

# Hate Crime Data Report

## Introduction

This is the ninth CPS Hate Crime Report and provides information on CPS performance in prosecuting the following crimes between April 2016 and March 2017:

- Racist and religious hate crime;
- Homophobic and transphobic hate crime;
- Disability hate crime;
- Stirring up hatred; and
- Crimes against older people.<sup>1</sup>

The National Police Chiefs' Council (NPCC) and the CPS have agreed a common definition of hate crime which is:

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

The legal framework for hate crime is for the most part provided by the Crime and Disorder Act 1998 and the Criminal Justice Act 2003. The key word in the joint definition and the legal framework is “hostility”, a word used in its ordinary, everyday sense. The prosecution does not therefore need to prove *hatred* as the motivating factor behind an offence. (This will apply only under the stirring up hatred offences). Nor does the whole offence need to be motivated by hostility. It can provide the sole reason for the offending but, equally, such motivation can play a part or provide just one element of the offending behaviour.

The CPS seeks to build and maintain the confidence of communities affected by hate crime. The aim of this report is to give the public clear information about the work the CPS is doing to tackle hate crime and to provide details of its performance. It also sets out the steps the CPS will take to support and sustain improved performance. To mark the tenth anniversary of the publication of CPS hate crime performance data, the report highlights some indicators of the distance travelled over the preceding ten years. A key indicator for hate crime prosecution for instance is the announcement by the court and the recording of sentence uplift details on the CMS.

In addition to the analysis provided in this report, the underlying data on which CPS conclusions are based have been published. These data can be found on the CPS website at: [www.cps.gov.uk/data/hate\\_crime/](http://www.cps.gov.uk/data/hate_crime/).

It is important to note that the CPS collects data<sup>2</sup> to assist in the effective management of its prosecution functions. The CPS does not collect data which constitute official statistics as defined in

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<sup>1</sup>Information about crimes against older people is included in this report. Such crimes may or may not be a hate crime depending on the facts of each particular case and references to hate crime data in this report do not include crimes against older people unless specifically stated.

<sup>2</sup>Data on hate crime have been drawn from the CPS Case Management System (CMS) and associated Management Information System (MIS), which, as with any large scale recording system, is subject to possible errors with data entry and processing. The figures are provisional and subject to change as more information is recorded by the CPS. The CPS is committed to improving the quality of our data and from mid-June 2015 introduced a new data assurance regime which may explain some unexpected variance in future data sets.

the Statistics and Registration Service Act 2007.<sup>3</sup> In addition to the analysis provided in this report, the underlying data on which CPS conclusions are based have been published. These data can be found on the CPS website at: [www.cps.gov.uk/data/hate\\_crime/](http://www.cps.gov.uk/data/hate_crime/). Equality profiles of defendants, by gender, ethnicity and age are assessed and reported on in this annex. Data on the equality profiles of victims are reported where available and we continue to look for ways in which to improve the victim related data held in the Criminal Justice System. In line with government policy, we publish the underlying data used in our reports.

The CPS works in a number of ways to improve performance on hate crime prosecutions. This involves supporting our prosecutors; engaging proactively with community stakeholders, the police and other partners in the CJS and Government departments and maintaining a range of checks on performance itself.

In 2016–17, stakeholder engagement played a critical role in both supporting our internally focused work as well as enabling the CPS to retain responsive to a rapidly evolving external context:

- National Scrutiny Panel support for the development of public policy statements;
- Input into relevant training packages;
- A National Scrutiny Panel on hate crime impacting the Gypsy, Roma and Traveller communities and
- A review of community engagement.

Going forward, the CPS will continue to evolve its response to hate crime and its prosecution. Ultimately, the central challenge remains the better identification and effective prosecution of all offences with the engaged and focused support of all relevant partners.

## Hate Crime Assurance Scheme

The CPS Hate Crime Assurance Scheme was introduced on 1 January 2015 to cover all disability, homophobic and transphobic cases. The scheme was extended to include racially and religiously aggravated cases from May 2015.

In 2016–17, CPS Areas continued to monitor their performance using the hate crime assurance scheme focussing on checking live case files so that feedback can be provided to individual prosecutors and managers to encourage improvement in case handling and case outcome. Completed cases were also checked for adherence to policy and for data accuracy. Feedback is central to the scheme as it provides a learning opportunity for individuals and CPS Areas. Reports are submitted centrally to support consistent application of the process and to encourage the identification and dissemination of best practice across the CPS and the wider CJS.

## Hate Crime Co-ordinators

Hate crime co-ordinators (HCCs) are experienced specialists who have been appointed in each CPS Area as well as in CPS Direct<sup>4</sup> and were pivotal to the introduction of the Hate Crime Assurance Scheme.

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<sup>3</sup>The official statistics relating to crime and policing are maintained by the Home Office and the official statistics relating to sentencing, criminal court proceedings, offenders brought to justice, the courts and the judiciary are maintained by the Ministry of Justice.

<sup>4</sup>CPS Direct is responsible for providing charging advice to the police around the country, 24 hours a day, 365 days a year.

In 2016–17, HCCs continued to work to agreed minimum standards relating to performance management, community and stakeholder engagement and policy implementation and played an essential part in supporting hate crime prosecutions. HCCs met twice over the course of the year to discuss issues arising from the Hate Crime Assurance Scheme, social media prosecutions and the new guidelines, increasing performance for disability hate crime and identifying and learning from best practice. These meetings were supplemented by monthly telephone conferences led by experienced HCCs to enable a constant dialogue on hate crime across the CPS.

HCCs also assisted in the development of relevant support materials such as the hate crime guides, engaged in resolving a range of operational issues, participated in compliance and assurance exercises, delivered specialist webinars, assisted in the development and delivery of hate crime training and assisted in the planning and delivery of the National Scrutiny Panels.

## Social Media

Revised CPS guidelines on prosecuting case involving communications sent via social media were published in October 2016 during Hate Crime Awareness week and included a new section on hate crime. The new section addressed the place of hate crime legislation in considering the public interest and the value of appropriate ancillary orders in an effort to prevent future offending.

The CPS sees an increasing volume of offences being prosecuted wholly or partly involving online communications. Further measures will be taken in 2017–18 to ensure improved awareness of what constitutes hate crime online and that the response is as effective as possible.

## Summary of CPS Activity

- The CPS held a 13 week public consultation on public statements covering all monitored strands of hate crime. A large number of respondents to the consultation requested that the statements contain more detail or should address additional subjects. As a consequence, the CPS has created a Hate Crime page on the CPS website to meet this demand. Following the feedback received during the consultation, the final statements were published on 21 August 2017.
- The CPS ran a #HateCrimeMatters campaign to raise awareness of hate crime and improve public understanding of the CPS's work on this issue. In total, 21.5 million people saw the campaign.
- In recognition of the challenges in engaging with Gypsy, Traveller and Roma communities, and in accordance with the actions in the cross-Government hate crime action plan, the CPS held a specific National Scrutiny Panel on the current issues facing communities with regard to the reporting, investigation and prosecution of hate crime. The panel was attended by organisations representing Gypsy, Traveller and Roma communities as well as the police. Following the panel, the CPS developed an action plan for supporting these communities which will be published in 2017–18.
- The CPS undertook a sampling exercise of unsuccessful prosecutions which failed due to the non-attendance of victims and witnesses at court. The sampling highlighted more specific factors which signalled the risk of non-attendance such as the victim works in the night-time economy, the incident involves domestic abuse or the victim is a member of the Gypsy, Roma or Traveller communities. The CPS shared a set of recommendations with police to reduce the risk of non-attendance.

- In August 2016, the CPS submitted written evidence to the Home Affairs Committee inquiry into hate crime and its violent consequences. The CPS response to the Committee's questions covered the effectiveness of current legislation and law enforcement policies for preventing and prosecuting hate crime and its associated violence as well as incorporating the CPS response to the Law Commission review of hate crime legislation.
- In support of improved awareness of sentence uplift being relevant to a specific prosecution, template letters were added to the CMS system to alert both defence lawyers and the court of the CPS's intention to raise the matter of sentence uplifts at court.
- The CPS continued to operate its hate crime assurance scheme, which has led to a continued improvement in the number of announced and recorded sentence uplifts.

## CPS engagement with partners

- In 2016, the Director of Public Prosecutions made a number of visits to community stakeholders. The main aim of the visits was to hear first-hand from front-line service providers about the nature and impact of hate crime and to hear suggestions as to what further measures the CPS might consider in taking the agenda forward such as improving awareness of hate crime, reducing barriers to reporting and recognising the importance of social media in spreading online hate. Feedback from participants included:
 

“It was great meeting the DPP. We were all very impressed by her knowledge about hate crime and hope she found it useful to hear about our work combatting homophobia, biphobia and transphobia.” **Nick Antjoule, Hate Crime Manager, Galop**

“Kick it Out were delighted to welcome the DPP Alison Saunders to our office to discuss our work tackling hate crime in the game. The meeting proved insightful as we presented some of our campaigning activity to Alison, including the *Call Full Time on Hate Crime* initiative. We will hope to continue and develop our discussion with Alison and the CPS as we look to challenge hate in football and society.” **Roisin Wood, Director, Kick It Out**

“The Director of Public Prosecutions visited Tell MAMA and heard about the types of cases and issues that come into the third party hate crime reporting centre for anti-Muslim hatred. The visit also showed the continuing commitment of the CPS to listen to stakeholders and to ensure that information from victims can help to inform statutory agencies. The visit of the DPP also means that a clear commitment has been made to keep the CPS engaged with and informed by frontline agencies and that the CPS takes the issue of hate crime work extremely seriously through continued engagement.” **Iman Abou Atta, Director, Tell MAMA**
- The CPS supported the National Police Chiefs Council hate crime lead in a conference held in Manchester in 2017, covering all aspects of hate crime. All CPS Areas were represented.
- In October 2016, the CPS published guides on recognising and reporting hate crime. Building on previous community engagement and following detailed consultation, this work acknowledges the continuing barriers to reporting presented by a lack of awareness and understanding. The guide for individuals describes what a hate crime is and what to do about it as well as outlining available support mechanisms. The second guide is aimed at those in frontline services, who may be the first to hear about a hate crime or hate incident, and will provide essential guidance and signposting.
- Across the country, the CPS continues to engage with local partners through Local Scrutiny Panels to improve the quality of casework. The hate crime scrutiny panels were reviewed as

part of a review of the CPS approach to public confidence and community engagement. Out of 127 responses to a survey of panel members, 76% stated that LSIPs were 'effective' or 'very effective'.

## Next Steps

- The CPS will, as part of a refreshed approach to community engagement and inclusion, strengthen its work with stakeholders and community partners.
- The CPS will refresh governance arrangements in relation to hate crime, ensuring that the CPS continuously improves its performance through robust strategic oversight and effective collaboration with the police and community partners.
- The CPS Hate Crime Assurance Scheme will be strengthened, ensuring that performance is monitored and challenged, with a clear focus on improving outcomes for victims.
- The CPS will revise its policy on crimes against older people in the next year.

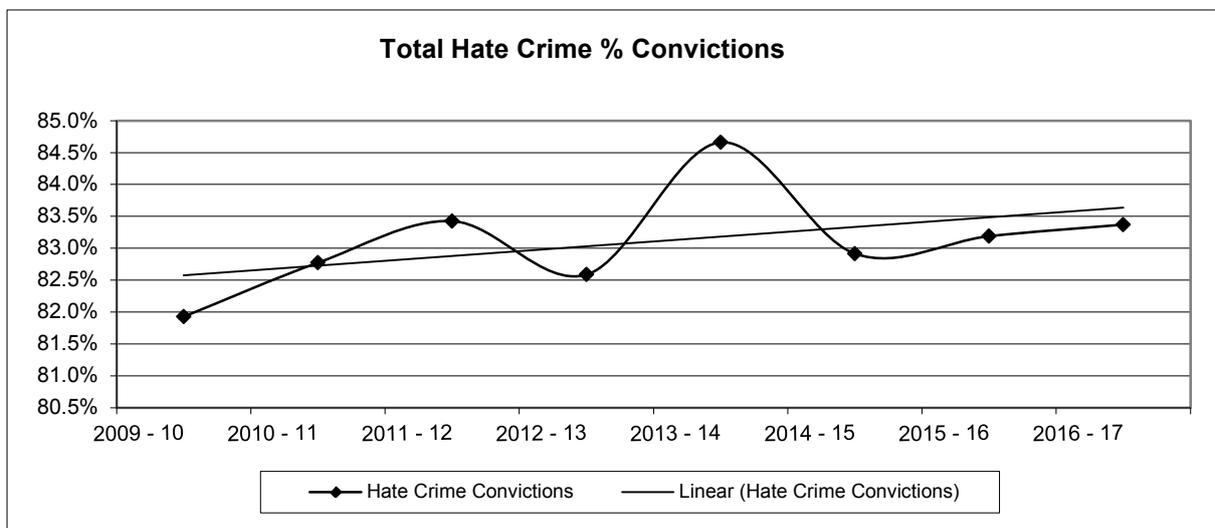
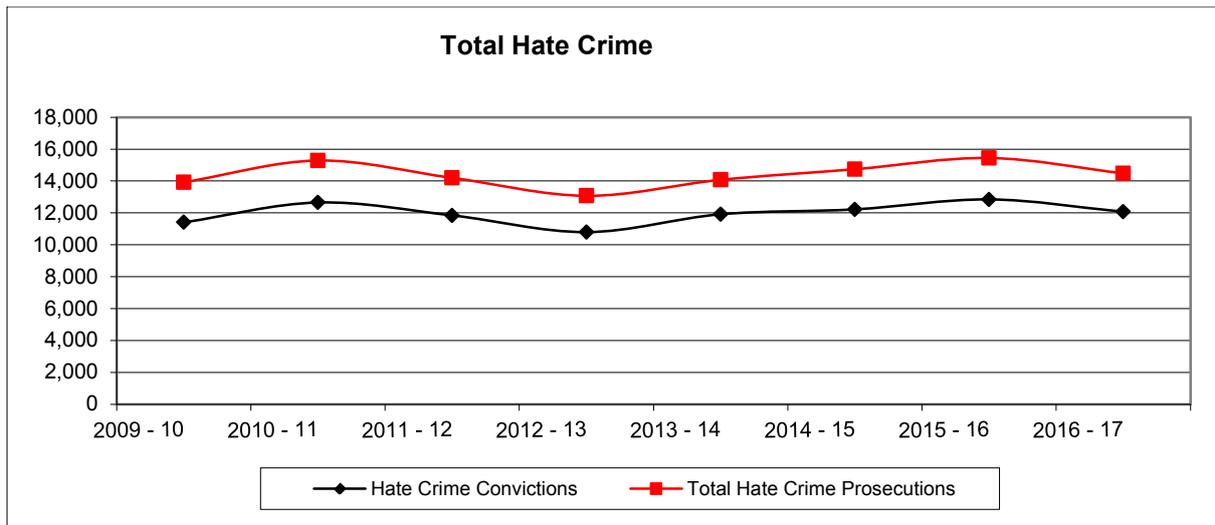
## Hate Crime Data

For performance management purposes, the CPS has grouped together race, religion, homophobic, biphobic, transphobic and disability hate crimes. The majority of hate crime prosecutions are racially and religiously aggravated (89.2%), followed by homophobic/biphobic/transphobic crimes (10.1%) and then disability crimes (7.0%). Out of all hate crimes, the proportion of racial and religious crimes prosecuted has fallen over the last two years and the proportion of the other hate crimes prosecuted has risen.

- In 2016–17, there was a small increase of 0.7% in police referrals compared to the previous year, from 12,997 to 13,086. There was a rise in the proportion of cases charged from 78.1% in the previous year to 82.2%, resulting in 10,751 suspects charged.
- The volume of hate crime prosecutions completed fell from 15,442 in 2015–16 to 14,480 in 2016–17. This represents a fall of 962 or 6.2%.

**Table 2: Completed hate crime prosecutions by outcome**

	2011–12		2012–13		2013–14		2014–15		2015–16		2016–17	
	Vol	%										
Convictions	11,843	83.4%	10,794	82.6%	11,915	84.7%	12,220	82.9%	12,846	83.2%	12,072	83.4%
Unsuccessful	2,353	16.6%	2,276	17.4%	2,159	15.3%	2,518	17.1%	2,596	16.8%	2,408	16.6%
<b>Total</b>	<b>14,196</b>		<b>13,070</b>		<b>14,074</b>		<b>14,738</b>		<b>15,442</b>		<b>14,480</b>	



- The volume of convictions fell by 6.0% from 12,846 in 2015–16 to 12,072 in 2016–17, with a slight increase in conviction rate to 83.4%. This compares with the average CPS conviction rate of 83.9%.
- The conviction rate has risen from 79.8% in 2007–08 to 83.4% in 2016–17.
- 73.4% of successful outcomes were due to guilty pleas<sup>5</sup> and out of all hate crime prosecutions contested at trial (excluding mixed pleas<sup>6</sup>), 62.5% were convicted.
- 2,408 prosecutions were unsuccessful – 8.7% due to prosecutions dropped (including decisions to discontinue, withdraw or offer no evidence), a fall from 9.8% in 2015–16.
- Out of all unsuccessful outcomes, 29.6% were due to victim issues;<sup>7</sup> a fall from 31% in 2015–16. Out of *all* hate crime cases prosecuted, the proportion that was unsuccessful due to victim issues has fallen from 5.2% in 2015–16 to 4.9% in 2016–17. This reflects the actions taken locally to put in place requisite support measures for victims.
- In 2016–17, the proportion of unsuccessful cases due to acquittal after trial represented 31.4% (756) of all unsuccessful cases, a rise from 28.9% (749) in 2015–16.

<sup>5</sup>A rise from 66.6% in 2007–08

<sup>6</sup>Exclusive of mixed pleas' are defendant cases where only 'not guilty' pleas are entered to all charges and a trial ensues.

- An announced and recorded sentence uplift in a successfully prosecuted hate crime case is a clear indicator of the law being applied to best effect. In 2016–17, there were 6,306 announced and recorded sentence uplifts (52.2%), a rise from 4,347 or 33.8% in 2015–16.
- Over the ten years since 2007–08, this has risen from 324 (2.9%) of successful prosecutions to 6,306 (52.2%).
- At the end of a prosecution, cases are allocated a principal offence category to indicate the type and seriousness of the charges brought. Table 3 below indicates that in 2016–17, offences against the person and public order offences were the most common, across all hate crime prosecutions over the reporting period, with the highest proportion in racially and religiously aggravated crimes. In the context of disability hate crime however, it is of interest that what might be termed more acquisitive offending is more common than public order offending and this is detailed in the disability section of the report.

**Table 3: Principal offence category for each hate crime strand**

Principal Offence Category	Disability		Homophobic and Transphobic		Racially and Religiously Aggravated	
	2015–16	2016–17	2015–16	2016–17	2015–16	2016–17
Homicide	0.6%	0.7%	0.0%	0.1%	0.1%	0.0%
Offences against person	48.0%	46.4%	59.2%	59.5%	76.4%	87.7%
Sexual offences	3.6%	5.1%	1.3%	1.3%	0.3%	0.1%
Burglary	8.7%	7.3%	0.3%	0.1%	0.3%	0.3%
Robbery	6.7%	7.5%	1.1%	1.4%	0.6%	0.3%
Theft and handling	12.1%	11.4%	1.7%	1.1%	1.7%	1.0%
Fraud and forgery	6.4%	8.4%	0.1%	0.2%	0.1%	0.0%
Criminal damage	2.9%	2.1%	3.9%	3.3%	3.3%	2.5%
Drugs offences	0.4%	0.3%	1.2%	1.4%	0.6%	0.5%
Public order offences	9.3%	9.1%	29.8%	30.6%	15.1%	7.1%

## Equalities Issues

### Gender

- Of the 14,480 defendants prosecuted, 11,747 defendants were male, 2,723 were female and in 10 cases the gender was not recorded. In 2016–17, where the gender of the defendant was recorded, 81.2% were male and 18.8% female, a slight rise in female defendants from 17.5% in the previous year.
- For victim data, the Witness Management System recorded 14,398 victims. Of all victims, 6,452 were male, 3,731 were female and in 4,215 cases, the gender was not recorded. The recording of victim gender fell from 80.4% in 2015–16 to 70.7% in 2016–17 and is therefore not robust enough to calculate proportions by gender accurately. As the CPS is reliant on victim information collected and passed on by the police, measures will be considered jointly to ensure more robust recording of gender.

## Ethnicity

- In 2016–17, 68.4% of hate crime defendants were categorised as White (a fall from 72.1% in 2015–16), with 61.7% being identified as belonging to the White British category. 7.1% of defendants were identified as Black, a slight increase from 6.7% the previous year and 5.3% were identified as Asian, a slight fall from 5.8% the previous year.<sup>8</sup>
- Just under half of victim ethnicity is still not recorded and therefore the data is not included in this report.

## Age

- From those defendants where age was recorded, the majority of defendants were aged 25–59 (69.8%) and 18–24 (18.6%). 26.3% of defendants (3,804) were aged 24 and under, with 955 (6.6%) of defendants being 14–17 years old and 162 (1.1%) aged 10–13.
- From those victims where age was recorded<sup>9</sup>, the majority were aged 25–59 (75.6%) and 18–24 (14.5%). 18.6% of victims (2,428) were 24 years old and under, with 430 (3.3%) of victims being 14–17 years old, 107 (0.8%) aged 10–13 and 3 under 10 (0.0%).

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<sup>8</sup>9.2% of defendants did not state an ethnicity on arrest (a rise since 2015–16 of 2.6ppt) and 6.8% of defendants' ethnicity was not provided to the CPS by the police (a rise since 2015–16 of 0.8 ppt).

<sup>9</sup>90.6% of victim ages were recorded in 2016–17 – a rise from 81.6% in 2015–16.

# Race and Religion

## Introduction

The separate reporting of racially and religiously aggravated hate crime began in 2010–11. Previously, the data had been combined. Cases can now be flagged on the CPS digital case management system as racially aggravated, religiously aggravated or, where appropriate evidence is available, both. Accurately identifying and assessing the available evidence of hostility in support of one facet of hostility or another remains a challenge. For example, perpetrators may be unaware of the actual identity of the individual victim(s) and use language which can be unclear. Prosecutors are focused on being as accurate as possible in all prosecutions and in the arguments put to the court in support.

## Summary of CPS activity

- With the support of a strand-specific National Scrutiny Panel, the public statement on racially and religiously aggravated crime was refreshed and subject to a public consultation receiving a broadly positive response.
- The CPS developed and delivered a face-to-face training package on the accurate identification of evidence in relation to racially and religiously aggravated hate crime. This training was supported by case study material provided by the community Security Trust and Tell MAMA, both of these organisations sat on the project board and attended the pilot exercise. Additional checks were incorporated into the Hate Crime Assurance scheme designed to assess whether policy was being appropriately applied where there was evidence of antisemitism or anti-Muslim hostility.

## Data

CPS performance data separated by race and religion is not available prior to 2010, when separate flags and recording were introduced. For comparisons over the ten year period, we have therefore combined the data covering racially and religiously aggravated offences.

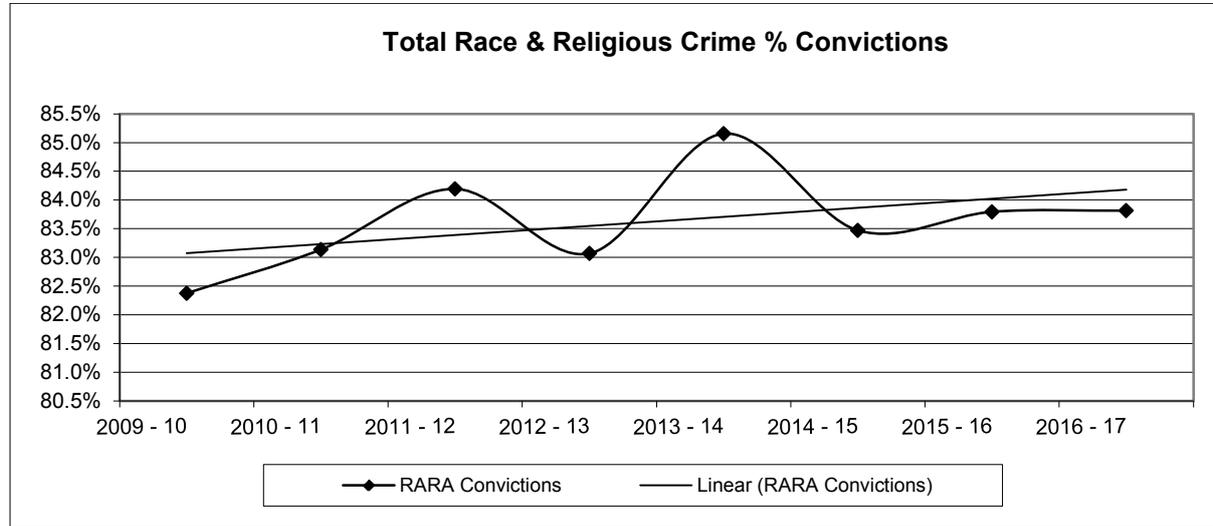
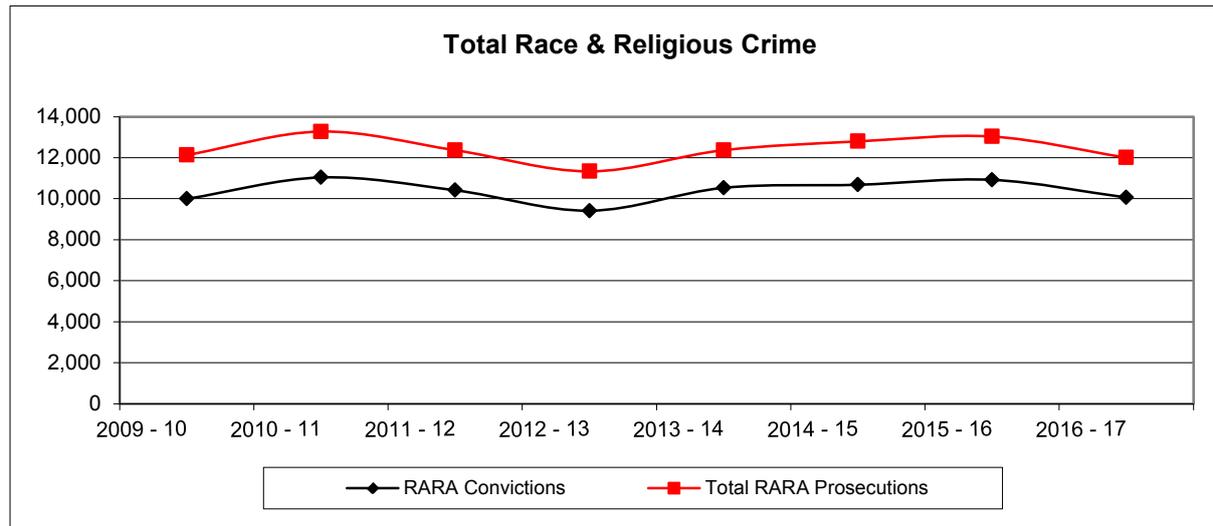
- The volume of all racially and religiously aggravated hate crime case referrals from the police stayed steady at 10,706 in 2016–17 compared with 10,728 in 2015–16 – a fall of only 22 referrals (0.2%). Of these 83.0% were charged (up from 78.9% in the previous year) resulting in 8,891 suspects charged (a rise of 5.0% from 2015–16).
- However, there was a difference between racially aggravated and religiously aggravated crimes - with a rise of both referrals and charged defendants for racially aggravated crimes and a fall in both for religiously aggravated crimes, which is outlined in the sections below.
- The volume of prosecutions<sup>10</sup> completed fell from 13,032 in 2015–16 to 12,004 in 2016–17 – a fall of 1,028 defendants (7.9%).

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<sup>10</sup>Note the numbers of defendants charged covers those cases, by suspect, *forwarded* to CPS during 2016–17 for charging decisions and are not directly comparable in numbers with those prosecuted which covers cases, by defendant, *finalised* during 2016–17.

**Table 5: Completed prosecutions by outcome for racially and religiously aggravated offences**

	2011-12		2012-13		2013-14		2014-15		2015-16		2016-17	
	Vol	%										
Convictions	10,412	84.2%	9,415	83.1%	10,532	85.2%	10,680	83.5%	10,920	83.8%	10,061	83.8%
Unsuccessful	1,955	15.8%	1,919	16.9%	1,836	14.8%	2,115	16.5%	2,112	16.2%	1,943	16.2%
<b>Total</b>	<b>12,367</b>		<b>11,334</b>		<b>12,368</b>		<b>12,795</b>		<b>13,032</b>		<b>12,004</b>	



- The volume of convictions fell from 10,920 in 2015-16 to 10,061 in 2016-17 – a fall of 859 convictions (7.9%). The conviction rate remained steady at 83.8% in both 2015-16 and 2016-17, but in the context of a lower number of prosecutions. This compares with the combined average for all CPS convictions which stood at 83.9% in 2016-17.

- In 2016–17, guilty pleas remained steady at 74.0%. There were also 62.5% convictions out of all racially and religiously aggravated hate crime prosecutions contested at trial (excluding mixed pleas).<sup>11</sup>
- In 2016–17, the proportion of unsuccessful cases due to victim issues was 30.2% (586), an improvement on the figure for 2015–16 which was 31.9% (674).
- In 2016–17, the proportion of unsuccessful cases due to acquittal after trial increased from 28.0% (591) in 2015–16 to 32.0% (621).
- In 2016–17, there were 5,610 announced and recorded sentence uplifts (55.8%), a rise from 3,802 or 34.8% in 2015–16.
- Over the last ten years since 2007–08, this has risen from 314 (3.0%) of successful prosecutions to 5,610 (55.8%).
- Ten years ago, the overall conviction rate for racially aggravated crime prosecutions was 79.9%. In 2016–17, the rate had increased to 84.0%. For religiously aggravated crime, these figures were 80.4% and 80.6%. However, the increase in the volume of prosecutions makes this progress more impactful, from 144 completed prosecutions to 478.
- In 2007–08, the rate of successful outcomes in racially aggravated cases derived from guilty pleas was 66.4% (8,516). In 2016–17, this rate had risen to 74.2% (8,466) of successful outcomes.

## Equalities issues

### Gender

- Of the 12,004 defendants prosecuted, 9,805 defendants were male, 2,190 were female and in 9 cases the gender was not recorded. In 2016–17, where the gender of the defendant was recorded, 81.7% were male and 18.2% female, a slight rise in female defendants from 17.1% in the previous year.
- For victim data, the Witness Management System recorded 11,853 victims. Of all victims, 5,368 were male, 2,850 were female and in 3,635 cases, the gender was not recorded. The recording of victim gender fell from 79.7% in 2015–16 to 69.3% and is therefore not robust enough to calculate proportions by gender accurately.

### Ethnicity

- In 2016–17, 68.0% of hate crime defendants were categorised as White (a fall from 72.0% in 2015–16), with 60.8% being identified as belonging to the White British category. 7.2% of defendants were identified as Black, a slight increase from 6.8% the previous year and 5.7% were identified as Asian, a slight fall from 6.2% the previous year<sup>12</sup>.
- Over half of victim ethnicity is still not recorded and therefore the data is not included in this report.

<sup>11</sup>Exclusive of mixed pleas' are defendant cases where only 'not guilty' pleas are entered to all charges and a trial ensues

<sup>12</sup>9.3% of defendants did not state an ethnicity on arrest (a rise since 2015–16 of 2.7ppt) and 6.7% of defendants' ethnicity was not provided to the CPS by the police (a rise since 2015–16 of 0.9 ppt).

## Age

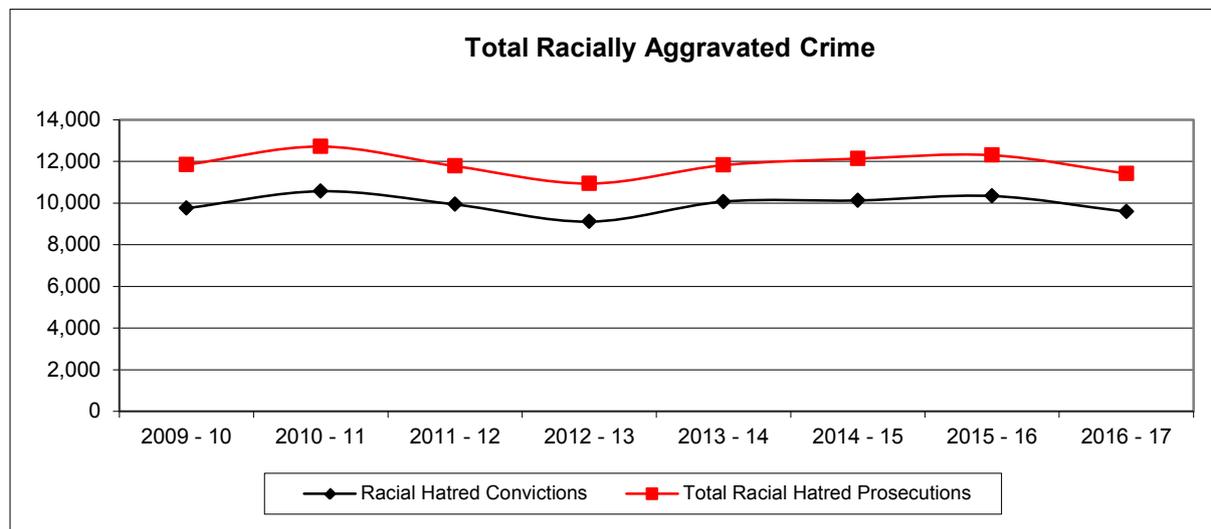
- From those defendants where age was recorded, the majority of defendants were aged 25–59 (70.4%) and 18–24 (18.4%). 25.7% of defendants (3,081) were aged 24 and under, with 748(6.2%) of defendants being 14–17 years old and 121 (1.0%) aged 10–13.
- From those victims where age was recorded, the majority were aged 25-59 (78.4%) and 18–24 (13.3%). 17.4% of victims (1,870) were 24 years old and under, with 344 (3.2%) of victims being 14–17 years old, 95 (0.9%) aged 10–13 and 3 under 10 (0.0%).

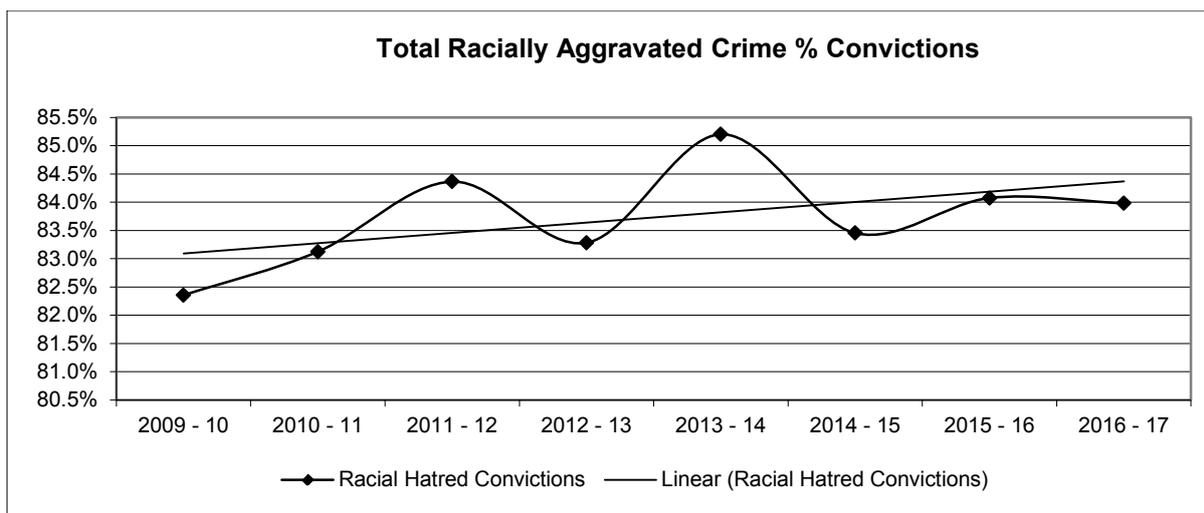
## Racially aggravated crimes

- In 2016–17, there was a small increase of 0.4% in police referrals compared to the previous year, from 10,155 to 10,198. There was a rise in the proportion of cases charged from 78.9% in the previous year to 83.0%, resulting in 8,469 suspects charged.
- The volume of prosecutions completed fell from 12,295 in 2015–16 to 11,411 in 2016–17. This represents a fall of 884 or 7.2%.

**Table 6: Completed prosecutions by outcome for racially aggravated offences**

	2011–12		2012–13		2013–14		2014–15		2015–16		2016–17	
	Vol	%										
Convictions	9,933	84.4%	9,107	83.3%	10,069	85.2%	10,123	83.5%	10,337	84.1%	9,583	84.0%
Unsuccessful	1,841	15.6%	1,828	16.7%	1,749	14.8%	2,007	16.5%	1,958	15.9%	1,828	16.0%
<b>Total</b>	<b>11,774</b>		<b>10,935</b>		<b>11,818</b>		<b>12,130</b>		<b>12,295</b>		<b>11,411</b>	





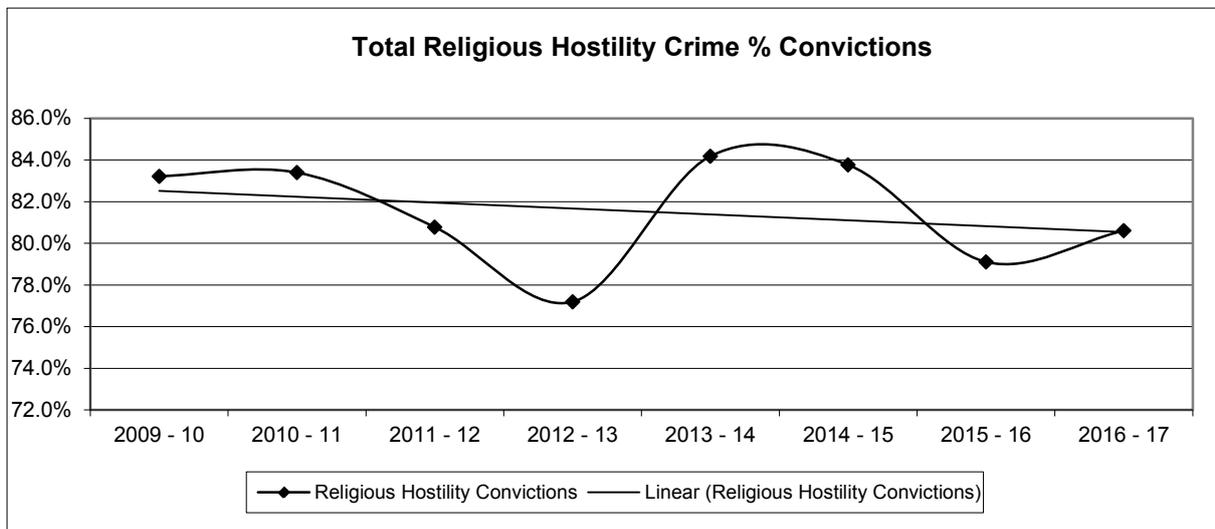
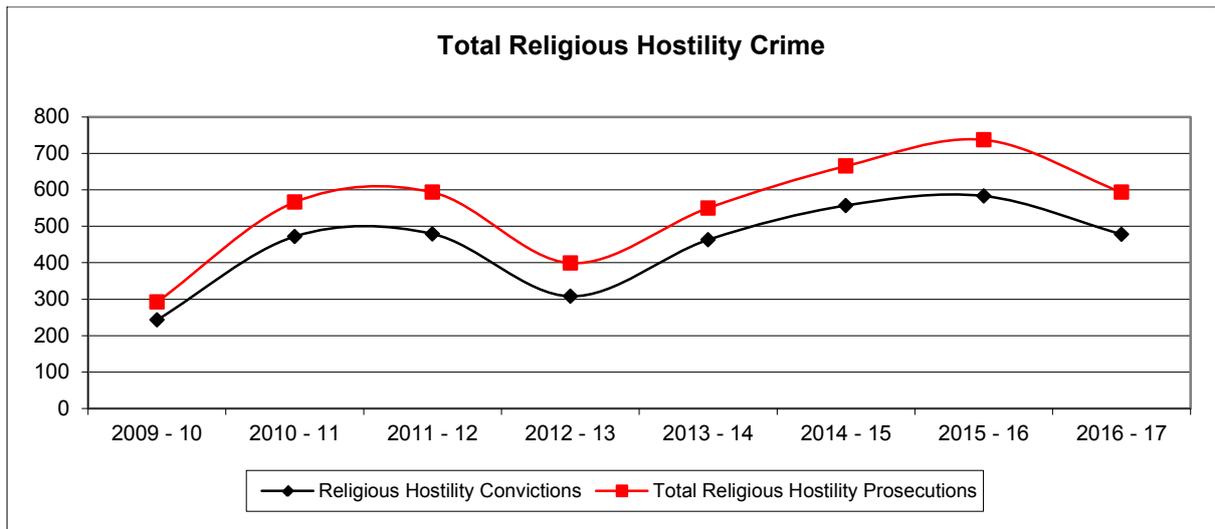
- The volume of convictions fell by 7.3% from 10,337 in 2015–16 to 9,583 in 2016–17, with the conviction rate remaining steady at 84.0%.
- The conviction rate has risen from 79.9% in 2007–08 to 84.0% in 2016–17.
- 74.2% of successful outcomes were due to guilty pleas and out of all racially aggravated prosecutions contested at trial (excluding mixed pleas) 62.6% were convicted.
- 1,828 prosecutions were unsuccessful – 8% due to prosecutions dropped (including decisions to discontinue, withdraw or offer no evidence), a fall from 9.3% in 2015–16.
- Of all unsuccessful outcomes, 30.4% were due to victim issues, a fall from 32.6% in 2015–16.
- In 2016–17, the proportion of unsuccessful cases due to acquittal after trial represented 32.0% (585) of all unsuccessful cases, a rise from 27.5% (538) in 2015–16.
- In 2016–17, there were announced and recorded sentence uplifts in 55.8% of cases, a rise from 35.0% in 2015–16.

## Religiously aggravated crimes

- In 2016–17, there was a slight decrease in police referrals compared to the previous year, from 573 to 508. There was a rise in proportion of cases charged from 78.2% in the previous year to 83.1%, resulting in 422 suspects charged (however this was a fall of 26 suspects from 2015–16).
- The volume of religious hate crime prosecutions completed fell from 737 in 2015–16 to 593 in 2016–17. This represents a fall of 144 or 19.5%.

**Table 7: Completed prosecutions by outcome for religiously aggravated offences**

	2011–12		2012–13		2013–14		2014–15		2015–16		2016–17	
	Vol	%										
Convictions	479	80.8%	308	77.2%	463	84.2%	557	83.8%	583	79.1%	478	80.6%
Unsuccessful	114	19.2%	91	22.8%	87	15.8%	108	16.2%	154	20.9%	115	19.4%
<b>Total</b>	<b>593</b>		<b>399</b>		<b>550</b>		<b>665</b>		<b>737</b>		<b>593</b>	



- The volume of convictions fell by 18% from 583 in 2015–16 to 478 in 2016–17, with a steady conviction rate of 80.6% (79.1% in 2015–16).
- 70.3% of successful outcomes were due to guilty pleas and out of all prosecutions contested at trial (excluding mixed pleas), 61.6% were convicted.
- The proportion of cases failing due to victim issues accounted for 23.4% (36) of all unsuccessful prosecutions in 2015–16. In 2016–17, the figure had increased to 26.1% (30). Caution is needed with such small numbers.
- In 2016–17, the proportion of unsuccessful cases due to acquittal after trial represented 31.3% (36) of all unsuccessful cases, a fall from 34.4% (53) in 2015–16.
- In 2016–17, the proportion of successfully completed religiously aggravated prosecutions with an announced and recorded sentence uplift was 54.8%, a rise from 31.9% in 2015–16.

# Homophobic, Biphobic and Transphobic

## Introduction

A National Scrutiny Panel was established to assist in the revision of the policy statement on the prosecution of crimes based on hostility towards the grounds of sexual orientation and gender identity. Community stakeholders raised the issue of biphobic crime and the CPS has accepted the need to include biphobic hostility as reflecting another form of hostility experienced by communities. Whilst we currently do not have the mechanism to record such a motivation, policy and guidance for prosecutors has been amended to ensure that our staff are aware of this change. In addition, a mandated training course, due to be delivered by CPS Areas between November 2017 and March 2018, will highlight this change.

## Summary of CPS activity

- With the support of a strand-specific National Scrutiny panel, the public statement on homophobic, biphobic and transphobic hate crime was refreshed and subject to a public consultation receiving a broadly positive response.
- Towards the end of 2016–17, a project board was established, including membership from Stonewall and Galop, to develop a training package, for roll out across the CPS, in respect of homophobic, biphobic and transphobic hate crime to be delivered to prosecutors by the end of March 2018.
- The police and the CPS agreed to treat unauthorised breaches under section 22 of the Gender Recognition Act 2004 as potential hate crimes. The Gender Recognition Act 2004 (GRA 2004) provides for the legal recognition of the trans person in their acquired gender and the opportunity to acquire a new birth certificate for their new gender. The GRA 2004 also protects those who have received or who are in the process of receiving a Gender Recognition Certificate from having this information revealed without their consent. As such, under the Director's Guidance, all cases where the police decide there are sufficient grounds for a prosecution must be referred to the CPS for a charging decision.

## Data

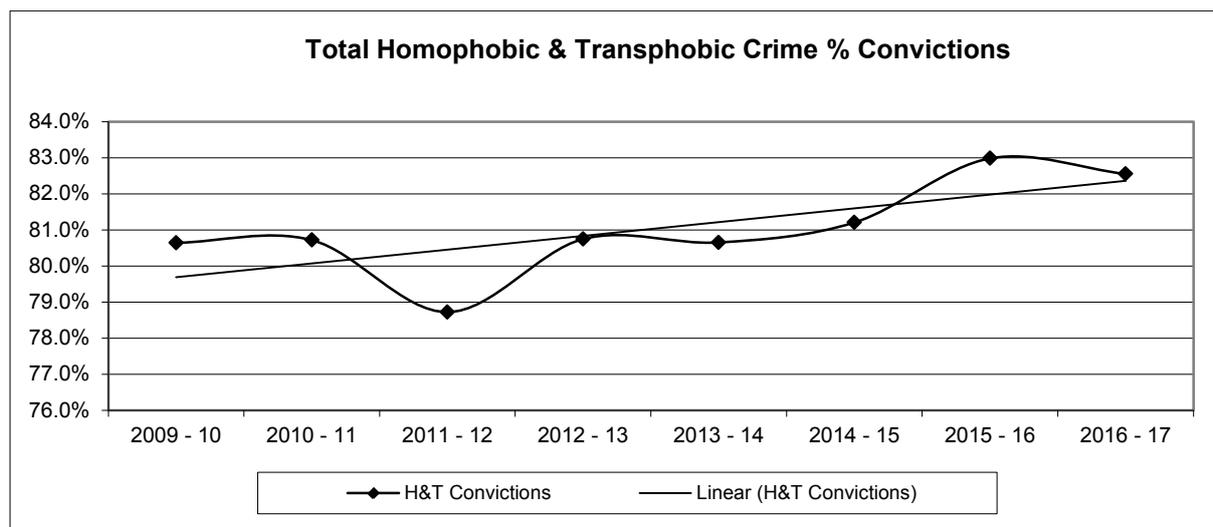
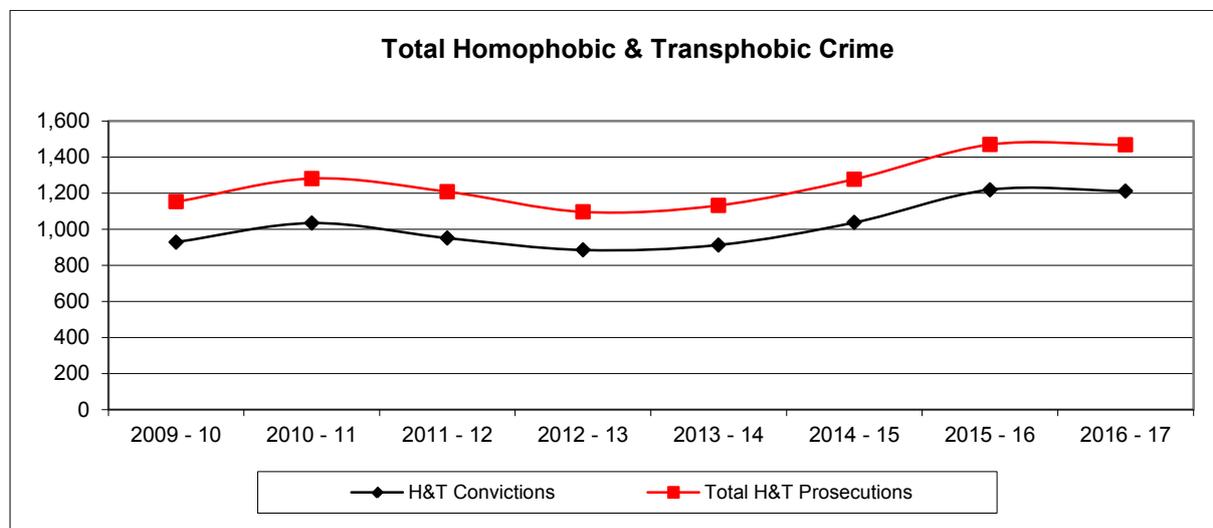
Please note CPS performance data is not reported prior to 2012 when the law changed to incorporate transphobic hate crime. In the ten year comparisons, we have therefore combined the data as classified in those years as homophobic and transphobic.

- The volume of all homophobic, biphobic and transphobic hate crime case referrals from the police increase slightly to 1,392 in 2016–17 compared with 1,339 in 2015–16 – an increase of 53 referrals (4%). Of these 78.3% were charged (up from 73.1% in the previous year) resulting in 1,090 suspects charged (a rise of 11.3% from 2015–16).
- However, there was a difference between homophobic and transphobic hate crimes - with a rise of both referrals and charged defendants for homophobic hate crimes and a fall in referrals but an increase in charged defendants for transphobic hate crimes, which is outlined in the sections below.

- The volume of hate crime prosecutions completed fell slightly from 1,469 in 2015–16 to 1,467 in 2016–17.

**Table 8: Completed prosecutions by outcome for homophobic and transphobic offences**

	2011–12		2012–13		2013–14		2014–15		2015–16		2016–17	
	Vol	%										
Convictions	951	78.7%	885	80.7%	913	80.7%	1,037	81.2%	1,219	83.0%	1,211	82.5%
Unsuccessful	257	21.3%	211	19.3%	219	19.3%	240	18.8%	250	17.0%	256	17.5%
<b>Total</b>	<b>1,208</b>		<b>1,096</b>		<b>1,132</b>		<b>1,277</b>		<b>1,469</b>		<b>1,467</b>	



- The volume of convictions fell slightly from 1,219 in 2015–16 to 1,211 in 2016–17 – a fall of 8 convictions (0.7%). The conviction rate fell slightly from 83.0% in 2015–16 to 82.5% in 2016–17.

- In 2016–17, guilty pleas fell slightly to 72.5%. There was also 63.2% convictions out of all homophobic, biphobic and transphobic hate crime prosecutions contested at trial (excluding mixed pleas<sup>13</sup>).
- In 2016–17, the proportion of unsuccessful cases due to victim issues was 32% (82) an increase on the figure for 2015–16 which was 28.4% (71).
- In 2016–17, the proportion of unsuccessful cases due to acquittal after trial decreased from 34% (85) in 2015–16 to 27.7% (71).
- In 2016–17, there were 579 announced and recorded sentence uplifts 47.8%, a rise from 461 or 37.8% in 2015–16.
- Over the last ten years since 2007–08 this has risen from 6 (0.8%) of successful prosecutions to 579 (47.8%).
- Ten years ago, the overall conviction rate for homophobic, biphobic and transphobic hate crime prosecutions was 78.2%. In 2016–17 the rate had increased to 82.5%.
- Guilty pleas in a case can indicate the quality of the case built by the prosecution which can lead to both defence and court accept the arguments presented In 2007–08, the rate of successful outcomes in homophobic, biphobic and transphobic hate crime cases derived from guilty pleas was 66.5% (662). In 2016–17, this rate had risen to 72.5% (1,064) of successful outcomes.

## Equalities Issues

### Gender

- Of the 1,467 defendants prosecuted, 1,216 defendants were male, 250 were female and in 1 case the gender was not recorded. In 2016–17, where the gender of the defendant was recorded, 82.9% were male and 17.1% female, a slight rise in female defendants from 16.5% in the previous year.
- For victim data, the Witness Management System recorded 1,504 victims. Of all victims, 688 (45.7%) were male, 467 (31.1%) were female and in 349 (23.2%) cases, the gender was not recorded. The recording of victim gender fell from 84.6% in 2015–16 to 76.8% and is therefore not robust enough to calculate proportions by gender accurately. In 2017–18 measures will be considered to ensure more robust recording of gender.

### Ethnicity

- In 2016–17, 68.2% of hate crime defendants were categorised as White (a fall from 71.1% in 2015–16), with 63.7% being identified as belonging to the White British category. 7.0% of defendants were identified as Black, a slight fall on 7.1% the previous year and 3.7% were identified as Asian, a slight fall from 3.9% the previous year.
- Just under half of victim ethnicity is still not recorded and therefore the data is not included in this report.

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<sup>13</sup>Exclusive of mixed pleas' are defendant cases where only 'not guilty' pleas are entered to all charges and a trial ensues.

## Age

- From those defendants where age was recorded, the majority of defendants were aged 25-59 (66.5%) and 18-24 (21.2%). 29.8% of defendants (435) were aged 24 and under, with 108 (7.4%) of defendants being 14–17 years old and 17 (1.2%) aged 10–13.
- From those victims where age was recorded, the majority were aged 25-59 (66.9%) and 18-24 (24.8%). 29.2% of victims (404) were 24 years old and under, with 58 (4.2%) of victims being 14–17 years old, 3 (0.2%) aged 10–13 and 0 under 10 (0%).

## Transphobic crimes

2014–15 was the first reporting year following the change to the Criminal Justice Act 2003 to incorporate transgender identity as an aggravating feature. Three years' worth of data is still too small to draw definitive trend conclusions. Nevertheless, we believe it is important to share what data we do have as an indicator of our commitment and as a reassurance to communities.

- In 2015–16, there was a fall of 11.2% in police referrals compared to the previous year, from 98 to 87. There was a rise in the volume of cases charged from 53 (54.1%) in 2015–16 to 66 (75.9%) in 2016–17.
- The volume of transphobic hate crime prosecutions completed increased from 85 in 2015–16 to 92 in 2016–17. This represents an increase of 8.2%.
- The conviction rates for transphobic cases was 80.0% (or 68 successful outcomes) in 2015–16 and 72.8% (or 67 successful outcomes) in 2016/17. Guilty pleas featured in successful outcomes in 68.2% (or 58 cases) in 2015–16 and 60.9% (or 56 cases) in 2016–17.
- The proportion of successfully completed transphobic hate crime prosecutions with an announced and recorded sentence uplift was 35.3% in 2015–16, a figure which increased to 52.2% in 2016–17.
- There were four cases of unsuccessful prosecutions due to victim issues in 2015–16 and five cases in 2016–17.
- In 2015–16 and 2016–17, there were nine prosecutions resulting in acquittal after trial amounted.

## Equalities issues

- In relation to defendants in transphobic cases, in 2015–16, 66 (77.6%) were men and 19 (22.4%) were women; with gender recorded in all cases. In 2016–17, 72 defendants were men (78.3%) and 20 (21.7%) were women with gender recorded in all cases.
- For victim data, from the Witness Management System, 84 victims were recorded. Of all victims 33 were female, 20 were male and the gender was not recorded for 31 victims. The recording of victim gender at 63.1% is not robust enough to include gender proportions in this report.

## Homophobic crimes

- In 2016–17, there was an increase of 5.2% in police referrals compared to the previous year, from 1,241 to 1,305. Of these 1,024 defendants were charged, a rise from 926 in the previous year.
- The volume of hate crime prosecutions completed fell slightly from 1,384 in 2015–16 to 1,375 in 2016–17. This represents a fall of 9 or 0.7%.
- The conviction rate for 2015–16 was 83.2% (or 1,151 successful outcomes). This rate was steady in 2016–17, with 1,144 successful outcomes. Guilty pleas featured in 74.2% of successful outcomes in 2015–16 and in 73.3% of successful outcomes in 2016–17.
- The proportion of homophobic cases recorded as unsuccessful due to victim issues was 28.8% (67) in 2015–16 and 33.3% (77) in 2016–17.
- In 2015–16, prosecutions resulting in acquittal after trial amounted to 32.6% of all unsuccessful cases. In 2016–17 this figure improved to 26.8%.
- In 2016–17, the proportion of successfully completed homophobic hate crime prosecutions with an announced and recorded sentence uplift was 47.6%, a rise from 38.0% in 2015–16.

## Equalities issues

- Of the 1,375 defendants prosecuted, 1,144 were male, 230 were female and in 1 case the gender was not recorded. In 2016–17, where the gender of the defendant was recorded, 83.2% were male and 16.7% were female.
- For victim data, the Witness Management System recorded 1,420 victims. Of all victims, 668 were male, 434 were female and in 318 cases, the gender was not recorded. The recording of victim gender fell from 84.9% in 2015–16 to 77.6% in 2016–17 and is therefore not robust enough to calculate proportions by gender accurately. As the CPS is reliant on victim information collected and passed on by the police, measures will be considered jointly to ensure more robust recording of gender.

# Disability Hate Crime

## Introduction

The CPS acknowledged in its last annual report that we needed to improve performance in respect of the conviction rate and sentence uplift for disability hate crime cases. Progress over the reporting year was supported by the impact of disability hate crime training, and the continuing scrutiny provided by the Hate Crime Assurance Scheme. The number of charging decisions, completed prosecutions and proportion of convictions has increased, as did the proportion of successful cases with recorded sentence uplift.

## Summary of CPS activity

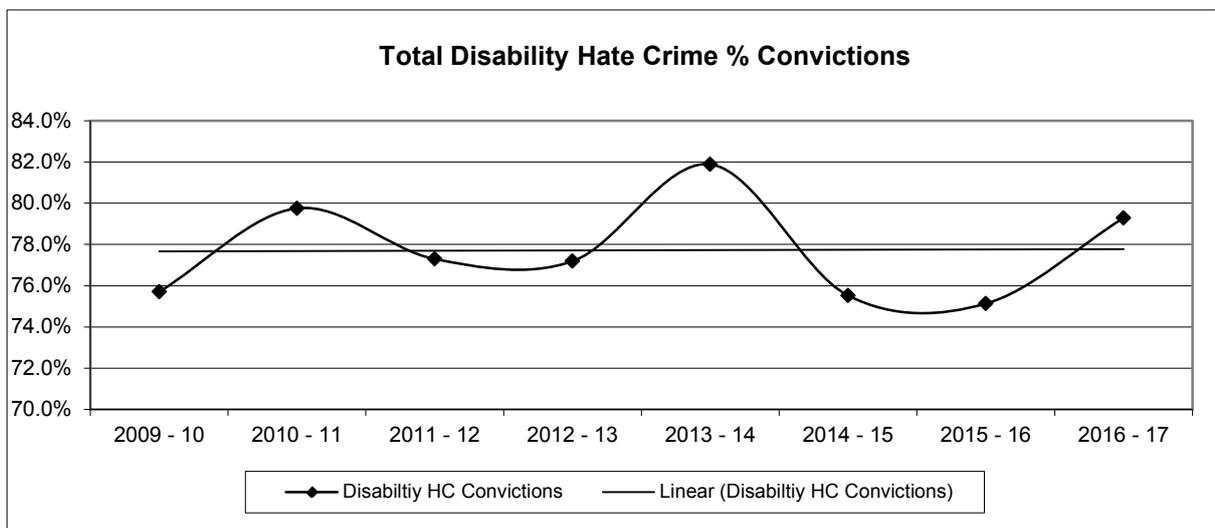
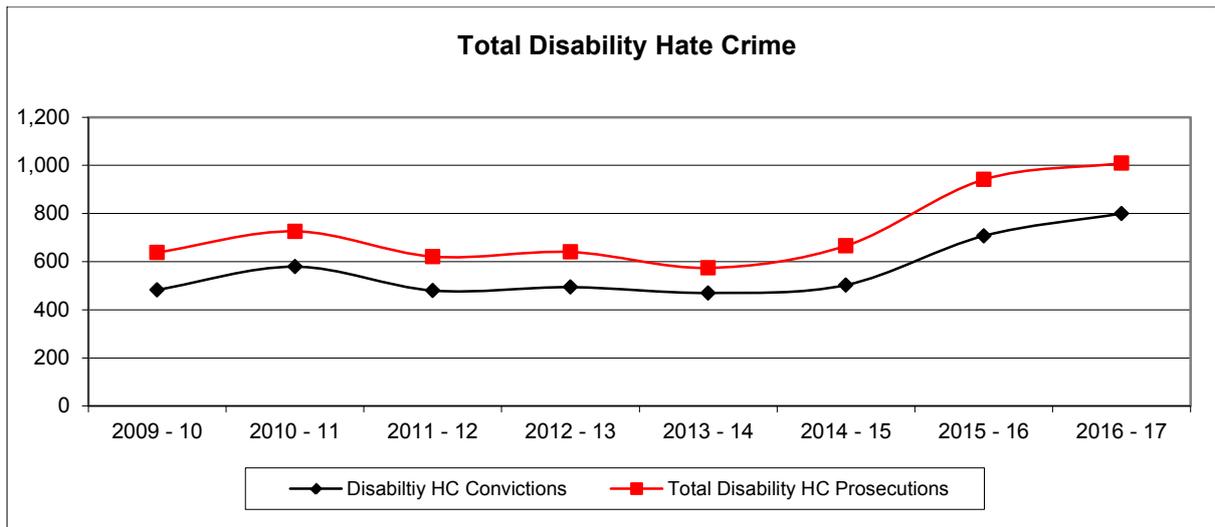
- With the support of a strand-specific National Scrutiny Panel, the public statement on Disability hate crimes and Crimes Against Disabled People was refreshed and subject to a public consultation receiving a broadly positive response.
- Arising from the revised policy statement on disability hate crime and other crimes against disabled people, the CPS acknowledged the value of the social model of disability and its usefulness in understanding the barriers facing disabled people in the lives in general and more specifically in accessing justice.
- Following concern expressed by disability organisations about the handling of serious violent crime involving disabled victims, the legal guidance and advice to prosecutors has been updated and amended.

## Data

- In 2016–17, there was an increase of 6.2% in police referrals compared to the previous year, from 930 to 988. There was a rise in the proportion of cases charged from 76.2% in the previous year to 77.9%, resulting in 770 suspects charged.
- The volume of disability hate crime prosecutions completed increased from 941 in 2015–16 to 1,009 in 2016–17. This represents an increase of 68 or 7.2%.

**Table 11: Completed prosecutions by outcome**

	2011–12		2012–13		2013–14		2014–15		2015–16		2016–17	
	Vol	%	Vol	%								
Convictions	480	77.3%	494	77.2%	470	81.9%	503	75.5%	707	75.1%	800	79.3%
Unsuccessful	141	22.7%	146	22.8%	104	18.1%	163	24.5%	234	24.9%	209	20.7%
<b>Total</b>	<b>621</b>		<b>640</b>		<b>574</b>		<b>666</b>		<b>941</b>		<b>1,009</b>	



- The volumes of convictions increased by 13.2% from 707 in 2015–16 to 800 in 2016–17, with an increase in the conviction rate to 79.3%.
- The conviction rate has risen from 77% in 2007–08 to 79.3% in 2016–17.
- 67.9% of successful outcomes were due to guilty pleas and out of all disability hate crimes contested at trial (excluding mixed pleas) 61.8% were convicted.
- 209 prosecutions were unsuccessful – 12.9% due to prosecutions dropped (including decisions to discontinue, withdraw or offer no evidence), a fall from 15.1% in 2015–16. Out of all unsuccessful outcomes, 21.5% were due to victim issues<sup>14</sup>; a fall from 25.2% in 2015–16.
- In 2016–17, the proportion of unsuccessful cases due to acquittal after trial represented 30.6% (64) of all unsuccessful cases, a fall from 31.2% (73) in 2015–16.
- An announced and recorded sentence uplift in a successfully prosecuted hate crime case is a clear indicator of the law being applied to best effect. In 2016–17, there were 117 announced and recorded sentence uplifts 14.6%, a rise from 84 or 11.9% in 2015–16. Whilst this result is encouraging, the figure remains considerably lower than that for other hate

<sup>14</sup>Victim issues include victim retractions, victim non-attendance and where the ‘evidence of the victim does not support the case’.

crime strands and steps to sustain continuing improvement will be identified via the Hate Crime Assurance Scheme.

- Over the ten years since 2007–08 this has risen from four (2.8%) of successful prosecutions to 117 (14.6%).
- Ten years ago, the overall conviction rate for disability hate crime prosecutions was 77.0%. In 2016–17 the rate had increased to 79.3%. These rates however do not reveal the whole picture, as the volume of convictions over this period increased from 141 to 800.
- In 2007–08, the rate of successful outcomes in disability hate crime cases derived from guilty pleas was 71.6% (131). In 2016–17, this rate had fallen to 67.9% (685) of successful outcomes. Again a larger volume of cases settled in this way, but the CPS will work closely with CPS Areas to explore potential reasons for this fall and measures required to reverse it.
- At the end of a prosecution, cases are allocated a principal offence category (see Table 3 above) to indicate the type and seriousness of the charges brought. Offences against the person remained the most common representing 48.0% of all disability hate crime prosecutions in 2015–16 and 46.4% in 2016–17. Overall, there was a more significant range of offence categories represented within disability hate crime prosecutions than for any other strand of hate crime - perhaps reflecting the acquisitive nature of some disability hate crime. This aspect of disability hostility was explored with the assistance of the National Scrutiny Panel on disability hostility which supported the development of the public statement on disability hate crime and other crimes against disabled people.

## Equalities Issues

### Gender

- Of the 1,009 defendants prosecuted, 726 male, 283 were female and there were no cases in which the gender was not recorded. In 2016–17, where the gender of the defendant was recorded, 72% were male and 28% female, a rise in female defendants from 24.5% in the previous year. This gender ratio between male and female defendants is unique to disability hate crime. In race and religious cases the ratio is 81.7%:18.3% and in homophobic, biphobic and transphobic cases the ratio is 82.9%:17.1%.
- For victim data, the Witness Management System recorded 1,041 victims. Of all victims, 396 were male, 414 were female and in 231 cases, the gender was not recorded. The recording of victim gender fell from 83.2% in 2015–16 to 77.8% and is therefore not robust enough to calculate proportions by gender accurately. In 2017–18 measures will be considered to ensure more robust recording of gender.

### Ethnicity

- In 2016–17, 72.7% of disability hate crime defendants were categorised as “White” (a fall from 75.8% in 2015–16), with 69.1% being identified as belonging to the “White British” category. 5.6% of defendants were identified as “Black” up from 4.7% the previous year and 2.7% were identified as Asian, a fall from 4.4% the previous year.
- Just under half of victim ethnicity is still not recorded and therefore the data is not included in this report.

## Age

- From those defendants where age was recorded, the majority of defendants were aged 25-59 (66.9%) and 18-24 (16.4%). 28.7% of defendants (288) were aged 24 and under, with 99 (9.9%) of defendants being 14–17 years old and 24 (2.4%) aged 10–13.
- From those victims where age was recorded, the majority were aged 25-59 (55.6%) and 18-24 (13.2%). 17.4% of victims (154) were 24 years old and under, with 28 (3.2%) of victims being 14–17 years old, 9 (0.1%) aged 10–13 and 0 under 10 (0%).

# Stirring up Hatred

## Introduction

Hate crime focuses on hostility or prejudice against specific sections of society. Hostility carries the ordinary, everyday meaning of the word and its dictionary definition captures ill-will, unfriendliness, spite, ill-feeling, contempt, prejudice, resentment, dislike and hatred. However, the public order offences of “stirring up hatred” focus on hatred itself and the intention or likely effect of the offence in question.

The number of cases brought is much lower than for other offences covered in this report. This is due to higher evidential thresholds and the need to consider an individual’s right to freedom of expression. It is essential in a free, democratic and tolerant society that people are able to exchange views, even when offence may be caused. However, the CPS must also balance the rights of an individual to freedom of speech and expression against the duty of the state to act proportionately in the interests of public safety, to prevent disorder and crime, and to protect the rights of others.

Potential cases are referred to the Special Crime and Counter Terrorism Division (SCCTD) by CPS Areas in line with the CPS Public Guidance on Prosecuting Cases of Inciting Racial and Religious Hatred and Hatred based upon Sexual Orientation. Prosecution of these offences requires the consent of the Attorney General.

Public concern relating to these cases has risen in recent times following the spike in hostility experienced and reported following incidents of domestic or international terrorism such as occurred in London, Manchester, Barcelona and Berlin. The police and third party reporting agencies, Tell MAMA and the Community Security Trust, have noted increased levels of hate crime incidents immediately following such events.

Whilst there remain issues around awareness-raising in relation to all forms of hate crime, stirring-up offences bring an additional layer of complexity. In part, this reflects the heightened nature of hatred as opposed to hostility. There is also a stated need within the law to consider the right to freedom of expression. Different “strands” have significant differences written into the law and although the success rate of prosecutions is high compared to other forms of hate crime, referrals and decisions to charge are much lower.

## Data

- There were four prosecutions in 2016–17, all with successful outcomes.
- The first also involved offences under s1 (2) Terrorism Act 2006 and two counts under s29C Public Order Act 1986. The stirring up offences involved anti-Shia and homophobic rhetoric intended to stir up hatred on the grounds of religion and sexual orientation. The defendant received a sentence of six years imprisonment reduced to four years, a full discount in view of the guilty plea, on each count, to run concurrently.
- The second involved two counts under s.18 and s.19 of the Public Order Act 1986 and involved racially abusive terminology towards Jews, Gypsies and “non-white” people in general. The defendant was found guilty and sentenced to four years imprisonment with a

Criminal Behaviour Order for six years and the forfeiture of all devices used. The sentence was reduced on appeal to two and a half years.

- The third case involved hatred on the grounds of race, religion and sexual orientation under the Public Order Act 1986. The defendant pleaded guilty to eight counts. The sentence was reduced to five years as a result with a 15 year notification period and a victim surcharge.
- The fourth case was charged with eight counts under s.29C Public Order Act 1986 on the grounds of religious hatred, specifically anti-Muslim hatred. The defendant pleaded guilty and was sentenced to 20 months on each count to run concurrently.

# Crimes against Older People

There is no statutory definition of a crime against an older person (CAOP) and no specific legislation. Sections 145 and 146 of the Criminal Justice Act 2003, which provide for a sentencing uplift in cases of racist and religious crime, homophobic and transphobic crime and disability hate crime, do not apply to crimes against an older person unless the crime also falls into one of these other categories. Sentencing guidelines do however invite courts to increase the sentence for offences against older people on the basis that their perceived vulnerability is an aggravating factor increasing the seriousness of the crime.

The CPS engages the sentencing guidelines in all applicable cases and applies a CAOP flag on the CPS digital case management system to crimes in the following circumstances to allow for identification of cases:

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

The CPS recognises the range of criminal behaviours to which older people can be exposed. The CPS has been engaged in discussions that will help inform the work of a National Scrutiny Panel intended to revise the policy and legal guidance before the end of March 2017.

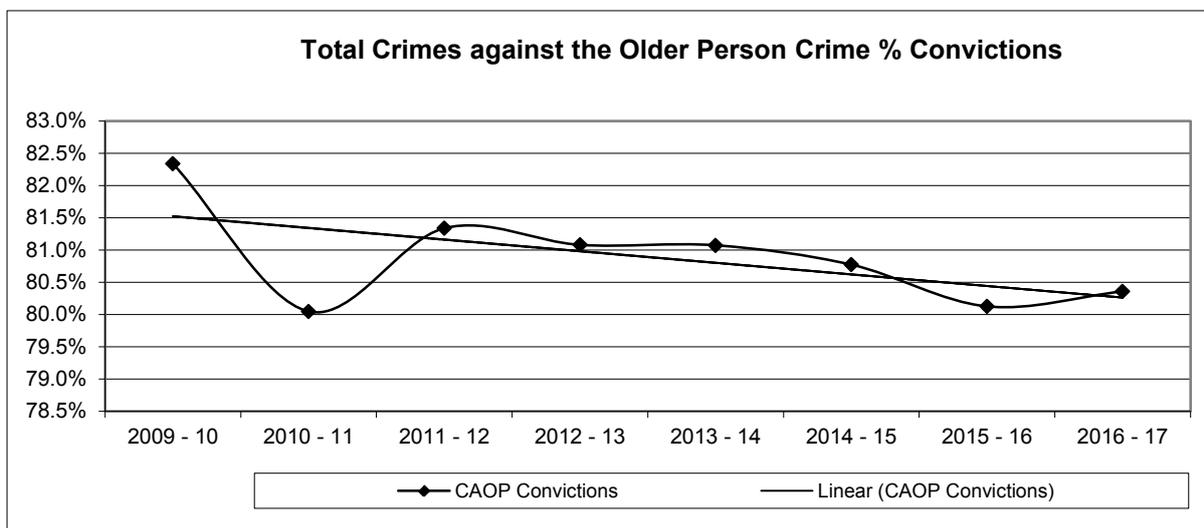
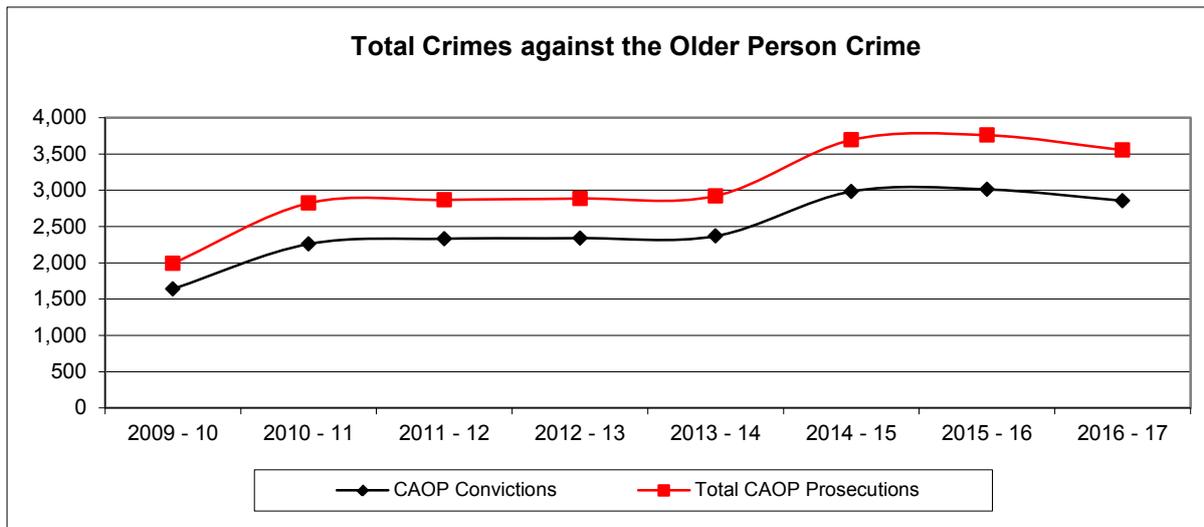
## Data

- In 2016–17, there was a decrease of 2.8% in police referrals compared to the previous year, from 3,568 to 3,467. There was a rise in the proportion of cases charged from 77.2% in the previous year to 80.3% resulting in 2,783 suspects charged.
- The volume of CAOP prosecutions completed fell from 3,759 in 2015–16 to 3,554 in 2016–17. This represents a fall of 205 or 5.5%.

**Table 14: Completed prosecutions by outcome for crimes against older people**

	2011–12		2012–13		2013–14		2014–15		2015–16		2016–17	
	Vol	%										
Convictions	2,332	81.3%	2,340	81.1%	2,369	81.1%	2,983	80.8%	3,012	80.1%	2,856	80.4%
Unsuccessful	535	18.7%	546	18.9%	553	18.9%	710	19.2%	747	19.9%	698	19.6%

<b>Total</b>	<b>2,867</b>	<b>2,886</b>	<b>2,922</b>	<b>3,693</b>	<b>3,759</b>	<b>3,554</b>
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- The volumes of convictions fell by 5.2% from 3,012 in 2015–16 to 2,867 in 2016–17 while the conviction rate remained broadly consistent at 80.1% and 80.4% respectively.  
71.8% of successful outcomes were due to guilty pleas, a slight fall from 72.5% the previous year.
- 698 prosecutions were unsuccessful – 12.4% due to prosecutions dropped (including decisions to discontinue, withdraw or offer no evidence), a fall from 12.6% in 2015–16.
- Out of all unsuccessful outcomes, 23.2% were due to victim issues;<sup>15</sup> a rise from 21.8% in 2015–16.
- In 2016–17, the proportion of unsuccessful cases due to acquittal after trial represented 23.4% (163) of all unsuccessful cases, a fall from 25.0% (187) in 2015–16.

<sup>15</sup>Victim issues include victim retractions, victim non-attendance and where the ‘evidence of the victim does not support the case’.

## Equalities Issues

- Of defendants where gender was recorded, 2,708 (76.3%) in completed prosecutions were male. This has risen from 760 (75.8%) in 2008–09.
- Recording of victim gender has decreased from 81.0% of all victims in in 2015–16 to 75.6% in 2016–17 and is therefore not robust enough to calculate proportions by gender accurately.

At the end of a prosecution, cases are allocated a principal offence category to indicate the type and seriousness of the charges brought. Table 15 below shows the offence categories for CAOP.

**Table 15: Principal offence categories for crimes against older people**

Principal Offence Category	2013–14	2014–15	2015–16	2016–17
Homicide	1.1%	1.0%	1.0%	0.9%
Offences against person	27.4%	28.4%	31.3%	33.8%
Sexual offences	1.9%	1.6%	1.3%	1.5%
Burglary	21.7%	20.9%	20.4%	18.0%
Robbery	7.7%	6.5%	7.3%	6.6%
Theft and handling	17.1%	17.8%	16.8%	13.7%
Fraud and forgery	12.3%	13.0%	15.1%	20.2%
Criminal damage	3.8%	4.2%	3.1%	2.4%
Drugs offences	1.1%	0.7%	0.7%	0.8%
Public order offences	1.8%	2.3%	1.5%	1.3%

- The proportion of cases categorised as Offences against the Person increased again over 2016–17 but of note is the persistence of acquisitive crime with an emphasis on financial gain.
- The CPS Areas recording the highest increase in CAOP prosecutions in 2016–17 were: London (9.8%), South East (7.1%) and East of England (3.7%).