



Violence against women crime report

2007 – 2008

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1 Executive summary

This is the first Crown Prosecution Service (CPS) annual Violence against Women performance report. This report covers a range of Violence against Women (VAW) strands for 2007 - 08: domestic violence; forced marriage; so-called 'honour' crimes; female genital mutilation; rape and sexual offences; human trafficking; prostitution; child abuse; and pornography¹.

These crimes have been grouped under a 'Violence against Women' umbrella because of their profile – with the majority having been perpetrated by men against women, within a context of power and control.

The report mainly provides collated data on domestic violence, rape and sexual offences in a "Violence against Women" section; followed by separate sections on each of these three strands.

In addition, further data is provided on forced marriage and so-called 'honour' crimes, child abuse and pornography. For all of the nine VAW strands information is detailed on current and planned work and a number of case studies are given as examples of CPS work.

VAW – overall key findings

In the VAW section of the report the VAW crimes refer to collated data on domestic violence, rape and sexual offences. The headline figures show:

- in the two years ending in March 2008, over 144,000 defendants were prosecuted for violence against women offences;
- 94% of defendants were men in 2007-08 (1% less than in 2006-07);
- 86% of victims were women in 2007-08 (1% more than in 2006-07);
- almost 85% of VAW crimes are domestic violence; 5% are rape and 11% sexual offences;
- the number of VAW cases charged increased from 59% in 2006-07 to 64% in 2007-08;
- unsuccessful prosecutions fell from 35% in 2006-07 to 31% in 2007-08;
- guilty pleas increased from 56% in 2006-07 to 60% in 2007-08;
- unsuccessful outcomes due to victim issues accounted for 15% of all VAW outcomes in 2006-07 falling to 14% in 2007-08.

Domestic violence – key findings

Domestic violence data is available from 2005-06 and therefore some analysis is possible for a three year period.

- in the three years ending in March 2008, over 170,000 defendants were prosecuted for domestic violence;
- 94% of defendants were men in 2007-08 (1% less than in 2006-07);
- 86% of victims were women in 2007-08 (1% more than in 2006-07);

¹ A short section on work in relation to crimes against the older person is also included.

- the number of DV cases charged² increased from 62% in 2006-07 to 65% in 2007-08;
- unsuccessful prosecutions fell from 40% in 2005-06 to 31% in 2007-08;
- guilty pleas increased from 58% in 2006-07 to 62% in 2007-08;
- unsuccessful outcomes due to victim issues accounted for 17% of all domestic violence outcomes in 2006-07 falling to less than 16% in 2007-08.

Rape – key findings

- in the two years ending in March 2008, over 6,700 defendants were prosecuted for rape;
- 99% of defendants were men in 2006-07 and in 2007-08;
- 87% of victims were women in 2006-07 and in 2007-08;
- the number of rape cases charged increased from 33% in 2006-07 to 40% in 2007-08;
- unsuccessful prosecutions fell from 46% in 2005-06 to 42% in 2007-08;
- guilty pleas increased from 33% in 2006-07 to 35% in 2007-08;
- unsuccessful outcomes due to victim issues accounted for 9% of all rape outcomes in 2006-07 falling to less than 8% in 2007-08.

Sexual offence – key findings³

- in the two years ending in March 2008, over 16,400 defendants were prosecuted for sexual offences (other than rape);
- almost 96% of defendants were men in 2007-08 (little changed compared with 2006-07);
- unsuccessful prosecutions fell from 32% in 2005-06 to 27% in 2007-08;
- guilty pleas increased from 53% in 2006-07 to 58% in 2007-08;
- unsuccessful outcomes due to victim issues accounted for 4% of all sexual offence outcomes in 2006-07 falling to less than 3% in 2007-08.

Forced marriage and so-called ‘honour’ crimes

The report also provides data on forced marriage and so-called ‘honour’ crimes from a pilot in four CPS Areas carried out for nine months in 2007-08. 35 cases were identified of which 21 were finalised at the time of data collection. All defendants were men; aged on average 29 years old, and most were Asian, with cases more likely to be finalised at the Crown Court than the magistrates’ court. A number involved more than one defendant and victim. Some, but not all, were within a domestic violence context. In cases where men were found to be victims, it was linked to a relationship with a woman who was also harmed.

Child abuse

The report also provides data on prosecution of child homicides; offences against the person and sexual offences.

- in the two years ending in March 2008, there were 59 defendants prosecuted for homicides⁴; 4,654 defendants prosecuted for offences against the person and 7,783 defendants prosecuted for child sexual offences.

² Data on charging is only available from 2006-07

³ CPS data on sexual offences is more limited than for domestic violence and rape. Sexual offences are identified only at the conclusion of a prosecution, while data on domestic violence and rape is additionally held for pre-charge proceedings

⁴ Homicides comprises offences of murder or manslaughter, conspiring or attempting to cause murder or manslaughter and threats to kill.

- in 2007-08, 69% of homicide defendants; 75% of offences against the persons defendants and 98% of sexual offence defendants were men;
- in 2007-08 there were conviction rates of 69% for homicides⁵; 72% for offences against the persons and 72% for sexual offences.

Pornography

Some data is provided on the number of offences prosecuted in relation to indecent or grossly offensive materials, obscene publications and sexual exploitation of children by the making, distribution, showing and advertisement of indecent photographs of them. In 2007-08, there were 3,079 offences of possession of an indecent photograph of a child and 11,873 of sexual exploitation of children through photographs.

⁵ Please note the small numbers of proceedings.

2 Introduction

This is the first Crown Prosecution Service (CPS) annual Violence against Women performance report. The report covers a range of Violence against Women (VAW) strands for 2007-08:

- domestic violence;
- forced marriage;
- so-called 'honour' crimes;
- female genital mutilation;
- rape and sexual offences;
- human trafficking, with a focus on trafficking for sexual exploitation;
- prostitution, including child prostitution;
- child abuse;
- pornography.⁶

These crimes have been grouped under a 'Violence against Women' umbrella because of their profile – with the majority having been perpetrated by men against women, within a context of power and control. For domestic violence, rape, sexual offences and where possible, for child abuse, prosecution performance in 2007-08 is compared with that in 2006-07. For forced marriage and so-called 'honour' crimes, data is provided from the 2007-08 pilots in four Areas. Currently there are no systems to examine prosecution outcomes for human trafficking and prostitution, but work is underway with the UK Human Trafficking Centre during 2008-09. No reliable prosecution data on prostitution, trafficking and pornography is available prior to 2008. A policy on crimes against the older person was launched in July 2008, together with systems to monitor performance, but no data is available prior to April 2008.

The report provides data in separate sections on each of the VAW strands, including current and planned work under each topic and a number of case studies. The best available data is used, recognising some short comings in what is available. Commitment is given to continuous improvement of the data quality.

CPS Violence Against Women strategy and action plans

In 2007, for the second year running, the CPS scored the highest mark across all Government Departments in the annual End Violence Against Women independent analysis of Government departmental initiatives – *"Making the Grade"*.

During 2007-08 the CPS developed the first government-department Violence against Women Strategy, with national action plans for 2008-2011.

A permanent external consultation group has been established to advise the CPS on VAW issues.

⁶ A short section on work in relation to crimes against the older person is also included.

The VAW strategy is linked to the current CPS Public Service Agreement indicators (PSAs) of:

- Improving the effectiveness and efficiency of the CJS through bringing more offenders of VAW crimes to justice:
 - reducing unsuccessful prosecution outcomes;
 - developing VAW Guidance for prosecutors;
 - coordinating and rationalizing VAW coordinators and considering rationalization of specialist prosecutors;
 - developing cases for VAW training.
- Improving public and stakeholder confidence in the CPS:
 - involving community stakeholders locally and nationally;
 - developing a system to measure stakeholder satisfaction;
- Improving victim and witness support, safety and satisfaction:
 - working with the Victim & Witness Care Delivery Unit to consider support systems for VAW victims and ensuring monitoring of outcomes;
 - developing a system to measure victim support, safety and satisfaction.
- Addressing any disproportionality across all of the equality strands:
 - analysing the equality profiles of VAW defendants and victims;
 - ensuring Witness Care Units have support systems and information on support for victims and witnesses from all communities.

From April 2008, the CPS has monitored performance in relation to “Improving the effectiveness and efficiency of the CJS through bringing more offenders of VAW crimes to justice”. A Violence against Women Indicator has been set up against which Areas will be assessed quarterly. In 2008-09 CPS will address performance in relation to domestic violence, rape and sexual offences, and from 2009 will consider recording and monitoring further VAW strands. The aim in 2008-09 is for unsuccessful outcomes to be reduced to the following targets by April 2009: domestic violence to 28%; rape to 41% and sexual offences to 28%.

In 2009-10, the Indicator will include domestic violence, rape, sexual offences, and consideration will be given to the inclusion of forced marriage, so-called ‘honour’ crimes, child abuse and crimes against older people.

In 2010-11, all the above will be addressed and consideration will be given to the inclusion of prostitution and human trafficking.

Prosecutions data for each of the 42 Areas of the service can be found at Annex 1, page 54 of this report.

A glossary of terms used in this report can be found at page 58.

3 Violence against women crime: overall key findings

Since April 2008 the Crown Prosecution Service has reported on the prosecution of violence against women (VAW) crimes as part of the performance review process, measuring outcomes against a new performance indicator. VAW crimes included in this indicator in 2008-09 comprise domestic violence, rape, and sexual offences other than rape.

For periods before April 2008, domestic violence was recorded as hate crime, therefore reference to domestic violence is also made in the Hate Crime Annual Report 2007-08. Data on VAW crimes are recorded within the Compass Case Management System (CMS), and extracted from the related Compass Management Information System (MIS).

There are slight procedural differences in the ways in which data is captured. Domestic violence and rape cases are identified by attaching to the case monitoring flags applied by the CMS user at the pre-charge stage, or at any subsequent stage of proceedings. By contrast, sexual offences are identified by CMS users as the principal offence category at the conclusion of proceedings. Thus, while it is possible to identify pre-charge decisions in respect of domestic violence and rape proceedings, there is no corresponding record of pre-charge decisions for sexual offences; only a record of the eventual outcome of proceedings.

Completed prosecutions fall into two categories: convictions, consisting of guilty pleas, convictions after trial and cases proved in the absence of the defendant; and unsuccessful outcomes, comprising all other outcomes including discontinuances, administrative finalisations, discharged committals, dismissals after trial and dismissals no case to answer, judge directed acquittals and jury acquittals.

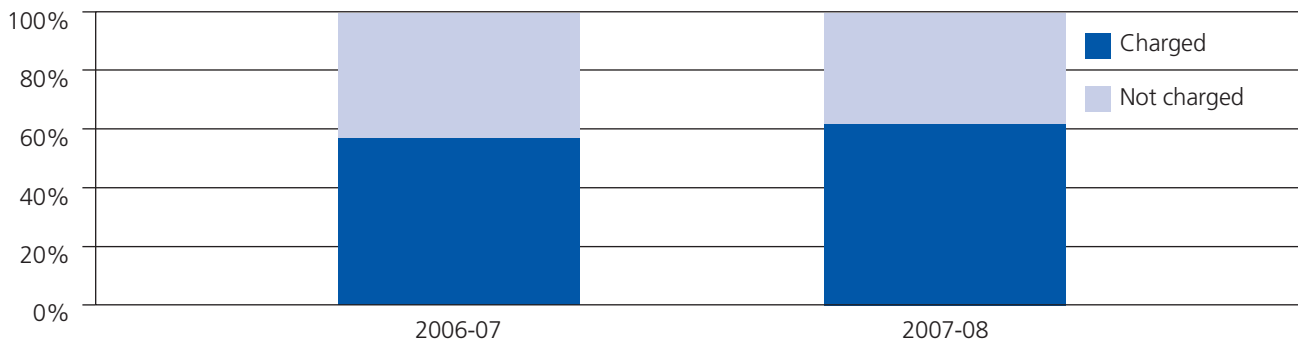
All VAW data below covers an aggregation of domestic violence, rape and sexual offences data.

Charging

Statutory charging of defendants by CPS was fully rolled out in April 2006. In the two years following that date, 143,500 cases identified as involving violence against women were referred to the CPS for a charging decision. The table and chart below (1) show that over 88,000 of these, or 61%, were charged during the two year period. The charging figures do not include sexual offences other than rape, as these offences are only identified when a defendant is formally charged.

The proportion of cases charged rose from 59% of VAW cases referred to the CPS in 2006-07 to 64% in 2007-08. The proportion of cases charged within each offence type is reported in the relevant section of this report. Charging rates varied across the strands. In 2007-08, 65.4% of domestic violence cases were charged compared with 40% of rapes. This may reflect the historical work undertaken to improve domestic violence prosecutions. It may also be indicative of the difficulties involved in prosecuting rape, especially when there is a dispute about whether the victim gave her consent.

Table 1: Pre-charge decisions*



All defendants	2006-07		2007-08	
	Volume	%	Volume	%
Charged	38,920	59.0%	49,335	63.6%
Request for further evidence	897	1.4%	565	0.7%
No prosecution	21,699	32.9%	23,113	29.8%
All other decisions	4,406	6.7%	4,601	5.9%
Total	65,922		77,614	

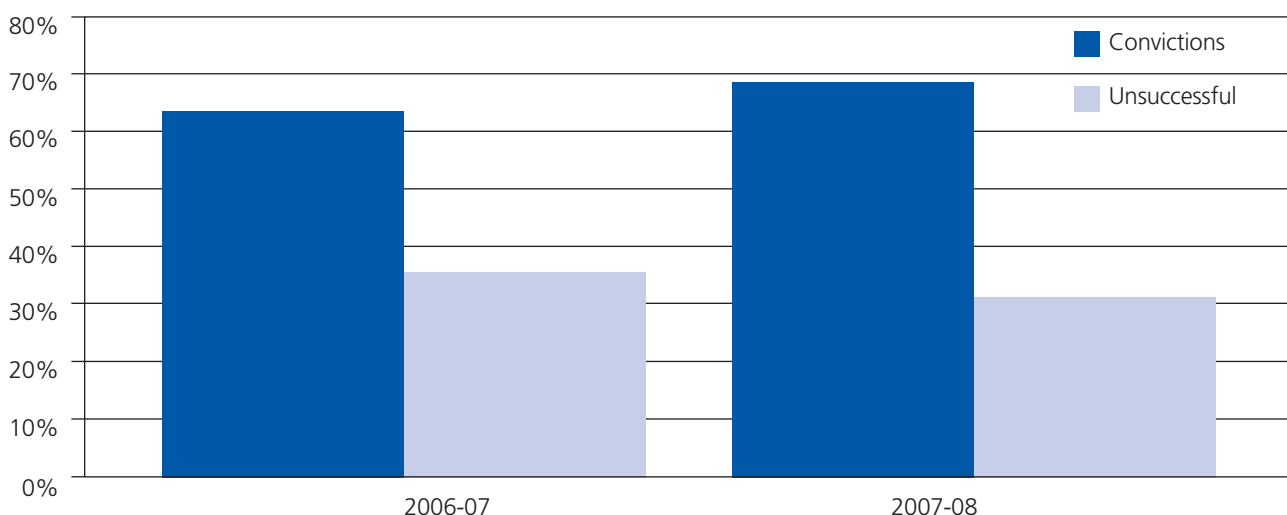
Statutory Charging was fully rolled out on 3 April 2006

*Sexual Offences excluding rape are not included in the pre-charge decision data. No record of pre-charge decisions is available in respect of sexual offences.

Convictions

In the two years ending March 2008, over 144,000 defendants were prosecuted for violence against women. Table and chart 2 below provide a breakdown of prosecutions over the two year period, showing that convictions rose from 65% in 2006-07 to 69% in 2007-08.

Table 2: Completed prosecutions by outcome



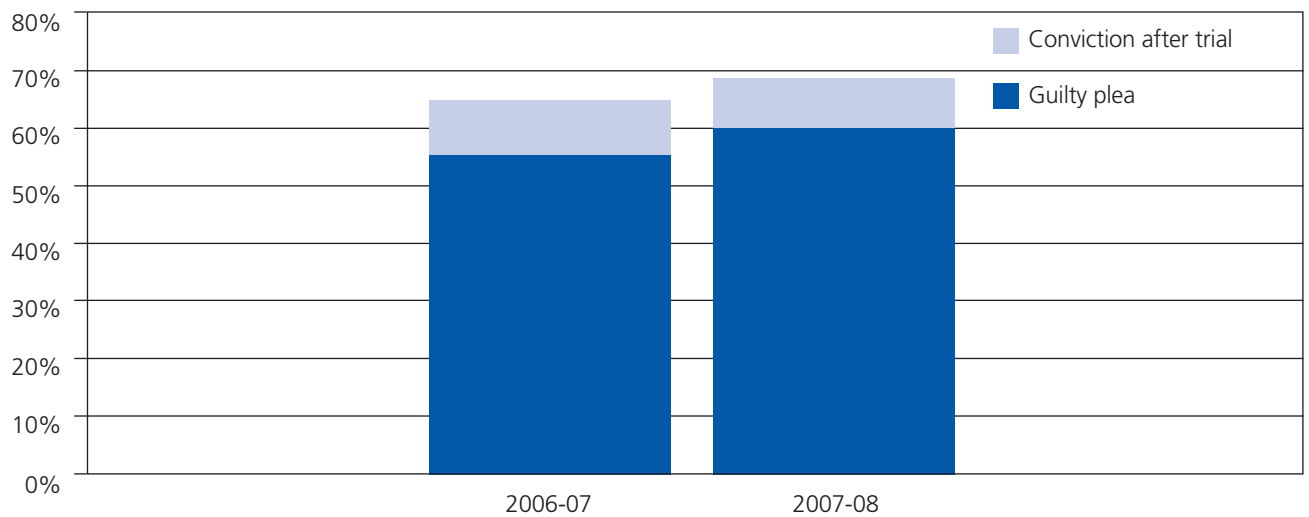
	2006-07		2007-08	
	Volume	%	Volume	%
Convictions	44,836	65.0%	51,974	68.9%
Unsuccessful	24,094	35.0%	23,478	31.1%
Total	68,930		75,452	

The table and charts below show a detailed breakdown of prosecution outcomes for VAW in 2006-07 and 2007-08. Guilty pleas increased from 56% to 60%, contributing to an improved conviction rate of 69% overall in 2007-08. Prosecutions dropped by CPS, including discontinuances and those in which no evidence was offered, fell from 26% to less than 24%.

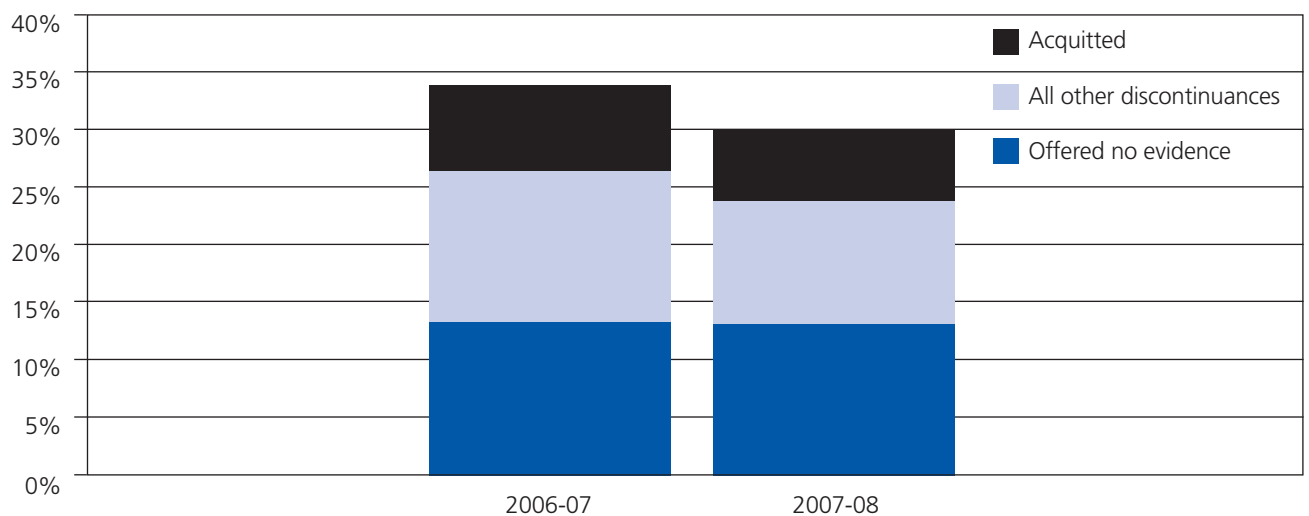
A target for domestic violence was set at 30% for 2007-08 and was exceeded in the final quarter of the year. No targets were set for rape or sexual offences in 2007-08. A target for reductions in unsuccessful outcomes in VAW crimes overall was set at 29% for 2008-09. This target was met in the first quarter of the year with an outturn of 28%. Individual sub-targets were set for domestic violence, rape and sexual offences. For domestic violence, the 2008-09 target was set at 28% and was attained in the first quarter. Targets for rape and for other sexual offences were set at 41% and 28% respectively for 2008-09, and while the target for rape was almost achieved in the first quarter that for sexual offences was exceeded.

Table 3: Prosecution outcomes

Convictions



Unsuccessful outcomes

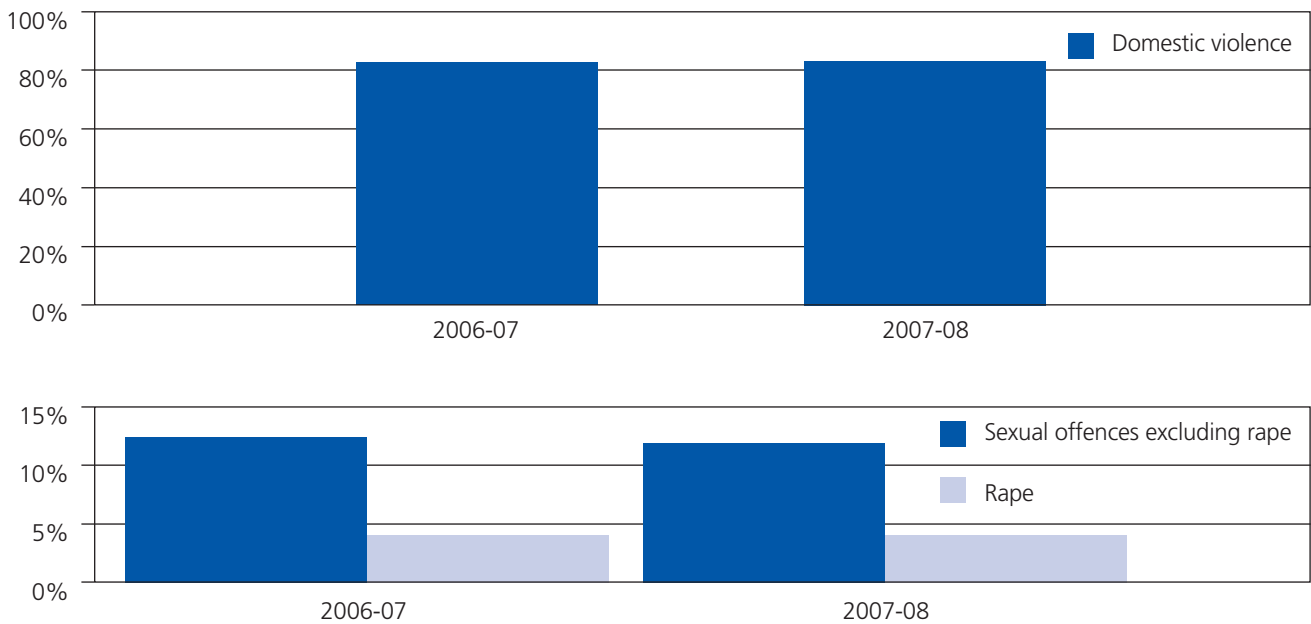


	2006-07		2007-08	
	Volume	%	Volume	%
Administrative finalisation	774	1.1%	858	1.1%
Discharged committal	199	0.3%	209	0.3%
Prosecutions dropped <i>inc discontinued, no evidence offered & withdrawn</i>	18,142	26.3%	17,723	23.5%
<i>of which – no evidence offered</i>	8,890	12.9%	9,635	12.8%
Dismissed after full trial	2,532	3.7%	2,559	3.4%
No case to answer	313	0.5%	266	0.4%
Judge directed acquittal	275	0.4%	252	0.3%
Jury acquittal	1,859	2.7%	1,611	2.1%
Unsuccessful outcomes	24,094	35.0%	23,478	31.1%
Guilty plea	38,495	55.8%	45,307	60.0%
Conviction after trial	6,209	9.0%	6,548	8.7%
Proved in absence	132	0.2%	119	0.2%
Convictions	44,836	65.0%	51,974	68.9%
Total prosecutions	68,930		75,452	

Prosecution by VAW crime type

The table and charts below (4) show prosecutions by VAW crime type for 2006-07 to 2007-08. Domestic violence comprised the largest proportion of the total at 83% in 2006-07 and 85% in 2007-08.

Table 4: Completed prosecutions by VAW crime type



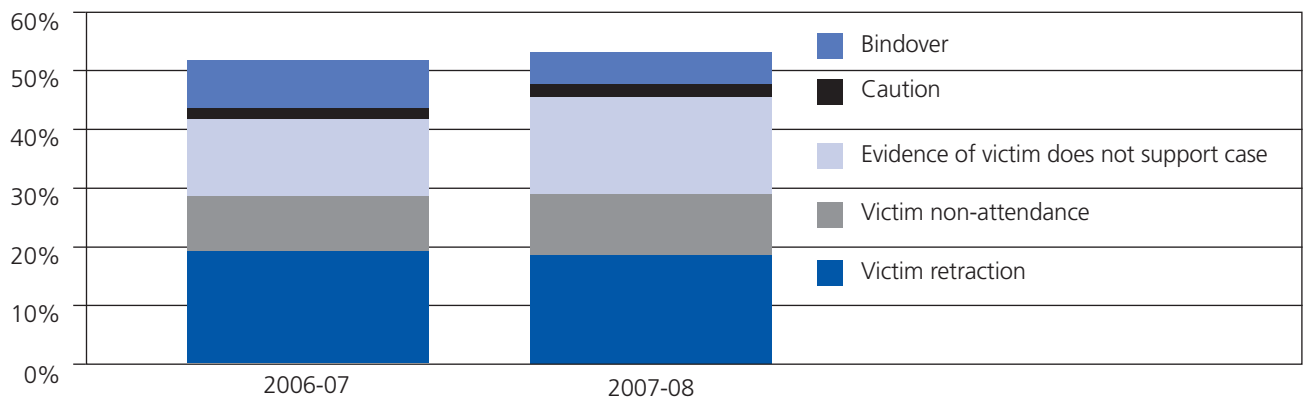
	2006-07		2007-08	
	Volume	%	Volume	%
Domestic violence	57,361	83.2%	63,819	84.6%
Rape	3,264	4.7%	3,503	4.6%
Sexual offences excluding rape	8,305	12.0%	8,130	10.8%
Total	68,930		75,452	

Unsuccessful prosecutions

Cases mainly fail for reasons of insufficient evidence, because a prosecution is not in the public interest or because the defendant is acquitted at trial. In addition there are cases which are unable to proceed because of non-attendance or retraction by a victim or witness, and those proceedings subject to an administrative finalisation. The proportions falling within each category remained similar from 2006-07 to 2007-08. In 2007-08, 3.7% were unsuccessful for administrative reasons; 36.2% for evidential reasons; 7.4% for public interest; 30.8% were unable to proceed, and 21.9% fell into other reasons including acquittal after trial.

Table 5 gives a more refined analysis, showing the proportion failing due to victim issues (including victim retraction and cases in which a victim failed to attend a court hearing), those resulting in a bindover, and those in which the defendant was cautioned. Within these key reasons, victim retraction remained the largest single category, changing little over the period under review at around 20% to 19%, while there was a gradual rise in the proportion failing owing to non attendance of the victim and in the proportion in which the evidence of victims did not support the prosecution case. The proportion failing because of key reasons remained stable, at 52% of all unsuccessful outcomes.

Table 5: Key reasons for unsuccessful prosecutions



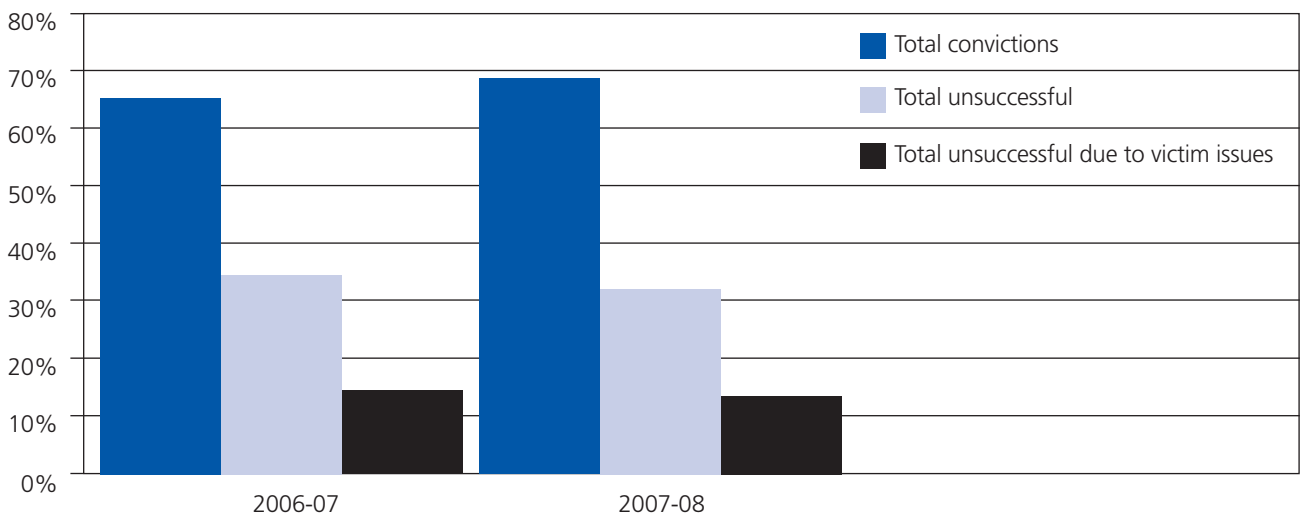
	2006-07		2007-08	
	Volume	%	Volume	%
Victim retraction	4,747	19.7%	4,440	18.9%
Victim non-attendance	1,976	8.2%	2,465	10.5%
Evidence of victim does not support case	3,370	14.0%	3,654	15.6%
Caution	332	1.4%	282	1.2%
Bindover	1,942	8.1%	1,343	5.7%
Total key reasons	12,367	51.3%	12,184	51.9%
All other reasons	10,953	45.5%	10,436	44.5%
Administrative finalisations	774	3.2%	858	3.7%
Total	24,094		23,478	

The reasons for unsuccessful outcomes in each individual strand of VAW crime are reported in the relevant section of this report. There were differences in key victim issues across the strands: victim issues are particularly prevalent as a factor in the failure of domestic violence cases, but were less so for other crime strands. Key reasons for unsuccessful prosecutions in rape or sexual offences include acquittals, essential legal elements missing, unreliable witness or witnesses, and conflicts of evidence.

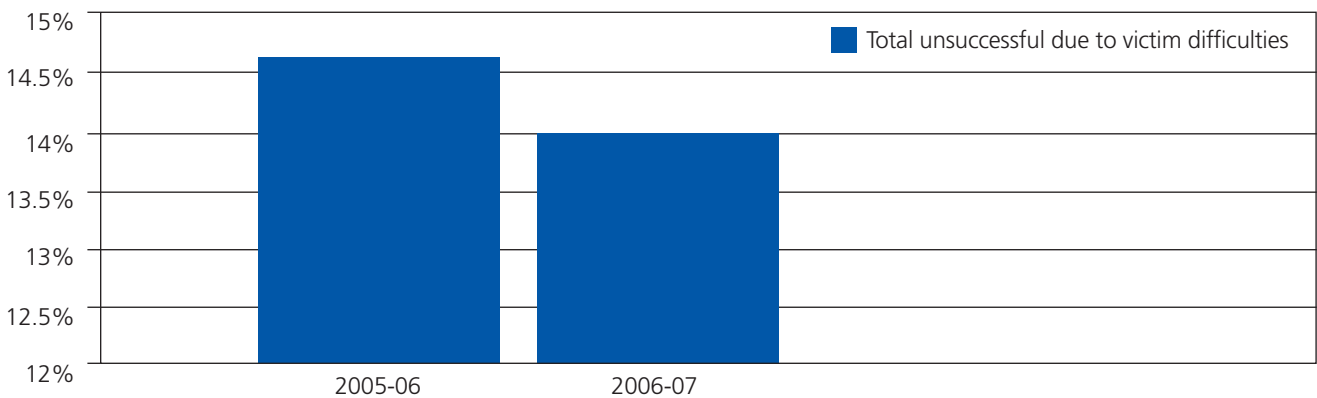
Table and chart 6 show the volume and proportion of victim issues in relation to all outcomes. While the volume of those unsuccessful due to victim difficulties increased slightly, from 10,093 in 2006-07 to 10,559 in 2007-08, they fell very slightly in proportion to total VAW crime outcomes, from almost 15% to 14%. Total unsuccessful outcomes fell from 35% in 2005-06 to 31% in 2007-08.

Table 6: Comparison of key victim issues

Victim issues in relation to all outcomes



% victim issues



	2006-07		2007-08	
	Volume	%	Volume	%
<i>Total unsuccessful due to victim issues</i>	10,093	14.6%	10,559	14.0%
Total unsuccessful	24,094	35.0%	23,478	31.1%
Total convictions	44,836	65.0%	51,974	68.9%
Total prosecutions	68,930		75,452	

Principal offence category

At the conclusion of proceedings, each defendant case is allocated a Principal Offence Category, to indicate the type and seriousness of the charges brought.

Offences against the person were the most numerous category, representing 62% of VAW crime prosecutions in 2007-08. Sexual Offences and criminal damage accounted for a further 18% and 11% respectively. Breaking the categories down by gender shows that a similar pattern was recorded for defendants who were men, with 61% being categorised as offences against the person, 17% as sexual offences and 11% as criminal damage. There was a slightly different pattern for defendants who were women, offences against the person being higher at 65%, while sexual offences were lower at 10%; criminal damage was similar at 11%. Public order offences formed a slightly higher proportion for women than for men, at 7% compared to 5%. Men comprised 94% of defendants whose principal offence was identified as offences against the person. In domestic violence cases, offences against the person were the most numerous for both men and women, at 73% and 72% respectively.

Retraction

While the facility to collect information on the issue of retraction has been in place since April 2007, the completeness and reliability of the data remains under development. Work is planned for 2009-2010 to improve data collection and quality.

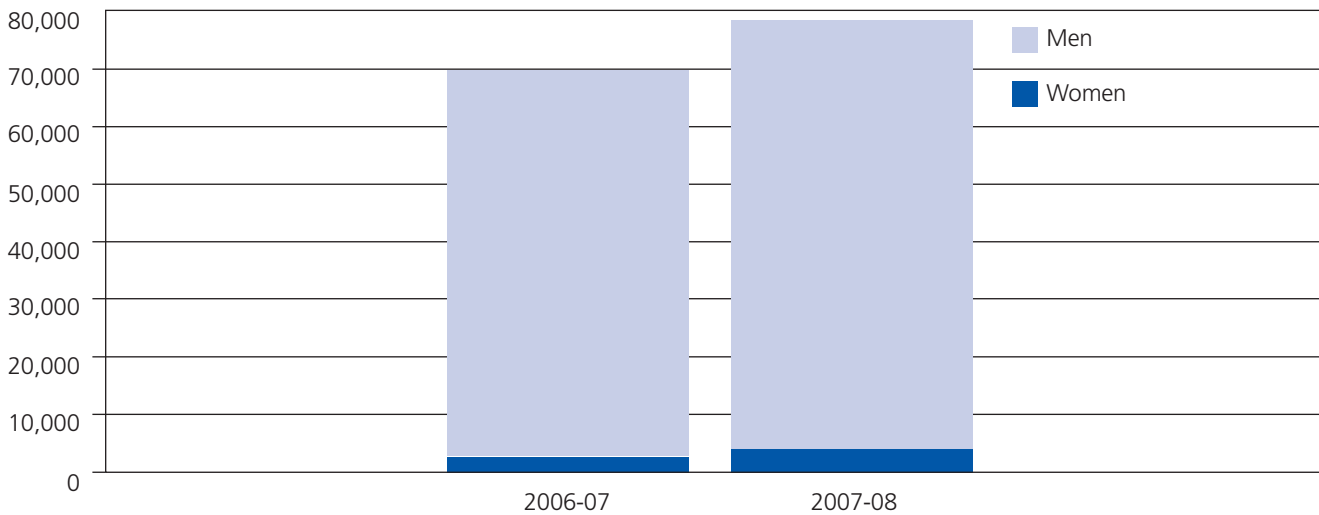
Equalities

(i) Defendants

Gender

Table 7 provides a breakdown of the gender of defendants. The proportion of men prosecuted remained virtually the same at 95% in 2006-07 and 94% in 2007-08. In the latter period 94% of defendants in domestic violence prosecutions, 99% in cases of rape, and 96% in sexual offences other than rape were men. Rape is unique, being the only gender specific offence in the Sexual Offences Act 2003. Women can only be prosecuted for aiding and abetting.

Table 7: Completed prosecutions by gender of defendant



	2006-07		2007-08	
	Volume	%	Volume	%
Women	3,339	4.8%	4,176	5.5%
Men	65,580	95.1%	71,263	94.4%
Unknown	11	0.0%	13	0.0%
Total	68,930		75,452	

Ethnicity

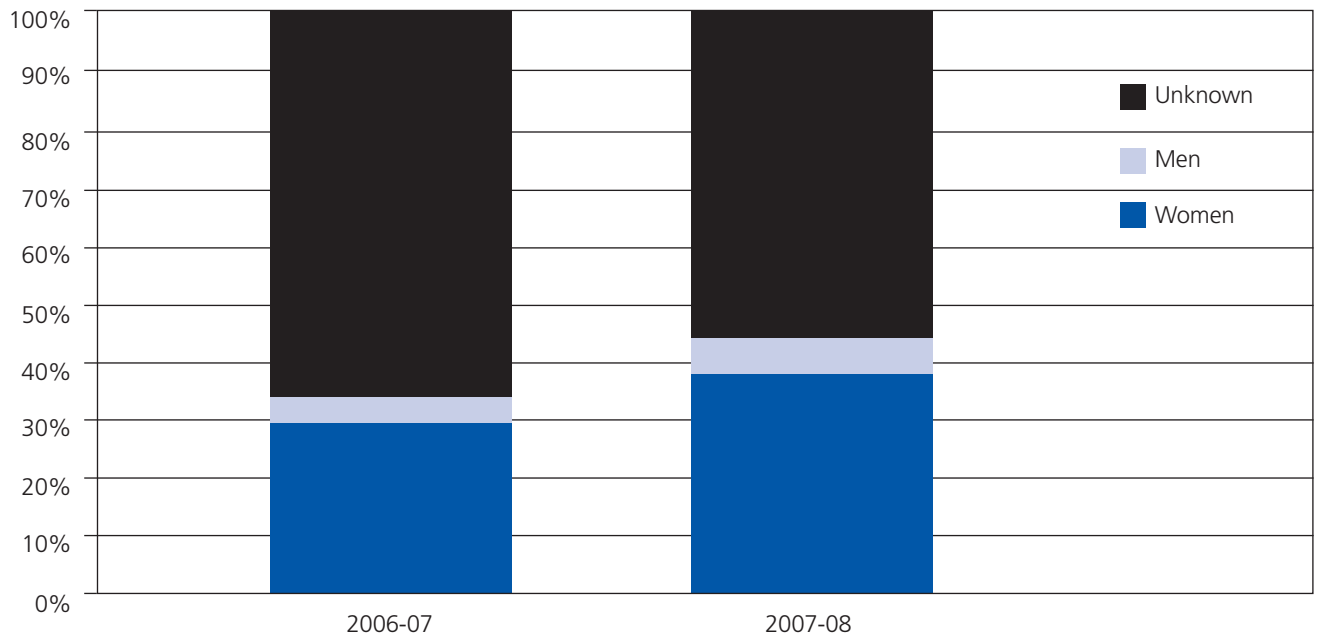
Ethnicity data on defendants is collected by the CPS in accordance with the agreed Criminal Justice System definitions for the 16+1 ethnic categories. In 2007-08, 77% of VAW crime defendants were identified as belonging to the White British category, and 80% were categorised as White. 5% of defendants were identified as Asian, and a further 6% were identified as Black. 4% of defendants did not state an ethnicity on arrest.

Other equality data

Provision for data collection on the religion or belief and disability of defendants has been in place since April 2007. However, the completeness and accuracy of this data remains under development.

(ii) Victims**Gender**

Table 8 provides a breakdown of the gender of victims. Data on victims is extracted from the Witness Management System, and is available only from April 2006. The completeness and accuracy of this information remains under development and work is underway to improve recording. No data is held on the victims of sexual offences other than rape. Of those victims whose gender has been identified, the highest proportion, were women, at 85% in 2006-07 and 86% in 2007-08. Where gender was been identified in 2007-08, 86% of domestic violence victims were women and 87% were women in rape crime.

Table 8: Gender of victims*

	2006-07		2007-08	
	Volume	%	Volume	%
Women	7,892	29.3%	19,514	37.3%
Men	1,405	5.2%	3,239	6.2%
Unknown	17,682	65.5%	29,524	56.5%
Total	26,979		52,277	

*Data does not include victims of Sexual Offences that exclude rape.

Data from 2006-07 was reported for all victims whether civilian or not, 2007-08 data only reports civilian victims.

Other equality data

Data on victims is extracted from the Witness Management System. Data on ethnicity is available from April 2006, and data on religion or belief and disability from April 2007. The completeness and accuracy of this information remains under development and has not been included in the present report. Work is planned for 2009-2010 to improve data collection and quality.

Hate Crime Services

Information on specialist support services for hate crime victims has been collected since April 2007, and also remains under development. No system has, as yet, been established for VAW, so the data below refers only to domestic violence cases in 2007-08. Of those domestic violence victims and witnesses referred to a support service or specialist agency, less than 1% were recorded as being referred to a specific 'hate crime specialist agency'. The completeness and accuracy of this information remains under development: however, just over 22% were referred to either a victim or witness support agency, while 77% were subject to an 'other referral'.

Relationships – Domestic violence cases only

While the facility to collect information on the relationship between defendant and victim in domestic violence cases has been in place since April 2007, the completeness and reliability of the data remains under development. Work is planned for 2009-2010 to improve data collection and quality.

4 Domestic violence

The CPS published its first Policy for Prosecuting Cases of Domestic Violence in 2001 to address high attrition rates. A Domestic Violence Coordinator was nominated in each CPS Area to oversee the implementation of the Policy. In 2003, the CPS established a Domestic Violence Project, which aimed to establish measures to improve prosecutions. The Policy was revised in 2004-05 and published alongside Guidance for prosecutors in February 2005. To support these, a comprehensive domestic violence training programme and Good Practice Guidance were developed and rolled-out across the CPS. The training was completed by April 2008⁷. In 2003, the CPS was also the first Government Department to produce an Employee Domestic Violence Policy. This was revised in 2007.

The CPS Policy and Guidance on Prosecuting Cases of Domestic Violence is being revised in 2008 to reflect changes to the law, procedure and other developments. The CPS is doing this in consultation with external stakeholders and the public. The CPS is also developing a new case-based training programme, as well as revising the joint Police/CPS training on domestic violence.

The CPS is also part of the National Specialist Domestic Violence Court (SDVC) Programme. In 2007-08 a further 34 SDVCs were selected, taking the total to 98 by April 2008. A further six were accredited in autumn 2008, taking the total to 104 by November 2008. The CPS will continue to undertake CPS data analysis of Specialist Domestic Violence Courts on a quarterly basis. The National Programme is taking forward plans on further development of SDVCs, aiming at 128 by 2011.

In 2007-08 domestic violence was monitored as part of the Hate Crime Indicator, with a specific target of reducing unsuccessful prosecution outcomes to 30% by April 2008. This target was exceeded, with the national outcome across Areas reducing to 29.3%. We will continue to evaluate CPS domestic violence data in relation to the target set out in the Violence against Women Strategy of reducing unsuccessful outcomes to 28% by April 2009.

The CPS works across government to the national Domestic Violence Delivery Plan.

⁷ With the exception of London that completed in November 2008

Case Study 1: Domestic Violence

This case illustrates good partnership working with the police and lateral thinking on dealing with pressurised victims

One domestic violence case involved a woman who had been married for over thirty years and suffered abuse for most of that time. In the prosecuted incident an ornament was thrown at her head by her husband and she suffered a cut to her head. He was arrested and charged with Section 47 assault. Police were informed the next day that she wished to retract her statement. An officer attended her home, wearing a head cam. She retracted but under great pressure from a family member, all of which was recorded on head cam.

A Not Guilty plea was entered and the trial listed. On the day the victim attended but said she did not want to tell the court what happened. The defence tried to put pressure on the prosecutor to drop the case because the victim was a reluctant witness. However the CPS planned to use the head cam footage if needed. This intention was relayed to the defence and the defendant then pleaded guilty.

Case Study 2: Domestic Violence

The case illustrates the work of Specialist Domestic Violence Courts (SDVCs) and support given by an Independent Domestic Violence Adviser (IDVA)

In one case, the victim was put in contact with an IDVA after suffering abuse at the hands of her partner for years. In previous incidents the victim always withdrew her complaints, fearing the consequences. The final straw was when her partner severely stabbed her.

He was arrested and charged, and she was offered IDVA support, given information about court proceedings and giving evidence, and was kept informed of the progress of the case. Despite attempts by her partner to pressure her to withdraw the complaint due to the support given she persisted with it.

The defendant was convicted and sentenced to imprisonment. He also faced further charges of attempting to pervert the course of justice for putting her under pressure to withdraw the complaint. He contacted her whilst in prison but, with the help of the IDVA, action was taken to ensure that no further contact was made.

Case Study 3: Domestic Violence

The case illustrates proceeding without the victim

The victim was the girlfriend of the defendant. In an argument he punched her and beat her causing lash marks on her back. There was a previous incident of violence, which the victim had been too scared to report. He was arrested, interviewed and denied hitting her with his hands but said that he had whipped her with a belt in 'self defence'. She had to move into a refuge, as she had nowhere else to go. The victim withdrew the allegations as she wanted to resume the relationship.

The Prosecution decided to proceed without her evidence, on the basis of admissions in interview, the evidence of her injuries including photographs, and the fact that the defence of 'self defence' was unlikely to be believed given that she had injuries to her back. The defendant pleaded guilty on the day of trial. He was sentenced to a two year community rehabilitation order with a condition that he should attend a domestic violence perpetrators' programme. He was also ordered to pay compensation to the victim.

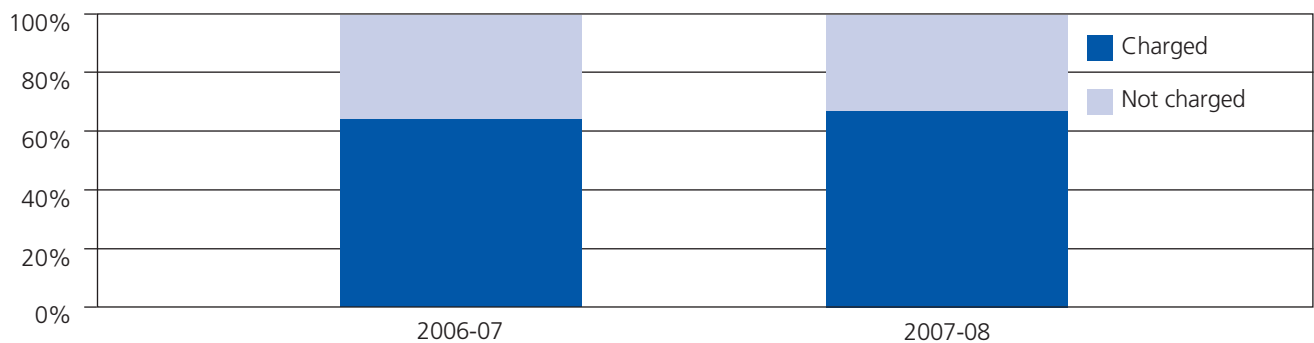
5 Domestic violence crime: key findings

Since April 2005 the Crown Prosecution Service has reported on the prosecution of domestic violence crimes as part of the performance review process. Domestic violence was included in CPS reports on hate crime up until March 2008, but from April 2008 is reported as part of the violence against women (VAW) strategy, measuring performance against a new VAW Indicator.

Charging

Cases in which the CPS decided that a defendant should be charged rose from 61.7% of domestic violence cases submitted for pre-charge decisions by the police in 2006-07 to 65.4% in 2007-08.

Table 1: Pre-charge decisions



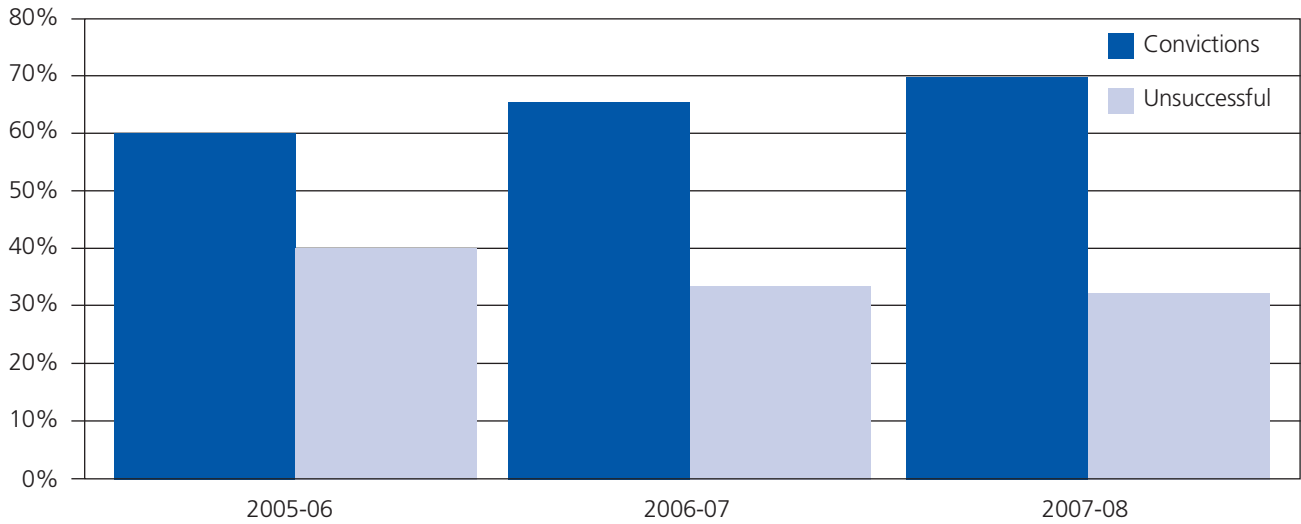
All defendants	2006-07		2007-08	
	Volume	%	Volume	%
Charged	36,957	61.7%	47,115	65.4%
Request for further evidence	787	1.3%	510	0.7%
No prosecution	18,140	30.3%	20,088	27.9%
All other decisions	4,037	6.7%	4,350	6.0%
Total	59,921		72,063	

Statutory Charging was fully rolled out on 3 April 2006

Convictions

In the three years ending March 2008, over 170,000 defendants were prosecuted for crimes involving domestic violence. Table and chart 2 below provide a breakdown of prosecutions over the three year period, showing that convictions rose from 60% in 2005-06 to 69% in 2007-08.

Table 2: Completed prosecutions by outcome



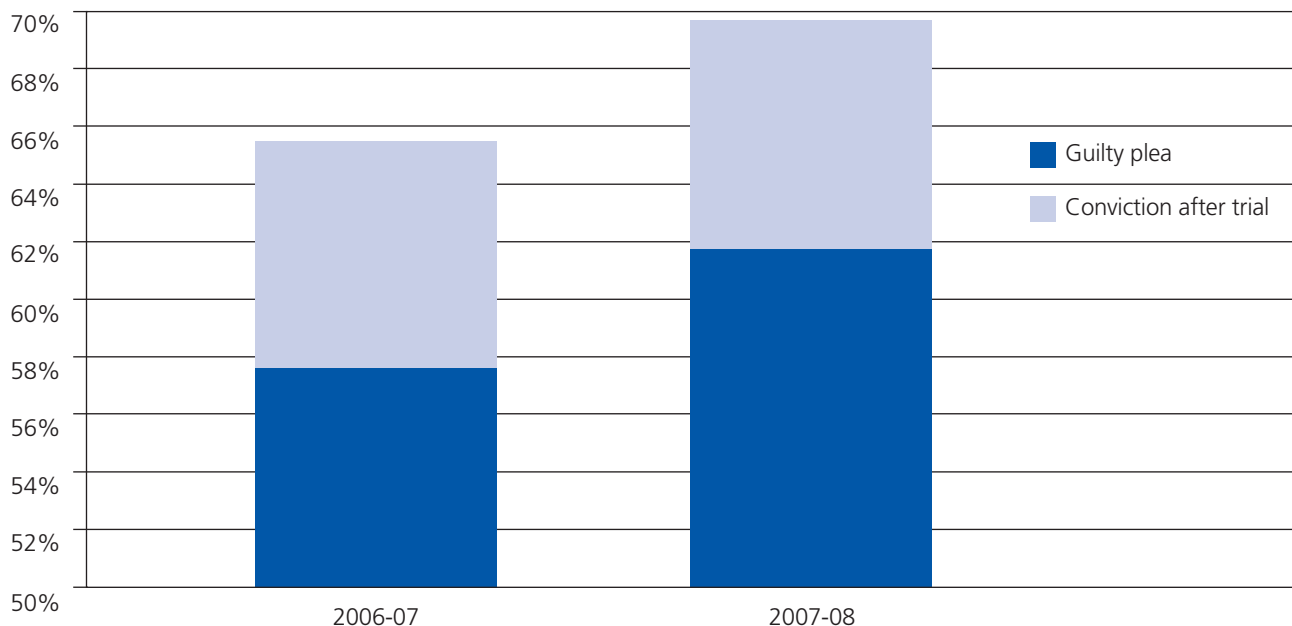
	2005-06		2006-07		2007-08	
	Volume	%	Volume	%	Volume	%
Convictions	29,719	59.7%	37,383	65.2%	43,977	68.9%
Unsuccessful	20,063	40.3%	19,978	34.8%	19,842	31.1%
Total	49,782		57,361		63,819	

The table and charts below show a detailed breakdown of prosecution outcomes for domestic violence crimes in 2006-07 and 2007-08. Guilty pleas increased from 58% to 62%, contributing to an improved conviction rate of 69% overall in 2007-08. Prosecutions dropped by CPS, including discontinuances and those in which no evidence was offered, fell from 28% to less than 25%.

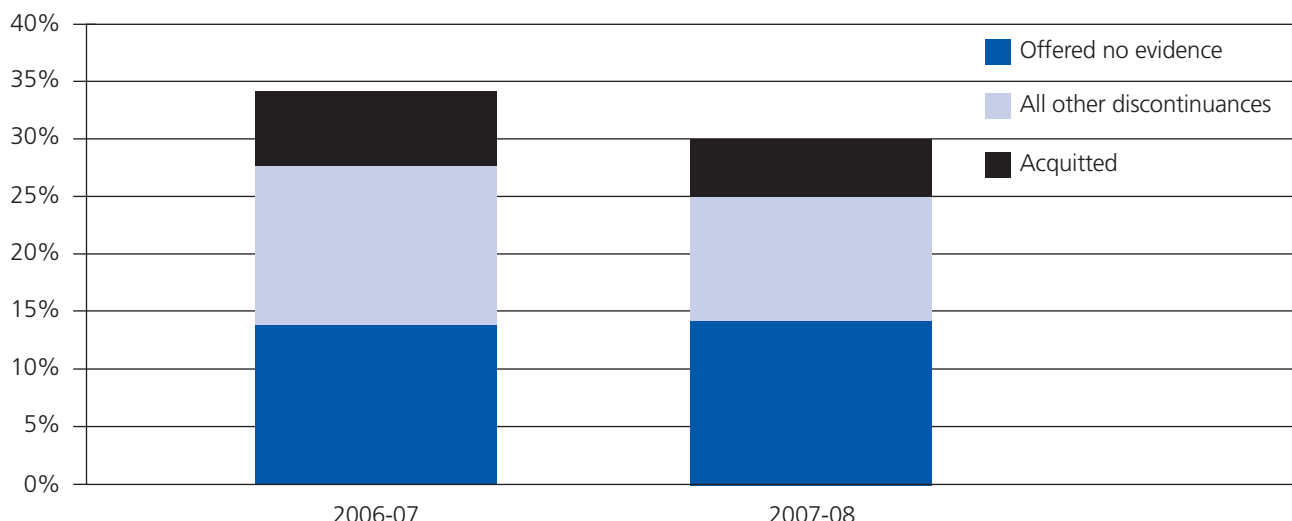
In 2007-08 the target was to reduce unsuccessful domestic violence prosecutions to 30%, which was exceeded in the fourth quarter at 29.3%.

Table 3: Prosecution outcomes

Convictions



Unsuccessful outcomes

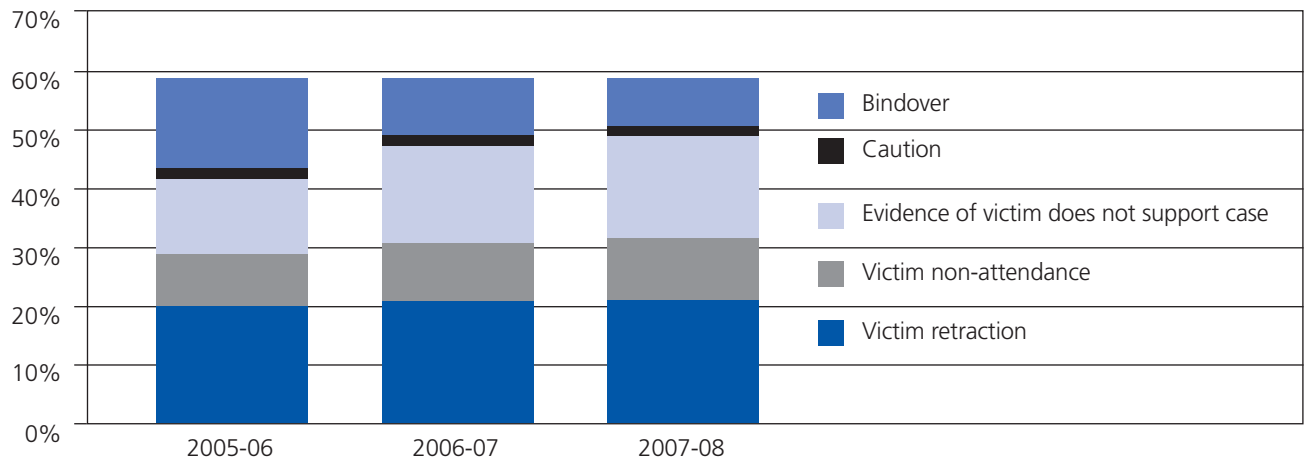


	2006-07		2007-08	
	Volume	%	Volume	%
Administrative finalisation	689	1.2%	772	1.2%
Discharged committal	137	0.2%	146	0.2%
Prosecutions dropped <i>inc discontinued, no evidence offered & withdrawn</i>	16,023	27.9%	15,788	24.7%
<i>of which – no evidence offered</i>	7,730	13.5%	8,505	13.3%
Dismissed after full trial	2,302	4.0%	2,359	3.7%
No case to answer	274	0.5%	253	0.4%
Judge directed acquittal	87	0.2%	83	0.1%
Jury acquittal	466	0.8%	441	0.7%
Unsuccessful outcomes	19,978	34.8%	19,842	31.1%
Guilty plea	33,020	57.6%	39,326	61.6%
Conviction after trial	4,246	7.4%	4,552	7.1%
Proved in absence	117	0.2%	99	0.2%
Convictions	37,383	65.2%	43,977	68.9%
Total prosecutions	57,361		63,819	

Unsuccessful prosecutions

Cases mainly fail for reasons of insufficient evidence, because a prosecution is not in the public interest or because the defendant is acquitted at trial. In addition there are cases which are unable to proceed because of non-attendance or retraction by a victim or witness, and those proceedings subject to an administrative finalisation. The proportions falling within each category remained similar from 2005-06 to 2007-08. In 2007-08, 3.9% were unsuccessful for administrative reasons; 35.3% for evidential reasons; 7.2% for public interest; 34.7% were unable to proceed, and 18.8% fell into other reasons including acquittal after trial.

Table 4 gives a more refined analysis, showing the proportion failing due to victim issues (including victim retraction and cases in which a victim failed to attend a court hearing), those resulting in a bindover, and those in which the defendant was cautioned. Within these key reasons, victim retraction remained the largest single category, changing little over the period under review at 21% to 22%. There was, however, a marked rise in the proportion failing owing to non attendance of the victim, from 8% to 12%, and in the proportion in which the evidence of victims did not support the prosecution case, from 13% to 17%. The proportion failing because of key reasons overall remained stable, at 58% of all unsuccessful outcomes.

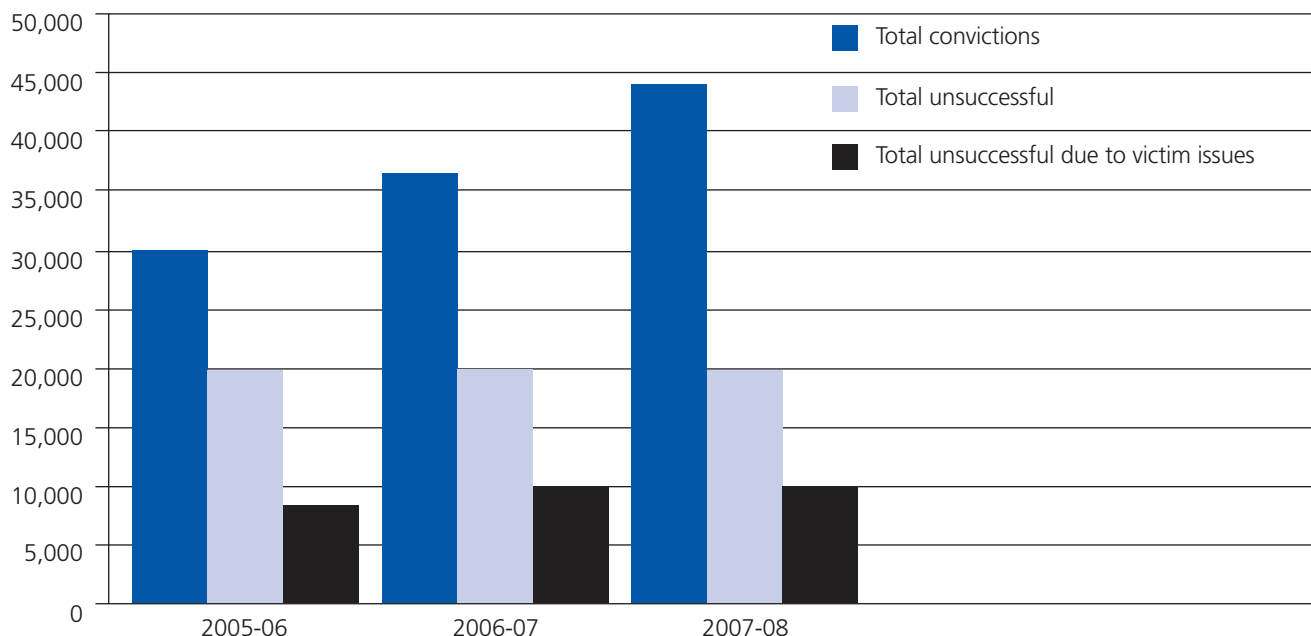
Table 4: Key reasons for unsuccessful prosecutions

	2005-06		2006-07		2007-08	
	Volume	%	Volume	%	Volume	%
Victim retraction	4,214	21.0%	4,441	22.2%	4,207	21.2%
Victim non-attendance	1,593	7.9%	1,914	9.6%	2,409	12.1%
Evidence of victim does not support case	2,613	13.0%	3,142	15.7%	3,406	17.2%
Caution	296	1.5%	274	1.4%	234	1.2%
Bindover	2,997	14.9%	1,909	9.6%	1,311	6.6%
Total key reasons	11,713	58.4%	11,680	58.5%	11,567	58.3%
All other reasons	7,585	37.8%	7,609	38.1%	7,503	37.8%
Administrative finalisations	765	3.8%	689	3.4%	772	3.9%
Total	20,063		19,978		19,842	

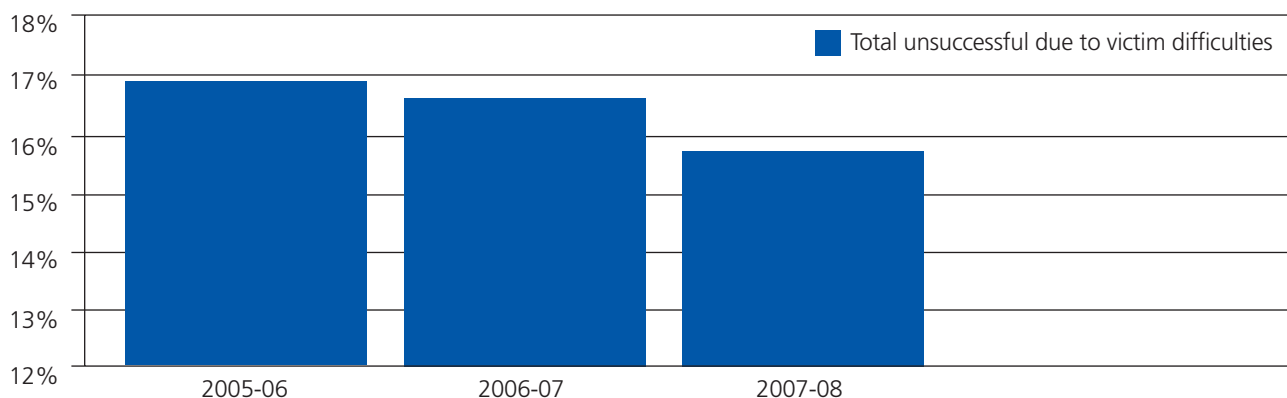
Table and chart 5 show the volume and proportion of victim issues in relation to all outcomes. While the volume of those unsuccessful due to victim difficulties increased, from 8,420 in 2005-06 to 10,022 in 2007-08, they fell slightly in proportional terms, from 16.9% to 15.7%. Total unsuccessful outcomes fell from 40% in 2005-06 to 31% in 2007-08.

Table 5: Comparison of key victim issues

Victim issues in relation to all outcomes



% victim issues



	2005-06		2006-07		2007-08	
	Volume	%	Volume	%	Volume	%
<i>Total unsuccessful due to victim issues</i>	8,420	16.9%	9,497	16.6%	10,022	15.7%
Total unsuccessful	20,063	40.3%	19,978	34.8%	19,842	31.1%
Total convictions	29,719	59.7%	37,383	65.2%	43,977	68.9%
Total prosecutions	49,782		57,361		63,819	

Principal offence category

Offences against the person were the most numerous category, representing 73% of domestic violence crime prosecutions in 2007-08. Criminal damage and public order accounted for a further 13% and 6% respectively. Breaking the categories down by gender shows that a similar pattern was recorded for men, with 73% being categorised as offences against the person, 13% as criminal damage, and 6% as public order. The pattern for women differed only slightly, offences against the person being a little lower at 72% and criminal damage lower at 12%, while public order was a little higher at 8%. Men comprised 94% of defendants whose principal offence was identified as offences against the person.

Retraction

While the facility to collect information on the issue of retraction has been in place since April 2007, the completeness and reliability of the data remains under development. Work is planned for 2009-2010 to improve data collection and quality.

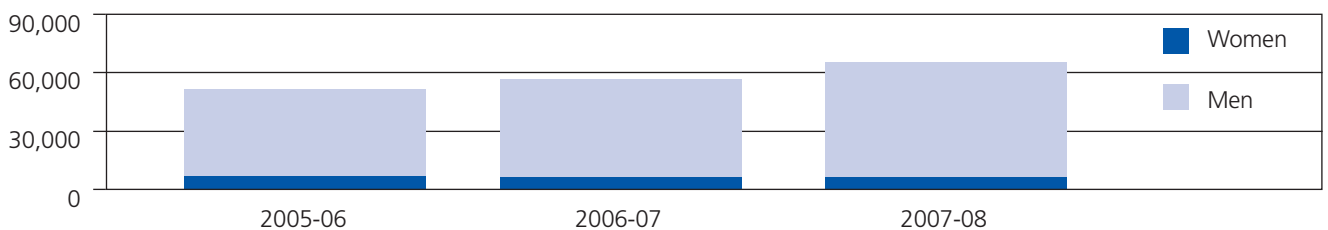
Equalities

(i) Defendants

Gender

Table 6 provides a breakdown of the gender of defendants. The proportion of defendants who were men remained virtually the same at 95% in 2005-06 and 94% in 2007-08.

Table 6: Completed prosecutions by gender of defendant



	2005-06		2006-07		2007-08	
	Volume	%	Volume	%	Volume	%
Women	2,579	5.2%	2,956	5.2%	3,770	5.9%
Men	47,198	94.8%	54,396	94.8%	60,037	94.1%
Unknown	5	0.0%	9	0.0%	12	0.0%
Total	49,782		57,361		63,819	

Ethnicity

Ethnicity data on defendants is collected by the CPS in accordance with the agreed Criminal Justice System definitions for the 16+1 ethnic categories. In 2007-08, 78% of domestic violence crime defendants were identified as belonging to the White British category, and 81% were categorised as White. Just under 5% of defendants were identified as Asian, and a further 6% were identified as Black. 3% of defendants did not state ethnicity.

Other equality data

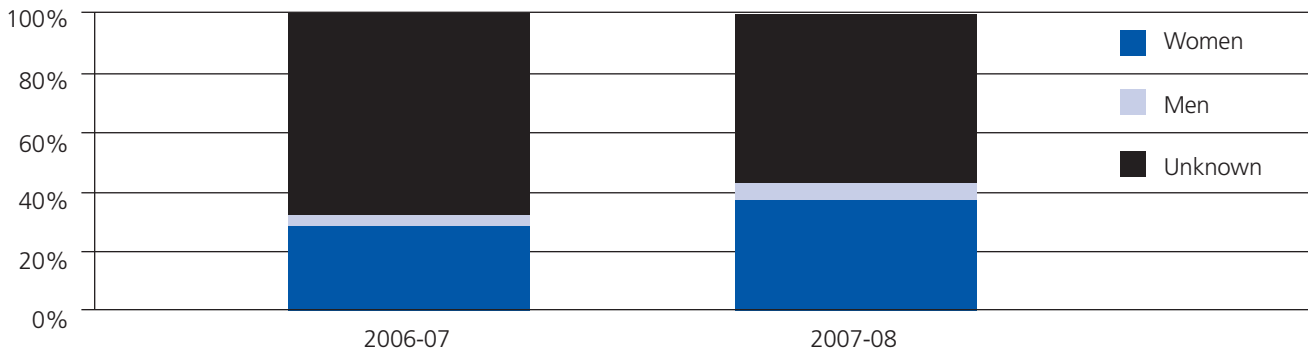
Provision for data collection on the religion or belief and disability of defendants has been in place since April 2007. However, the completeness and accuracy of this data remains under development.

(ii) Victims

Gender

Table 7 provides a breakdown of the gender of victims. Data on victims is extracted from the Witness Management System, and is available only from April 2006. The completeness and accuracy of this information remains under development and work is underway to improve recording. Of those victims whose gender was identified the highest proportion were women, at 85% in 2006-07 and 86% in 2007-08.

Table 7: Gender of victims



	2006-07		2007-08	
	Volume	%	Volume	%
Women	7,477	29.3%	18,461	37.5%
Men	1,341	5.3%	3,078	6.3%
Unknown	16,693	65.4%	27,695	56.3%
Total	25,511		49,234	

Other equality data

Data on victims is extracted from the Witness Management System. Data on ethnicity is available from April 2006, and data on religion or belief and disability from April 2007. The completeness and accuracy of this information remains under development and figures have not been included in the present report. Work is planned for 2009-2010 to improve data collection and quality.

Domestic Violence Crime Services

This information has been collected since April 2007, and also remains under development. Of those victims and witnesses referred to a support service or specialist agency, less than 1% were recorded as being referred to a specific 'specialist agency'⁸. The completeness and accuracy of this information remains under development. However 22% were referred to either a victim or witness support agency while 77% were subject to an 'other referral'.

Domestic Violence Relationships

While the facility to collect information on the relationship between defendant and victim in domestic violence cases has been in place since April 2007, the completeness and reliability of the data remains under development. Work is planned for 2009-2010 to improve data collection and quality.

⁸ A new field 'hate crime services' was introduced in November 2007 to monitor referrals to specialist agencies, including domestic violence agencies.

6 Rape

The CPS published its first Policy for Prosecuting Cases of Rape in 2005 to explain the way that we deal with such cases and to set out the standard of service that victims and witnesses could expect. The Policy is currently being revised to reflect changes to the law, procedure and other developments. This is in consultation with external stakeholders and the public. It is anticipated that the revised Policy will be launched in early 2009.

The CPS is addressing the low conviction rate and regional variations in rape conviction rates by a new system of performance management introduced in 2007, involving ongoing monitoring and assessment against consistently applied national criteria, and using that information centrally to keep an overview and to intervene where appropriate.

The CPS is committed to improving rape prosecutions. To this end all but one of the recommendations of the *Without Consent* report have been adopted and a Rape Prosecutions Delivery Unit set up in 2007 in Headquarters to oversee the implementation.

A standard for rape specialist prosecutors was introduced in July 2007 setting minimum levels of training and expertise.

A new training course on prosecuting rape, part of the proactive prosecutors' programme, is currently being delivered to Area Rape Coordinators and will thereafter be rolled out to all rape specialist prosecutors by 2011. A CPS Rape Prosecution Manual has been written and published on the Infonet. This sets out best practice in the prosecution of rape cases and in victim and witness care. In addition an e-learning package, based upon the Rape Manual, is under development to complement the classroom training. It is anticipated that this will be launched in late 2008.

An "Essential Steps" checklist was circulated in August 2007 setting out the process to be followed in all rape cases together with an Advice/ Review checklist to remind prosecutors to consider all evidential avenues when advising the police and reviewing rape cases. This is monitored locally.

Pre-trial witness interviews are being rolled out nationally. These are likely to be a useful tool for prosecutors reviewing rape and potentially other VAW cases allowing them to meet the witness and clarify or assess their evidence at first hand as well as providing an opportunity to explain the criminal process to the witness.

A joint ACPO/CPS protocol was launched in March 2008 and a project to develop a joint ACPO/CPS Rape Manual is progressing well, with an anticipated launch at the end of 2008.

Seminars for the Area Rape Coordinators are held regularly and provide a forum for discussion and the sharing of good practice as well as external speakers. A joint CPS/ACPO Rape conference is to be held in early 2009 to coincide with the launch of the revised Rape Policy Statement

A newsletter on Serious Sexual Offences is published quarterly. It includes a case-law digest and articles on the substantive law and procedure, as well as contributions from the specialist support.

In 2007-08 a review of rape prosecutions was undertaken as part of the Area Performance Review. In 2008-09 CPS rape and sexual offence data will be reviewed in relation to the targets set out in the Violence against Women Strategy of reducing unsuccessful outcomes to 41% and 28% by April 2009.

The CPS works across government to the national Sexual Violence and Abuse Action Plan ('SVAAP') published in 2007.

Case Study 1: Rape

A 21 year old victim was sexually assaulted whilst she was unconscious and in front of her children. The three defendants filmed the assault on their mobile phones. The victim committed suicide about three months after finding out about the assault on her. Two defendants pleaded guilty. One was sentenced to an indeterminate sentence for public protection (IPP) with a minimum term of two and a half years and the other was sentenced to four years imprisonment. One defendant was convicted after trial and sentenced to imprisonment for ten years. The defendant who was sentenced to the IPP sentence of two and a half years appealed to the Court of Appeal on the basis that he should not have been assessed as dangerous by the judge. The single judge at the Court of Appeal did not grant him leave to appeal.

Case Study 2: Rape of a sex worker

The victim, who sometimes worked as a prostitute, was walking home in the early hours of the morning, having left a friend's house, where she had been staying, after an argument. The defendant stopped near her in his car and asked if she was doing business. She agreed and got in the car, and was taken to the defendant's girlfriend's flat, (the girlfriend was away).

She carried out some sexual services but after his allotted time she wanted to stop. He forced her into other sexual activities including raping her. She escaped and reported the incident to the police the next day. He was arrested and at first denied rape but admitted partial penetration once swabs were taken.

The victim not only worked part-time as a prostitute but was also a drug user and difficult to keep in contact with due to her own offences. The case depended solely on her account, and the fact that the defendant changed his account between his two interviews. She gave her evidence on DVD, which is now permissible for adult complaints of sexual offences. A special measures application for video and live link at the trial was not granted and on the first day she did not attend. However she attended and gave evidence on day two, and after trial the defendant was convicted.

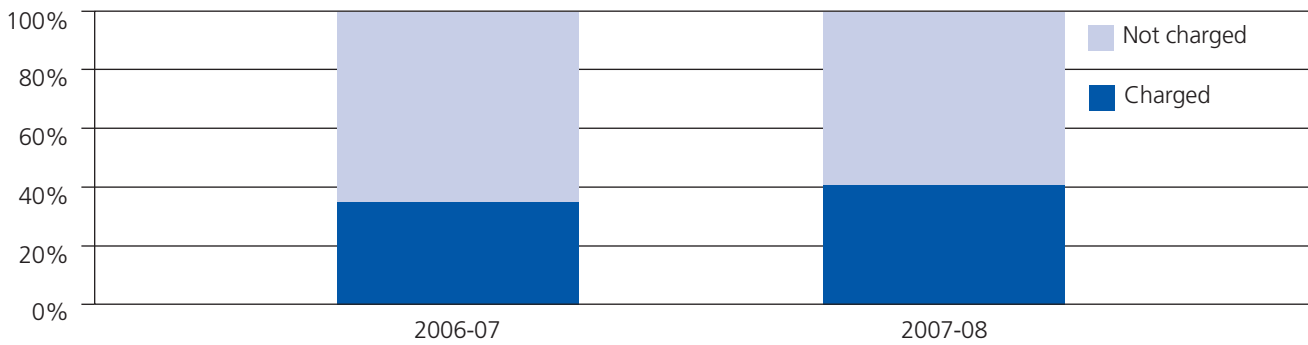
7 Rape: key findings

Since April 2008 the Crown Prosecution Service has reported on the prosecution of rape crimes as part of the Violence against Women (VAW) strategy, as well as measuring performance within the performance review process.

Charging

Cases in which the CPS decided that a defendant should be charged rose from 32.7% of rape cases submitted for pre-charge decisions by the police in 2006-07 to 40% in 2007-08. Further work is underway to improve charging rates.

Table 1: Pre-charge decisions



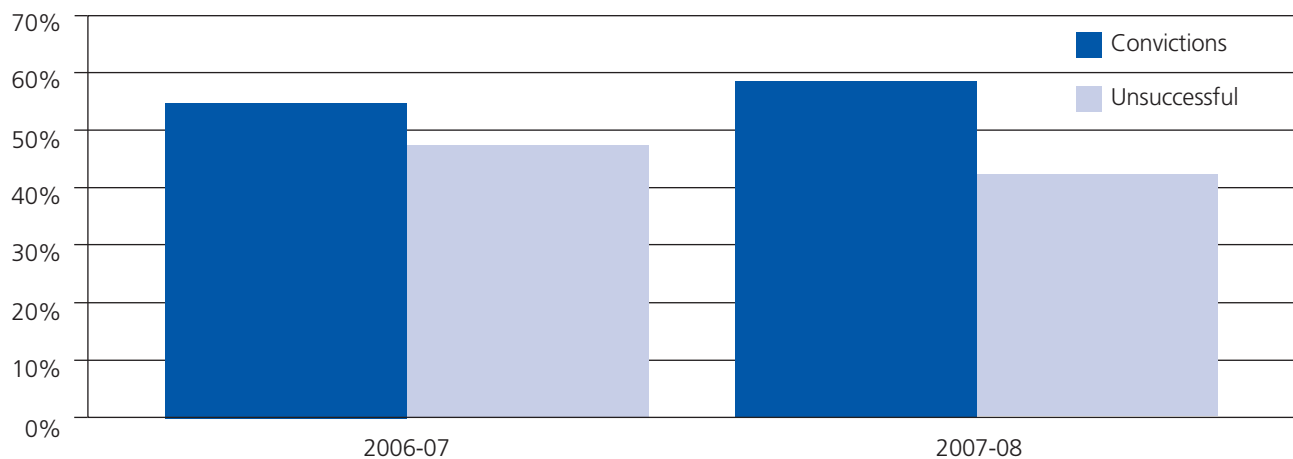
All defendants	2006-07		2007-08	
	Volume	%	Volume	%
Charged	1,963	32.7%	2,220	40.0%
Request for further evidence	110	1.8%	55	1.0%
No prosecution	3,559	59.3%	3,025	54.5%
All other decisions	369	6.1%	251	4.5%
Total	6,001		5,551	

Statutory Charging was fully rolled out on 3 April 2006

Convictions

In the two years ending March 2008, over 6,700 defendants were prosecuted for crimes involving rape. Table and chart 2 below provide a breakdown of prosecutions over the two year period, showing that convictions rose from 55% in 2006-07 to 58% in 2007-08. During the fourth quarter of 2007-08, convictions for rape crimes reached 61%.

Table 2: Completed prosecutions by outcome

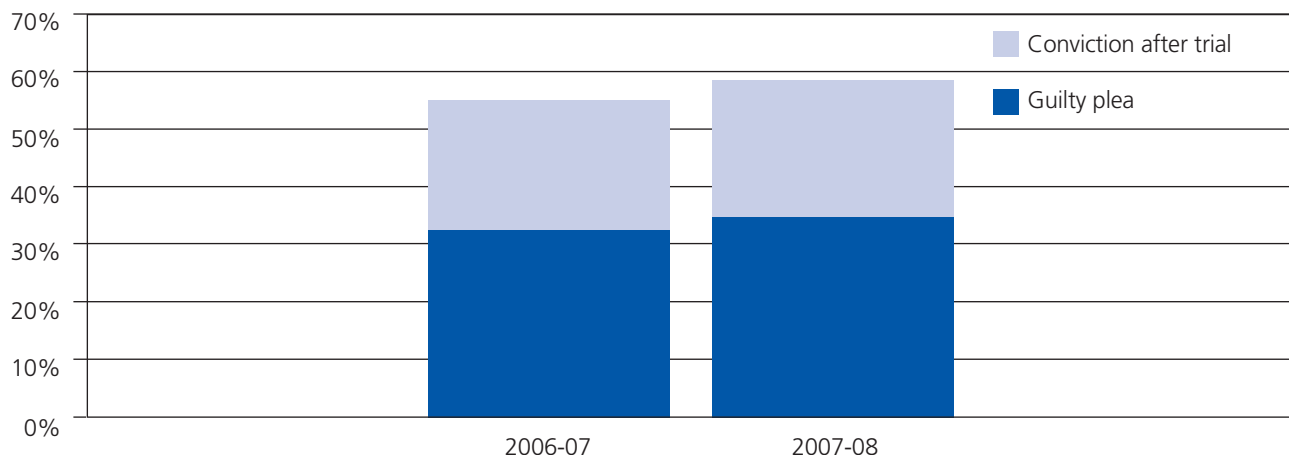


	2006-07		2007-08	
	Volume	%	Volume	%
Convictions	1,778	54.5%	2,021	57.7%
Unsuccessful	1,486	45.5%	1,482	42.3%
Total	3,264		3,503	

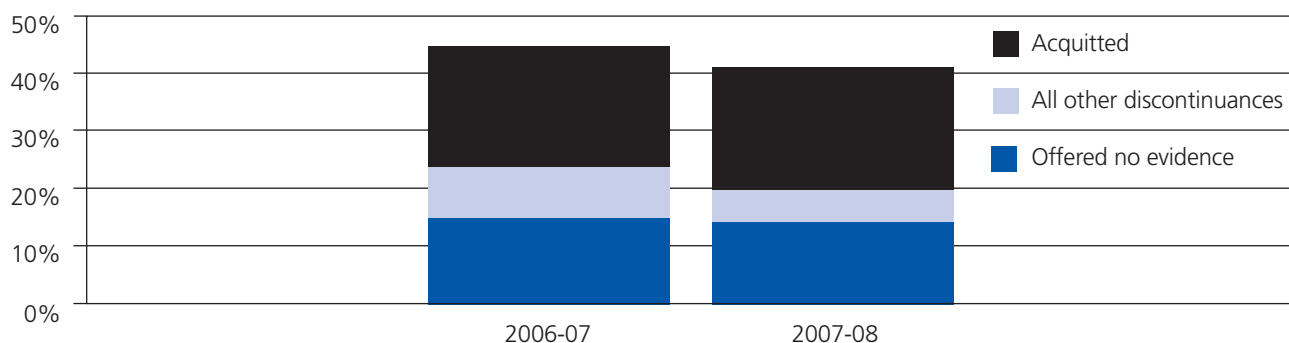
The table and charts below show a detailed breakdown of prosecution outcomes for rape crimes in 2006-07 and 2007-08. Guilty pleas increased from 33% to 35%, contributing to an improved conviction rate of 58% overall in 2007-08. Prosecutions dropped by CPS, including discontinuances and those in which no evidence was offered, fell from 24% to less than 23%.

Table 3: Prosecution outcomes

Convictions



Unsuccessful outcomes



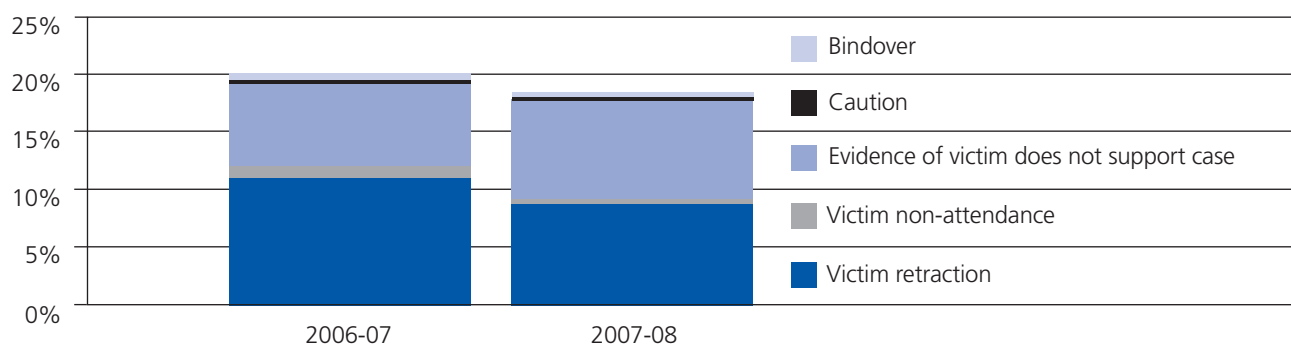
	2006-07		2007-08	
	Volume	%	Volume	%
Administrative finalisation	29	0.9%	37	1.1%
Discharged committal	7	0.2%	7	0.2%
Prosecutions dropped <i>inc. discontinued, no evidence offered & withdrawn</i>	780	23.9%	795	22.7%
<i>of which – no evidence offered</i>	486	14.9%	494	14.1%
Dismissed after full trial	7	0.2%	5	0.1%
No case to answer	1	0.0%	0	0.0%
Judge directed acquittal	84	2.6%	99	2.8%
Jury acquittal	578	17.7%	539	15.4%
Unsuccessful outcomes	1,486	45.5%	1,482	42.3%
Guilty plea	1,077	33.0%	1,235	35.3%
Conviction after trial	701	21.5%	786	22.4%
Proved in absence	0	0.0%	0	0.0%
Convictions	1,778	54.5%	2,021	57.7%
Total prosecutions	3,264		3,503	

Unsuccessful prosecutions

Cases mainly fail for reasons of insufficient evidence, because prosecution is not in the public interest, or because the defendant is acquitted at trial. In addition there are cases which are unable to proceed because of non-attendance or retraction by a victim or witness, and those proceedings subject to an administrative finalisation. The proportions falling within each category showed some variation from 2006-07 to 2007-08. In 2007-08, 2.5% were unsuccessful for administrative reasons and 4.9% for public interest reasons, similar to the previous year. However evidential reasons for case failure rose by 4 percentage points to 45.3%; 9.5% were unable to proceed, a fall of 3 percentage points, and 37.8% fell into other reasons, including acquittal after trial, a reduction of around 2 percentage points.

Table 4 gives a more refined analysis, showing the proportion failing due to victim issues (including victim retraction and cases in which a victim failed to attend a court hearing), those resulting in a bindover, and those in which the defendant was cautioned. Within these key reasons, victim retraction and those where the evidence of the victim did not support the case remained the largest categories, changing little over the period under review at 18% to 17% of unsuccessful outcomes. However, within the 17%, recorded in 2007-08, victim retraction fell by over 2 percentage points to 8.6%, while cases in which the victim’s evidence did not support the prosecution case rose by over 1 percentage point to 8.8%. The proportion failing because of the victim key reasons remained stable, at 19% of all unsuccessful outcomes. Of the remaining reasons for unsuccessful outcomes in rape cases, 36% were due to acquittals, 13% to unreliable witness or witnesses and 11% to conflicts of evidence.

Table 4: Key reasons for unsuccessful prosecutions

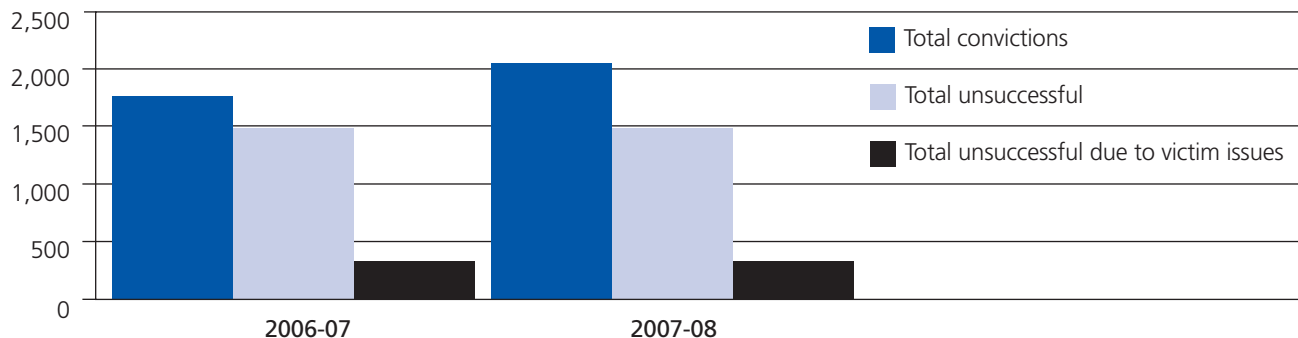


	2006-07		2007-08	
	Volume	%	Volume	%
Victim retraction	162	10.9%	128	8.6%
Victim non-attendance	15	1.0%	9	0.6%
Evidence of victim does not support case	109	7.3%	131	8.8%
Caution	6	0.4%	7	0.5%
Bindover	0	0.0%	5	0.3%
Total key reasons	292	19.7%	280	18.9%
All other reasons	1,165	78.4%	1,165	78.6%
Administrative finalisations	29	2.0%	37	2.5%
Total	1,486		1,482	

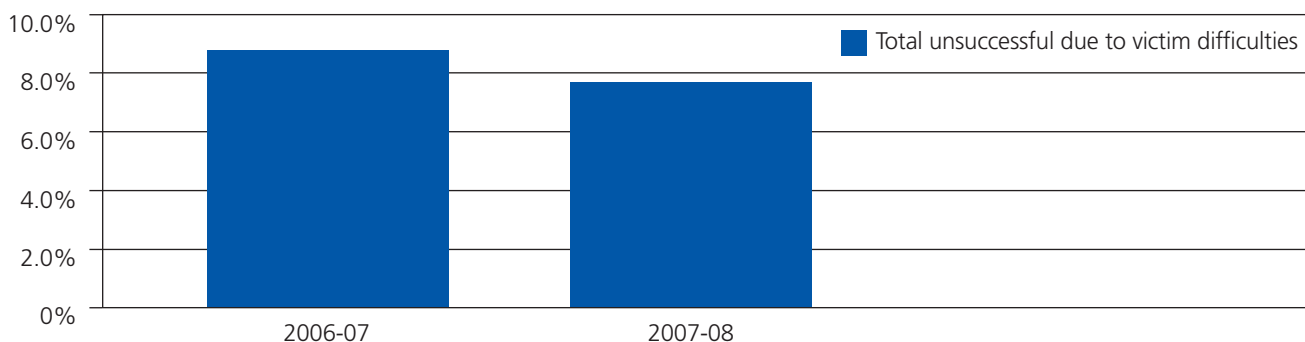
Table and chart 5 show the volume and proportion of victim issues in relation to all outcomes. The volume and proportion of those unsuccessful due to victim difficulties fell slightly from 286 (8.8%) in 2006-07 to 268 (7.7%) in 2007-08. Total unsuccessful outcomes fell from over 45% in 2006-07 to 42% in 2007-08.

Table 5: Comparison of key victim issues

Victim issues in relation to all outcomes



% Victim issues



	2006-07		2007-08	
	Volume	%	Volume	%
<i>Total unsuccessful due to victim issues</i>	286	8.8%	268	7.7%
Total unsuccessful	1,486	45.5%	1,482	42.3%
Total convictions	1,778	54.5%	2,021	57.7%
Total prosecutions	3,264		3,503	

Retraction

While the facility to collect information on the issue of retraction has been in place since April 2007, the completeness and reliability of the data remains under development. Work is planned for 2009-2010 to improve data collection and quality.

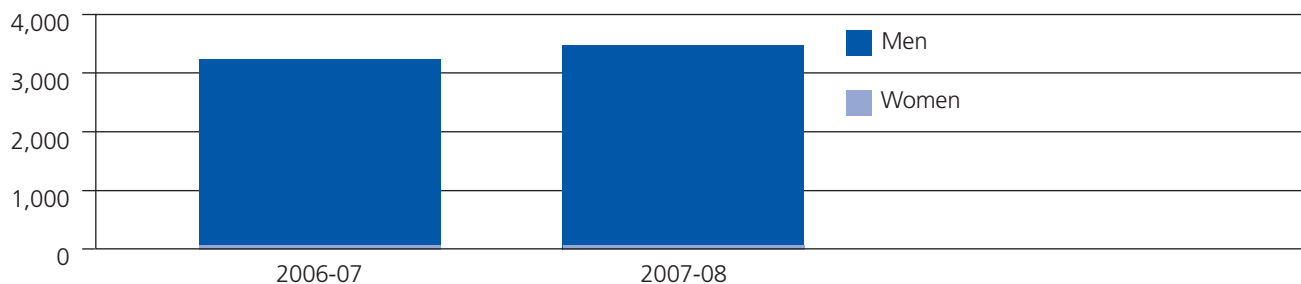
Equalities

(i) Defendants

Gender

Table 6 provides a breakdown of the gender of defendants. The proportion of defendants who were men remained the same at 99% in both 2006-07 and 2007-08.

Table 6: Completed prosecutions by gender of defendant



	2006-07		2007-08	
	Volume	%	Volume	%
Women	35	1.1%	38	1.1%
Men	3,227	98.9%	3,465	98.9%
Unknown	2	0.1%	0	0.0%
Total	3,264		3,503	

Ethnicity

Ethnicity data on defendants is collected by the CPS in accordance with the agreed Criminal Justice System definitions for the 16+1 ethnic categories. In 2007-08, 59% of rape crime defendants were identified as belonging to the White British category, and 64% were categorised as White. 7% of defendants were identified as Asian, 6% Caribbean, 5% African, and 2% from “other” Black backgrounds. 6% of defendants did not state an ethnicity.

Other equality data

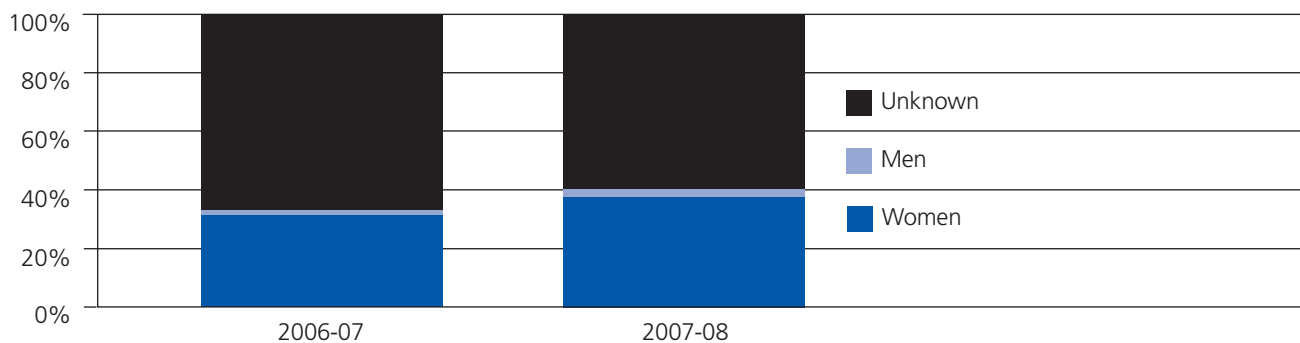
Provision for data collection on the religion or belief and disability of defendants has been in place since April 2007 and the completeness and accuracy of this data remains under development.

(ii) Victims

Gender

Table 7 provides a breakdown of the gender of victims. Data on victims is extracted from the Witness Management System, and is available only from April 2006. The completeness and accuracy of this information remains under development and work is underway to improve recording. Of those victims whose gender has been identified the highest proportion were women, at 87% in both periods.

Table 7: Gender of victims



	2006-07		2007-08	
	Volume	%	Volume	%
Women	415	28.3%	1,053	34.6%
Men	64	4.4%	161	5.3%
Unknown	989	67.4%	1,829	60.1%
Total	1,468		3,043	

Other equality data

Data on victims is extracted from the Witness Management System. Data on ethnicity is available from April 2006, and data on religion or belief and disability from April 2007. The completeness and accuracy of this information remains under development and figures have not been included in the present report. Work is planned for 2009-2010 to improve data collection and quality.

8 Sexual offences excluding rape: key findings

Since April 2008 the Crown Prosecution Service has reported on the prosecution of sexual offences (excluding rape crimes) as part of the Violence against Women (VAW) strategy, as well as measuring performance within the performance review process.

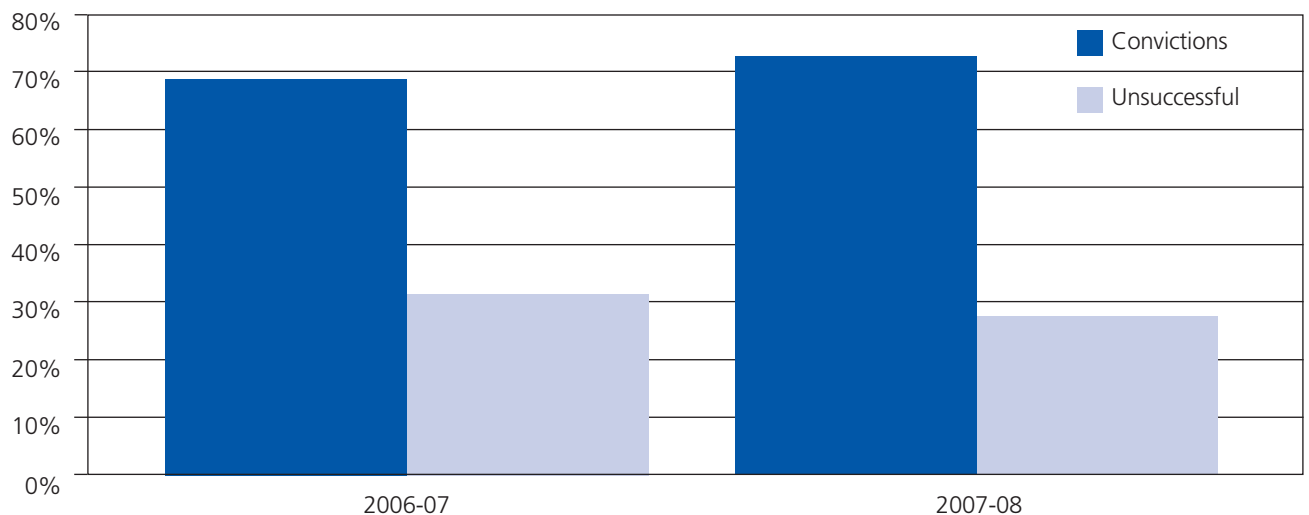
Charging

CPS records include no indication of pre-charge decisions regarding sexual offences, as a principal offence category is allocated only to cases at the conclusion of prosecution proceedings.

Convictions

In the two years ending March 2008, over 16,400 defendants were prosecuted for crimes involving sexual offences other than rape. Table and chart 1 below provide a breakdown of prosecutions over the two year period, showing that convictions rose from 68% in 2006-07 to 74% in 2007-08.

Table 1: Completed prosecutions by outcome

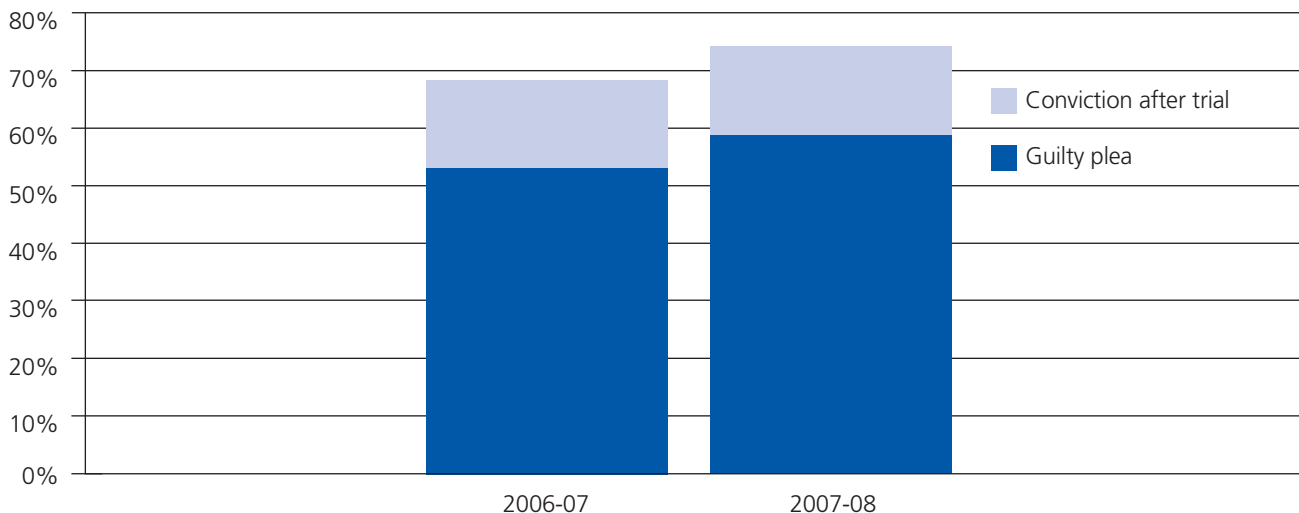


	2006-07		2007-08	
	Volume	%	Volume	%
Convictions	5,675	68.3%	5,976	73.5%
Unsuccessful	2,630	31.7%	2,154	26.5%
Total	8,305		8,130	

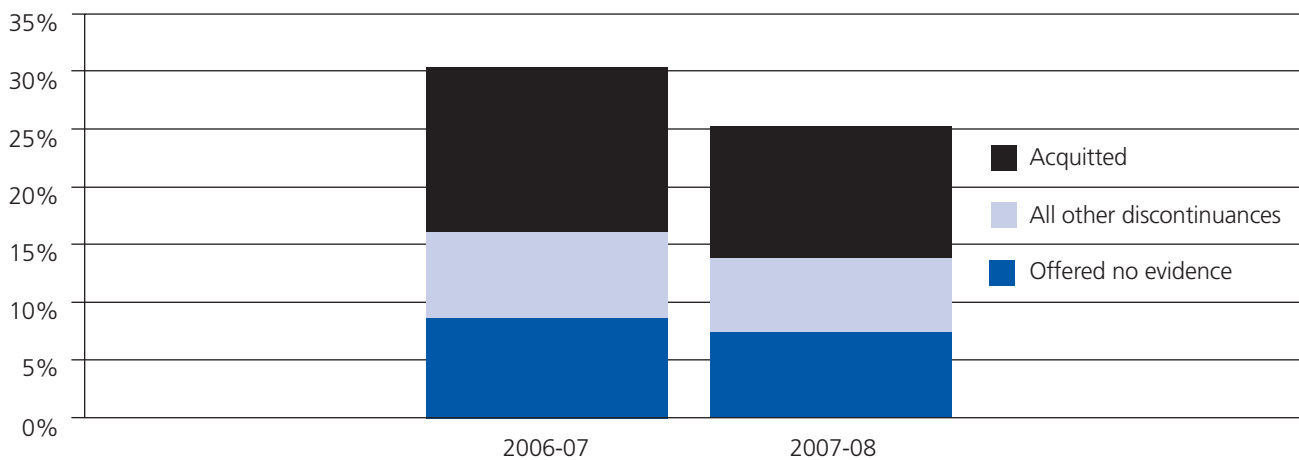
The table and charts below show a detailed breakdown of prosecution outcomes for sexual offences in 2006-07 and 2007-08. Guilty pleas increased from 53% to 58%, contributing to a greatly improved conviction rate of 74% in 2007-08 compared with 68% in the previous year. Prosecutions dropped by CPS, including discontinuances and those in which no evidence was offered, fell from 16% to 14%.

Table 2: Prosecution outcomes

Convictions



Unsuccessful outcomes



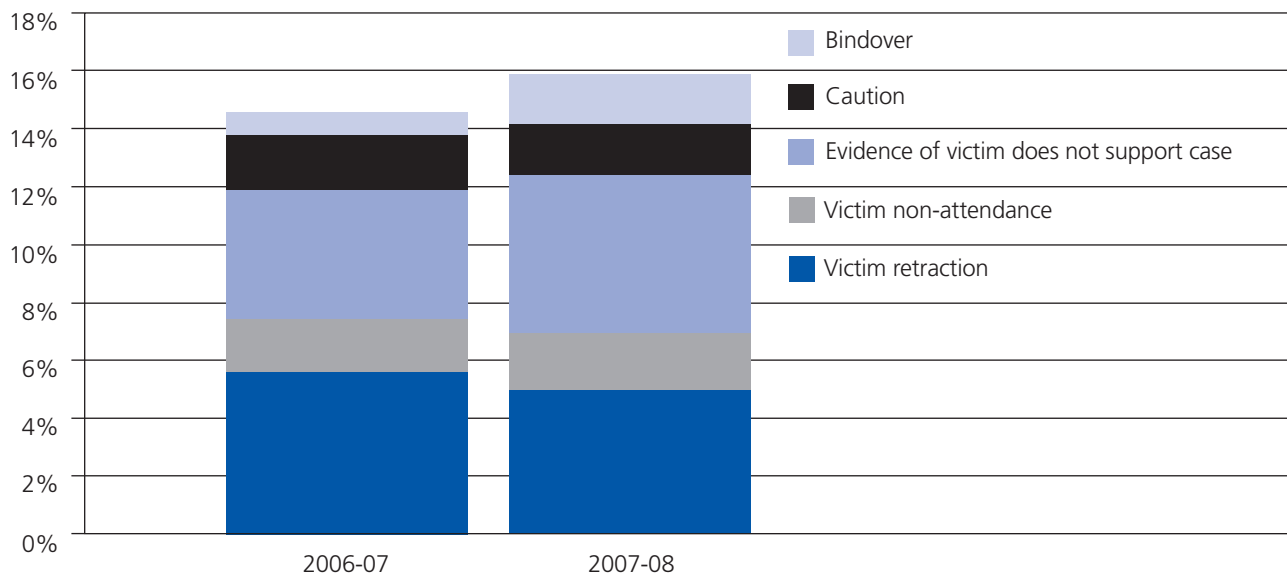
	2006-07		2007-08	
	Volume	%	Volume	%
Administrative finalisation	56	0.7%	49	0.6%
Discharged committal	55	0.7%	56	0.7%
Prosecutions dropped <i>inc. discontinued, no evidence offered & withdrawn</i>	1,339	16.1%	1,140	14.0%
<i>of which – no evidence offered</i>	674	8.1%	636	7.8%
Dismissed after full trial	223	2.7%	195	2.4%
No case to answer	38	0.5%	13	0.2%
Judge directed acquittal	104	1.3%	70	0.9%
Jury acquittal	815	9.8%	631	7.8%
Unsuccessful outcomes	2,630	31.7%	2,154	26.5%
Guilty plea	4,398	53.0%	4,746	58.4%
Conviction after trial	1,262	15.2%	1,210	14.9%
Proved in absence	15	0.2%	20	0.2%
Convictions	5,675	68.3%	5,976	73.5%
Total prosecutions	8,305		8,130	

Unsuccessful prosecutions

Cases mainly fail for reasons of insufficient evidence, because prosecution is not in the public interest, or because the defendant is acquitted at trial. In addition there are cases which are unable to proceed because of non-attendance or retraction by a victim or witness, and those proceedings subject to an administrative finalisation. The proportions falling within each category were similar in 2006-07 and 2007-08. In 2007-08, 2.3% were unsuccessful for administrative reasons; 38% for evidential reasons; 10.5% for public interest reasons; 9.6% because a case was unable to proceed, and 39.6% for other reasons, including acquittal after trial.

Table 3 gives a more refined analysis, showing the proportion failing due to victim issues (including victim retraction and cases in which a victim failed to attend a court hearing), those resulting in a bindover, and those in which the defendant was cautioned. Within these key victim reasons, victim retraction and cases where the evidence of the victim did not support the prosecution case remained the largest categories, changing little over the period under review at 10% of unsuccessful outcomes (4.9%, and 5.4% respectively) in 2007-08. The proportion failing because of key reasons remained stable, at 15% of all unsuccessful outcomes. Other reasons for unsuccessful outcomes included acquittals at 37% and conflicts of evidence, 9%, similar to rape crimes. Additionally cases where an essential legal element was missing comprised a further 12%.

Table 3: Key reasons for unsuccessful prosecutions

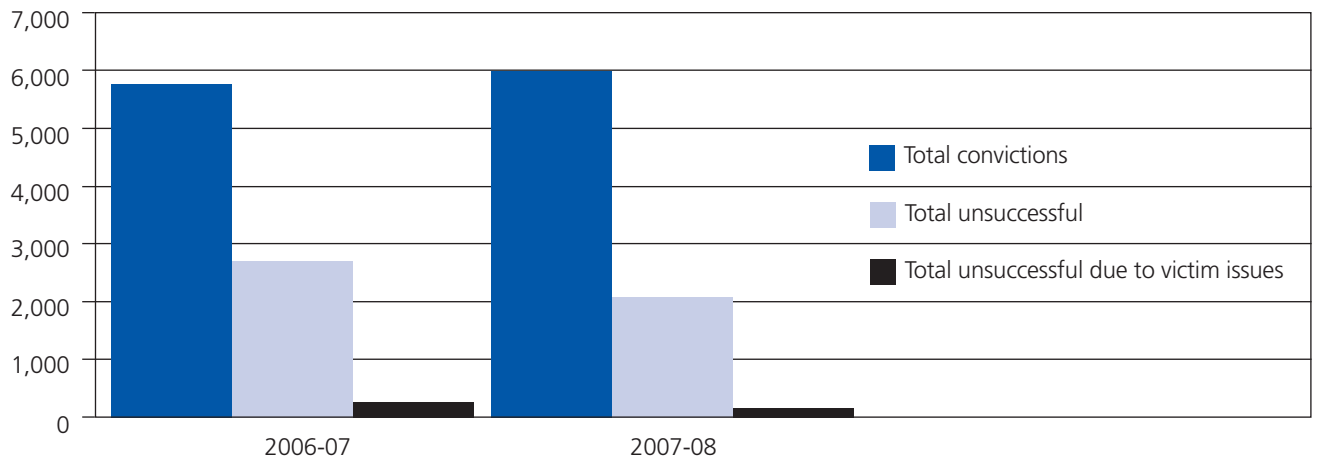


	2006-07		2007-08	
	Volume	%	Volume	%
Victim retraction	144	5.5%	105	4.9%
Victim non-attendance	47	1.8%	47	2.2%
Evidence of victim does not support case	119	4.5%	117	5.4%
Caution	52	2.0%	41	1.9%
Bindover	33	1.3%	27	1.3%
Total key reasons	395	15.0%	337	15.6%
All other reasons	2,179	82.9%	1,768	82.1%
Administrative finalisations	56	2.1%	49	2.3%
Total	2,630		2,154	

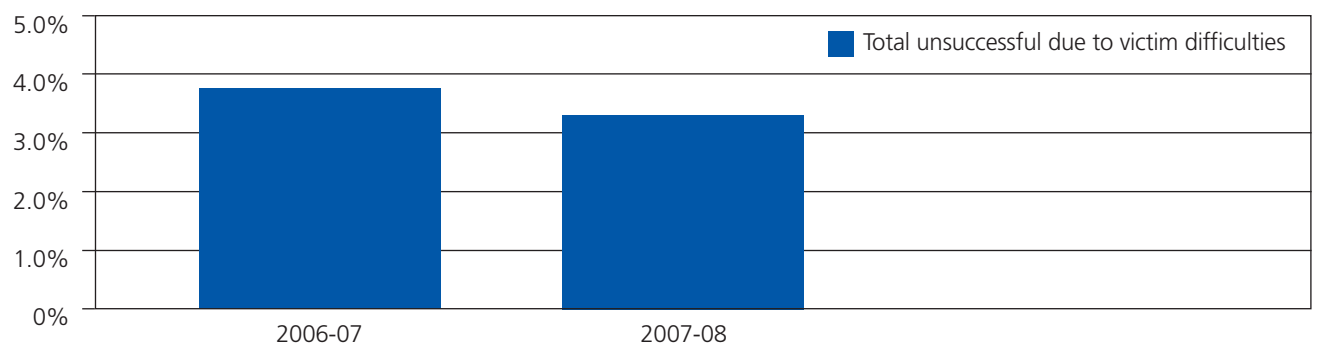
Table and chart 4 show the volume and proportion of victim issues in relation to all outcomes. The volume and proportion of those unsuccessful due to victim difficulties fell slightly from 310 (3.7%) in 2006-07 to 269 (3.3%) in 2007-08. Total unsuccessful outcomes fell from just under 32% in 2006-07 to just over 26% in 2007-08.

Table 4: Comparison of key victim issues

Victim issues in relation to all outcomes



% Victim issues



	2006-07		2007-08	
	Volume	%	Volume	%
<i>Total unsuccessful due to victim issues</i>	310	3.7%	269	3.3%
Total unsuccessful	2,630	31.7%	2,154	26.5%
Total convictions	5,675	68.3%	5,976	73.5%
Total prosecutions	8,305		8,130	

Retraction

While the facility to collect information on the issue of retraction has been in place since April 2007, the completeness and reliability of the data remains under development. Work will be planned in 2009-2010 to improve data collection and quality.

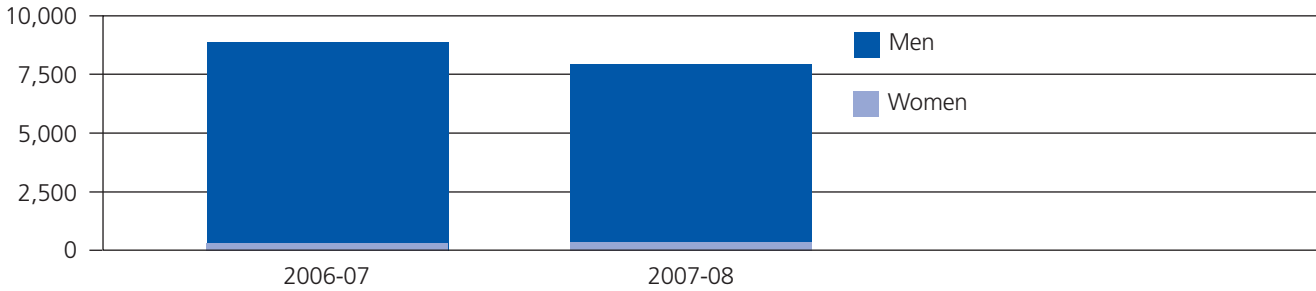
Equalities

(i) Defendants

Gender

Table 5 provides a breakdown of the gender of defendants. The proportion of defendants who were men remained little changed at almost 96% in 2006-07 and in 2007-08.

Table 5: Completed prosecutions by gender of defendant



	2006-07		2007-08	
	Volume	%	Volume	%
Women	348	4.2%	368	4.5%
Men	7,957	95.8%	7,761	95.5%
Unknown	0	0.0%	1	0.0%
Total	8,305		8,130	

Ethnicity

Ethnicity data on defendants is collected by the CPS in accordance with the agreed Criminal Justice System definitions for the 16+1 ethnic categories. In 2007-08, 69% of sexual offences excluding rape crime defendants were identified as belonging to the White British category, and 74% were categorised as White. 7% of defendants were identified as Asian, and a further 6% were identified as Black. Just over 5% of defendants did not state an ethnicity on arrest.

Other equality data

Provision for data collection on the religion or belief and disability of defendants has been in place since April 2007. However, the completeness and accuracy of this data remains under development.

(ii) Victims

Data on victims is extracted from the Witness Management System. It is not currently possible to extract this data for sexual offences excluding rape as the principal offence categories are not available in the WMS application to enable compilation of the data.

9 Forced marriage, so-called 'honour' crimes and female genital mutilation

The CPS includes so-called 'honour' crimes, forced marriage and female genital mutilation within the domestic violence policy and guidance. To date no cases have been brought for prosecution of female genital mutilation. We conducted a pilot on forced marriage and so-called 'honour' crimes between July 2007 and March 2008 to identify and monitor these cases for the first time. Specialist prosecutors, who were specifically selected, provided with guidance and trained, led on the prosecution of these cases. The project aimed to identify the number and pattern of forced marriage and so-called 'honour' crime cases; identify any issues facing prosecutors in accurately identifying, managing and prosecuting such cases; and inform the development of any national guidance and training for prosecutors.

A research report on the pilot was published in autumn 2008, and will inform future plans for CPS work on so-called 'honour' crimes and forced marriage (including policy, guidance, training and flagging of cases). The CPS is also currently involved in awareness-raising across the country, as an active member of a cross-Government steering group on forced marriage and so-called 'honour' crimes. We are also involved with the Association of Chief Police Officers and Metropolitan Police working groups on the same subjects.

Consideration will be given to including forced marriage and so-called 'honour' crime outcomes in the VAW Indicator in 2009-10.

Case Study: 'Honour' crime

The defendant was charged with two counts of soliciting murder in respect of his ex-wife (Ms A) and her new partner (Mr B).

During their marriage Ms A had been subjected to violence by the defendant and members of his family. After many years Ms A fled to a refuge. Later she began a new relationship with Mr B, and the couple had a son together. The defendant found out where Ms A and Mr B lived and he and his family continued to cause problems for her.

The defendant's cousin was in a relationship with a man called Mr C. The defendant approached Mr C and asked if he knew anyone who could kill his wife as she had dishonoured his family. Mr C dismissed the proposal initially but then contacted a newspaper, who set up a meeting with the defendant with a newspaper reporter posing as a hit man.

The meeting was recorded on video. The defendant discussed the possibility of having Ms A and Mr B killed even though it would leave their baby with no parents. He was told the fee would be around £5000, and even haggled with the newspaper reporter to get the price reduced to £3000.

Although this was a complex prosecution, the defendant was convicted and sentenced to five and a half years imprisonment for each solicited murder, to run concurrently.

10 Forced marriage, so-called 'honour' crimes and female genital mutilation: key findings

The research conducted in support of the pilot identified 35 cases involving offences committed in the context of a forced marriage and/or so-called 'honour' crime during the nine month pilot period, of which 21 cases were finalised at the time of data collection. Despite the small numbers, the research revealed a number of patterns:

- prosecutions were more likely to be finalised at the Crown Court rather than the magistrates' courts;
- all defendants in the pilot were male, aged on average 29 years old, and most likely to be classified as Asian (Pakistani, Bangladeshi or Indian);
- a number of offences involved more than one victim and more than one defendant, revealing a pattern of multiple defendants and/or victims;
- where there was one victim and one defendant the relationship was mostly spouse/ex-spouse;
- often the relationship between the victim(s) and defendant(s) was complex and it was not unusual for the relationship to fall outside of a domestic violence situation; and
- victims were both male and female, but the male victims were in crimes revolving around a relationship with a women, who herself suffered harm within a situation of male family control.

Of the 21 finalised cases, 10 resulted in a conviction. Cases that did not result in a conviction were most often related to victim and/or witness concerns where a reason for the outcome was recorded. Sample limitations mean that these figures should be treated as indicative only and caution is advised in drawing conclusions without due consideration to these limitations⁹.

The research also highlighted the benefits for prosecutors of the training and guidance aspects of the pilot. Suggestions for future training, such as further training on cultural diversity, were identified. Improvements to guidance as well as ideas for future initiatives were also reported.

Proposals for future work within CPS on forced marriage and so-called 'honour' crime, based on findings from the research, focus on three main areas:

- the prosecution of cases;
- support for victims and witnesses; and
- future flagging of cases.

Recommendations in these areas are planned for implementation from April 2009 onwards. Work is planned for 2009-2010 to improve data collection and quality.

⁹ Further information on the limitations is available in the 'Approach and Limitations' chapter in the 'Findings from the CPS Pilot on Forced Marriage and So-Called 'Honour Crime' Report'. The report is available on line at www.cps.gov.uk/publications/research

11 Children and child abuse

The CPS Children and Young People Policy was published in 2006. Safeguarding Children – Guidance on Children as Victims and Witnesses was published in 2008. Both reflect the CPS' commitment to work with other agencies to safeguard children.

Children's organisations and young people themselves were involved in reviewing draft versions of the policy. Versions of the policy for children of the age ranges 5-9 years and 10-14 years have been produced. Both versions include illustrations or images to support the text, which ensures that the documents are suitable for children with learning disabilities.

A permanent external consultation group has been established to advise the CPS on children's issues.

Training concerning Safeguarding Children will be incorporated into existing courses. A specific, national CPS course on prosecuting child abuse cases is currently being drafted, as is Legal Guidance, planned for autumn 2008.

The Third Joint Chief Inspectors' Report on Safeguarding Children was published in July 2008. The overall picture regarding the CPS was positive. CPS policies and arrangements for the protection of children were recognised as strengths. The HMCPSI Second Review of the Role and Contribution of the CPS to Safeguarding Children Report was published in August 2008. The review recognised that the CPS *'had undertaken considerable work since our last report and, when combined with anticipated developments, there is much to be positive about.'*

The CPS is working closely with ACPO in their revisions of the Senior Investigating Officers' Handbook and their Guidance on Investigating Child Abuse and Safeguarding Children, both of which are due to be published in Autumn 2008. We have accepted an invitation by ACPO to join the National Child Protection Working Group to identify concerns, risks and milestones.

The CPS is working closely with OCJR in their Young Witnesses review. The Government's response to replies received from the Consultation exercise is due to be published in Autumn 2008.

Concerns have been raised, from a number of sources, that children are being denied pre-trial therapy out of fear of prejudicing criminal proceedings. This issue has been addressed by reminding Areas that the child's welfare is paramount, by repeating the message in all relevant publications (including external publications by, for example, ACPO and OCJR). A leaflet will also be designed to give the message direct to parents/carers.

In 2008-09 a CPS definition of "child abuse" will be agreed and disseminated to Areas for the purpose of monitoring prosecution performance. Consideration will be given to including child abuse outcomes in the VAW Indicator in 2009-10.

Case Study: Child abuse

A defendant was jailed after he admitted sexually abusing three schoolgirls.

He abused three girls – aged six to 15 – while working as a gymnastics and trampoline instructor at a club he founded. He gave the girls one to one tuition.

He had full sex with one victim and committed sex acts with all three over a 10-year period from 1976 to 1986. The assaults finally came to light last year when one victim complained to police. Two other girls then came forward.

He admitted 25 charges of indecent assault and 17 indecency offences.

The defendant, who has been in custody since January 2008, was sentenced to nine years imprisonment. He will also be put on the sex offenders register for life.

Key Findings

Child Abuse cases are identified by attaching to the case a monitoring flag applied by the CMS user at the pre-charge stage. In addition prosecution outcomes are reported by principal offence category; homicide, offences against the person and sexual offences, allocated at the conclusion of proceedings. Pending the finalisation of an agreed national CPS definition of child abuse during 2008-09, caution is needed in the interpretation of the child abuse data below.

(i) Homicide¹⁰

In the two years ending March 2008, 59 defendants were prosecuted for child abuse crimes with a principal offence category of homicide. Convictions fell from 83% in 2006-07 to 69% in 2007-08.

The proportion of men prosecuted in this category varied from 77% in 2006-07 to 69% in 2007-08. Women comprised the remaining 23% and 31%.

(ii) Offences against the person

In the two years ending March 2008, 4,654 defendants were prosecuted for child abuse crimes with a principal offence category of offences against the person. Convictions remained stable at 72% in both 2006-07 and 2007-08.

The proportion of men prosecuted in this category has remained virtually the same in the two years ending March 2008, at 76% in 2006-07 and 75% in 2007-08.

(iii) Sexual Offences

In the two years ending March 2008, 7,783 defendants were prosecuted for child abuse crimes with a principal offence category of sexual offences. Convictions rose from 69% in 2006-07 to 72% in 2007-08.

The proportion of men prosecuted in this category has remained virtually the same at 98% in 2006-07 and 2007-08.

¹⁰ Principal Offence Category 'Homicide' comprises offences of murder or manslaughter, conspiring or attempting to cause murder or manslaughter, and threats to kill.

12 Human trafficking

The CPS published legal guidance on human trafficking in 2007 which was updated in January 2008 to reflect legislative and policy changes.

The government-wide revised UK Action Plan on tackling trafficking in human beings was published in July 2008. There are a number of actions for which the CPS is responsible which will provide further victim support.

Victim initiatives piloted during Pentameter 2, and the forced labour pilot, informed changes needed for the ratification of the Council of Europe convention on trafficking planned for the end of 2008. Developments are on track to meet this milestone and will enhance existing arrangements by:

- introducing a forty-day reflection period which will be extendable in certain circumstances;
- introducing new (1 year renewable) temporary residence permits for victims of human trafficking that participate in the criminal justice process;
- expanding existing support arrangements for victims of human trafficking (including trafficking for forced labour); and
- Introducing a formal National Referral Mechanism to help identify and refer victims into appropriate support.

CPS has contributed to an impact assessment for potential additional prosecutions that might arise as a result of these arrangements. Policy guidance will be updated to reflect changes.

A pilot to tackle trafficking for forced labour commenced in May 2008 for 5 months in the East Anglia region. It is a multi agency response led by the Gangmasters Licensing Authority, Association of Chief Police Officers and the UK Border Agency. CPS Chief Crown Prosecutors have been briefed on the prosecution strategy and media handling for local liaison. Further victim support mechanisms are to be piloted for labour victims.

Training was held for Complex Case Unit (CCU) heads in October on trafficking. CCUs will be taking on some devolved work from the Organised Crime Division of CPS and will be better placed to deal with cross border crime (police force and CPS areas) which is a feature of trafficking cases.

The CPS is contributing to research and discussions to improve our response to internal trafficking and child trafficking, and is working with the Office for Criminal Justice Reform (OCJR) and Non-Governmental Organisations (NGOs) to identify ways in which to improve victims' access to compensation.

The CPS is working with United Kingdom Human Trafficking Centre in 2008-09 to monitor prosecution outcomes. Consideration will be given to including trafficking outcomes in the VAW Indicator in 2010-11.

Case Study: Trafficking

The victim was a 15 year old girl from Eastern Europe, brought to the UK on the pretext of a summer job in London selling ice creams. On arrival at the airport she was met by two “friends” from her country. However the job was not what she had expected – she was sold for £4,000 to a man who raped her; she was then taken to Birmingham to work in a brothel. She was shunted between four major cities in England and had to sleep with as many as ten men a day. She was then sold on again for £3,000 and moved to another city brothel before being transferred back to London. She was sold in total seven times. She was raped by those who bought her and assaulted when she refused them. She escaped and arrived at a police station in a distressed condition.

The two “friends” were charged with trafficking into and within the UK, the last man who bought her was charged with rape, and another man was charged with false imprisonment.

Three of the defendants were convicted by the jury. One “friend” was sentenced to 18 years imprisonment and appealed against the length of sentence. This appeal was dismissed. The “friend” who bought her admitted sexual intercourse. He claimed that it was consensual and was instigated by the victim, whom he believed to be over 16 years of age. The trial judge, in directing the jury, asked them to consider first if he was guilty of trafficking. If he was, could she realistically be expected to have consented? He was sentenced to a total of 15 years. The third defendant was convicted of false imprisonment and sentenced to five years.

This case illustrates many strands of Violence against Women

The victim was a 15 year old child; she was trafficked; sold into prostitution; raped; falsely imprisoned and sexually assaulted.

Cases like this illustrate the inter-connection of this work; the ways we can vigorously and successfully prosecute these cases and the need to ensure that victims are supported and are safe.

13 Prostitution

In February 2006 CPS Prostitution Guidance was published which advised that, in considering the public interest, more emphasis should be placed on arresting kerb crawlers and targeting for prosecution those who create the demand for street prostitutes and use their services. It also advised on an incremental approach to encourage prostitutes to find routes out of prostitution. Guidance was updated in January 2008 on street prostitution.

The CPS has contributed to the government-wide "Demand Review" through membership of the Steering Group. This has included research on legislation in other jurisdictions, accompanying Ministers on visits to Sweden and Amsterdam, where prostitution legislation is at opposite ends of the spectrum, facilitating workshops with police, prosecutors and those who provide projects to help prostitutes exit and contributing to audits and a marketing campaign.

In May 2008, as part of the demand review, the CPS led a national audit to establish both regional differences and local policies and strategies in place for the enforcement and prosecution of prostitution-related offences. The audit also examined the regional variations in sentencing practices. The findings from this audit have been analysed and will inform options for non legislative change for Ministers and inform guidance to police and prosecutors on best practice.

Following announcements made by the Home Secretary in September 2008, the CPS is working with Home Office officials on a number of provisions proposed to include in the forthcoming Police and Crime Reduction Bill.

The CPS is working with United Kingdom Human Trafficking Centre in 2008-09 to monitor some prostitution prosecution outcomes. Consideration will be given to including prostitution outcomes in the VAW Indicator in 2010-11.

Case Study 1: Prostitution

A solicitor was jailed for 12 months for living off the earnings of prostitution.

He had bought a large country house, a Porsche, a Mercedes and a BMW, as well as jewellery worth thousands of pounds with his part of the earnings of a group of escort girls.

He pleaded guilty to controlling prostitution for gain, and asked for three counts of living off immoral earnings to be taken into consideration when he appeared before the Crown Court. He operated a website from his home, listing over 30 prostitutes. He took 30% commission to arrange meetings and, over four years, had earned more than £500,000 by controlling escorts in London.

He had not declared any income since starting his sex business. That, and the large amounts of money in his bank account, led to his arrest. As an ancillary to the criminal proceedings a confiscation order was made of over £600,000 and paid in full.

Case Study 2: Prostitution

Three defendants (2 men and a woman) were convicted and sentenced for conspiracy to traffic prostitutes into the UK, conspiracy to control prostitution for gain, and conspiracy to facilitate a breach of immigration law. They were sentenced to imprisonment of 7 years, 5 years and 2 years and 9 months, although the sentences of 7 years and 5 years were later varied to 5 years and 4 years imprisonment.

The woman defendant worked as a prostitute in Spain where she met her co-defendant. They travelled to the UK, and with her co-defendant's nephew set up an escort agency. The defendant recruited women from Spain and South America by placing advertisements on the internet and advertising in Spanish newspapers. Other women were recruited by the nephew from Eastern Europe and Russia. Once recruited, they were assisted in entering the UK illegally, exploiting weaknesses in the immigration system.

The enterprise was well organised and, on arrival in the UK, the women prostitutes were put to work very quickly. They were encouraged to offer a wider range of sexual services than they originally expected. The three defendants controlled the work they undertook and kept 60% of their earnings, out of which the women also had to pay substantial expenses. The defendants made a number of flats available to the women for work.

Although evidence was given by a number of the women during the trial that they had not been coerced into coming to the UK or into working as prostitutes, there was clearly exploitation of them by the defendants once here. This was well organised importation of essentially vulnerable people because they came from countries which suffer from considerable poverty. The defendants exploited this and their illegal immigration status for their own commercial gain. During the six month police surveillance operation, it was estimated the defendants had benefited by more than £240,000.

14 Pornography

The majority of pornography offences are now internet/computer related and our specialist 'hi-tech' crime prosecutors lead on the prosecution of these cases.

Guidance on indecent photographs of children and obscenity for prosecutors has been updated. A pornography training seminar for prosecutors and caseworkers was held in October 2008.

The CPS works very closely with the Child Exploitation and Online Protection Centre (CEOP) which is part of UK law enforcement dedicated to eradicating the sexual abuse of children. The CPS is a member of the ACPO strategic group Combating Child Abuse on the Internet (CCAI) and the Deputy Chair of CCAI's legal sub group.

Key findings

CMS Offence records provide the volume of offences in which a prosecution commenced in magistrates' courts. Offences are recorded discretely from prosecution proceedings, and defendant outcomes cannot therefore be reported for specific offences. During the prosecution process an offence may be amended one or more times; therefore it is not possible to state whether the original offence remained the substantive charge at the time of finalisation.

During 2007-08 a number of pornography and other offences were charged and reached at least one hearing in magistrates' courts under the Protection of Children Act 1978; Obscene Publications Act 1959; Criminal Justice Act 1988; Malicious Communications Act 1988 and Communications Act 2003. It is not possible to distinguish between those communications, which are pornographic and those which are not, charged under the latter two Acts.

In 2007-08 a prosecution commenced in respect of 566 offences of indecent or grossly offensive material, 111 obscene publications, 1,037 offences of sending a grossly offensive or indecent communication and 568 offences of causing annoyance, inconvenience or needless anxiety to another person.

Offences in relation to children comprised 3,079 offences of possession of an indecent photograph of a child and 11,873 offences of sexual exploitation of children through photographs; of which 10,832 were offences of making an indecent photograph of a child, 678 were offences of distributing an indecent photograph of a child, 345 were offences of showing indecent photographs and 18 were offences of publishing an advertisement likely to suggest that the advertiser distributes or shows indecent photographs of children.

Case Study 1: Pornography

The defendant was arrested for possession and distribution of indecent photographs of children. A collection of over 240,000 indecent photographs of children, in still and movie images, was seized. The images were mainly of young girls under 10 years of age, including images of bondage and penetrative sexual acts. One image was of an adult involved in a sexual act with a baby.

The defendant admitted he had collected and stored these images. He was also a moderator of a website wherein his role was to police the site for indecent images, allowing him to collect and store images on his own computer. He used the website to contact others and acquire and exchange indecent photographs of children.

He had also indecently photographed a five-year old child with whom he was in a position of trust since she was three-years old.

He was convicted and given an Indeterminate sentence for Public Protection (IPP, meaning a discretionary life sentence) and disqualified from working with children for life.

Case Study 2: Pornography

In a case thought to be the first of its kind, a defendant was convicted for making indecent computer-generated images of children. He received a supervision order of 18 months on condition that he attends a sex offender's treatment programme, and will also be placed on the sex offenders register for five years.

Previous cases have involved people cutting, pasting and merging photographs to create indecent images. Developments in computer software have enabled individuals to create indecent images which are not photographs, but are so realistic that they look like photographs. The most sophisticated were computer enhanced images or entirely computer generated images. The images appeared to be genuine or realistic indecent photographs of children.

The outcome of this case has established that these detailed images of child sexual abuse qualify as indecent pseudo-photographs of children, the making of which is illegal.

15 Crimes against older people

A public Policy statement on crimes against older people and Guidance for prosecutors on prosecuting these cases were published in July 2008. External reference groups involved in drafting the Policy included focus groups made up of older members of the public.

The development of a policy for prosecuting cases of elder abuse was a key requirement of the Age Equality Action Plan, contained within the CPS Single Equality Scheme (SES), 2006-2010 which was published in December 2006. As the CPS did not have a hate crime policy in place that dealt with crimes against older people, and there was no facility enabling crimes against older people to be identified on the COMPASS Case Management System (CMS), plans to establish this work were included within the SES actions.

This work brings CPS into the forefront of work on issues concerning older people and focuses prosecutors' attention on this important equality issue.

A flag to monitor crimes against older people was established in April 2008. Consideration will be given to including prosecution outcomes for crimes against older people in the VAW Indicator in 2009-10.

Annex 1: Prosecutions by Area**CPS total violence against women prosecutions**

	2007-08				Total
	Convictions		Unsuccessful		
	Volume	%	Volume	%	
42 Areas	51,974	68.9%	23,478	31.1%	75,452
Avon & Somerset	1,407	71.5%	561	28.5%	1,968
Bedfordshire	447	67.9%	211	32.1%	658
Cambridgeshire	548	68.1%	257	31.9%	805
Cheshire	1,212	71.7%	478	28.3%	1,690
Cleveland	877	68.9%	396	31.1%	1,273
Cumbria	499	76.7%	152	23.3%	651
Derbyshire	1,248	70.5%	523	29.5%	1,771
Devon & Cornwall	991	68.6%	453	31.4%	1,444
Dorset	734	68.3%	340	31.7%	1,074
Durham	769	70.3%	325	29.7%	1,094
Dyfed Powys	406	80.9%	96	19.1%	502
Essex	1,020	69.4%	450	30.6%	1,470
Gloucestershire	670	77.5%	195	22.5%	865
Greater Manchester	3,487	71.6%	1,382	28.4%	4,869
Gwent	676	69.6%	295	30.4%	971
Hampshire	1,953	67.5%	942	32.5%	2,895
Hertfordshire	695	65.5%	366	34.5%	1,061
Humberside	1,120	79.9%	281	20.1%	1,401
Kent	1,383	68.3%	643	31.7%	2,026
Lancashire	2,874	75.3%	942	24.7%	3,816
Leicestershire	1,131	70.8%	466	29.2%	1,597
Lincolnshire	511	74.1%	179	25.9%	690
Merseyside	1,435	63.7%	817	36.3%	2,252
Metropolitan & City	5,268	59.0%	3,661	41.0%	8,929
Norfolk	850	80.0%	213	20.0%	1,063
Northamptonshire	408	77.0%	122	23.0%	530
Northumbria	1,752	66.3%	891	33.7%	2,643
North Wales	806	77.8%	230	22.2%	1,036
North Yorkshire	519	69.8%	225	30.2%	744
Nottinghamshire	954	61.9%	588	38.1%	1,542
South Wales	1,329	66.0%	684	34.0%	2,013
South Yorkshire	1,607	71.6%	638	28.4%	2,245
Staffordshire	1,169	67.1%	573	32.9%	1,742
Suffolk	694	80.4%	169	19.6%	863
Surrey	460	63.4%	266	36.6%	726
Sussex	1,152	67.5%	554	32.5%	1,706
Thames Valley	1,553	68.1%	728	31.9%	2,281
Warwickshire	413	83.3%	83	16.7%	496
West Mercia	832	70.5%	348	29.5%	1,180
West Midlands	3,281	67.2%	1,600	32.8%	4,881
West Yorkshire	2,261	70.9%	927	29.1%	3,188
Wiltshire	573	71.5%	228	28.5%	801

CPS total domestic violence prosecutions

	2007-08				Total
	Convictions		Unsuccessful		
	Volume	%	Volume	%	
42 Areas	43,977	68.9%	19,842	31.1%	63,819
Avon & Somerset	1,235	72.4%	471	27.6%	1,706
Bedfordshire	379	67.1%	186	32.9%	565
Cambridgeshire	476	68.6%	218	31.4%	694
Cheshire	1,059	71.7%	418	28.3%	1,477
Cleveland	750	68.2%	350	31.8%	1,100
Cumbria	427	77.6%	123	22.4%	550
Derbyshire	1,103	70.8%	454	29.2%	1,557
Devon & Cornwall	824	67.0%	406	33.0%	1,230
Dorset	656	69.1%	294	30.9%	950
Durham	660	70.4%	277	29.6%	937
Dyfed Powys	351	81.3%	81	18.8%	432
Essex	861	69.4%	379	30.6%	1,240
Gloucestershire	606	78.5%	166	21.5%	772
Greater Manchester	2,975	72.1%	1,152	27.9%	4,127
Gwent	573	69.9%	247	30.1%	820
Hampshire	1,691	68.3%	785	31.7%	2,476
Hertfordshire	557	65.8%	290	34.2%	847
Humberside	944	81.0%	221	19.0%	1,165
Kent	1,123	67.9%	531	32.1%	1,654
Lancashire	2,550	75.6%	822	24.4%	3,372
Leicestershire	1,005	71.0%	410	29.0%	1,415
Lincolnshire	437	73.6%	157	26.4%	594
Merseyside	1,246	63.0%	732	37.0%	1,978
Metropolitan & City	3,898	58.3%	2,790	41.7%	6,688
Norfolk	715	79.4%	185	20.6%	900
Northamptonshire	304	74.7%	103	25.3%	407
Northumbria	1,533	65.6%	805	34.4%	2,338
North Wales	716	77.4%	209	22.6%	925
North Yorkshire	429	71.7%	169	28.3%	598
Nottinghamshire	789	60.3%	520	39.7%	1,309
South Wales	1,153	66.1%	591	33.9%	1,744
South Yorkshire	1,427	71.5%	570	28.5%	1,997
Staffordshire	1,014	66.5%	511	33.5%	1,525
Suffolk	602	82.6%	127	17.4%	729
Surrey	376	63.9%	212	36.1%	588
Sussex	972	67.5%	468	32.5%	1,440
Thames Valley	1,318	68.3%	611	31.7%	1,929
Warwickshire	355	84.7%	64	15.3%	419
West Mercia	668	69.4%	295	30.6%	963
West Midlands	2,738	66.2%	1,398	33.8%	4,136
West Yorkshire	1,974	70.1%	842	29.9%	2,816
Wiltshire	508	71.5%	202	28.5%	710

CPS total rape prosecutions

	2007-08				Total
	Convictions		Unsuccessful		
	Volume	%	Volume	%	
42 Areas	2,021	57.7%	1,482	42.3%	3,503
Avon & Somerset	53	56.4%	41	43.6%	94
Bedfordshire	16	61.5%	10	38.5%	26
Cambridgeshire	11	50.0%	11	50.0%	22
Cheshire	20	55.6%	16	44.4%	36
Cleveland	27	69.2%	12	30.8%	39
Cumbria	12	50.0%	12	50.0%	24
Derbyshire	38	66.7%	19	33.3%	57
Devon & Cornwall	41	69.5%	18	30.5%	59
Dorset	16	55.2%	13	44.8%	29
Durham	41	70.7%	17	29.3%	58
Dyfed Powys	12	63.2%	7	36.8%	19
Essex	26	57.8%	19	42.2%	45
Gloucestershire	22	61.1%	14	38.9%	36
Greater Manchester	167	62.1%	102	37.9%	269
Gwent	33	64.7%	18	35.3%	51
Hampshire	64	54.7%	53	45.3%	117
Hertfordshire	32	51.6%	30	48.4%	62
Humberside	50	62.5%	30	37.5%	80
Kent	49	51.6%	46	48.4%	95
Lancashire	85	63.4%	49	36.6%	134
Leicestershire	28	70.0%	12	30.0%	40
Lincolnshire	11	64.7%	6	35.3%	17
Merseyside	36	59.0%	25	41.0%	61
Metropolitan & City	387	45.5%	464	54.5%	851
Norfolk	22	71.0%	9	29.0%	31
Northamptonshire	22	73.3%	8	26.7%	30
Northumbria	50	62.5%	30	37.5%	80
North Wales	14	70.0%	6	30.0%	20
North Yorkshire	20	47.6%	22	52.4%	42
Nottinghamshire	50	62.5%	30	37.5%	80
South Wales	54	61.4%	34	38.6%	88
South Yorkshire	42	61.8%	26	38.2%	68
Staffordshire	38	55.9%	30	44.1%	68
Suffolk	18	58.1%	13	41.9%	31
Surrey	16	57.1%	12	42.9%	28
Sussex	47	66.2%	24	33.8%	71
Thames Valley	55	55.0%	45	45.0%	100
Warwickshire	16	69.6%	7	30.4%	23
West Mercia	33	68.8%	15	31.3%	48
West Midlands	131	61.5%	82	38.5%	213
West Yorkshire	100	75.8%	32	24.2%	132
Wiltshire	16	55.2%	13	44.8%	29

CPS total sexual offences excluding rape prosecutions

	2007-08				Total
	Convictions		Unsuccessful		
	Volume	%	Volume	%	
42 Areas	5,976	73.5%	2,154	26.5%	8,130
Avon & Somerset	119	70.8%	49	29.2%	168
Bedfordshire	52	77.6%	15	22.4%	67
Cambridgeshire	61	68.5%	28	31.5%	89
Cheshire	133	75.1%	44	24.9%	177
Cleveland	100	74.6%	34	25.4%	134
Cumbria	60	77.9%	17	22.1%	77
Derbyshire	107	68.2%	50	31.8%	157
Devon & Cornwall	126	81.3%	29	18.7%	155
Dorset	62	65.3%	33	34.7%	95
Durham	68	68.7%	31	31.3%	99
Dyfed Powys	43	84.3%	8	15.7%	51
Essex	133	71.9%	52	28.1%	185
Gloucestershire	42	73.7%	15	26.3%	57
Greater Manchester	345	72.9%	128	27.1%	473
Gwent	70	70.0%	30	30.0%	100
Hampshire	198	65.6%	104	34.4%	302
Hertfordshire	106	69.7%	46	30.3%	152
Humberside	126	80.8%	30	19.2%	156
Kent	211	76.2%	66	23.8%	277
Lancashire	239	77.1%	71	22.9%	310
Leicestershire	98	69.0%	44	31.0%	142
Lincolnshire	63	79.7%	16	20.3%	79
Merseyside	153	71.8%	60	28.2%	213
Metropolitan & City	983	70.7%	407	29.3%	1,390
Norfolk	113	85.6%	19	14.4%	132
Northamptonshire	82	88.2%	11	11.8%	93
Northumbria	169	75.1%	56	24.9%	225
North Wales	76	83.5%	15	16.5%	91
North Yorkshire	70	67.3%	34	32.7%	104
Nottinghamshire	115	75.2%	38	24.8%	153
South Wales	122	67.4%	59	32.6%	181
South Yorkshire	138	76.7%	42	23.3%	180
Staffordshire	117	78.5%	32	21.5%	149
Suffolk	74	71.8%	29	28.2%	103
Surrey	68	61.8%	42	38.2%	110
Sussex	133	68.2%	62	31.8%	195
Thames Valley	180	71.4%	72	28.6%	252
Warwickshire	42	77.8%	12	22.2%	54
West Mercia	131	77.5%	38	22.5%	169
West Midlands	412	77.4%	120	22.6%	532
West Yorkshire	187	77.9%	53	22.1%	240
Wiltshire	49	79.0%	13	21.0%	62

Glossary

Violence against women

Domestic violence:	any incident or threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between those ¹¹ who are or have been intimate partners or family members, regardless of gender or sexuality. Family members include mother, father, son, daughter, sister, and grandparents, whether directly related, in laws or step family.
Rape:	any defendant charged with one or more of the following offences – <ul style="list-style-type: none"> • S1 Sexual Offences Act 1956 • S5 Sexual Offences Act 1956 <ul style="list-style-type: none"> – An attempt to commit one of the above offences under the Criminal Attempts Act 1981 • S1 Sexual Offences Act 2003 • S5 Sexual Offences Act 2003 • S30(3) Sexual Offences act 2003 <ul style="list-style-type: none"> – An attempt to commit one of the above offences under the Criminal Attempts Act 1981 Incitement or conspiracy to commit any of the above offences
Sexual offences exc. rape:	any defendant whose principal offence category, at finalisation, is a sexual offence excluding rapes.

Monitoring flags:	sensitive case types are identified using a number of monitoring flags, applied to relevant cases at the pre-charge stage. The flags allow managers to monitor proceedings during the life of the prosecution, and enable reporting of outcomes following the conclusion of the case.
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Case outcomes

Pre-charge decisions:	In all but minor cases, and those where a guilty plea is anticipated, Crown Prosecutors are responsible for deciding whether a person should be charged with a criminal offence and, if so, what that offence should be, in accordance with the Director's Guidelines.
Charged:	cases where the CPS' decision is to charge.
Request for further evidence:	where further information or action is requested or deemed necessary.
No prosecution:	those cases where the CPS' decision is not to prosecute, for evidential or public interest reasons.
All other decisions:	where a caution, reprimand or final warning are given; where the offence has been taken into consideration in relation to other charges; or where the defendant has failed to answer to bail and a warrant is outstanding.

Prosecutions:	all defendants charged or summonsed whose case was completed in magistrates' or in the Crown Court during the period, including those proceeding to a trial or guilty plea, those discontinued and those which could not proceed.
<u>Unsuccessful outcomes:</u>	all completed prosecutions where the defendant is not convicted, comprising the following:
Administrative finalisation:	when a prosecution cannot proceed because a defendant has failed to appear at court and a Bench Warrant has been issued for his or her arrest; or the defendant has died, or is found unfit to plead: or where proceedings are adjourned indefinitely. If a Bench Warrant is executed the case may be reopened.
Discharged committals:	committal proceedings in which the defendant is discharged. Following a discharge a case can be reinstated.
Discontinued and withdrawn:	consideration of the evidence and of the public interest may lead the CPS to discontinue proceedings at any time before the start of the trial. Included here are cases formally discontinued in advance of the hearing, those in which no evidence was offered, and those withdrawn at court. Also included are cases in which the defendant was bound over to keep the peace.
Dismissed after full trial:	cases in which the defendant pleads not guilty and proceedings are dismissed by the magistrates after hearing the defence case.
No case to answer:	cases in which the defendant pleads not guilty and prosecution evidence is heard, but proceedings are dismissed by the magistrates without hearing the defence case.
Judge directed acquittal:	cases where at the close of the prosecution case against the defendant, a successful submission of 'no case' or 'unsafe' is made on behalf of the defendant, and the judge directs an acquittal rather than allow the case to be determined by the jury.
Jury acquittal:	when the defendant pleads not guilty and, following a trial, is acquitted by the jury.
<u>Convictions:</u>	cases where the defendant is convicted following a prosecution, comprising:
Guilty plea:	where the defendant pleads guilty.
Conviction after trial:	cases in which the defendant pleads not guilty, but is convicted after the evidence is heard.
Proof in absence:	these are lesser offences which are heard by the court in the absence of the defendant.

¹¹ In CPS cases are monitored for both adults and Under 18s.

Reason categories for unsuccessful outcomes

Evidential:	where the prosecutor decides there is insufficient evidence to provide a realistic prospect of conviction.
Public interest:	where there is considered to be sufficient evidence but the prosecutor decides that public interest factors weigh against prosecution.
Unable to proceed:	where the evidence and the public interest support a prosecution, but circumstances make it impossible for the case to proceed.
Other reasons:	where the defendant is bound over, acquitted or dismissed after trial, or no other option is appropriate.
Administrative finalisation:	CPS records an administrative finalisation when a prosecution cannot proceed because a defendant has failed to appear at court and a Bench Warrant has been issued for his or her arrest; or the defendant has died; or is found unfit to plead; or where proceedings are adjourned indefinitely. If a Bench Warrant is executed the case may be reopened.

Reasons for unsuccessful outcomes

Victim retraction:	where the evidence of the victim supports the prosecution case, the victim refuses to be called as a witness, or retracts, or withdraws a complaint.
Victim non attendance:	the victim is called as a witness in a trial, but fails to attend court.
Victim evidence does not support case:	the evidence of the victim of an offence does not support the prosecution of the defendant, leading to an unsuccessful outcome, but the victim however, has not retracted.
Caution:	the defendant is charged with a criminal offence, but it is subsequently decided that a caution is more suitable than prosecution.
Bindover:	the defendant is charged with a criminal offence, but agrees to be bound over.
Essential legal element:	the prosecution cannot continue because an essential legal element is missing from the prosecution case.
Witness or witnesses were unreliable:	the evidence of a prosecution witness or witnesses, other than the victim, is considered unreliable, leading to an unsuccessful outcome.
Conflicts of evidence:	Contradictions in prosecution evidence lead to an unsuccessful outcome.

Principal offence category: charged offences are allocated one of twelve offence categories to indicate the type and seriousness of the charges brought against the defendant.

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