



Equality and diversity impact assessment on the violence against women strategy and action plans

Analysis of evidence

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1 Introduction

- 1.1 This assessment has been prepared as part of the CPS commitment in its Single Equality Scheme (SES), incorporating the duties 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 the Violence against Women (VAW) strategy.
- 1.2 This EDIA was subject to a three-month public consultation between November 2007 and January 2008 and has been amended in the light of comments received. The EDIA will be published alongside the final Violence against Women strategy.
- 1.3 The main aim of this EDIA is to assess the likely impact of the strategy and to help establish if there is any significant disproportionality in terms of gender, ethnicity, disability, sexuality, religion or belief or age.
- 1.4 This assessment is based on data from the CPS Case Management System, COMPASS.¹ The consultation on the EDIA included independently facilitated focus groups as well as an opportunity to submit written comments.

2 Terminology

- 2.1 In this document, all references to 'men' should be read to include 'boys' and all references to 'women' should be read to include 'girls'. The terms 'men' and 'women' have been used in order to include transgender individuals, regardless of whether or not they have undergone formal gender re-assignment.

3 Background

- 3.1 Violence against Women is a human rights violation that prevents women from fully participating in public life and is a major impediment to equality between men and women.
- 3.2 Violence against Women is also an equalities issue. It is prevalent, systemic and rooted in long-standing inequality between men and women. Until this inequality is dealt with, violence against women will continue to impede the social and economic progress of women and girls. The Commission for Equality and Human Rights became operational in October 2007 and the End Violence against Women Campaign has recommended violence against women as a priority for the Commission.²
- 3.3 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 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.
- 3.4 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) explicitly states that a violence against women strategy and action plans will be produced during the first year of the SES.

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, June 2007.

- 3.5 The *VAW Strategy and Action Plans* aim to secure the coordination and improve prosecution response to a range of crimes that fall under the umbrella of VAW.
- 3.6 Specifically the strategy will focus on:
- domestic violence, including harassment;³
 - forced marriage;
 - so-called honour crimes;
 - female genital mutilation;
 - rape and sexual offences;
 - human trafficking, with a focus on human trafficking for sexual exploitation;
 - prostitution, including child prostitution;
 - crimes against the older person;
 - child abuse;
 - pornography – obscene publications; and
 - sexual harassment at work.⁴
- 3.7 The CPS specific objectives in crimes involving Violence against Women are to:
- improve prosecutions;
 - increase public confidence;
 - improve safety, support and satisfaction for victims; and
 - address any disproportionality.
- 3.8 This strategy will help in delivering the overall Public Service Agreements (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.

4 Background statistics on Violence against Women

- 4.1 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, and adult and child pornography.
- 4.2 The facts and figures listed below highlight the prevalence and wide-reaching nature of violence against women:
- almost half of all adult women in England and Wales have experienced domestic violence, sexual assault or stalking;⁵
 - in England and Wales, the rate of conviction for reported rape decreased from one in three reported cases in 1977 (33 per cent) to one in 13 in 1999⁶ (7.5 per cent). By 2004, only one in eight reported cases (12 per cent) reached trial and in 2004, only 5.3 per cent ended in a conviction;
 - in approximately 85 per cent of the forced marriage cases dealt with by the Foreign and Commonwealth Office, the victims are women;⁷

³ Harassment is used instead of the term “stalking” (which is used by EVAW) as criminal cases of stalking are dealt with under the Protection from Harassment Act 1997.

⁴ All forms of harassment that are criminal offences will be addressed as part of domestic violence. Sexual harassment at work, although not a criminal offence, will be dealt with in relation to CPS staff through Human Resources

⁵ Walby, S. and Allen, J. (2004) *Domestic violence, sexual assault and stalking: Findings from the British Crime Survey*, London: Home Office.

⁶ HM Inspectorate of the Crown Prosecution Service (HMCPSP) & HM Inspectorate of Constabularies (HMIC) (2002) *Joint inspection into the investigation and prosecution of rape offences in England and Wales* London: HMCPSP & HMIC.

⁷ Figure cited in the joint Home Office and Foreign and Commonwealth Office 2005 consultation on forced marriage, *Forced Marriage: A wrong, not a right*.

- 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 risk;⁸
- currently, only 19 per cent of the women working as prostitutes in flats, parlours and saunas in London were originally from the UK;⁹
- a survey of prisoners aged 16-20 found that two out of five women in prison and around one in four men in prison had suffered violence at home, whilst one in three women and one in 20 men had been sexually abused;¹⁰
- 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 year.¹¹

5 Data on which this impact assessment is based

- 5.1 The data used in this report is from the CPS Case Management and Witness Management Systems. CPS data is available only for cases which have been identified and 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). The remaining VAW crimes are currently not flagged and therefore it is not possible to analyse the data in a similar way. All of the data used in these sections includes both adult and youth offenders and victims. The key points from the data are summarised mainly using the data from April – September 2006.
- 5.2 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 per cent 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 exercised when drawing conclusions from this data, where gender and ethnicity are not fully recorded.
- 5.3 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/belief profile of victims and defendants has been collected since April 2007.
- 5.4 Age is not currently monitored, although systems will be in place from April 2008. The monitoring of sexuality is being explored. Once these systems are in place, we will be able to cross flag across all the equality strands. This will enable us to explore and address the issue of intersectionality.¹²
- 5.5 The available CMS and WMS data does not contain sufficient detail to enable proper comparisons to be made between Black and minority ethnic groups and the population as a whole. For example, the Black and minority ethnic 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 highlights the need for further research.

⁸ FORWARD, cited in House of Commons Research paper 03/24 March 2003.

⁹ POPPY Project (2004) *Sex in the City: Mapping Commercial Sex Across London*, London: POPPY Project.

¹⁰ Her Majesty's Inspectorate of Prisons, 1997.

¹¹ Department of Health website.

¹² The interaction of gender with other identities, leading to a substantively distinct experience of violence for individual women (Symington, A (2004) *Intersectionality: A Tool for Gender and Economic Justice*).

5.6 A summary of the data from CMS and WMS for April – September 2006 indicates the following:

Table 1: Summary of defendant and victim data (by gender) for the period April-September 2006

	Domestic Violence	Rape	Sexual offences	Child abuse – sexual offences	Child abuse offences against the person	Child abuse offences – homicides ¹³
Defendants who are men	95%	99%	96%	98%	76%	80%
Victims who are women¹⁴	86% (December 2006 snapshot indicated 89%)	89%	Not available	67% of all cases flagged as child abuse victims		

5.7 Analysis of the data by gender and ethnicity

5.8 Domestic violence data

5.8.1 Data for defendants for April – September 2006 indicated:

- 95 per cent of domestic violence defendants were men;
- outcomes of cases, by gender, were similar in relation to successful and unsuccessful outcomes – i.e. 63.5 per cent of women prosecuted and 64.3 per cent of men prosecuted, resulted in a successful outcome. There were slightly more men that pleaded guilty proportionally (58.2 per cent of men compared with 51.3 per cent of women);
- homicide data indicated that there were 76 defendants during April – September 2006-07 of which 87 per cent were men;¹⁵
- there were 102 murder offences and five offences of manslaughter over the same period;
- 2,740 harassment offences were recorded;¹⁶ and the December 2006 snapshot also indicated that 94 per cent of defendants were men.

5.8.2 The gender breakdown of victims between April and September 2006 indicated that only 33 per cent of cases had gender recorded;¹⁷ of those 86 per cent of victims were women. The December snapshot indicated that 89 per cent of victims were women.

¹³ CMS Homicides includes murder, manslaughter and threats to kill.

¹⁴ 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.

¹⁵ Homicide data in CPS includes murders, attempted murders, threats or conspiracy to murder, manslaughter and causing death by aggravated vehicle taking.

¹⁶ Protection from Harassment Act cases are recorded as offences rather than by defendant so it is not possible to break down by gender.

¹⁷ See footnote 14.

5.8.3 The ethnicity breakdown of defendants for April – September 2006 indicated as follows:

Table 2: Ethnicity breakdown of defendants

Ethnicity	% of all arrests 2004-05 charged (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

5.8.4 A smaller percentage of Black suspects (6.3 per cent) were charged in 2006-07 and their prosecution completed (6.5 per cent) in April – September 2006, than arrested (8.8 per cent) for all offences.¹⁸ A higher percentage of White suspects (86.6 per cent) were charged and cases completed (85.9 per cent) in April – September 2006 than arrested (84.3 per cent).

5.8.5 However, fewer White defendants (84.3 per cent) were arrested, charged (86.6 per cent) and cases completed (85.9 per cent) in April – March 2006 than in proportion to the population as a whole (90.9 per cent). More Black defendants were arrested (8.8 per cent) than charged (6.3 per cent) and cases completed (6.5 per cent) in April – September 2006; but overall the proportions were higher compared with the 2.3 per cent of Black people in the population. Similarly, there were slightly more Asian and Mixed Ethnic Origin defendants arrested,¹⁹ charged and prosecuted than compared with the population.

5.8.6 The 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 (see Table 3 opposite).

5.8.7 Of all White suspects of domestic violence whose cases were sent to the CPS, 59.6 per cent were charged, 21.5 per cent not prosecuted on evidential grounds, with 10.5 per cent having an ‘other’ conclusion.²⁰ Of all Black suspects, 57.5 per cent were charged, 23 per cent not prosecuted on evidential grounds and 12 per cent having an ‘other’ conclusion. Of all Asian suspects, 55 per cent were charged, 27 per cent not prosecuted on evidential grounds and nine per cent having an ‘other’ conclusion. However, there was a higher percentage of successful outcomes with White defendants (66.5 per cent) than for Black defendants (48.7 per cent) and Asian defendants (50.5 per cent) (see Table 5 opposite).

¹⁸ It is recognised that the latest HO data is from 2004-5.

¹⁹ No data is available from the HO 2004-5 on arrests of suspects from mixed ethnicity communities.

²⁰ ‘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.

Table 3: Charging results for domestic violence by ethnicity, April 2006-March 2007

	Charge	Finalised by a decision	In-complete cases	No. Pros. (evidence)	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

5.8.8 The comparison of gender of defendants by ethnicity in domestic violence cases showed a dominance of men across all ethnicities:

Table 4: Gender and ethnicity breakdown of defendants in domestic violence cases, in the period April-September 2006

Ethnicity	Men	Women
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)

5.8.9 Outcomes by gender and ethnicity of defendants in domestic violence cases indicated that successful outcomes for Black and minority ethnic men are lower compared with White men:

Table 5: Successful outcomes in domestic violence cases, by gender and ethnicity, for the period April-September 2006

Ethnicity	Men	Women
Asian	50.5%	44.8% (only 29 defendants)
Black	48.7%	52%
Mixed Ethnic Origin	59.9% (low no's)	82.8% (only 29)
All White	66.5%	64.7%
White British	66.9%	64.8%

5.8.10 The ethnicity breakdown of victims for DV was analysed for victims in domestic violence cases,²¹ but as only 16 per cent of cases had recorded ethnicity, it is not possible to draw conclusions from these results. Of those with recorded ethnicity there was little difference between the outcomes and the population as a whole.

Table 6: Ethnicity breakdown of domestic violence victims for the period April – September 2006

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%

5.9 Rape and sexual offence data

5.9.1 The gender breakdown of defendants for rape and sexual assaults for April – September 2006 shows that men were responsible for 99 per cent of rape cases and 96 per cent of sexual offences.

5.9.2 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 per cent of women and 53.4 per cent of men were prosecuted successfully. However, women only made up a small sample of defendants (16 compared with 685 men);
- for sexual offences – 79.1 per cent of women and 66.6 per cent of men were prosecuted successfully. However, again women only made up a very small proportion of defendants (129 compared with 2696 men);
- slightly more cases involving women as defendants were discontinued in rape cases (37.5 per cent of women with 25 per cent having no evidence offered compared with 23.9 per cent of cases involving men as defendants with 14.2 per cent no evidence offered);
- more women plead guilty than men in sexual offence cases (73 per cent of 163 women compared with 51 per cent of 4049 men);
- more men were found guilty than women in sexual offence cases (15.3 per cent of 4049 men compared with 4.9 per cent of 163 women);
- there were no judge or jury acquittals for rape cases with women as defendants, but 2.2 per cent judge and 19.1 per cent jury acquittals for cases involving men as defendants;
- there were no judge directed acquittals and only five jury acquittals in sexual offence cases with women as defendants, but 1.1 per cent judge and 11.1 per cent jury acquittals where the defendants were men.

5.9.3 Ethnicity was not recorded in 12 per cent of cases.

²¹ Victim data can be collected on the CPS 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.

5.10 Rape data

5.10.1 The gender breakdown of victims for rape for April – September 2006 shows that only 31 per cent of cases had gender recorded.²² Of those with recorded gender, 89 per cent of victims were women.

5.10.2 Gender and ethnicity breakdowns of rape defendants for April – September 2006 are as follows:

Table 7: Ethnicity breakdown of rape defendants for the period April-September

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%

5.10.3 In summary, there were fewer white defendants (74.7 per cent) than in the population as a whole in England and Wales (90.9 per cent) with a greater proportion of successful outcomes (57.8 per cent) than for other ethnicities (38.2 per cent – 44.7 per cent).

5.10.4 More Black defendants (14.4 per cent) were prosecuted than in the population as a whole (2.3 per cent) but with lower successful outcomes (43.1 per cent).

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

Table 8: Gender and ethnicity breakdown of rape defendants for the period April-September 2006

Ethnicity	Men	Women
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

²² Victim data can be collected on the CPS 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.

5.10.6 For all ethnicities, over 98 per cent of defendants were men. The figures for defendants who are women are too small to draw conclusions from.

5.10.7 The results of successful outcomes by gender and ethnicity in rape cases were as follows:

Table 9: Successful outcomes by gender and ethnicity in rape cases for the period April – September 2006

Ethnicity	Men	Women
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)
White British	58.6%	54.5% (v.low nos)

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

5.10.9 Data from April – September 2006 was analysed for victims’ ethnicity in rape cases.²³ Only seven per cent of cases had recorded ethnicity. Of the 27 cases with recorded ethnicity, 26 were White victims and one Black.

5.11 Sexual offence data

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

Table 10: Ethnicity breakdown of defendants in sexual offence cases for the period April – September 2006

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%

²³ Victim data can be collected on the CPS 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.

- 5.11.2** There were fewer White defendants (81.7 per cent) than in the population as a whole in England and Wales (90.9 per cent) with greater proportion of successful outcomes (68.6 per cent) than for other ethnicities (56.5 per cent – 61.8 per cent).
- 5.11.3** There were more Black and Asian defendants (seven per cent and 7.4 per cent respectively) prosecuted than in the population as a whole (2.3 per cent and 4.6 per cent respectively) but with lower successful outcomes (58.5 per cent and 56.5 per cent).
- 5.11.4** Further analysis would be needed allowing for different age distributions of the population, which is currently not possible.
- 5.11.5** Comparison of gender of defendants by ethnicity in sexual offence cases shows the following, but the figures are too small for Black and minority ethnic populations to be able to draw meaningful conclusions:

Table 11: Gender and ethnicity breakdown of defendants in sexual offence cases for the period April-September 2006

Ethnicity	Men	Women
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

- 5.11.6** Successful outcomes by gender and ethnicity in sexual offence cases are set out in the table below. The number of women, particularly Black and minority ethnic defendants is too low to be able to draw meaningful conclusions. In relation to men, successful outcomes for Black and minority ethnic defendants are lower than for White defendants:

Table 12: Successful outcomes by gender and ethnicity in sexual offence cases for the period April-September 2006

Ethnicity	Men	Women
Asian	56.5%	85.7% (very low numbers)
Black	58.5%	37.5% (very low numbers)
Mixed Ethnic Origin	61.8% (very low numbers)	89% (very low numbers)
All White	68.6%	80.3%
White British	69%	81.5%

5.12 Child abuse data

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

- 98 per cent of child sexual offence cases were perpetrated by men – the number of cases involving women as perpetrators was extremely low;
- more cases involving women as defendants were successfully prosecuted (73 per cent) compared with men (68 per cent). This reflects the very low number of cases involving women (38 compared with 1279 for males) as well as the greater tendency of women to plead guilty (61 per cent compared with 49 per cent for men);
- more cases were discontinued where the defendants were women (eight out of 38; 21 per cent) compared with men (229 out of 1869; 12 per cent); and
- proportionally, slightly more men were found guilty (19 per cent compared with 13 per cent).

5.12.2 The number of homicide cases (including manslaughter and threats) was very small. 80 per cent of defendants were men. Cases were successfully prosecuted in seven out of eight cases where the defendants were men and in both cases where the defendants were women. Four of the seven men pleaded guilty and one of the women. Men were responsible for 76 per cent of cases of offences against the person. Outcome by gender was similar for successful outcomes, discontinued cases and those pleading/being found guilty.

5.12.3 Summary of gender issues arising in child abuse cases:

- the majority of the defendants in child abuse cases were men;
- there is a greater proportion of sexual abuse by men than offences against the person (98 per cent compared with 75.9 per cent); and
- the outcome of cases by gender is similar in offences against the person and homicide but differs in relation to sexual abuse – with proportionally more cases involving women being discontinued and more women pleading guilty. In contrast, more cases involving men resulted in a finding of guilt. However, the numbers of cases where the defendants are women are very low and no meaningful conclusions can be drawn from these figures.

5.12.4 The breakdown for victims of child abuse for April – September 2006 showed that only 31 per cent of cases had recorded gender and, of these, 67 per cent were girls.²⁴

5.12.5 The gender and ethnicity breakdown of defendants for child abuse for April – September 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.

²⁴ Victim data can be collected on the CPS 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 13: Ethnicity breakdown of defendants in child abuse cases for the period April – September 2006

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%	1	5.3%	4.6%
Black	2.6%	1	4.2%	2.3%
Mixed Ethnic Origin	1.1%	2	1.7%	1.3%
All White	92.6%	6	87.7%	90.9%
White British	89.5%	6	85.9%	87%

5.12.6 Ethnicity was not recorded in nine per cent of defendants.

5.12.7 A breakdown by gender and ethnicity of defendants in child abuse cases showed that the majority of offences were carried out by men, regardless of ethnicity.

Table 14: Ethnicity and gender breakdown of defendants in child abuse cases for the period April-September 2006

Ethnicity	Sexual offences (Men)	Sexual offences (Women)	Offences against person (Men)	Offences against person (Women)	Homicide Defs (Men)	Homicide Defs (Women)
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% (30 defs)	75.5%	24.5%	6	0
White British	98.2%	1.8% (28 defs)	75.4%	24.6%	6	0

5.12.8 Data on the successful outcomes by gender and ethnicity in child abuse cases shows that, for cases involving women as defendants, and particularly 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 cases of sexual offences and offences against the person involving men as defendants, successful outcomes for Black and Asian defendants are lower than for White men in sexual offences and offences against the person.

Table 15: Successful outcomes by gender and ethnicity for defendants in child abuse cases for the period April – September 2006

Ethnicity	Sexual offences (Men)	Sexual offences (Women)	Offences against the person (Men)	Offences against the person (Women)	Homicides (Men)	Homicides (Women)
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

5.12.9 Data on the ethnicity breakdown of victims for child abuse cases for April – September 2006 was poorly recorded with only 10 per cent of cases being recorded.²⁵

5.13 Trafficking and prostitution offences data

5.13.1 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 the Home Office.

5.13.2 On 15 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 (Hansard). Margaret Moran MP noted that in the Ukraine it is estimated that 50 per cent of people who are trafficked had suffered from domestic violence.

5.13.3 Home Office data confirms that 182 defendants were sentenced for trafficking related offences in 2005, of which 12 were linked to sexual offences. However, there is no gender analysis of this data.

5.13.4 Between March 2003 and June 2007, the POPPY Project has received 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, and 74 received assistance by way of an outreach service.

5.13.5 Home Office statistics from 2005 show that 269 men were cautioned (and one woman) for kerb crawling; 42 men were cautioned for soliciting of women and 23 men for soliciting of men. No

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 on WMS.

women were cautioned. 629 men and six women were convicted for kerb crawling, and 36 men were convicted for soliciting (two for men). In 2006, 332 kerbcrawling offences were recorded.²⁶

5.14 Women offender data

5.14.1 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.

5.14.2 The *Corston Report* noted that one in three women in prison had suffered sexual abuse, compared with one in ten men.

5.14.3 A survey carried in Her Majesty's Prisons, revealed that nearly half of the women interviewed had experienced domestic violence, and a third sexual assault.²⁷ It was also noted that this figure was similar to a survey carried out in Holloway Prison where 36 per cent of women disclosed experience of sexual abuse in childhood and 45 per cent had experienced physical abuse.

5.15 Forced marriage, so-called honour crimes and FGM data

5.15.1 In June 2007, CPS pilots were set up in four CPS Areas to flag cases of forced marriage and so-called honour crimes.²⁸ The pilots aim to improve prosecutions and support for victims and will help to 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 been prosecuted as yet.

5.16 Crimes against the older person data

5.16.1 The majority of older people are women and therefore more women are likely to be victims of crimes against the older person. The research indicates 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.

5.17 Obscene publications and sexual harassment data

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

²⁶ The 2006 statistics provided to the CPS by the Home Office were not broken down by gender. The 2005 figures are used to illustrate the gender breakdown of these offences.

²⁷ Social Exclusion Unit (2002) Reducing re-offending by ex-prisoners, London: Social Exclusion Unit.

²⁸ Lancashire, London, West Midlands and West Yorkshire.

6 Key points from data analysis

6.1 *Domestic violence*

The key points from domestic violence data analysis were as follows:

- 95 per cent of defendants in domestic violence cases were men;
- the position in relation to 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 – September 2006, in comparison with the population;
- the CPS 2006-07 charging data shows that proportionally fewer Black (57.5 per cent) and Asian (55 per cent) suspects were charged compared with White suspects (59.6 per cent). 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; and
- victim gender is poorly recorded,²⁹ but, where recorded, just under 90 per cent of victims were women.

6.2 *Rape and sexual offences*

The key points from rape and sexual offences data analysis were as follows:

- 99 per cent of defendants in rape cases and 96 per cent in sexual offences cases were men;
- for April-June 2006, 53 per cent of men were successfully prosecuted for rape compared with 67 per cent for other sexual offences;
- few women were prosecuted for rape; of those prosecuted for other sexual offences, 73 per cent pleaded guilty;
- ethnicity was not recorded for 12 per cent 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 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; and
- victim gender is poorly recorded, but where recorded, just under 90 per cent of victims were women.³⁰

6.3 *Child abuse offences*

The key points from child abuse offences data analysis were as follows:

- sexual offences: 98 per cent of the defendants in these types of cases were men;
- There were 10 homicides; 8 of the 10 defendants were men and 7 were successfully prosecuted;
- men were responsible for 75 per cent of offences against the person cases: there were no differences between genders in the outcomes of those prosecuted;
- ethnicity was not recorded in 9 per cent 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, all ethnicity data needs to be treated with caution; and
- victim gender is poorly recorded, but where recorded, 67 per cent of victims were girls.³¹

²⁹ See footnote 25

³⁰ See footnote 25

³¹ See footnote 25

6.4 Overall equality issues

This EDIA has identified the following general equality issues:

- all VAW crimes are predominantly perpetrated by men on women;
- there is a need for improved monitoring of the equality profile of victims;
- further research and work is needed on the relationship between ethnicity and the disproportionality addressed;
- differences in robust monitoring will need to be addressed. For example, some of the VAW crimes (e.g. domestic violence) have more robust flagging and monitoring systems set up; whilst others such as 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. However, since 2007 it has also been possible to monitor religion or belief and same sex relationships in domestic violence cases. Age will be monitored from April 2008 and the monitoring of sexuality will be explored.
- future assessment of the VAW issues faced in relation to religion or belief, disability, sexuality and age needs to be considered.

7 Overall assessment of impact of CPS Violence Against Women Strategy

- 7.1 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.
- 7.2 Given the over-representation of Black and 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 6.4, more research is needed in relation to ethnicity.
- 7.3 The work on the disability, religion or belief, age and sexuality strands is still developing. At present, the CPS data on these strands is very limited. Further data collection and possibly research will be needed in respect of these equality strands.

8 Further action

- 8.1 The proposed VAW action plans will be monitored to address the issues identified in 6.4.
- 8.2 The equality and diversity issues identified in the EDIA will be regularly monitored and addressed through the mechanism of the VAW Project Assurance Group. The Project Assurance Group will include and consult with a wide range of diverse communities, specifically addressing issues in relation to gender, ethnicity, religion or belief, disability, sexuality and age.
- 8.3 The VAW action plans will address the services required by a range of communities to ensure the needs of all are met.
- 8.4 The VAW Team will consider systems to monitor the support, safety and satisfaction of a range of victims (see national action plan).

Further copies of this leaflet may be obtained from:

CPS Communications Branch
50 Ludgate Hill
London EC4M 7EX

Tel 020 7796 8442

Fax 020 7796 8030

Email publicity.branch@cps.gsi.gov.uk

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