

Crown Prosecution Service

**EQUALITY AND
DIVERSITY IMPACT
ASSESSMENT ON THE
VIOLENCE AGAINST
WOMEN STRATEGY
AND ACTION PLANS**

**Analysis of evidence prior to
consultation**



November 2007

EQUALITY AND DIVERSITY IMPACT ASSESSMENT CPS VIOLENCE AGAINST WOMEN STRATEGY

1. Introduction

This assessment has been prepared so that the CPS can fulfil its legal obligations under the Race Relations (Amendment) Act 2000, the Disability Discrimination Act 2005 and the Equality Act 2006. This is the first equality and diversity impact assessment (EDIA) for this proposed strategy.

This EDIA will be subject to a three-month public consultation between November 2007 and January 2008 and will be amended in the light of comments received. The EDIA and any accompanying action plan will be published alongside the final violence against women strategy.

The main aim of this EDIA is to assess the likely impact of the strategy and help establish if there is any significant disproportionality in terms of gender, ethnicity, disability, sexuality, religion or belief or age.

This assessment has been written, based on data from the CPS case management system, COMPASS¹. The consultation on the EDIA will include independently facilitated focus groups as well as an opportunity to submit written comments. Once the consultation is complete, the assessment will be amended and placed on the CPS web site, along with the violence against women strategy and accompanying action plans.

2. Background

Violence against women is a human rights violation, which prevents women from fully participating in public life and is a major impediment to equality between men and women.

Violence against women is also an equalities issue. It is prevalent, systemic and rooted in long-standing inequality between men and women. Until these inequalities are dealt with, violence against women will continue to impede the progress of women and girls. The Commission for Equality and Human Rights is due to come on line in October 2007 and the End Violence against Women Campaign has recommended violence against women as a priority for the Commission².

Violence against women affects women of every age, socio-economic class, ethnicity, sexuality, religion or belief and ability. Research shows that women are most at risk from men who are known to them. This is demonstrated in cases of domestic violence, partner/ex-partner rape and

¹ The period covered by the data is April-September 2006.

² "From the Outset: Why violence should be a priority for the Commission for Equality and Human Rights" Briefing paper from the End Violence Against Women coalition, June 2007.

domestic violence homicides. Apart from the physical, emotional and psychological trauma sustained by women experiencing violence, there is also a substantial cost to society as a whole.

The CPS' commitment to this agenda is indicated by the inclusion of violence against women in the top six strategic priorities for the organisation. The CPS' Single Equality Scheme (SES) makes it explicit that a violence against women strategy and action plans will be produced during the first year of the SES.

- 2.5 The VAW strategy and action plans aim to secure the coordination and improved prosecution response to a range of crimes that fall under the umbrella of VAW.
- 2.6 Specifically the strategy will focus on:
 - Domestic violence, including harassment³
 - Forced marriage,
 - So-called honour crimes
 - Female genital mutilation
 - Rape and sexual offences
 - Human trafficking for sexual exploitation
 - Prostitution, including child prostitution
 - Crimes against the older person and child abuse where they overlap with violence against women, and girls
 - Pornography – obscene publications
 - Sexual harassment at work
- 2.7 Its objectives are, in crimes involving violence against women, to:
 - Improve prosecutions
 - Improve support for victims including CPS employees
 - Increase public confidence
- 2.8 This strategy will help in delivering the overall PSAs of bringing more offenders to justice and increasing public confidence, through providing a framework and supporting action plans for the range of crimes outlined above.

3. Background statistics on violence against women

There is no specific offence of violence against women. The term includes offences that fall within the definitions of domestic violence, forced marriage, so-called honour crimes, rape, sexual assault, female genital mutilation, child abuse, crimes against the older person, prostitution, human trafficking adult and child pornography.

The facts and figures listed below, highlight the prevalence and wide reaching nature of violence against women.

³ Harassment is used instead of the term "stalking" used by EVAW.

- Almost half of all adult women in England and Wales have experienced domestic violence, sexual assault or stalking⁴;
- In England and Wales, the rate of conviction for reported rape, decreased from one in three reported cases in 1977 (33%) to 1 in 13 in 1999⁵ (7.5%). By 2004, only 1 in 8 reported cases (12%) reached trial and in 2004, only 5.3% ended in a conviction;
- Approximately 85% of forced marriage cases dealt with by the Foreign and Commonwealth Office, involve female victims⁶;
- Whilst there has been no Government funded prevalence study of female genital mutilation (FGM), based on the extrapolations of the data from the 1999 labour force survey, it is estimated that 74, 000 women in the UK have been subjected to FGM and 7,000 girls under the age of 16 are at risk⁷;
- Currently, only 19% of the women working as prostitutes in flats, parlours and saunas in London were originally from the UK⁸;
- A survey of prisoners aged 16-20 found that 2 out of 5 female prisoners and around 1 in 4 males had suffered violence at home, whilst 1 in 3 females and 1 in 20 males had been sexually abused⁹;
- Violence against women is the most common cause of depression and mental health problems in women and treating the related physical injuries and mental health problems costs the NHS almost £1.4bn a year¹⁰;

4. Data on which this impact assessment is based

- 4.1 The data used in this report is from the CPS Case Management and Witness Management Systems. CPS data is available only for cases flagged as domestic violence, rape, other sexual offences and child abuse (which is further broken down by homicides, sexual offences, and offences against the person). Other VAW crimes are currently not flagged to enable analysis of data. The key points from the data are summarised mainly using the data from April – September 2006.
- 4.2 The analysis by gender from the case management system (CMS) is quite robust, but gender is not well recorded on the witness management system (WMS). Similarly in respect of ethnicity, at least 12% of the cases on CMS do not have ethnicity recorded and it is very poorly recorded for victims on WMS. In the light of this, caution should be

⁴ Walby, S. and Allen, J. (2004) *Domestic violence, sexual assault and stalking: Findings from the British Crime Survey*, London: Home Office.

⁵ HM Inspectorate of the Crown Prosecution Service (HMCPsi) & HM Inspectorate of Constabularies (HMIC) (2002) *Joint inspection into the investigation and prosecution of rape offences in England and Wales* London: HMCPsi & HMIC.

⁶ Figure cited in the joint Home Office and Foreign and Commonwealth Office 2005 consultation on forced marriage, *Forced Marriage: A wrong, not a right*.

⁷ FORWARD, cited in House of Commons Research paper 03/24 March 2003.

⁸ POPPY Project (2004) *Sex in the City: Mapping Commercial Sex Across London*, London: POPPY Project.

⁹ Her Majesty's Inspectorate of Prisons, 1997.

¹⁰ Department of Health website.

exercised when drawing conclusions from this data, where gender and ethnicity are not fully recorded.

- 4.3 Additionally, at the time of this assessment, there was no data available on the disability profile or religion/belief of victims or defendants. However, data on the disability and religion/profile profile of victims and defendants has been collected from April 2007.
- 4.4 Age is not currently monitored although plans are underway to develop systems from 2008. The monitoring of sexuality is being explored.
- 4.5 The available CMS and WMS data does not contain sufficient detail to enable proper comparisons to be made between ethnic minority groups and the population as a whole. For example, the ethnic minority population as a whole is concentrated in certain parts of the country, with a different gender and age distribution from the white population. This different distribution, coupled with missing values for ethnicity means that the statistics on ethnicity cannot be taken as evidence of any particular behaviour on the part of either the populations or the CPS. However, it does flag up the issue and highlight the need for further research.
- 4.6 A summary of the data from CMS and WMS for April- September 2006 indicates the following:

Table 4.1

	Domestic Violence	Rape	Sexual Offences	Child abuse – sexual offences	Child abuse – offences against the Persons	Child Abuse – Homicides ¹¹
Male defendants	95%	99%	96%	98%	76%	80%
Female victims ¹²	86% (December 2006 snapshot indicated 89%)	89%	Not available	67% of all cases flagged as child abuse victims		

¹¹ CMS Homicides includes murder, manslaughter and threats to kill.

¹² Victim data can be collected on COMPASS Case Management System (CMS) or Witness Management System (WMS). Currently the recording is low. Information for WMS is mainly collected from cases in which a not guilty plea has been entered and where the Witness Care Officer is the single point of contact for the victim, therefore some DV data will not be collected. The domestic violence team is working with the Victim and Witness Care Delivery Unit to address this and develop systems that will help to improve the data collection and quality.

4.7 Analysis of the data by gender and ethnicity

4.8 Domestic Violence Data

4.8.1 Data for defendants for April–September 2006 indicated:

- Men defendants were responsible for 95% of domestic violence cases
- Outcomes of cases, by gender, were similar in relation to successful and unsuccessful outcomes – i.e. 63.5% of female defendants and 64.3% male defendants were prosecuted successfully. There were slightly more men that pleaded guilty proportionally (58.2% of men compared with 51.3% of women)
- Homicide data¹³ indicated that there were 76 defendants during April – September 2006-07 of which 87% were men.
- There were 102 murder offences and 5 offences of manslaughter over the same period.
- There were 2,740 harassment offences recorded¹⁴.
- The December 2006 snapshot also indicated that 94% of defendants were men

4.8.2 The gender breakdown of victims April –September 2006 indicated¹⁵ that only 33% of cases had gender recorded: of those 86% of victims were women. The December snapshot indicated 89% of victims were women.

The ethnicity breakdown of defendants for April – Sept 2006 indicated

Table 4.2

Ethnicity	% of all arrests 2004-5 (HO data)	% of total defendants charged in 2006-07	% of total defendants prosecuted in April – Sept 2006 (completed cases)	% of population in England and Wales
Asian	4.9%	5.4%	5.3%	4.6%
Black	8.8%	6.3%	6.5%	2.3%
Mixed Ethnic Origin	n/a	1.7%	1.7%	1.3%
All White	84.3%	86.6%	85.9%	90.9%
White British	n/a	n/a	82.7%	87%

n/a = not available

¹³ Homicide data in CPS includes murders, attempted murders, threats or conspiracy to murder, manslaughter and causing death by aggravated vehicle taking.

¹⁴ Protection from Harassment Act cases are recorded as offences rather than by defendant so it is not possible to break down by gender.

¹⁵ Ibid.

A smaller percentage of Black suspects (6.3%) were charged in 2006-07 and their prosecution completed (6.5%) in April-September 2006, than arrested (8.8%) for all offences¹⁶. A higher percentage of White suspects (86.6%) were charged and cases completed (85.9%) in April-September 2006 than arrested (84.3%).

However, fewer White defendants (84.3%) were arrested, charged (86.6%) and cases completed (85.9%) in April-March 2006 than in proportion to the population as a whole (90.9%). More Black defendants were arrested (8.8%) than charged (6.3%) and cases completed (6.5%) in April – September 2006; but overall the proportions were higher compared with the 2.3% of Black people in the population. Similarly there were slightly more Asian and Mixed Ethnic Origin¹⁷ defendants arrested, charged and prosecuted than compared with the population.

Provisional results from a separate analysis of Domestic Violence suspects for the whole of 2006-2007 shows the results of the charging process by ethnicity.

Table 4.3 Charging results for domestic violence by ethnicity, April 2006-March 2007 (Provisional data).

	Charge	Finalised by a decision	Incomplete cases	No Pros. (evid ence)	No Pros. (public interest)	Other	Admin finalised	No of Cases
Asian	55.3%	2.3%	1.9%	27.4%	1.9%	9.4%	1.9%	3,151
Black	57.5%	2.0%	1.9%	23.0%	1.5%	12.0%	2.1%	3,672
Mixed	61.4%	2.6%	2.1%	18.7%	1.8%	10.7%	2.6%	977
Not Provided	21.3%	6.6%	1.0%	56.8%	5.2%	5.4%	3.7%	5,609
Not Stated	44.8%	3.8%	1.6%	30.3%	2.2%	12.1%	5.3%	2,567
Other	57.7%	2.6%	1.0%	25.2%	0.5%	11.0%	1.8%	381
White	59.6%	2.9%	1.6%	21.5%	1.8%	10.5%	2.1%	50,234

- Of all White suspects of domestic violence whose cases were sent to the CPS, 59.6% were charged, 21.5% not prosecuted on evidential grounds, with 10.5% having an 'other'¹⁸ conclusion. Of all Black suspects 57.5% were charged, 23% not prosecuted on evidential grounds and 12% having an 'other' conclusion. Of all Asian suspects, 55% were charged, 27% not prosecuted on evidential grounds and 9% having an 'other' conclusion.

¹⁶ It is recognised that the latest HO data is from 2004-5.

¹⁷ No data is available from HO 2004-5 on arrests of suspects from mixed ethnicity communities.

¹⁸ 'Other' result of the charging process comprises cases where the result of the process was not defined or recorded, as well as cases falling into a residual category.

- However, there was a higher percentage of successful outcomes with White defendants (66.5%) than for Black defendants (48.7%) and Asian defendants (50.5%). (Table 4.4)

4.8.3 The comparison of gender of defendants by ethnicity in domestic violence cases showed a dominance of male defendants for all ethnicities:

Table 4.4

Ethnicity	Male	Female
Asian	97.9%	2.1% (29 defendants)
Black	97.2%	2.8% (48 defendants)
Mixed Ethnic Origin	93.0%	7% (29 defendants)
All White	94.6%	5.4% (1220 defendants)
White British	94.5%	5.5% (1194 defendants)

4.8.4 Outcomes by gender & ethnicity of defendants in domestic violence cases indicated successful outcomes for Black and Minority Ethnic male defendants are lower than for White defendants:

Table 4.5

Ethnicity	Male	Female
Asian	50.5%	44.8% (only 29 defendant)
Black	48.7%	52%
Mixed Ethnic Origin	59.9% (low nos)	82.8% (only 29)
All White	66.5%	64.7%
White British	66.9%	64.8%

4.8.5 The ethnicity breakdown of victims for DV was analysed for victims in domestic violence cases¹⁹, but as only 16% of cases had recorded ethnicity, very little can be read into these results. Of those with recorded ethnicity there was little difference between the outcomes and the population as a whole.

¹⁹ Victim data can be collected on COMPASS Case Management System (CMS) or Witness Management System (WMS). Currently the recording is low. Information for WMS is mainly collected from cases in which a not guilty plea has been entered and where the Witness Care Officer is the single point of contact for the victim, therefore some DV data will not be collected. The domestic violence team is working with the Victim and Witness Care Delivery Unit to address this and develop systems that will help to improve the data collection and quality.

Table 4.6

Ethnicity	% of total victims	% of population in England and Wales
Asian	4.5%	4.6%
Black	1.4%	2.3%
Mixed Ethnic Origin	1.2%	1.3%
All White	92.7%	90.9%
White British	92.2%	87%

4.9 Rape and Sexual Offence Data

4.9.1 The gender breakdown of defendants for rape and sexual assaults for April–September 2006 shows male defendants were responsible for 99% of rape cases and 96% of sexual offences.

4.9.2 The outcomes of cases by gender were different in relation to successful and unsuccessful outcomes for rape and sexual offence cases.

- For rape - 62.5% of female defendants and 53.4% of males were prosecuted successfully. However there were very small numbers of female defendants (16 compared with 685 men)
- For sexual offences – 79.1% of female defendants and 66.6% male defendants were prosecuted successfully. However there were much smaller numbers of female defendants (129 compared with 2696 men)
- There were slightly more cases discontinued of female defendants in rape cases (37.5% of females with 25% having no evidence offered compared with 23.9% of males with 14.2% no evidence offered).
- There were more women pleading guilty than men in sexual offence cases (73% of 163 women compared with 51% of 4049 men)
- There were more men found guilty than women in sexual offence cases (15.3% of 4049 men compared with 4.9% of 163 women)
- There were no judge or jury acquittals for female defendants in rape cases but 2.2% judge and 19.1% jury acquittals for male defendants.
- There were no judge and only five jury acquittals for female defendants in sexual offence cases but 1.1% judge and 11.1% jury acquittals for males.

4.9.3 Ethnicity was not recorded in 12% of cases.

4.10 Rape Data

4.10.1 The gender breakdown of victims for rape for April –September 2006 shows²⁰ only 31% of cases had gender recorded, and, of those with recorded gender, 89% of victims were women.

4.10.2 Gender and ethnicity breakdowns of rape defendants for April –Sept 2006 are:

Table 4.7

Ethnicity	% of total defendants	% of population in England and Wales
Asian	6.5%	4.6%
Black	14.4%	2.3%
Mixed Ethnic Origin	2.6%	1.3%
All White	74.7%	90.9%
White British	69.7%	87%

- In summary there were fewer white defendants (74.7%) than in the population as a whole in England and Wales (90.9%) with greater proportion of successful outcomes (57.8%) than for other ethnicities (38.2%-44.7%).
- More Black defendants (14.4%) were prosecuted than in the population as a whole (2.3%) but with lower successful outcomes (43.1%)

4.10.3 The comparison of gender of defendants by ethnicity in rape cases showed:

Table 4.8

Ethnicity	Male	Female
Asian	98.8%	1 defendant
Black	100%	0
Mixed Ethnic Origin	100%	0
All White	99.2%	12 defendants
White British	98.8%	11 defendants

Over 98% of defendants are male for all ethnicities.

Figures for female defendants are too small to draw conclusions.

²⁰ Victim data can be collected on COMPASS Case Management System (CMS) or Witness Management System (WMS). Currently the recording is low. Information for WMS is mainly collected from cases in which a not guilty plea has been entered and where the Witness Care Officer is the single point of contact for the victim, therefore some DV data will not be collected. The domestic violence team is working with the Victim and Witness Care Delivery Unit to address this and develop systems that will help to improve the data collection and quality.

4.10.4 The results of successful outcomes by gender & ethnicity in rape cases were:

Table 4.9

Ethnicity	Male	Female
Asian	44.7%	100% (only 1 defendant)
Black	43.1%	N/A
Mixed Ethnic Origin	38.2% (v.low nos)	N/A
All White	57.8%	58.3% (v.low nos)
	58.6%	54.5% (v.low nos)

The successful outcomes for Black, Asian and mixed ethnicity defendants are lower than for White defendants.

4.10.5 Ethnicity breakdown of victims for rape cases:

Data from April – September 2006 was analysed for victims in rape cases²¹. Only 7% of cases had recorded ethnicity. Of the 27 cases with recorded ethnicity, 26 were White victims and one Black.

4.11 Sexual Offence Data

4.11.1 The gender and ethnicity breakdown of defendants for sexual offences for April–Sept 2006 indicated the following:

Table 4.10

Ethnicity	% of total defendants	% of population in England and Wales
Asian	7.4%	4.6%
Black	7.03%	2.3%
Mixed Ethnic Origin	2.1%	1.3%
All White	81.7%	90.9%
White British	76.9%	87%

- There were fewer White defendants (81.7%) than in the population as a whole in England and Wales (90.9%) with greater proportion of successful outcomes (68.6%) than for other ethnicities (56.5%-61.8%);
- There were more Black and Asian defendants (7% and 7.4% respectively) prosecuted than in the population as a whole (2.3% and

²¹ Victim data can be collected on COMPASS Case Management System (CMS) or Witness Management System (WMS). Currently the recording is low. Information for WMS is mainly collected from cases in which a not guilty plea has been entered and where the Witness Care Officer is the single point of contact for the victim, therefore some DV data will not be collected. The domestic violence team is working with the Victim and Witness Care Delivery Unit to address this and develop systems that will help to improve the data collection and quality.

4.6% respectively) but with lower successful outcomes (58.5% and 56.5%);

- However, further analysis would be needed allowing for different age distributions of the population, which is currently not possible.

4.11.2 Comparison of gender of defendants by ethnicity in sexual offence cases shows the following, but the figures are too small for ethnic minority populations to read anything into these figures:

Table 4.11

Ethnicity	Male	Female
Asian	97.5%	7 defendants
Black	97%	8 defendants
Mixed Ethnic Origin	88%	9 defendants
All White	96%	122 defendants
White British	96%	114 defendants

4.11.3 Successful outcomes by gender & ethnicity in sexual offence cases showed the following. For females numbers are too low for ethnic minorities to read anything into the figures but successful outcomes for male Black and Minority Ethnic defendants are lower than for White defendants:

Table 4.12

Ethnicity	Male	Female
Asian	56.5%	85.7% (v.low nos)
Black	58.5%	37.5% (v.low nos)
Mixed Ethnic Origin	61.8% (v.low nos)	89% (v.low nos)
All White	68.6%	80.3%
White British	69%	81.5%

4.12 Child Abuse Data

4.12.1 The gender breakdown of defendants for child abuse (sexual offences) for April –September 2006 shows:

- Male defendants were responsible for 98% of child sexual offence cases – the number of female defendants was extremely low.
- More cases were successfully prosecuted with female defendants (73%) compared with males (68%). This reflects the very low number of female cases (38 compared with 1279 for males) as well as the greater tendency of females to plead guilty (61% compared with 49% for males).
- More cases with female defendants were discontinued (8 out of 38; 21%) compared with males (229 out of 1869; 12%).
- Proportionally slightly more male defendants were found guilty (19% compared with 13%).

4.12.2 The number of homicide cases (including manslaughter and threats) was very small and 80% of defendants were men. Cases were successfully prosecuted in 7 out of 8 cases with male defendants and in both cases with female defendants; with 4 of the seven men pleading guilty and one of the females. Males were responsible for 76% of cases of offences against the person. Outcome by gender was similar for successful outcomes, discontinued cases and those pleading/ being found guilty.

4.12.3 Summary of gender issues arising in child abuse cases:

- Male defendants were responsible for the majority of child abuse.
- There is a greater proportion of sexual abuse by men than offences against the person (98% compared with 75.9%)
- Outcome of cases by gender is similar in offences against the person and homicide but differs in relation to sexual abuse – with proportionally more female defendant cases discontinued and pleading guilty and more male defendants being found guilty. However, the numbers for female defendants are very low and little can be read into these figures.

4.12.4 The breakdown for victims of child abuse for April – September 2006 showed that only 31% of cases had recorded gender²² and, of these, 67% were girls.

4.12.5 The gender and ethnicity breakdown of defendants for child abuse (domestic violence) for April –Sept 2006 indicated there were slightly more sexual offences carried out by White defendants than proportionally in the population and slightly fewer offences against the persons. Homicide numbers were too low to comment on.

²² Victim data can be collected on COMPASS Case Management System (CMS) or Witness Management System (WMS). Currently the recording is low. Information for WMS is mainly collected from cases in which a not guilty plea has been entered and where the Witness Care Officer is the single point of contact for the victim, therefore some DV data will not be collected. The domestic violence team is working with the Victim and Witness Care Delivery Unit to address this and develop systems that will help to improve the data collection and quality.

Table 4.13

Ethnicity	% of total defendants – sexual offences	% of total defendants - homicides	% of total defendants - offences against the person	% of population in England and Wales
Asian	3.3%	One	5.3%	4.6%
Black	2.6%	One	4.2%	2.3%
Mixed Ethnic Origin	1.1%	Two	1.7%	1.3%
All White	92.6%	Six	87.7%	90.9%
White British	89.5%	All six White British	85.9%	87%

Note ethnicity was not recorded in 9% of defendants.

4.12.6 Comparisons by gender of different ethnicities defendants in child abuse cases showed the majority of offences in all ethnicities were carried out by men.

Table 4.14

Ethnicity	Sexual offences Males	Sexual offences Females	Offences against persons Males	Offences against persons Females	Homicides Male Defs	Homicides Female defs
Asian	100%	0	85.2%	8 defs	1	0
Black	97.7%	1 def	74.4%	11 defs	0	1
Mixed Ethnic Origin	100%	0	70.6%	5 defs	1	1
All White	98.1%	1.9% (30defs)	75.5%	24.5%	6	0
White British	98.2%	1.8% (28defs)	75.4%	24.6%	6	0

4.12.7 Data on the successful outcomes by gender & ethnicity in child abuse cases showed that, for females and those of mixed race the numbers were too low to draw any conclusions. It also shows that for homicides the numbers were too low to draw conclusions. For male defendants for sexual offences and offences against the person, successful outcomes for Black and Asian defendants are lower than for White male defendants in sexual offences and offences against the person.

Table 4.15

Ethnicity	Sexual offences Males	Sexual offences Females	Offences against Persons Males	Offences against the Persons Females	Homicides Males	Homicides Females
Asian	57.9%	n/a	60.9%	75% (8 cases)	1 (100%)	n/a
Black	60.5%	1 unsuccessful	59.4%	63.6% (11 cases)	1 (100%)	n/a
Mixed Ethnic Origin	44.4%	n/a	58.3%	80% (5 cases)	1 (50%)	1(50%)
All White	69.4%	73.3% (low numbers)	75.6%	73.8%	6 (100%)	n/a
White British	69.4%	71.4% (low numbers)	75.8%	75.1%	6 (100%)	n/a

4.12.8 Data on the ethnicity breakdown of victims for child abuse cases for April – September 2006 was poorly recorded with only 10% of cases being recorded.²³

4.13 Trafficking and Prostitution Offences

- Trafficking and prostitution data is currently only available from the “offences” database which is separate and distinct from the “defendant” data base which records the profile of defendants and victims as well as outcomes. There is therefore no breakdown of gender or ethnicity currently available within CPS. Limited data below has been secured from national information, mainly through Hansard.
- From Hansard, 15th January 2007 the Home Secretary responded to a question on the link between domestic violence and trafficking of women stating that Operation Pentameter – a three month national enforcement operation identified 87 potential victims of trafficking for sexual exploitation, 12 of whom were minors or children. Margaret Moran MP noted that in the Ukraine it is estimated that 50% of people who are trafficked had suffered from domestic violence.

²³ Victim data can be collected on COMPASS Case Management System (CMS) or Witness Management System (WMS). Currently the recording is low. Information for WMS is mainly collected from cases in which a not guilty plea has been entered and where the Witness Care Officer is the single point of contact for the victim, therefore some DV data will not be collected. The domestic violence team is working with the Victim and Witness Care Delivery Unit to address this and develop systems that will help to improve the data collection and quality on WMS.

- From Hansard, 15th June 2007 there were 182 defendants sentenced for trafficking related offences in 2005, of which 12 were linked to sexual offences, but there is no gender analysis.
- The Home Office have confirmed the above data
- From March 2003- June 2007, the POPPY Project has had 674 referrals of women who have been or claimed to have been trafficked for sexual exploitation. 145 of these women were provided with accommodation and support, 74 received assistance by way of an outreach service
- From Home Office statistics in 2005, there were 269 men were cautioned (and one woman) for kerb crawling; 42 men cautioned for soliciting of women and 23 men soliciting of men, no females were cautioned; 629 men and 6 women were convicted for kerb crawling; 36 men were convicted for soliciting (two of men).

4.14 Women Offender Data

- The Corston Report 2007 indicated that women with histories of violence and abuse are over-represented in the criminal justice system and can be described as victims as well as offenders. The report also indicates that relationship problems feature strongly in women's pathways to crime and many women in prison had been sexually, emotionally and physically abused.
- From the Corston Report it was noted one in three women in prison had suffered sexual abuse compared with one in ten men.
- From Hansard, December 2006, it was noted that from confidential surveys carried out in Her Majesty's Prisons nearly half of the women interviewed had experienced domestic violence, and a third sexual assault. It was also noted that this figure was similar to a survey carried out in Holloway Prison where 36% of women disclosed experience of sexual abuse in childhood and 45% had experienced physical abuse.

4.15 Forced Marriage, So-called Honour Crimes and FGM

In June 2007, CPS pilots were set up in four CPS Areas²⁴ to flag cases of forced marriage and so-called honour crimes. The pilots aim to improve prosecutions and support for victims and will help quantify the gender dynamics in these crimes. National data indicates that in line with all domestic abuse, the majority of defendants are men and victims are women. No cases of FGM have yet been reported to the police for prosecution.

4.16 Crimes Against the Older Person

The majority of elderly people are women and therefore more women will be victims of crimes against the older person. The research indicates

²⁴ Lancashire, London, West Midlands and West Yorkshire.

that there can be an overlap with domestic violence – for example it could be domestic violence that has continued for decades or abuse of elders by their carers that could include partners or family members. As the policy is currently being developed no CPS data is yet available.

4.17 Obscene Publications and Sexual Harassment

No data has yet been collected in relation to these issues.

5. Key points from data analysis

5.1 Domestic Violence

- Men defendants are responsible for 95% of domestic violence cases.
- Victim gender is poorly recorded²⁵, but, where recorded, just under 90% of victims were women.
- The position by ethnicity is more complex. Home Office data shows Black and Asian suspects for all crimes are arrested more than their representation in the population as a whole. Similarly Black, Asian and Mixed Ethnicity defendants were represented in higher proportions of those charged in 2006-07 and those cases completed in April 2006-September 2006, in comparison with the population.
- However, the CPS 2006-07 charging data shows that proportionally fewer Black (57.5%) and Asian (55%) suspects were charged compared with White suspects (59.6%). There was also a higher percentage of successful outcomes with White defendants than for Black, Asian or Mixed Ethnicity defendants.
- However all ethnicity data needs to be treated with caution.

5.2 Rape and Sexual offences

- Men defendants were responsible for 99% of rape cases: 96% of sexual offences.
- For April-June 2006, 53% of men were successfully prosecuted for rape compared with 67% for other sexual offences.
- Few women were prosecuted for rape; of those prosecuted for other sexual offences, 73% pleaded guilty.
- Ethnicity was not recorded for 12% of cases. Where it was recorded, there was a lower proportion of White offenders than in the population as a whole, and a higher proportion of Black, Asian and Mixed Ethnicity offenders. Similar to the domestic violence data, there was

²⁵ Victim data can be collected on COMPASS Case Management System (CMS) or Witness Management System (WMS). Currently the recording is low. Information for WMS is mainly collected from cases in which a not guilty plea has been entered and where the Witness Care Officer is the single point of contact for the victim, therefore some DV data will not be collected. The domestic violence team is working with the Victim and Witness Care Delivery Unit to address this and develop systems that will help to improve the data collection and quality.

also a higher percentage of successful outcomes with White defendants than for Black, Asian or Mixed Ethnicity defendants. However all ethnicity data needs to be treated with caution.

5.3 Child Abuse Offences

- Sexual offences: Men defendants were responsible for 98% of such offences.
- Homicides: There were 10 homicides: 8 of the 10 defendants were male and 7 were successfully prosecuted.
- Offences against the person: Men were responsible for 75% of cases: there were no differences between genders in the outcomes of those prosecuted.
- Ethnicity was not recorded in 9% of cases. Where it was recorded there was a higher percentage of White defendants and lower percentages of Black and Asian defendants compared with the population for child sexual abuse cases. Successful outcome patterns were similar to those for domestic violence and rape cases. However as outlined in paragraph 4.2 all ethnicity data needs to be treated with caution.

5.4 Overall Equality Issues

- All VAW crimes are predominantly perpetrated by men on women victims.
- There is a need for improved monitoring of the equality profile of victims.
- Further research and work is needed on the ethnicity prosecution issues raised and any disproportionality addressed.
- Differences in robust monitoring will need addressing , for example, some of the VAW crimes, such as domestic violence have more robust flagging and monitoring systems set up; whilst others such as rape and child abuse need clear flagging definitions and systems to ensure robust flagging and monitoring. Some of the VAW crimes, such as prostitution and trafficking have no systems to monitor outcomes at all.
- To date CPS data has only been available by gender and ethnicity. From 2007, religion or belief and disability can also be monitored and discussions underway in relation to age. From 2007, same sex domestic violence cases can be monitored.
- Future assessment of the VAW issues faced in relation to religion or belief, disability, sexuality and age needs consideration.

6. Overall Assessment of Impact of Violence against Women Strategy

- 6.1 We have assessed this strategy as having a disproportionate impact on men as suspects and defendants. However, the evidence from the data reveals that the majority of violence is perpetrated by men on women.

On that basis, the strategy is a proportionate way of meeting a legitimate aim.

- 6.2 Given the over-representation of Black and other Minority Ethnic men, within the data set, the strategy is likely to disproportionately impact on them, as a sub-set of all men. As stated in paragraph 5.4, more research is needed, in relation to ethnicity.
- 6.3 The work on the disability, religion or belief, age and sexuality strands is still developing. We have very limited data in relation to these strands. Further data collection and possibly research will be needed in respect of these strands also.

7. Further Action

- 7.1 The proposed VAW action plans will be monitored, addressing the issues identified in 5.4
- 7.2 The Project Assurance Group will include and consult a wide range of diverse communities, specifically addressing issues in relation to gender, ethnicity, religion or belief, disability, sexuality and age.
- 7.3 The VAW action plans will address the services needed by the range of communities to ensure the needs of all are met.
- 7.4 The VAW Action plans will consider monitoring the safety and satisfaction of a range of victims.

Do you have any comments or views on the Equality and Diversity Impact Assessment?