



CPS

**Hate crime and crimes against
older people report**

2013-2014

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Foreword by the Director of Public Prosecutions

Hate crime represents a small fraction of the Crown Prosecution Service's caseload. Nevertheless, we recognise that its impact on individuals, communities and wider society is such that it requires a robust response. Our handling of hate crime is often seen as a litmus test; the results of which may or may not undermine people's confidence in accessing justice. Another reason for the determination we bring in seeking to improve performance in addressing these crimes.

Our corporate priorities are clear: driving improved casework quality by providing prosecutors with the right skills and tools for the job, whilst ensuring that victims and witnesses are appropriately and effectively supported. These priorities are as relevant to hate crime as to any other prosecution.

I am delighted to be able to introduce the positive progress that has been recorded since our last hate crime report. The volume of cases referred by the police for decision, as well as the number of completed prosecutions, have increased. Over the same period, we have seen a significant improvement in the conviction rate from 82.6% to 84.7%. These are positive indicators which will inspire further effort to maintain progress and to address brakes on that progression elsewhere.

But this report is not just about statistics. We are also concerned with engaging people impacted by hate crime. Over the year, we continued to work with Local Scrutiny and Involvement Panels whose members contribute so generously in reviewing finalised cases and thereby assisting our policy development and decision-making.

Many other contributions have been made via positive engagement and dialogue: discussions with community groups supporting the victims of hate crime led to the sampling exercise to assess the perception that the hostility element in aggravated offences was often being dropped with no explanation; the joint exercise with the Association of Chief Police Officers, as part of the CJS strategy and action plan, assessed how we can improve data-sharing, hate crime performance and consistent case handling.

Going forward we will continue to listen and to learn and to build on the things that have helped to drive up performance such as:

- Hate Crime Co-ordinators and the dissemination of good practice.
- Effective police liaison over hate crime prosecution.
- Live checks to enhance casework quality and increase positive outcomes.

In 2014/15 we will finalise our hate crime strategy and delivery plan. This will focus our efforts, whether by maintaining progress or by addressing barriers to that progress. Our new Casework Hub will become the recognised source of practical and robust expertise on hate crime, based on practice lessons and effective delivery. We will continue to make use of scrutiny and sampling techniques, focus on the experience of victims and witnesses and ensure that quality assurance of hate crime prosecutions becomes the guarantor of effective performance.

We have tremendous experience and practice to call on both internally and amongst stakeholders, and will channel this resource to the benefit of the whole organisation. I look forward to reporting our progress next year.

Alison Saunders CB
Director of Public Prosecutions
October 2014

Executive summary

This is the seventh Hate Crime and Crimes against Older People Annual Report. The report considers performance in relation to these crimes during 2013/14. It illustrates this performance through available management data as well as positive outcomes in casework. It also provides examples of effective practice, lessons learned, policy development and research that have all contributed to improving performance.

In addition to the analysis provided in this report, we publish the underlying data used. This data can be found on the CPS website at:

www.cps.gov.uk/data/hate_crime/

In order to make our data more accessible to the public, the report now refers to conviction rates rather than the attrition rates used in earlier years. In addition to annual performance, we also use data over the past six years where available in order to highlight trends over time.

The CPS is continually striving to improve the quality of data used in both internal and external reports. During the course of the year, a revised method of reporting the outcomes of charging decisions was developed. The revised method has been used in this report which provides a more accurate figure for the percentage of defendant cases which proceeded to prosecution. For this reason, the data will differ from that reported in previous years.

Hate crime

- In 2013/14, the number of hate crime cases referred to the CPS by the police for decision increased by over 14% from 12,306 the previous year to 14,702. After two consecutive falls in referrals, this represents a welcome turnaround.
- The number of cases charged also increased over the year from 9,564 or 77.7% of all cases considered the previous year to 11,161 (79.3%). The comparable figure in 2008/09 was 10,389 (77.7%).
- The number of convictions increased in 2013/14 from 10,794 to 11,915 and the conviction rate also increased from 82.6% to 84.7%. The trend since 2008/09 has been steadily upwards when the rate was 82.0%.
- 8 CPS Areas saw an improvement in their conviction rates in 2013/14.
- Since 2008/09, the proportion of convictions involving guilty pleas has steadily increased from 9,035 (69.3%) to 10,609 (75.4%).
- Prosecutions can fail for a variety of reasons. Cases involving victim issues i.e. a victim retracts, unexpectedly fails to attend or their evidence does not support the case, increased in 2013/14 from 22.9% or 521 of the total number of failed hate crime cases the previous year, to 27.5% or 593.
- The majority (83.9%) of defendants across all hate crime strands were men.
- 70.5% of defendants were identified as belonging to the White British category.
- 61.1% of defendants were aged between 25-59 and 24.9% between 18-24.
- 10-17 year olds' involvement as defendants continues to decline from 23.1% in 2007/08 to 10.6% last year.
- The Director of Public Prosecutions (DPP) announced the development of a hate crime strategy in the annual report for 2012/13. Work has continued and the strategy will be finalised for Q1 2014/15.
- In late 2013, the Chief Operating Officer agreed to the establishment a working group with the aim of harnessing successful Area approaches to the quality assurance of hate crime prosecution. The new approach will complement the revised Casework Quality Standards, due to be operational in 2014/15.

- A refresh of the Prosecution College hate crime prosecution package was carried out, updating disability related sections and references to Transphobic crime which is now covered by the Criminal Justice Act 2003 where evidence of hostility on the basis of Transgender identity can attract an enhanced sentence.
- The CPS supports a range of cross-government initiatives. The Hate Crime Strategy Board is convened jointly by the Ministry of Justice and Home Office. We contributed to the progress review and refresh of *'Challenge It, Report It, Stop It: the Government's Plan to Tackle Hate Crime (March 2012)*.

Racially and religiously aggravated hate crime

- This is the fourth year in which we have reported separately on racially and religiously aggravated crimes.
- The number of defendants referred to the CPS for a charging decision by the police increased by 14.7% to 12,184 from the previous year. The number of prosecutions completed during the year also increased by 9.1% to 12,368.
- The proportion of convictions has improved steadily from 82.4% in 2008/09 to 85.2% in 2013/14.
- Eight CPS Areas improved their conviction rates during the year.
- The proportion of convictions involving guilty pleas has increased over the period from 69.8% in 2008/09 to 76.0% last year.
- The proportion of racist and religious hate crimes failing due to victim issues in 2008/09 was 22.0% and despite some improvements in following years has now increased in 2013/14 to 27.3%.
- Of the 11,818 racially aggravated cases prosecuted last year, 10,069 (85.2%) resulted in convictions and 75.9% of all convictions involved guilty pleas. This conviction rate represents an improvement on the previous year when the rate stood at 83.3%. The proportion of guilty pleas increased again last year and has now steadily increased from 69.9% in 2008/09 to 75.9%.
- 27.8% of unsuccessful prosecutions were due to victim issues, up from 23.1% in 2012/13.
- In 2013/14, 550 cases involving religiously aggravated hostility were prosecuted and 84.2% (463) resulted in a conviction. 77.3% of convictions were due to guilty pleas. In 2012/13, there had been 399 prosecutions of which 308 (77.2%) resulted in convictions, 63.4% due to guilty pleas.
- The proportion of cases failing due to victim issues fell from 23.1% (21) in 2012/13 to 16.1% (14) last year.
- A file assessment of randomly selected racially and religiously aggravated hate crime cases examined the handling of dropped or significantly amended charges.
- Work started on a National Scrutiny Panel focused on religiously aggravated hate crime following the agreement of the DPP in the autumn of 2014.

Homophobic and transphobic hate crime

- The conviction rate for homophobic and transphobic hate crime remained at 80.7%, the same as for 2012/13.
- Seven CPS Areas improved their conviction rates over the year.
- The proportion of cases resulting in a guilty plea increased from 71.6% to 72.3% against a background of an increase in the number of guilty pleas over the year from 785 to 819.
- The proportion of cases failing due to victim issues overall increased over the year from 21.8% (46) in 2012/13 to 33.8% (74) last year.

- The Transgender Equality Management Guidance was issued along with specific guidance on the flagging of transphobic hate crime.
- Consultation on a refresh of the Homophobic and Transphobic Crime Prosecutors' Toolkit has led to the development of work across all hate crime strands to support bespoke pages on the Casework and Knowledge Hubs.

Disability hate crime

- The number of cases referred to the CPS by the police for a charging decision increased slightly in 2013/14 to 581 from 579 in 2012/13. There was however a considerable increase in the rate of decisions to charge last year to 80.0%, from 72.4% in 2012/13.
- Despite the fact that the number of prosecutions fell over the year from 640 to 574, the proportion of convictions improved to 81.9% from 77.2% the previous year.
- 10 CPS Areas improved their conviction rate over the year.
- The overall number of cases resolved via a guilty plea fell slightly from 418 (65.3%) in 2012/13 to 395 (68.8%) although the proportion of these outcomes did show an improvement.
- Following the joint thematic inspection of Disability Hate Crime, on-going discussions with the Association of Chief Police Officers (ACPO), the National Offender Management Service (NOMS) and Her Majesty's Courts and Tribunals Service (HMCTS), representatives have focused on the report's implications for joint action.
- A joint exercise with ACPO on the tracking of disability hate crime cases identified a number of learning points and an agreed set of next steps.

Crimes against older people

- The number of cases referred to us by the police increased from 2,832 to 3,317. The number of defendants charged also increased from 2,226 to 2,648 and now represents 79.8% of all pre-charge decisions.
- Since 2008/09, the number of prosecutions has steadily increased from 1,004 to 2,922. Last year, 81.1% of all prosecutions resulted in a conviction, the same rate as the previous year.
- Four CPS Areas improved their conviction rates over the year.
- Since 2008/09, the number and rate of guilty pleas has increased from 707 (70.4%) to 2,131 (72.9%).
- The proportion of cases failing due to victim issues has increased from 14.0% (30) in 2008/09 to 25.1% (139) in 2013/14.
- Discussion with AGE UK led to the development of a detailed paper for the Community Accountability Forum highlighting the implications for prosecution practice arising from dementia.

Introduction

This is the seventh CPS annual hate crime report and provides information on our performance in prosecuting the following crimes in 2013/14:

- racist and religious hate crime
- homophobic and transphobic hate crime
- disability hate crime.

The report also includes information about our performance in prosecuting crimes against older people.

ACPO and the CPS have agreed a common definition of hate crime:

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

The term “hate crime” provides a short-hand for police and prosecutors and many others in public institutions, community organisations and elsewhere. Key words in the definition are hostility and prejudice, words which are used in their ordinary, everyday sense. The prosecution does not therefore need to prove hatred as the motivating factor behind an offence. Nor does the whole offence need to be motivated by hostility; it can play a part only, provide one element of the offending behaviour or it can provide the sole reason.

The CPS aims to build confidence in communities affected by hate crime and to improve transparency in its approach. The purpose of this report is to give the public and particularly affected communities, clear information about the work we are doing in tackling hate crime and details of our performance in prosecuting hate crime. The best available data are presented and gaps identified.

The CPS collects data¹ to assist in the effective management of its prosecution functions. The CPS does not collect data which constitutes official statistics as defined in the Statistics and Registration Service Act 2007².

¹ Data on hate crime have been drawn from CPS Case Management System (CMS) and associated Management information System (MIS), which, as with any large scale recording system, is subject to possible errors with data entry and processing. The figures are provisional and subject to change as more information is recorded by the CPS.

² The official statistics relating to crime and policing are maintained by the Home Office and the official statistics relating to sentencing, criminal court proceedings, offenders brought to justice, the courts and the judiciary are maintained by the Ministry of Justice.

Hate crime

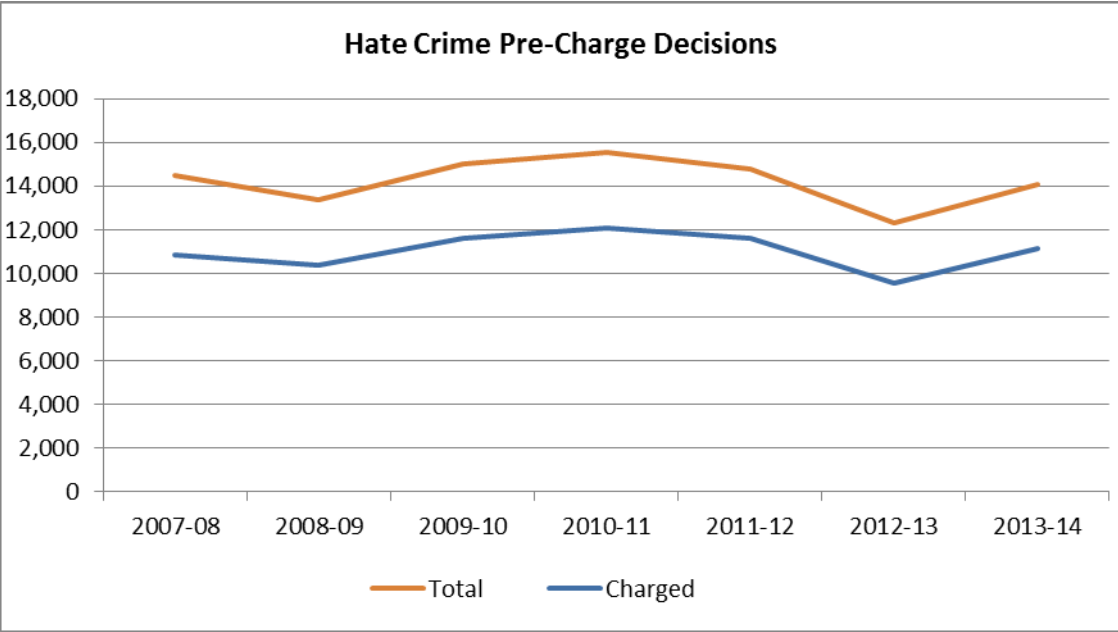
A Hate Crime Strategy was agreed during 2013/14 and work started on a delivery plan. The strategy will help sustain momentum in terms of hate crime performance and target issues that act as brakes to progress. The aim is to maximise the use of current commitments, to focus our efforts and to enhance transparency around how policy is put into practice. The strategy covers: victim and witness support; casework quality; skills and tools; leadership; knowledge and stakeholders.

In August 2013, the Chief Operating Officer agreed the establishment of a short-life working group to consider arrangements for quality assuring hate crime prosecutions. The group looked at national and local practice and concluded that the use of live case review (quality assurance process by which case files are assessed in “real time”) provided both supportive review and enhanced potential for improved outcomes for victims. The group identified a range of key and persistently concerning issues that might form the basis of routine checks in support of improved casework quality.

In 2013/14, police forces referred 14,702 hate crime cases to the CPS for decision. This was an increase of just over 14.0% on the previous year’s figure of 12,306. Of the cases considered last year, the proportion of decisions to prosecute increased from 77.7% to 79.3%.

Graph 1 below shows the trend in referrals and charging decisions since 2007/08.

Graph 1: Total hate crime referrals and charging decisions 2007/08 to 2013/14



In 2013/14, the conviction rate across all monitored strands of hate crime was 84.7%, up from 82.6% the previous year. This compares with the combined average for convictions at Magistrates’ and Crown Courts of 85.1%. Graph 2 below indicates that the conviction rate has been on an upward trend over the past six years. Guilty pleas account for 75.4% of these convictions. This figure compares with an average at Magistrates’ Courts of 72.2% and at Crown Court of 72.9%. Guilty pleas benefit victims and witnesses because they do not have to attend court to give their evidence. Delays are reduced by enabling cases to be concluded more quickly and at a substantially reduced cost to the public purse.

Graph 2: Total hate crime conviction rates 2008/09 to 2013/14

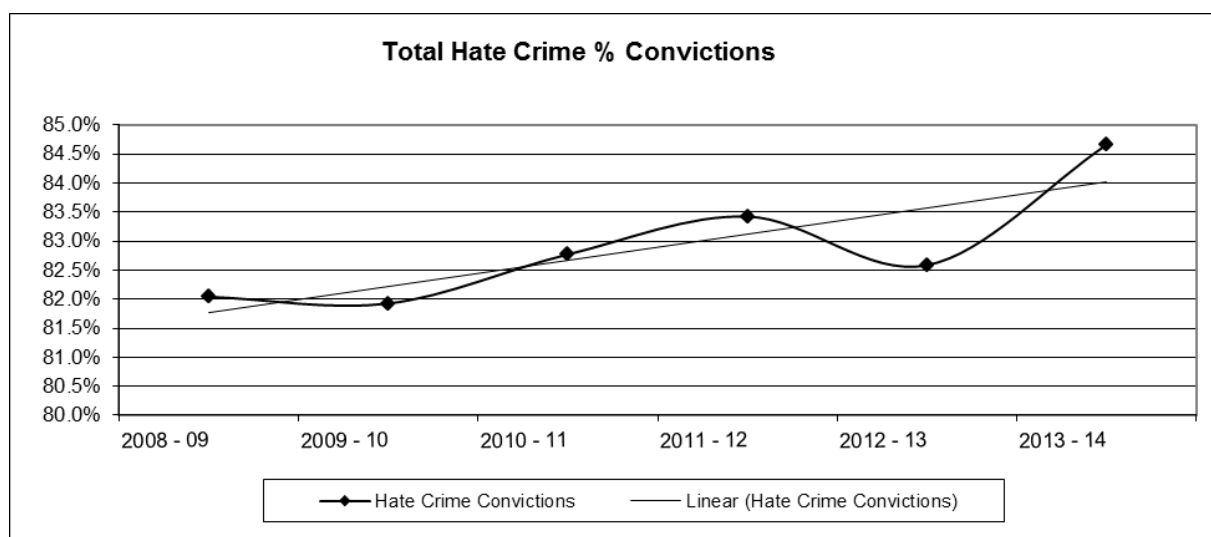


Table 1 below indicates that the conviction rate across the combined monitored strands of hate crime has continued its upward trend and that the fall in volume over recent years has been reversed over the reporting year.

Table 1 - Completed hate crime prosecutions by outcome

	2008 – 09		2009 – 10		2010 – 11		2011 – 12		2012 – 13		2013 – 14	
	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%
Convictions	10,690	82.0%	11,405	81.9%	12,651	82.8%	11,843	83.4%	10,794	82.6%	11,915	84.4%
Unsuccessful	2,340	18.0%	2,516	18.1%	2,633	17.2%	2,353	16.6%	2,276	17.4%	2,159	15.6%
Total	13,030		13,921		15,284		14,196		13,070		14,074	

The proportion of unsuccessful cases due to victim issues (i.e. a victim retracts, unexpectedly fails to attend or their evidence does not support the case) increased across all strands from 22.9% (521) in 2012/13 to 27.5% (593) in 2013/14. Focused work will be undertaken in 2014/15 to better understand the experience of victims and witnesses of hate crime.

The proportion of cases which were unsuccessful due to acquittal after trial increased from 26.6% to 30.4%, due to increases in racially aggravated and disability related cases. More work will be done in 2014/15 to better understand the reasons for this increase.

At the end of a prosecution, cases are allocated a **principal offence category** to indicate the type and seriousness of the charges brought. In 2013/14, offences against the person and public order offences were the most common representing 82.6% of all hate crime prosecutions (52.0% and 30.6% respectively).

83.9% of **defendants** were men and 70.5% White British. Those who were aged between 25-59 accounted for 61.1% with a further 24.9% aged between 18-24. Of interest is the fact that the proportion of both 10-13 year olds and 14-17 year olds

involved as defendants has declined from 2.6% and 20.5% respectively in 2007/08 to 1.1% and 9.5% in 2013/14.

What we know about **victims** is that 56.5% were men and 27.3% were women. The number of victims whose gender was recorded (83.8%) has steadily improved since 2007/08 when it stood at 44.2%. However, we are still working to improve the disclosure rate for this along with other aspects relating to the victims of hate crime.

60.5% of victims were aged 25-59 and a further 13.1% were aged 18-24. Since 2007/08 the proportion of “age not provided” had dropped from 58.9 % to 18.0%.

With regard to ethnicity, the disclosure rate has improved from 23.2% in 2007/08 to 46.6% in 2013/14. Progress is being made but clearly more needs to be done by all concerned to improve this aspect of data collection.

Area performance

In 2013/14, the top three high-performing Areas in relation to conviction rates across all hate crime are shown against the national average in Table 2 below.

Table 2: Hate crime prosecutions by outcome highlighting the three top-performing CPS Areas against national figures

	Convictions		Unsuccessful		Total
	Volume	%	Volume	%	
National	11,915	84.7%	2,159	15.3%	14,074
South West	635	89.2%	77	10.8%	712
North West	1,378	88.8%	174	11.2%	1,552
Cymru/Wales	617	87.5%	88	12.5%	705

The number of completed prosecutions increased nationally by 7.7% on the previous year. This performance was repeated across a number of areas but the largest increases were seen in: Eastern (24.5%), London (18.8%) and Mersey and Cheshire (18.1%). In addition to this increase, the data for 2013/14 show that the proportion of convictions increased by 2.1 percentage points on the previous year.

See Annex, for more detail on CPS Area and police force district performance.

CPS Areas continued to develop innovative and effective measures to engage with communities, identify and address priorities and above all to seek improvement in the prosecution of hate crime. Activities are assessed to maximise the learning from practice and to share the benefits of Area development.

Hate Crime Coordinators have been assigned in each CPS Area as well as CPS Direct. Coordinators continue to play an essential part in supporting effective hate crime prosecution and work to an agreed set of minimum standards covering: performance management, community and stakeholder engagement and policy implementation.

Hate Crime Coordinators meet bi-annually as a network to identify examples of what works, highlight support needs, to contribute to developing approaches and to share relevant updates. During 2013/14, network meetings included a focus on the

thematic inspection on disability hate crime and the CPS response, assuring the quality of hate crime prosecution and victim support.

Over the course of the year, Hate Crime Coordinators were actively involved in the short-life working group established to assess current approaches to hate crime assurance; the development of a pilot webinar on key issues in handling disability hate crime and in the planning and delivery of the National Scrutiny Panel on religiously aggravated offences. This contribution is greatly appreciated, as is that of all Areas in continuing to support both the role and the network.

Local Scrutiny and Involvement Panels regularly assist CPS Areas in identifying learning points and good practice from finalised cases that they review. Members continue to contribute generously to the work of the CPS. Feedback from each panel is provided on issues seen as having national implications.

The work of its scrutiny panel was so valued by community organisations and statutory partners that CPS Wessex placed the lessons arising from panel meetings along with minutes on its web pages. Hampshire Police have subsequently created a link from its own website to improve transparency and information sharing.

In making progress in recording the outcomes relating to sentence uplift, CPS Areas, Thames and Chiltern and Mersey and Cheshire adopted an effective routine, subject to regular reminders and checks as well as consistent input from panels, which resulted in marked progress over the year.

Cross-Government work

We continued to contribute to the cross-Government Hate Crime Strategy Board convened by the Ministry of Justice and Home Office. This year's work included a review of progress against the action plan '*Challenge It, Report It, Stop It: the Government's Plan to Tackle Hate Crime (March 2012)*' and an update to reflect emerging priorities and commitments.

As part of the CPS contribution to the development of the cross Criminal Justice System strategy and action plan, we carried out a joint file tracking exercise with ACPO into the handling of a sample of disability hate crime cases.

CPS contributed to the consultation on the Law Commission's review of hate crime legislation and facilitated sessions involving the Law Commission in direct discussion with Local Scrutiny and Involvement Panels in North Wales and London.

The Government, in partnership with the police service, launched a review and public consultation into adult Out of Court Disposals (OoCD) in September 2013. To date, hate crime has been viewed as particularly serious because of the likely impact on the victim, their family, and the wider community. As a result, these offences along with domestic violence are the only crime types which are exempt from the adult conditional cautioning regime. However there is some inconsistency and therefore a lack of clarity. Under current arrangements, simple cautions can be used for some offences involving hostility, as can community resolutions.

Responses to the consultation were almost evenly split on whether OoCDs could be used for these offences. They may be suitable for low-level offences involving hate crime, provided the express wishes of the victim are met by dealing with the matter in this way. Consideration will also need to be given to the impact on the wider

community, where the offender's behaviour can have a negative effect. The government response to this consultation is expected during summer 2014.

National issues

The Casework Hub has been envisaged as a source of immediate, robust and practical advice for all CPS prosecutors, lawyers and paralegals. It complements existing legal guidance and provides hyperlinks to all relevant guidance. A section has been allocated to hate crime prosecutions and work began during the year to collate suitable material covering key aspects of prosecution practice.

Learning lessons from practice remains a priority in support of quality casework. The **Unduly Lenient Sentence** appeal hearing in the case of R -v- Sheard provided just one such example. Based on the experience from the case, the guidance on handling Newton hearings was amended to reflect the learning arising and Instructions to Prosecuting Advocates were refreshed in relation to the consistent application of our legal guidance on sentence uplift. The Advocates' Panel was reminded of the CPS guidance on the application of sentence uplift.

Over the course of the year and in light of a number of external developments, the hate crime e-learning package on the **Prosecution College** was refreshed. This course and Supporting Vulnerable Victims and Witnesses which focuses on those with mental health issues and learning disabilities, were mandated for prosecutors.

Work continued internally and with partner agencies to improve the collection and publication of data relating to the **Sentence Uplift** available to all offences aggravated by hostility or prejudice. At the end of the year, where improvements began to be seen in CPS Area performance, it was explained by agreed administrative steps being followed at key stages. Along with accurate flagging, where we acknowledge the hostility involved in an offence, this is one of the most significant elements of the hate crime legislation and is intended to send a clear message to both victims and their communities as well as to perpetrators and the wider public. As reported within the joint thematic inspection into disability hate crime (March 2013), the criminal justice system is not performing well in reaching the expectations set out in the legislation.

Victim issues are addressed within each section of the report. In addition, a number of general victim issues are of importance in the prosecution of hate crime cases.

Code of Practice for Victims of Crime – a revised Code of Practice for Victims of Crime (Victims' Code) came in to effect in December 2013. It sets out the minimum level of service that victims of crime can expect to receive from the various criminal justice agencies listed and provides greater clarity for them in understanding their entitlements. The Victims' Code also identifies victims who are entitled to an enhanced level of service – victims of the most serious crime, persistently targeted victims and vulnerable or intimidated victims. The three categories are designed to ensure that victims who are in most need will be able to access enhanced support. Victims of hate crime are automatically entitled to an enhanced service as 'victims of the most serious crime'.

CPS Victim and Witness Strategy – a key priority for the DPP is to improve the service and support that the CPS provides to victims and witnesses throughout their time in the criminal justice system. It is important that victims and witnesses are given the right information and support throughout that time so that their needs are met and the case proceeds to a just outcome. The strategy document sets out how we plan to approach this.

Victim Liaison Units – dedicated Victim Liaison Units will be rolled out across all CPS Areas by the end of the summer 2014 to ensure that victims are given timely, empathetic communications when we decide to stop a case or significantly alter the charges. These units are a one-stop shop for victims in respect of our post finalisation communications. The units will also manage the Victims' Right to Review scheme, complaints and the administration of other victim related schemes such as supporting bereaved families.

Victims' Right to Review – *Victims' Right to Review scheme* - following the judgment in R v Killick, the CPS launched the Victims' Right to Review (VRR) initiative in June 2013. The new scheme makes it easier for victims to seek a review of a CPS decision not to prosecute. Reviews initially take place at a local level and the case may be further reviewed by the Appeals and Review Unit, if requested by a victim, following the Area's decision. Guidance was subject to formal external consultation during 2013. The final guidance came in to force on 21st July 2014. Performance is monitored in terms of the number of cases in which the VRR was successfully upheld as a percentage of cases where there was an identified victim. Victims can also take their complaint to the Independent Assessor of Complaints. Analysis is planned in 2014-15.

Victim Communication and Liaison scheme – following the successful evaluation of a pilot study to test how we can better communicate with victims, we have implemented the Victim Communication and Liaison scheme, which replaces the Direct Communication with Victims scheme. Under the revised scheme we will continue to inform victims of our decisions to stop or substantially alter charges, providing tailored enhanced services to victims in most need of support. This includes victims of hate crime.

Special measures – the guidance for prosecutors regarding special measures has been updated, and will be published in summer 2014. The refreshed guidance takes account of the recommendations made by the 2012 CPS research into the use of special measures, and includes enhanced information and practical guidance for prosecutors, particularly in relation to intermediaries. In addition, the guidance provides further information for prosecutors in relation to special measures discussions with the police and factors for prosecutors to consider when determining whether to hold special measures meetings with witnesses.

Racially and religiously aggravated hate crime

Following a file assessment of religiously aggravated crime in November 2012 and national roundtable discussions (October 2012 and February 2013) on racially and religiously aggravated hate crime, the question of separating the racial and religiously aggravated hate crime legal guidance into two separate documents was considered. Despite some initial appeal, it was recognised that there are clear links between the two strands of offending. Nevertheless, the focus provided by a **National Scrutiny Panel** on the handling of religiously aggravated crime was seen as a beneficial step and one agreed by the DPP. The panel will take place in late 2014.

Dropped aggravations were discussed at the national roundtable discussions where the perception amongst community organisations that the aggravation or element of hostility within charges was often dropped as a result of bargaining between the defence and prosecution and the acceptance of pleas to basic offences. A random sample of finalised cases were selected for detailed analysis. The offence of racially aggravated common assault was selected as one of the more commonly charged of the specific offences (2,623 in 2012/13). The 114 cases sampled were drawn from the 371 cases finalised between April and June 2013. The assessment focused on the principal aspects of a case recorded on CMS as a means of assessing the effectiveness of policy implementation.

Whilst the overwhelming majority of cases examined had applied CPS policy correctly, 11 of the 114 cases reviewed (9.6%) involved dropped or significantly amended charges which were not clearly explained nor recorded. If extrapolated to all racially or religiously aggravated common assault offences recorded over the course of 2012/13, this would equate to 251 cases. For all racially and religiously aggravated offences in 2012/13 having a first appearance at Magistrates Court, this would equate to 1,381 cases and for finalised specific offences for the same period, 1,133.

In addition, in 13 of the sampled cases, the decision was not communicated to the victim in accordance with CPS policy. Whilst not representing the majority of cases, the sample includes a significant minority of instances where CPS policy has not been followed.

Following on from the work, a number of agreed steps will be taken to reinforce policy and enhance capacity.

In 2013/14, the police referred 12,184 racially and religiously aggravated hate crime cases to the CPS for decision. This was an increase of just over 14.7% on the previous year's figure of 10,622. Of the cases considered last year, the proportion to prosecute also increased from 78.4% to 79.7%.

In 2013/14, the conviction rate for racially and religiously aggravated hate crime was 85.2%. This success rate compares to the combined average for all Magistrates' Courts and Crown Court convictions at 85.1%. The figure is also part of an improving trend since 2008/09, when the rate was 82.4%.

Case Study

The defendant in this CPS Mersey and Cheshire case accompanied his girlfriend into a shop where he was racially abusive to the shop-keeper and struck him with his fist in the chest. CCTV was available but the video had corrupted. The defendant denied assault and at first accused the pharmacist of assaulting him. The defendant's partner was not prepared to offer evidence against him.

Charges of racially aggravated common assault, with an alternative offence of simple common assault, were brought in accordance with policy. The defendant was bailed to a first hearing and pleaded not guilty. A case management hearing took place and the case was adjourned to trial.

A file upgrade was requested and the case was re-reviewed on its receipt by an Area Hate Crime lead. The lawyer highlighted the following in instructions to the prosecutor at trial:

1. The offences were alternatives and no plea to the simple offence was acceptable.
2. The requirement to remind the court of the requirement for an uplift on conviction, and to announce its extent.
3. The need to record an uplift on the HRS, including failure of the court to announce this, and any such failure to be notified to a Level D.
4. A reminder to seek compensation and a note that the police had been asked to obtain the victim's views on seeking a restraining order on conviction (restricting the defendant from approaching the victim or the pharmacy involved).

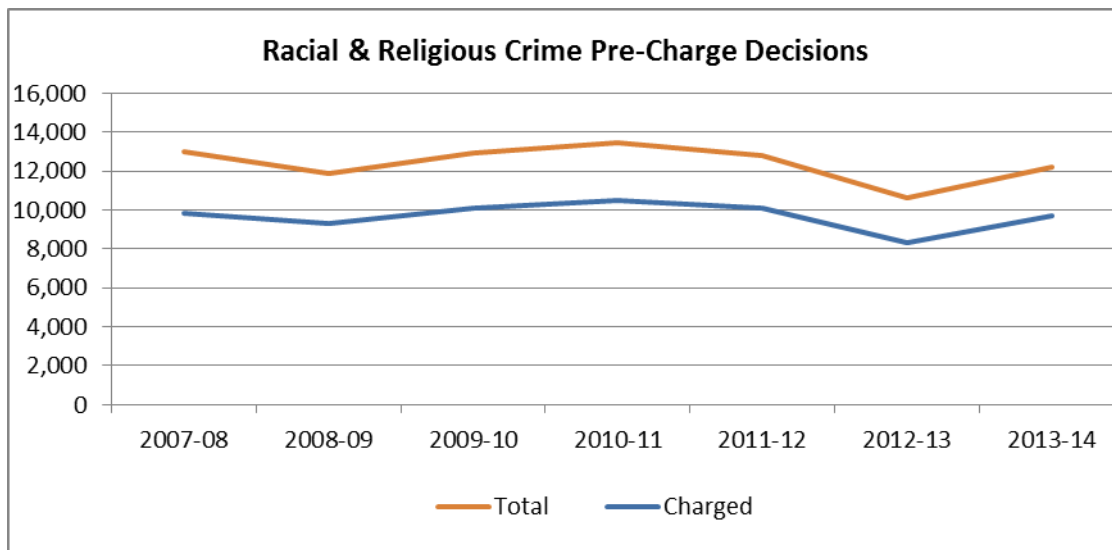
The police confirmed that the victim agreed an application for a restraining order on conviction was appropriate.

At trial the defendant was convicted of racially aggravated common assault. He was sentenced to six months imprisonment (including a two month uplift) and a restraining order restricting contact with the victim and entry to his place of work.

Combined statistics and tables

In 2013/14, the number of defendants referred to the CPS for a charging decision by the police increased by 14.7% to 12,184 from the previous year. Graph 3 below illustrates this upturn over the year as well as the trend for 2007/08.

Graph 3: Total racially and religiously aggravated hate crime referrals and charging decisions 2007/08 to 2013/14



The total number of prosecutions completed during the year also increased by 9.1% to 12,368. Graph 4 below shows that the conviction rate trend has improved steadily since 2008/09 from 82.4% to 85.2% in 2013/14.

Graph 4: Racially and religiously aggravated hate crime conviction rates 2008/09 to 2013/14

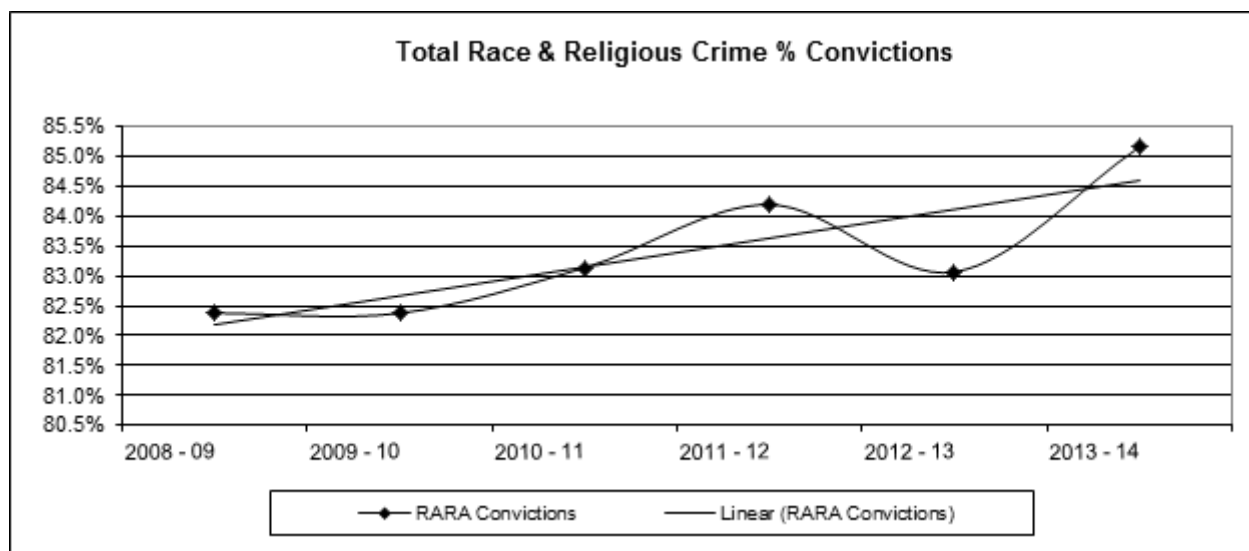


Table 3 below indicates that this trend in successful convictions has continued against a fall in overall prosecutions over the same period.

Table 3 - Completed Prosecutions by Outcome

	2008-09		2009-10		2010-11		2011-12		2012-13		2013-14	
	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%
Convictions	9,576	82.4%	9,993	82.4%	11,038	83.1%	10,412	84.2%	9,415	83.1%	10,532	85.2%
Unsuccessful	2,048	17.6%	2,138	17.6%	2,239	16.9%	1,955	15.8%	1,919	16.9%	1,836	14.8%
Total	11,624		12,131		13,277		12,367		11,334		12,368	

The proportion of convictions involving guilty pleas increased over the period from 69.8% in 2008/09 to 76.0%. The increasing proportion of guilty pleas suggests that cases are better prepared and are being brought to court more quickly. Victims and witnesses can benefit as they do not have to attend court to give evidence and there is also a cost benefit.

Prosecutions can fail for a variety of reasons. Cases that fail due to victim issues (i.e. a victim retracts, unexpectedly fails to attend or their evidence does not support the case) improved between 2008/09 and 2010/11 but started to increase thereafter with a jump from 23.1% to 27.3% last year.

Racially aggravated hate crimes

In relation to racially aggravated hate crime, the total number of suspects referred to the CPS for a charging decision by the police increased in 2013/14 to 11,719 of which 79.8% were charged.

Of the 11,818 racist cases prosecuted last year 10,069 (85.2%) were successful and 75.9% of all successful outcomes involved guilty pleas. The conviction rate improved on the previous year (83.3%) and, as can be seen from Graph 5 below, shows a continuing upward trend over the past six years.

Graph 5: Racially aggravated hate crime conviction rates 2008/09 to 2013/14

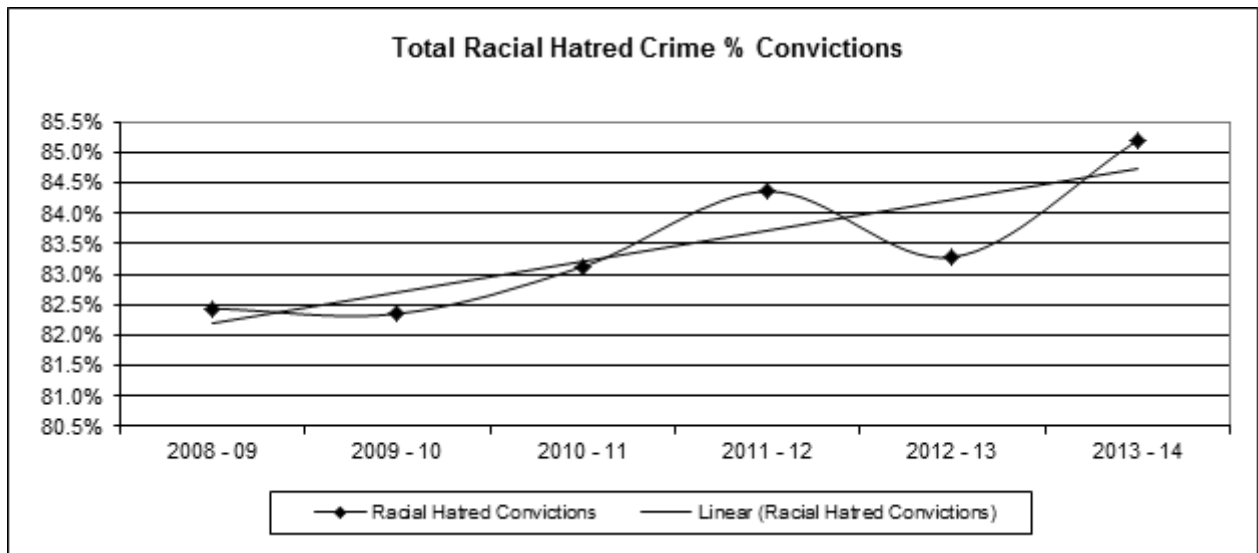


Table 4 below shows that since 2008/09, the trend in the number of prosecutions has increased overall from 11,288 to 11,818 and the proportion of convictions over this same period has increased from 82.4% to 85.2%.

Table 4 - Completed prosecutions by outcome

	2008-09		2009-10		2010-11		2011-12		2012-13		2013-14	
	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%
Convictions	9,306	82.4%	9,750	82.4%	10,566	83.1%	9,933	84.4%	9,107	83.3%	10,069	85.2%
Unsuccessful	1,982	17.6%	2,089	17.6%	2,145	16.9%	1,841	15.6%	1,828	16.7%	1,749	14.8%
Total	11,288		11,839		12,711		11,774		10,935		11,818	

The proportion of guilty pleas over the same period has steadily increased from 69.9% in 2008/09 to 75.9% last year.

The proportion of racist hate crime prosecutions failing due to victim issues (27.8%) has increased since 2008/09 (21.3%) and from the previous year in particular (23.1%). The proportion of cases failing due to the victim failing unexpectedly to attend (18.1%) remains twice that for all other offences (8.5%).

Religiously aggravated hate crimes

The total number of suspects referred to the CPS for a charging decision by the police rose to 465 in 2013/14, after a fall the previous year, of which 77.4% were charged.

In 2013/14, 550 cases involving religiously aggravated hostility were prosecuted with an 84.2% conviction rate. 77.3% of convictions involved guilty pleas. As can be seen in Graph 6, the trend in the conviction rate has continued to improve slightly over the period since 2008/09.

Graph 6: Religiously aggravated hate crime conviction rates 2008/09 to 2013/14

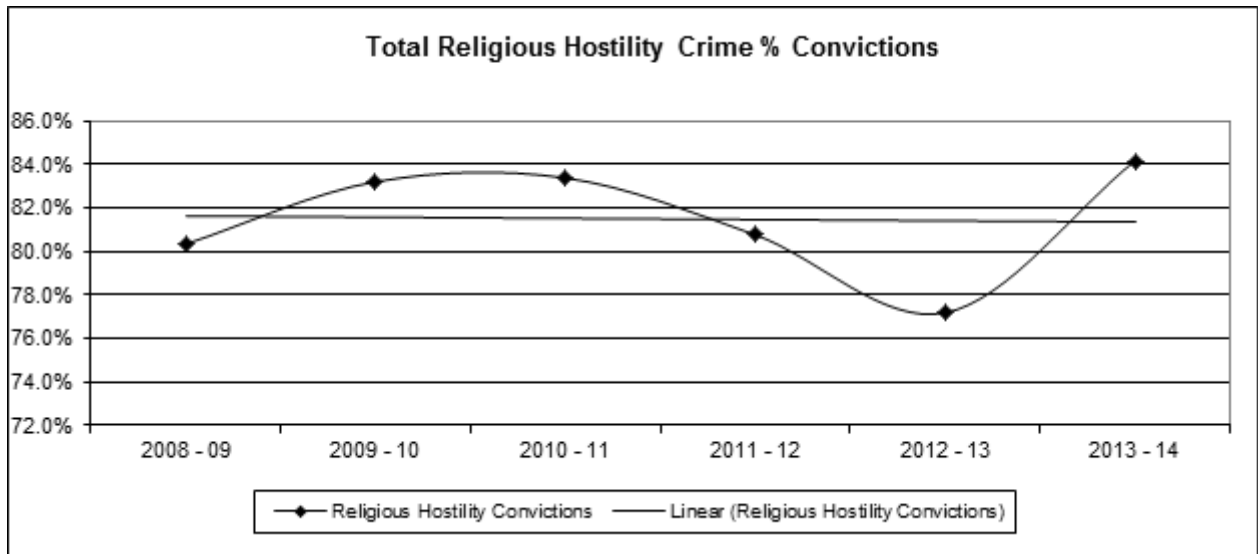


Table 5 illustrates the variation in the number of completed prosecutions over the past six years. In addition, the conviction rate has varied over this period.

Table 5 - Completed Prosecutions by Outcome

	2008-09		2009-10		2010-11		2011-12		2012 - 13		2013 - 14	
	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%
Convictions	270	80.4%	243	83.2%	472	83.4%	479	80.8%	308	77.2%	463	84.2%
Unsuccessful	66	19.6%	49	16.8%	94	16.6%	114	19.2%	91	22.8%	87	15.8%
Total	336		292		566		593		399		550	

The proportion of cases failing due to victim issues fell from 23.1% in 2012/13 to 16.1% last year.

The number of prosecuted religiously aggravated hate crime cases remains small and it therefore remains difficult to identify meaningful trends.

In the longer term, separating prosecution data relating to racist and religious offences should provide a more detailed and informative picture of the experience of hate crime within communities as well as its impact in future. The impact of currently low referrals and prosecutions relating to crimes motivated by religious hostility should remain a consideration when analysing the data and argues for more routine examination of cases by Local Scrutiny and Involvement Panels to ensure learning is being taken on board in case-handling.

At the end of a prosecution, defendants are allocated a **principal offence category** (POC) to indicate the type and seriousness of the charges brought. Offences against the person and public order offences were the most common representing 83.8% of all racist and religiously aggravated crime prosecutions (52.4% and 31.4% respectively). Over the course of the last four reporting years, there has been a shift

in the POCs with offences against the person increasing by 8.2 percentage points over the period and public order offences decreasing by 6.2 percentage points.

Defendants in racist and religiously motivated hate crimes are mostly men (84.1%) and White British (70.3%). 61.3% were aged 25-59 and a further 25.1% were aged between 18-24. The proportion of both 10-13 year olds and 14-17 year olds defendants continues to decline from 2.3% and 17.8% respectively in 2008/09 to 1.1% and 9.2% last year.

Victims are mostly men (58.2%) and 25.7% are women. The proportion of victims for whom we have identified gender has continued to improve since 2008/09 when it stood at 63.8%, whereas last year, the figure had increased to 83.9%. We continue to work to improve this figure along with other demographic data relating to the victims of hate crime.

Most victims (62.4%) were aged between 25-59 with a further 12.4% aged between 18-24. Since 2008/09 the proportion of cases in which victim ages were recorded has increased from 61.9% to 82.2%.

Although the proportion of cases in which ethnicity data are available has increased from 33.8% in 2008/09 to 46.1% in 2013/14, there is clearly more to do to improve our understanding in this area.

Area performance

In 2013/14, the top three high-performing Areas in relation to conviction rates across all racially and religiously aggravated hate crime are shown against the national average in Table 6 below:

Table 6: Racially and religiously aggravated hate crime prosecutions by outcome highlighting the top three performing CPS areas against national figures

	Convictions		Unsuccessful		Total
	Volume	%	Volume	%	
National	10,532	85.2%	1,836	14.8%	12,368
Eastern	594	88.9%	74	11.1%	668
South West	552	88.9%	69	11.1%	621
Cymru/Wales	502	88.8%	63	11.2%	565

The CPS Areas that saw the greatest increase in number of completed prosecutions over the year were Eastern (32.0%), Mersey and Cheshire (21.0%) and South East (20.1%).

Case study

CPS West Midlands successfully prosecuted this case, the largest ever sentenced at Wolverhampton Crown Court, to a successful conclusion when all but one of 32 defendants were convicted.

The English Defence League organised a demonstration in a town centre that was the target of a counter-demonstration by Unite Against Fascism. The two demonstrations were separated by a line of police officers.

When the atmosphere turned hostile, the EDL demonstrators started throwing missiles at the police in an effort to reach the other demonstration.

Following a police investigation to identify those responsible for the violence, a number of men were arrested and charged with violent disorder.

Not only were police officers exposed to some of the worst violence they had experienced in a public order context, but the events of the day had a significant and detrimental impact on local communities. Chanting, placards and abuse were all noted within the evidence relating to the defendants which targeted the community on the grounds of race and religion.

Written notification was provided to all parties that the sentence uplift on the grounds of racially and religiously aggravated hostility would be relevant. The court considered all of the evidence in support of this as well as argument on both sides over two days.

At the end of the trial, 31 men from different parts of the country were handed down sentences totalling 60 years and eight months.

Learning lessons

CPS South West dealt with a very serious case that was portrayed in the media as being a hate crime. Such was the level of interest that the DCCP convened a Local Case Management Panel at which she was joined by the reviewing prosecutor, the Senior Investigating Officer and the Equality, Diversity and Community Engagement Manager (EDCEM). The aim was to examine the evidence and history of the case to establish whether the matter was a hate crime and to ensure all relevant facts were supplied to the sentencing tribunal.

This case was also used as a discussion point in the LSIP as it involved the need for substantiating evidence in any case where hostility is perceived to have been an aggravating factor. The case management panel was seen as a helpful means of undertaking a full examination of all information, attended by the key players in the prosecution. The model has been adopted as good practice and is being encouraged in all cases involving hate crime at the district level for smaller cases.

In **CPS Cymru/Wales**, LSIP members regularly suggest areas for further investigation/analysis. Following concern over discrepancies in CPS and police data a hate crime data assurance regime was agreed with ACPO. A monthly schedule has been agreed with the four Wales police forces whereby the Hate Crime Coordinator (HCC) and police hate crime lead undertake a detailed review of all finalised and live cases. The assurance provides: Evidence of any lack of flagging or identification of hostility by police and CPS; more information about the causes of attrition; opportunities to increase the number of cases prosecuted. General LSIP recommendations are also incorporated in to these reviews. Lessons learned and good practice are fed back to managers and staff.

Working together

The CPS North East Racist & Religious Hate Crime Scrutiny Panel saw a case involving a targeted attack on a Jewish family in Gateshead. One panel member observed that there are Jewish families who have chosen to live in a particular part of Gateshead because they believe that they will be safe. Attacks on families within that Area therefore have an added impact on the whole community. The EDCEM set up a meeting with a panel member, a member of the Jewish Community in Gateshead, and the Northumbria police hate crime lead to discuss the preparation of a Community Impact Statement dealing with the impact of such offences. The police are currently consulting with the Jewish Community in Gateshead in preparation for drawing up a Community Impact Statement which will reflect their views.

Homophobic and transphobic hate crime

Following the amendment to the Criminal Justice Act 2003, hostility on the grounds of transgender identity was added as a statutory aggravating factor in determining the sentence in such cases.

A range of supporting steps were taken during the year. In preparation for the required change to the Casework Management System, guidance on flagging and monitoring issues for administrators and prosecutors has been circulated. The current homophobic crime flag will be divided to include one for homophobic crime and one for transphobic crime from summer 2014.

The Transgender Equality Management Guidance was finalised and disseminated during the year. The Prosecution College e-learning material was refreshed to reflect these developments. Consideration was also given to updating the homophobic and transphobic hate crime prosecution toolkit including a consultation exercise with Areas. The response supported an update of the material which coincided with the development of the Casework and Knowledge Hubs (see page 11). Further work on these and other strands of hate crime and support to prosecutors will be focused on the development of the Hub.

A National Scrutiny Panel was convened to examine finalised cases of transphobic hate crime. The topic was selected for consideration by a national panel because an earlier case file review had identified a low volume of prosecutions relating to transphobic hate crime together with a conviction rate of just below 74%. In addition, it was recognised that Local Scrutiny and Involvement Panels might find it difficult to gather enough evidence from the cases they see to identify trends that might help to improve case handling.

Participating Areas were provided with feedback and requested to provide an update on any action taken in response. A summary report was also prepared for the Chief Crown Prosecutors' Group. All five Areas: Mersey-Cheshire, North West, South West, Wessex and West Midlands were asked to provide an update report. All Areas identified and progressed relevant action. CPS West Midlands and CPS Mersey-Cheshire had also reported additional activity in support: West Midlands has agreed a local protocol with West Midlands Police on hate crime handling including up to date guidance on Transphobic hate crime whilst CPS Mersey-Cheshire achieved the Navajo Merseyside and Cheshire LGB&T charter mark.

Areas had worked with the relevant police force to address case handling issues, appropriate use of special measures and matters relating to victim support via Witness Care Units. Reminders had been provided to specific staff and staff groups on issues relating to the use of bail conditions and restraining orders, whilst there were a number of forward commitments to targeted specialist training, dip sampling of relevant DVCs and community engagement.

In 2013/14, the police referred 1,307 homophobic and transphobic cases to the CPS for decision. This was an increase of just over 18.3% on the previous year's figure of 1,105. Of the cases considered last year, the proportion to prosecute also increased from 74.4% to 75.4%.

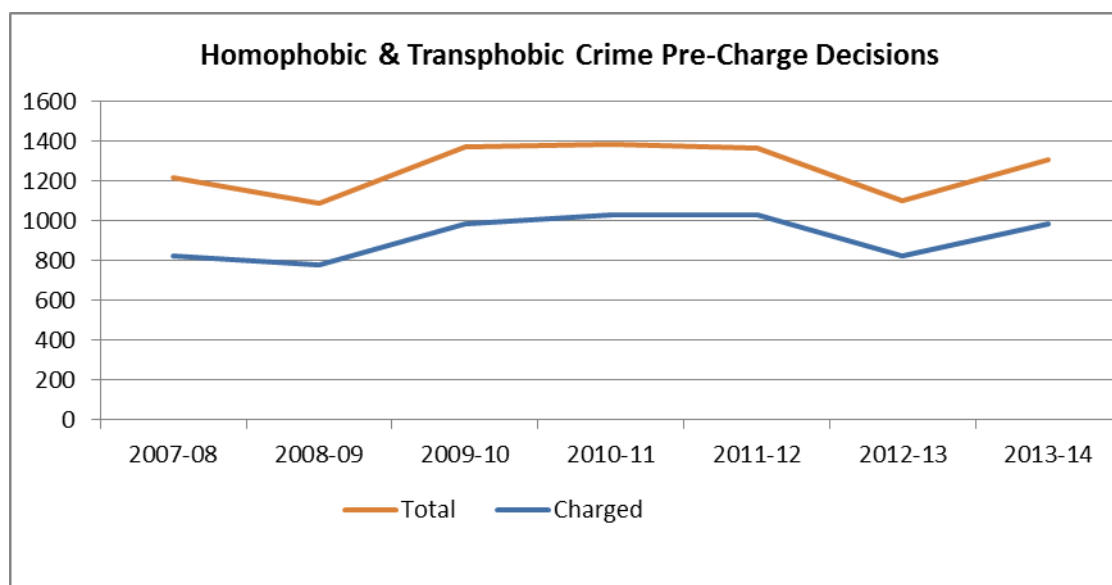
In 2013/14, the conviction rate for all homophobic and transphobic prosecutions was 80.7%, the same as the rate for 2012/13 and against a background of an increase in the number of completed prosecutions for the year.

Combined statistics and tables

The volume of defendants referred to us by the police for decision increased slightly over the year from 1,105 to 1,307. Over the same period, the proportion of referrals resulting in a decision to charge increased from 74.4% (822) to 75.5% (985).

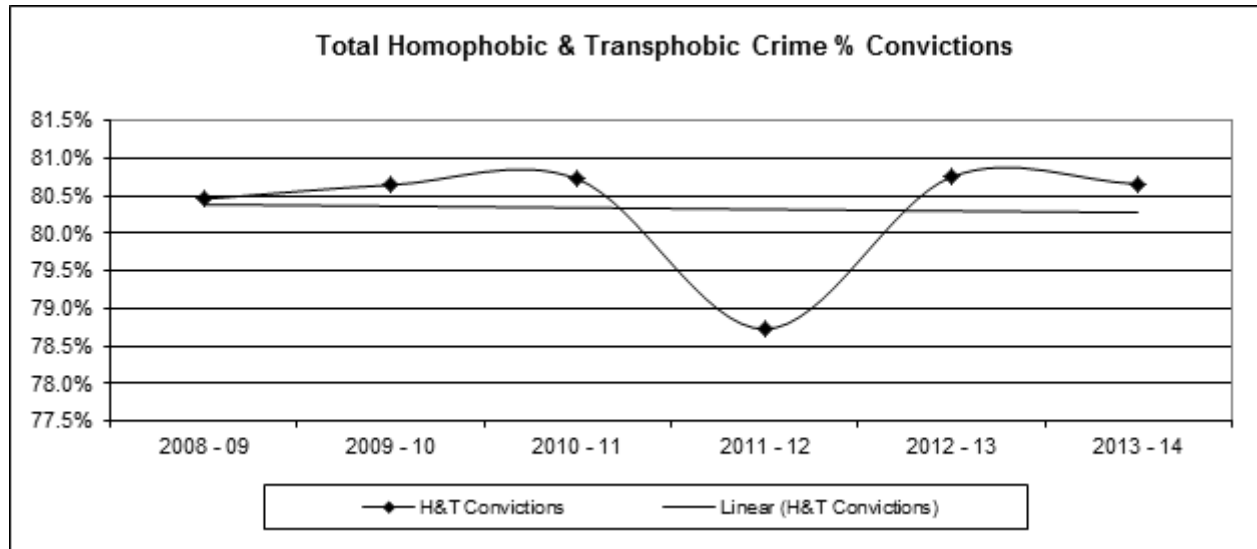
Graph 7 below shows the increase in cases referred and charged over the reporting year.

Graph 7: Total homophobic and transphobic crime referrals and charging decisions 2007/08 to 2013/14



The conviction rate for homophobic and transphobic hate crime (see Graph 8 below) remained the same as the previous year at 80.7% but this performance involved a greater number of successfully completed prosecutions, 913 as opposed to 885.

Graph 8: Homophobic and transphobic crime conviction rates 2008/09 to 2013/14



As can be seen below in Table 7, the total number of completed prosecutions increased over the year but since 2008/09 the trend has been erratic.

Table 7 - Completed Prosecutions by Outcome

	2008-09		2009-10		2010-11		2011-12		2012-13		2013-14	
	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%
Convictions	815	80.5%	929	80.6%	1,034	80.7%	951	78.7%	885	80.7%	913	80.7%
Unsuccessful	198	19.5%	223	19.4%	247	19.3%	257	21.3%	211	19.3%	219	19.3%
Total	1,013		1,152		1,281		1,208		1,096		1,132	

The proportion of successful cases arising from guilty pleas increased to 72.3% (819) from 71.6% (785).

After 2012/13 when there was an improvement in the number of cases failing due to victim issues, the proportion increased to 33.8% of unsuccessful cases (74) from 21.8% (46) the year before.

At the end of a prosecution, cases are allocated a **principal offence category** to indicate the type and seriousness of the charges brought. In 2013/14, offences against the person and public order offences were the most common representing 82.0% of all homophobic and transphobic crime prosecutions (49.5% and 32.5% respectively).

86.3% of **defendants** were men and 70.7% White British. Those who were aged between 25-59, accounted for 58.9% with a further 24.7% aged between 18-24. Of interest is the fact that the proportion of both 10-13 year olds and 14-17 year olds involved as defendants has declined from 2.4% and 19.0% respectively in 2008/09 to 1.1% and 11.5% in 2013/14.

What we know about **victims** is that 49.1% were men and 35.1% were women. The number of victims whose gender was recorded (84.2%) has steadily improved since

2008/09 when it stood at 60.6%. However, we are still working to improve these data along with others relating to the victims of hate crime.

52.7% of victims were aged between 25-59 and a further 19.9% were aged between 18-24. Since 2008/09 the proportion of “age not provided” had dropped from 40.7% to 18.9%.

With regard to ethnicity, the disclosure rate has improved from 38.2% in 2008/09 to 51.2% in 2013/14. Progress is being made but clearly more needs to be done by all concerned to improve this aspect of data collection.

Area performance

In 2013/14, the top three high-performing Areas in relation to conviction rates across all homophobic and transphobic hate crime are shown against the national average in Table 8 below:

Table 8: Homophobic and transphobic hate crime prosecutions by outcome highlighting the three top-performing CPS Areas against national figures

	Convictions		Unsuccessful		Total
	Volume	%	Volume	%	
National	913	80.7%	219	19.3%	1,132
South West	63	92.6%	5	7.4%	68
Thames and Chiltern	47	92.2%	4	7.8%	51
North West	137	88.4%	18	11.6%	155

The CPS Areas seeing the greatest increase in the number of completed prosecutions of Homophobic and Transphobic crime during the year were: Yorkshire and Humberside (24.6%), South West (23.6%) and West Midlands (20.0%).

Case study

The defendant in this **CPS North East** case entered a betting shop from which he had already been banned for a number of years and began to abuse two members of staff.

One member of staff, a woman, was called a dyke on more than one occasion thus demonstrating the defendant's hostility on the grounds of sexual orientation or at least his perception of her sexual orientation.

The element of hostility was not picked up by the police officer and initially the offence was not treated as a hate crime nor charged correctly, until the case was reviewed.

The prosecutor was reminded of the need to raise the issue of sentence uplift and the court was reminded of its duty in this regard.

The case was successfully prosecuted as homophobic intentional harassment, alarm or distress under section 4a Public Order Act 1986. The defendant was sentenced to 14 weeks imprisonment with an additional four weeks for the aggravated element reduced overall to 12 weeks custody for his early guilty plea, suspended for 12 months together with £100 compensation to each victim, £80 Victims' Surcharge and £85 costs.

This **CPS South East** case arose from circumstances after a Brighton and Hove Albion and Derby County football match. All roads lead to the station and consequently converge at certain points. As police were patrolling they heard some of the Derby County fans chanting at the Brighton and Hove Albion fans. The Police made their way towards the fans and one officer heard homophobic abuse being chanted over and over again. He saw two males at the front of the group with their arms spread wide chanting these words. They were both arrested. In interview both suspects gave the same account: that they had consumed alcohol before the game and that they were exchanging 'banter' with the Brighton fans. They fully admitted using other derogatory terms but stated that at the time it was just a bit of fun. On reflection, they both stated that they could see that it was homophobic.

The decision of the magistrates was that homophobic chanting is a serious and growing problem. They considered that there were reasonable grounds to believe that making an order would help to prevent violence and disorder and sends out message to other fans. Both defendants made subject to a three year Football Banning Order and sentenced for Public Order Act offences. They were fined £87 and £160 respectively, £50 costs and £20 Victims' Surcharge.

Working together

CPS North West worked with the Ministry of Justice, Stonewall and Gendered Intelligence to develop a free educational resource pack aimed at tackling homophobic and transphobic bullying and hate crime amongst young people. The resource, which has been endorsed by the National Union of Teachers, contains video clips, information and lesson plans to help teachers to explore these issues. The resource aims to increase young people's understanding about homophobic and transphobic prejudice, educate them about their responsibilities as citizens and provide them with the knowledge and skills to help challenge the attitudes and behaviours that lead to bullying and hate crime.

Young people from the Sheena Amos Youth Trust, UCLAN Dame Elisabeth Cadbury Technology College and LGBT Youth North West all helped to devise and perform the dramatised scenarios in the resource. The scenarios are based on the real life experiences of the young people and the adult role models who took part in the project.

Lessons learned

CPS North East's homophobic and transphobic crime scrutiny panel considered a case involving a youth defendant who had been charged with a number of offences. In brief, he faced a serious charge of robbery which was not homophobically aggravated. He also faced two charges of criminal damage which were supplemented by two charges under the Public Order Act. In one instance, he had thrown mud at a car and had scratched it and in another he had ripped off the letterbox from the house whilst shouting abuse at the householder. Both of these offences were homophobically aggravated.

When it became clear that he was going to receive a substantial custodial sentence, but before he had been convicted, a decision was taken to drop the damage and public order offences on public interest grounds. The panel noted several points:

- there had been no consultation with the police or indeed the victims;
- there was no consideration of a restraining order; and
- the decision did not demonstrate that it had taken sufficient account of our hate crime prosecution policy.

An essential part of that policy states that where the evidential test is met in cases involving hostility, it will almost always be in the public interest to prosecute. Weighed against this was the fact that there would have been no greater penalty for the cases remaining in the magistrates/youth court.

Legal Guidance in respect of the Victim's Code sets out our obligations to victims of the most serious crime e.g. hate crime, where decisions are taken to discontinue or to substantially amend a charge.

The Scrutiny Panel's concerns centred on the fact that the file review did not appear to consider hate crime guidance and the public interest. The Area's own response was to instruct unit heads to remind lawyers to give due consideration to hate crime policies in these situations and to adequately reflect this consideration on file. DCCPs in all CPS Areas were asked to consider following this lead and an article appeared in the Hate Crime Newsletter.

Case study

The defendant in this **CPS London** case was charged with harassment without violence after a sustained and persistent campaign targeting two men. Extensive evidence was put before the court relating to email and social media communications, much of which the court concluded was homophobic and aggressive.

In passing sentence the judge remarked that the matter was so serious that only a custodial sentence was appropriate. The defendant received eight weeks on each offence making a total period of 16 weeks, suspended for two years. The sentence included 200 hours of unpaid work in the community over the next 12 months. In addition, she had to pay costs of £775 and the Victim Surcharge of £80.

A restraining order was also applied for and granted which will remain in force until further order. Any breach of this order will result in six months imprisonment in the Magistrates' Court or five years in the Crown Court.

In this **CPS Wessex** case, the victim is a transgender female who presents herself as female. When she was busking in the town centre, she became aware of the defendant shouting at her. He was being abusive about her gender identity and strongly suggested she pack up her things and move on. The victim replied that she had every right to be there at which the defendant raised his fist at her and then threatened to stab her. He went on to punch the guitar causing a small hole. As he walked away he was arrested. He was charged with criminal damage and intentionally causing harassment, alarm and distress by threatening, abusive and insulting words and behaviour (section 4a of the Public Order Act 1986).

The defendant pleaded not guilty. In the court buildings, on the day of his trial, he behaved in a disorderly manner and was asked to leave by the security staff. The Magistrates agreed to go ahead with the trial in the defendant's absence and he was found guilty of both charges. A warrant was issued for his arrest.

When the defendant attended court two months later, he applied for the trial result to be set aside. He was not successful. He was sentenced to a suspended sentence of imprisonment: (six weeks imprisonment suspended for 12 months) and was ordered to pay £65 compensation but no costs. The prosecutor reminded the court of its obligations under s146 Criminal Justice Act 2003 but did not record that any uplift was announced.

Disability hate crime

Disability Hate Crime legal policy/guidance was consolidated and refreshed over the course of the year. Following consultation with Hate Crime Coordinators and Chief Crown Prosecutors in 2012, the document was revised to take account of the current law and issues/recommendations arising from the Criminal Justice Joint Inspection (CJJI) of Disability Hate Crime published in March 2013. Some of the changes include:

- Expansion of the chapter which deals with identification and flagging of disability hate crime cases to remind prosecutors of the need to work proactively with the police to seek further information to help identify cases where section 146 applies and to ensure that cases are correctly flagged on CMS so that where appropriate, an application for an uplift can be made and the outcome recorded.
- Prosecutors are reminded that notification of the intention to raise section 146 should be given as early as possible, ideally at the first court hearing.
- Reference to consideration of what, if any, ancillary order applications may be appropriate at the conclusion of the case, is now included in the case review chapter to ensure this is in the mind of the prosecutor at that stage, and to ensure the issue is kept under continuous review.
- The victim and witness chapter now reminds prosecutors that, where a decision is taken about the case which has the result that evidence of aggravation (the section 146 CJA 2003 element) will no longer be put before the court, a letter should be sent to the victim, even though there is no alteration to the charge.

Thematic Inspection – In January 2014, a progress report was provided to Her Majesty's Crown Prosecution Service Inspectorate on progress to date in response to the joint thematic inspection on disability hate crime. Action included:

- Joint definition confirmed by representatives of CPS, ACPO and NOMS.
- Source check of definition accuracy undertaken of all national publications.
- Hate Crime Coordinators reminded of the need to check locally-produced material.
- Hate crime made a priority crime and one of only 12 high-weighted performance measures.
- A new approach to hate crime quality assurance to be introduced.
- Briefing on how to collect data and the rationale for collection circulated.

A follow-up inspection is expected to begin in July 2014.

The Disability Hate Crime Action Plan developed in response to the Equality and Human Rights Commission's inquiry into disability related harassment and the CJJI Thematic inspection. An action plan was developed and finalised setting out a range of commitments. A progress report is due towards the end of 2014.

Navigators Workshop material was finalised and rolled out for Area use. The aim of the approach is to raise awareness of disability hate crime, what constitutes such offending, how the law covers it and what to do about it. Included in the pack was guidance for frontline staff developed in consultation with workshop participants. To date, the majority of CPS Areas have reported making use of the approach.

ACPO/CPS tracking exercise was agreed between the CPS and ACPO whose aims were to: improve understanding of attrition; provide greater transparency in reporting hate crime performance; and promote greater consistency of case handling. Findings included:

- The offender was not identified in around 64% of recorded crime, suggesting that hate crimes are slightly more likely to be 'detected' than crime in general.
- Joint sampling suggests that there may be scope for identifying more disability hate crime from reported disability hate incidents.
- A police employee recorded the hostility in at least 61% of cases.
- Around 37% of cases where the perpetrator was identified appear to have had charge decisions made by the police, counter to the DPP's guidance.
- Regular liaison between police and prosecutors can enhance the flow of information, increase understanding of operational issues and help highlight shared priorities.

A joint action plan will be developed by agreement with ACPO for 2014/15.

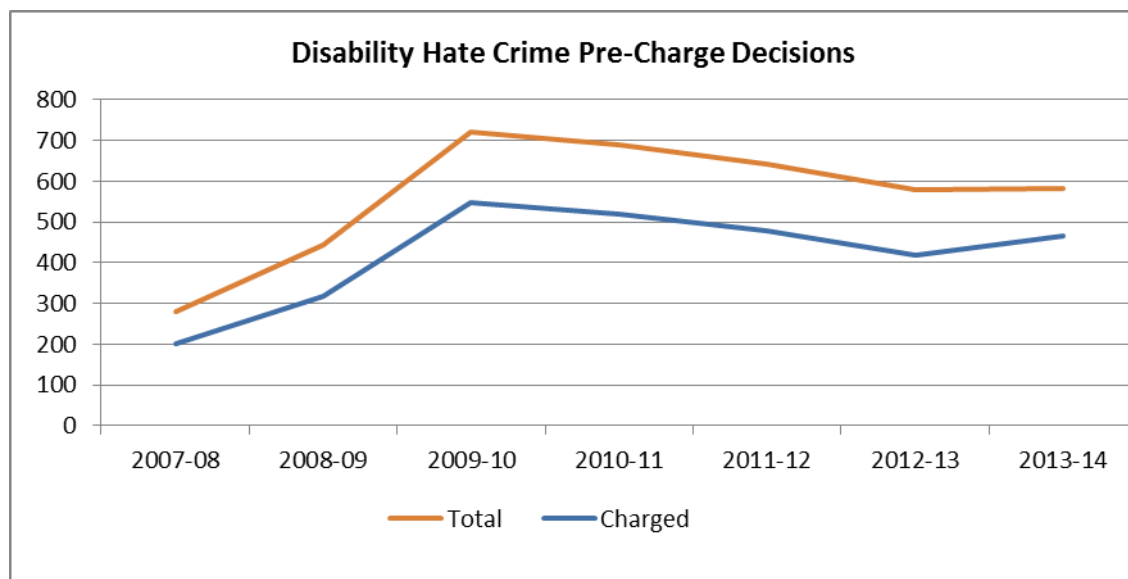
In 2013/14, the police referred 581 disability hate crime cases to the CPS for decision. The previous year this figure was 579. Of the cases considered last year, the proportion of decisions to prosecute also increased from 72.4% to 80.0%.

The conviction rate for disability hate crime prosecutions in 2013/14 was 81.9%, an increase on the previous year and in line with the rate trend since 2008/09 although completed prosecutions for the year were down.

Combined statistics and tables

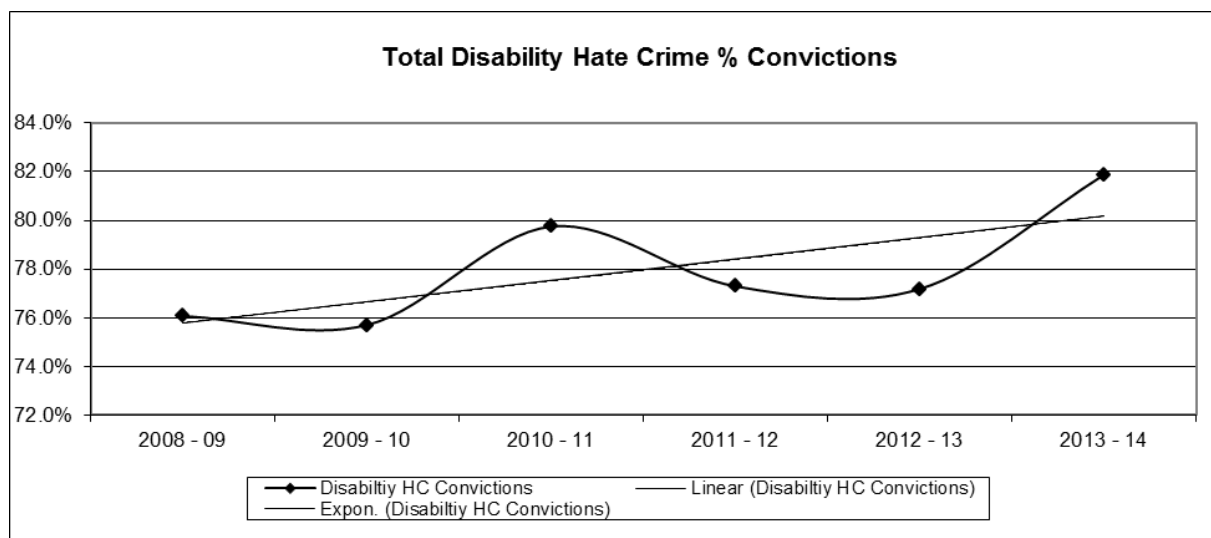
The volume of cases referred to the CPS by the police for a charging decision increased slightly in 2013/14 to 581 from 579 in 2012/13. Graph 9 below illustrates the trend since 2007/08. There were more decisions to prosecute, 465 as opposed to 419 in 2012/13; and these decisions represented a greater proportion of the cases decided, 80.0% against 72.4% in 2012/13.

Graph 9: Total disability hate crime referrals and charging decisions 2007/08 to 2013/14



The number of convictions fell slightly over the year from 494 to 470, but the proportion of successful outcomes improved over the same period from 77.2% to 81.9%. Nevertheless, Graph 10 shows that the trend in conviction rates since 2008/09 has been upward.

Graph 10: Disability hate crime conviction rates 2008/09 to 2013/14



Successful convictions often result from guilty pleas and whilst the volume in the reporting year fell again from 418 to 395, the proportion of successful outcomes from guilty pleas increased from 65.3% to 68.8%.

Table 9 shows how, since 2008/09, the total number of prosecutions taken forward has risen, peaked and apparently plateaued, possibly reflecting the low overall volume of reported disability hate crime.

Table 9 - Completed Prosecutions by Outcome

	2008-09		2009-10		2010-11		2011-12		2012-13		2013-14	
	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%
Convictions	299	76.1%	483	75.7%	579	79.8%	480	77.3%	494	77.2%	470	81.9%
Unsuccessful	94	23.9%	155	24.3%	147	20.2%	141	22.7%	146	22.8%	104	18.1%
Total	393		638		726		621		640		574	

The proportion of cases failing due to victim issues fell in 2013/14 to 17.3% (18) from 21.2% (31) the previous year. The figures in 2008/09 were 16.0% (15).

At the end of a prosecution, cases are allocated a **principal offence category** to indicate the type and seriousness of the charges brought. Offences against the person and public order offences were the most common representing 56.3% of all disability hate crime prosecutions (46.4% and 9.9% respectively). There was a more significant range of other offence categories represented within disability hate crime prosecutions than for any other strand of hate crime (see Table 10) perhaps reflecting the exploitative nature of much disability hate crime.

Table 10: Principal offence category for each hate crime strand

Principal offence category	Disability	Homophobic and Transphobic	Racially and Religiously aggravated
Homicide	0.2%	0.6%	0.1%
Offences against person	46.4%	49.5%	52.4%
Sexual offences	3.6%	0.5%	0.2%
Burglary	6.8%	1.1%	0.5%
Robbery	8.8%	2.7%	0.8%
Theft & Handling	13.1%	2.8%	3.2%
Fraud & Forgery	3.5%	0.1%	0.1%
Criminal Damage	3.3%	4.3%	5.1%
Drugs Offences	0.9%	0.9%	1.1%
Public Order Offences	9.9%	32.5%	31.4%

Most **defendants** are men (75.3%), but there were a significantly higher proportion of women (24.7%) compared to other strands of hate crime (15.8% in racially and religiously aggravated hate crime and 13.7% in homophobic and transphobic hate crime). Most defendants were White British (74.2%) and those aged 25-59 accounted for 61.1% and a further 21.4% were 18-24. Of interest is the fact that the proportion of both 10-13 year olds and 14-17 year olds involved as defendants has declined from 4.9% and 23.5% respectively in 2007/08 to 1.4% and 12.7% in 2013/14.

What we know about **victims** is that 41.7% were men and 40.1% were women while 18.1% of victims did not have their gender identified.

Most victims (43.9%) were aged 25-59. The declaration rate for age has improved from 43.7% in 2007/08 to 79.4% last year.

As regards the ethnicity of victims, the declaration rate has improved since 2007/08 when it stood at 28.5% to 47.1% last year. White British the most common category at 41.2%. However, more work is needed to improve victim data.

Area performance

In 2013/14, the top three high-performing Areas in relation to conviction rates across all disability hate crime are shown against the national average in Table 11 below:

Table 11: Disability hate crime prosecutions by outcome highlighting the three top-performing CPS Areas against national figures

	Convictions		Unsuccessful		Total
	Volume	%	Volume	%	
National	470	81.9%	104	18.1%	574
North West	75	92.6%	6	7.4%	81
South East	19	90.5%	2	9.5%	21
East Midlands	30	88.2%	4	11.8%	34

The CPS Areas that saw the largest increases in disability hate crime prosecutions in 2013/14 were Yorkshire and Humberside (58.5%) East Midlands (36.0%) and London (30.0%).

Lessons learned

CPS Mersey and Cheshire delivered two Navigator Workshops over the course of the year. These sessions aim to raise awareness and understanding of what constitutes a disability hate crime, what support is available to victims and witnesses and how such offences are handled. In the Cheshire session, the Area strengthened engagement with the local Deaf and Hearing Impaired community, as signers were provided. Perhaps the most significant issue raised on the day was the fact that there was no facility to report a crime at police stations in Cheshire using sign language. This had been a concern for the local Deaf community for some time. CPS Mersey-Cheshire was able to link a local charity, Deafness Support Network, with a representative from Cheshire Police. Dialogue continued following the Navigator workshop and it has just been confirmed that the Police and Crime Commissioner for Cheshire will now be funding the provision of appropriate and accessible facilities for crimes to be reported at all police stations in Cheshire using sign language. In addition, a representative from a local community organisation who attended the session, highlighted concerns around a particular case. A colleague from Cheshire Police was then able to work with the CPS Hate Crime Coordinator to identify the case, which was then reviewed both internally and also in partnership with the Area's Local Scrutiny and Involvement Panel. In this way, the Navigator Workshops have provided an important opportunity to raise awareness and understanding of disability hate crime as well as important opportunities to build confidence and demonstrate transparency.

CPS East Midlands organised a lunch and learn session where a victim of disability hate crime gave an emotional presentation to staff during People Week. The guest speaker has learning disabilities, gave his account alongside a member of staff from a local MENCAP project tackling hate crime. He told how he and his wife, who was also disabled, had been terrorised and threatened with violence by their neighbours' children over several years. Faeces and lit fireworks were pushed through their letter box, and they were pushed around in the street.

The speaker recounted his difficulties in reporting the crimes and his experiences trying to secure support from the police. He was eventually rehoused into secure sheltered accommodation.

The event was part of a series of 'Lunch and Learn – We are your Community' sessions. Grace Moronfolu, Equality, Diversity and Community Engagement Manager, said: "Our guest shared the devastating effect that disability hate crime had on him and his family. The session was particularly powerful as everyone could relate to how he felt at being targeted just because he looks different to most people."

Case study

In this **CPS West Midlands** case, the victim had been involved in a car accident in 1994 which caused brain injuries. These injuries impaired her ability to respond quickly and often needed questions to be repeated. She suffers with short term memory loss which makes it impossible for her to remember dates and times of the alleged five assaults. The defendant was her husband who had systematically belittled her for her disability, repeatedly telling her she was spastic and mocking her speech. He assaulted her over a sustained period of time.

The defendant was arrested and interviewed by the police. He accepted that he did get frustrated with the victim because of her brain injury and he did shout at her on occasion but he denied assaulting her.

The defendant was convicted of three of the five alleged incidents following a full trial where the victim successfully gave evidence by way of Achieving Best Evidence interview and a live link from Bournemouth Crown Court to prevent her having to return to the area.

The victim also had a documented history of self-harming between 1993 and 1999, superficial lacerations to her forearms and a history of weight fluctuation resulting in admissions for anorexia which in the past clearly impacted upon her mental health. Applications to admit all of the detail of this were forcefully argued and apart from two very basic agreed facts, were successfully opposed preventing the victim from being cross examined about historic matters.

The prosecutor submitted that the background to the offending demonstrated a progressive pattern of belittling, undermining and bullying behaviour based wholly or partially on the victim's disability.

A Victim Personal Statement was read to the court.

The defendant was given a 15 months custodial sentence suspended for two years. This would have been 12 months but for the aggravating feature of disability hostility. A restraining order of four years was also granted.

Case study

The victims in this **CPS Wessex** case lived in a bungalow run by a management group offering supported living to vulnerable people with learning disabilities. LS had lived at the bungalow for five years having moved there as a result of continual bullying from local youths; and PE had lived there for a year when the offences took place. PE had a moderate learning disability, mild mental health disability and possible autism. LS had mild learning disability, physical disability in his bone structures from his hips down and a speech impediment. Both men received support from the staff at the centre but there was no support at the bungalow itself.

Over the course of six months the men were subject to a series of incidents amounting to harassment without violence. These included repeated banging on windows and doors, throwing stones and covering a CCTV camera. As both men were advised by Police not to confront the youths, they were not able to provide statements as to who was responsible. Nevertheless, CCTV provided the key to identifying the defendants.

All four defendants admitted to being involved in more than one incident and that their behaviour had caused harassment, alarm and distress. The case came to the youth court when they all pleaded guilty to the charge. Three of the Defendants were sentenced after reports as follows:

12 month youth rehabilitation order with supervision, reparation, prohibition from association together for six months and a three months daily curfew between 8pm and 7am. The court announced that this was a disability hate crime and held that had this not been the case the order would have been for six not 12 months.

The fourth defendant was given a detention and training order of four months consecutive to a four months resentence for breach of another order making a total of eight months in custody. The court announced a sentence uplift in that the sentence would have been a youth rehabilitation order had the matter not been a hate crime. (This sentence was later varied on appeal to a total of six months.)

All four were given a 12 month restraining order preventing them from going to the bungalow or contacting either victim.

Working together

A Registered Intermediary (RI) was appointed prior to the trial in this **CPS North East** case. The RI met with the witness, N, who suffers from multiple learning and physical disabilities, two weeks before the trial. The Prosecutor received a witness assessment report from the RI which explained the nature of N's disabilities in far greater detail than any information that had previously been received from the police. The report referred to N's needs in terms of giving his evidence and more general witness care. The report enabled the Prosecutor to understand how N might perceive what had happened to him, which assisted in interpreting his statement.

The RI and the Prosecutor gave N a tour of the court room. He met with the District Judge, the Legal Advisor and the defence solicitor. The RI suggested how the Prosecutor might phrase questions during evidence in chief which in turn enabled the Prosecutor to object appropriately to questions from the defence. Also on the RI's advice, the Prosecutor was given an insight as to the subtle changes in N's behaviour that were indicators of his increasing distress. This meant she was able to request a break in the trial before N became unnecessarily agitated and also meant that he did not have to take a longer break than he might otherwise have needed.

The RI's assistance helped the Prosecutor to plan and conduct the trial. She was able to communicate more confidently with the witness and did not have to manage N's behaviour alone, giving her more time to focus on her job. N coped with the experience of court. His mother found the experience less traumatic because her son was being cared for. She said that the experience had increased her confidence in the court system, when previously she had feared that there would never be a positive outcome.

Stirring up hatred

Hate crime focuses on hostility or prejudice against the groups in question. Hostility carries the ordinary, everyday meaning of the word and its dictionary definition captures ill-will, unfriendliness, spite, ill-feeling, contempt, prejudice, resentment, dislike and hatred. However, the public order offences of stirring up hatred focus on hatred itself and the intention or likely effect of the offence in question. This is the third year that we have reported on these prosecutions and there is continued interest in this area of our work.

The data

Consideration will be given where there is a potential conflict with the individual's right to freedom of expression and speech. One consequence of this is that the number of incitement cases brought is much lower than for hate crime offences.

Potential cases are referred to the Special Crime and Counter Terrorism Division by CPS Areas in line with CPS Legal Guidance on Prosecuting Cases of Racist or Religious Crime and on Stirring up Hatred on the Grounds of Sexual Orientation. There was one successful prosecution of distribution, showing or playing a recording with intent to stir up racial hatred, contrary to section 21 of the Public Order Act 1986. The defendant pleaded guilty and received a 12 months custodial sentence together with a forfeiture order and ASBO imposed.

Cases that are initially referred as potential instances of stirring up/incitement to hatred, are assessed centrally and if the evidence does not support a prosecution under these provisions, it can be returned to Areas with the suggestion to pursue other options. In relation to prosecutions involving communications sent via social media, this can mean that the appropriate offence is provided by other legislation. The case study below provides an example.

Case Study

The defendant in this case was sentenced to 12 months in prison and an antisocial behaviour order (ASBO) for distributing videos of himself at an extremist right-wing event on a social media site. He pleaded guilty to one count of stirring up racial hatred contrary to section 21 of the Public Order Act 1986 at a hearing at Wolverhampton Crown Court.

A specialist lawyer from the CPS Special Crime and Counter Terrorism Division said: "The three videos of the defendant posted on Facebook showed him dressed in a Ku Klux Klan outfit hanging a life size 'golliwog' doll. This was an act with very clear racist connotations, and his dissemination of the videos on open social media channels showed a clear intent to stir up racial hatred.

Though freedom of speech is the right of any individual in our democracy, so too does everyone have the right to be protected by the law and that is why we regard racist crimes, along with all hate crimes, as particularly serious; because they undermine people's right to feel safe.

While people are entitled to hold extreme opinions which others may find unpleasant and obnoxious, they are not entitled to distribute those opinions in a threatening manner intending to stir up hatred. Behaviour that incites bigotry and hatred undermines the freedom of law-abiding individuals and it will not be tolerated in our society."

Case study

The defendant in this case was jailed with a minimum of 40 years at the Old Bailey. He pleaded guilty to one count of murder, one count of causing an explosion contrary to section 2 of the Explosive Substances Act 1883 and one count of engaging in conduct in preparation of terrorist acts contrary to section 5(1) of the Terrorism Act 2006.

A lawyer for the CPS' Counter Terrorism Division, said: "He is a dangerous man with a dangerous agenda. Just a day after his arrival in Britain from the Ukraine, he was researching right wing supremacist websites, including those linked to convicted racist murderers in Russia.

His self-confessed racist views led to a campaign of terror, which started with the brutal murder of an 82-year-old walking home from Mosque after evening prayers. In the days that followed, he went on to detonate three explosive devices near mosques around the region, with the bomb at Tipton deliberately timed to coincide with the start of prayers.

This case is a clear reminder of the link between extremist material and the very real threat to life posed by those who access it. It is also a reminder that the threat of terrorism comes from a very wide spectrum of hateful views.

I am pleased that, because of the strength of our case, he pleaded guilty, sparing the victim's family from having to sit through a trial. I extend my sincere condolences to them and hope that today's sentencing will provide some small comfort."

Crimes against older people

Although there is no statutory definition of a crime against an older person (CAOP) and no general statutory offence, the CPS applies the CAOP flag to crimes in the following circumstances:

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

During the year, there were a number of key Government interventions in relation to dementia. In recognition of the scale of the issue and its increasing prevalence, a short report was prepared for the Community Accountability Forum which highlighted some of the implications for criminal justice and our preparedness.

The Crimes against Older People policy refers specifically to dementia:

“Older people with dementia or other age-related diseases may experience fluctuating capacity. This means that not only may their capacity to understand information and make decisions change over the course of a short period of time, it might also fluctuate in relation to different types of decisions. For example, a person with fluctuating capacity might be able to decide to give a witness statement but be unable to understand and make decisions in relation to taking part in the court process.

Older people with dementia have the same rights as all victims and witnesses to receive an equal and accessible service. We will not make assumptions about the reliability or credibility of a victim with fluctuating capacity.

We will consider what can be done to support older people to give their best evidence (see special measures information in section 7) and to seek other sources of evidence and other witnesses to support the case for the prosecution.

Where an older witness lacks capacity to make a decision in relation to the case, we will work with his or her appointed representative and in accordance with the principles of the Mental Capacity Act 2005.”

Research carried out by Alzheimer's Society suggests a steady increase of up to 25% in the number of people in the UK up to 2026, and an increase of over 50% by 2051. In England and Wales, the numbers of people with dementia in 2012 there were 709,663. Increases of the scale predicted would mean that figure would be expected to rise to 887,079 by 2026 and 1,064,495 by 2051. Further information is available at www.alzheimers.org.uk/

People with dementia are at risk of victimisation of crime from strangers as well as those known to them. Victimisations rates for people with severe mental illness were 2.5 times higher than in the general population (Hiday et al, 1999). High percentages (50%) of people with dementia experience abuse, including abuse by caregivers (47%) (NCEA, 2009, 2010). [Further information is available at www.ncea.aoa.gov/Library/Data/index.aspx](http://www.ncea.aoa.gov/Library/Data/index.aspx)

These facts suggest that society as a whole should expect to see rising levels of dementia in the coming decades. The potential exists in those circumstances for corresponding increases in impact on both victims and perpetrator groups. Victims and witnesses with dementia face various challenges when engaged with the criminal justice system, including questions about their mental capacity, competence to give evidence and credibility as a witness. Reliance on oral evidence can put the witness with dementia at a disadvantage.

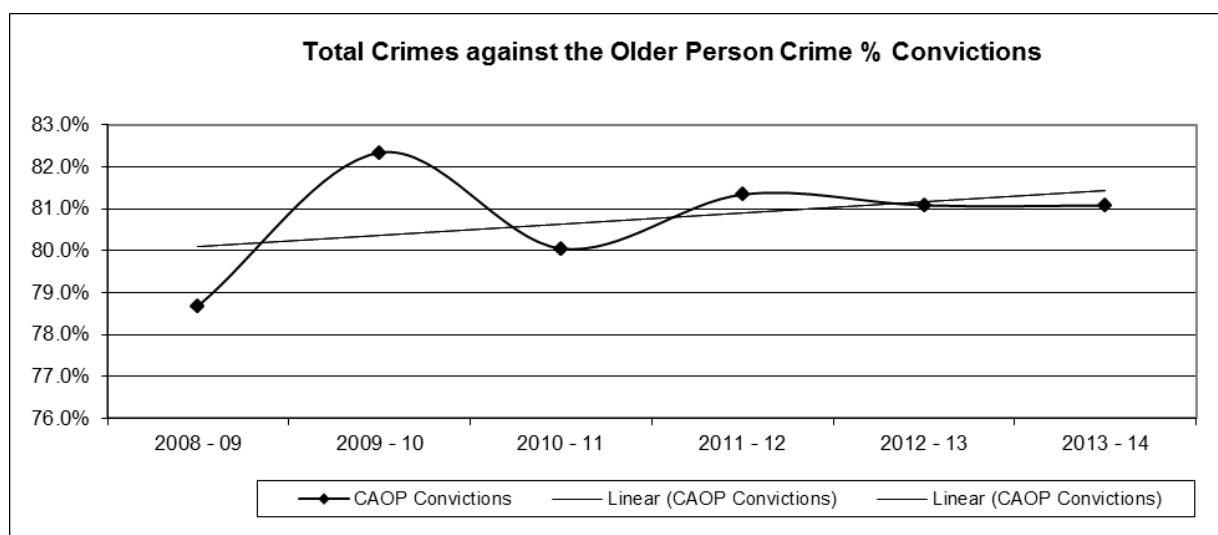
Legal guidance on mental health and learning disabilities is due to be refreshed in 2014/15 and the opportunity will be taken to see what additional support can be provided to prosecutors in recognising and handling cases involving those with dementia.

Combined statistics and tables

In 2013/14, the number of cases referred to us by the police increased from 2,832 to 3,317. The proportion of these cases charged also increased on the previous year (78.6%) and now represents 79.8% of all pre-charge decisions. The proportion in 2008/09 was 78.9%.

Graph 11 below indicates that convictions last year accounted for 81.1% of all prosecutions, the same proportion as the year before when there were fewer cases concluded: 2,922 against 2,886. The trend indicates a continued improvement since 2008/09, when the conviction rate stood at 78.7%.

Graph 11: Crimes against older people conviction rates 2008/09 to 2013/14



As shown in Table 12, the number of completed prosecutions has steadily increased since 2008/09 from 1,004 to 2,922.

Since 2008/09, the number and rate of guilty pleas has also increased from 707 (70.4%) to 2,131 (72.9%).

The proportion of cases failing due to victim issues has increased from 14.0% (30) in 2008/09 to 25.1% (139) in 2013/14.

Table 12 - Completed Prosecutions by Outcome

	2008-09		2009-10		2010-11		2011-12		2012-13		2013-14	
	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%	Vol	%
Convictions	790	78.7%	1,641	82.3%	2,259	80.0%	2,332	81.3%	2,340	81.1%	2,369	81.1%
Unsuccessful	214	21.3%	352	17.7%	563	20.0%	535	18.7%	546	18.9%	553	18.9%
Total	1,004		1,993		2,822		2,867		2,886		2,922	

78.2% of **defendants** were men, a figure that has remained reasonably consistent since 2008/09 when it stood at 75.7%. Over the period, the total number of male defendants has risen from 760 to 2,286.

Recording of victim gender has improved from 60.1% of all victims in 2008/09 to 77.2% in 2013/14. As a result of improvements in both the identification of crimes against older people and the accuracy of recording, we have enhanced our understanding of these crimes. We now know that the proportion of women victims is 44.1% with men identified as the victim in 33.1% of cases. In 2008/09, these figures had been 36.0% and 24.1% respectively. The challenge remains to identify not only the gender of all victims but other personal characteristics as defined under the Equality Act 2010 in order to improve our understanding of this crime and our services to its victims.

At the end of a prosecution, cases are allocated a **principal offence category** to indicate the type and seriousness of the charges brought. Table 13 below shows the offence categories for crimes against older people.

Table 13 Principal Offence Categories – Crimes against Older People

	2011/12	2012/13	2013/14
Homicide	1.4%	1.2%	1.1%
Offences against the person	25.7%	23.4%	27.4%
Sexual Offences	1.6%	1.2%	1.9%
Burglary	22.0%	24.5%	21.7%
Robbery	9.7%	7.5%	7.7%
Theft & Handling	17.9%	18.5%	17.1%
Fraud & Forgery	11.5%	14.5%	12.3%

Criminal Damage	3.4%	3.1%	3.8%
Drugs Offences	0.6%	0.8%	1.1%
Public Order Offences	2.0%	2.3%	1.8%

Whilst it can be seen that there has been an increase in the Offences against the Person charges, a worrying movement in itself, the general picture appears to have a focus on exploitative crime with an emphasis on financial gain. The data for Fraud and Forgery shows a fall on the year which may be as a result of increased awareness and reporting of organised scams.

Area performance

In 2013/14, the top three performing Areas in relation to conviction rates for crimes against older people are shown against the national average in Table 14 below:

Table 14: Prosecutions by outcome for all crimes against older people highlighting the three top-performing CPS Areas against national figures

	Convictions		Unsuccessful		Total
	Volume	%	Volume	%	
National	2,369	81.1%	553	18.9%	2,922
Mersey and Cheshire	117	86.0%	19	14.0%	136
North West	277	85.5%	47	14.5%	324
North East	134	85.4%	23	14.6%	157

The CPS Areas recording the highest increase in crimes against older people prosecutions were: London (16.9%), Eastern (16.4%) and South West (11.8%)

Case study

A **CPS Mersey-Cheshire** case saw a woman described as a “career thief” who targeted elderly women, jailed for 33 months. The defendant was charged with theft after she stole the purse of an 80-year old woman in a shop. Unfortunately, her victim lost not only her money and her purse, but also an irreplaceable item of sentimental value.

Liverpool Crown Court heard that the defendant was out on licence from prison for a previous theft offence when she targeted her latest victim.

The judge in the case, said she needed to, "change the habits of lifetime" if she was ever to stay out of prison in the future. He said she specialised in pickpocketing elderly ladies and her offences caused them untold distress and shock.

Martin McRobb, Crown Advocate, said: "The defendant has been described as a career thief and the seriousness of what she has done is reflected in the jail term she's received."

Case study

Four care workers were sentenced at Preston Crown Court for the ill treatment of elderly residents at a nursing home in Lancaster. The four defendants committed offences under s44 of the Mental Health Act against residents who, lacking capacity, were vulnerable victims unable to speak up for themselves. These care workers were in a position of trust and charged with their welfare.

Three were handed sentences ranging from eight to four months imprisonment and one a 12 month Community Order and ordered to carry out 40 hours unpaid work.

Joanne Cunliffe, Crown Advocate for CPS North West Complex Casework Unit said: "The four defendants have today been sentenced for the appalling offences they committed against elderly and vulnerable victims they were supposed to be caring for.

"The CPS takes all instances of abuse against older people extremely seriously, and we have been determined to bring these defendants to justice for their crimes. We are committed to prosecuting crimes against older people and protecting the vulnerable, and where there is evidence of abuse or ill treatment, the perpetrators of that abuse can expect to be brought before the courts and prosecuted robustly.

I would once again like to thank the witnesses who came forward and supported the prosecution case and I would also like to pay tribute to the victims' families. Although no sentence can compensate for the hurt and distress caused by the actions of these defendants, I hope that today's sentencing offers them some sense of closure following what has been an extremely distressing time for them all."

Hate Crime	CPS Prosecutions 2013 - 2014				
	Convictions		Unsuccessful		Total
	Volume	%	Volume	%	
42 Areas	11,915	84.7%	2,159	15.3%	14,074
Cymru Wales	617	87.5%	88	12.5%	705
Dyfed Powys	32	86.5%	5	13.5%	37
Gwent	101	85.6%	17	14.4%	118
North Wales	137	90.7%	14	9.3%	151
South Wales	347	87.0%	52	13.0%	399
Eastern	661	87.3%	96	12.7%	757
Cambridgeshire	138	86.8%	21	13.2%	159
Essex	279	88.0%	38	12.0%	317
Norfolk	148	83.6%	29	16.4%	177
Suffolk	96	92.3%	8	7.7%	104
East Midlands	915	86.3%	145	13.7%	1,060
Derbyshire	156	83.0%	32	17.0%	188
Leicestershire	299	91.2%	29	8.8%	328
Lincolnshire	90	90.0%	10	10.0 %	100
Northamptonshire	115	82.1%	25	17.9%	140
Nottinghamshire	255	83.9%	49	16.1%	304
London	2,464	82.1%	537	17.9%	3,001
Mersey & Cheshire	640	85.9%	105	14.1%	745
Cheshire	185	88.1%	25	11.9%	210
Merseyside	455	85.0%	80	15.0%	535
North East	494	82.1%	108	17.9%	602
Cleveland	110	79.1%	29	20.9%	139
Durham	91	85.8%	15	14.2%	106
Northumbria	293	82.1%	64	17.9%	357
North West	1,378	88.8%	174	11.2%	1,552
Cumbria	84	94.4%	5	5.6%	89
Greater Manchester	857	88.4%	113	11.6%	970
Lancashire	437	88.6%	56	11.4%	493
South East	666	82.3%	143	17.7%	809
Kent	255	83.9%	49	16.1%	304
Surrey	152	77.9%	43	22.1%	195
Sussex	259	83.5%	51	16.5%	310
South West	635	89.2%	77	10.8%	712
Avon & Somerset	391	87.7%	55	12.3%	446
Devon & Cornwall	186	91.2%	18	8.8%	204
Gloucestershire	58	93.5%	4	6.5%	62
Thames & Chiltern	701	81.5%	159	18.5%	860
Bedfordshire	95	83.3%	19	16.7%	114
Hertfordshire	207	83.8%	40	16.2%	247
Thames Valley	399	80.0%	100	20.0%	499
Wessex	500	86.1%	81	13.9%	581
Dorset	66	83.5%	13	16.5%	79
Hampshire & IOW	367	86.2%	59	13.8%	426
Wiltshire	67	88.2%	9	11.8%	76
West Midlands	1,255	83.9%	240	16.1%	1,495
Staffordshire	192	85.7%	32	14.3%	224
Warwickshire	56	88.9%	7	11.1%	63
West Mercia	128	82.6%	27	17.4%	155
West Midlands	879	83.5%	174	16.5%	1,053
Yorkshire & Humberside	989	82.8%	206	17.2%	1,195
Humberside	192	87.3%	28	12.7%	220
North Yorkshire	82	83.7%	16	16.3%	98
South Yorkshire	194	97.0%	29	13.0%	223
West Yorkshire	521	79.7%	133	20.3%	654

Race and religious hate crime	CPS Prosecutions 2013 – 2014				
	Convictions		Unsuccessful		Total
	Volume	%	Volume	%	
42 Areas	10,532	85.2%	1,836	14.8%	12,368
Cymru Wales	502	88.8%	63	11.2%	565
Dyfed Powys	20	90.9%	2	9.1%	22
Gwent	85	89.5%	10	10.5%	95
North Wales	111	91.7%	10	8.3%	121
South Wales	286	87.5%	41	12.5%	327
Eastern	594	88.9%	74	11.1%	668
Cambridgeshire	128	88.3%	17	11.7%	145
Essex	249	88.9%	31	11.1%	280
Norfolk	130	85.5%	22	14.5%	152
Suffolk	87	95.6%	4	4.4%	91
East Midlands	824	86.6%	127	13.4%	951
Derbyshire	145	83.8%	28	16.2%	173
Leicestershire	266	90.5%	28	11.2%	294
Lincolnshire	79	88.8%	10	11.2%	89
Northamptonshire	101	84.2%	19	15.8%	120
Nottinghamshire	233	84.7%	42	15.3%	275
London	2,273	82.6%	479	17.4%	2,752
Mersey & Cheshire	520	86.1%	84	13.9%	604
Cheshire	155	88.6%	20	11.4	175
Merseyside	365	85.1%	64	14.9%	429
North East	426	83.2%	86	16.8%	512
Cleveland	96	82.8%	20	17.2%	116
Durham	72	88.9%	9	11.1%	81
Northumbria	258	81.9%	57	18.1%	315
North West	1,166	88.6%	150	11.4%	1,316
Cumbria	73	93.6%	5	6.4%	78
Greater Manchester	738	88.2%	99	11.8%	837
Lancashire	355	88.5%	46	11.5%	401
South East	595	82.3%	128	17.7%	723
Kent	238	83.5%	47	16.5%	285
Surrey	140	77.3%	41	22.7%	181
Sussex	217	84.4%	40	15.6%	257
South West	552	88.9%	69	11.1%	621
Avon & Somerset	347	87.2%	51	12.8%	398
Devon & Cornwall	157	90.8%	16	9.2%	173
Gloucestershire	48	96.0%	2	4.0%	50
Thames & Chiltern	641	81.1%	146	18.6%	787
Bedfordshire	84	84.0%	16	16.0%	100
Hertfordshire	190	82.6%	40	17.4%	230
Thames Valley	367	80.3%	90	19.7%	457
Wessex	432	86.6%	67	13.4%	499
Dorset	55	83.3%	11	16.7%	66
Hampshire & IOW	316	86.6%	49	13.4%	365
Wiltshire	61	89.7%	7	10.3%	68
West Midlands	1,125	84.8%	201	15.2%	1,326
Staffordshire	167	86.5%	26	13.5%	193
Warwickshire	50	94.3%	3	5.7%	53
West Mercia	107	81.1%	25	18.9%	132
West Midlands	801	84.5%	147	15.5%	948
Yorkshire & Humberside	882	84.5%	162	15.5%	1,044
Humberside	163	89.1%	20	10.9%	183
North Yorkshire	72	82.8%	15	17.2%	87
South Yorkshire	163	88.1%	22	11.9%	185
West Yorkshire	484	82.2%	105	17.8%	598

Homophobic & transphobic hate crime	CPS Prosecutions 2013– 2014				
	Convictions		Unsuccessful		Total
	Volume	%	Volume	%	
42 Areas	913	80.7%	219	19.3%	1,132
Cymru Wales	55	82.1%	12	17.9%	67
Dyfed Powys	3	100.0%	0	0.0%	3
Gwent	5	83.3%	1	16.7%	6
North Wales	11	73.3%	4	26.7%	15
South Wales	36	83.7%	7	16.3%	43
Eastern	42	72.4%	16	27.6%	58
Cambridgeshire	5	83.3%	1	16.7%	6
Essex	18	75.0%	6	25.0%	24
Norfolk	15	68.2%	7	31.8%	22
Suffolk	4	66.7%	2	33.3%	6
East Midlands	61	81.3%	14	18.7%	75
Derbyshire	4	50.0%	4	50.0%	8
Leicestershire	24	96.0%	1	4.0%	25
Lincolnshire	10	100.0%	0	0.0%	10
Northamptonshire	9	69.2%	4	30.8%	13
Nottinghamshire	14	73.7%	5	26.3%	19
London	149	75.6%	48	24.4%	197
Merseyside & Cheshire	73	83.9%	14	16.1%	87
Cheshire	18	81.8%	4	18.2%	22
Merseyside	55	84.6%	10	15.4%	65
North East	32	72.7%	12	27.3%	44
Cleveland	4	66.7%	2	33.3%	6
Durham	14	70.0%	6	30.0%	20
Northumbria	14	77.8%	4	22.2%	18
North West	137	88.4%	18	11.6%	155
Cumbria	5	100.0%	0	0.0%	5
Greater Manchester	79	87.8%	11	12.2%	90
Lancashire	53	88.3%	7	11.7%	60
South East	52	80.0%	13	20.0%	65
Kent	12	85.7%	2	14.3%	14
Surrey	6	75.0%	2	25.0%	8
Sussex	34	79.1%	9	20.9%	43
South West	63	92.6%	5	7.4%	68
Avon & Somerset	37	97.4%	1	2.6%	38
Devon & Cornwall	20	90.9%	2	9.1%	22
Gloucestershire	6	75.0%	2	25.0%	8
Thames & Chiltern	47	92.2%	4	7.8%	51
Bedfordshire	10	100.0%	0	0.0%	10
Hertfordshire	13	100.0%	0	0.0%	13
Thames Valley	24	85.7%	4	14.3%	28
Wessex	55	84.6%	10	15.4%	65
Dorset	10	90.9%	1	9.1%	11
Hampshire & IOW	40	85.1%	7	14.9%	47
Wiltshire	5	71.4%	2	28.6%	7
West Midlands	85	74.6%	29	25.4%	114
Staffordshire	12	70.6%	5	29.4%	17
Warwickshire	4	80.0%	1	20.0%	5
West Mercia	11	91.7%	1	8.3%	12
West Midlands	58	72.5%	22	27.5%	80
Yorkshire & Humberside	62	72.1%	24	27.9%	86
Humberside	14	87.5%	2	12.5%	16
North Yorkshire	6	100.0%	0	0.0%	6
South Yorkshire	1815	71.4%	6	28.6%	21
West Yorkshire	27	62.8%	16	37.2%	43

Disability hate crime	CPS Prosecutions 2013– 2014				
	Convictions		Unsuccessful		Total
	Volume	%	Volume	%	
42 Areas	470	81.9%	104	18.1%	574
Cymru Wales	60	82.2%	13	17.8%	73
Dyfed Powys	9	75.0%	3	25.0%	12
Gwent	11	64.7%	6	35.3%	17
North Wales	15	100.0%	0	0.0%	15
South Wales	25	86.2%	4	13.8%	29
Eastern	25	80.6%	6	19.4%	31
Cambridgeshire	5	62.%	3	37.5%	8
Essex	12	92.3%	1	7.7%	12
Norfolk	3	100.0%	0	0.0%	3
Suffolk	5	71.4%	2	28.6%	7
East Midlands	30	88.2%	4	11.8%	34
Derbyshire	7	100.0%	0	0.0%	7
Leicestershire	9	100.0%	0	0.0%	9
Lincolnshire	1	100.0%	0	0.0%	1
Northamptonshire	5	71.4%	2	28.6%	7
Nottinghamshire	8	80.0%	2	20.0%	10
London	42	80.8%	10	19.2%	52
Merseyside & Cheshire	47	87.0%	7	13.0%	54
Cheshire	12	92.3%	1	7.7%	13
Merseyside	35	85.4%	6	14.6%	41
North East	36	78.3%	10	21.7%	46
Cleveland	10	58.8%	7	41.2%	17
Durham	5	100.0%	0	0.0%	5
Northumbria	21	87.5%	3	12.5%	24
North West	75	92.6%	6	7.4%	81
Cumbria	6	100.0%	0	0.0%	6
Greater Manchester	40	93.0%	3	7.0%	43
Lancashire	29	90.6%	3	9.4%	32
South East	19	90.5%	2	9.5%	21
Kent	5	100.0%	0	0.0%	5
Surrey	6	100.0%	0	0.0%	6
Sussex	8	80.0%	2	20.0%	10
South West	20	87.0%	3	13.0%	23
Avon & Somerset	7	70.0%	3	30.0%	10
Devon & Cornwall	9	100.0%	0	0.0%	9
Gloucestershire	4	100.0%	0	0.0%	4
Thames & Chiltern	13	59.1%	9	40.9%	22
Bedfordshire	1	25.0%	3	75.0%	4
Hertfordshire	4	100.0%	0	0.0%	4
Thames Valley	8	57.1%	6	42.9%	14
Wessex	13	76.5%	4	23.5%	17
Dorset	1	50.0%	1	50.0%	2
Hampshire & IOW	11	78.6%	3	21.4%	14
Wiltshire	1	100.0%	0	0.0%	1
West Midlands	45	81.8%	10	18.2%	55
Staffordshire	13	92.9%	1	7.1%	14
Warwickshire	2	40.0%	3	60.0%	5
West Mercia	10	90.9%	1	9.1%	11
West Midlands	25	75.8%	8	24.2%	33
Yorkshire & Humberside	45	69.2%	20	30.8%	65
Humberside	15	71.4%	6	28.6%	21
North Yorkshire	4	80.0%	1	20.0%	5
South Yorkshire	16	94.1%	1	5.9%	17
West Yorkshire	10	45.5%	12	54.5%	22

Crimes against older people	CPS Prosecutions 2013– 2014				
	Convictions		Unsuccessful		Total
	Volume	%	Volume	%	
42 Areas	2,369	81.1%	553	18.9%	2,922
Cymru Wales	194	83.3%	39	16.7%	233
Dyfed Powys	21	80.8%	5	19.2%	26
Gwent	54	87.1%	8	12.9%	62
North Wales	41	75.9%	13	24.1%	54
South Wales	78	85.7%	13	14.3%	91
Eastern	141	82.9%	29	17.1%	170
Cambridgeshire	25	86.2%	4	13.8%	29
Essex	64	82.1%	14	17.9%	78
Norfolk	32	80.0%	8	20.0%	40
Suffolk	20	87.0%	3	13.0%	23
East Midlands	169	84.9%	30	15.1%	199
Derbyshire	33	84.6%	6	15.4%	39
Leicestershire	52	88.1%	7	11.9%	59
Lincolnshire	15	88.2%	2	11.8%	17
Northamptonshire	23	85.2%	4	14.8%	27
Nottinghamshire	46	80.7%	11	19.3%	57
London	303	79.7%	77	20.3%	380
Merseyside & Cheshire	117	86.0%	19	14.0%	136
Cheshire	32	76.2%	10	23.8%	42
Merseyside	85	90.4%	9	9.6%	94
North East	134	85.4%	23	14.6%	157
Cleveland	27	90.0%	3	10.0%	30
Durham	24	75.0%	8	25.0%	32
Northumbria	83	87.4%	12	12.6%	95
North West	277	85.5%	47	14.5%	324
Cumbria	26	83.9%	5	16.1%	31
Greater Manchester	150	84.3%	28	15.7%	178
Lancashire	101	87.8%	14	12.2%	115
South East	146	79.8%	37	20.2%	183
Kent	51	77.3%	15	22.7%	66
Surrey	35	81.4%	8	18.6%	43
Sussex	60	81.1%	14	18.9%	74
South West	128	79.5%	33	20.5%	161
Avon & Somerset	55	83.3%	11	16.7%	66
Devon & Cornwall	50	75.8%	16	24.2%	66
Gloucestershire	23	79.3%	6	20.7%	29
Thames & Chiltern	144	73.8%	51	26.2%	195
Bedfordshire	20	80.0%	5	20.0%	25
Hertfordshire	52	75.4%	17	24.6%	69
Thames Valley	72	71.3%	29	28.7%	101
Wessex	103	72.5%	39	27.5%	142
Dorset	21	67.7%	10	32.3%	31
Hampshire & IOW	77	74.8%	26	25.2%	103
Wiltshire	5	62.5%	3	37.5%	8
West Midlands	268	81.0%	63	19.0%	331
Staffordshire	23	82.1%	5	17.9%	28
Warwickshire	20	80.0%	5	20.0%	25
West Mercia	45	90.0%	5	10.0%	50
West Midlands	180	78.9%	48	21.1%	228
Yorkshire & Humberside	245	78.8%	66	21.2%	311
Humberside	49	89.1%	6	10.9%	55
North Yorkshire	30	76.9%	9	23.1%	39
South Yorkshire	69	79.3%	18	20.7%	87
West Yorkshire	97	74.6%	33	25.4%	130

Glossary

Hate crimes

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

Case outcomes

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

Prosecutions

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

<u>Unsuccessful outcomes:</u>	all completed prosecutions where the defendant is not convicted, comprising the following:
Discontinued and withdrawn:	consideration of the evidence and of the public interest may lead the CPS to discontinue proceedings at any time before the start of the trial. Included here are cases formally discontinued in advance of the hearing, those in which no evidence was offered, and those withdrawn at court. Also included are cases in which the defendant was bound over to keep the peace.
Dismissed after full trial:	cases in which the defendant pleads not guilty and proceedings are dismissed by the 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.
All other unsuccessful outcomes:	comprising administrative finalisations, discharged committals and no case to answer.
Administrative finalisation:	when a prosecution cannot proceed because a defendant has failed to appear at court and a Bench Warrant has been issued for his or her arrest; or the defendant has died, or is found unfit to plead; or where proceedings are adjourned indefinitely.
Discharged committals:	committal proceedings in which the defendant is discharged.
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.
<u>Convictions:</u>	cases where the defendant is convicted following a prosecution, comprising:
Guilty plea:	where the defendant pleads guilty.
Conviction after trial:	cases in which the defendant pleads not guilty, but is convicted after the evidence is heard.
Proof in absence:	these are lesser offences - mostly motoring matters - which are heard by the court in the absence of the defendant.

Reason categories for unsuccessful outcomes

Evidential:	where the prosecutor decides there is insufficient evidence to provide a realistic prospect of conviction.
Public interest:	where there is considered to be sufficient evidence but the prosecutor decides that public interest factors weigh against prosecution.
Unable to proceed:	where the evidence and the public interest support a prosecution, but circumstances make it impossible for the case to proceed.

Other reasons:	where the defendant is bound over, acquitted or dismissed after trial, or no other option is appropriate.
Administrative finalisation:	when a prosecution cannot proceed because a defendant has failed to appear at court and a Bench Warrant has been issued for his or her arrest; or the defendant has died; or is found unfit to plead: or where proceedings are adjourned indefinitely.

Reasons for unsuccessful outcomes

Victim retraction:	where the evidence of the victim supports the prosecution case, the victim refuses to be called as a witness, or retracts, or withdraws a complaint.
Victim non-attendance:	the victim is called as a witness in a trial, but fails to attend court.
Victim evidence does not support case:	the evidence of the victim of an offence does not support the prosecution of the defendant, leading to an unsuccessful outcome, but the victim however, has not retracted. (The reason title was amended in April 2013 to: 'The evidence of the victim does not come up to proof, but there is no retraction').
Conflict of evidence:	contradictions in prosecution evidence leads to an unsuccessful prosecution. (From April 2013 the guidance was amended to clarify that this reason is not to be used when the victim retracts, does not attend or their evidence does not come up to proof).
Essential legal element missing:	the prosecution cannot continue because an essential legal element is missing from the prosecution case. (The 'reason title' was amended in April 2013 to 'Incorrect charging decision – legal element missing'; the updated guidance made it clear that this reason is not to be used when the victim retracts, does not attend or their evidence does not come up to proof).
Other indictment or sentence:	the case does not proceed because the same defendant is the subject of either other indictments, or sentences in respect of other proceedings.
Acquittals after trial:	the defendant is found not guilty by the magistrates or jury after a contested hearing in which the defence is called on to present its case. (Cases dismissed no case to answer or judge directed acquittals are not included)

Principal offence category:

charged offences are allocated one of twelve offence categories to indicate the type and seriousness of the charges brought against the defendant at the time of finalisation.

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