

**EQUALITY AND DIVERSITY IMPACT ASSESSMENT OF CPS STATUTORY CHARGING:
ENGLAND AND WALES: APRIL 2007 TO MARCH 2008
[Version: 7 January 2009]**

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1 Executive Summary

1.1 This Equality and Diversity Impact assessment is the fourth that has been produced since the start of statutory charging. It has been produced using data from the CPS management information system COMPASS. The data included in COMPASS has gradually been extended and broadened so that the results in each EDIA are more robust than the previous one. In 2007-8 **the proportion of cases actually recorded as being charged by the CPS rose** in all categories due to better data recording. Thus, the diversity data commented on in this EDIA should be interpreted in the light of this general increase. The percentage of cases classified as 'other' on COMPASS fell considerably and this is to be welcomed. Essentially what seems to have happened is that cases previously recorded as 'not known' or 'not recorded' outcomes have now been recorded as 'charged'.

1.2 In 2007-8 there was little variation of charging decision by **gender** except that female suspects were slightly more likely to receive a decision to make no prosecution on evidential grounds rather than a decision to charge.

1.3 In 2007-8 there were one or two data quality issues to do with **ethnicity** but conclusions can still be drawn: in particular, there was no variation of charging decision by the main ethnic group of the suspect except that non-White suspects were slightly less likely to receive a decision to make no prosecution on evidential grounds. The variation in charging decision by ethnic classification was much greater for female cases than for male cases. Some issues remain that cannot be fully covered by the data available to this impact assessment.

1.4 In 2007-8 there was some variation in the charging process by **age group**, with the proportion charged falling off for the age groups over 44 years old. As a mirror image to this the proportion where there was no prosecution on evidence or public interest grounds, rose considerably for these older age groups.

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1.5 Given the nature of Statutory Charging, whereby the CPS make the decision to charge, the **Offence** is only recorded on the COMPASS system once the charge has been made, so it is not possible to produce an analysis showing the result of the charging process for different offences or the offence before the charging process was completed. However, analyses have been carried out in this EDIA showing the patterns of offences charged for different genders, ethnicities and age groups. COMPASS is only able to report on the principal offence categories and as such is unable to breakdown further into types of offence.

1.6 The attempt to collect data on **disability of suspects** in 2007-8 just did not work. The extent of disability was not coded for over 90% of entries making any valid analysis impossible. Current recording procedures for suspects' disability clearly need to be revisited.

1.7 This EDIA is more extensive than previous versions, as it is now able to include **cross-analyses of age group, gender and ethnicity**, for the first time.

1.8 This EDIA includes National Data only. There are variations in all results across the CPS areas and regions. Area tables and charts have been included in separate files and will be made available to local CPS Areas along with guidance to support Areas to identify any disproportionality in charging practices as well as measures to take to address this.

2. Introduction

2.1 This Equality and Diversity Impact Assessment (EDIA) has been prepared for the CPS to fulfil its obligation under the statutory gender and race equality duties and as part of its commitment to monitor services for potential adverse impact on different age and disability groups. It updates and extends EDIAs for 2004-5, for 2005-6 and for 2006-7. (Lewis, 2005, Chen & Lewis, 2007, Chen & Lewis, 2008a). It has been prepared for discussion with a focus group of voluntary and community groups in January 2009 before being finalised and published by the CPS.

2.2 As a result of the consultation process following previous EDIAs the CPS data collection and the contents of this EDIA were modified to deal with some issues not previously covered, in particular the effect of the charging process on suspects from different age groups and the effect of charging on suspects with disabilities. In a similar way, comments received on this EDIA will be reflected in CPS data collection systems and new work is likely to be added to the next EDIA, expected late 2009. Comments are also invited from those not involved in the consultation process as such. These should be sent to the authors.

2.3 This EDIA covers the period April 2007 to March 2008. Its main purposes are to assess the impact of statutory charging and discover if charging decisions vary with: the gender, ethnicity, disability or age of the suspect: and (when charged) the type of offence with which suspects are charged. It also enables the CPS to respond to the recommendations of the Home Affairs Committee on Young Black People and the Criminal Justice System (House of Commons Home Affairs Committee, 2007) and of the Corston Report on vulnerable women and the CJS. (Corston, 2007; Ministry of Justice, 2007a.)

2.4 This assessment has been written by independent consultants, based on data extracted from the CPS case management system, COMPASS. A summary of the technical processes used is given at Appendix A. Once redrafted the report will be placed on the CPS web site, and made available to CPS managers.

2.5 Data for individual areas has been produced separately and will be made available to CPS Chief Crown prosecutors. Those interested in material for individual areas should approach the authors of this report.

3. Background

3.1 Up to 2002, charging decisions were taken by the Police. In October 2002 Lord Justice Auld's *Review of the Criminal Courts* recommended the CPS should be given greater legal powers to determine the decision to charge in all but minor cases. The CPS and the Association of Chief Police Officers (ACPO) drew up charging arrangements in 2003 and from them onwards each CPS area rolled out the principles of statutory charging. Under these principles, local arrangements are complemented by an out of hours service, CPS Direct. This is

staffed by experienced prosecutors, operates from 5pm to 9am Monday to Friday and all day at weekends and public holidays enabling the CPS to offer round the clock coverage. For more detail see <http://www.cps.gov.uk/direct/>

3.2 This EDIA refers to the period April 2007 to March 2008. By this time all areas had moved to Statutory Charging. Data were drawn from COMPASS; the CPS computerised case management system, in the form of EXCEL spreadsheets that included area, gender, ethnicity, age, offence, disability, month of case and the result of the charging process.

4. History of Statistics on Gender, Ethnicity, Age , Disability, and Offence charged

4.1 Statistics on the position of Women and of Black and Minority ethnic communities within the CJS have been collected and published since 1992 under section 95 of the 1991 CJA³. This legislation aimed to produce information to assist members of the criminal justice agencies in their duty of non-discrimination on grounds of gender or ethnicity. The collection of such statistics has been mostly through these agencies and the most visible evidence of publication has been through the annual S95 publications of firstly the Home Office and now the Ministry of Justice, supplemented by a published commentary on the statistics (see Ministry of Justice, 2007, 2008a, 2008b for the most recent data).

4.2 For the CPS, equality and diversity is fundamental in delivering fair prosecutions, achieving equitable employment practice and essential to command the confidence of communities. The main CPS duties are as follows:

- Under the Race Relations (Amendment) Act 2000 they are required to produce a Race Equality Scheme.
- Under the Disability Discrimination Act 2005 they are required to produce a Disability Equality Scheme.
- Under the Equality Act 2006 they must produce a Gender Equality Scheme.

4.3 These duties have been combined into the CPS Single Equality Scheme (CPS, 2008b).

4.4 The main results on ethnicity from earlier EDIAs indicated that:

3 Section 95 of the 1991 Criminal Justice Act says that:

- (1) The Secretary of State shall in each year publish such information as he considers expedient for the purpose of: (a) enabling persons engaged in the administration of justice to become aware of the financial implications of their decisions; or (b) facilitating the performance of such persons of their duty to avoid discriminating against any person on the ground of race or sex or any other improper ground.
- (2) Publication under subsection (1) above shall be effected in such a manner as the Secretary of State considers appropriate for the purpose of bringing the information to the attention of the persons concerned.

- There were no significant differences across different ethnic groups in the proportion of cases finalised by a charge. Cases with *Black* suspects were finalised by charge in slightly more cases as were cases with *Mixed* suspects. Patterns were similar for cases with *White*, *Asian* or *Other* suspects.
- There were some differences by ethnicity in cases finalised by No Further Action (NFA) on evidential grounds. Cases with *Black*, *Mixed* or *Other* suspects were less likely to have their cases finalised NFA on evidential grounds (all significantly lower than cases involving *White* suspects).

4.5 The main results on gender from the earlier EDIAs indicated that:

- Male suspects were more likely to receive a charge than Females – although without further analysis of factors such as offence type it is difficult to assess the reason for this.
- Females were more likely to have their case finalised by a decision to caution, reprimand or issue a warning than Males.
- Females were more likely to receive a charging decision of No Prosecution on evidential grounds than Males.
- There was no significant difference in the percentage of cases for which more information was sought or where there was a No Prosecution on public interest grounds.

4.6 The 2005-6 EDIA included some very basic age statistics. Consultation with voluntary and community groups led to the need for better age data, so that the 2006-7 and 2007-8 EDIAs now include full age data on charging differences, bringing them into line with other CJS statistical publications⁴. It also enables the CPS to respond to the recommendations of the Home Affairs Committee on Young black people and the criminal justice system. (House of Commons Home Affairs Committee, 2007.)

4.7 Data on diversity and the justice system have been gradually improved over the last few years, since a Home Office (later Ministry of Justice) consultative committee was set up for this purpose. Recommendations on how to improve the proportion of cases where an ethnicity code is passed on by the police were made in a 2005 report (see Lewis & Ellis, 2005.) In broad terms this recommended setting quality recording thresholds for the police, as the main agency collecting data on the ethnicity of suspects.

4.8 A Minimum Data Set (MDS) for ethnicity statistics was subsequently recommended and piloted by MOJ in seven areas (Avon &

⁴ See, for example Chapter 3 ‘*Offenders Found Guilty and Cautioned*’ of Criminal Statistics, England and Wales, 2005 to be found on Home office web site <http://www.homeoffice.gov.uk/rds/pdfs06/hosb1906.pdf>. and Annual Sentencing statistics, 2006, Ministry of Justice <http://www.justice.gov.uk/docs/sentencing-stats2006.pdf>

Somerset; Manchester: North Yorkshire: North Wales: Durham: London and Wiltshire.) Some police data is collected locally but other criminal justice data comes from central record systems. Advice is given to areas on how to analyse their data to decide if disproportionality exists (Matrix Consulting, 2008). The MDS is planned to be rolled out to all CJS areas during 2009 and 2010.

4.9 This EDIA contains no data for individual areas. However, internally, the CPS will share data for each area with the Chief Crown Prosecutors, together with internal guidance on how to interpret the figures and understand the existence of disproportionality in each area, allowing for the often small numbers that are involved.

5. Data on which this impact assessment is based

5.1 The data on which this current impact assessment is based are the 547,000 cases finalised nationally from April 2007 – March 2008. This compares with 560,000 cases finalised in 2005-6 and the 580,000 cases in 2006-7. The total charging workload of CPS in 2007-8 was thus slightly down on 2006-7.

5.2 There are a few concerns about all analyses of this type that should be recalled when interpreting the results in this EDIA. In a large administrative system there will always be a number of cases when data has not been recorded or been recorded inaccurately. Most initial difficulties with COMPASS have been ironed out but some difficulties remain, especially in recording of suspects' disability:

- This EDIA cannot consider cases not entered on COMPASS for any reason.
- This assessment looks at CPS processes only. It does not consider the 700,000 cases that are ended by the police with no CPS involvement.
- It is not an assessment of the impact of the criminal justice system as a whole and CPS can only prosecute cases brought to it by the police.
- The accuracy of the classification of gender, ethnicity, age, disability and offence, depends to a large extent on police and court processes rather than those of CPS.

5.3 However, the quality of the data from this case management system is generally very good. Because of its central data base system COMPASS, CPS has access to the best equality and diversity data in the justice system. There is a general lesson to be learnt by other agencies from the success of CPS in collating, as well as in publishing, these data on equality and diversity.

5.4 COMPASS records gender very well indeed, and over 99% of all records include a gender code. Thus, there are no concerns about the quality of data on gender.

5.5 COMPASS records ethnicity better than other CJ agencies and national analyses are possible for all ethnic categories. However, an ethnicity code was not available for 96,000 of the 547,000 cases recorded on COMPASS. This 17.7% missing data continues the long term improvement in data quality (35% missing in 2004-5: 24% missing in 2005-6 and 19% missing in 2006-7). It is to be encouraged although the improvement is not so great as it has been and 1 in 6 suspects still do not have their ethnicity recorded.

5.6 In our last EDIA for 2006-7 we reported that just over 40% of suspects had no age recorded, and urged CPS to press for better recording. It is very good to see that 2007-8 data has almost complete recording of age, with over 96% of both male and female suspects having their age group recorded.

5.7 Offence is only recorded after charge, limiting the amount of analysis that can be made (see para. 4.4 above).

5.8 The CPS has tried to collect data on suspects' disability in both 2006-7 and 2007-8. However, in neither year was this a success. In 2007-8 92.5% of all entries did not record disability: 1.7% of entries recorded a suspect as being 'disabled' and 5.7% as being 'not disabled'. This high level of incomplete records means that it is not worthwhile attempting any analysis by disability of suspect and this situation is likely to continue until recording of disability can approach a much higher level of completeness.

5.9 Details of the current coding of the results of the pre-charge process are given in Annex B. They are slightly different from those used in the 2004-5 EDIA but the same as in the previous two years.

6. Variations by Gender

National variations in case decisions

6.1 547,000 cases were finalised during 2007-8, compared with 580,000 in 2006-7 (Chen & Lewis, 2008a) which enables a very robust analysis. Summary results for gender are given in Table 6.1 and Figure 6.1.

Table 6.1 National Results of the charging process by gender, 2007-8

	Charge	No Pros (evidence)	No Pros (public interest)	Other	Admin Finalised	Finalised by a decision	Incomplete Cases	Number of cases
Number of cases	304983	147797	13117	21050	32342	21654	6107	547,050
Male	56.3%	26.7%	2.3%	3.9%	5.9%	3.8%	1.1%	482,265
Female	52.0%	29.0%	3.1%	3.8%	5.7%	5.4%	1.1%	64,515
Unknown	21.9%	43.3%	2.6%	10.0%	17.4%	4.8%	0.0%	270
Total (07-08)	55.8%	27.0%	2.4%	3.8%	5.9%	4.0%	1.1%	547,050
Total (06-07)	45.8%	29.1%	2.8%	10.2%	6.4%	3.5%	2.2%	582,760
Total (05-06)	41.4%	29.0%	2.5%	16.2%	1.5%	3.4%	6.0%	558,061

6.2 The main conclusions from Table 6.1 are:

- 55.8% of suspects were charged in 2007-8 compared with 41.4% in 2005-6 and 45.8% in 2006-7. This is almost entirely due to the drop in the portion in the 'Other' category from 10.2% in 2006-7 to 3.8% in 2007-8. Much of this is likely to be due to better recording of the outcomes of the charging process: where there are now few 'not known' or 'not recorded' outcomes.
- There was a much greater proportion of male suspects (88%) compared with female suspects (12%), the same as in previous years.

- Male suspects (56.3%) were more likely than Females (52.0%) to receive a charge: this pattern is the same as in previous years.
- Females (5.4%) are slightly more likely than Males (3.8%) to have their case finalised by a decision to issue a conditional caution, a caution, a reprimand or a warning: again similar to previous years.
- Females (29.0%) are slightly more likely than Males (26.7%) to receive no prosecution on evidential grounds.
- There was no significant difference in the percentage of cases finalised administratively or where there was no prosecution on public interest grounds.

6.3 These results continue the improvement in the percentage of cases that lead to a charge:

- Cases finalised by charge rose from 38.9% in 2004-5 to 41.4% in 2005-6, 45.8% in 2006-7 and 55.8% in 2007-8.
- Those finalised by another decision changed little (3.6%, 3.4%, 3.5%, 4.0% in the four periods).
- Incomplete cases fell each year (from 8.1% to 6.0%, 2.2%, and 1.1%).
- Cases with no prosecution on evidential grounds continued the fall from the 2005-6 level (32.5%, 29.0%, 29.1%, 27.0%).
- Cases with no prosecution on public interest grounds have slightly declined (2.9%, 2.5%, 2.8%, 2.4% in the four periods).

6.4 These results should be considered in the context of wider data on the interaction between gender and the criminal justice system and more material is published in the annual publication *Statistics on Women and the Criminal Justice System* (Ministry of Justice, 2008.) Government policy has been set out in the recent response to the Corston Committee on vulnerable women and the CJS. (Ministry of Justice, 2007a.)

6.5 This shows a large number of aspects of criminal justice where women have different patterns from men:

- Women are far less likely to commit offences than men.
- They generally commit less serious offences.
- Women's criminal careers are far shorter than men's.
- Women are more likely to plead guilty.
- Women are more likely to be cautioned, discharged or given a community sentence.

6.6 This EDIA does not claim to comment on how all these different patterns might influence the result of the charging process. However, there is some information on the offences with which people were charged once the charging process had been completed. Because the offence is not recorded pre-charge, it is not possible to look at the proportion of each offence that led to a charge, incomplete case, etc. Table 6.2 simply looks at the patterns of charging by gender and see whether this is likely to have influenced the outcome of the charging process.

Table 6.2 Patterns of offence charged by gender, 2007-2008

Gender group	Homicide	Offences Against The Person	Sexual Offences	Burglary	Robbery	Theft And Handling	Fraud And Forgery	Criminal Damage	Drugs Offences	Public Order Offences	All Other Offences	Motoring Offences	Admin finalised	Not Finalised in this Proceeding	Undefined	Number of cases
Male	0.3%	27.8%	2.2%	6.3%	3.4%	15.5%	2.5%	7.4%	6.9%	10.2%	5.0%	6.8%	0.0%	4.7%	0.9%	266,448
Female	0.2%	33.0%	0.3%	2.4%	2.6%	22.1%	5.0%	5.6%	5.7%	9.5%	5.6%	3.8%	0.0%	3.0%	0.9%	33,029
Unknown	2.7%	16.4%	0.0%	4.1%	0.0%	17.8%	5.5%	8.2%	4.1%	8.2%	17.8%	12.3%	0.0%	1.4%	1.4%	73
Total	0.3%	28.4%	2.0%	5.9%	3.3%	16.2%	2.8%	7.2%	6.8%	10.1%	5.1%	6.5%	0.0%	4.5%	0.9%	299,550
Number of cases	863	85,030	6,047	17,645	9,938	48,591	8,312	21,460	20,333	30,366	15,235	19,428	47	13,495	2,760	299,550

6.6 Table 6.2 shows different likelihoods of women being charged for particular offences compared with men: Women were more likely to be charged with offences against the person than men (33% against 28%); less than half as likely to be charged for burglary (2.4% against 6.3%); more likely to be charged for theft (22% against 15.5%) twice as likely to be charged for fraud. The overrepresentation of Theft and Fraud is suggestive that the CPS is faced with less serious cases, on average, for women than for men: e.g. shoplifting, TV licence evasion and social security fraud. This would certainly be a cause of the higher proportion of cases finalised by a decision, and the slightly higher proportion of cases dropped in the public interest. However, it is not clear why more female cases are dropped on evidential grounds.

Table 5.3 Results of the charging process by gender and age: Females, 2007-8

Age group	Charge	No Pros (evidence)	No Pros (public interest)	Other	Admin Finalised	Finalised by a decision	Incomplete Cases	Number of cases
10-17	55.0%	24.8%	3.4%	3.9%	5.7%	6.2%	1.0%	14,589
18-24	52.8%	28.4%	2.4%	3.9%	5.7%	5.7%	1.1%	15,039
25-34	54.0%	28.1%	2.8%	3.8%	5.5%	4.6%	1.1%	14,955
35-44	51.2%	31.4%	3.0%	3.2%	5.5%	4.6%	1.1%	11,601
45-54	48.8%	32.5%	3.0%	3.7%	4.9%	5.9%	1.2%	4,509
55-64	43.8%	35.6%	4.2%	3.5%	5.9%	6.2%	0.8%	1,225
65+	26.1%	40.3%	9.5%	3.4%	13.3%	6.8%	0.7%	444
Not provided	33.7%	41.1%	4.9%	4.8%	8.6%	6.3%	0.6%	2,153
Total	52.0%	29.0%	3.1%	3.8%	5.7%	5.4%	1.1%	64,515

Table 6.4 Results of the charging process by gender and age: Males, 2007-8

Age group	Charge	No Pros (evidence)	No Pros (public interest)	Other	Admin Finalised	Finalised by a decision	Incomplete Cases	number of cases
10-17	56.8%	25.2%	2.7%	3.7%	5.8%	4.8%	1.1%	93,121
18-24	58.5%	24.8%	1.9%	4.0%	5.6%	4.0%	1.2%	134,288
25-34	59.1%	25.1%	2.2%	3.9%	5.6%	2.9%	1.1%	112,412
35-44	56.6%	27.7%	2.3%	3.6%	5.4%	3.2%	1.1%	79,395
45-54	53.2%	31.0%	2.2%	3.6%	5.2%	3.7%	1.0%	31,233
55-64	48.8%	33.6%	2.8%	4.0%	5.6%	4.3%	1.0%	9,686
65+	37.1%	35.7%	5.6%	3.0%	13.2%	4.4%	0.9%	4,291
Not provided	31.4%	41.8%	3.6%	5.0%	12.7%	4.4%	1.2%	17,839
Total	56.3%	26.7%	2.3%	3.9%	5.9%	3.8%	1.1%	482,265

6.7 The incomplete recording of age for suspects mentioned in the 2006-7 EDIA has now been replaced by very good recording: Over 96% of suspects have their age recorded, as can be seen from Tables 6.3 and 6.4. For those cases where age was recorded, there was a clear pattern, with the younger age group below 18 being slightly less likely to receive a charge than those in age groups 18-44. However, for the age groups above that, the chances of receiving a charge fell off considerably: for men around 59% of those under 44 were charged: 53% of those 45-54: 49% of those 55-64 and only 37% of those over 65: for women, the fall off was greater, especially for older people: with around 52% of those under 44 being charged: 49% of those aged 45-54: 44% of those 55-64 and only 26% of those over 65. There was almost a continuous rise in the proportions of both men and women as they grew older who were not prosecuted on evidential or public interest grounds. By 65, 41% of men and 46% of women were not prosecuted for these reasons, compared to around 28% for those in their 20s. This is likely to reflect the guidance in the CPS Code of Practice that the age of a suspect is a relevant factor when considering if a case should be dropped in the public interest. (CPS, 2008, section 5.10g).

7. Variations by Ethnicity

7.1 National results by ethnicity are summarised in Tables 7.1 and 7.2. Differences are not as clear-cut as those by gender. In particular, the 17.7% of suspects lacking an ethnicity classification had a very different set of results of the charging process than the cases in which an ethnicity classification was present. Cases lacking an ethnicity classification were very less likely to result in a charge and much more likely to result in no prosecution on evidence or on public interest grounds. This is as in previous years and probably the result of lower priority being given to the process of recording in cases where a charge was not made.

Table 7.1 National Results of the charging process by main ethnicity categories (summary ethnic categories), 2007-8

Ethnic group	Charge	No Pros (evidence)	No Pros (public interest)	Other	Admin Finalised	Finalised by a decision	Incomplete Cases	Number of cases
Asian	59.5%	27.1%	1.7%	3.7%	4.1%	2.8%	1.2%	23,461
Black	62.7%	21.3%	1.6%	5.3%	5.6%	2.1%	1.4%	36,635
Mixed	64.9%	19.9%	1.6%	5.0%	4.8%	2.4%	1.4%	11,352
Other	62.2%	19.5%	1.1%	6.0%	8.1%	2.1%	1.1%	4,857
White	61.6%	22.8%	2.0%	3.9%	4.8%	3.7%	1.2%	373,791
Not Provided	23.2%	51.9%	5.1%	2.2%	10.0%	6.9%	0.7%	75,246
Not Stated	46.5%	28.3%	2.3%	4.7%	13.9%	3.2%	1.1%	21,708

Ethnic group	Charge	No Pros (evidence)	No Pros (public interest)	Other	Admin Finalised	Finalised by a decision	Incomplete Cases	Number of cases
Total	55.8%	27.0%	2.4%	3.8%	5.9%	4.0%	1.1%	547,050

7.2 The main results on ethnicity are:

- There were no significant differences across different ethnic groups in the proportion of cases finalised by a charge. Cases with Mixed suspects (64.9%) or with Other suspects (62.2%) were finalised by charge in slightly more cases: those with Black suspects were finalised in 62.7% of cases: with White suspects with 61.6% of cases and in 59.5% of those with Asian suspects. Looking at the 16+1 classification (Table 7.2%) there were some small variations within the main categories.
- There were no significant differences across different ethnic groups in the proportion of cases finalised by a decision.
- There were some differences by ethnicity in cases finalised by no prosecution on evidential grounds. 22.8% of cases with White suspects and 27.1% of cases with Asian suspects were so finalised; cases with Black, Mixed or Other suspects were less likely to have their cases finalised with no prosecution on evidential grounds (all significantly lower than White at around 19-21%.) There were some other differences within the 16+1 categories but most of these are because of small numbers in these categories (Table 7.2) However, it is notable that there are very low percentages with no prosecution on evidence grounds (under 22%) among the categories of Black (B2, B9) Mixed (M9) and Other (O1, O9).

Table 7.2 National Results of the charging process by main ethnicity categories (full ethnic categories), 2007-8

	Charge	No Pros (evidence)	No Pros (public interest)	Other	Admin Finalised	Finalised by a decision	Incomplete Cases	Number of cases
Asian	0.0%	33.3%	0.0%	33.3%	33.3%	0.0%	0.0%	3
A1	59.4%	27.0%	1.6%	3.7%	4.0%	3.1%	1.2%	5,669

A2	59.7%	29.0%	1.5%	2.8%	3.3%	2.6%	1.1%	9,310
A3	59.6%	25.4%	1.9%	5.1%	3.4%	3.0%	1.5%	2,663
A9	59.3%	24.8%	1.8%	4.4%	5.7%	2.6%	1.4%	5,816
Black	0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	0.0%	2
B1	63.3%	21.5%	1.6%	4.9%	5.3%	2.1%	1.4%	19,304
B2	62.2%	20.9%	1.6%	5.7%	5.9%	2.1%	1.5%	11,424
B9	61.7%	21.4%	1.4%	6.1%	6.1%	2.0%	1.2%	5,905
Mixed	0.0%	50.0%	0.0%	0.0%	50.0%	0.0%	0.0%	2
M1	65.6%	20.1%	1.7%	4.8%	4.1%	2.4%	1.3%	6,465
M2	65.1%	17.9%	1.7%	5.5%	6.4%	1.8%	1.5%	1,233
M3	65.9%	19.7%	1.3%	4.1%	4.8%	2.5%	1.6%	1,121
M9	62.8%	20.5%	1.2%	5.5%	5.9%	2.9%	1.2%	2,531
Not Prov	23.2%	51.9%	5.1%	2.2%	10.0%	6.9%	0.7%	75,246
Not Stated	46.5%	28.3%	2.3%	4.7%	13.9%	3.2%	1.1%	21,708
Other	83.6%	3.6%	0.0%	12.7%	0.0%	0.0%	0.0%	55
O1	63.9%	15.0%	1.0%	6.2%	10.3%	2.4%	1.2%	1,385
O9	61.1%	21.6%	1.1%	5.7%	7.3%	2.0%	1.1%	3,417
White	4.0%	4.0%	4.0%	4.0%	68.0%	16.0%	0.0%	25
W1	61.6%	22.9%	2.0%	3.8%	4.7%	3.8%	1.1%	357,039
W2	61.7%	22.4%	2.6%	4.6%	5.4%	2.5%	0.9%	3,410
W9	60.6%	19.8%	1.6%	6.7%	6.8%	3.0%	1.4%	13,317

7.3 This EDIA cannot explain all these differences. However, there is some information on the offences with which people of different ethnicities were charged once the charging process had been completed. Because the offence is not recorded pre-charge, it is not possible to look at the proportion of each offence that led to a charge, incomplete case, etc. We can simply look at the patterns of charging by ethnicity and see whether this is likely to have influenced the outcome of the charging process.

Table 7.3 Offence for which different ethnicities were charged, 2007-8

Ethic group	Homicide	Offences Against The Person	Sexual Offences	Burglary	Robbery	Theft And Handling	Fraud And Forgery	Criminal Damage	Drugs Offences	Public Order Offences	All Other Offences	Motoring Offences	Admin finalised	Not Finalised in this Proceeding	Undefined	Number of cases
Asian	0.5%	25.5%	2.5%	2.8%	5.0%	11.4%	6.9%	3.7%	11.3%	8.6%	6.8%	9.3%	0.0%	4.3%	1.2%	24,876
Black	0.5%	20.6%	1.6%	4.1%	9.5%	13.5%	8.3%	3.3%	12.2%	7.2%	6.6%	6.4%	0.0%	4.9%	1.1%	42,932
Mixed	0.3%	25.8%	1.2%	6.2%	9.8%	15.3%	3.0%	5.3%	9.0%	8.5%	5.0%	5.4%	0.0%	4.3%	0.9%	14,504
Other	0.4%	15.4%	3.6%	2.5%	2.8%	10.9%	14.9%	2.8%	16.4%	5.9%	12.1%	4.8%	0.0%	6.5%	1.0%	5,590
White	0.3%	29.8%	2.0%	6.3%	2.4%	17.0%	1.8%	7.9%	5.8%	10.6%	4.7%	6.2%	0.0%	4.4%	0.9%	456,970
Not Provided	0.2%	24.2%	1.8%	5.7%	3.8%	16.3%	3.5%	6.9%	7.9%	10.6%	5.5%	7.5%	0.0%	5.1%	1.0%	29,432
Not Stated	0.5%	27.2%	2.7%	5.3%	3.6%	13.6%	3.7%	5.9%	7.1%	10.0%	5.8%	9.7%	0.0%	4.2%	1.0%	24,796
Total	0.3%	28.4%	2.0%	5.9%	3.3%	16.2%	2.8%	7.2%	6.8%	10.1%	5.1%	6.5%	0.0%	4.5%	0.9%	599,100
Number of cases	863	85,030	6,047	17,645	9,938	48,591	8,312	21,460	20,333	30,366	15,235	19,428	47	13,495	2,760	299,550

7.4 Table 7.3 shows the pattern of offences with which people of different ethnicities were charged. Variations can be seen but most of them are not significant. Those worth mentioning which could have influenced the result of the charging process are:

- White defendants were more likely to be charged with Offences against the Person or with Burglary and much less likely to be charged with Robbery or Fraud and Forgery.
- Asians were less than half as likely to be charged with burglary than average: less likely to be charged with theft or damage but much more likely to be charged with fraud.
- Black defendants were less likely to be charged with offences against the person but much more likely to be charged with drugs offences, robbery or fraud.

- Defendants of Mixed ethnicity were more likely to be charged with robbery.
- Defendants of Other ethnicity were much less likely to be charged with offences against the person and burglary and much more likely to be charged with drugs offences or with fraud.
- There is some but not complete consistency between these patterns across years: however, the offence classifications have changed slightly, with precharge decision being omitted in 2007-8.

7.6 Age patterns by ethnicity have also been examined. Tables 7.4-7.10 show the ethnicity and charge breakdown for the different age groups. There are some variations, but broadly they show similar patterns to all age groups (see section 8).

- For young people aged under 18 there were no significant differences in the percentage charged for the different ethnic groups or not charged for evidential reasons. Although not significant there were some variations in the percentages not charged on public interest grounds (White 2.5%, Other 0.6%, Asian 1.8%, Black 1.6%, Mixed 1.5%).
- For those aged 18-24 Black suspects were less likely to be charged (63.7%) than Mixed ethnicity suspects (66.9%). Asian suspects were more likely to have no prosecution on evidence grounds (26%) compared to Mixed and Other groups (19%).
- For those aged 25-44 The Mixed category is more likely to be charged (65.1%) than the Asian category (59.8%). Asian groups are more likely to have no prosecution for evidence reasons and the Other category is twice as likely to have cases finalised administratively.
- For those aged 45-54 Asians are less likely to be charged and more likely to have no prosecution for evidence reasons. This is the same as in 2006-7.
- Above the age of 55, numbers of ethnic minorities are very much smaller and fewer conclusions can be drawn about the differences in patterns of charging between different groups. As an example, little can be concluded from the high charging rates for the Mixed category over 65 and the low charging rates for Asian and Other groups over 65.

Table 7.4 Those charged aged 10-17 by ethnicity, 2007-8

Ethnicity Group	No of cases	Charge	No Pros (evidence)	No Pros (public interest)	Other	Admin Finalised	Finalised by a decision	Incomplete Cases
Asian	1,807	61.0%	23.8%	1.8%	3.5%	3.4%	5.4%	1.1%
Black	4,729	63.5%	21.2%	1.6%	4.0%	5.4%	3.3%	1.0%
Mixed	2,257	63.9%	20.2%	1.5%	4.8%	4.8%	3.0%	1.7%
Other	290	61.6%	21.7%	0.6%	4.7%	7.9%	3.2%	0.4%
White	46,700	61.9%	21.1%	2.5%	3.9%	5.0%	4.5%	1.1%
Not Provided	3,290	23.7%	50.0%	5.5%	2.0%	8.9%	9.1%	0.7%
Not Stated	1,884	47.0%	27.5%	2.0%	3.9%	13.4%	4.8%	1.4%

Table 7.5 Those charged aged 18-24 by ethnicity, 2007-8

Ethnicity group	No of cases	Charge	No Pros (evidence)	No Pros (public interest)	Other	Admin Finalised	Finalised by a decision	Incomplete Cases
Asian	7,037	61.0%	26.0%	1.4%	3.5%	4.3%	2.5%	1.4%
Black	9,748	63.7%	20.0%	1.3%	5.7%	5.7%	1.8%	1.8%
Mixed	3,673	66.9%	19.0%	1.3%	5.1%	4.1%	2.3%	1.3%
Other	1,185	64.1%	18.7%	0.5%	5.7%	8.5%	1.5%	0.8%
White	103,589	62.8%	21.4%	1.6%	4.1%	4.8%	4.1%	1.2%
Not Given	18,419	26.2%	50.2%	4.4%	2.1%	9.0%	7.4%	0.8%
Not Stated	5,706	50.6%	26.1%	1.7%	5.0%	12.3%	3.2%	1.0%

Table 7.6 Those charged aged 25-34 by ethnicity, 2006-7

Ethnicity group	No of cases	Charge	No Pros (evidence)	No Pros (public interest)	Other	Admin Finalised	Finalised by a decision	Incomplete Cases
Asian	7,629	59.8%	27.3%	1.9%	3.6%	3.9%	2.4%	1.1%
Black	9,108	63.0%	21.0%	1.7%	5.5%	5.7%	1.6%	1.5%
Mixed	2,222	65.1%	19.7%	1.7%	5.0%	5.6%	2.1%	0.8%
Other	1,659	62.4%	18.9%	1.3%	6.3%	7.7%	2.2%	1.1%
White	86,976	63.7%	21.7%	1.9%	3.9%	4.7%	3.0%	1.1%
Not Given	15,032	26.1%	50.5%	5.1%	2.5%	9.2%	5.8%	0.8%
Not Stated	4,772	50.8%	25.4%	2.4%	4.7%	13.5%	2.2%	1.0%

Table 7.7 Those charged aged 35-44 by ethnicity, 2007-8

Ethnicity group	No of cases	Charge	No Pros (evidence)	No Pros (public interest)	Other	Admin Finalised	Finalised by a decision	Incomplete Cases
Asian	3,411	58.4%	28.2%	1.7%	3.6%	4.3%	2.6%	1.2%
Black	6,615	62.4%	22.3%	1.8%	5.2%	5.6%	1.6%	1.2%
Mixed	1,228	64.2%	20.4%	1.9%	3.9%	6.1%	1.8%	1.8%
Other	979	61.5%	18.5%	1.5%	6.3%	8.4%	1.9%	1.8%
White	64,119	60.7%	24.7%	2.0%	3.5%	4.6%	3.2%	1.2%
Not Given	11,299	24.5%	53.4%	5.1%	2.0%	8.2%	5.9%	0.8%
Not Stated	3,362	50.2%	27.0%	2.7%	5.2%	11.6%	2.4%	0.9%

Table 7.8 Those charged aged 45-54 by ethnicity, 2007-8

Ethnicity group	No of cases	Charge	No Pros (evidenc e)	No Pros (public interest)	Other	Admin Finalise d	Finalise d by a decision	Incompl ete Cases
Asian	1,341	55.0%	32.7%	1.1%	3.9%	4.3%	2.2%	0.8%
Black	2,412	60.6%	22.4%	1.8%	6.1%	5.6%	2.4%	1.2%
Mixed	371	59.8%	25.9%	2.7%	4.9%	3.8%	1.9%	1.1%
Other	341	63.0%	21.1%	1.2%	4.1%	7.0%	2.1%	1.5%
White	25,300	57.7%	27.4%	2.0%	3.6%	4.5%	3.9%	1.1%
Not Provided	4,739	21.7%	57.0%	4.6%	2.1%	7.8%	6.2%	0.6%
Not Stated	1,244	46.7%	30.4%	2.5%	5.8%	10.7%	2.8%	1.1%

Table 7.9 Those charged aged 55-64 by ethnicity, 2007-8

Ethnicity Group	No of cases	Charge	No Pros (evidenc e)	No Pros (public interest)	Other	Admin Finalise d	Finalise d by a decision	Incompl ete Cases
Asian	342	52.0%	33.9%	3.2%	4.4%	4.4%	0.6%	1.5%
Black	341	58.9%	25.2%	3.8%	7.3%	2.1%	1.5%	1.2%
Mixed	58	46.6%	32.8%	1.7%	10.3%	6.9%	1.7%	0.0%
Other	78	48.7%	30.8%	2.6%	5.1%	9.0%	3.8%	0.0%
White	8,152	53.3%	30.2%	2.5%	3.9%	4.7%	4.3%	1.0%
Not Provided	1,508	20.0%	56.4%	5.2%	2.5%	8.3%	7.0%	0.7%
Not Stated	437	39.8%	30.7%	2.3%	6.2%	16.0%	4.3%	0.7%

Table 7.10 Those aged over 65, by ethnicity, 2007-8

Ethnicity group	No of cases	Charge	No Pros (evidence)	No Pros (public interest)	Other	Admin Finalised	Finalised by a decision	Incomplete Cases
Asian	150	42.7%	38.0%	4.7%	2.0%	8.0%	3.3%	1.3%
Black	162	48.8%	30.2%	4.3%	4.3%	8.6%	2.5%	1.2%
Mixed	20	60.0%	30.0%	0.0%	5.0%	5.0%	0.0%	0.0%
Other	15	40.0%	26.7%	0.0%	6.7%	13.3%	13.3%	0.0%
White	2,946	44.8%	33.1%	5.6%	3.5%	7.5%	4.5%	1.0%
Not Provided	641	14.8%	56.8%	10.6%	1.4%	9.2%	6.9%	0.3%
Not Stated	809	16.4%	31.9%	4.6%	2.6%	39.8%	4.0%	0.7%

Comparisons with other studies

7.6 These national findings can be compared with previous CPS work on variations in the treatment of suspects by ethnicity. The main conclusions are that the situation is similar to that in the previous EDIAs (Lewis, 2005, Chen & Lewis, 2007, 2008a) Much more limited comparisons are possible with the previous work of the work of Mhlanga (1999) and of the Gus John Partnership (2003) as both researchers dealt with the situation before statutory charging was introduced and were constrained by smaller samples. These studies, although useful in their time, have now been superseded because of the availability of 100% data from COMPASS.

7.7 **Mhlanga**, (Mhlanga (1999) and Barclay & Mhlanga (2000)) looked at CPS decisions in a study of 6,100 cases of young defendants during September and October 1996. They found termination on grounds of insufficiency of evidence was more common for minority than White defendants. The results of all the EDIAs since 2005 show the position to be reversed.

7.8 **The Gus John Partnership** (2003) analysed the charging process in a sample of areas with regard to offence group. They found a number of different patterns by offences and ethnicity: e.g. that half of all men, but two-thirds of all White and Afro-Caribbean women received a dishonesty charge: and that a grievous bodily harm charge was twice as common among White male suspects as among Afro-Caribbean suspects. As far as the charging process is concerned, Gus John found that percentage differences between ethnic groups were too small to be statistically significant but there was a tendency for NFA on evidential and public interest grounds to be more common for Afro-Caribbean suspects than those from other ethnic groups.

7.9 The current and earlier EDIAs are in some ways complementary to the two previous studies. The coming of COMPASS means that EDIAs now benefit from large-scale data analyses not possible earlier. They also provide a base from which more complex analysis could be conducted

8. Variations by Age

8.1 One of the comments made on 2005-6 EDIA (Chen & Lewis, 2007, 2008a) was that the analyses took no account of age. In 2007-8 CPS has been able to address this concern by collecting data in individual age of suspects and making available to the authors COMPASS spreadsheets analysed by the age groups in Tables 8.1. In contrast with 2006-7 the data this year's data are very good with over 96% of suspects having their data recorded. However, despite last year's poor recording the same conclusions are drawn from this years analysis, showing that the incomplete recording last year did not bias the results.

Table 8.1 Result of charging process by age group: national: 2007-8

Age group of suspect	Charge	No Pros (evidence)	No Pros (public interest)	Other	Admin Finalised	Finalised by a decision	Incomplete Cases	Number of cases
10-17 years	56.6%	25.1%	2.8%	3.7%	5.8%	5.0%	1.0%	107,728
18-24 years	57.9%	25.2%	1.9%	4.0%	5.6%	4.2%	1.2%	149,357
25-34 years	58.5%	25.5%	2.3%	3.9%	5.6%	3.1%	1.1%	127,398
35-44 years	55.9%	28.2%	2.4%	3.6%	5.4%	3.4%	1.1%	91,013
45-54 years	52.7%	31.2%	2.3%	3.6%	5.2%	3.9%	1.0%	35,748
55-64 years	48.3%	33.8%	2.9%	4.0%	5.6%	4.5%	0.9%	10,916
65+ or older	36.1%	36.1%	6.0%	3.0%	13.3%	4.6%	0.8%	4,743
Not Provided	31.5%	41.8%	3.7%	5.0%	12.3%	4.6%	1.1%	20,147

8.2 Table 8.1 summarises the results of the charging process for these 7 age groups. There is considerable variation.

- There is a significant gradient in the percentage of those charged by age. 56.6% of those under 18 were charged, rising to 57.9% for those 18-24 and 58.5% for those 25-34: then falling to 55.9% for those aged 35-44: 52.7% for those aged 45-54: 48.3% for those aged 55-64 and

falling to as low as 36.1% for those over 65. This pattern is because age, particularly older age groups, can be a criterion for whether to charge or not.

- The mirror image can be seen when looking at the percentage of cases where there was no prosecution on evidence grounds. Around 25% of those aged 10-44 were in this category, but 34% of those aged 55-64 and 36% of those aged 65 or over. In theory there should be no difference between age groups when looking at evidence, but this probably reflects the fact that police investigate cases against younger people more thoroughly than those against older people.
- There is a similar profile when considering cases where the prosecution was dropped on public interest grounds, where age, especially advanced age, can be part of the process of dropping a case. Less than 3.0% of cases were dropped on public interest grounds for those under 65 but as many as 6.0% for those over 65.
- The only other result where there seems to be a difference by age is that 5.0% of young people under 18 are given a case ending decision, compared to 3.1% for people in the 25-34 age group. This is probably because of younger people, earlier in their criminal careers, being given more conditional cautions or warnings.

Charging patterns by gender and age group

8.3 An analysis of the charging process by gender and age group was given in section 6 at tables 6.3 and 6.4 and is not repeated here.

Patterns by Offence charged and age group

8.4 Table 8.2 shows the Pattern of offences for which different age categories were charged. There are some interesting patterns:

- There are some sharp gradients by age group for some offences, partly reflecting section 5.10g of the CPS Code for Prosecutors, which gives age as a reason for considering not charging for public interest reasons.
- For the older age groups, particularly those aged over 65, the likelihood of being charged is higher for the more serious offences such as Homicide, Violence or Sexual offences and lower for offences such as Burglary, Robbery, Drugs offences, Criminal Damage or Theft.
- This suggests that the law enforcement agencies are pursuing serious cases right through to prosecution, whatever the age of the suspect, while perhaps not pursuing older people for less serious cases, involving acquisitive crime involving small sums of money or drug crime involving small amount. However, more research would be needed to confirm this.

- For young people under 18, there was a lower chance of being charged with sexual offences (1% compared with 20% for those over 65), motoring, fraud or drugs offences.
- However, there was a much higher chance of a young person under 18 being charged with Burglary, Robbery or Theft, all acquisitive offences.

Table 8.2 Pattern of offences changed for different age groups, 2007-8

	Homicide	Offences Against The Person	Sexual Offences	Burglary	Robbery	Theft And Handling	Fraud And Forgery	Criminal Damage	Drugs Offences	Public Order Offences	All Other Offences	Motoring Offences	Not Finalised in this Proceeding	Undefined	Number of cases
10-17	0.1%	27.1%	1.1%	8.7%	7.6%	19.5%	0.7%	9.9%	3.7%	11.3%	4.5%	4.5%	0.5%	0.8%	63,438
18-24	0.3%	28.1%	1.1%	5.8%	3.6%	14.3%	2.4%	7.5%	7.3%	11.1%	4.5%	7.3%	5.7%	1.0%	89,751
25-34	0.3%	26.9%	1.6%	6.0%	1.7%	17.9%	4.2%	5.9%	8.3%	8.5%	5.2%	6.6%	5.8%	1.0%	72,969
35-44	0.3%	31.6%	2.8%	4.3%	1.0%	15.2%	3.6%	5.9%	7.8%	9.2%	5.8%	6.4%	5.1%	0.9%	47,831
45-54	0.5%	32.3%	5.2%	2.2%	0.5%	12.9%	3.8%	5.3%	6.7%	10.7%	6.7%	7.5%	4.9%	0.9%	17,010
55-64	0.4%	29.5%	12.4%	1.1%	0.2%	9.9%	3.8%	4.5%	5.3%	10.1%	7.4%	9.4%	5.0%	0.9%	4,812
65+	0.6%	26.1%	19.7%	1.5%	0.6%	7.3%	2.1%	4.2%	2.8%	9.1%	9.0%	10.9%	5.3%	0.8%	1,587
Unknown	0.6%	22.6%	2.2%	4.9%	3.3%	14.9%	3.8%	5.8%	8.4%	10.2%	5.2%	8.2%	9.0%	1.0%	2,152
Total	0.3%	28.4%	2.0%	5.9%	3.3%	16.2%	2.8%	7.2%	6.8%	10.1%	5.1%	6.5%	4.5%	0.9%	299,550
Number of cases	86300.0%	85,030	6,047	17,645	9,938	48,591	8,312	21,460	20,333	30,366	15,235	19,428	13,495	2,760	299,550

9. Analysis of the charging process for gender and ethnicity together

9.1 This section looks at combinations of variables not previously covered. Tables 9.1-9.4 show how the charging of male and female suspects varies by ethnic background, using both the summary and the 16+1 ethnicity classifications. In 18.2% of male cases and 13.7% of female

cases ethnicity was not recorded, both slightly lower than in 2006-7. It is not at all clear why recording of ethnicity should be much better for women than for men. Although there are variations in charging outcomes by ethnic group and gender, these are by no means consistent from year to year.

- 9.2 For Female suspects, the proportions charged varied by ethnic group: 51.2% of Asian suspects were charged: 55.8% of White suspects: 60.6% of Black suspects: 60.7% of Mixed ethnicity suspects and 58.9% of Other suspects. For female suspects the proportions where there were no prosecutions on evidence grounds also varied by ethnic group: 21.7% of Other ethnicity suspects were not prosecuted: 22.0% of Mixed ethnicity: 22.1% of Black suspects: 26.2% of White suspects and 35.0% of Asian suspects.
- 9.3 For female suspects the proportions where there were no prosecutions on public interest grounds varied by ethnic group: 1.5% of Other suspects were not prosecuted: 2.0% of Mixed/Asian suspects, 2.5% of Black suspects and 2.8% of White suspects.
- 9.4 There was some variation for female suspects whose case was ended by a decision such as a caution: this occurred to 3.8% of Other suspects: 4.2% of Asian, 3.2% of Black suspects: 4.1% of Mixed suspects and 5.2% of White suspects. The higher figure for White suspects is consistent from year to year.
- 9.5 For male suspects, the proportions charged also varied by ethnic group, although not always consistently from year to year: 60.0% of Asian suspects were charged: 62.4% of White suspects: 62.9% of Black suspects: 62.6% of Other suspects and 65.6% of Mixed suspects. For male suspects, the proportions with no prosecution on evidence grounds varied considerably: 19-20% of Mixed and Other suspects had no such prosecution: 21% of Black suspects: 22% of White suspects and 27% of Asian suspects.
- 9.6 For male suspects, the proportions with no prosecution on public interest grounds varied little, although 1.9% of White suspects and 1.0% of Other suspects were so dealt with.
- 9.7 For male suspects, the proportions whose case was ended by a decision such as a caution varied, as for females: this occurred to 1.9% of Black suspects, 2.2% of Mixed suspects: to 2.7% of Asian: 1.9% of Other suspects and to 3.5% of White suspects. This shows some general consistency from year to year.

Table 9.1 Results of the charging process by main ethnicity categories: female cases: 2007-8

Ethnic Group	Charge	No Pros (evidence)	No Pros (public interest)	Other	Admin Finalised	Finalised by a decision	Incomplete cases	Number of cases
Asian	51.2%	35.0%	2.0%	3.1%	4.1%	4.2%	0.5%	1,225
Black	60.6%	22.1%	2.5%	4.3%	6.1%	3.2%	1.2%	3,712
Mixed	60.7%	22.0%	2.0%	4.7%	4.9%	4.1%	1.6%	1,500
Other	58.9%	21.7%	1.5%	4.7%	7.5%	3.8%	1.8%	548
White	55.8%	26.2%	2.8%	4.0%	5.0%	5.2%	1.1%	48,668
Not Provided	20.4%	53.8%	5.8%	1.6%	8.6%	9.0%	0.7%	6,490
Not Stated	41.4%	30.9%	3.8%	4.7%	12.4%	5.4%	1.3%	2,372
Total	33,555	18,699	1,973	2,437	3,686		685	64,515

Table 9.2 Results of the charging process by all ethnicity categories: female cases: 2007-8

Ethnic Group	Charge	No Pros (evidence)	No Pros (public interest)	Other	Admin Finalised	Finalised by a decision	Incomplete Cases	Number of cases
A - Asian or Asian British	0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	0.0%	1
A1 – Indian	50.1%	34.2%	2.5%	4.9%	3.0%	4.9%	0.3%	365
A2 – Pakistani	48.0%	39.6%	1.9%	3.1%	2.9%	3.8%	0.7%	419
A3 - Bangladeshi	48.9%	39.1%	2.2%	2.2%	3.3%	3.3%	1.1%	92
A9 - Any Other Asian Background	56.9%	29.3%	1.4%	1.4%	6.6%	4.0%	0.3%	348
B - Black or Black British	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0
B1 - Caribbean	59.7%	23.3%	2.8%	4.2%	5.3%	3.6%	1.2%	1,848

Ethnic Group	Charge	No Pros (evidence)	No Pros (public interest)	Other	Admin Finalised	Finalised by a decision	Incomplete Cases	Number of cases
B2 – African	63.3%	18.9%	2.0%	4.2%	7.0%	3.0%	1.6%	1,264
B9 - Any Other Black Background	57.8%	25.0%	2.5%	5.0%	6.5%	2.7%	0.5%	600
M – Mixed	0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	0.0%	1
M1 - White and Black Caribbean	60.6%	23.1%	2.1%	4.2%	4.1%	4.2%	1.6%	850
M2 - White and Black African	56.8%	18.2%	2.0%	7.4%	10.8%	3.4%	1.4%	148
M3 - White and Asian	56.5%	25.2%	1.7%	4.3%	4.3%	6.1%	1.7%	115
M9 - Any Other Mixed Background	64.0%	20.2%	1.8%	4.9%	4.1%	3.4%	1.6%	386
NP - Not Provided	20.4%	53.8%	5.8%	1.6%	8.6%	9.0%	0.7%	6,490
NS - Not Stated	41.4%	30.9%	3.8%	4.7%	12.4%	5.4%	1.3%	2,372
O - Chinese or Other Ethnic Group	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	7
O1 – Chinese	60.5%	20.5%	0.5%	3.2%	8.2%	5.0%	2.3%	220
O9 - Any Other Ethnic Group	57.0%	23.1%	2.2%	5.9%	7.2%	3.1%	1.6%	321
W – White	0.0%	14.3%	14.3%	0.0%	57.1%	14.3%	0.0%	7
W1 – British	55.5%	26.6%	2.8%	3.9%	4.9%	5.3%	1.1%	46,646
W2 – Irish	57.5%	24.8%	4.2%	5.3%	6.3%	1.6%	0.2%	431
W9 - Any Other White Background	61.9%	17.2%	2.5%	6.5%	8.6%	2.6%	0.8%	1,584

Table 9.3 Results of the charging process by main ethnicity categories: male cases: 2007-8

Ethnic group	Charge	No Pros (evidence)	No Pros (public interest)	Other	Admin Finalised	Finalised by a decision	Incomplete Cases	Number of cases
Asian	60.0%	26.6%	1.6%	3.7%	4.1%	2.7%	1.3%	22,226
Black	62.9%	21.2%	1.5%	5.5%	5.6%	1.9%	1.4%	32,915
Mixed	65.6%	19.6%	1.5%	5.0%	4.8%	2.2%	1.3%	9,850
Other	62.6%	19.2%	1.0%	6.1%	8.2%	1.9%	1.0%	4,304
White	62.4%	22.3%	1.9%	3.9%	4.7%	3.5%	1.2%	325,073
Not Provided	23.5%	51.7%	5.0%	2.2%	10.1%	6.7%	0.7%	68,617
Not Stated	47.2%	27.9%	2.1%	4.8%	14.0%	3.0%	1.1%	19,280
Total	271,369	128,981	11,137	18,586	28,609	18,161	5,422	482,265

Table 9.4 Results of the charging process by all ethnicity categories: male cases: 2007-8

Ethnic group	Charge	No Pros (evidence)	No Pros (public interest)	Other	Admin Finalised	Finalised by a decision	Incomplete Cases	Number of cases
A - Asian or Asian British	0.0%	50.0%	0.0%	50.0%	0.0%	0.0%	0.0%	2
A1 – Indian	60.1%	26.5%	1.6%	3.6%	4.1%	2.9%	1.2%	5,300
A2 – Pakistani	60.3%	28.5%	1.5%	2.8%	3.3%	2.5%	1.1%	8,889
A3 - Bangladeshi	60.0%	24.9%	1.9%	5.2%	3.4%	3.0%	1.5%	2,569

Ethnic group	Charge	No Pros (evidence)	No Pros (public interest)	Other	Admin Finalised	Finalised by a decision	Incomplete Cases	Number of cases
A9 – Any Other Asian Background	59.4%	24.6%	1.8%	4.6%	5.7%	2.5%	1.4%	5,466
B - Black or Black British	0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	0.0%	2
B1 – Caribbean	63.7%	21.3%	1.5%	4.9%	5.3%	1.9%	1.4%	17,450
B2 – African	62.1%	21.2%	1.6%	5.9%	5.8%	2.0%	1.4%	10,159
B9 – Any Other Black Background	62.1%	21.0%	1.3%	6.3%	6.1%	1.9%	1.3%	5,304
M – Mixed	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	1
M1 – White and Black Caribbean	66.3%	19.7%	1.7%	4.8%	4.1%	2.1%	1.3%	5,615
M2 – White and Black African	66.3%	17.9%	1.7%	5.3%	5.8%	1.6%	1.6%	1,085
M3 – White and Asian	67.0%	19.1%	1.3%	4.1%	4.9%	2.1%	1.6%	1,005
M9 – Any Other Mixed Background	62.6%	20.5%	1.1%	5.6%	6.2%	2.8%	1.1%	2,144
NP – Not Provided	23.5%	51.7%	5.0%	2.2%	10.1%	6.7%	0.7%	68,617
NS – Not Stated	47.2%	27.9%	2.1%	4.8%	14.0%	3.0%	1.1%	19,280
O – Chinese or Other Ethnic Group	81.3%	4.2%	0.0%	14.6%	0.0%	0.0%	0.0%	48
O1 – Chinese	64.6%	14.0%	1.1%	6.7%	10.7%	1.9%	0.9%	1,164
O9 – Any Other Ethnic Group	61.5%	21.4%	1.0%	5.7%	7.3%	1.9%	1.1%	3,092
W – White	5.6%	0.0%	0.0%	5.6%	72.2%	16.7%	0.0%	18

Ethnic group	Charge	No Pros (evidence)	No Pros (public interest)	Other	Admin Finalised	Finalised by a decision	Incomplete Cases	Number of cases
W1 – British	62.5%	22.4%	1.9%	3.8%	4.7%	3.5%	1.2%	310,352
W2 – Irish	62.3%	22.0%	2.4%	4.4%	5.2%	2.6%	1.0%	2,976
W9 – Any Other White Background	60.5%	20.2%	1.5%	6.7%	6.6%	3.1%	1.5%	11,727

10. Analysis for gender/ethnicity and age together

10.1 Interest has been expressed in how gender, age and ethnicity classification interact and this section looks at the possibility of disproportionality on the grounds of ethnicity for specific sub groups of the population of suspects: i.e. we can look at the way that male suspects under 18 have been charged by the CPS.

10.2 Tables 10.1 to 10.14 show the pattern of charging for males and females, for each of the age groups. For many of these tables, the numbers in some categories become small and too much cannot be read into the analysis. Also, although there are some patterns for 2007-8 data, these are often not consistent with the 2006-7 data we analysed for last year. Such inconsistency means that differences are likely to be due to differences in things like the offence mix rather than prime facie evidence of discriminatory practice. Also the 2007-87 data is much more complete in the extent of charging outcomes recorded, so the 2007-8 results will be better generally than the 2006-7 results.

Table10.1 Results of the Charging process for males aged under 18

Ethnic origin	Charge	No Pros (evidence)	No Pros (public interest)	Other	Admin Finalised	Finalised by a decision	Incomplete Cases	Number of cases
Asian	61.3%	23.6%	1.8%	3.6%	3.2%	5.4%	1.1%	2,836
Black	63.6%	21.3%	1.5%	4.2%	5.3%	3.1%	1.0%	6,679
Mixed	64.6%	20.0%	1.5%	4.6%	4.8%	2.8%	1.6%	2,972
Other	61.6%	22.0%	0.5%	4.7%	7.3%	3.3%	0.5%	422
White	62.6%	20.9%	2.4%	3.9%	4.9%	4.2%	1.1%	64,163
Not Provided	23.6%	50.2%	5.5%	2.1%	9.0%	8.9%	0.7%	12,535
Not Stated	46.7%	27.9%	1.9%	3.8%	13.7%	4.6%	1.4%	3,514
Total	52,925	23,462	2,496	3,413	5,399	4,442	984	93,121

Table 10.2 Results of the Charing process for females aged under 18

Ethnic origin	Charge	No Pros (evidence)	No Pros (public interest)	Other	Admin Finalised	Finalised by a decision	Incomplete Cases	number of cases
Asian	54.0%	28.6%	1.6%	1.6%	8.7%	4.8%	0.8%	126
Black	62.4%	20.5%	2.5%	2.6%	6.3%	5.0%	0.6%	774
Mixed	60.4%	21.5%	1.4%	5.6%	5.0%	4.1%	2.0%	558
Other	59.6%	19.1%	2.1%	4.3%	12.8%	2.1%	0.0%	47
White	58.2%	22.4%	3.4%	4.1%	5.1%	5.8%	1.0%	11236
Not Provided	24.5%	48.8%	5.5%	1.5%	8.0%	11.2%	0.4%	1355
Not Stated	49.1%	24.1%	2.6%	4.7%	11.2%	6.5%	1.8%	493
Total	8,025	3,624	498	563	830	904	145	14,589

10.3 For males under 18, more charges were made against Mixed suspects and the least against Asian suspects. There are differences in percentages not charged due to evidence, with Asians having a high value here: and in those finalised by a decision, where the Asian group is again high and the Mixed category is low. However, numbers are small, especially for women. The most interesting feature of these two tables, as noticed for 2006-7, is the absolute number of Mixed ethnic category, which, especially for women, is quite high.

Table 10.3 Results of the Charging process for males aged 18-24

Ethnic origin	Charge	No Pros (evidence)	No Pros (public interest)	Other	Admin Finalised	Finalised by a decision	Incomplete Cases	Number of cases
Asian	61.5%	25.5%	1.3%	3.5%	4.3%	2.4%	1.5%	6,747
Black	64.0%	19.9%	1.2%	5.9%	5.6%	1.6%	1.8%	8,930
Mixed	67.7%	18.6%	1.3%	5.2%	4.0%	2.0%	1.2%	3,284
Other	64.6%	17.9%	0.6%	6.1%	8.7%	1.5%	0.7%	1,052
White	63.6%	20.8%	1.5%	4.1%	4.8%	3.9%	1.3%	92,058
Not Provided	26.6%	49.9%	4.4%	2.1%	9.0%	7.2%	0.8%	17,069
Not Stated	51.5%	25.8%	1.6%	5.0%	12.2%	2.9%	1.0%	5,148
Total	78,500	33,328	2,487	5,384	7,564	5,380	1,645	134,288

Table10.4 Results of the charging process for females aged 18-24

Ethnic origin	Charge	No Pros (evidence)	No Pros (public interest)	Other	Admin Finalised	Finalised by a decision	Incomplete Cases	Number of cases
Asian	48.3%	37.2%	2.1%	3.8%	3.1%	4.9%	0.7%	288
Black	61.2%	21.3%	2.0%	3.7%	7.0%	3.4%	1.5%	816
Mixed	60.6%	22.4%	1.5%	4.1%	4.6%	4.9%	1.8%	388
Other	60.2%	25.6%	0.0%	3.0%	7.5%	1.5%	2.3%	133
White	56.1%	26.0%	2.2%	4.2%	4.9%	5.5%	1.1%	11,516
Not Provided	20.9%	53.3%	5.0%	1.9%	8.6%	9.7%	0.6%	1,344
Not Stated	43.3%	29.1%	2.9%	5.4%	12.8%	5.6%	0.9%	554
Total	48.3%	37.2%	2.1%	3.8%	3.1%	4.9%	0.7%	15,039

10.4 Female cases are too few in number to interpret patterns statistically. For males aged 18-24 Mixed suspects were more likely to be charged. Mixed and Other suspects were less likely to be not charged because of lack of evidence. No prosecutions in the public interest were very low for all ethnicities. For this age group and older the Mixed category tends to be less than the other categories.

Table 10.5 Results of the Charging process for males aged 25-34

Ethnic origin	Charge	No Pros (evidence)	No Pros (public interest)	Other	Admin Finalised	Finalised by a decision	Incomplete Cases	number of cases
Asian	60.2%	26.9%	1.9%	3.6%	3.9%	2.2%	1.2%	7,232
Black	63.3%	21.0%	1.5%	5.5%	5.6%	1.6%	1.5%	8,100
Mixed	65.4%	19.3%	1.6%	5.2%	5.7%	2.0%	0.8%	1,923
Other	63.1%	18.9%	1.2%	6.2%	7.7%	1.9%	1.0%	1,477
White	64.6%	21.2%	1.8%	3.9%	4.7%	2.7%	1.1%	75,753
Not Provided	26.4%	50.2%	5.1%	2.6%	9.3%	5.7%	0.8%	13,654
Not Stated	51.5%	25.1%	2.2%	4.8%	13.4%	2.1%	1.0%	4,273
Total	66,429	28,245	2,472	4,389	6,346	3,284	1,247	112,412

Table 10.6 Results of the Charging process for females aged 25-34

Ethnic origin	Charge	No Pros (evidence)	No Pros (public interest)	Other	Admin Finalised	Finalised by a decision	Incomplete Cases	number of cases
Asian	51.6%	34.2%	2.5%	3.0%	3.5%	4.6%	0.5%	395
Black	61.2%	21.2%	2.9%	5.4%	6.2%	1.9%	1.3%	1,004
Mixed	63.2%	22.1%	2.3%	3.7%	5.0%	3.0%	0.7%	299
Other	57.5%	19.6%	1.7%	6.1%	7.8%	5.0%	2.2%	179
White	57.3%	25.7%	2.5%	4.0%	4.9%	4.6%	1.1%	11,213
Not Provided	23.3%	53.6%	5.5%	1.3%	8.2%	6.9%	1.2%	1,373
Not Stated	45.7%	27.0%	4.3%	4.3%	13.6%	3.7%	1.4%	492
Total	8,080	4,195	426	574	828	682	170	14,955

10.5 Again female numbers are too small to make valid comments. For males, the percentage charged was higher than for younger people. Mixed suspects were more likely to be charged and Asian suspects less likely. Mixed numbers are not high in this age group.

Table 10.7 Results of the Charging process for males aged 35-44

Ethnic origin	Charge	No Pros (evidence)	No Pros (public interest)	Other	Admin Finalised	Finalised by a decision	Incomplete Cases	number of cases
Asian	58.5%	27.9%	1.7%	3.8%	4.4%	2.4%	1.3%	3,189
Black	62.7%	22.1%	1.7%	5.3%	5.6%	1.5%	1.2%	5,888
Mixed	64.8%	20.5%	1.7%	3.7%	6.1%	1.4%	1.8%	1,068
Other	61.7%	18.2%	1.5%	6.5%	8.7%	1.5%	1.9%	859
White	61.7%	24.0%	1.9%	3.5%	4.5%	3.1%	1.2%	55,255
Not Provided	25.0%	53.1%	5.0%	2.1%	8.2%	5.7%	0.8%	10,194
Not Stated	51.4%	26.3%	2.6%	5.2%	11.6%	2.1%	0.8%	2,942
Total	44,955	22,030	1,837	2,856	4,290	2,532	895	79,395

Table 10.8 Results of the charging process for females aged 35-44

Ethnic origin	Charge	No Pros (evidence)	No Pros (public interest)	Other	Admin Finalised	Finalised by a decision	Incomplete Cases	number of cases
Asian	56.3%	32.4%	1.4%	0.9%	4.1%	5.0%	0.0%	222
Black	59.5%	23.7%	2.6%	4.3%	6.1%	2.3%	1.5%	726
Mixed	60.0%	19.4%	3.1%	5.0%	6.3%	4.4%	1.9%	160
Other	60.0%	20.8%	1.7%	5.0%	5.8%	5.0%	1.7%	120
White	54.4%	29.2%	2.7%	3.3%	4.9%	4.3%	1.1%	8,853
Not Provided	19.8%	56.4%	5.9%	1.0%	8.1%	8.2%	0.6%	1,102
Not Stated	42.1%	31.8%	3.8%	5.3%	11.5%	4.3%	1.2%	418
Total	5,937	3,641	350	375	640	529	129	11,601

10.6 Female and Mixed numbers are quite low. For males aged 35-44, Asian suspects are less likely to be charged and more likely to have no prosecution on evidence grounds. No prosecutions in the public interest are quite low.

Table 10.9 Results of the charging process for males aged 45-54

Ethnic origin	Charge	No Pros (evidence)	No Pros (public interest)	Other	Admin Finalised	Finalised by a decision	Incomplete Cases	number of cases
Asian	55.8%	32.0%	1.1%	3.8%	4.2%	2.3%	0.9%	1,232
Black	60.6%	22.5%	1.8%	6.1%	5.7%	2.1%	1.2%	2,169
Mixed	60.3%	25.2%	2.2%	5.0%	4.4%	1.6%	1.3%	317
Other	63.8%	20.8%	1.0%	4.4%	7.0%	1.7%	1.3%	298
White	58.6%	27.0%	1.9%	3.6%	4.4%	3.5%	1.0%	21,813
Not Provided	22.1%	57.1%	4.4%	2.0%	7.9%	5.9%	0.6%	4,294
Not Stated	47.4%	29.5%	2.5%	5.7%	11.0%	2.8%	1.1%	1,110
Total	16,629	9,682	695	1,135	1,639	1,142	311	31,233

Table 10.10 Results of the Charging process for females 45-54

Ethnic origin	Charge	No Pros (evidence)	No Pros (public interest)	Other	Admin Finalised	Finalised by a decision	Incomplete Cases	number of cases
Asian	47.2%	39.8%	1.9%	4.6%	4.6%	1.9%	0.0%	108
Black	60.9%	21.4%	1.6%	5.8%	4.1%	4.9%	1.2%	243
Mixed	56.6%	30.2%	5.7%	3.8%	0.0%	3.8%	0.0%	53
Other	58.1%	23.3%	2.3%	2.3%	7.0%	4.7%	2.3%	43
White	52.0%	30.0%	2.8%	3.6%	4.6%	5.8%	1.3%	3,484
Not Provided	18.5%	55.9%	6.1%	2.5%	7.2%	9.2%	0.7%	444
Not Stated	41.0%	37.3%	2.2%	6.7%	8.2%	3.0%	1.5%	134
Total	2,201	1,464	136	169	220	266	53	4,509

10.7 Female and Mixed suspect numbers are low. For males aged 45 to 54 Asians are less likely to be charged and more likely to have no prosecution on evidence grounds. Numbers of no prosecutions in the public interest are low.

Table 10.11 Results of the charging process for males aged 55-64

Ethnic origin	Charge	No Pros (evidence)	No Pros (public interest)	Other	Admin Finalised	Finalised by a decision	Incomplete Cases	number of cases
Asian	53.8%	32.7%	3.2%	3.5%	4.8%	0.6%	1.3%	312
Black	58.7%	25.2%	3.3%	7.5%	2.3%	1.6%	1.3%	305
Mixed	47.2%	32.1%	1.9%	9.4%	7.5%	1.9%	0.0%	53
Other	47.7%	30.8%	1.5%	6.2%	10.8%	3.1%	0.0%	65
White	54.1%	29.9%	2.3%	4.0%	4.5%	4.1%	1.1%	7,177
Not Provided	20.6%	55.8%	5.3%	2.3%	8.5%	7.0%	0.5%	1,369
Not Stated	40.0%	30.6%	2.2%	6.7%	16.5%	3.5%	0.5%	405
Total	4,729	3,253	269	388	541	413	93	9,686

Table 10.12 results of the charging process for females 55-64

Ethnic origin	Charge	No Pros (evidence)	No Pros (public interest)	Other	Admin Finalised	Finalised by a decision	Incomplete Cases	number of cases
Asian	34.5%	48.3%	3.4%	10.3%	0.0%	0.0%	3.4%	29
Black	60.0%	25.7%	8.6%	5.7%	0.0%	0.0%	0.0%	35
Mixed	40.0%	40.0%	0.0%	20.0%	0.0%	0.0%	0.0%	5
Other	53.8%	30.8%	7.7%	0.0%	0.0%	7.7%	0.0%	13
White	47.8%	32.0%	4.1%	3.2%	6.2%	6.3%	0.5%	973
Not Provided	13.8%	62.3%	4.3%	4.3%	6.5%	6.5%	2.2%	138
Not Stated	37.5%	31.3%	3.1%	0.0%	9.4%	15.6%	3.1%	32
Total	536	436	52	43	72	76	10	1,225

10.8 Non-White suspects are few in this age group. Variations that do occur are because of small numbers.

Table 10.13 Results of the charging process for males aged 65+

Ethnic origin	Charge	No Pros (evidence)	No Pros (public interest)	Other	Admin Finalised	Finalised by a decision	Incomplete Cases	number of cases
Asian	43.8%	37.0%	4.8%	2.1%	7.5%	3.4%	1.4%	146
Black	50.7%	29.5%	4.1%	4.1%	8.2%	2.1%	1.4%	146
Mixed	61.1%	27.8%	0.0%	5.6%	5.6%	0.0%	0.0%	18
Other	40.0%	26.7%	0.0%	6.7%	13.3%	13.3%	0.0%	15
White	46.6%	32.3%	5.2%	3.5%	7.1%	4.4%	1.0%	2,635
Not Provided	14.7%	58.1%	10.1%	1.4%	8.9%	6.6%	0.3%	587
Not Stated	16.7%	31.5%	4.3%	2.6%	40.9%	3.5%	0.7%	744
Total	1,593	1,532	242	129	568	190	37	4,291

Table 10.14 Results of the Charging process for females aged over 65

Ethnic origin	Charge	No Pros (evidence)	No Pros (public interest)	Other	Admin Finalised	Finalised by a decision	Incomplete Cases	number of cases
Asian	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	3
Black	31.3%	37.5%	6.3%	6.3%	12.5%	6.3%	0.0%	16
Mixed	50.0%	50.0%	0.0%	0.0%	0.0%	0.0%	0.0%	2
Other	0	0	0	0	0	0	0	0
White	29.9%	39.5%	9.0%	3.5%	11.6%	5.8%	0.6%	311
Not Provided	16.7%	42.6%	16.7%	1.9%	13.0%	9.3%	0.0%	54
Not Stated	13.8%	39.7%	6.9%	3.4%	24.1%	10.3%	1.7%	58
Total	116	179	42	15	59	30	3	444

10.9 Again non-white suspect numbers are few in this age group and the variations by ethnicity are not statistically valid because of small numbers and lack of full data.

11. Suggestions for future analysis and publications on diversity

11.1 Now that the Statutory Charging process is functioning as core business it is important that statistics on the charging process and an EDIA should also be routinely made available for public discussion. It is good that CPS has decided to produce an EDIA on the Statutory Charging process for 2006-7, 2007-8 and 2008-9.

11.2 In discussions with interest groups on the published EDIAs, concern has been raised that they have so far only covered cases that come to CPS and not cases where the police lead on the charge. COMPASS also includes material on such cases, which are reported to the CPS and which are part of the new CPS Streamlined Process being piloted in 2008. It seems important that once the new streamlined process has been fully introduced an EDIA should be routinely produced on the patterns of case-ending where this is determined by the police.

11.3 It is also important that data is collected on as many relevant aspects as possible. It is good to see the recent developments on this: i.e. that age data is now available from COMPASS and that attempts are also being made to include disability data. For 2007-8 the age data is now recorded well. However, the attempt to collect disability data has not yet been successful and still suffers from heavy underreporting. Strong efforts need to be made to improve recording of disability because no disproportionality analysis is worth attempting for disability data as it now stands.

11.4 This is the fourth Equality and Diversity Impact Assessment of the CPS Charging process produced since 2004. The combined effect of these EDIAs has been to build up public reassurance that the CPS Charging process is broadly conducted in a fair manner, with little disproportionality across gender, age or ethnic groups. Moreover the routine publication of this material enables public discussion to take place in an informed manner and encourages other agencies to produce similar analyses for processes at other stages of the justice system.

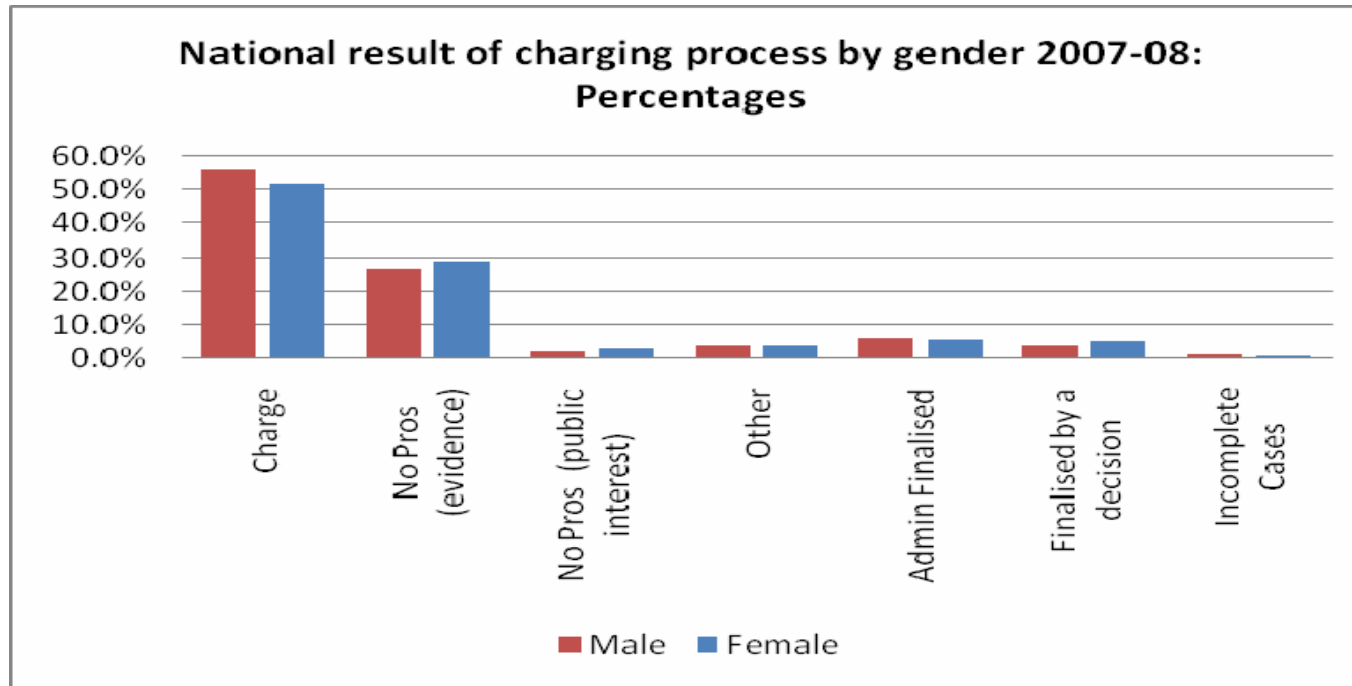
Yung-Fang Chen,, Chris Lewis, Independent Consultants, December 2008

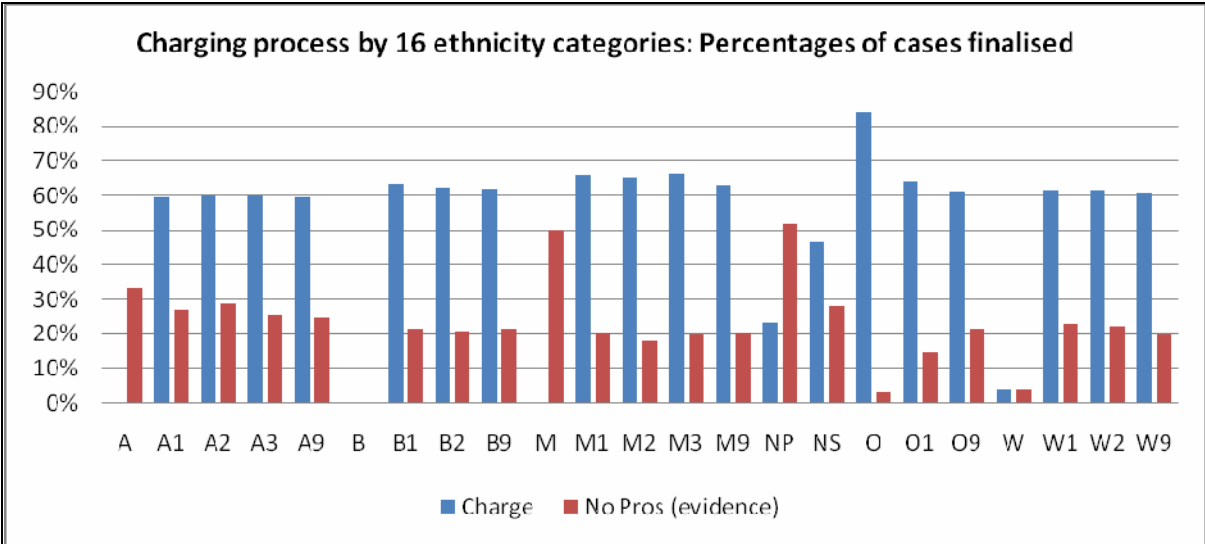
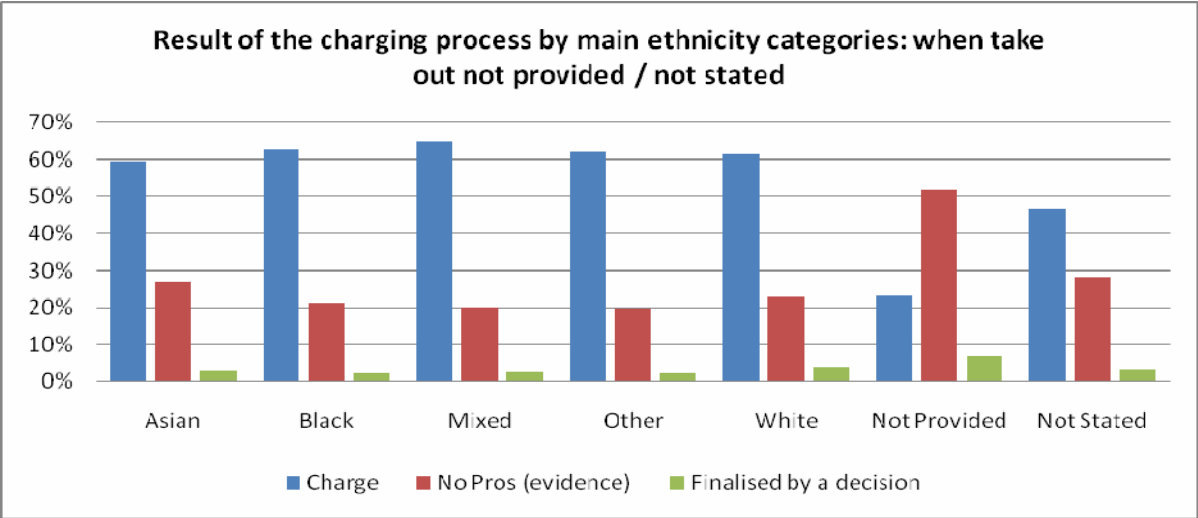
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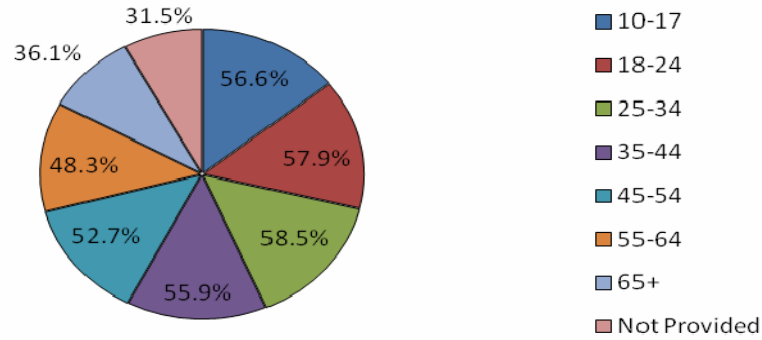
**EQUALITY AND DIVERSITY IMPACT ASSESSMENT OF CPS STATUTORY CHARGING:
ENGLAND AND WALES: APRIL 2007-MARCH 2008**

ANNEX A - CHARTS

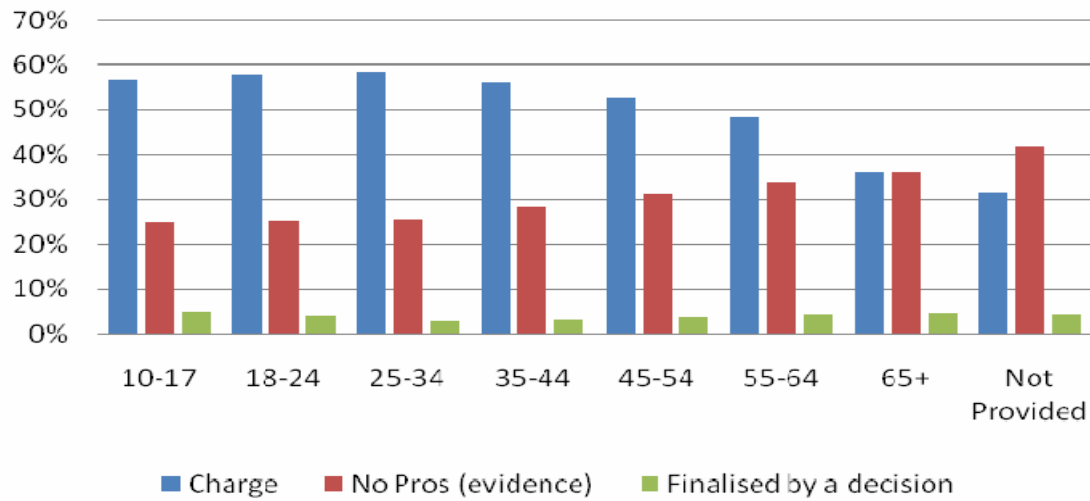


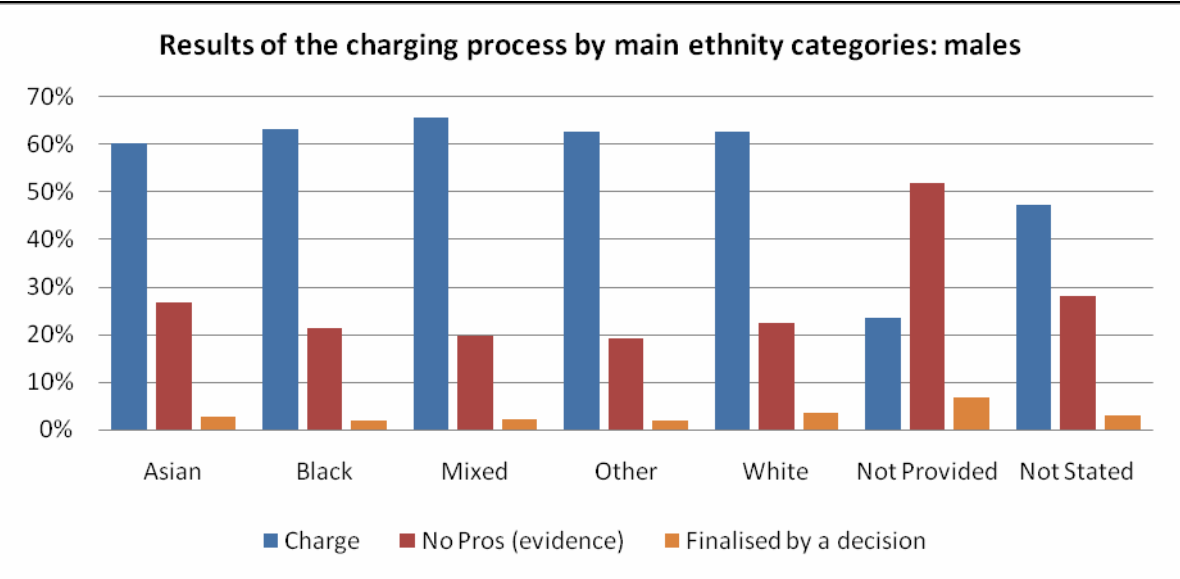
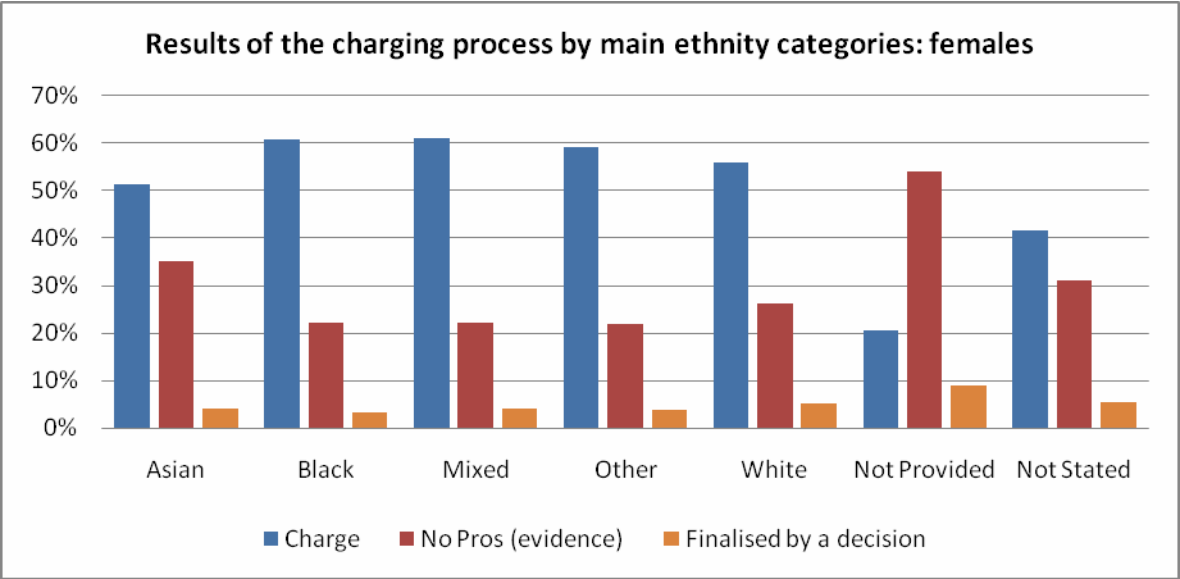


Variations in the charging process by age groups



Result of charging process by age group: national





EQUALITY AND DIVERSITY IMPACT ASSESSMENT OF CPS STATUTORY CHARGING: ENGLAND AND WALES: APRIL 2007-MARCH 2008

ANNEX B: SUMMARY OF THE STATISTICAL PROCESS

1. The data set on which this statistical analysis was based is drawn from the CPS case management system COMPASS records for April 2007 to March 2008. This totalled over 540,000 records and consisted of several EXCEL spreadsheets listing cases by gender, age, disability and ethnic coding (using the 2001 Census 16+1 classification), CPS area, offence, the result of the charging process..
2. Of the 547,000 cases around 305,000 were resulted in a charge: 22,000 finalised through a decision such as a caution or a final warning: 148,000 had no prosecution on evidence grounds and 13,000 on public interest grounds: 32,000 cases were finalised administratively.
3. Of the 547,000 cases, around 482,000 were recorded as male suspects and 65,000 as female suspects. This 7.5 to 1 ratio is about the same as other statistics around the court stage of the criminal justice process. 374,000 suspects were Classified as White: 24,000 as Asian: 36,500 as Black: 11,500 as of Mixed ethnic group: 5,000 as 'Other'. Ethnicity was not provided in 75,000 cases and not stated in a further 22,000 cases. Of the 547,000 cases, 107,500 were for suspects under 18 years; 149,500 for those aged 18-25; 127,500 for those aged 25-34; 91,000 for those aged 35-44; 35,500 for those aged 45-54; 11,000 for those aged 55-64 and 6,500 for those aged over 65.
4. The data quality of the gender recorded on COMPASS was excellent, with under 1% of cases not having gender recorded. The data quality of ethnicity recorded was less complete, with 13.7% of records showing 'ethnicity not provided' by the suspect and 4% of records showing 'ethnicity not stated'. This is a slight improvement from the last EDIA when the figures were 14% and 6% respectively. The data quality of the result of the charging process was quite good, with 3.8% of records showing the result of the charging process being 'other', 'not given or' undefined'. This is a lot better than the previous EDIA when the figure was over 10%. The main statistical analysis essentially ignores the missing data, or, to put it another way, assumes that the missing data are distributed in the same way as the data for which the variable is present.
5. The data for 2006-7 included an age variable for the first time. About 40% of suspects did not have their age recorded. This was a good start and improved to over 90% recording of age of suspect by 2007-8. The data for 2006-7 included a disability variable for the first time. However, the data was very incomplete for both 2006-7 and 2007-8 making an analysis by disability not worth while. The data set did not include variables such as criminal history which are claimed by some commentators regard as being important predictors of the result of the charging process. This is because criminal history is not recorded on the COMPASS system. To do so would need a link with the Police National Computer.
6. The analysis was straightforward and showed the proportion of cases of a particular gender, ethnicity classification or gender/ethnicity cross classification, or age where the charging process resulted in: A Charge: A 'finalisation' by a decision such as a caution or a final warning: A 'finalisation' by an administrative process such as a request for further information (incomplete cases); No further action being taken on evidential grounds: No further action to be taken on public interest grounds: Any other result.

7. The classification of the result of the charging decision did not change from the previous EDIA. The COMPASS categories used are:

- A- A charge is to be made and there is a request for the evidential file.
- B- A charge is to be made and there is a request for the expedited file.
- C- The case is to be finalised by a simple caution
- D- The case is to be finalised by a conditional caution
- E- The case is to be finalised by a reprimand
- F- The case is to be finalised by a final warning
- G- The case is to be finalised by the offence being taken into consideration in relation to another charge
- H- An incomplete case where further information is requested to be able to complete the evidential file
- I- An incomplete case where further information is requested to be able to complete the expedited file
- J- An incomplete case where early advice is requested and further action is deemed necessary.
- K- No prosecution to be made on public interest grounds
- L- No prosecution to be made on evidential grounds
- M- Other result of the charging process
- N- The result of the charging process is not given for this suspect
- O- The result of the charging process is undefined on the system
- Z- A case where the charging process has been finalised administratively for various reasons

10. These categories have been grouped into six categories for clarity of presentation in the tables and figures in this report: **Charge** (This includes Codes A and B above.) **Finalised by decision** (This includes Codes C, D, E, F, and G above.): **Incomplete cases** (This includes Codes H, I, and J above.): **No prosecution - Evidence** – Code K above: **No prosecution - Public interest** - Code L above.: **Finalised administratively** – Code Z, **Other** (Codes M, N, and O above.) The use of these codes is itself changing. Initial snags in the case management system have been ironed out and areas have become more familiar with the requirements of statutory charging. In particular, **Incomplete cases** fell to a lower level during 2006-7.

9. The statistical test used is found in Jones, 2002 and Spiegel, 1988 for the difference between proportions. It compares two proportions P1 and P2, eg the proportion of males who were charged with the proportion of females who were charged. They are deemed to be significantly different if they differ by more than the statistic $1.96 \cdot \sqrt{P1 \cdot (1-P1)/N1 + (P2 \cdot (1-P2)/N2)}$ where N1 and N2 are the numbers of males and females in the analysis. This is more as rule of thumb than an exact statistical test, as the number of possible comparisons, and hence calculations of the significance statistic, is very large. Broadly speaking, proportions (which are percentages divided by 100) are more accurate if they are based on larger numbers, so that one can be very much more secure with a percentage based upon, say 90,000 white males, than on a percentage based upon just over 100 Indian females.