



HOME OFFICE

Section 95

# Statistics on Women and the Criminal Justice System

A Home Office publication under section 95 of the Criminal Justice Act 1991

1999

Section 95

## Criminal Justice Act 1991 section 95

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



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### Foreword by the Home Secretary

This report illustrates how, as far as the criminal justice system is concerned, women present a quite different profile from the bulk of offenders, who are men. It is important for practitioners to understand this to ensure that women victims receive proper respect, that women who offend are treated fairly, and that women staff get true equality.

That is the significance of this publication, the first on gender to be published under section 95 of the Criminal Justice Act 1991 since 1992. It provides a comprehensive overview of how the criminal justice system impacts on women as offenders and victims. It also provides information of women practitioners within the criminal justice system.

I commend this publication to all involved in the administration of justice.

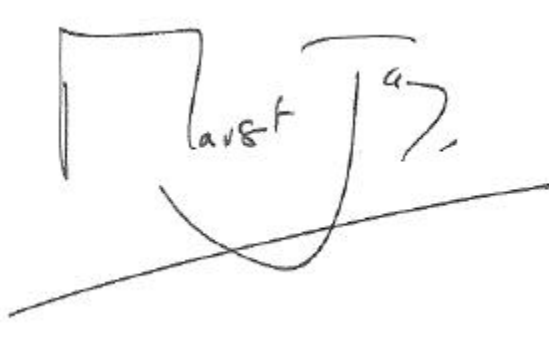


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## Foreword by Baroness Jay, Minister for Women

Women commit less crime than men and their offences are, generally, less serious. As a result, the concerns of women offenders are often overlooked in the criminal justice system. I welcome the publication of the first section 95 report on gender for seven years. The valuable information contained in this report will enable practitioners in the criminal justice system to take a fresh look and to see what might be done to respond better to the special patterns and characteristics of crimes committed by women.

I am heartened by some of the figures in this publication about employment in the system, but there is still a long way to go. Women should be better represented at senior levels in all parts of the criminal justice system. It is encouraging that criminal justice agencies now carefully monitor the number of women they employ.

A handwritten signature in black ink, appearing to read 'Jay', is written over a horizontal line. To the right of the signature is a vertical line.



## Summary of main findings

This publication brings together the key results from recent research and statistics that focus on the treatment of women by the criminal justice system.

### *Demographic background*

- By 2005, there are expected to be 2.6% more females aged 10-59 in the population than in 1998. The number in the 15-20 age group, covering the peak age of offending, is expected to increase by over 8%.

### *Offending*

- Fewer women than men admit ever committing an offence. This is reflected in the number of women dealt with by the criminal justice system. In 1997 only 17% of known offenders were women.
- Only 8% of women have a conviction by the age of 40 compared with 34% of men.
- Women tend to have shorter criminal careers than men.
- According to official statistics, the peak age of offending in 1997 was 18 years, for both males and females. A 1992/3 self-report study found that the peak age was 16 for females and 21 for males.
- Theft and handling is the most common indictable offence group (59% of female offenders, 35% of male offenders in 1997).

### *Arrests and police disposals*

- Research suggests that women are arrested more often than men for:
  - shoplifting (45%)
  - other theft and handling (20%)
  - fraud and forgery (27%) (all compared with 15% of arrests generally).

- Following arrest, women are more likely than men to be cautioned and are less likely to have no further action taken or be charged.
- According to official statistics, over half of female offenders dealt with for indictable offences are cautioned, compared with about a third of males.

### *Remand and mode of trial*

- Although women are less likely than men to be remanded in custody or committed for trial, this mainly reflects differences in offending history and type of offence.
- Women on remand make up about a quarter of the female prison population.
- Women remanded in custody spend less time in custody than men.

### *Sentencing*

- Women are more likely than men to be discharged or given a community sentence for indictable offences and are less likely to be fined or sentenced to custody.
- The top seven offences for women sentenced to custody are:
  - theft from shops (1,290 women sentenced to custody)
  - other fraud (370)
  - other wounding (340)
  - production, supply and possession with intent to supply a class A controlled drug (300)
  - summary motoring (300)
  - handling stolen goods (250)
  - burglary of all kinds (250).

### *Community penalties*

- Women accounted for 12% of those supervised by the Probation Service in 1997.
- Women were less likely than men starting community orders to have previous convictions or to have served a custodial sentence.

### *Women in custody*

- The 3,110 women in prison on average in 1998 made up only 4.8% of the total prison population.
- Between 1993 and 1998 the average population of women in prison rose by almost 100% as against 45% for men.
- Theft and handling accounted for 38% of sentenced receptions of women in 1998. Drug offences (15%) and violence against the person (13%) were the next most common offences.
- Within the sentenced female prison population the main offence groups are drug offences (35% at June 1998), violence against the person (19%) and theft and handling (17%).
- Fewer than 400 women were sent to prison for fine default in 1998 and the average number of fine defaulters in the prison population was just four.
- In mid-1998, ethnic minority groups made up 24% of the female prison population compared to 18% of the male prison population.
- 15% of female prisoners in 1998 were foreign nationals. In 1997, more than two-thirds of sentenced female foreign nationals were held for drug offences.
- An estimated 55% of all women in prison have a child under 16 and over a third of mothers in prison have a child under five.

- In 1997/8, female prisons provided inmates with more time on average out of their cells and on education and skills training but there were fewer offending behaviour programmes.

- Female prisoners have a higher rate of offending against prison discipline than men.

### *Reconvictions*

- Women are less likely than men to be reconvicted.

### *Victims of crime*

- 3.6% of adult women and 6.1% of adult men had been the victim of at least one violent crime in 1997. Over 40% of violent incidents against women were domestic.
- Similar proportions of men and women had been physically attacked by a current or former partner in the previous year but women were twice as likely as men to have been injured.
- 35% of homicide victims in 1997 were female.
- Nearly half of women, compared with only 8% of men, were killed by a current or former partner.
- According to a study of rapes reported in 1996, nearly 90% were committed by acquaintances or intimates.
- There is a high attrition rate associated with rape cases; just 9% of suspects were convicted of rape or attempted rape.

### *Women practitioners in the criminal justice system*

Women tend to be under-represented in senior posts. The most recent figures for the proportion of women employed in different areas of the criminal justice system were as follows:

- 16% police officers (9/98) – 7% were above the rank of Police Constable

- 55% probation officers (12/98) – 40% above the main grade
- 48% CPS lawyers and 74% administrators (4/99) – 28% lawyers and 26% administrators with senior management responsibilities
- 6% Circuit Judges (4/99) and 49% lay magistrates (1/99)
- 70% staff in magistrates' courts – 11 % Justices' Chief Executives, 23% justices' clerks and 55% court clerks (3/98)
- 68% in the Crown Court (2/99) – 52% senior management staff
- 67% in the combined Crown and County Courts
- 26% at the Bar (9/98)
- 35% solicitors on roll in England and Wales (4/98) – 32% of those in private practice
- 14% prison officers (3/99) – 13% Governor grades
- 34% parole board members (97/98)
- 46% board of visitors (4/99)
- 52% Home Office staff (3/99) – 26% senior management grades.



## Chapter 1

### Demographic background (females)

At mid-1998,<sup>1</sup> there was an estimated 17.2 million women aged 10 to 59 in the general population of England and Wales, including 1.6 million aged 10-14, 940,000 aged 15-17 and 920,000 aged 18-20.

Demographic changes affect the number of offenders dealt with by the criminal justice system. Between 1990 and 1998, the number of women aged 10-59 increased by 3.5%. Government Actuary Department projections suggest that this age group will increase by 2.6% between 1998 and 2005.

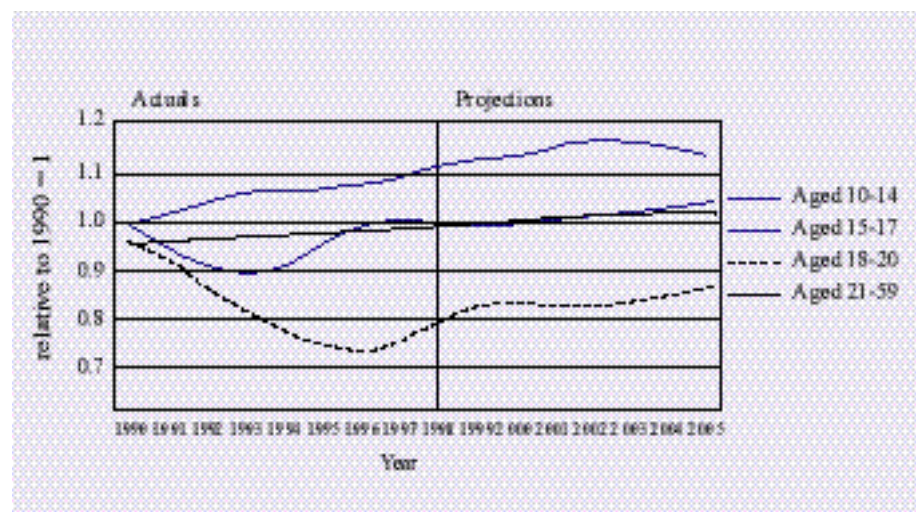
Included in the overall growth between 1990 and 1998 was an increase of more than 11% for the 10-14 age group as shown in Figure 1.1. This age group is projected to increase between 1998 and 2002 after which it reduces between 2002 and 2005. Overall, however, the number of females aged 10-14 is expected to increase over the whole period 1998 to 2005 by 2.6% to reach 1,663,000 in 2005.

Females aged 15-17 increased in number by only a very small amount between 1990 and 1998. In 1991, 1992 and 1993 the number was falling. After 1993 this group began to increase again. This age group is projected to reduce between 1998 and 1999, but thereafter to increase. There are expected to be 1,018,000 in 2005, an overall increase of 8.3% on 1998.

The number of women aged 18-20 fell from 1990 through to 1996 but has increased since then. This age group is projected to increase by 8.5% from 1998 to reach 998,000 in 2005.

*Figure 1.1:*

*Female population of England and Wales, actuals 1990-1997, projections 1998-2005*



<sup>1</sup> Figures for 1998 to 2005 are projections, based on the population in 1996. Source: ONS.



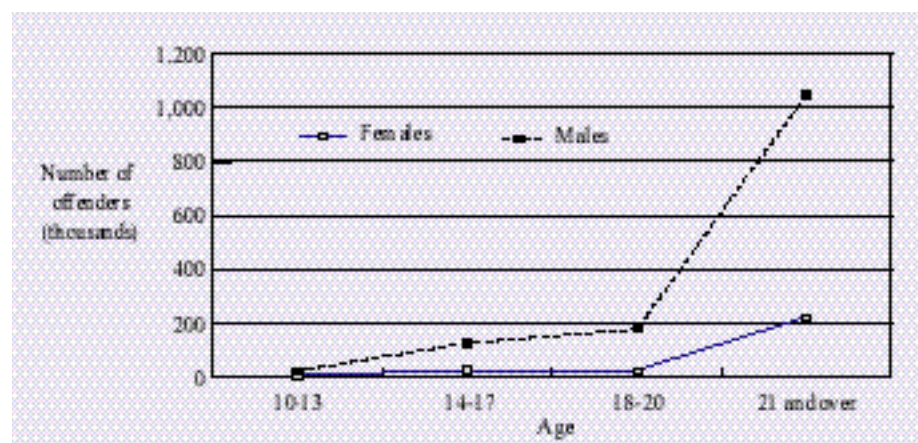
## Chapter 2 Offending

The best source of information on the scale of offending is given by self-report studies in which people are asked if they have ever committed particular offences. Recorded crime statistics do not tell us the gender of the person who committed the offence and official statistics on offending only include those offences dealt with by the criminal justice system. Many offences are never reported to the police and, of those that are, a substantial proportion are not cleared up. Self-report studies show that fewer females than males admit to ever committing an offence. Such a survey of 14- to 24-year-olds in 1992/93, reported in *Young People and Crime* (Home Office Research Study 145), found that:

- 31% of females and 55% of males aged 14-24 reported that they had ever committed an offence.
- 12% of females and 28% of males aged 14-24 admitted committing an offence in the past 12 months.
- 9% of females and 26% of males admitted that they had committed more than five but less than 50 offences in the past 12 months.
- 26% of females and 45% of males reported having used illegal drugs at some time in their lives (mainly cannabis).
- 22% of women used cannabis regularly (i.e. at least once a week).

*Figure 2.1:*

*Offenders found guilty or cautioned for all offences by sex and age group*



- The most common age at which both young males and females started to offend was 15.
- The peak age for *self-reported* offending was 16 for females, compared with 21 for males.
- Many young females desisted from offending in their late teens. Other research has shown that young females who make a successful transition to adulthood (e.g. complete full-time education, leave home and form a new family) are significantly more likely to desist from offending than those who do not. However, the rate of self-reported offending among young males increased with age up to 18 and remained at the same level into their 20s.

### *Known offenders*

Details of the number of “known offenders” (i.e. those cautioned or found guilty) are shown in Figure 2.1 and are available in *Criminal Statistics*, published annually by the Home Office. They show that:

- more men than women are dealt with by the criminal justice system. In 1997 only 17% of 1.7 million known offenders were women (see Table 2.1). As noted above, self-report studies suggest that for 14- to 24-year-olds the real difference between male and female offending rates may be smaller

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- for all age groups, there are fewer female offenders than male offenders, but the gap is smaller for younger age groups (see Table 2.1)
- the peak age of known offending for women in 1997 was 18, the same as for men
- in 1997, 32% of female offending involved the more serious offences (i.e. indictable offences), 42% summary non-motoring offences and 26% summary motoring offences. The equivalent proportions for men were 30%, 28% and 42%
- theft and handling is the most common indictable offence among female offenders (59% of female offenders in 1997). This is also the most common offence for men although it accounts for only 35% of male offenders (see table 2.3).
- drug offences are second at 12% (21% for men) and violence against the person third at 10% (12% for men) - (see Table 2.3).

### Reasons for offending

A survey of mothers in prison examined the most common reasons for offending. These were:

- having no money (54%)
- mixing with the wrong crowd (46%)
- need to support children (38%)
- drink or drugs (35%)

- family problems (33%)
- having no job (33%)

(Source: *Imprisoned Women and Mothers*, Home Office Research Study (HORS)162. 1,057 mothers were interviewed in late 1994).

### Prevalence of offending

- The proportion of women with a conviction<sup>2</sup> is much lower at all ages than for men. 8% of women born in 1953 were convicted before the age of 40 compared with 34% of men. Only 1% of all women compared to 7% of men had received a custodial sentence before the age of 40.
- The difference is slightly less for younger groups. Of women born in 1958, 9% had received a conviction before the age of 30, compared with 33% of men.
- The proportion of offenders convicted only once is higher for women than for men. For example, of offenders born in 1953, 78% of women have been convicted on only one occasion before the age of 40, compared to 55% of men.
- 83% of female offenders have criminal careers lasting less than a year, compared with 60% of male offenders. Only 3% of female offenders have a criminal career of more than 10 years, compared with 25% of male offenders.

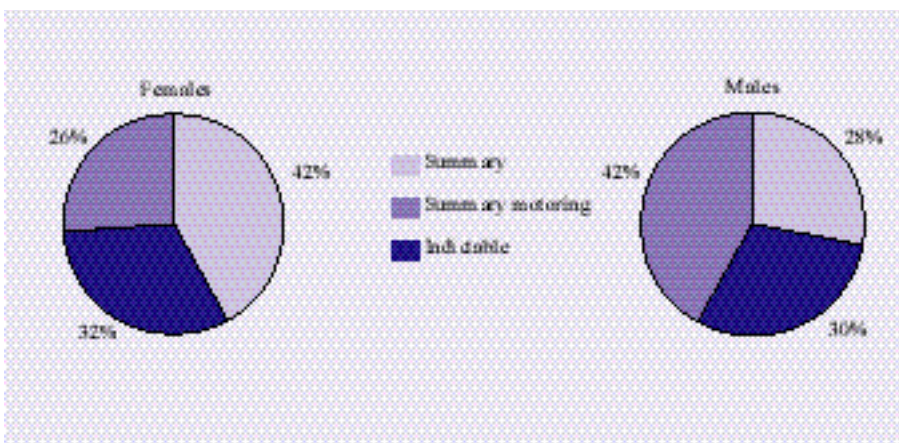


Figure 2.2:

*Female and male involvement in offending, 1997*

<sup>2</sup> For a standard list offence (all indictable offences plus some of the more serious summary offences).

Figure 2.3:

Offenders found guilty at all courts or cautioned for indictable offences

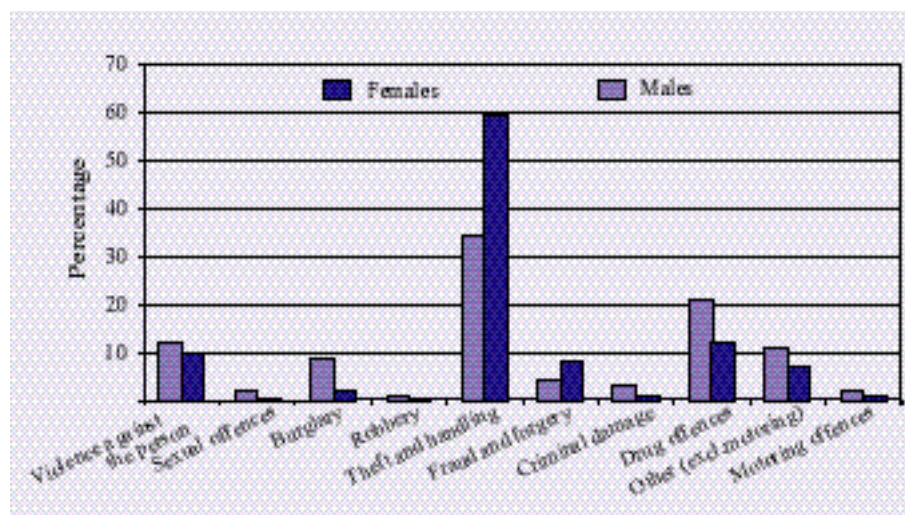


Table 2.1: Offenders<sup>(1)</sup> found guilty or cautioned by category of offence, sex and age group

England and Wales, 1997

Number of offenders (thousands)

Type of offence	All offenders	Males				Females			
		Total	10-17	18-20	21+	Total	10-17	18-20	21+
<b>Indictable offences</b>									
Found guilty	320.1	276.5	40.8	48.4	187.3	42.2	5.6	6.3	30.4
Cautioned	189.4	143.3	54.9	25.2	63.2	46.0	18.8	5.7	21.5
Found guilty or cautioned	509.4	419.8	95.7	73.6	250.5	88.3	24.4	12.0	51.9
<b>Summary offences</b> (excluding motoring offences) <sup>(2)</sup>									
Found guilty	416.5	313.1	18.7	33.9	260.5	101.2	3.3	6.0	91.8
Cautioned	92.7	75.7	26.0	12.9	36.9	17.0	4.8	2.3	9.9
Found guilty or cautioned	509.3	388.8	44.6	46.8	297.3	118.2	8.2	8.3	101.7
<b>Summary motoring offences<sup>(3)</sup></b>									
All offences									
Found guilty	1,385.8	1,157.4	69.7	139.4	948.3	217.1	9.5	17.4	190.3
Cautioned	282.1	219.0	80.9	38.1	100.0	63.1	23.6	8.0	31.4
Found guilty or cautioned	1,667.9	1,376.4	150.5	177.5	1,048.3	280.2	33.1	25.4	221.7

Notes

(1) Other offenders i.e. companies, public bodies, etc. are included here.

(2) Offenders found guilty only; motoring offences may attract written warnings.

(3) It is estimated that there are shortfalls of 70,300 and 4,800 offenders convicted for certain summary non-motoring and summary motoring offences in 1995.

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Table 2.2: *Offenders found guilty at all courts or cautioned<sup>(1)</sup> for indictable offences by sex and age group*

England and Wales		Number of offenders (thousands)							
Year	All offenders	Males				Females			
		Total	10-17	18-20	21+	Total	10-17	18-20	21+
<b>Number of persons cautioned</b>									
1988	140.7	107.0	71.4	9.5	26.1	33.7	18.5	2.3	12.5
1990	166.3	124.2	74.5	15.1	34.6	42.1	22.1	4.2	15.8
1992	216.2	155.0	76.2	23.8	55.1	61.1	29.4	7.3	24.4
1994	209.8	153.6	67.8	25.0	60.7	56.2	27.6	6.1	22.4
1996	190.8	142.6	58.1	24.3	60.2	48.2	21.7	5.6	20.9
1997	189.4	147.3	58.9	25.2	63.2	46.0	18.8	5.7	21.5
<b>Number of persons found guilty</b>									
1988	383.6	337.5	57.4	73.1	207.1	46.1	5.9	8.8	31.4
1990	339.7	304.6	50.0	65.8	188.8	44.0	5.1	8.3	30.6
1992	322.8	282.8	33.8	58.9	190.1	40.0	4.1	7.3	28.5
1994	312.8	273.2	35.6	50.3	187.4	39.5	4.8	6.2	28.6
1996	299.1	261.1	39.2	46.3	175.6	38.0	5.2	5.7	27.2
1997	318.7	276.5	40.6	48.4	187.3	42.2	5.6	6.3	30.4
<b>Number of persons found guilty or cautioned</b>									
1988	524.3	444.5	128.8	82.6	233.2	79.8	24.4	11.4	43.9
1990	506.0	419.9	115.5	80.9	223.4	86.1	27.2	12.6	46.4
1992	539.0	437.9	110.0	82.7	245.2	101.1	33.7	14.6	52.9
1994	522.5	426.8	103.4	75.3	248.1	95.7	32.4	12.3	51.0
1996	489.9	403.7	97.3	70.5	235.8	86.3	26.9	11.3	48.0
1997	508.1	419.8	95.7	73.6	250.5	88.3	24.4	12.0	51.9

Notes:

(1) For motoring offences, only persons found guilty are included; these offences may attract written warnings.

Source: *Criminal Statistics England and Wales 1997*.

Table 2.3: *Offenders found guilty at all courts or cautioned by sex and type of offence*

England and Wales	Number of offenders (thousands)					
Sex and type of offence	1988	1990	1992	1994	1996	1997
<b>Males</b>						
<b>Indictable offences</b>						
Violence against the person	59.1	60.6	57.3	51.5	43.9	49.6
Sexual offences	10.6	9.9	8.3	7.4	6.4	6.4
Burglary	58.3	55.2	56.1	47.5	40.5	39.2
Robbery	4.3	5.1	5.4	5.1	6.0	5.6
Theft and handling stolen goods	199.4	174.7	186.7	169.0	153.7	148.9
Fraud and forgery	20.5	20.4	20.5	19.1	17.6	17.5
Criminal damage	14.9	14.0	12.6	13.0	11.7	12.0
Drug offences	24.9	39.0	45.4	65.1	72.8	86.3
Other (excluding motoring offences)	24.9	33.4	37.4	39.0	43.1	46.7
<i>Motoring offences<sup>(1)</sup></i>	<i>30.4</i>	<i>10.6</i>	<i>10.3</i>	<i>12.0</i>	<i>9.4</i>	<i>8.9</i>
Total indictable offences	447.2	423.0	439.9	428.2	405.1	421.1
<b>Summary offences</b> (excluding motoring offences) <sup>(2)</sup>	418.1	429.6	412.5	392.0	414.2	391.1
<b>All offences</b> (excluding summary motoring offences)	865.3	852.6	852.5	820.2	819.3	812.2
<b>Females</b>						
<b>Indictable offences</b>						
Violence against the person	7.1	8.6	9.7	9.7	7.9	8.6
Sexual offences	0.1	0.1	0.1	0.1	0.1	0.1
Burglary	2.3	2.7	2.5	2.0	1.8	1.9
Robbery	0.3	0.3	0.4	0.4	0.5	0.6
Theft and handling stolen goods	56.7	59.4	71.5	63.4	54.5	52.4
Fraud and forgery	6.2	6.1	7.0	6.9	6.2	6.7
Criminal damage	1.2	1.3	1.3	1.3	1.2	1.3
Drug offences	3.0	4.2	4.9	7.0	8.7	10.4
Other (excluding motoring offences)	1.9	2.9	3.4	4.4	4.8	5.9
<i>Motoring offences<sup>(1)</sup></i>	<i>1.0</i>	<i>0.4</i>	<i>0.4</i>	<i>0.6</i>	<i>0.5</i>	<i>0.5</i>
Total indictable offences	79.8	86.1	101.1	95.7	86.3	88.3
<b>Summary offences</b> (excluding motoring offences) <sup>(2)</sup>	131.8	140.4	164.3	161.4	169.6	118.2
<b>All offences</b> (excluding summary motoring offences)	221.6	226.6	265.4	257.1	255.9	206.5

Notes:

(1) Offenders found guilty only; motoring offences may attract written warnings.

(2) It is estimated that there are shortfalls of 6,900 offenders convicted for summary non-motoring offences in South Wales 1994.

Source *Criminal Statistics England and Wales 1997*.

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*Table 2.4: Offenders proceeded against where females accounted for 20% or more of all offenders and more than 100 female offenders were proceeded against, by type of offence*

England and Wales 1997

Type of offence	Proportion of females to all proceeded Against %	Proceeded Against	Found guilty	Total for sentence	Females				
					Absolute or conditional discharge	Fine	Community sentence <sup>(1)</sup>	Immediate custody <sup>2</sup>	Otherwise dealt with <sup>3</sup>
<b>Indictable offences</b>									
Cruelty or neglect of children	50	304	214	214	39	3	117	42	13
Stealing in a dwelling other than from automatic machines and meters	20	316	194	192	79	19	74	13	7
Theft by an employee	24	763	572	567	113	53	300	70	31
Abstracting electricity	22	229	162	162	80	45	31	4	2
Theft from shops	26	17,959	15,087	15,090	5,803	3,574	4,241	1,289	183
False accounting	32	345	329	328	42	19	178	60	29
Other fraud	24	4,640	3,357	3,354	928	380	1,527	374	145
Other miscellaneous drug offences	21	195	152	149	49	28	52	12	8
<b>Summary offences</b>									
Offence by prostitute	97	5,844	5,517	5,517	591	4,860	40	-	26
Offence relating to Education Acts	68	2,889	2,574	2,574	29	1,833	3	-	9
Offences in relation to dogs	43	549	314	314	48	219	1	-	46
Social security offences	40	3,647	3,431	3,430	1,563	780	1,031	29	27
Public health offences	20	960	334	334	72	234	1	-	27
Offence by licensed person, etc.	28	151	102	102	22	78	1	-	1
Other offence against revenue law	24	1,947	1,591	1,591	34	1,538	1	3	15
Stage carriage or public service vehicle offence		26	1,979	1,686	1,686	119	1,543	1	-
Vagrancy offences-begging	21	390	344	344	46	296	-	-	2
Wireless Telegraphy Acts	62	57,790	48,743	48,743	819	47,893	6	-	25

Notes:

(1) Community sentence = Probation order, Supervision order, Community service order, Attendance centre order, Combination order and Curfew order.

(2) Immediate custody = Young offender institution, Un-suspended sentence.

Source: *Criminal Statistics England and Wales 1997.*

## Chapter 3

### Arrests and police disposals

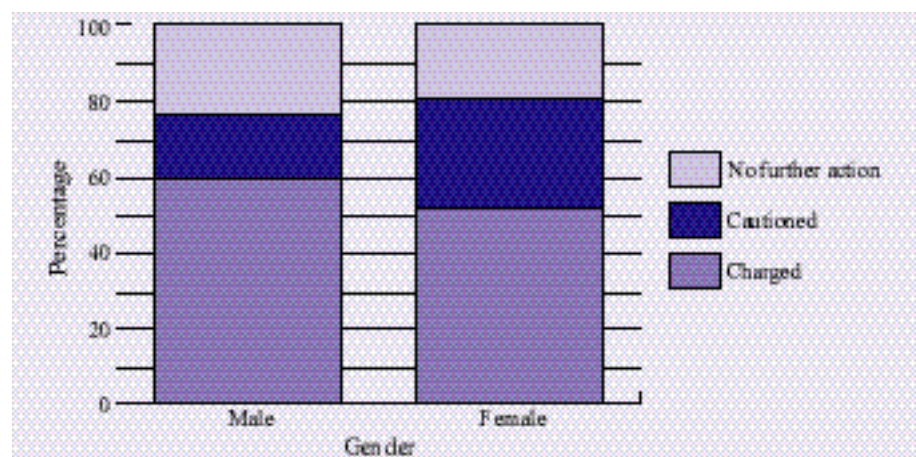
#### *Entry into the criminal justice system*

National statistics on arrest by gender are not yet available. However, some data are available from research. This section provides a summary of findings from Home Office Research Study 185 *Entry into the criminal justice system: a survey of police arrests and their outcomes*. The research covered arrests made at ten police stations in seven police forces in late 1993/early 1994. The main findings included:

- Overall, 15% of those arrested were female.
- Women formed a larger than average proportion of those arrested for shoplifting (45%), other theft and handling (20%), and fraud and forgery (27%).
- Women were less likely than men to have been arrested following a stop/search.
- Women were less likely than men to request a lawyer, reflecting differences in the types of offences for which they were arrested.
- Women were more likely than men to admit offences, even after taking into account other factors such as type of offence.
- Women were less likely than men to exercise their right of silence (this is related to differences in the types of offences for which men and women were arrested).

Figure 3.1:

*Outcome of arrest by sex of suspect*



- Women were more likely than men to be cautioned (see Figure 3.1) because they were far more likely than men to admit their offences and more likely to be arrested for less serious offences (e.g. shoplifting). Women were less likely to have no further action taken and less likely to be charged: 52% of arrested women were charged, compared with 60% of arrested men.
- Twelve per cent of cases against women were terminated by the CPS compared with 14% of cases against men. The difference is explained by the greater involvement of women in certain offences (e.g. soliciting and shoplifting) which were relatively straightforward to prosecute.

#### *Cautioning*

- Women are more likely than men to be cautioned for indictable offences which is the main disposal used for women dealt with for such offences. In 1997 the cautioning rate<sup>5</sup> for women was 52% compared with 35% for men (see table 3.1).
- The cautioning rate for women reached a peak of 61% in 1992 (see Table 3.1).
- Cautioning is more common for younger age groups. Females have a higher cautioning rate than males for all age groups (see Table 3.1).

3 Offenders cautioned as a proportion of offenders found guilty or cautioned.

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- Cautioning is more common for women for all indictable offence groups apart from drug offences, for which similar proportions of men and women are cautioned (see Table 3.2).
- Women are less likely than men to be cautioned for summary non-motoring offences (14% compared with 19%). This reflects the predominance of offences such as TV licence evasion, for which cautioning is not available (see Table 3.2).

Figure 3.2:

Cautioning rate for indictable offences by sex.

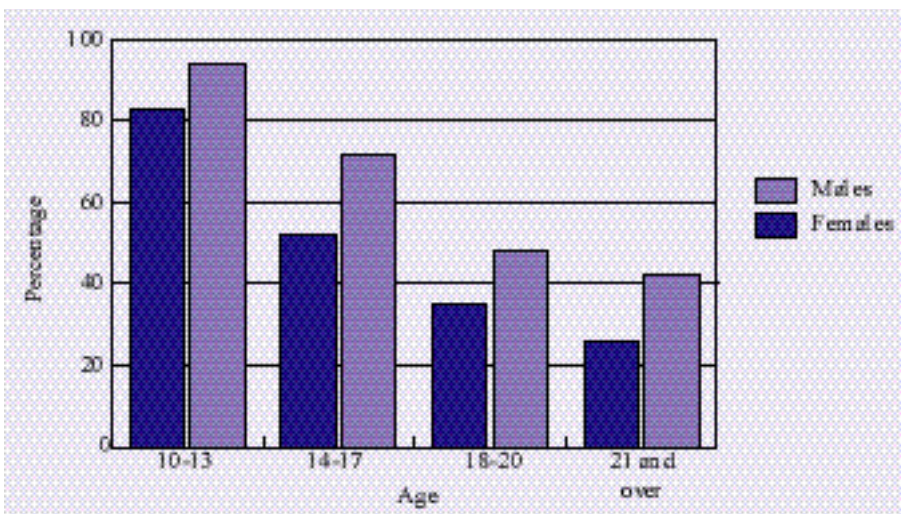
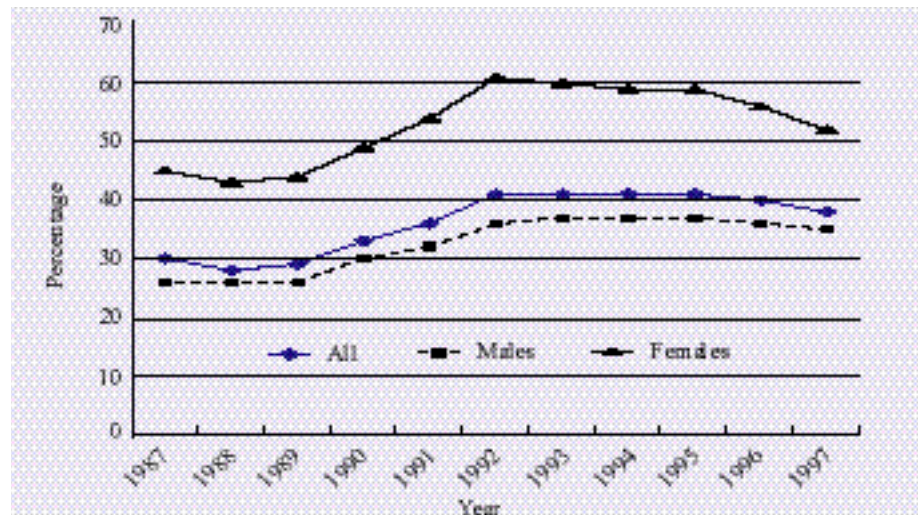


Figure 3.3:

Cautioning rate for indictable offences by age and sex, 1997.

Figure 3.4:

Cautioning rates for summary offences by sex.

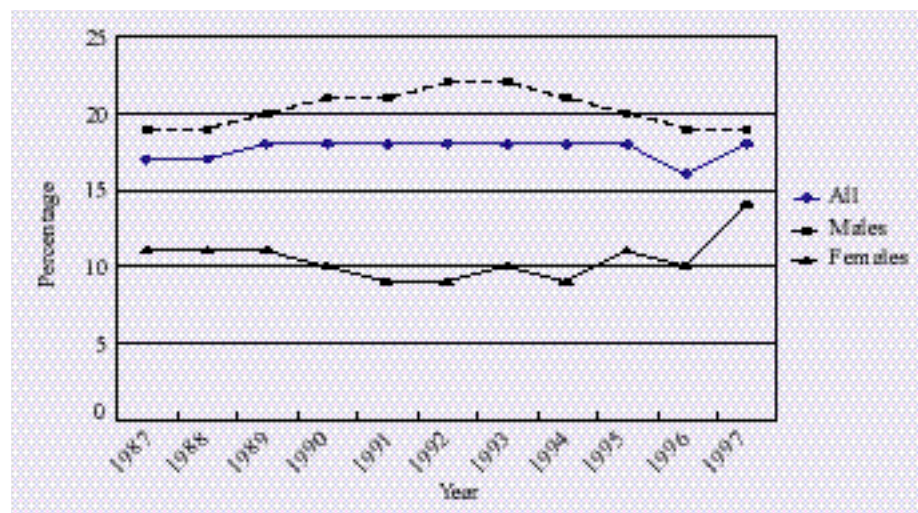


Table 3.1: *Offenders<sup>(1)</sup> cautioned as a percentage of offenders found guilty or cautioned by type of offence, sex and age group*

England and Wales											Percentages
Year	All offenders	Males					Females				
		All ages	Aged 10 and under	Aged 14 and under	Aged 18 and under	Aged 21 and over	All ages	Aged 10 and under	Aged 14 and under	Aged 18 and under	Aged 21 and over
<b>Indictable offences<sup>(2)</sup></b>											
1988	28	26	86	49	12	12	43	95	70	24	29
1990	33	30	90	58	19	16	49	96	77	34	34
1992	41	36	91	63	29	23	61	97	84	50	46
1994	41	37	87	60	34	25	59	97	81	50	44
1996	40	36	86	54	35	26	56	96	76	50	44
1997	38	35	83	52	35	26	52	94	72	48	42
<b>Summary offences<sup>(2)</sup></b>											
1988	17	19	88	48	16	16	11	93	60	27	8
1990	18	21	88	53	16	16	10	94	66	23	7
1992	18	22	90	60	26	16	9	96	71	25	6
1994	18	21	89	63	29	15	9	93	70	27	6
1996	16	19	87	58	29	12	10	91	63	23	6
1997	18	19	85	53	28	12	14	86	56	28	10

Notes:

- (1) Other offenders, i.e. companies, public bodies, etc. are included with males aged 21 and over.  
(2) Excluding all motoring offences.

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Table 3.2: Persons cautioned by sex and type of offence

England and Wales	Number of offenders (thousands)					
Sex and type of offence	1988	1990	1992	1994	1996	1997
<b>Males</b>						
Indictable offences						
Violence against the person <sup>(1)</sup>	9.7	12.6	17.5	17.6	16.7	18.4
Sexual offences	3.5	3.3	3.4	2.9	2.0	1.9
Burglary <sup>(2)</sup>	11.4	13.1	13.1	10.5	9.3	8.6
Robbery	0.2	0.5	0.6	0.6	0.5	0.5
Theft and handling stolen goods <sup>(1)</sup>	65.5	67.2	82.8	69.9	60.1	52.7
Fraud and forgery	2.8	3.2	5.0	4.9	5.0	4.6
Criminal damage <sup>(1)</sup>	3.9	3.8	3.6	3.8	2.8	2.4
Drug offences	8.3	16.9	24.8	39.9	42.4	50.0
Other (excluding motoring offences) <sup>(2)</sup>	1.7	3.6	4.3	3.4	3.9	4.3
Motoring offences	*	*	*	*	*	*
<b>Total</b>	<b>107.0</b>	<b>124.2</b>	<b>155.0</b>	<b>153.6</b>	<b>142.6</b>	<b>143.3</b>
<b>Summary offences</b>						
(excluding motoring offences)	80.7	88.2	90.0	83.6	79.2	75.7
<b>All offences</b>						
(excluding summary motoring offences)	187.7	212.4	245.1	237.1	221.8	219.0
<b>Females</b>						
Indictable offences						
Violence against the person <sup>(1)</sup>	2.9	4.2	6.0	5.9	5.2	5.3
Sexual offences	0.1	0.1	0.1	0.1	0.0	0.0
Burglary <sup>(2)</sup>	0.9	1.2	1.3	1.0	0.9	0.8
Robbery	0.0	0.1	0.1	0.1	0.1	0.1
Theft and handling stolen goods <sup>(1)</sup>	27.1	32.6	47.5	40.9	33.6	30.1
Fraud and forgery	1.3	1.5	2.5	2.7	2.5	2.6
Criminal damage <sup>(1)</sup>	0.4	0.4	0.4	0.5	0.4	0.3
Drug offences	0.8	1.8	2.8	4.5	5.1	6.1
Other (excluding motoring offences) <sup>(2)</sup>	0.2	0.3	0.5	0.5	0.6	0.7
Motoring offences	*	*	*	*	*	*
<b>Total</b>	<b>33.7</b>	<b>42.1</b>	<b>61.1</b>	<b>56.2</b>	<b>48.2</b>	<b>46.0</b>
<b>Summary offences</b>						
(excluding motoring offences)	14.1	14.6	15.1	15.1	16.2	17.0
<b>All offences</b>						
(excluding summary motoring offences)	47.8	56.7	76.2	71.3	64.4	63.1

Notes:

(1) Other offenders, i.e. companies, public bodies, etc. are included with males.

(2) A number of indictable offences were re-classified as summary in October 1988 following the Criminal Justice Act 1988 and a new charging standard was introduced for assault in 1994.

## Chapter 4 Remand and mode of trial

### Decisions in court

Most of the figures below are derived from remand statistics (as reported in Chapter 8 of *Criminal Statistics* but without separate figures for females) which are of poor quality for magistrates' courts.

- Men are more likely than women to be remanded in custody during proceedings at magistrates' courts (5% of men compared with 2% of women). However, research has shown that taking into account offending history and type of offence, sex seems to have only a marginal effect on remand decisions.

- Men are more likely than women to be remanded in custody on committal to the Crown Court (34% of men compared with 16% of women).
- 31% of women remanded in custody at some stage receive a custodial sentence, compared with 46% of men.

### Remanded prisoners

- The female remand population averaged 600 in 1998 compared with 11,500 for men (see Tables 4.1 and 4.2).
- 24% of the total female prison population were on remand in June 1998.

Figure 4.1:

*Average population of remand prisoners in custody, by sex.*

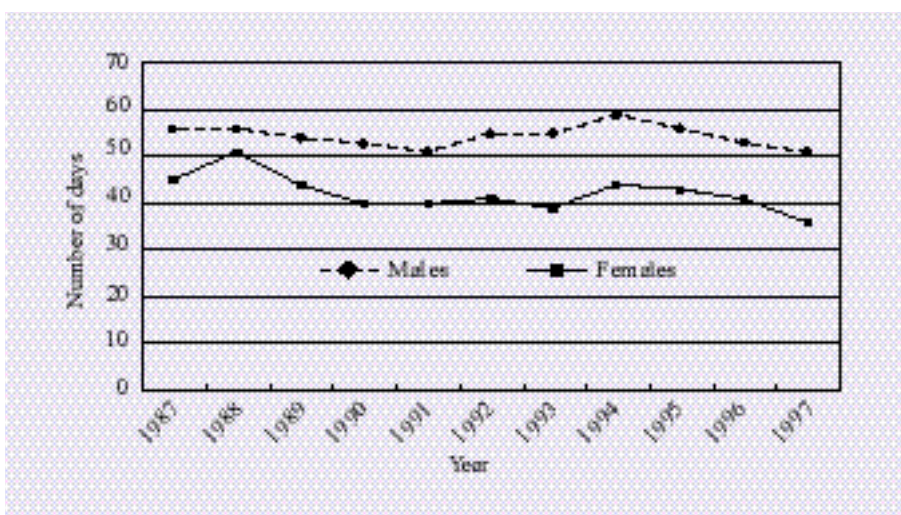
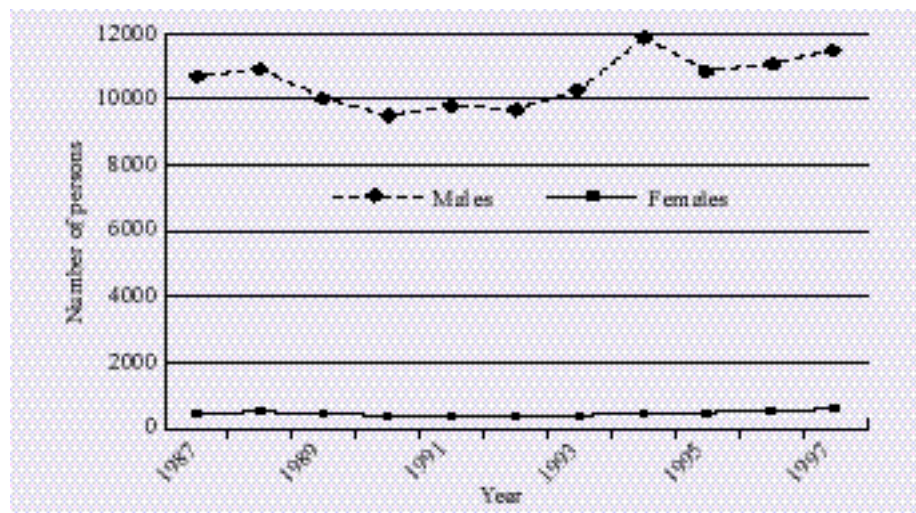


Figure 4.2:

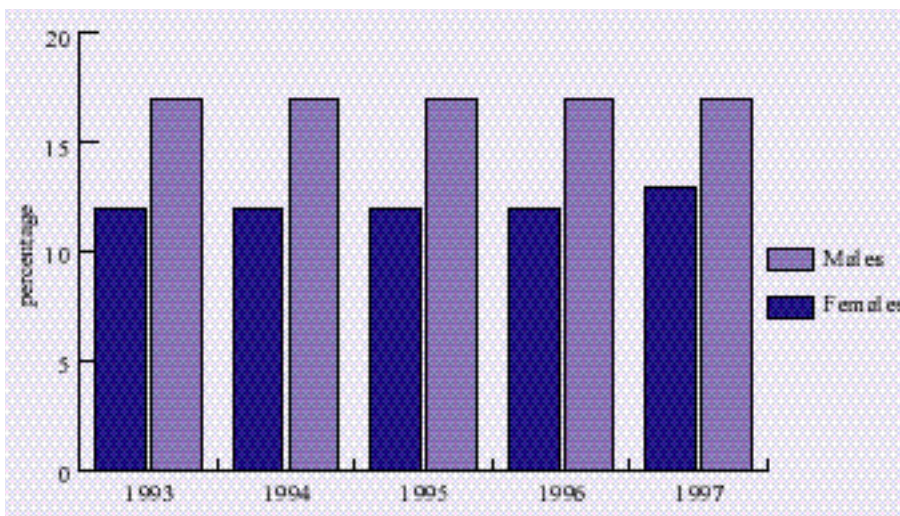
*Estimated average time spent in custody, untried prisoners*

## Section 95

- Nearly 4,000 female untried prisoners entered prison in 1997 and they spent 36 days on average in custody, compared with 51 days for men (see Table 4.1). 47% of remand receptions of women were for theft and fraud (see Table 4.3).
- 2,400 female convicted unsentenced prisoners entered prison in 1997 and they spent 30 days on average in custody, compared with 37 days for men (see Table 4.1).
- Of women received under a custodial sentence, 38% had previously been remanded in custody compared with 51% of men.

### *Mode of trial*

- In triable either way cases, women were less likely than men to be committed to the Crown Court for trial (13% of women aged 18 or more compared with 17% of men in 1997). This partly reflected differences in type of offence (see Table 4.4).



*Figure 4.3:*

*Persons aged 18 and over committed for trial at the Crown Court for triable either way offences*

*Table 4.1: Untried and convicted unsentenced prisoners in prison: average population, receptions and estimated average time spent in custody*

England and Wales

Type of prisoner	Number of persons (thousands)/days					
	1988	1990	1992	1994	1996	1997
<b>Males and females</b>						
<b>Untried prisoners</b>						
<b>Males</b>						
Average population	8.40	7.32	7.12	8.70	8.00	8.06
Receptions	55.01	50.43	47.50	54.16	55.55	58.09
Average number of days in custody <sup>(1)</sup>	56	53	55	59	53	51
<b>Females</b>						
Average population	0.40	0.30	0.26	0.35	0.37	0.40
Receptions	2.87	2.70	2.37	2.92	3.34	3.97
Average number of days in custody <sup>(1)(3)</sup>	51	40	41	44	41	36
<b>Convicted unsentenced prisoners</b>						
<b>Males</b>						
Average population	1.58	1.73	1.89	3.04	3.07	3.48
Receptions	16.22	19.23	20.05	32.75	32.99	33.99
Average number of days in custody <sup>(2)</sup>	36	33	34	34	34	37
<b>Females</b>						
Average population	0.08	0.08	0.10	0.14	0.17	0.20
Receptions	1.06	1.18	1.20	1.81	1.99	2.44
Average number of days in custody <sup>(2)(3)</sup>	27	26	32	28	31	30

Notes:

- (1) Time spent in Prison Service establishments before conviction, acquittal etc.
- (2) Time spent in Prison Service establishments after conviction.
- (3) Averages are subject to wide variation because of the small populations on which they are based.

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Table 4.2 Average population of remand prisoners in custody: by type of committal, age and sex

England and Wales

<b>Males and females</b>		Number of persons (thousands)/days				
Type of prisoner	1988	1990	1992	1994	1996	1997
<b>Males</b>						
<b>All untried prisoners</b>	<b>8.40</b>	<b>7.32</b>	<b>7.12</b>	<b>8.70</b>	<b>8.00</b>	<b>8.06</b>
Involved in proceedings at Magistrates' courts	4.45	3.97	3.34	4.13	4.46	4.50
Committed for trial to the Crown Court	3.94	3.33	3.77	4.54	3.51	3.52
Other untried prisoners	0.01	0.02	0.01	0.04	0.04	0.03
<b>Convicted unsentenced prisoners</b>	<b>1.58</b>	<b>1.73</b>	<b>1.89</b>	<b>3.04</b>	<b>3.07</b>	<b>3.48</b>
<b>All remand prisoners in Prison Service establishments</b>						
<b>All remand prisoners in Prison Service establishments</b>	<b>9.98</b>	<b>9.06</b>	<b>9.01</b>	<b>11.74</b>	<b>11.08</b>	<b>11.53</b>
Aged 14-20 <sup>(1)</sup>	3.20	2.82	2.49	2.92	2.85	2.88
Aged 21 and over	6.78	6.24	6.52	8.82	8.23	8.65
Remand prisoners in police cells <sup>(2)</sup>	0.96	0.46	0.70	0.13	-	-
<b>All in custody</b>	<b>10.93</b>	<b>9.52</b>	<b>9.71</b>	<b>11.87</b>	<b>11.08</b>	<b>11.53</b>
<b>Females</b>						
<b>All untried prisoners</b>	<b>0.40</b>	<b>0.30</b>	<b>0.26</b>	<b>0.35</b>	<b>0.37</b>	<b>0.40</b>
Involved in proceedings at Magistrates' courts	0.19	0.17	0.13	0.17	0.20	0.22
Committed for trial to the Crown Court	0.21	0.13	0.14	0.17	0.15	0.16
Other untried prisoners	-	-	0.00	0.01	0.02	0.01
<b>Convicted unsentenced prisoners</b>	<b>0.08</b>	<b>0.08</b>	<b>0.10</b>	<b>0.14</b>	<b>0.17</b>	<b>0.20</b>
<b>All remand prisoners in Prison Service establishments</b>						
<b>All remand prisoners in Prison Service establishments</b>	<b>0.48</b>	<b>0.38</b>	<b>0.37</b>	<b>0.49</b>	<b>0.54</b>	<b>0.60</b>
Aged 14-20 <sup>(1)</sup>	0.08	0.08	0.07	0.07	0.09	0.10
Aged 21 and over	0.40	0.31	0.30	0.42	0.45	0.50
Remand prisoners in police cells <sup>(2)</sup>	0.03	-	0.02	-	-	-
<b>All in custody</b>	<b>0.51</b>	<b>0.38</b>	<b>0.38</b>	<b>0.49</b>	<b>0.54</b>	<b>0.60</b>

Notes:

- (1) 14-year-olds have not been held in custody since October 1993.  
 (2) Estimated. Up to 1987 all prisoners in police cells are assumed to be remand prisoners.

Table 4.3 Receptions<sup>(1)</sup> of untried and convicted unsentenced prisoners in prison by offence and sex

England and Wales

**Males and females**

Number of persons (thousands)

Offence	1996			1997		
	Untried	Convicted unsentenced	Total	Untried	Convicted unsentenced	Total
<b>Males</b>						
<b>All offences</b>	<b>55.55</b>	<b>32.99</b>	<b>66.38</b>	<b>58.09</b>	<b>33.99</b>	<b>70.54</b>
Violence against the person	8.32	3.36	9.24	8.82	3.53	9.93
Sexual offences	2.16	0.81	2.38	2.44	0.77	2.68
Burglary	11.30	6.35	12.49	11.41	6.13	12.79
Robbery	3.79	1.75	3.99	3.46	1.49	3.69
Theft and handling	12.39	9.09	15.71	13.02	9.87	16.98
Fraud and forgery	1.18	0.60	1.43	1.29	0.66	1.56
Drug offences	4.13	1.92	4.61	4.65	2.04	5.29
Other offences	11.00	8.08	14.63	12.22	8.71	16.25
Offence not recorded	1.29	1.03	1.91	0.78	0.79	1.37
<b>Females</b>						
<b>All offences</b>	<b>3.56</b>	<b>2.03</b>	<b>4.22</b>	<b>3.97</b>	<b>2.44</b>	<b>5.12</b>
Violence against the person	0.39	0.16	0.44	0.50	0.22	0.59
Sexual offences	0.02	0.05	0.02	0.02	0.00	0.02
Burglary	0.02	0.10	0.24	0.26	0.11	0.28
Robbery	0.14	0.07	0.16	0.13	0.06	0.15
Theft and handling	1.23	0.93	1.71	1.51	1.24	2.16
Fraud and forgery	0.16	0.10	0.21	0.18	0.11	0.24
Drug offences	0.53	0.21	0.58	0.59	0.20	0.65
Other offences	0.57	0.34	0.72	0.66	0.41	0.86
Offence not recorded	0.09	0.07	0.15	0.11	0.09	0.17

Note:

(1) Total receptions cannot be calculated by adding together receptions in each category, because there is double counting.

Source: *Prison Statistics England and Wales, 1997, Table 2.9.*

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Table 4.4: Persons aged 18 and over proceeded against and committed for trial at the Crown Court for triable either way offences, by offence category<sup>(1)</sup> and sex

England and Wales				Number of persons (thousands)					
Offence group	Total number proceeded against			Committed for trial					
				Number			Percentage of those proceeded against		
	1994 <sup>(2)</sup>	1996	1997	1994 <sup>(2)</sup>	1996	1997	1994 <sup>(2)</sup>	1996	1997
<b>Males</b>									
Violence against the person <sup>(3)</sup>	57.6	41.7	47.1	10.5	8.8	10.5	18	21	22
Sexual offences	5.1	3.9	4.1	2.3	1.7	1.7	45	43	41
Burglary	41.7	33.4	32.4	13.1	10.6	11.9	31	32	37
Theft and handling stolen goods	118.5	105.2	106.3	15.6	11.1	10.4	13	11	10
Fraud and forgery	19.6	16.4	16.8	3.7	3.0	3.0	19	18	18
Criminal damage	11.9	11.4	12.3	1.7	1.4	1.5	14	12	12
Drug offences	29.6	33.9	40.4	7.2	8.9	9.9	24	26	25
Other (excluding motoring offences)	53.1	59.2	62.9	5.4	5.9	6.2	10	10	10
Motoring offences	14.8	12.0	11.0	1.6	1.5	1.5	11	13	13
<b>Total</b>	<b>351.9</b>	<b>317.4</b>	<b>333.3</b>	<b>61.2</b>	<b>53.0</b>	<b>56.7</b>	<b>17</b>	<b>17</b>	<b>17</b>
<b>Females</b>									
Violence against the person <sup>(3)</sup>	5.6	3.7	4.4	0.9	0.8	0.9	16	21	21
Sexual offences	0.1	0.1	0.1	0.0	0.0	0.0	(51) <sup>(4)</sup>	(48)	(59)
Burglary	1.5	1.3	1.4	0.4	0.4	0.5	26	28	32
Theft and handling stolen goods	26.4	23.5	24.7	2.4	1.8	1.7	9	8	7
Fraud and forgery	5.5	4.8	5.0	0.8	0.7	0.8	15	15	16
Criminal damage	0.9	0.9	1.0	0.1	0.1	0.1	13	11	12
Drug offences	3.4	4.5	5.4	1.0	1.5	1.8	31	33	33
Other (excluding motoring offences)	6.1	6.8	8.1	0.4	0.4	0.6	6	6	7
Motoring offences	0.8	0.7	0.8	0.0	0.1	0.1	5	7	7
<b>Total</b>	<b>50.2</b>	<b>46.1</b>	<b>51.1</b>	<b>6.1</b>	<b>5.7</b>	<b>6.5</b>	<b>12</b>	<b>12</b>	<b>13</b>
<b>Total persons</b>	<b>402.1</b>	<b>363.5</b>	<b>384.4</b>	<b>67.2</b>	<b>58.7</b>	<b>63.2</b>	<b>17</b>	<b>16</b>	<b>16</b>

Notes:

- (1) For persons aged 18 and over, offences of robbery are triable only on indictment.
- (2) Improvements in the data collection methods used by the Metropolitan Police have led to increases in the number proceeded against in 1993.
- (3) The proportion committed for trial increased in 1995, as a result of the charging standard for wounding/assault offences.
- (4) Percentages in brackets are based on totals of less than 100.

Source: *Criminal Statistics, England and Wales, 1997*

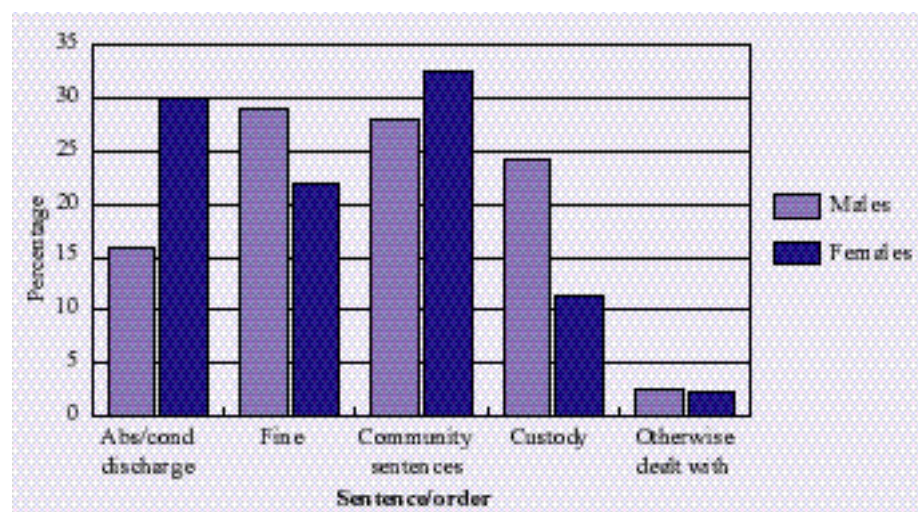
## Chapter 5 Sentencing

- For indictable offences as a whole, women are more likely than men to be discharged or given a probation or supervision order and are less likely to be fined or sentenced to custody. However, females aged between 10 and 17 are *less likely* to receive a community sentence than males of the same age.
- Custody rates for indictable offences are higher for men than for women at magistrates' courts and at the Crown Court (and across all ages). Women also receive shorter sentences on average (see Tables 5.2 and 5.3 for those aged 21 or over).
- These differences partly reflect the different types of offences committed by women. However, even within offence groups, the above tends to hold (although offence group is a crude control as the seriousness of offence can vary greatly within a group).
- In 1997, 5,500 women were sentenced to custody for indictable offences, 3,000 at magistrates' courts and 2,500 at the Crown Court (see table 5.1).
- The top seven offences for women sentenced to custody in 1997 were:
  - a) theft from shops (1,290 women sentenced to custody)
  - b) other fraud (370)
  - c) other wounding (340)
  - d) production, supply and possession with intent to supply a class A controlled drug (300)
  - e) summary motoring (300)
  - f) handling stolen goods (250)
  - g) burglary of all kinds (250).

Some of these offences have low custody rates (e.g. 9% for theft from shops) but the large volume of offences means that even a low custody rate delivers a large number to prison.
- The most thorough recent study of the sentencing of women - *Understanding the sentencing of women* (HORS 170) - examined the sentencing of 13,000 men and women for offences of shoplifting, violence and drugs. The study was restricted to those

Figure 5.1:

Type of sentence or order  
indictable offences by sex,  
1997.



aged 21 and over and related to sentences in 1991. After taking into account factors such as criminal and sentencing history, the study found that:

- Female shoplifters were less likely than comparable males to receive a prison sentence. They were more likely to be sentenced to a community penalty or discharged, suggesting a reluctance to fine women. The result is that some women end up with a less severe sentence, but others with a more severe sentence than a fine.
- Men and women were equally likely to receive a custodial sentence for a first violent offence. Among repeat offenders women were less likely to receive a custodial sentence.
- Female first offenders were less likely than males to receive a prison sentence for a drug offence. Repeat offenders were equally likely to go to prison.

*Sentencing and the prison population*

Figure 5.2 gives some indication of the reasons for the increasing prison population, comparing those sentenced in 1993 and 1997 at the Crown Court.

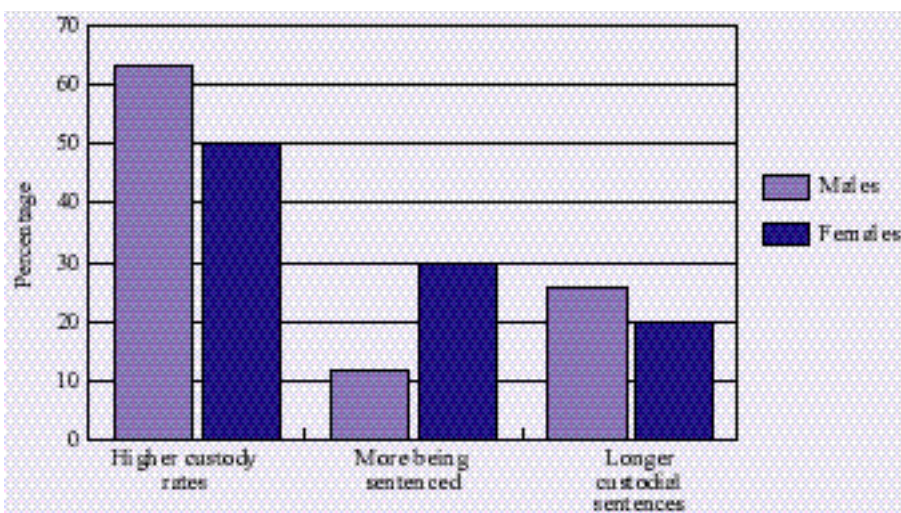
- Increased custody rates were the main reason for the rise.

- The numbers going through the courts are relatively more important in explaining the rise in the female prison population. In particular, the greater number of drug offenders appearing in court explained nearly 50% of the increase in the female prison population.
- Other offence groups contributing to the increase in the female prison population were: violence against the person (14% of the increase, partly numbers sentenced, partly custody rate); robbery (10%, mostly from more sentenced); and theft and handling stolen goods (10%, mainly reflecting a higher custody rate).

*Equality of sentencing options*

Differences in sentencing may reflect differences in provision. The HM Inspectorate of Probation report *A Review of Probation Service Provision for Women Offenders* (May 1996) found that:

- a minority of probation areas had strategies, action plans or practice guidelines to help ensure that women had equal access to community sentences
- a minority of areas provided women-only group work and community service tasks
- the needs of women were not a priority when developing local partnership arrangements to deal with misuse of drugs and alcohol, and the effect of unemployment



*Figure 5.2: Reasons for the increasing population between 1993 and 1997, by sex*

- there was not always full consideration of all the issues involved in preparing a Pre-sentence Report on women offenders. Lack of knowledge of child-care provisions meant that some women were excluded from consideration for a community sentence.
- provision of safe and secure accommodation – pre- and post-trial – was patchy.

Table 5.1: *Offenders<sup>(1)</sup> sentenced by sex, type of offence and type of sentence or order*

England and Wales 1997		Number of people (thousands)								
Sex and type of offence	Total number of offenders sentenced	Absolute or conditional discharge	Fine	Community sentence	Young offender institution	Imprisonment		S53, C&YP Act 1933	Otherwise dealt with	Total immediate custody
						Fully suspended	Un-suspended			
<b>Males</b>										
Indictable offences	276.8	44.8	78.9	76.6	16.9	2.2	49.4	0.7	7.2	66.3
Summary offences	890.9	57.4	755.9	44.6	4.3	0.6	17.0	*	11.2	21.3
All offences	1,167.7	102.2	834.7	121.2	21.2	2.7	66.4	0.7	18.4	87.6
<b>Females</b>										
Indictable offences	42.1	12.7	9.2	13.8	0.8	0.7	4.0	0.0	0.9	4.8
Summary offences	174.9	13.1	154.7	5.0	0.1	0.1	0.6	*	1.4	0.7
All offences	217.0	25.7	163.9	18.8	0.9	0.7	4.6	0.0	2.3	5.5

Note:

(1) Other offenders, i.e. companies, public bodies, etc. are included with males aged 21 and over.

Source: *Criminal Statistics England and Wales 1997*.

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*Table 5.2: Proportion of females aged 21 and over sentenced to immediate imprisonment<sup>(1)</sup> for indictable offences and average length of sentence given by offence group and type of court*

### England and Wales

Year	Total indictable offences	Violence against person <sup>(2)</sup>	Sexual offences	Burglary	Robbery	Theft handling stolen goods <sup>(2)</sup>	Fraud and forgery	Criminal damage <sup>(2)</sup>	Drug offences	Other (excluding motoring)	Motoring offences <sup>(2)</sup>
<b>Magistrates' court</b>											
Proportionate use of immediate imprisonment <sup>(1)</sup> (percentage)											
1988	2	3	-	6	*	2	3	6	1	2	2
1990	2	2	-	7	*	2	1	4	1	1	-
1992	2	2	-	6	*	2	2	5	1	2	-
1994	4	5	7	14	*	4	4	5	1	2	1
1996	6	7	-	14	*	7	5	5	2	3	1
1997	8	8	-	16	*	10	8	2	2	4	1
Average length of sentence for principal offences (months) <sup>(1)</sup>											
1988	2.5	2.6	-	3.2	*	2.4	2.9	3.0	2.9	1.2	2.1
1990	2.3	2.8	-	2.1	*	2.3	2.9	2.2	3.1	0.9	-
1992	2.2	2.6	-	2.7	*	2.2	2.7	1.7	3.4	1.0	-
1994	2.5	2.7	6.0	2.9	*	2.5	2.9	2.2	1.9	1.7	3.7
1996	2.3	2.8	-	3.5	*	2.2	2.7	1.7	2.1	1.4	4.3
1997	2.2	2.5	-	3.4	*	2.2	2.6	1.3	2.0	0.9	4.5
<b>Crown Court</b>											
Proportionate use of immediate imprisonment <sup>(1)</sup> (percentage)											
1988	27	29	(56)	32	74	21	26	14	50	28	(17) <sup>(4)</sup>
1990	22	18	(33)	28	65	17	19	22	40	20	(6)
1992	24	22	(41)	27	58	21	22	19	39	22	(22)
1994	30	27	(50)	42	72	26	26	20	42	24	(39)
1996	36	32	(64)	51	80	33	34	30	43	25	(24)
1997	36	33	(48)	51	(75)	32	31	22	46	26	(35)
Average length of sentence for principal offences <sup>(1)(3)</sup> (months)											
1988	17.1	19.5	36.6	14.4	23.2	9.0	12.2	27.4	31.9	11.3	4.5
1990	17.7	16.4	20.1	13.3	27.1	9.0	11.6	23.7	34.3	10.8	2.0
1992	17.7	21.2	16.9	13.1	26.8	8.7	11.3	25.0	37.8	9.2	6.7
1994	18.5	20.5	32.7	14.8	31.4	9.0	10.8	29.9	35.0	10.2	7.3
1996	20.0	23.6	15.3	16.4	29.9	9.9	11.1	33.9	32.1	12.1	7.6
1997	19.5	21.6	11.5	18.6	28.4	9.6	11.4	40.8	29.8	9.8	9.1

Notes:

- (1) Up to 30 September 1992, includes partly suspended sentences given for principal offences; the full length (i.e. the suspended and the unsuspended part) of such sentences is included.
- (2) Since October 1988, there have been a number of changes in the classification of offences as indictable (see paragraphs 49c and 49f of Appendix 1). In addition a charging standard for assault was introduced on 31 August 1994, which led to the increased use of the summary offence of common assault.
- (3) Excludes life sentences.
- (4) Based on less than 100 females sentenced.

*Table 5.3: Proportion of males aged 21 and over sentenced to immediate imprisonment<sup>(1)</sup> for indictable offences and the average length of sentence given by offence group and type of court*

England and Wales

Year	Total indictable offences	Violence against person <sup>(2)</sup>	Sexual offences	Burglary	Robbery	Theft handling stolen goods <sup>(2)</sup>	Fraud and forgery	Criminal damage <sup>(2)</sup>	Drug offences	Other (excluding motoring)	Motoring offences <sup>(2)</sup>
<b>Magistrates' court</b>											
Proportionate use of immediate imprisonment <sup>(1)</sup> (percentage)											
1988	7	5	5	16	*	6	6	6	2	4	10
1990	5	5	4	14	*	5	5	4	1	3	2
1992	5	5	5	14	*	5	5	4	2	3	3
1994	7	9	8	22	*	7	7	4	1	4	4
1996	11	13	12	28	*	12	13	6	3	6	5
1997	12	15	13	31	*	15	15	6	3	7	6
Average length of sentence for principal offences <sup>(1)</sup> (months)											
1988	2.9	3.0	3.6	3.5	*	2.5	2.8	2.2	2.4	1.8	3.4
1990	2.6	3.0	3.7	3.2	*	2.4	2.7	1.9	2.3	1.8	3.6
1992	2.7	3.0	3.8	3.3	*	2.3	2.8	1.9	2.1	1.9	3.8
1994	3.1	3.4	3.7	3.7	*	2.8	3.1	2.3	2.7	2.4	3.9
1996	2.7	3.2	3.7	3.5	*	2.4	2.8	2.0	2.3	2.0	3.7
1997	2.6	3.0	3.5	3.4	*	2.4	2.8	2.0	2.2	2.0	3.8
<b>Crown Court</b>											
Proportionate use of immediate imprisonment <sup>(1)</sup> (percentage)											
1988	51	47	71	63	90	40	45	38	62	52	46
1990	47	44	68	56	87	35	41	37	56	40	44
1992	47	46	66	55	88	34	40	34	55	41	51
1994	54	53	71	66	91	41	50	38	58	45	49
1996	63	62	75	78	94	53	55	48	66	52	55
1997	63	59	77	78	95	55	55	42	66	52	60
Average length of sentence for principal offences <sup>(1)(3)</sup> (months)											
1988	19.0	18.8	35.2	17.1	50.3	10.7	15.3	23.0	30.7	12.2	6.4
1990	20.5	19.2	37.3	16.4	47.6	10.3	15.6	23.5	31.6	11.7	8.2
1992	21.1	21.0	38.2	16.0	47.9	10.5	15.9	22.7	31.0	12.6	8.7
1994	21.6	22.5	38.7	16.8	50.1	10.9	15.2	28.3	30.3	12.2	8.6
1996	23.6	24.7	38.8	20.3	52.5	11.9	16.0	30.0	32.0	12.9	9.3
1997	24.2	23.7	39.7	22.4	53.6	12.8	15.4	34.2	33.2	13.2	9.5

Notes:

- (1) Up to 30 September 1992, includes partly suspended sentences given for principal offences; the full length (i.e. the suspended and the unsuspended part) of such sentences is included
- (2) Since October 1988, there have been a number of changes in the classification of offences as indictable. In addition a charging standard for assault was introduced on 31 August 1994, which led to the increased use of the summary offence of common assault.
- (3) Excludes life sentences.



## Chapter 6

### Community penalties

- At the end of 1997, 21,300 women were either on probation, being supervised by the probation service under criminal court orders or receiving pre- or post-release supervision. They accounted for 12% of all such persons supervised. This proportion increased slightly with age and was highest for offenders in their 30s (13%).
- Nearly a third (31%) of women starting probation orders in 1997 had no previous convictions compared with a sixth of men (16%). Women starting probation orders were also less likely to have served a custodial sentence for a previous offence - 17% against 42% for men.
- Similarly 53% of women compared with 33% of men had no previous convictions at the time they started a community service order. In their case too, they were less likely than men to have experienced custody as a result of a previous offence (9% compared with 23%).
- There was a similar pattern for combination orders: 36% of women compared with 17% of men had no previous convictions at the time they started a combination order. In this case too they were less likely to have experienced custody as a result of a previous offence (16% compared with 39%).
- These differences stem from the different pattern of sentencing of women, which was discussed in Chapter 5. (See also various research reports, such as HORS 170 and 180, Research Findings 58 and the 1996 HM Inspectorate of Probation report on provision for women offenders.)



## Chapter 7

### Women in custody

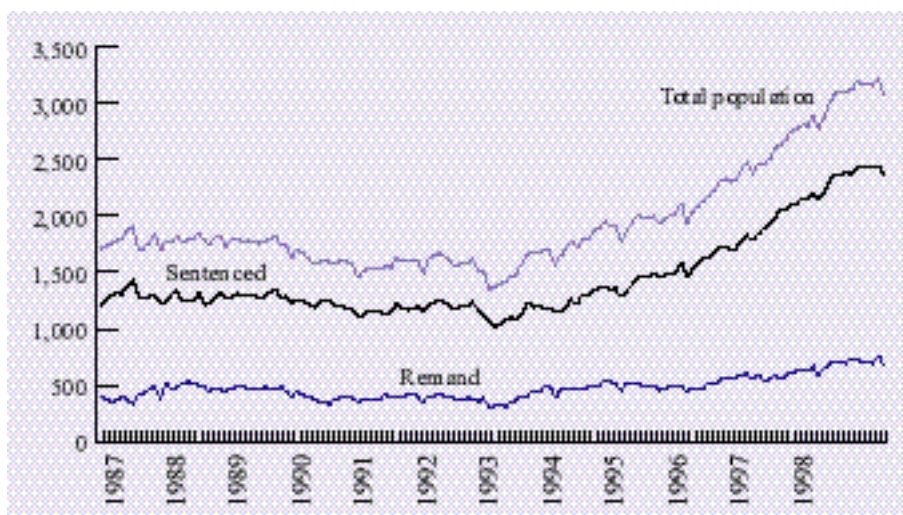


Figure 7.1:  
Number of female  
prisoners, 1987-1998

#### Population (see Table 7.1)

- Women are a small but increasing part of the total prison population. In 1993, women comprised 3.5% of the prison population, rising to 3.9% in 1995, 4.4% in 1997 and 4.8% in 1998.
- The number of women in prison has risen in most months since the beginning of 1993, apart from the usual seasonal falls in December of each year. The annual average population increased from 1,560 in 1993 to 3,110 in 1998.
- Between 1993 and 1998, the average population of women in prison increased by nearly 100% while the average population of men in prison increased by 45%.
- 76% of the total female prison population were under sentence in June 1998.
- There were 450 young female offenders (aged under 21) in the population at the end of June 1998, 24% more than in June 1997.

#### Receptions of sentenced prisoners (see Table 7.2) (Data on 1998 receptions is provisional).

- 5,900 women were received as sentenced prisoners during 1998, 7% of all those sentenced to prison.

- The most common offence category for which women are received into prison is theft and handling. 38% of sentenced receptions of women in 1998 were for this offence category, followed by drug offences (15% of receptions) and violence against the person (13%).
- In 1998, greater proportions of women than men were received under sentence for the offences of theft and handling, fraud and forgery, and drug offences while greater proportions of men than women were received under sentence for violence against the person, sexual offences, burglary and motoring offences.

#### Sentenced female population

- Due to differences in sentence length, the pattern of offences in the population of women in prison differs from receptions. At the end of June 1998, the main offence groups were drug offences (35%), violence against the person (19%) and theft and handling (17%).
- 326 female fine defaulters were received in prison in 1998.

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- Because of the short time served on average by fine defaulters (about a week), the average number of female fine defaulters held during 1998 was just four.
- The number of women sent to prison for fine default has declined substantially in recent years from 1,370 in 1995 to 461 in 1996 and 372 in 1997.

### Sentence lengths

- Most women coming into prison have received sentences of no more than a year. The sentences of women received into prison during 1998 were:
  - Up to and including 4 months – 41%
  - Over 4 months to 6 months – 14%
  - Over 6 months up to 1 year – 20%

- Over 1 year up to 3 years – 17%
- 3 years or over – 8%
- Women in custody tend to be serving shorter sentences than men. (See Figure 17)
- At the end of June 1998, 3.5% of lifer prisoners were women. Of these 137 females, five were young offenders (aged under 21).

### Ethnic minorities

- On 30 June 1998, ethnic minority groups made up 24% of the female prison population compared to 18% of the male prison population. Black prisoners comprised 18% of the female prison population compared with 12% of the male prison population. 15% of female prisoners were foreign nationals compared with 8% of men.

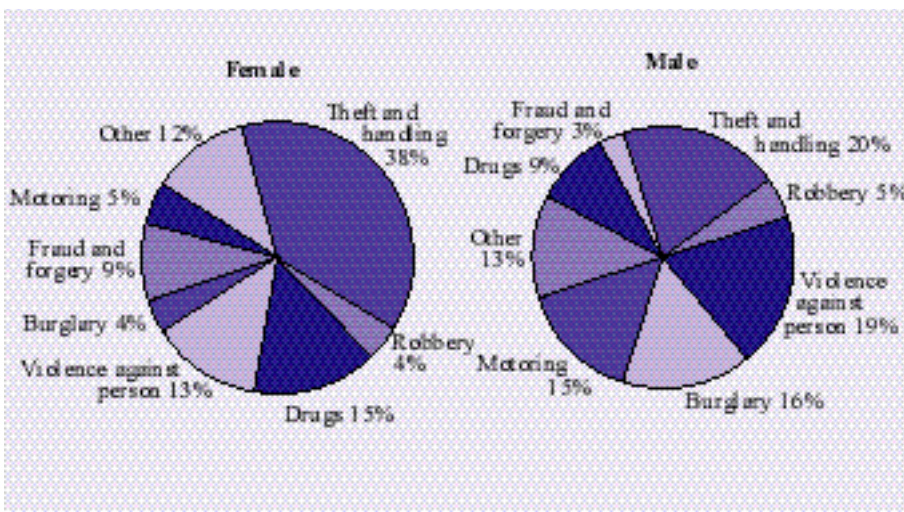
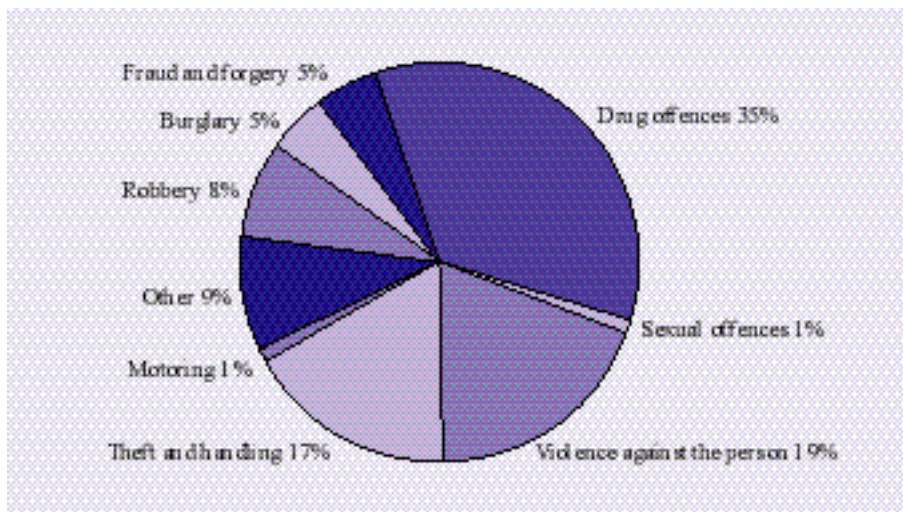


Figure 7.2<sup>(4)</sup>:

Female and male receptions under sentence, 1998

Figure 7.3:

Sentenced female prison population, 30 June 1998



<sup>4</sup> The proportion of males under sentence for sexual offences (3%) is included in the segment for violence against the person. In addition, the proportion of females received for violence against the person includes 19 females received for sexual offences.

- When comparing the ethnic composition of the prison population with the ethnic composition of the general population, it is more appropriate to compare only prisoners who are normally resident in the United Kingdom with the general population.<sup>5</sup> Using British nationality as a proxy for this, and limiting the comparison to the general population aged between 15 and 54, research has shown that in 1997 there were proportionately more black and 'Chinese and other' women and proportionately fewer South Asian women in prison than in the general population.
- In June 1997, the proportion of black sentenced women in prison for drug offences (63%) was almost double the proportion of all sentenced female prisoners in prison for

drug offences (33%). Excluding foreign nationals, the proportion of black women serving sentences for drug offences was still considerably higher than that of white women and black men. (see Figure 18)

- In June 1997, more than two-thirds (69%) of sentenced female prisoners who were foreign nationals were held for drug offences. Many of these were arrested at ports and other locations and convicted of importing drugs.

*Non-criminal prisoners*

- During 1998, 110 women were received into prison for non-criminal offences, such as detention under the 1971 Immigration Act, contempt of court and non-payment of council tax.

Figure 7.4:

*Sentence lengths of the adult sentenced population, June 1998*

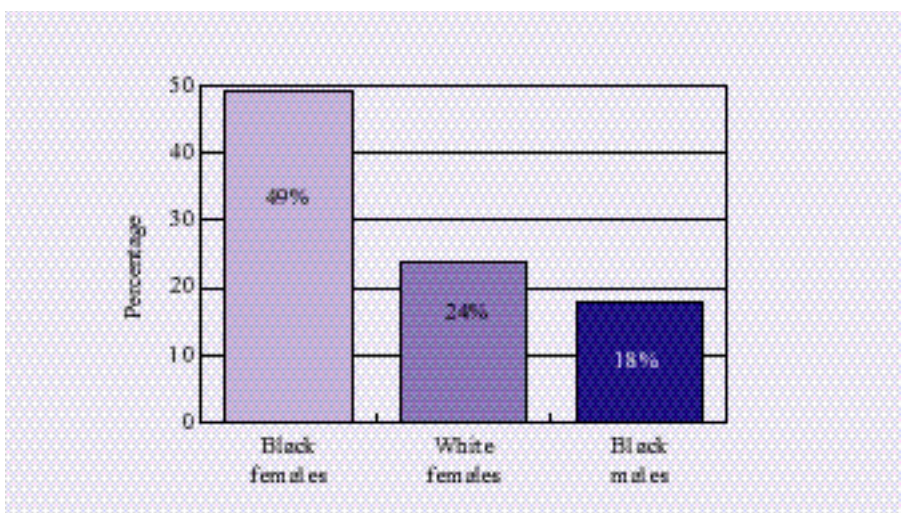
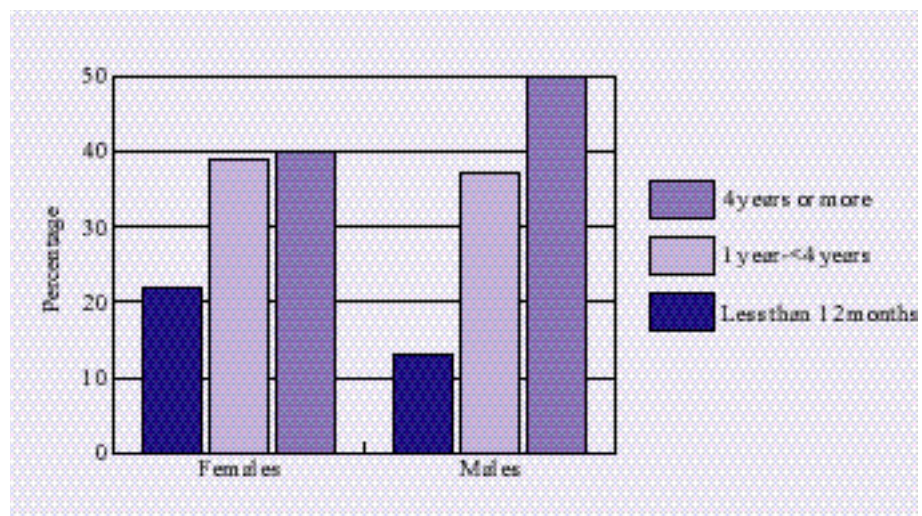


Figure 7.5:

*Sentenced population of British Nationals for drug offences, June 1997*

5 Figures might, for example, be distorted by relatively large numbers of third world females serving sentences for drug importation.

- The average female non-criminal population during 1998 was 20 compared with 25 in 1997.

### Age of women in custody

- Around 70% of women in custody in 1998 were aged between 21 and 39 years. Compared with the age distribution of males in prison, there are proportionately fewer females in the youngest and oldest age groups.

### Juveniles

- Compared with males, there are proportionately fewer juvenile females in prison.
- There were 303 receptions of sentenced females aged 15 to 17 in 1998.
- 116 female juveniles were received with sentences of up to and including three months, 95 with sentences over three months and up to and including six months, 32 with sentences of over six months but less than 12 months and 60 with sentences of a year or more (including those sentenced under section 53 of the Children and Young Persons Act 1933).
- The main offences were violence, theft and handling and robbery and these three categories accounted for two-thirds of all female juvenile receptions in 1998.

### Family circumstances

- A survey in late 1996 of 234 female prisoners for the Chief Inspector of Prisons' Thematic Review of Women in Prison found 66% of female prisoners were mothers. This compares with 61% of female prisoners who were mothers with children under 18 or were pregnant in a 1994 survey of imprisoned women and mothers. Findings from The Chief Inspector's survey were as follows:
  - 55% of female prisoners had at least one child under 16. Estimates based on the survey results suggest that on average 4,500 children under 16 had a mother in prison during 1998.
  - Over a third of the mothers had one or more children under five years old.
  - A quarter of the mothers said their children were being cared for by the children's father or a spouse or partner, compared with 92% of fathers in the 1991 National Prison Survey who said their children were being cared for by the children's mother or a spouse or partner.
  - The carers of the children of mothers in prison tended to be grandmothers (27%) or other family or friends (29%), but 11% of mothers in prison had one or more children in care, fostered or adopted. Worries about contact with

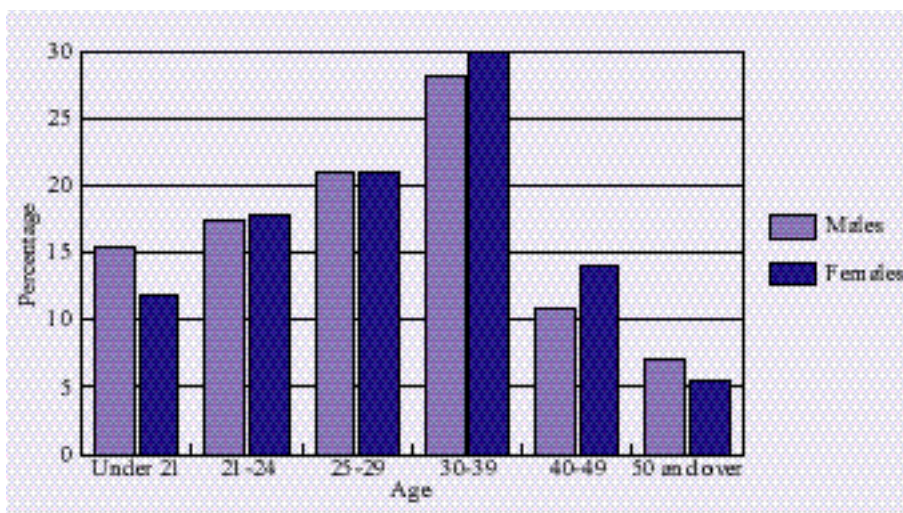


Figure 7.6:

*Ages of sentenced prisoners, June 1998*

children/family and concern about family well-being were the main worries of women in prison.

#### *Drug abuse*

- A survey of psychiatric morbidity among prisoners, carried out by the Office for National Statistics in 1997, found a large proportion of prisoners in all sample groups reported a measure of dependence on drugs in the year before prison – ranging from 41% of female and 43% of male sentenced prisoners to 54% of female and 51% of male remand prisoners.
- A larger proportion of women than men were dependent on opiates (i.e. heroin and non-prescribed methadone). Opiate dependence in the year before coming to prison, either alone or together with dependence on stimulants, was reported by 41% of the women in the remand group and 23% of those in the sentenced group, compared with 26% of the male remand and 18% of the male sentenced group.
- In 1997/98, 16.9% of mandatory drug tests carried out in female prisons were positive compared with 21.8% in adult male prisons.

#### *Regimes*

A 1997/8 comparison of regimes in female prisons with all prisons indicated that female prisons provide:

- slightly higher average hours on purposeful activity per week (25.4 hours compared with 23.1 for all prisons).
- longer time out of cell (14.5 hours on weekdays and 13.9 hours a day at weekends compared with 11 and 9.9 hours respectively).
- few accredited offending behaviour programmes (only 2% of completions in 1997/98 took place in female prisons).

- more average hours of education and skills training (5.6 hours a week compared with 4.1 hours for all prisons).
- In 1997, temporary releases for all female prisoners were 21% less than in 1993 despite a 53% increase in releases overall. This reflects reductions in compassionate and family visits whilst releases for working outside and reparations have risen.

#### *Offences and punishments in prisons*

- Women have a higher rate of offending against prison discipline compared with men (in 1997 there were 244 offences per 100 female prisoners compared with 174 per 100 male prisoners).
- Female prisoners are more likely to receive forfeiture of privileges, stoppage or reduction of earnings or cautions as a punishment than are men, although for both groups additional days are the main punishment.

#### *Self harm/suicide*

- Female prisoners are known from past research to be at higher risk of self-harm. In the survey carried out in 1996 for the Chief Inspector's Thematic Review of Women in Prison, over 40% of the women said they had harmed themselves intentionally and/or attempted suicide. However the actual rate of suicides amongst female prisoners is little different from men. In 1997 there were three suicides of women in prison, a rate per 1,000 prisoners of 1.12 compared with a rate of 1.15 for men.

#### *Living arrangements*

- The 1994 Home Office Research Study on Imprisoned Women and Mothers found a third (34%) of mothers were single parents before prison, with the proportion rising to 43% for those who expected to be single parents on release.

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- The same study found that 63% of the women lived in rented accommodation before release, 18% were owners and 4% had been in temporary accommodation or living on the streets. Only 55% expected to return to the same accommodation and there was an increase to 14% for those saying they expected to be in temporary accommodation or homeless on release.

*Table 7.1: Average population in custody by type of custody and sex, 1988 - 1998*

England and Wales		Number of prisoners (thousands)						
Males and females		1988	1990	1992	1994	1996	1997	1998
<b>All males</b>								
<b>Population in custody of which:</b>		<b>48.2</b>	<b>44.0</b>	<b>44.2</b>	<b>47.0</b>	<b>53.0</b>	<b>58.4</b>	<b>62.2</b>
Prisoners on remand		10.9	9.5	9.7	11.9	11.1	11.5	11.9
Prisoners under sentence		37.0	34.3	34.2	34.5	41.3	46.4	49.8
Young offenders		8.2	6.1	5.3	5.2	6.5	7.6	8.2
Adults		28.9	28.2	28.9	29.3	34.9	38.8	41.6
Non-criminal prisoners		0.2	0.2	0.3	0.6	0.6	0.5	0.5
<b>All females</b>								
<b>Population in custody of which:</b>		<b>1.8</b>	<b>1.6</b>	<b>1.6</b>	<b>1.8</b>	<b>2.3</b>	<b>2.7</b>	<b>3.1</b>
Prisoners on remand		0.5	0.4	0.4	0.5	0.5	0.6	0.7
Prisoners under sentence		1.3	1.2	1.2	1.3	1.7	2.1	2.4
Young offenders		0.2	0.1	0.1	0.2	0.2	0.3	0.3
Adults		1.1	1.0	1.0	1.1	1.5	1.8	2.0
Non-criminal prisoners		-	-	-	-	-	-	-

- = nil or negligible

*Table 7.2: Receptions<sup>(1)</sup> into prison under an immediate custodial sentence: by age and sex<sup>(p)</sup>, 1988 - 1998*

England and Wales		Number of prisoners (thousands)						
Males and females		1988 <sup>(2)</sup>	1990 <sup>(2)</sup>	1992 <sup>(2)</sup>	1994	1996	1997	1998 <sup>(p)</sup>
<b>Males</b>								
<b>Total</b>		<b>62.2</b>	<b>82.4</b>	<b>47.8</b>	<b>88.3</b>	<b>70.3</b>	<b>76.0</b>	<b>79.7</b>
Adults		41.2	34.7	35.0	43.8	53.4	58.1	62.0
<b>Young Offenders</b>								
15-17		6.9	37.4	3.4	34.0	5.1	5.4	5.3
18-20		14.1	10.3	9.4	10.5	11.8	12.5	12.4
<b>Females</b>								
<b>Total</b>		<b>2.8</b>	<b>2.1</b>	<b>2.2</b>	<b>3.0</b>	<b>4.0</b>	<b>4.8</b>	<b>5.9</b>
Adults		2.2	1.7	1.8	2.4	3.3	4.0	4.8
<b>Young Offenders</b>								
15-17		0.2	0.1	0.1	0.1	0.2	0.3	0.3
18-20		0.4	0.3	0.3	0.4	0.5	0.6	0.8

Notes

- (1) Excludes fine defaulters.  
 (2) Includes 14-year-old males.  
 (p) Provisional data.

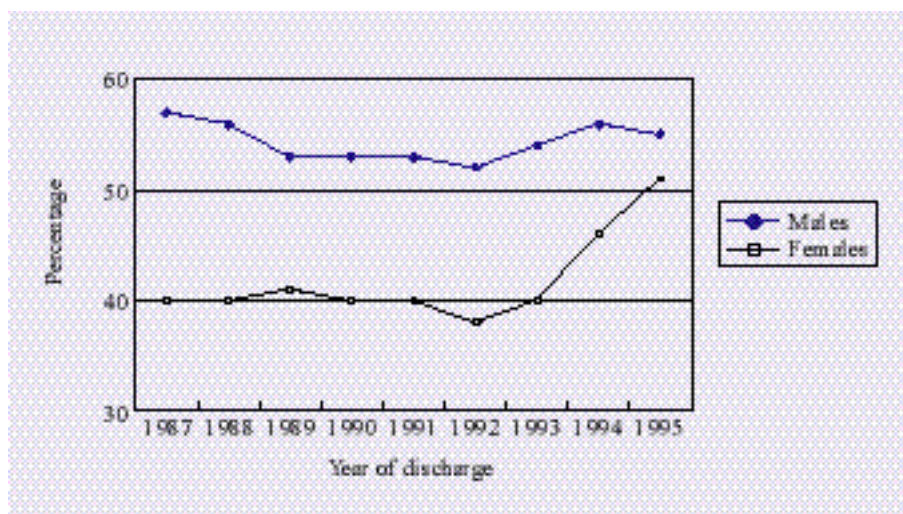
## Chapter 8

### Reconvictions

- Fifty-six per cent of all prisoners discharged in 1995 were reconvicted for a standard list offence<sup>6</sup> within two years. The rates for the main groups were:
  - 50% for adult men
  - 75% for male young offenders
  - 46% for women.
- The reconviction rate varied according to the length of the sentence. Women sentenced to between one and four years had a reconviction rate of 33% within two years, compared with 51% for men. For those sentenced to up to 12 months women had a reconviction rate of 51%, compared to 60% for men.
- Subsequent conviction rates for men and women *cautioned* in 1994 were 21% for men and 10% for women.
- The rate of reconviction within a two-year period for female offenders commencing community penalties in 1994 was 45% compared with 55% for men.
- In the same year, the reconviction rate for probation orders was 46% (61% for men), for community service was 40% (49% for men) and for combination orders was 47% (61% for men).

Figure 8.1:

*Prisoners reconvicted within two years<sup>(7)</sup>*



6 Offences listed in Criminal Statistics publications which are mainly indictable either way offences, but include some summary offences as well  
7 1995 figures in this chart are provisional for the first quarter of the year.

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*Table: 8.1: Males and females reconvicted<sup>(1)</sup>, by age at discharge from custody or commencement of a community penalty and number of previous court appearances, within two years of discharge or commencement during 1994*

England and Wales	Number of previous convictions <sup>(2)</sup>					Percentages
	None	1 or 2	3-6	7-10	11 or more	Total
<b>All males</b>						
Probation	29	50	63	70	78	61
Community service	29	44	55	63	75	49
Combination order	36	55	63	71	78	61
All community penalties	30	48	60	67	77	55
Immediate custody	18	41	59	68	74	57
<b>All females</b>						
Probation	23	44	54	76	75	46
Community service	16	46	57	67	95	40
Combination order	25	45	60	83	63	47
All community penalties	21	45	55	75	79	45
Immediate custody	11	33	61	74	82	46

Notes:

- (1) The number reconvicted includes only those reconvicted for standard list offence.
- (2) Appearances at court that led to a conviction for standard list offences before the commencement or discharge date, excluding the last conviction before commencement or discharge if no conviction is recorded on the day of commencement or discharge date - this would normally be the number of previous convictions prior to the sentencing date.

## Chapter 9

### Victims of crime

The material on violent crime presented in this section is drawn from the 1998 British Crime Survey (reported in Home Office Statistical Bulletin 21/98) – a household survey of nearly 15,000 adults.

Violent crime (includes domestic violence, mugging and other violence by strangers or acquaintances) (see Tables 9.1 and 9.2)

- 6.1% of adult men and 3.6% of adult women had been the victim of at least one violent crime in 1997. The risks were greater for men and women aged less than 25.
- Men are the most frequent victims of stranger violence and acquaintance violence. Muggings are more evenly split between the sexes, though men remain at higher risk.
- Over 40% of violent incidents against women were domestic. Repeat victimisation was particularly common for domestic violence.

The 1996 British Crime Survey included a new computerised self-completion questionnaire designed to give the most reliable findings to date on the extent of domestic violence in England and Wales. The self-completion

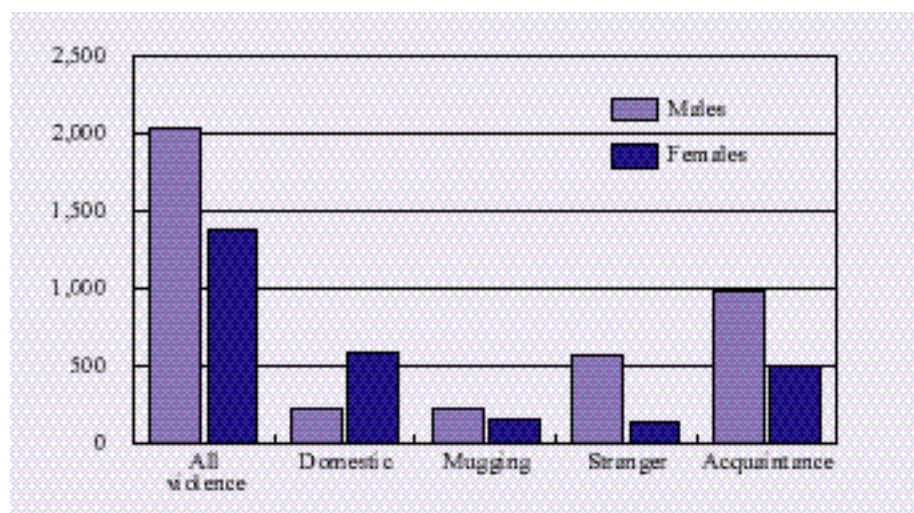
questionnaire increased respondents' willingness to report incidents by maximising anonymity and confidentiality. It also encouraged the reporting of incidents which victims did not define as 'crimes'. The questionnaire covered physical assaults and frightening threats by current and former partners against men and women aged 16 to 59.

The main findings from *Domestic Violence: Findings from a new British Crime Survey self-completion questionnaire*, HORS 191 were:

- 4.2% of women and 4.2% of men said they had been physically attacked by a current or former partner in the last year. 4.9% of men and 5.9% of women had experienced physical assault and/or frightening threats. These levels are considerably higher than the figures from other British Crime Survey sources
- Women were twice as likely as men to be injured by a partner in the last year, and three times as likely to have suffered frightening threats. They were also more likely to have been assaulted three or more times. Women tended to be more upset by the experience, considerably more frightened and more likely to seek medical help.

Figure 9.1:

*Number of violent crimes against males and females in 1997*



- 23% of women and 15% of men aged 16 to 59 said a current or former partner had physically assaulted them at some time in their lives. These figures increased to 26% and 17% respectively when frightening threats were included.
- At greatest risk of domestic assault were under-25s and those in financial difficulties. For women, risks were particularly high for those separated from a spouse.

Further information on the victims of violent crime recorded by the police between 1990 and 1994 was collected from police forces and published in *Victims of violent crime recorded by the police*, HOSF 1/96. Up to 28 forces provided information on the age and sex of the victim, the relationship of victim to suspect and the location of the offence.

*Violence against the person* (includes murder, manslaughter, wounding and other acts endangering life but excludes common assault)

- Just over a third of victims were female and the majority of victims were aged between 16 and 39.
- Just under half of the offences against women took place at the home of the victim or suspect.

### Robbery

- Just over 40% of victims were female.

### Indecent assault (including buggery)

- Female victims of indecent assault tended to be older than male victims.
- Thirty-seven per cent of female victims were known to have been assaulted by a stranger compared with 27% of male victims.
- About half of female victims of indecent assault were aged under 16 compared with 70% of male victims.

### Homicide (information from the Home Office's Homicide Index)

- There were 224 female homicide victims in 1997 (35% of all homicide victims).
- Women were more likely to be strangled or asphyxiated than men (25% compared with 3%). More men were killed with a sharp instrument (32% compared with 30% of women).
- The main suspect was known to more than half of male victims (54%) and 79% of female victims. 47% of women were killed by current or former partners or lovers compared with only 8% of men.

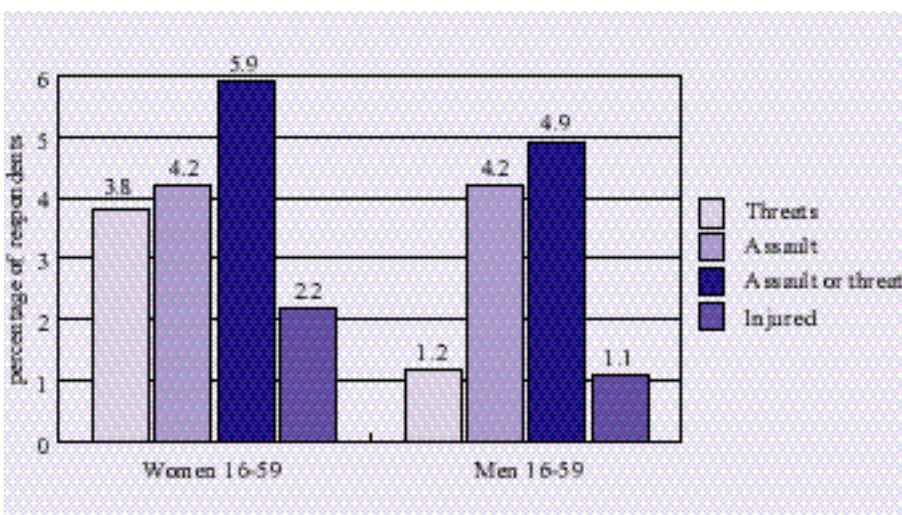


Figure 9.2:

*Prevalence of domestic violence in the last year*

*Rape (information from Criminal Statistics)*

- The police recorded 6,281 offences of rape (of a female) in 1997. There were also 347 offences of male rape.
- The police cleared up 79% of female rapes and 80% of male rapes.

A Home Office study looking at the processing of rape cases based on 1996 data found that:

- Nearly 90% of rapes were committed by someone known to the victim. Over half were committed at the home of the victim or suspect. 23% of women and 15% of men aged 16 to 59 said a current or former partner had physically assaulted them at some time in their lives. These figures increased to 26% and 17% respectively when frightening threats were included.
- Just over a quarter of complainants were less than 16 years old. Those under the age of 12 were the most likely of all ages to report having been raped by someone they knew well (e.g. a parental figure) whilst those between 13 and 15 were more likely to report rape by an acquaintance.

- 25% of cases were no-crimes.
- 11% were undetected.
- In 31% of cases the police decided to take no further action against a suspect (i.e. the cases were NFA-ed).
- 8% of cases were discontinued by the CPS, 25% of all those passed by the police to the CPS for prosecution.
- Cases where the alleged complainant was under 16 at the time of the attack were most likely to proceed to court and the most likely to result in a conviction.
- 26% of crimes cases reached the Crown Court<sup>8</sup>.
- Just 9% of suspects were convicted of rape or attempted rape.

*Table 9.1: Proportion of adults victims of violence, by personal characteristics, 1997*

England and Wales	Percentages				
	All violence	Domestic	Acquaintance	Stranger	Mugging
	% victims once or more				
Males	6.1	0.6	2.8	2.2	1.0
16-24	20.9	1.6	12.2	5.6	3.7
25-44	7.0	0.6	2.6	3.3	0.9
45-64	3.0	0.5	1.3	0.8	0.8
65-74	0.2	0.0	0.0	0.1	0.1
75+	1.0	0.1	0.0	0.6	0.2
Females	3.6	1.1	1.4	0.6	0.6
16-24	8.8	2.3	4.8	1.4	0.8
25-44	4.6	1.9	1.5	0.8	0.7
45-64	2.0	0.3	0.8	0.3	0.7
65-74	0.8	0.2	0.1	0.0	0.5
75+	0.2	0.0	0.1	0.0	0.1

<sup>8</sup> One defendant was convicted and sentenced at magistrates' court for unlawful sexual intercourse.

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Table 9.2: Number of violent incidents against males and females in 1997

England and Wales	Number of incidents in 000's		
	All	Males	Females
All violence	3,381	2,043	1,382
Domestic	835	234	582
Mugging	390	232	164
Stranger	681	568	139
Acquaintance	1,462	992	499

Notes:

1 Source 1998 BCS.

2 All BCS violence includes common assault, wounding, robbery and snatch theft. The typology of violence does not add to the total because not all violent incidents can be categorised into the typology due to missing information.

3 Because of the differing proportions of males and females in the sample to the population, the number of incidents against males and females do not add to totals. Survey rates are grossed up to population estimates.

Source 1998 BCS

## Chapter 10

## Female practitioners in the criminal justice system

*Police Service*

- On 30 September 1998, 19,807 (16%) out of 125,847 police officers were women. Of the 28,175 officers on ordinary duty above the rank of Police Constable, 1,955 (7%) were women. eight of the 151 Assistant Chief Constables and two of the 51 Chief Constables were women.

*Probation Service*

- On 31 December 1998, 3,940 (55%) out of the 7,208 probation officers were women. Of the 1,331 staff above the main grade, 536 (40%) were women.

*Crown Prosecution Service*

- On 1 April 1999, there were 2,109 lawyers and 4,026 administrators in post, of whom 1,002 lawyers (48%) and administrators (74%) were women. Of all the lawyers with senior management responsibilities 103 (28%) were women and of the administrators 14 (26%).

*Judiciary*

- On 1 April 1999, 36 (6%) of the 560 Circuit Judges, 79 (9%) of the 878 Recorders, and 67 (17%) of the 398 Assistant Recorders were women. On 1 January 1999, 14,699 (49%) of the 30,260 Lay Magistrates were women.

*Magistrates' courts*

10.5 On 31 March 1998, 7,526 (70%) of the 10,794 staff in magistrates' courts were women. This figure included four (11%) of the 35 Justices' Chief Executives, 29 (23%) of the 127 justices' clerks and 913 (55%) of the 1,657 court clerks.

*Crown Court*

- In March 1999, 774 (68%) of the 1,139 staff in the Crown Court were women.

Sixty-six (52%) of the 126 senior management staff were women. (These figures do not include staff who were employed at combined Crown and County Court sites and who deal with both criminal and civil cases.

*Legal Profession*

- In October 1998, 72 (7%) of Queens Counsel (QCs) in independent practice out of a total of 1,006 were women. In 1998, 46 applicants to become QCs were women of whom 10 were appointed (in total there were 511 applicants of whom 60 were appointed).
- In September 1998, 2,792 (26%) of the 10,614 people on the Bar (including barristers in independent practice, squatters and pupils) were women.
- In April 1998, 33,858 (35%) of the 95,521 solicitors on the Roll in England and Wales, and 25,439 (34%) of the 75,072 with practising certificates were women. 19,222 (32%) of the 60,818 solicitors in private practice were women.

*Prison Service*

- On 31 March 1999, 10,495 (26%) out of 39,817 non-industrial staff were women. 3,339 (14%) out of 23,795 Prison Officers and 135 (13%) of the 1,051 Governor grades were women.

*Parole Board*

- In 1997/98, there were 97 Parole Board members of whom 33 (34%) were women.

*Boards of Visitors*

- On 22 April 1999, there were 1,725 Boards of Visitors members of whom 795 (46%) were women.

### *Home Office staff*

10.12 On 31 March 1999, 5,563 (52%) out of 10,729 staff (including all devolved areas and agencies except the Prison Service) were women. Two hundred and nine (26%) of the 801 people in senior management grades were women

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## Section 95

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A series of publications are available for Scotland under section 306 of the Criminal Procedure (Scotland) Act 1995:

Gender, Race and the Scottish Criminal Justice System, 1995

Costs and the Scottish Criminal Justice System, 1996

Copies of these publications are available from:

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