570
Administrative Finalisations	126	130	161	169	134

Explanatory Notes: Victim or complainant issues include retractions, non-attendance at trial or where the 'evidence of the complainant does not support the case'. Other reasons include conflict of evidence or an essential legal element missing.

Graph 46: Percentage non-conviction outcomes by reason 2014-15 to 2018-19

This graph provides a detailed breakdown of the proportions of the reasons for non-conviction over the past five years.



- There were 33 homicides flagged as child abuse with 78.8% conviction rate; there were 2,334 offences against the persons flagged as child abuse with a 72.0% conviction rate.

Child sexual abuse data

The data below on child sexual abuse (CSA) is identified by any sexual offence flagged as child abuse. Pre-charge data is not available for CSA.

Post-charge data

Table 47: CPS Completed child abuse flagged sexual offences prosecutions by outcome 2014-15 to 2018-19

This table indicates that there has been a reduction in prosecutions since 2016-17 but an increase in the conviction rate.

	2014–15		2015–16		2016–17		2017–18		2018-19	
	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%
Convictions	3,975	73.8	4,643	74.7	5,374	74.8	4,878	76.5	4,023	79.0
Non-convictions	1,412	26.2	1,574	25.3	1,807	25.2	1,500	23.5	1,068	21.0
Total	5,387		6,217		7,181		6,378		5,091	

Graph 48: Volume of prosecution outcomes 2014-15 to 2018-19

This graph provides a detailed breakdown of the volume of prosecution outcomes over the past five years.

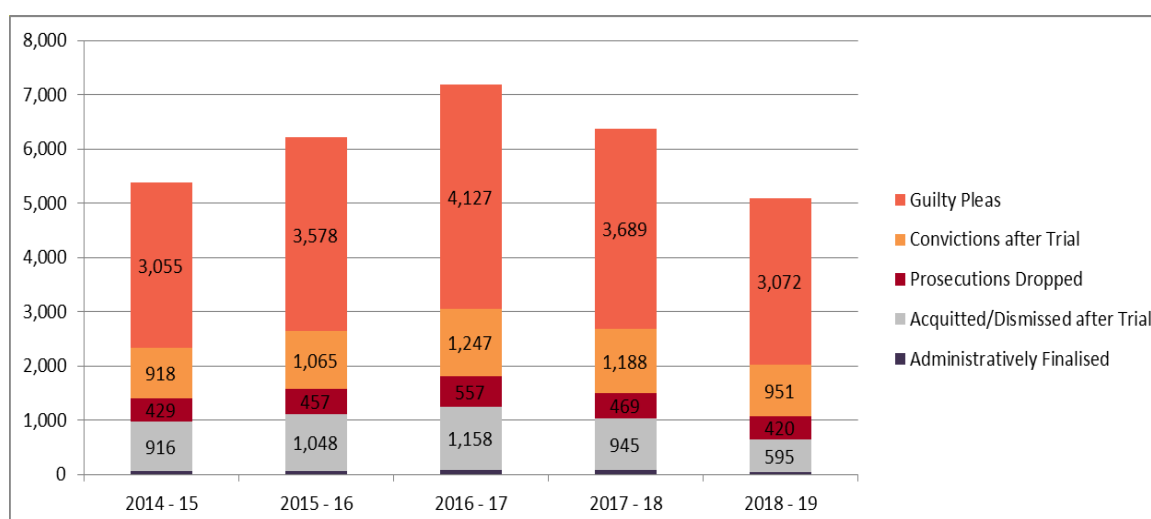


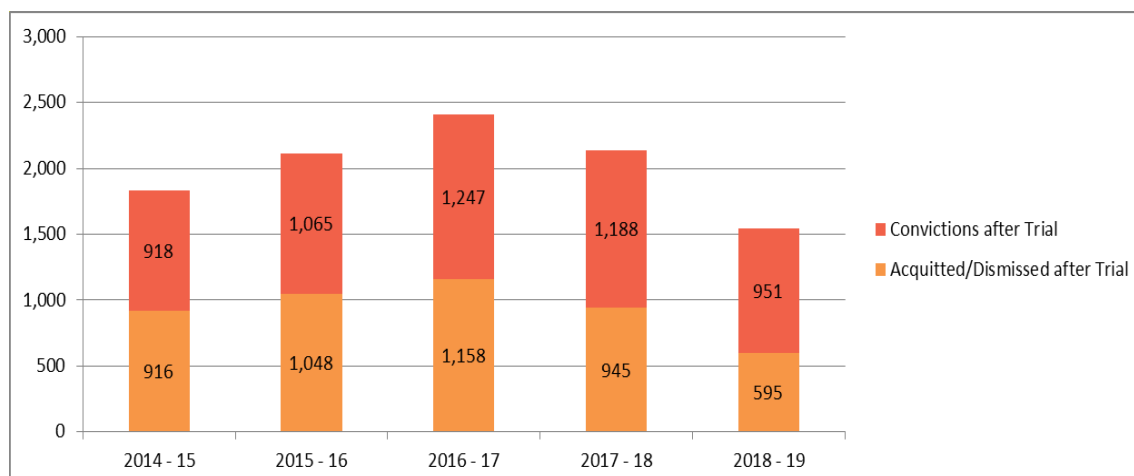
Table 49: Percentage prosecution outcomes 2014-15 to 2018-19

This table provides a detailed breakdown of the proportion of prosecution outcomes over the past five years.

	2014 - 15	2015 - 16	2016 - 17	2017 - 18	2018 - 19
Convictions	73.8%	74.7%	74.8%	76.5%	79.0%
Of which					
<i>Guilty Pleas</i>	56.7%	57.6%	57.5%	57.8%	60.3%
<i>Convictions after Trial</i>	17.0%	17.1%	17.4%	18.6%	18.7%
<i>Proved in Absence</i>	0.0%	0.0%	0.0%	0.0%	0.0%
Non-Convictions	26.2%	25.3%	25.2%	23.5%	21.0%
Of which					
<i>Prosecutions Dropped</i>	8.0%	7.4%	7.8%	7.4%	8.2%
<i>Acquitted/Dismissed after Trial</i>	17.0%	16.9%	16.1%	14.8%	11.7%
<i>Administratively Finalised</i>	1.2%	1.1%	1.3%	1.3%	1.0%

Graph 50: Volume of outcomes after trial 2014-15 to 2018-19

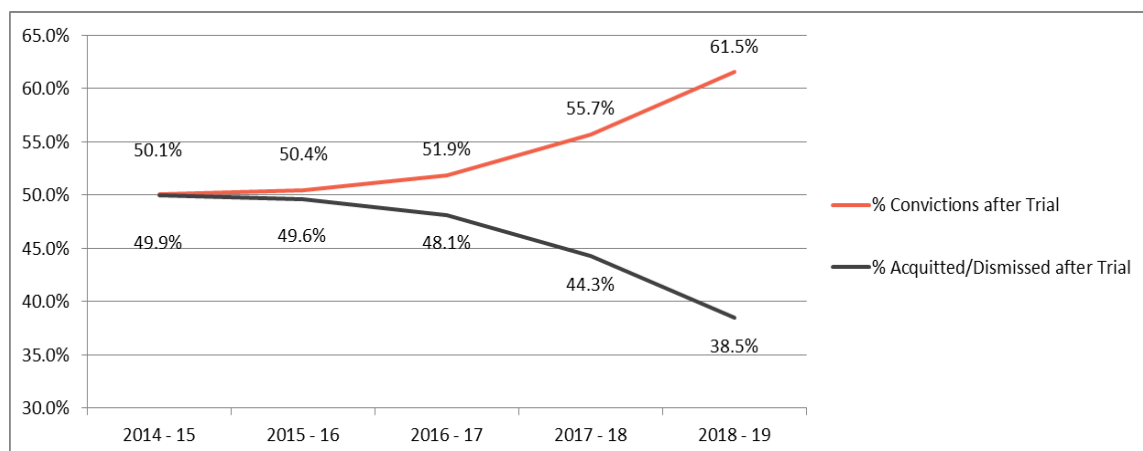
This graph shows that there has been a reduction in both the volume of convictions and acquittals since 2016-17.



- In 2018-19, 1,311 (25.8%) of CSA offence prosecutions were flagged as both child abuse and rape. Of these prosecutions, a conviction was obtained in 963 cases representing a 73.5% conviction rate.
- Of the CSA offence prosecutions where the rape flag was not applied, (3,780 or 74.2%), a conviction was obtained in 3,060 cases representing an 81.0% conviction rate.

Graph 51: Percentage outcomes after trial 2014-15 to 2018-19

The graph shows that there has been a significant increase in the conviction after trial rate over the past five years.

**Table 52: Total non-conviction outcomes by reason 2014-15 to 2018-19**

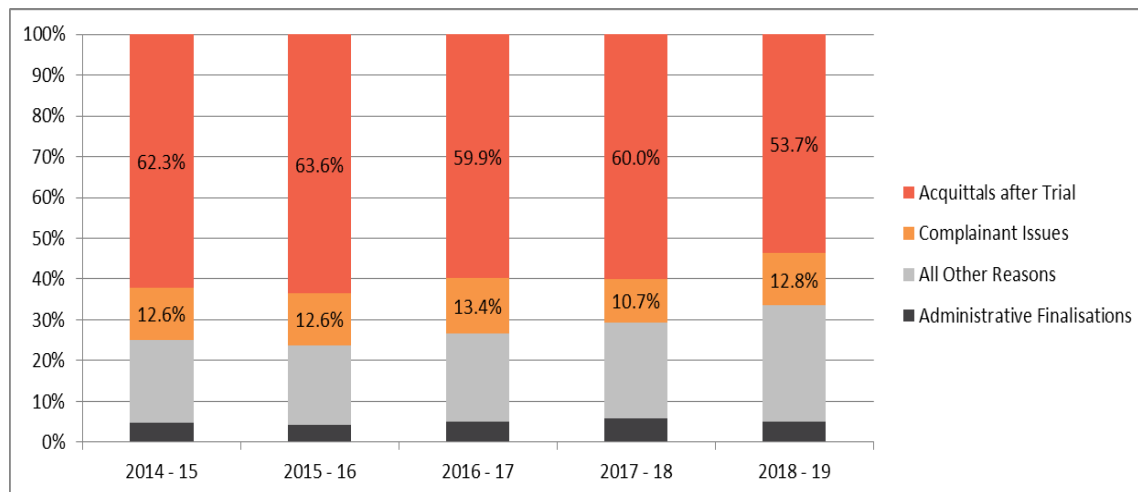
This table provides a detailed breakdown of reasons for non-conviction over the past five years.

	2014 - 15	2015 - 16	2016 - 17	2017 - 18	2018 - 19
Total Non Convictions	1,412	1,574	1,807	1,500	1,068
Acquittals after Trial	879	1,001	1,082	900	573
Complainant Issues	178	198	242	160	137
All Other Reasons	66	68	92	86	53
Administrative Finalisations	289	307	391	354	305

Explanatory Notes: Victim or complainant issues include retractions, non-attendance at trial or where the 'evidence of the complainant does not support the case'. Other reasons include conflict of evidence or an essential legal element missing.

Graph 53: Percentage non-conviction outcomes by reason 2014-15 to 2018-19

This graph provides a detailed breakdown of the proportions of the reasons for non-conviction over the past five years.



Explanatory Notes: Post-charge administratively finalised cases are those where 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. If a bench warrant is executed the case may be reopened.

Equalities information

Sex

Defendants

- The defendant was male in:
 - 90.7% of child abuse prosecutions (0.5% of defendants did not have sex recorded);
 - 63.6% of homicide prosecutions (21 out of 33) – the sex of all defendants was recorded;
 - 73.6% of offences against the person (1,717 out of 2,326 defendants where sex was recorded – 99.7% recorded); and
 - 98.6% of sexual offences (4,992 out of 5,065 defendants where sex was recorded – 99.5% recorded).
- 79.7% of male defendants prosecuted for child abuse were convicted (6,372) and 73.0% of female defendants (568). 79.2% of male defendants prosecuted for CSA were convicted (3,952) and 68.5% of female defendants (50).

Complainants

- For complainant data,⁴⁴ from the Witness Management System 9,627 complainants of child abuse were recorded. The recording of complainant sex (at 77.6%) was slightly higher than in 2017-18 (77.0%).
- Of all complainants, 5,371 were female and 2,099 were male and there were 2,157 complainants where sex was not recorded.
- Where the sex of the complainant was recorded, 71.9% were female and 28.1% were male; a rise of 3.2ppt in male complainants.

The [underlying data for this section of the report](#) can be found in the child abuse section of the data on the CPS website (linked).

Modern slavery and human trafficking data

[Link back to the main section on modern slavery and human trafficking \(pages 25-27\)](#)

This section of the CPS VAWG Report only provides headline data below, drawing out sex and sexual exploitation issues of relevance to this report.

Cases of modern slavery/human trafficking (MS/HT) are flagged (see glossary for definition). The small number of cases indicates the need for caution in interpreting this data in relation to these offences. Note all data refers to the flagged cases.

Pre-charge data

Table 54: The number of suspects referred by the police to the CPS for a charging decision 2014-15 to 2018-19

This table illustrates that there has been a reduction in referrals from the police over the past year.

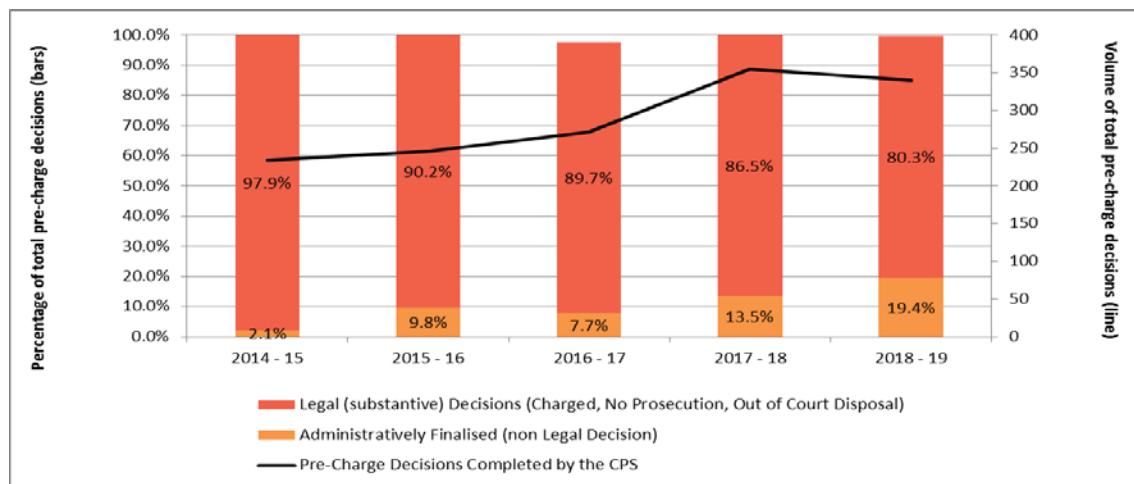
	2014 - 15	2015 - 16	2016 - 17	2017 - 18	2018 - 19
Received from the police	214	237	222	293	205

Explanatory notes: Prior to 2018-19, the VAWG report recorded the data on 'pre-charge decisions' completed by the CPS as 'police referrals'. This report provides two sets of data - (i) the receipt of cases from the police referred to us for a charging decision (Table 54) and (ii) 'pre-charge decisions completed by the CPS' (Graph 55) (previously called 'police referrals').

⁴⁴ Sex of complainants is only available for child abuse complainants overall and not broken down into homicide, offences against the person and sexual abuse.

Graph 55: Pre-charge decisions completed by the CPS 2014-15 to 2018-19

This graph shows a slight decline in total pre charge decisions over the past year together with an increase in non-legal decisions.



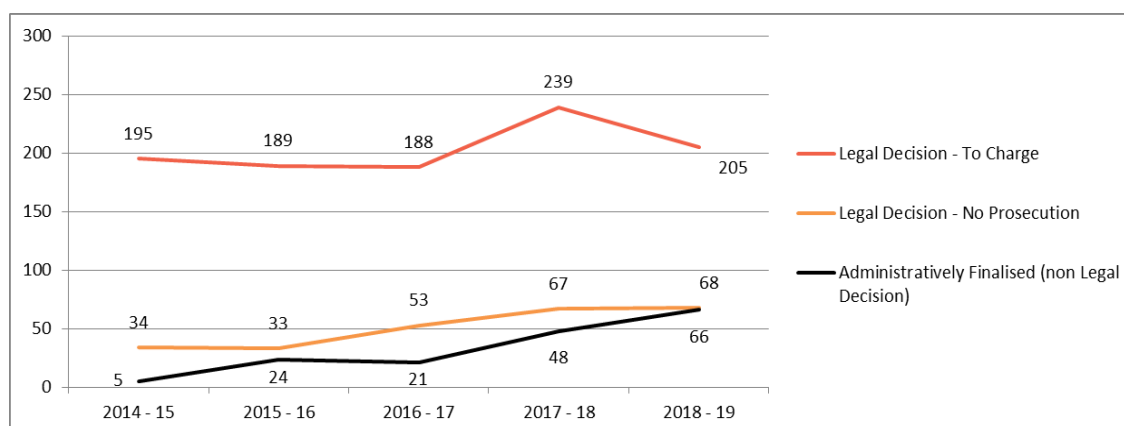
Explanatory Notes: The total pre-charge decisions data will be based on the date that the charging advice was provided to the police. Therefore, 2018-19 data will include cases referred to the CPS in 2018-19, 2017-18 or earlier. In addition, if the modern slavery flag is missed off the case when it is received from the police, it may be added at a later stage. These are the reasons why volumes of pre-charge decisions completed in graph 55 are different from the volume of suspects referred by the police in Table 54.

Left Y axis is the percentage of the total pre-charge decisions, broken down into the proportion of legal decisions and administratively finalised (bar chart).

Right Y Axis is the volume of total pre-charge decisions completed by the CPS (line graph).

Graph 56: Pre-charge decision outcomes by volume 2014-15 to 2018-19

This graph illustrates that over the past year there has been a rise in administrative finalisation and a fall in the number of decisions to charge.



Explanatory Notes: Out of court disposals, such as a caution or conditional caution (where these are an appropriate action) are also legal decisions. These are not included in the graph above due to the extremely low numbers. During 2014-15 to 2017-18 there was an average of 1 out of court disposals per year. In the latest year there were 0.

The method of reporting percentage charging rate that was used in previous reports, (calculated as the proportion of suspects charged out of the total number of all pre-charge decisions including administratively finalised) would produce the following:

The proportion of pre-charge decisions charged decreased from 67.3% in 2017-18 to 60.3% in 2018-19 – a decrease of 7.0 percentage points (ppt).

The method for reporting the percentage of charges has been amended from previous years as in Table 57 below. The charging rate has now been calculated as a percentage of charged cases out of all legal decisions.

This method specifically focuses on the legal decisions made by prosecutors that CPS is responsible for. As there has been an increase in the proportion of non-legal decisions (administratively finalised) in many modern slavery cases over the past three years, this data has been removed from the calculation leaving only those cases where the prosecutor has considered all the available evidence and has decided to charge, take no further action in the case or to issue an out of court disposal.

Table 57: Percentage of pre-charge decision outcomes completed by the CPS 2014-15 to 2018-19

This table reports a large increase in the proportion of cases administratively finalised since 2016-17 and changes in the proportions of legal decisions over the five year period⁴⁵.

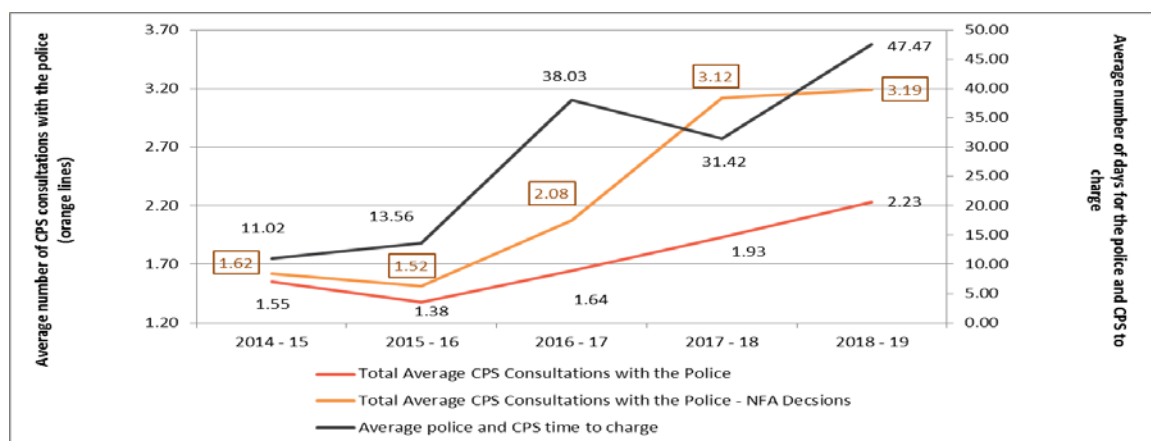
	2014 - 15	2015 - 16	2016 - 17	2017 - 18	2018 - 19
Legal (substantive) Decisions (Charged, No Prosecution, Out of Court Disposal)	97.9%	90.2%	89.7%	86.5%	80.3%
<i>Charged (% of Legal Decisions)</i>	85.2%	85.1%	77.4%	77.9%	75.1%
<i>No Prosecution (% of Legal Decisions)</i>	14.8%	14.9%	21.8%	21.8%	24.9%
<i>Out of Court Disposal (% of Legal Decisions)</i>	0.0%	0.0%	0.8%	0.3%	0.0%
Administratively Finalised	2.1%	9.8%	7.7%	13.5%	19.4%
Other	0.0%	0.0%	2.6%	0.0%	0.3%

⁴⁵ The small number of cases indicates the need for caution in interpreting this data in relation to these decisions.

Graph 58: Average timeliness of the CPS decision to charge (calendar days) compared with the average number of CPS consultations with the police 2014-15 to 2018-19

The average time to respond to the police by way of a single consultation was around 24 days at the end of Q4 2018-19. With the increasing number of consultations per case, the overall average number of days to charge has risen to over 47 days.

This graph illustrates that more consultations take place on cases that result in No Further Action as prosecutors have advised on enquiries that might strengthen the case. Increased complexity and more consultations per case have led to an increase in overall timeliness



Explanatory Notes: The average timeliness of the decision to charge includes both CPS time and police time and is a calculation of the average number of calendar days that have elapsed since the first submission of a case was sought by the police, to the date on which the last decision was made to charge. The data includes cases where the police were required to submit further evidence prior to a decision to charge. This generally includes more than one submission and more investigation.

Post-charge data

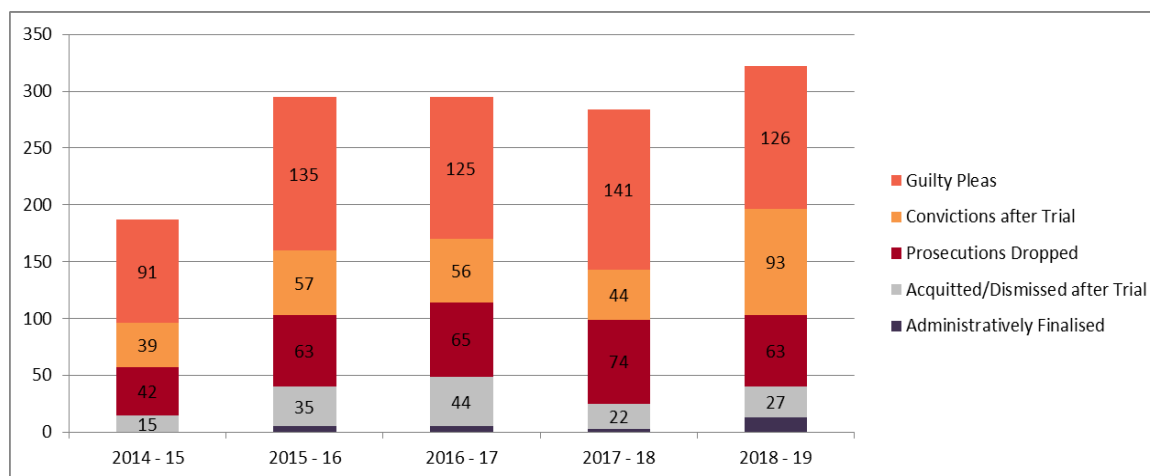
Table 59: CPS Completed human trafficking prosecutions by outcome 2014-15 to 2018-19

This table indicates that there has been an increase in both the volumes of prosecutions and conviction rate in the past year.

	2014-15		2015-16		2016-17		2017-18		2018-19	
	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%
Convictions	130	69.5	192	65.1	181	61.4	185	65.1	219	68.0
Non-convictions	57	30.5	103	34.9	114	38.6	99	34.9	103	32.0
Total	187		295		295		284		322	

Graph 60: Volume of prosecution outcomes 2014-15 to 2018-19

This graph provides a detailed breakdown of the volume of prosecution outcomes over the past five years.



Explanatory Notes: Post-charge administratively finalised cases are those where 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. If a bench warrant is executed the case may be reopened.

Table 61: Percentage prosecution outcomes 2014-15 to 2018-19

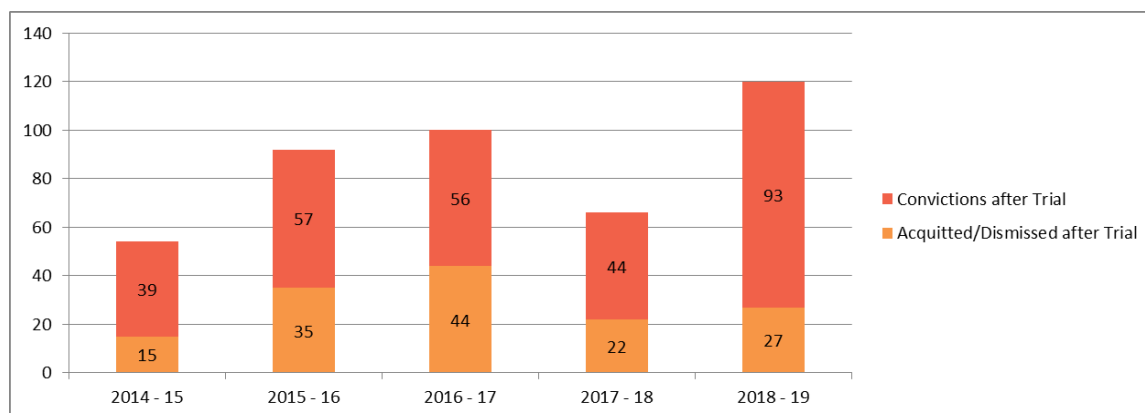
This table provides a detailed breakdown of the proportion of prosecution outcomes over the past five years.

	2014 - 15	2015 - 16	2016 - 17	2017 - 18	2018 - 19
Convictions	69.5%	65.1%	61.4%	65.1%	68.0%
Of which					
<i>Guilty Pleas</i>	48.7%	45.8%	42.4%	49.6%	39.1%
<i>Convictions after Trial</i>	20.9%	19.3%	19.0%	15.5%	28.9%
<i>Proved in Absence</i>	0.0%	0.0%	0.0%	0.0%	0.0%
Non-Convictions	30.5%	34.9%	38.6%	34.9%	32.0%
Of which					
<i>Prosecutions Dropped</i>	22.5%	21.4%	22.0%	26.1%	19.6%
<i>Acquitted/Dismissed after Trial</i>	8.0%	11.9%	14.9%	7.7%	8.4%
<i>Administratively Finalised</i>	0.0%	1.7%	1.7%	1.1%	4.0%

- The cases are growing in their complexity, often involving large number of complainants, with an average number of complainants and witnesses increasing to 11.6 per case compared with 10.6 in the previous year.

Graph 62: Volume of outcomes after trial 2014-15 to 2018-19

This graph shows that there has been a significant increase in the volume of convictions over the past year. This follows a fall in 2017-18.



Graph 63: Percentage outcomes after trial 2014-15 to 2018-19

The graph shows that there has been an increase in the conviction after trial rate since 2016-17

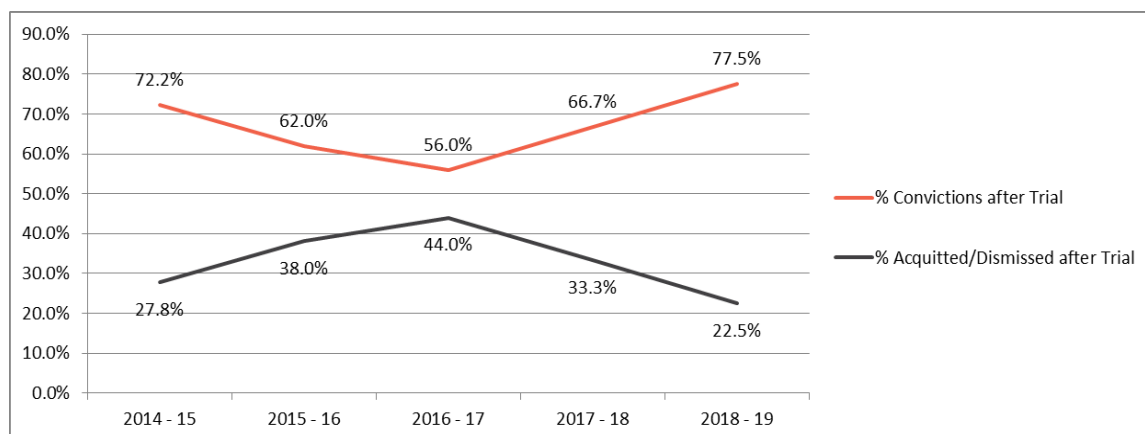


Table 64: Total non-conviction outcomes by reason 2014-15 to 2018-19

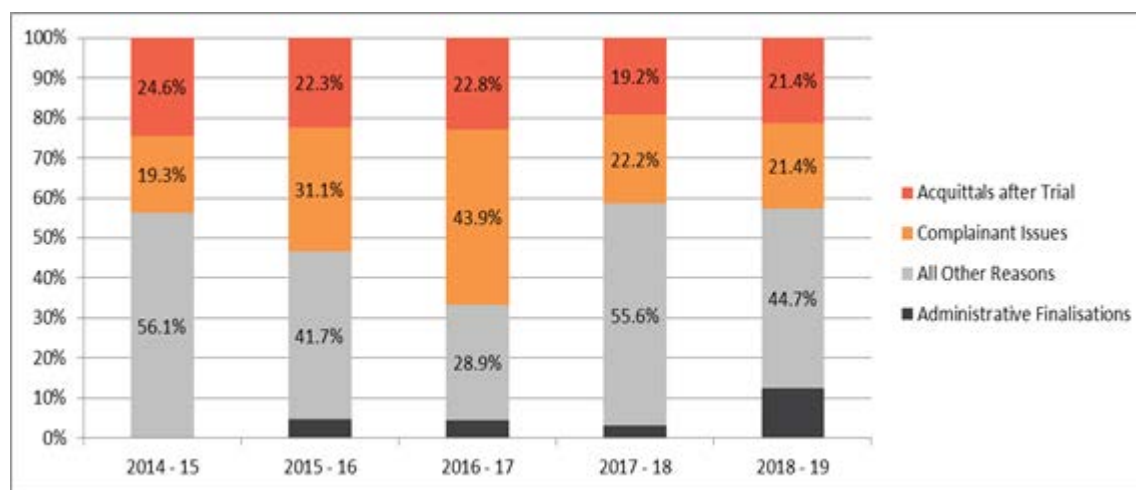
This table provides a detailed breakdown of reasons for non-conviction over the past five years.

	2014 - 15	2015 - 16	2016 - 17	2017 - 18	2018 - 19
Total Non Convictions	57	103	114	99	103
Acquittals after Trial	14	23	26	19	22
Complainant Issues	11	32	50	22	22
All Other Reasons	32	43	33	55	46
Administrative Finalisations	0	5	5	3	13

Explanatory Notes: Victim or complainant issues include retractions, non-attendance at trial or where the evidence of the complainant does not support the case". Other reasons include conflict of evidence or an essential legal element missing.

Graph 65: Percentage non-conviction outcomes by reason 2014-15 to 2018-19

This graph provides a detailed breakdown of the proportions of the reasons for non-conviction over the past five years.



- Table 66 below outlines human trafficking offences,⁴⁶ for which prosecutions were commenced, from 2014-15 to 2018-19.
- In 2018-19, in total there were 132 offences of labour exploitation,⁴⁷ an increase from 102 the previous year and 84 offences of trafficking for sexual exploitation, ss.57, 58, 59, 59a, Sexual Offences Act 2003, a rise from 61 in the previous year. However the other offences in the table are linked to either labour exploitation or sexual exploitation.⁴⁸ More offences are being prosecuted under Modern Slavery Act s.2 covering all forms of human trafficking.

⁴⁶ The table does not include conspiracy to commit any of the offences.

⁴⁷ Under s.71 Coroner's and Justice Act 2009 and s.1 Modern Slavery Act 2015.

⁴⁸ Perpetrators may also be prosecuted and convicted for serious offences other than trafficking and slavery, where there are links to trafficking, including, for example, conspiracy to traffic, false imprisonment, controlling prostitution for gain and rape. Alternative offences may be more representative of the actual offending and carry more serious penalties.

Table 66: Volume of modern slavery/human trafficking offences 2014-15 to 2018-19

This table provides data on the main offences prosecuted as modern slavery/human trafficking.

	2014–15	2015–16	2016–17	2017–18	2018-19
Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 { 4 } Trafficking for labour and other exploitation	60	68	29	14	25
Coroners and Justice Act 2009 { 71 } To hold another in slavery or servitude or require them to perform forced or compulsory labour	31	40	23	17	11
Modern Slavery Act 2015 { 1 } Slavery, servitude and forced or compulsory labour	0	9	23	85	121
Modern Slavery Act 2015 { 2 } Human trafficking	0	5	73	163	204
Modern Slavery Act 2015 { 4 } Committing an offence with intent to commit trafficking offence	0	0	2	0	10
Sexual Offences Act 2003 { 57 } Trafficking into the UK for sexual exploitation	41	70	17	6	3
Sexual Offences Act 2003 { 58 } Trafficking within the UK for sexual exploitation	31	72	105	32	64
Sexual Offences Act 2003 { 59 } Trafficking out of the UK for sexual exploitation	0	9	5	11	4
Sexual Offences Act 2003 { 59A } Trafficking into, out of and within the UK for sexual exploitation ⁴⁹	13	97	35	12	13
Total human trafficking offences	176	370	312	340	455

Equalities information

Sex

Defendants

- In 2018-19, of the 322 defendants prosecuted, 270 defendants were male, 51 defendants were female. 99.7% of sex of defendants was recorded.
- Where the sex of the defendant was recorded, 84.1% were male and 15.9% female.

Complainants

- For complainant data, from the Witness Management System 263 complainants were recorded. 55.1% of complainant sex was recorded, a fall from 71.3% in 2017-18.
- Of all complainants, 66 were female, 79 were male and the sex of 118 was not recorded.
- Where the sex of the complainant was recorded, 45.5% were female and 54.5% were male (compared with 74.2% and 25.8% in 2017-18 respectively).

⁴⁹ S.59A Sexual Offences Act 2003 replaced ss.57, 58, 59 SOA 2003 in 2013–14.

National Referral Mechanism (National Crime Agency data)

- Data from the National Referral Mechanism is provided by the National Crime Agency to add further information on the sex patterns of potential complainants.
- For trends in trafficking, CPS has access to the National Referral Mechanism (NRM) published data,⁵⁰ based on potential victims⁵¹ referred to them. Data is available through the [National Crime Agency website](#). This data also allows exploration of the sex and gender of potential victims.
- The NRM in England and Wales received 36% more referrals of cases in 2018 with 2,728 female victims compared with 4,261 male victims and four transgender victims. The data indicates differences in sex and trends under different types of claimed exploitation of trafficking and modern slavery:
 - From 2017 to 2018, labour exploitation of men and boys rose from 2,062 to 3,525 potential victims (a rise of 70.9%).
 - From 2017 to 2018, sexual exploitation of women and girls rose from 1,612 to 1,725 potential victims (a rise of 7.0%); domestic servitude of women and girls rose from 343 to 365 potential victims (a rise of 6.4%).
 - Of 2,544 potential female victims, 67.8% were victims of sexual exploitation or domestic servitude.⁵²
 - Of the 3,874 potential male victims 91.0% were victims of labour exploitation.⁵³
- Intelligence on the increasing numbers of potential victims referred through the NRM reveals that this is not necessarily reflective of an increase in the threat posed by Modern Slavery to the UK, but that there is better identification of victims referred. A large number of trafficking referrals into the NRM claim exploitation outside of the UK and therefore fall outside of our jurisdiction to prosecute.

The [underlying data for this section of the report](#) can be found in the modern slavery/human trafficking section of the data on the CPS website.

⁵⁰ From 2017 Q2 data recording was changed to reflect the police force where the NRM referral was sent for crime recording purposes. Prior to this, it was based upon the location of the first responder alone.

⁵¹ NRM Data refers to potential victims, not persons who have received a positive conclusive grounds decision that they are a victim of trafficking.

⁵² Of 2,544 potential female victims – i.e. 2,728 excluding 184 of unknown exploitation or organ harvesting.

⁵³ Of 3,874 potential male victims – i.e. 4,261 excluding 387 of unknown exploitation.

Prostitution data

[Link back to the main section on prostitution \(pages 27-28\)](#)

The CPS prostitution data is only available from the offence-based data system. This data is therefore only available for the number of offences where a charge is given and is not available by defendant. We therefore cannot provide data on police referrals, charging, and outcomes. Offence data is also not available by sex of defendant or complainant. All data below refers to the number of offences in which prosecutions commenced and reached a first hearing, in magistrates' courts.

Tables 67 to 72 provide data over the last five years on the volume of prostitution-related offences charged and reaching a first hearing in magistrates' courts.

Table 67: Control of Prostitution

	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Sexual Offences Act 2003 { 52 }	25	13	7	32	20
Sexual Offences Act 2003 { 53 }	58	87	92	64	48
TOTAL	83	100	99	96	68

Table 68: Brothel Keeping

	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Sexual Offences Act 1956 { 33 }	19	28	24	9	5
Sexual Offences Act 1956 { 33A of and Schedule 2 }	72	75	63	63	61
Sexual Offences Act 1956 { 34 }	1	1	1	0	0
Sexual Offences Act 1956 { 35(1) }	2	2	1	1	4
Sexual Offences Act 1956 { 36 }	2	3	0	0	0
Sexual Offences Act 2003 { 53A }	3	2	1	1	4
TOTAL	99	111	90	74	74

Table 69: A38- Kerb Crawling

	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Sexual Offences Act 1985 { 1(1)(a) }	0	0	0	0	1
Sexual Offences Act 1985 { 1(1)(b) }	0	0	0	0	0
Sexual Offences Act 1985 { 2(1) }	0	1	0	0	0
Sexual Offences Act 2003 { 51A }	227	152	148	106	76
TOTAL	227	153	148	106	77

Table 70: Advertising Prostitution

	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Criminal Justice and Police Act 2001 { 46 }	37	37	25	23	8

Table 71: Street Prostitution

	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Street Offences Act 1959 { 1 }	456	163	127	57	69

Table 72: Sexual Exploitation of Children

	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Sexual Offences Act 2003 { 47 }	49	79	38	57	48
Sexual Offences Act 2003 { 48 }	198	277	263	191	161
Sexual Offences Act 2003 { 49 }	3	11	15	7	7

The [underlying data for this section of the report](#) can be found in the prostitution section of the data on the CPS website.

Pornography, Obscenity and Communication offences data

[Link back to the main section on pornography, obscenity and communication offences \(pages 28-30\)](#)

The CPS pornography, obscenity and communication offences data is only available from the offence-based data system. This data is therefore only available for the number of offences where a charge is given and is not available by defendant. We therefore cannot provide data on police referrals, charging, and outcomes. Offence data is also not available by sex of defendant or complainant. All data below refers to the number of offences in which prosecutions commenced and reached a first hearing in magistrates' courts.

- Revised guidelines have allowed prosecutors to charge fewer offences for the same number of images, without impacting on the overall sentence.⁵⁴ This partly explains the apparent fall in volumes. The number of offences fell from 15,055 in 2017-18 to 11,096 in 2018-19 (26.3%), but this is due to a combination of streamlining and fewer cases being received from the police - it is not a de-prioritisation of prosecuting these offences. In 2014-15 the average number of offences per case was eight; in 2018-19 it was 3.6.
- Offence data is not available by sex, ethnicity or age of the defendant or complainant.

Table 73: Child abuse image offences 2014–15 to 2018–19

This table provides data on the offences charged and reaching a first hearing in magistrates' courts related to child abuse images.

⁵⁴ The CPS, police and courts use a streamlined approach to the prosecution of indecent image offences in relation to certain offenders. The police use the Child Abuse Image Database (CAID) and provide a Streamlined Forensic Report (SFR) setting out examples of images from each sentencing category (typically three). This still allows the court sufficient sentencing powers and information about the offending. It enables cases to be progressed more quickly, meaning more offenders can be prosecuted in shorter time.

	2014–15	2015–16	2016–17	2017–18	2018-19
Criminal Justice Act 1988 (160) Possession of an indecent photograph of a child	4,820	5,248	5,141	2,357	1,568
Coroners and Justice Act 2009 (62) Possession of a prohibited image of a child. ⁵⁵	631	625	971	769	729
Sexual exploitation of children through photographs of which:	16,129	16,672	14,691	11,929	8,799
Protection of Children Act 1978 (1 (1)(a)) Making an indecent photograph of a child	14,518	14,930	13,324	10,504	7,770
Protection of Children Act 1978 (1 (1)(b)) Distributing an indecent photograph of a child	1,318	1,422	1,155	1,248	920
Protection of Children Act 1978 (1 (1)(c)) Showing indecent photographs of children	292	319	209	176	109
Protection of Children Act 1978 (1(1)(d)) Publishing an advertisement likely to suggest that the advertiser distributes or shows indecent photographs of children	1	1	3	1	0

Table 74 below outlines CPS data on obscenity and communication offences. Obscenity and communication offences fell from 8,112 in 2017-18 to 7,485 in 2018-19 (7.7%).

Table 74: Obscenity and communication offences 2014–15 to 2018–19

This table provides data on obscenity and communication offences charged and reaching a first hearing in a magistrates' court.

	2014–15	2015–16	2016–17	2017–18	2018-19
Malicious Communications Act 1988 Sections (1 (1)(a) and (1)(b)) Indecent or grossly offensive material	1,586	2,094	2,634	3,079	3,358
Obscene Publications Act 1959 (2 (1)) Obscene publications	88	26	36	51	54
Communications Act 2003 (127 (1)(a), (1)(b) and (3)) Grossly offensive or indecent communications	1,680	2,026	2,227	2,290	1,951
Communications Act 2003 (127 (2)(a), (2)(b), (2)(c) and (3)) Causing annoyance, inconvenience or needless anxiety to another person	864	848	734	660	643
Criminal Justice and Immigration Act 2008 (63) Possession of extreme pornographic images	1,564	1,737	1,929	1,542	1,075
Criminal Justice and Immigration Act 2008 (63(1), (7A)) Possess an extreme pornographic image portraying rape/assault by penetration		3	24	26	28
Criminal Justice and Courts Act 2015 { 33(1) and (9) } Disclose private sexual photographs and films with intent to cause distress		206	465	464	376

⁵⁵ s.62 of the Coroners and Justice Act 2009 ('the Act') created a new offence of possession of a prohibited image of a child, punishable by up to three years' imprisonment. This offence came into force on the 6 April 2010.

- The majority of offences under the Malicious Communications Act 1988 (indecent or grossly offensive material) and Communication Act 2003 (grossly offensive or indecent communications) were DA-related (58.5% and 67.7% respectively).

Voyeurism

- In 2018-19 there were 539 offences of voyeurism prosecuted.
- The Voyeurism (Offences) Act 2019 added a new section 67A to the Sexual Offences Act 2003, to include two new voyeurism offences aimed at tackling 'upskirting'. This is the act of covertly capturing images underneath someone's clothing without their consent.

Disclosing Private Sexual Images without Consent

- There were 376 offences starting prosecution in 2018-19 of the criminal offence of disclosing private sexual photographs and films without the consent of an individual who appears in them, with intent to cause that individual distress. This was fewer than in 2017-18 (464 offences). These cases involving so-called 'revenge pornography' are considered under the social media legal guidelines.⁵⁶ The offence carries a maximum prison sentence of two years on conviction.

Possession of an extreme pornographic image portraying rape/assault by penetration

- There were 28 prosecutions commenced in relation to Criminal Justice and Immigration Act 2008 {63(1), (7A), the offence of possession of an extreme pornographic image portraying rape/assault by penetration in 2018-19; similar to 2017-18 (26 prosecutions).

Paedophile manuals

- 18 offences of s.69 of the Serious Crime Act 201 – possession of a paedophile manual, which is any item that contains advice or guidance about abusing children sexually, including grooming – commenced prosecution in 2018-19, the same as in the previous year.

The [underlying data for this section of the report](#) can be found in the pornography, obscenity and communication offences section of the data on the CPS website.

⁵⁶ The offence contrary to s.33 of the Criminal Justice and Courts Act 2015 has an overlap with s.1 of the Malicious Communication Act 1988, s.127 of the Communications Act 2003 and s.2 and s.4 of the Harassment Act 1997.

Annexes and glossary

Annex 1 Prosecutions by Area

Annex 1 provides detailed data by CPS Area and police force areas on flagged domestic abuse, flagged rape and sexual offences.

Annex 2 Ministry of Justice data

Annex 2 provides the MoJ data on stalking, harassment, restraining orders and Rape National Statistics to contextualise CPS data.

Glossary

The glossary provides definitions of terms used within the report and acronyms.

Annex 1: Prosecutions by Area

Data for the 14 CPS Areas will not fully align with the data for the constituent police forces as there will be a small number of cross-border prosecutions between Areas as well as data from the British Transport Police (BTP). Note London police covers Metropolitan Police and City of London Police.

DA-flagged prosecutions by CPS Area:

	2018-19				
	Convictions		Non-convictions		Total
	Volume	%	Volume	%	
Cymru/Wales	4,832	78.5%	1,324	21.5%	6,156
East of England	3,992	79.0%	1,060	21.0%	5,052
East Midlands	4,883	79.5%	1,262	20.5%	6,145
London North	3,740	65.3%	1,985	34.7%	5,725
London South	3,163	70.0%	1,356	30.0%	4,519
Mersey-Cheshire	3,963	84.0%	757	16.0%	4,720
North East	3,631	74.1%	1,266	25.9%	4,897
North West	6,390	80.3%	1,567	19.7%	7,957
South East	3,793	74.1%	1,325	25.9%	5,118
South West	3,105	79.1%	821	20.9%	3,926
Thames and Chiltern	2,601	75.1%	861	24.9%	3,462
Wessex	3,452	78.0%	972	22.0%	4,424
West Midlands	5,816	77.0%	1,735	23.0%	7,551
Yorkshire and Humberside	6,799	75.8%	2,173	24.2%	8,972
Total	60,160	76.5%	18,464	23.5%	78,624

	DA-flagged prosecutions by police force areas 2018-19				
	Convictions		Non-convictions		Total
	Volume	%	Volume	%	
Avon and Somerset	1,519	76.1%	478	23.9%	1,997
Bedfordshire	414	76.0%	131	24.0%	545
British Transport Police	166	79.4%	43	20.6%	209
Cambridgeshire	652	75.8%	208	24.2%	860
Cheshire	1,641	84.7%	297	15.3%	1,938
Cleveland	807	76.9%	242	23.1%	1,049
Cumbria	691	86.2%	111	13.8%	802
Derbyshire	1,191	80.1%	295	19.9%	1,486
Devon and Cornwall	1,065	84.8%	191	15.2%	1,256
Dorset	845	81.8%	188	18.2%	1,033
Durham	747	82.6%	157	17.4%	904
Dyfed-Powys	644	82.9%	133	17.1%	777
Essex	1,851	79.3%	483	20.7%	2,334
Gloucestershire	524	77.4%	153	22.6%	677
Greater Manchester	3,494	80.3%	858	19.7%	4,352
Gwent	777	79.8%	197	20.2%	974
Hampshire	1,964	74.9%	657	25.1%	2,621
Hertfordshire	613	73.1%	226	26.9%	839
Humberside	1,357	82.4%	289	17.6%	1,646
Kent	1,737	72.8%	648	27.2%	2,385
Lancashire	2,210	78.6%	603	21.4%	2,813
Leicestershire	1,008	79.4%	262	20.6%	1,270
Lincolnshire	745	82.1%	162	17.9%	907
London Police (Met and City)	6,896	67.4%	3,337	32.6%	10,233
Merseyside	2,306	83.5%	457	16.5%	2,763
Norfolk	839	79.8%	212	20.2%	1,051
Northamptonshire	738	76.2%	230	23.8%	968
Northumbria	2,076	70.5%	868	29.5%	2,944
North Wales	998	82.0%	219	18.0%	1,217
North Yorkshire	627	79.0%	167	21.0%	794
Nottinghamshire	1,201	79.2%	316	20.8%	1,517
South Wales	2,414	75.7%	776	24.3%	3,190
South Yorkshire	1,625	76.1%	511	23.9%	2,136
Staffordshire	1,030	78.0%	290	22.0%	1,320
Suffolk	656	80.7%	157	19.3%	813
Surrey	865	74.9%	290	25.1%	1,155
Sussex	1,205	75.6%	389	24.4%	1,594
Thames Valley	1,566	75.7%	502	24.3%	2,068
Warwickshire	413	77.9%	117	22.1%	530
West Mercia	1,193	81.2%	277	18.8%	1,470
West Midlands	3,010	74.9%	1,008	25.1%	4,018
West Yorkshire	3,187	72.6%	1,204	27.4%	4,391
Wiltshire	651	83.9%	125	16.1%	776
Total	60,158	76.5%	18,464	23.5%	78,622

Rape-flagged prosecutions by CPS Area:

	2018-19				
	Convictions		Non-convictions		Total
	Volume	%	Volume	%	
Cymru/Wales	106	59.9%	71	40.1%	177
East of England	95	73.6%	34	26.4%	129
East Midlands	187	58.4%	133	41.6%	320
London North	149	61.3%	94	38.7%	243
London South	114	62.6%	68	37.4%	182
Mersey-Cheshire	81	68.1%	38	31.9%	119
North East	117	60.6%	76	39.4%	193
North West	230	65.2%	123	34.8%	353
South East	138	69.3%	61	30.7%	199
South West	109	66.1%	56	33.9%	165
Thames and Chiltern	96	72.2%	37	27.8%	133
Wessex	55	50.9%	53	49.1%	108
West Midlands	231	64.3%	128	35.7%	359
Yorkshire and Humberside	217	61.3%	137	38.7%	354
Total	1,925	63.4%	1,109	36.6%	3,034

	Rape-flagged prosecutions by police force areas 2018–19				
	Convictions		Non-convictions		Total
	Volume	%	Volume	%	
Avon and Somerset	56	60.2%	37	39.8%	93
Bedfordshire	11	68.8%	5	31.3%	16
British Transport Police	1	50.0%	1	50.0%	2
Cambridgeshire	22	68.8%	10	31.3%	32
Cheshire	45	69.2%	20	30.8%	65
Cleveland	20	57.1%	15	42.9%	35
Cumbria	30	90.9%	3	9.1%	33
Derbyshire	46	62.2%	28	37.8%	74
Devon and Cornwall	42	73.7%	15	26.3%	57
Dorset	8	57.1%	6	42.9%	14
Durham	37	67.3%	18	32.7%	55
Dyfed-Powys	10	62.5%	6	37.5%	16
Essex	36	70.6%	15	29.4%	51
Gloucestershire	9	69.2%	4	30.8%	13
Greater Manchester	136	61.8%	84	38.2%	220
Gwent	15	62.5%	9	37.5%	24
Hampshire	32	46.4%	37	53.6%	69
Hertfordshire	25	75.8%	8	24.2%	33
Humberside	39	54.2%	33	45.8%	72
Kent	56	73.7%	20	26.3%	76
Lancashire	65	64.4%	36	35.6%	101
Leicestershire	37	50.7%	36	49.3%	73
Lincolnshire	12	57.1%	9	42.9%	21
London Police (Met and City)	263	61.9%	162	38.1%	425
Merseyside	36	66.7%	18	33.3%	54
Norfolk	23	85.2%	4	14.8%	27
Northamptonshire	38	51.4%	36	48.6%	74
Northumbria	61	58.7%	43	41.3%	104
North Wales	30	58.8%	21	41.2%	51
North Yorkshire	30	56.6%	23	43.4%	53
Nottinghamshire	54	69.2%	24	30.8%	78
South Wales	52	59.8%	35	40.2%	87
South Yorkshire	44	62.9%	26	37.1%	70
Staffordshire	45	73.8%	16	26.2%	61
Suffolk	12	70.6%	5	29.4%	17
Surrey	24	58.5%	17	41.5%	41
Sussex	58	70.7%	24	29.3%	82
Thames Valley	61	71.8%	24	28.2%	85
Warwickshire	27	67.5%	13	32.5%	40
West Mercia	57	69.5%	25	30.5%	82
West Midlands	101	58.0%	73	42.0%	174
West Yorkshire	104	65.4%	55	34.6%	159
Wiltshire	15	60.0%	10	40.0%	25
Total	1,925	63.4%	1,109	36.6%	3,034

Sexual offences (excluding rape) prosecutions by CPS Area:

	2018–19				
	Convictions		Non-convictions		Total
	Volume	%	Volume	%	
Cymru/Wales	534	82.3%	115	17.7%	649
East of England	511	82.6%	108	17.4%	619
East Midlands	752	81.7%	169	18.3%	921
London North	563	75.1%	187	24.9%	750
London South	511	74.8%	172	25.2%	683
Mersey-Cheshire	432	81.5%	98	18.5%	530
North East	515	82.0%	113	18.0%	628
North West	861	82.6%	182	17.4%	1,043
South East	526	81.7%	118	18.3%	644
South West	428	84.3%	80	15.7%	508
Thames and Chiltern	405	79.7%	103	20.3%	508
Wessex	478	84.8%	86	15.2%	564
West Midlands	930	81.8%	207	18.2%	1,137
Yorkshire and Humberside	792	84.0%	151	16.0%	943
Total	8,238	81.3%	1,889	18.7%	10,127

	Sexual offences (excluding rape) prosecutions by police force areas 2018–19				
	Convictions		Non-convictions		Total
	Volume	%	Volume	%	
Avon and Somerset	248	83.2%	50	16.8%	298
Bedfordshire	64	84.2%	12	15.8%	76
British Transport Police	165	81.7%	37	18.3%	202
Cambridgeshire	119	83.2%	24	16.8%	143
Cheshire	185	81.1%	43	18.9%	228
Cleveland	114	82.6%	24	17.4%	138
Cumbria	65	84.4%	12	15.6%	77
Derbyshire	181	87.9%	25	12.1%	206
Devon and Cornwall	131	87.3%	19	12.7%	150
Dorset	113	88.3%	15	11.7%	128
Durham	95	74.8%	32	25.2%	127
Dyfed-Powys	90	90.0%	10	10.0%	100
Essex	197	84.2%	37	15.8%	234
Gloucestershire	50	83.3%	10	16.7%	60
Greater Manchester	534	82.2%	116	17.8%	650
Gwent	53	80.3%	13	19.7%	66
Hampshire	281	83.9%	54	16.1%	335
Hertfordshire	90	74.4%	31	25.6%	121
Humberside	150	85.2%	26	14.8%	176
Kent	181	87.0%	27	13.0%	208
Lancashire	267	83.2%	54	16.8%	321
Leicestershire	157	79.7%	40	20.3%	197
Lincolnshire	114	85.7%	19	14.3%	133
London Police (Met and City)	1,075	75.0%	359	25.0%	1,434
Merseyside	245	81.7%	55	18.3%	300
Norfolk	129	82.7%	27	17.3%	156
Northamptonshire	111	74.0%	39	26.0%	150
Northumbria	303	84.2%	57	15.8%	360
North Wales	138	85.2%	24	14.8%	162
North Yorkshire	109	82.6%	23	17.4%	132
Nottinghamshire	188	80.3%	46	19.7%	234
South Wales	255	78.7%	69	21.3%	324
South Yorkshire	169	81.6%	38	18.4%	207
Staffordshire	201	84.5%	37	15.5%	238
Suffolk	66	76.7%	20	23.3%	86
Surrey	138	79.3%	36	20.7%	174
Sussex	204	78.8%	55	21.2%	259
Thames Valley	252	81.0%	59	19.0%	311
Warwickshire	53	76.8%	16	23.2%	69
West Mercia	157	77.3%	46	22.7%	203
West Midlands	354	83.3%	71	16.7%	425
West Yorkshire	361	84.9%	64	15.1%	425
Wiltshire	84	83.2%	17	16.8%	101
Total	8,236	81.4%	1,888	18.6%	10,124

Annex 2: Ministry of Justice data

This annex provides MoJ data on stalking, harassment and rape; and outlines key differences and comparison between the CPS and MoJ published data.

Stalking and harassment, restraining orders and breaches

To note: CPS data differs from that of MoJ in that:

- CPS data is for the financial year; MoJ data for the calendar year.
- CPS data includes *all* offences *starting* a prosecution rather than completed. The data is by offence and does not provide data by defendant. There may be a number of offences carried out by each defendant. MoJ data relates to the principle offence actually prosecuted and is counted on a defendant basis.
- MoJ statistics on restraining orders relate only to where defendants were issued restraining orders in relation to their principal offence.
- MoJ statistics on breaches of restraining orders relate only to defendants prosecuted for such a breach as their principal offence. CPS data includes all offences starting a prosecution, not just those where the restraining order or breach relates to a principal offence.
- MoJ offenders prosecuted data covers cases completed in magistrates' court in 2018, and therefore includes both completed and live cases in the Crown Court.
- MoJ offenders convicted data covers those convicted in 2018, who may have been prosecuted in previous years.
- MoJ conviction ratio is the number of defendants convicted divided by the number of defendants prosecuted (there may be some convictions in 2018 for cases that were prosecuted prior to 2018; and there will be some prosecutions in this data that are not yet completed at the Crown Court).

Stalking and harassment

In 2018, the MoJ figures^{1 2 3} for England and Wales show that 5,176 defendants were prosecuted for s.2 of the Protection of Harassment Act 1997 (s.2 PHA) offences of harassment without violence, compared with 6,109 in 2017. The conviction ratio has remained stable at 79%.

¹ The figures given relate to defendants for whom these offences were the principal offences for which they were dealt with. When a defendant has been found guilty of two or more offences, it is the offence for which the heaviest penalty is imposed. Where the same disposal is imposed for two or more offences, the offence selected is the offence for which the statutory maximum penalty is the most severe – although this does not apply to the number of restraining orders issued since this takes into account those given as secondary or tertiary disposals for the principal offence.

² Every effort is made to ensure that the figures presented are accurate and complete. However, it is important to note that these data have been extracted from large administrative data systems generated by the courts and police forces. Therefore, care should be taken to ensure data collection processes, and their inevitable limitations, are considered when those data are used.

³ Due to updates following quality assurance in the latest year, including the reclassification of some offences, pre-2016 results may not match those previously published.

783 defendants were prosecuted for s.4 PHA offences of harassment – putting people in fear of violence in 2018, compared with 711 in 2017; with 576 convicted, compared with 550 convicted in 2017. The conviction ratio decreased from 77% in 2017 to 74% in 2018.

794 defendants were prosecuted for the s.2A PHA offences of pursuing a course of conduct which amounts to stalking with fear/alarm/distress in 2018, compared with 555 in 2017. 582 were convicted, compared with 423 convicted in 2017. The conviction ratio decreased from 76% to 73%.

139 defendants were prosecuted in 2018 under the s.4A PHA offences of stalking involving fear of violence, compared with 81 in 2017; with 93 convicted, compared with 48 in 2017. There was an increase in the conviction ratio to 67% compared with 59% in the previous year.

366 defendants were prosecuted in 2018 under the s.4A offences of stalking involving serious alarm or distress compared with 305 in 2017; with 212 convicted, compared with 168 in 2017. There was an increase in the conviction ratio to 58% compared to 55% in the previous year.

Restraining orders and breaches

MoJ figures⁴ show that in 2018, 18,252 restraining orders were issued on conviction in England and Wales (compared with 19,216 in 2017) and 1,746 were issued on acquittal (compared with 1,932 in 2017).

In 2018, 9,955 defendants were prosecuted for breaches of restraining orders that had been imposed on conviction, with 8,922 convicted. This was a decrease from 10,091 prosecutions and 9,149 convictions in 2017.

There were also 524 defendants prosecuted for breaches of restraining orders issued following the acquittal of the defendant, with 406 convicted. This was a small decrease from 529 prosecutions and 430 convictions in 2017.

There was an 89% conviction ratio across all prosecutions for breaches of restraining orders this year, remaining stable over time.

MoJ Rape National Statistics

To note: CPS data differs from that of the MoJ in that:

- CPS data is for the financial year; MoJ National Statistics publications on rape present data for the calendar year.

⁴ There are a small proportion of defendants with an unknown sex post 2010, therefore the total number of defendants does not exactly equal male plus female defendants following this date.

- CPS data is for completed prosecutions in 2018–19; MoJ defendants prosecuted data covers cases completed in magistrates' court in 2018, and therefore includes both completed and live cases in the Crown Court.
- CPS convictions are for rape flagged cases convicted for rape, or for an alternative or lesser offence; MoJ offenders convicted covers only those convicted specifically of rape in 2018, who may have been prosecuted in previous years. This difference in recording leads to CPS reporting a higher number of prosecutions and convictions than recorded in the MoJ data.
- CPS conviction rate is the proportion of convictions out of completed rape flagged prosecutions in 2017–18; MoJ conviction ratio is the number of offenders convicted of rape in 2018 (regardless of the year they were initially prosecuted) divided by the number of defendants prosecuted for rape in 2018 (as defined in footnote 7).

National Statistics from the MoJ include the [official statistics on defendants prosecuted for rape](#). These figures show that in the calendar year 2018 there were 1,588 defendants, on a principal offence basis,⁵ ⁶ prosecuted for rape at magistrates' courts in England and Wales, with 1,482 cases sent to the Crown Court for trial. This is lower than the number of prosecutions in 2017, when 3,141 defendants were prosecuted (decreasing 49% in the latest year). In 2018 there were 919 offenders convicted of rape in England and Wales, with a conviction ratio of 58%.

The number of convictions is lower than in 2017, when 1,127 were convicted however the conviction ratio has increased from 36% in 2017 to 58% in 2018. When considering this increase, it is important to note that factors, such as the time 'lag' between prosecutions and convictions can influence ratios, especially in the case of rape, which had a mean time from charge to completion of 276 days in 2018.⁷ This highlights that convictions from the latest period are often matched to prosecutions from earlier time periods and this can push the conviction ratio up when prosecutions are falling, or down when prosecutions are rising.

The conviction ratio only compares numbers prosecuted for a principal offence of rape with numbers convicted for a principal offence of rape; some of those prosecuted for rape may go on to be convicted of other offences at the Crown Court.⁸ MoJ data reflect defendants for which the prosecution has been completed in the magistrates' court in 2018 (and the case may have been sent to the Crown Court), and therefore includes both completed and live cases in the Crown Court. Almost all defendants prosecuted and offenders convicted for rape were male.⁹

⁵ The figures given relate to defendants for whom these offences were the principal offences for which they were dealt with. When a defendant has been found guilty of two or more offences, it is the offence for which the heaviest penalty is imposed. Where the same disposal is imposed for two or more offences, the offence selected is the offence for which the statutory maximum penalty is the most severe.

⁶ Rape figures here include offences of rape and attempted rape, against males and females, for consistency with the rest of this report.

⁷ Source: [Criminal court statistics quarterly](#).

⁸ To contextualise the difference in conviction ratios/rates between MoJ and CPS, it is useful to compare CPS figures with a MoJ analysis from 2013, which assessed the proportion of defendants prosecuted for rape offences in 2009 ultimately convicted of any offence between 2009 and 2011. This analysis indicated that, of those initially prosecuted for rape, 56% were convicted for any offence, including 33% who were convicted for rape. The proportion convicted for any offence was more comparable to the CPS conviction rates in 2008–09 of 57.7%; 2009–10 of 59.4% and 2010–11 of 58.6%.

⁹ The figures for those defendants with recorded sex are rounded up to 100%, noting that a very small number were women defendants.

Timeliness from charge to trial

Overall data on the timeliness of rape cases from charge to completion, across England and Wales, has been provided from the MoJ from 2010-18.

From the MoJ data, the timeliness from charge to completion appears to have risen slightly over the last few years. Most of this time is spent between 'sending to the Crown Court and the main hearing' occurring. This has increased by 18% between 2010 and 2018, from 166 days to 196 days. The median time from charge to first listing has increased sharply across the series, from 6 days in 2010 to 28 days in 2018.

	2010	2011	2012	2013	2014	2015	2016	2017	2018
MoJ data – Median ¹⁰ time in days from charge to completion. ¹¹	213	226	225	225	238	259	260	265	276

¹⁰ The median is the value at the middle of the data distribution; half of the recorded durations in the time period are longer than the median, and half are shorter. The median is relatively unaffected by extreme values and is better suited as a measure of the 'average' for heavily skewed data.

¹¹ The figures in this table have been revised to incorporate a new methodology that was put into place in 2016, and therefore do not match previous versions prior to this year. The new methodology now includes cases that take longer than 10 year from the offence to completion which had previously been excluded.

Glossary of terms

Violence against women and girls strands

Each section is alphabetical unless stated otherwise.

Child abuse:

Any criminal offence which falls within the criteria set out in Working Together to Safeguard Children and involves a victim under the age of 18.¹

Child abuse includes physical, emotional and sexual criminal offences, as well as neglect, of a child. Such cases would normally include, for example:

- parental assault where reasonable chastisement is not a defence;
- sexual offences;
- child homicides;
- child cruelty, including neglect;
- child prostitution;
- harassment;
- abandonment of a child;
- forced marriage involving an under 18 year-old;
- child pornography;
- trafficked children;
- familial abduction; and
- historical child abuse where victim is now an adult.

Cases that would not normally be included:

- motoring offences where the child has been injured or killed;
- medical negligence; and
- property offences.

Domestic abuse:

From April 2013:

any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members, regardless of gender or sexuality. This can encompass, but is not limited to, the following types of abuse: psychological; physical; sexual; financial; emotional.

Controlling behaviour is: a range of acts designed to make a person subordinate and/or dependant by isolating them

¹ HM Government, *Working Together to Safeguard Children: A guide to interagency working to safeguard and promote the welfare of children* (2018)

from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

Coercive behaviour is: an act or a pattern of acts of assaults, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.

Family members are defined as mother, father, son, daughter, brother, sister and grandparents whether directly related, in-laws or step-family. However this is not an exhaustive list and may also be extended to uncles, aunts, cousins et.

This definition, which is not a legal definition, includes so called 'honour' based violence, FGM (FGM) and forced marriage, and is clear that victims are not confined to one gender or ethnic group.

We apply the DA flag to all cases regardless of age of the complainant or the suspect.

Female Genital Mutilation:

Female Genital Mutilation (FGM) is a collective term for a range of procedures which involve partial or total removal of the external female genitalia for non-medical reasons.

FGM has been classified by the World Health Organization (WHO) into four major types, all of which may be relevant to the offences arising under the FGM Act 2003.

Forced marriage:

The definition of forced marriage is: "A marriage without the consent of one or both parties and where duress is a factor". Duress is: "whether the mind of the applicant has been overborne, howsoever that was caused". Where forced marriage is within the family, and/or involves child abuse, and/or a young offender, then all appropriate flags must be applied.

The flag should be applied to any case where:

- Offences under s.121 of the Anti-Social Behaviour, Crime and Policing Act 2014 are considered at pre-charge decision or are charged; and
- A breach of a Forced Marriage Protection Order under s.120 of the Anti-Social Behaviour, Crime and Policing Act 2014 (s.63CA Family Law Act 1996).

The flag should be applied from the onset of the case, and will remain in place even if those charges are subsequently amended or dropped. If a case commences under a different

offence but then changed to a forced marriage charge, the case should be flagged at that stage.

In addition, the flag should also be applied where any offence of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) that has been carried out in the context of a forced marriage, either:

- to coerce a party/parties into marrying without their consent, which would be prosecuted under the specific offence committed, e.g. harassment, kidnap, threats to kill; *or*
- after a forced marriage without the consent of one or both parties and where duress is a factor, which would be prosecuted under the specific offence e.g. rape, sexual assault

So-called 'honour-based' abuse:

Any criminal offence involving violence, threats of violence, intimidation, coercion or abuse (including psychological, physical, sexual, financial or emotional abuse) which has or may have been committed to protect or defend the 'honour' of an individual, family and/ or community for alleged or perceived breaches of the family and/or community's code of behavior.

These cases would be flagged as so-called 'honour-based' abuse. Cases would be prosecuted for the specific offence committed, e.g. common assault, GBH, harassment, kidnap, rape, threats to kill, murder.

Harmful practices:

Harmful practices are forms of violence which have been committed primarily against women and girls, in certain communities and societies, without their 'consent', with a view to keeping women in submission, according to the norms of their communities. As with all forms of violence against women and girls, harmful traditional practices constitute a violation of human rights.

Modern slavery/Human trafficking:

The flag for modern slavery/human trafficking is applied to:

- Offences flagged are Sexual Offences Act 2003 (ss.57, 58, 59 and 59A),
- Asylum and Immigration [Treatment of Claimants] Act 2004 ss. 4(1), (2) and (3); and
- Coroners and Justice Act 2009 s.71
- Modern Slavery Act 2015 s.1, s.2 and s.4

The flag is applied at the outset of the case and will remain in place even if those charges are subsequently amended or dropped. If a case commences under a different offence but

is then changed to a trafficking charge, the case should be flagged at that stage.

From April 2013:

ss.57, 58 and 59 of the Sexual Offences Act 2003 were replaced by s.59A SOA; and ss.4(1), (2) and (3) of the Asylum and Immigration [Treatment of Claimants] Act 2004; were repealed and replaced by s.4(1A) (1B) (1C) A and IA.

Rape:

Any defendant charged with one or more of the following offences:

- s.1 Sexual Offences Act 1956
- s.5 Sexual Offences Act 1956
An attempt to commit one of the above offences under the Criminal Attempts Act 1981
- s.1 Sexual Offences Act 2003
- s.5 Sexual Offences Act 2003
- s.30(3) Sexual Offences act 2003
An attempt to commit one of the above offences under the Criminal Attempts Act 1981

Incitement or conspiracy to commit any of the above offences

Sexual offences exc. rape:

Any defendant whose principal offence category, at finalisation, is a sexual offence excluding rape.

Performance management terms

Monitoring flags:

Sensitive 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. The data is accurate only to the extent that the flag has been correctly applied; there may be a small number of cases where the use of the flag has been omitted.

Principal offences:

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. The Principal Offence Category indicates the most serious offence with which the defendant is charged **at the time of finalisation**. Where the nature of the charges alters during the life of a case, the Principal Offence at the time of finalisation may be different than would have seemed appropriate at an earlier stage of proceedings. In all such cases the Principal Offence category to be recorded is that which applies **at finalisation**, regardless of whether this is

more serious, or less serious, than would have applied earlier in the life of the case.

Where a defendant faces a mix of charges of which fall into different Principal Offence Categories, chose the most serious according to the following order of priority:

Homicide:	'Homicide' comprises a range of offences including – murder and attempted murder, manslaughter, infanticide, child destruction, conspiring or soliciting to commit murder and causing death by dangerous driving.
Offences against the person:	'Offences against the person' comprises a range of offences including – grievous bodily harm, assault occasioning actual bodily harm, common assault, possession of a firearm with intent to cause fear of violence and child abduction.
Sexual offences:	'Sexual Offences' comprises a range of offences including – rape, buggery, sexual assault, bigamy, procurement and gross indecency with a child.
Criminal damage:	'Criminal damage' includes offences of arson, criminal or malicious damage and arson or criminal damage endangering life.
Public order offences:	'Public Order Offences' includes offences of rioting, violent disorder and causing an affray.

Case outcomes

Pre-charge receipts:	The total of suspects referred by the police to the CPS for a charging decision.
Pre-charge decisions:	<p>The Director's Guidance on charging (5th Edition) provides that the police may charge any Summary only offence (one that can only be dealt with in the magistrates' court) irrespective of plea and any either way offence (can be tried in either the magistrates' court or Crown Court) where a guilty plea is anticipated and it is suitable for sentence in the magistrates' court subject to certain exceptions such as DA, hate crime and a case involving a death. CPS prosecutors must make the charging decisions in all indictable only cases (those cases which can only be tried in the Crown Court), either way offences not suitable for magistrates' court and where a not guilty plea is anticipated.</p> <p>Of all the suspects referred by the police, pre-charge decisions are those where CPS has completed making a decision on whether to charge, take no further action, recommend an out of court decision, administratively</p>

finalise or 'other'².

Pre-charge legal decisions include: charge, take no further action or recommend and out of court decision.

Pre-charge non-legal decisions include: administratively finalised and 'other'.

Charged:	Charging decisions are where CPS is satisfied that the legal test for prosecution, set out in the Code for Crown Prosecutors is met: there is enough evidence to provide a 'realistic prospect of conviction' against each defendant and the prosecution is in the public interest.
No prosecution (No further action – NFA):	Those cases where the CPS' decision is not to prosecute. The case cannot proceed to charge as it does not meet the Code for Crown Prosecutor test, for either 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.
Pre-charge Administrative Finalisation:	<p>Administratively finalised decisions are not legal decisions and may not be the end of the case. CPS may ask the police to provide further information where there is insufficient evidence to make a charging decision, or the police are requesting early investigative advice. If the police do not respond within three months, following reminders, the case is closed on CMS. This is known as an "administrative finalisation".</p> <p>If the police provide additional evidence, the case is reopened in CMS and, if possible, a charging decision is made.</p> <p>Cases where the CPS have advised the police to charge but the suspect has not been charged, due to the suspect not answering police bail or being located, will also be administratively finalised. If the suspect is subsequently located and charged the case is reopened in CMS.</p>
Other:	The outcome of the charging decision has not been recorded or is undefined.
Prosecutions:	All defendants charged, summonsed or who attend via a postal requisition, whose case was completed in magistrates' or in the Crown Court during the period,

² 'Other' is when the result of the charging decision is not known or has not been given for that suspect.

	including those proceeding to a trial or guilty plea, those discontinued and those which could not proceed.
Contests inclusive of mixed pleas Mixed Guilty/Not Guilty and Contest:	(a) The Defendant enters at least one guilty plea to a set of charges; and (b) a plea of not guilty to one or more charges; and (c) those pleas are not acceptable to the CPS; and (d) the matter proceeds to trial.
Contests exclusive of mixed pleas Not Guilty and Contest:	(a) The Defendant enters only not guilty pleas; and (b) a trial takes place
Non-convictions:	All completed prosecutions where the defendant is not convicted, comprising the following:
Post-charge 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. If a Bench Warrant is executed the case may be reopened.
Discontinued and withdrawn:	Consideration of the evidence and of the public interest may lead the CPS to discontinue or withdraw 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 magistrates 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.
No case to answer:	Cases in which the defendant pleads not guilty and prosecution evidence is heard, but proceedings are dismissed by the magistrates without hearing the defence case.
Convictions:	Cases where the defendant is convicted following a prosecution, comprising of the following:

Conviction after trial:	Cases in which the defendant pleads not guilty, but is convicted after the evidence is heard.
Guilty plea:	Where the defendant pleads guilty.
Proof in absence:	these are offences which are heard by the court in the absence of the defendant.

Reasons for non-convictions

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).
Complainant Issues:	During 2018-19, the CPS revised the list of reasons which apply to non-conviction outcomes. As a result it is no longer possible to separately report complainant retraction or withdrawal and non-attendance. It is however, still possible to report the total number of non-conviction outcomes due to complainant specific issues.

The reason should be used when the evidence of the complainant supports the prosecution case, but one or all of the following apply:

- the complainant fails to attend, or
- refuses to be called, or
- to give evidence as a witness, or
- withdraws a complaint, and
- includes complainants who have been intimidated but it is inappropriate to compel them to attend court.

and

If the evidence of the complainant fails to support the prosecution of the defendant including issues of credibility leading to a non-conviction outcome, but the complainant has not retracted.

Conflict of evidence:	Conflict of prosecution evidence (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:	Essential legal element missing (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).

Unreliable witness: Unreliable witness or witnesses (The 'reason title' was amended in April 2013 to: 'Key witness (non-victim) refuses to give evidence/retracts/not up to proof' to provide clarity).

Legal terminology

Hearsay: Section 116 (1) Criminal Justice Act 2003. In criminal proceedings a statement not made in oral evidence in the proceedings is admissible as evidence of any matter stated if:

- (a) oral evidence given in the proceedings by the person who made the statement would be admissible as evidence of that matter;
- (b) the person who made the statement (the relevant person) is identified to the court's satisfaction; and
- (c) any of the five conditions mentioned in subsection (2) is satisfied.

Postal requisition: A postal requisition is a legal document notifying a suspect that that a decision has been made to charge and prosecute an offence at court. It will set out the date on which the suspect has to attend court. In addition to the postal requisition the suspect may also receive evidence outlining the offence either in the form of statements or a statement of facts.

Res gestae: Any rule of law under which in criminal proceedings a statement is admissible as evidence of any matter stated if:

- (a) the statement was made by a person so emotionally overpowered by an event that the possibility of concoction or distortion can be disregarded,
- (b) the statement accompanied an act which can be properly evaluated as evidence only if considered in conjunction with the statement, or
- (c) the statement relates to a physical sensation or a mental state (such as intention or emotion).

Glossary of acronyms

BAME	Black and minority ethnic
CJS	Criminal Justice System
CMS	Case Management System
CPS	Crown Prosecution Service
CPSD	Crown Prosecution Service Direct
CSA	Child Sexual Abuse
DPP	Director of Public Prosecutions
DA	Domestic Abuse
ECG	External Consultation Group
FM	Forced Marriage
FGM	Female Genital Mutilation
HBA	So-called 'honour-based' abuse
HMCPSI	Her Majesty's Crown Prosecution Service Inspectorate
HMICFRS	Her Majesty's Inspectorate of Constabulary, Fire and Rescue Services
HO	Home Office
IDVA	Independent Domestic Abuse Advisor
LSIP	Local Scrutiny and Involvement Panel
MIS	Management Information System
MoJ	Ministry of Justice
NCA	National Crime Agency
NPCC	National Police Chiefs' Council
NRM	National Referral Mechanism
PHA	Protection of Harassment Act
PPT (ppt)	Percentage point
RASSO	Rape and Serious Sexual Offences
SOA	Sexual Offences Act
SO	Sexual Offences
WCU	Witness Care Unit
WMS	Witness Management System
VAWG	Violence against Women and Girls