

**Section 95**

**Section 95**

**Statistics on Women  
and the  
Criminal Justice System**

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

**2002**

**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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## Summary

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

### Demographic background

- By 2006, there are expected to be around 1.8% more females aged 10-59 in the population than in 2001. The number in the 10-14 age group is predicted to fall by 3.0% during this period whilst those between 15 and 17 are expected to increase by 6.1% and 18-20 year olds by 9.6%.

### Offending

- According to a self-report study, women were less likely than men to have offended in the last year (11% compared with 26%)
- Women 'grow out of crime' – they are most likely to desist from offending in their late teens
- The peak age of reported offending for girls was 14. (The peak age of known offending for girls was 15, compared to 18 for men)
- Criminal statistics show that, in 2001, only 19% of known offenders were women
- Theft and handling is the most common indictable offence for women accounting for 60% of female offenders in 2001
- Female arrestees identified as having drug problems are more likely than men to have received drug treatment, spend more money on drugs, report recent use of more harmful drugs and are more often referred to a specialist drug treatment service.

### Arrests and police disposals

- 16% of those arrested for notifiable offences are women but the proportion is higher for fraud and forgery (27%) and theft and handling (22%)

- Research suggests that following arrest, women are more likely than men to be cautioned and are less likely to have their cases classified as 'No Further Action' or be charged. This partly reflects the fact that women are more likely than men to admit their offences and to be arrested for less serious offences
- According to official statistics, female offenders are more likely than men to be cautioned for indictable offences.

### 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 a fifth of the female prison population
- Women remanded in custody spend less time on remand than men
- In triable either-way cases, women are less likely than men to be committed to Crown Court for trial –partly reflecting the differences in types of offence.

### 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
- Women sentenced to custody receive shorter sentences on average than men.

The top eight offences for women sentenced to custody in 2001 were:

- theft from shops (2,400 women sentenced to custody)
- fraud (490)
- wounding (460)
- production, supply and possession with intent to supply a class A controlled drug (450)

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- summary motoring (430)
- burglary of all kinds (330)
- handling stolen goods (320)
- robbery (320)
- recent figures suggest that the rise in sentenced prison receptions for women is driven by a *more severe* response to *less serious* offences
- the *rate of increase* of women being given a custodial sentence at magistrates' court is higher than at Crown Court.

### Community penalties

- In 2001, women accounted for 13% of those starting orders under the supervision of the Probation Service
- The most common community sentence for women was a Community Rehabilitation Order, whilst for men it was a Community Punishment Order
- Theft and handling was the most common offence for women given a community sentence whereas for men summary offences were most common.

### Women in custody

[2001 figures in this section are based on Provisional Prison Population Statistics.]

- Women prisoners make up more than 5% of the prison population
- There were, on average, 3,740 women in prison in 2001
- Between 1993 and 2001 the average population of women in prison rose by 140% as against 46% for men, reflecting sentencing changes at the courts
- Theft and handling accounted for 41% of sentenced receptions of women in 2001, drug offences for 14% and violence against the person for 12%
- Among the population of sentenced female offenders, the main offence groups are drug offences (39% at end of June 2001), theft and handling (16%) and violence against the person (15%)

- 70 women were sent to prison for fine default in 2001 - less than half the number in 2000 - and as the average stay is only 5 days, the average number of fine defaulters held during 2001 was just two
- In mid-2001, ethnic minority groups made up 26% of the female prison population compared to 20% of the male prison population
- 19% of female prisoners in 2001 were foreign nationals. In June 2001, 92% of sentenced black female foreign nationals were held for drug offences
- women in custody tend to be serving shorter sentences than men
- almost half of women released from prison in 1997 were reconvicted within 2 years
- women prisoners are less likely than the general population to be in a stable relationship but more likely to have child-care responsibilities
- An estimated 20% of women in prison have experienced some time in care
- Over 40% of sentenced women prisoners and over 50% of women on remand have reported being dependent on drugs in the year before coming to prison
- A recent healthcare assessment of prisoners found that 60% of women rated their own health as fair, poor or very poor
- 15% of sentenced female prisoners had previously been admitted to a mental hospital
- 37% of women prisoners had previously attempted suicide
- In 2000, female prisons provided inmates with more time on average out of their cells and on education and skills training
- Female prisoners have a higher rate of offending against prison discipline than men
- Educational attainment of women in prison is significantly lower than that of the general population but is slightly higher than that of male prisoners
- A survey of released female prisoners found only 25% were in employment when interviewed five to nine months after discharge.

### Victims of crime

- 5.2% of adult men and 2.8% of adult women had been the victim of at least one violent crime in the previous 12 months in 2001. 44% of violent incidents against women were domestic
- 30% of homicide victims in 2000/01 were female
- Forty-two per cent of women homicide victims, compared with only 4% of men, were killed by a current or former partner
- According to the recent British Crime Survey survey, around one woman in 20 had been raped at least once since the age of 16
- Strangers accounted for just 8% of those rapes
- Women are more likely to be stalked (defined as persistent and unwanted attention) than men. The risk is greater for younger women

- An evaluation of the Protection from Harassment Act revealed that stalking is most likely to be perpetrated on someone known to the offender, and usually an ex-partner.

### Women practitioners in the criminal justice system

- Figures suggest that, throughout the criminal justice system, women are well represented though not in senior management positions
- Women practitioners make up more than 50% of probation officers, CPS lawyers, magistrates' and Crown court staff as well as Home Office, Forensic Science Service and CICA staff. They are also well represented compared to men in victim support roles, both as volunteers and staff
- Women are particularly under-represented in the police and as judges, and fare worse than men at the bar and as prison officers.

## Government policy on Women's Offending

The *Government's Strategy for Women Offenders* was published for consultation in 2000 and sought views on the range of current work and planned initiatives relating to women offenders, and where the main gaps in provision were. The results of that consultation were published in a report in September 2001 and the key messages are being fed into the development of the *Women's Offending Reduction Programme (WORP)*, a Home Office-led initiative being launched in 2002/03.

The WORP promotes a more holistic response to the whole range of factors that have an impact on why women offend, many of them highlighted by the statistics in this report: mental and physical health; housing; substance misuse; history of abuse; caring responsibilities; education; employment. The aim of the Programme is to strengthen links between the various departments, agencies and other organisations that are responsible for providing interventions, support and assistance in these areas so that they develop integrated policies, programmes

and spending partnerships that respond more specifically to the particular needs and characteristics of women offenders.

This report shows that the female prison population has been increasing dramatically over recent years, much faster than the male population, and this has been an important consideration in the development of the WORP. The Programme will not only look at the factors that have an impact on why women offend and how those factors could be better addressed to prevent offending in the first place, but will also respond to the ways in which women offenders are dealt with by the criminal justice system. A primary focus will be on improving community-based interventions that are better tailored to the needs of women offenders and to encourage greater use of such interventions in order to ensure that custody is only used for women offenders who really do need to be there.

Women's Policy Team



## Chapter 1

### Demographic background (females)

- At mid-2001, there were an estimated 17,496,000 women aged 10-59 in the general population of England and Wales, including 1,673,000 aged 10-14, 964,000 aged 15-17 and 934,000 aged 18-20.
- Demographic changes affect the number of offenders dealt with by the criminal justice system. Between 1991 and 2001, the number of women aged 10-59 increased by 4.9%. (Latest projections suggest that this age group will increase by 1.8% between 2001 and 2006).
- Included in the overall growth between 1991 and 2001 was an increase of around 12.7% for the 10-14 age group. This age group is projected to increase between 2001 and 2002 after which it reduces. Overall, the number of females aged 10-14 is projected to be 1,623,000 in 2006, some 3.0% lower than in 2001.
- Females aged 15-17 increased in number by almost exactly 66,000 between 1991 and 2001. In 1991, 1992 and 1993 the number was falling. After 1993 this group began to increase again. The increase for this age group is projected to continue after 2001. There are expected to be 1,023,000 women aged 15-17 in 2006 – an increase of 6.1% on 2001.
- The number of women aged 18-20 fell from 1990 through to 1996 but has increased since then. This age group is projected to generally increase from 2001 to reach 1,024,000 in 2006 – an increase of 9.6% on 2001.



## Chapter 2 Offending

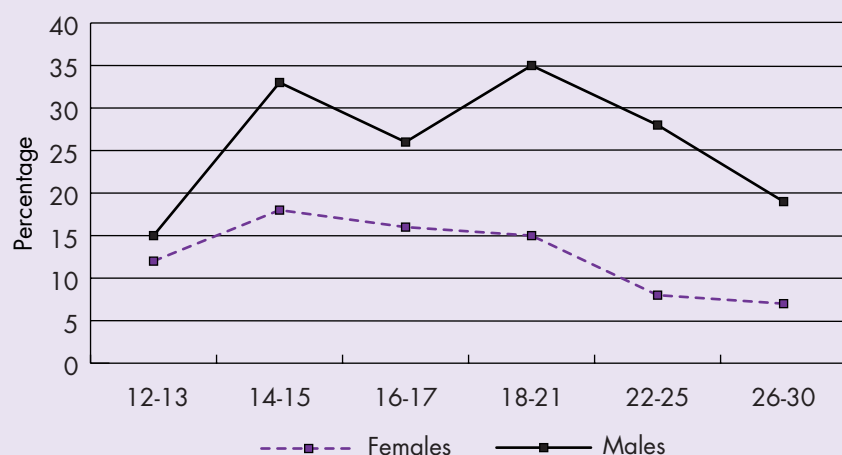
The best source of information on the scale of offending is given by self-report studies in which people are asked if they have ever committed particular offences. Recorded crime statistics do not tell us the gender of the person who committed the offence and official statistics on offending only include 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 ever committing an offence. The 1998/9 Youth Lifestyles' Survey (2000) provides an estimate of the extent, frequency and nature of self-reported offending amongst 4,848 12- to 30-year-olds in England and Wales. Some comparison can be made with the last YLS reported in Young People and Crime (HORS 145) based on 1992/93 information. Findings from the 1998/9 study showed that:

- Men were around two-and-a-half times more likely to have offended in the last year than women (26% compared with 11%);

- Offences commonly committed by girls under 16 include criminal damage, shoplifting, buying stolen goods and fighting although with age they became more increasingly involved in fraud and buying stolen goods;
- Fighting comprised 8% of crimes admitted by women aged 12 to 30, although this proportion again varies between age groups;
- Most women 'grow out of crime' (see figure 2.1). For women over 21, all types of offending fell. This is in accordance with the previous YLS where women were found to be most likely to desist from offending in their late teens;
- The peak age of *self-reported* offending for women was 14 (18 for men) after which offending declined so that only 8% of women over 21 admitted any offence in the last year. This compares with ages 16 for women and 21 for men in 1992/93;
- Persistent offenders represented less than 1% of women as opposed to 2% of men;
- 1% of women said they had been cautioned or taken to court in the last 12 months on at least one occasion (4% of men).

**Figure 2.1:**  
Prevalence of offending  
in the last year, by age  
and sex



### “Known offenders”

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

- More males than females are dealt with by the criminal justice system. In 2001, 296,000 or 19% of 1.6 million known offenders were female (see table 2.1). The proportion of female

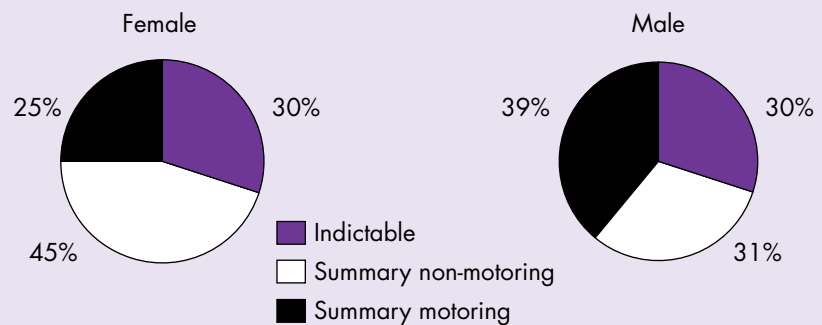
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known offenders remained unchanged from 2000 despite a fall in the number of prosecutions and convictions for TV licence evasion. However, self-report studies (see above) suggest that the difference between male and female offending rates may be smaller;

- 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);

- In 2001, males convicted of all offences at all courts outnumbered females by about four-and-a-half to one;
- The peak age of known offending (indictable offences) for females and males was 15 and 18 respectively, the same as in 2000.
- Comparing males and females, a similar proportion (30%) of their known offending in 2001 related to indictable offences.

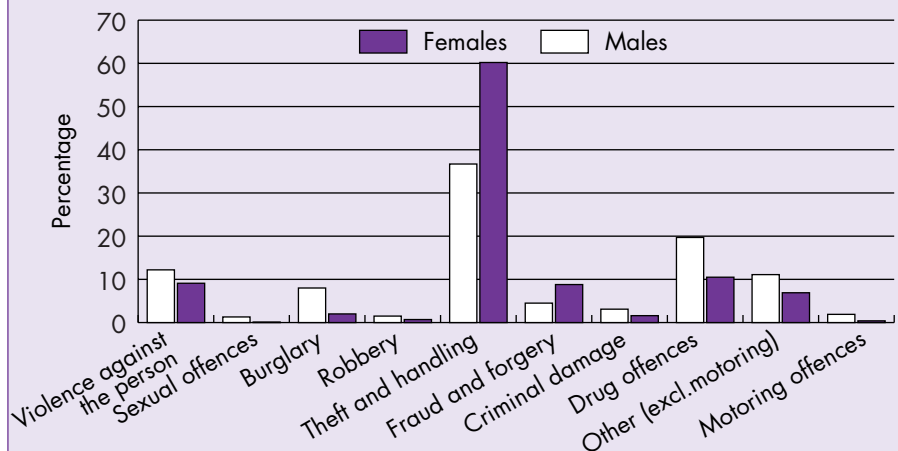
**Figure 2.2:**  
Female and male involvement in offending, 2001



- Summary non-motoring offences accounted for 45% of female known offending, down on 2000, mainly because of a decrease in the number of convictions for TV licence evasion among females aged 21 or over. This group of offences accounted for nearly a third of known male offending.
- The remaining offences – summary motoring offences – accounted for nearly 40% of known male offending and a quarter of known female offending.

- Theft and handling is the most common indictable offence among female offenders (60% of female offenders in 2001 were found guilty of, or cautioned for, this offence). This is also the most common offence for males although it accounts for only 36% of male offenders. Drug offences are second at 10% (20% for males) and violence against the person third at 9% (12% for males) – (see figure 2.3).

**Figure 2.3:**  
Offenders found guilty at all courts or cautioned for indictable offences, 2001



### Drug arrestees

Home Office research based in custody suites (New English and Welsh Arrestee Drug Abuse Monitoring (NEW-ADAM), 2002) utilises data from urine testing and self-reported interviews on drug use and offending. Latest findings suggest that:

- Based upon urinalysis, overall prevalence of any drug use was similar for male and female arrestees (65% and 66% tested positively respectively);
- Female arrestees (although note based upon a small sample) had a significantly higher rate of positive tests for opiates (33% to 23% for men), amphetamines and benzodiazepines.

Amongst those arrestees that had been identified as having a drug problem and who were reported by an arrest referral worker:

- About one-fifth of those reported were female (19%) between October 2000 and September 2001;
- Women were significantly more likely than men to have ever received drug treatment (or be currently in treatment);
- Women spent on average £328 per week on drugs (compared to £255 per week for men);
- Women were more likely than men to report recent use (last 30 days) of the more harmful drugs (heroin, methadone, crack);
- Women were more likely than men to be arrested for shoplifting, fraud, soliciting and handling stolen goods;
- Women were more likely than men to be referred to a specialist drug treatment service.
- Female crack-using sex workers were identified as a group that may benefit from treatment, but often do not get referred.

Further research looks drug service provision, finding that women face distinct issues concerning:

- Pregnancy and childcare;
- Sex-workers;
- Sexual and physical abuse;
- Dual diagnosis issues (mental health).

Women face particular barriers that prevent rapid access to and retention in specialist drug services, including:

- Stigma of problem drug use and child protection issues;
- Treatment services are a barrier due to poor inter-agency working;
- Problems with a lack of childcare facilities and problems with inadequate transport;
- Lack of women-only services/provision for ethnic minority women within the criminal justice system.

Recommendations arising from the report suggest:

- Providing women-only spaces;
- Taking women directly to appointments or meeting travel expenses;
- Providing sufficient and adequate childcare facilities;
- Employing staff from black and minority ethnic backgrounds;
- Outreach work to access 'hidden' populations of drug-using women;
- Rapid access to treatment;
- Varying opening times;
- Stronger links with generic services such as social workers, nurses and midwives.

### 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*, HORS 162. 1,057 mothers were interviewed in late 1994).

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### Prevalence of offending

- The proportion of women with a conviction<sup>1</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 female offenders have been convicted on only one occasion before the age of 40, compared to 55% of male offenders.
- 83% of female offenders have criminal careers<sup>2</sup> 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.

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

England and Wales, 2001							Numbers (Thousands)		
Type of offence	All <sup>(1)</sup>	Total	Male			Total	Women		
			10-17	18-20	21+		10-17	18-20	21+
<b>Indictable offences</b>									
Found guilty	324.2	275.5	43.4	48.2	183.9	47.4	6.9	7.0	33.5
Cautioned	143.9	103.8	44.2	18.5	41.2	40.1	19.3	4.9	15.9
Found guilty or cautioned	468.1	379.3	87.6	66.6	225.1	87.5	26.2	11.9	49.4
<b>Summary offences (excluding motoring offences)</b>									
Found guilty	442.1	323.7	24.5	37.6	261.6	116.6	4.0	6.9	105.6
Cautioned	85.9	68.0	27.9	11.0	29.0	18.0	6.6	2.3	9.0
Found guilty or cautioned	528.0	391.6	52.4	48.6	290.7	134.6	10.6	9.2	114.7
<b>Summary motoring offences<sup>(2)</sup></b>									
Found guilty	558.3	502.9	16.2	54.7	432.0	73.7	0.5	4.1	69.0
<b>All offences</b>									
Found guilty	1,349.7	1,102.1	84.1	140.4	877.6	237.6	11.4	18.0	208.2
Cautioned	229.9	171.8	72.1	29.5	70.2	58.1	26.0	7.2	24.9
Found guilty or cautioned	1,579.5	1,273.9	156.2	169.9	947.8	295.7	37.4	25.2	233.1

Notes

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

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

Source: Criminal statistics England and Wales, 2001 Table 5.8

1. For a standard list offence (all indictable offences plus some of the more serious summary offences).

2. The proportion of their lifetime where the person is an offender.

**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	Total	Males			Females			
			10-17	18-20	21+	Total	10-17	18-20	21+
<b>Number of persons cautioned</b>									
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	30.2	48.2	21.7	5.6	20.9
1998	191.7	142.9	55.8	25.7	61.5	48.8	21.5	5.9	21.4
2000	150.9	109.7	45.3	20.1	44.3	41.2	19.9	5.2	17.0
2001	143.9	103.6	44.2	18.5	41.2	40.1	19.3	4.9	15.9
<b>Number of persons found guilty</b>									
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	39.1	46.3	175.6	38.0	5.2	5.7	27.2
1998	340.3	292.9	43.3	51.8	197.9	47.3	6.4	7.1	33.7
2000	324.2	276.5	42.5	44.9	184.0	47.7	6.7	7.5	33.5
2001	324.2	275.5	43.4	48.2	183.9	47.4	6.9	7.0	33.5
<b>Number of persons found guilty or cautioned</b>									
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
1998	532.0	435.9	99.0	77.5	259.3	96.1	27.9	13.1	55.2
2000	475.1	386.2	87.8	70.0	228.3	88.9	25.7	12.7	50.6
2001	468.1	379.3	87.6	66.6	225.1	87.5	26.2	11.9	49.4

(1) For motoring offences, only persons found guilty are included; these offences may attract written warnings.  
Source: Criminal Statistics England and Wales 2001.

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**Table 2.3: Offenders found guilty at all courts or cautioned<sup>(1)</sup> by sex and type of offence**

England and Wales	Number of offenders (thousands)					
Sex and type of offence	1992	1994	1996	1998	2000	2001
<b>Males</b>						
<b>Indictable offences</b>						
Violence against the person	57.3	51.5	43.9	51.7	47.1	47.0
Sexual offences	8.3	7.4	6.4	6.2	5.2	5.0
Burglary	56.1	47.5	40.5	37.2	31.0	29.4
Robbery	5.4	5.1	6.0	5.6	5.9	6.7
Theft and handling stolen goods	186.7	169.0	153.7	152.6	142.1	137.8
Fraud and forgery	20.5	19.1	17.6	19.1	17.6	16.7
Criminal damage	12.6	13.0	11.7	12.4	12.0	12.5
Drug offences	45.4	65.1	72.8	96.0	76.5	76.1
Other (excluding motoring offences)	35.4	37.6	41.6	48.1	42.9	41.0
Total indictable offences (excluding motoring offences)	439.9	428.2	405.1	437.3	387.5	379.3
<b>Summary offences</b> (excluding motoring offences) <sup>(2)</sup>	412.5	392.0	414.2	430.1	428.8	391.6
<b>All offences</b> (excluding summary motoring offences)	852.5	820.2	819.3	867.4	816.2	771.0
<b>Females</b>						
<b>Indictable offences</b>						
Violence against the person	9.7	9.7	7.9	8.9	8.1	7.8
Sexual offences	0.1	0.1	0.1	0.1	0.1	0.1
Burglary	2.5	2.0	1.8	2.0	1.8	1.8
Robbery	0.4	0.4	0.5	0.6	0.6	0.7
Theft and handling stolen goods	71.5	63.4	54.5	56.8	53.5	52.7
Fraud and forgery	7.0	6.9	6.2	8.0	7.8	7.3
Criminal damage	1.3	1.3	1.2	1.3	1.4	1.6
Drug offences	4.9	7.0	8.7	11.5	9.3	8.9
Other (excluding motoring offences)	3.4	4.4	4.8	6.5	6.1	6.1
Total indictable offences (excluding motoring offences)	101.1	95.7	86.3	96.1	88.9	87.5
<b>Summary offences</b> (excluding motoring offences) <sup>(2)</sup>	164.3	161.4	169.6	128.9	150.0	134.6
<b>All offences</b> (excluding summary motoring offences)	265.4	257.1	255.9	225.0	239.0	222.1

(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 2001 Table 5.9.

## Chapter 3 Arrests and police disposals

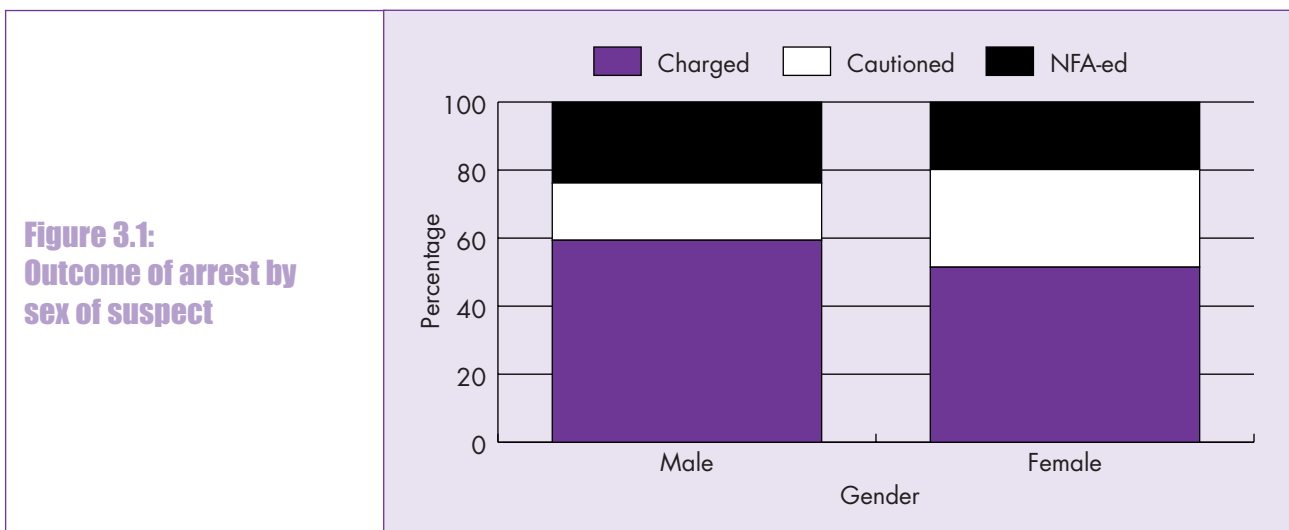
### Entry into the criminal justice system

- Females are far less likely than males to be arrested for notifiable offences: in 2001/02, 16% of those arrested were female.
- Women form a larger than average proportion of those arrested for fraud and forgery (27%) and theft and handling (22%) (see table 3.1).
- Conversely, women form a smaller proportion of those arrested for sexual offences (4%) or burglary (9%).

In addition, HORS 185 *Entry into the criminal justice system: a survey of police arrests and their outcomes* showed that:

- Women were less likely than men to have been arrested following a stop/search;

- Women were less likely 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, again related to differences in the types of offences.
- Figure 3.1 shows that women were more likely than men to be cautioned. This was 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 their cases classified as 'No Further Action' and less likely to be charged: 52% of arrested women were charged, compared with 60% of arrested men.



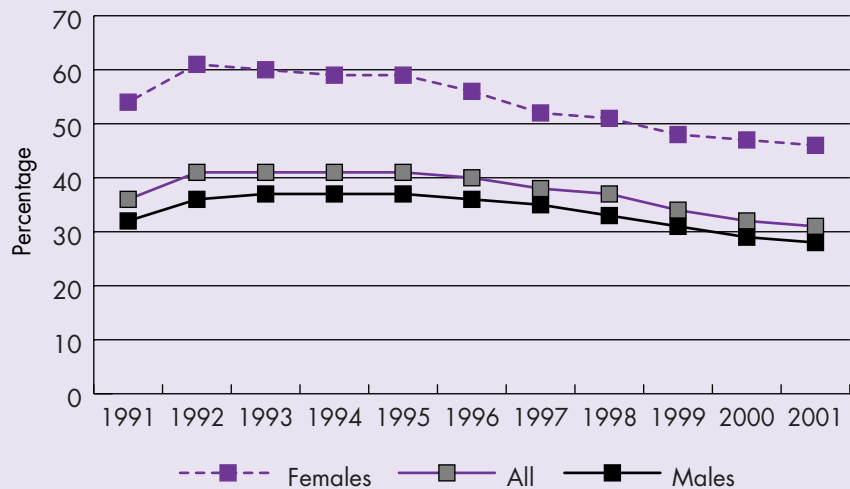
- 12% of cases against women were terminated by the CPS compared with 14% of cases against men. The difference is explained by the greater involvement of women in certain offences (e.g. soliciting and shoplifting) which were relatively straightforward to prosecute.

### Cautioning

- Females are more likely than males to be cautioned for all indictable offences. In 2001 the cautioning rate for females was 46% compared with 28% for males (see table 3.2).

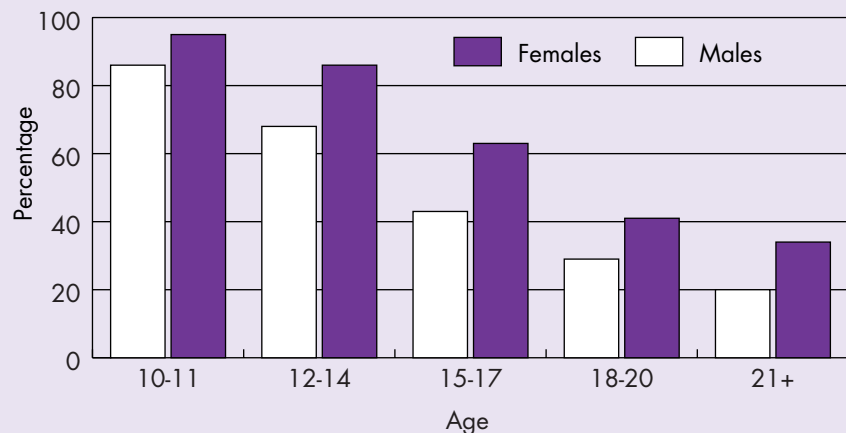
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**Figure 3.2:**  
Cautioning rates for  
indictable offences,  
by sex



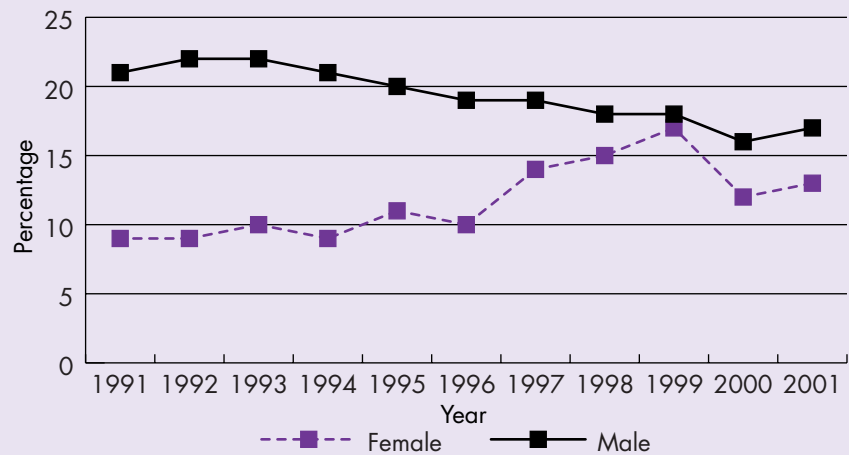
- Considering trends over time, the cautioning rate for females reached a peak of 61% for indictable offences in 1992 (see figure/table 3.2) and has fallen steadily since 1995.
- For indictable offences, cautioning is more common for younger age groups. Females have higher cautioning rates than males for all age groups (see figure/table 3.2).

**Figure 3.3:**  
Cautioning rates for  
indictable offences, by  
age and sex, 2001



- The proportions of male and female offenders cautioned for summary non-motoring offences are relatively close for recent years. The gap between males and females for this offence group has generally decreased over the years (see figure 3.4), possibly reflecting changes in the mix of offences covered. However, the cautioning rate for both males and females has increased slightly over the past year, reflecting the decrease in the number of convictions for TV licence evasion.

**Figure 3.4:**  
Cautioning rates for  
summary non-motoring  
offences, by sex



**Table 3.1: Arrests<sup>(1)</sup> for notifiable offences: 2001/02 – England and Wales – by offence group and age**

Offence group	Total arrests	% male	% female
Violence against the person	259,400	85	15
Sexual offences	25,200	96	4
Robbery	35,900	89	11
Burglary	107,300	91	9
Theft & handling stolen goods	440,500	78	22
Fraud & forgery	39,600	73	27
Criminal damage	130,600	88	12
Drug offences	116,600	87	13
Other notifiable offences	116,800	87	13
Total	1,271,900	84	16

(1) Estimated

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**Table 3.2: 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													%
Year	All offenders	All ages	Males					Females					
			Aged 10-11	Aged 12-14	Aged 15-17	Aged 18-20	Aged 21 & over	All ages	Aged 10-11	Aged 12-14	Aged 15-17	Aged 18-20	Aged 21 & over
<b>Indictable offences<sup>(2)</sup></b>													
1992	41	36	96	86	59	29	23	61	99	96	81	50	46
1994	41	37	95	81	56	34	25	59	100	94	77	50	44
1996	40	36	94	77	51	35	26	56	99	91	72	50	44
1998	37	33	91	72	48	34	24	51	97	88	67	46	39
2000	32	29	86	68	43	29	20	47	95	86	63	41	34
2001	31	28	86	66	42	28	19	46	95	85	64	41	32
<b>Summary offences<sup>(2)</sup></b>													
1992	18	22	96	84	57	26	16	9	99	91	68	25	6
1994	18	21	97	82	60	29	15	9	99	86	67	27	6
1996	16	19	95	79	55	29	12	10	97	82	60	23	6
1998	17	18	92	73	47	26	11	15	98	79	53	28	10
2000	15	16	86	67	44	24	9	12	92	75	56	26	7
2001	16	17	88	67	44	23	10	13	86	75	55	25	8

Notes:

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

(2) Excluding all motoring offences.

Source: Criminal statistics, England and Wales, 2000, Table 5.3

Table 3.3: Offenders<sup>(1)</sup> cautioned by sex and type of offence

England and Wales		Number of offenders (thousands)				
Sex and type of offence	1992	1994	1996	1998 <sup>(2)</sup>	2000 <sup>(2)</sup>	2001 <sup>(2)</sup>
<b>Males</b>						
<b>Indictable offences</b>						
Violence against the person <sup>(3)</sup>	17.5	17.6	16.7	18.4	15.5	15.2
Sexual offences	3.4	2.9	2.0	1.7	1.3	1.2
Burglary	13.1	10.5	9.3	7.5	5.8	5.7
Robbery	0.6	0.6	5.0	0.5	0.5	0.5
Theft and handling stolen goods	82.8	69.9	60.1	51.4	40.0	36.6
Fraud and forgery	5.0	4.9	5.0	4.7	3.8	3.6
Criminal damage	3.6	3.8	2.8	2.4	2.8	2.9
Drug offences	24.8	39.9	42.4	52.3	36.4	34.9
Other (excluding motoring offences)	4.3	3.4	3.9	4.2	3.6	3.4
Motoring offences	*	*	*	*	*	*
Total	155.0	153.6	142.6	142.9	109.7	103.8
<b>Summary offences</b>						
(excluding motoring offences)	90.0	83.6	79.2	76.9	69.6	68.0
<b>All offences</b>						
(excluding summary motoring offences)	245.1	237.2	221.8	219.8	179.3	171.8
<b>Females</b>						
<b>Indictable offences</b>						
Violence against the person <sup>(3)</sup>	6.0	5.9	5.2	5.1	4.4	4.4
Sexual offences	0.1	0.1	0.0	0.1	0.0	0.0
Burglary	1.3	1.0	0.9	0.9	0.8	0.7
Robbery	0.1	0.1	0.1	0.1	0.1	0.1
Theft and handling stolen goods	47.5	40.9	33.6	32.2	27.6	26.9
Fraud and forgery	2.5	2.7	2.5	2.7	2.4	2.2
Criminal damage	0.4	0.5	0.4	0.4	0.5	0.5
Drug offences	2.8	4.5	5.1	6.4	4.7	4.5
Other (excluding motoring offences)	0.5	0.5	0.6	0.8	0.8	0.8
Motoring offences	*	*	*	*	*	*
Total	61.1	56.2	48.2	48.8	41.2	40.1
<b>Summary offences</b>						
(excluding motoring offences)	15.1	15.1	16.2	19.2	18.5	18.0
<b>All offences</b>						
(excluding summary motoring offences)	76.2	71.3	64.4	68.1	59.7	58.1

## Notes:

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

(2) Includes reprimands and final warnings introduced for young offenders in seven pilot from 30 September 1998 and nationally from June 2000.

(3) A new charging standard was introduced for assault in 1994.

\* Not applicable.

Source: Criminal statistics England and Wales, 2001, Table 5.1



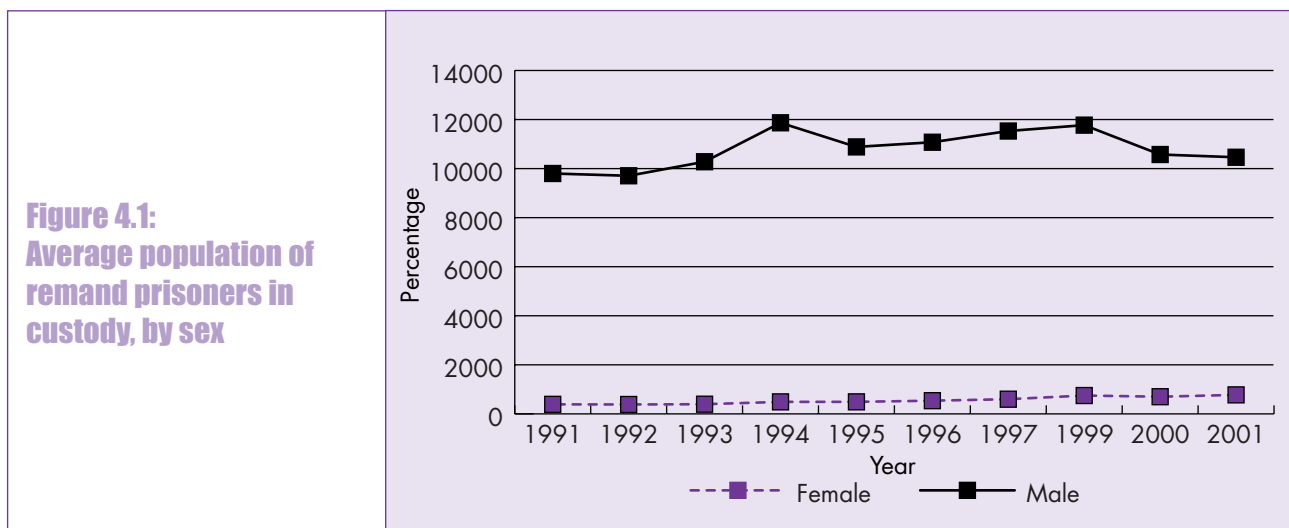
## Chapter 4

### Remand and mode of trial

#### Decisions in court

The figures in this subsection are derived from 2001 remand statistics (as reported in chapter 8 of *Criminal Statistics* but without separate figures for females). The statistics are of poor quality for some magistrates' courts.

- Men are more likely than women to be remanded in custody during proceedings at magistrates' courts (4% 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 (35% of men compared with 22% of women);
- 42% of women remanded in custody at some stage receive a custodial sentence, compared with 51% of men.

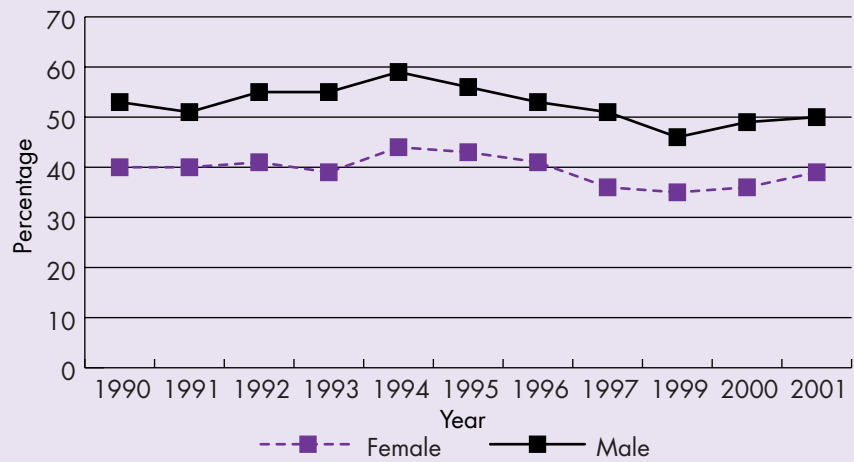


#### Remanded prisoners

- The female remand population averaged 780 in 2001 compared to 10,460 for men (figure 4.1 – see table 4.2).
- 21% of the total female prison population were on remand in June 2001.
- 4,060 female untried prisoners entered prison in 2001 and they spent 39 days on average in custody before conviction, compared with 50 days for men (see table 4.1).
- 47% of remand receptions of women were for theft and fraud (see table 4.3).
- 4,320 female convicted unsentenced prisoners entered prison in 2001 and they spent 29 days on average in custody, compared with 34 days for men (see table 4.1).
- Of women received under a custodial sentence, 41% had previously been remanded in custody compared with 50% of men.

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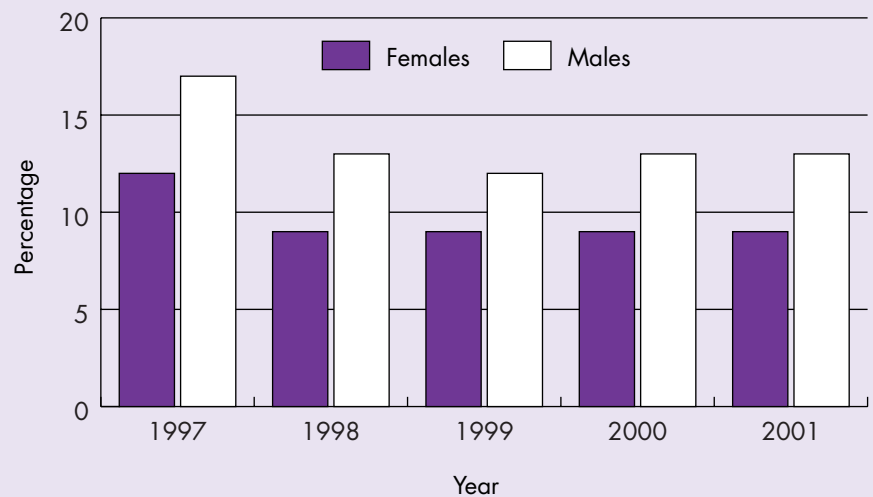
**Figure 4.2:**  
Estimated average time spent in custody, untried prisoners



### Mode of trial

- 2001 data shows that, in triable either way cases, women were less likely than men to be committed to the Crown Court for trial (9% of women aged 18 or more compared with 13% of men in 2001). 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 Males and females		Number of persons (thousands) / days						
Type of prisoner	1990	1992	1994	1996	1998	2000	2001	
<b>Untried prisoners</b>								
<b>Males</b>								
Average population	7.32	7.12	8.70	8.00	7.7	6.7	6.5	
Receptions	50.43	47.50	54.16	55.55	60.16	50.87	48.50	
Average number of days in custody <sup>(1)</sup>	53	55	59	53	47	49	50	
<b>Females</b>								
Average population	0.30	0.26	0.35	0.37	0.43	0.4	0.4	
Receptions	2.70	2.37	2.92	3.34	4.54	4.03	4.06	
Average number of days in custody <sup>(1)(3)</sup>	40	41	44	41	34	36	39	
<b>Convicted unsentenced prisoners</b>								
<b>Males</b>								
Average population	1.73	1.89	3.04	3.07	4.13	3.87	3.97	
Receptions	19.23	20.05	32.75	32.99	39.95	40.12	42.24	
Average number of days in custody <sup>(2)</sup>	33	34	34	34	38	35	34	
<b>Females</b>								
Average population	0.08	0.10	0.14	0.17	0.28	0.3	0.3	
Receptions	1.18	1.20	1.81	1.99	3.44	3.77	4.32	
Average number of days in custody <sup>(2)(3)</sup>	26	32	28	31	30	30	29	

(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.

Source: Prison Statistics England and Wales, 2000, table 2.2 and provisional prison population statistics for 2001.

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

England and Wales Males and females		Number of persons (thousands)					
Type of prisoner	1990	1992	1994	1996	1998	2000	2001
<b>Males</b>							
All untried prisoners	7.32	7.12	8.70	8.00	7.73	6.70	6.49
Involved in proceedings at Magistrates' courts	3.97	3.34	4.13	4.46	4.29	3.53	2.18
Committed for trial to the Crown Court	3.33	3.77	4.54	3.51	3.40	3.12	4.26
Other untried prisoners	0.02	0.01	0.04	0.04	0.04	0.06	0.05
Convicted unsentenced prisoners	1.73	1.89	3.04	3.07	4.13	3.88	3.97
All remand prisoners in Prison Service establishments	9.06	9.01	11.74	11.08	11.86	10.57	10.46
Aged 14-20 <sup>(1)</sup>	2.82	2.49	2.92	2.85	2.82	2.48	2.21
Aged 21 and over	6.24	6.52	8.82	8.23	9.05	8.09	8.25
Remand prisoners in police cells <sup>(2)</sup>	0.47	0.70	0.13	-	-	-	-
All in custody	9.52	9.71	11.87	11.08	11.86	10.57	10.46
<b>Females</b>							
All untried prisoners	0.30	0.26	0.35	0.37	0.43	0.40	0.43
Involved in proceedings at Magistrates' courts	0.17	0.13	0.17	0.20	0.25	0.22	0.16
Committed for trial to the Crown Court	0.13	0.14	0.17	0.15	0.18	0.18	0.26
Other untried prisoners	-	-	0.01	0.02	0.01	-	0.01
Convicted unsentenced prisoners	0.08	0.10	0.14	0.17	0.28	0.30	0.35
All remand prisoners in Prison Service establishments	0.38	0.37	0.49	0.54	0.70	0.70	0.78
Aged 14-20 <sup>(1)</sup>	0.08	0.07	0.07	0.09	0.12	0.13	0.13
Aged 21 and over	0.31	0.30	0.42	0.45	0.59	0.57	0.64
Remand prisoners in police cells <sup>(2)</sup>	-	0.02	-	-	-	-	-
All in custody	0.38	0.38	0.49	0.54	0.70	0.70	0.77

(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	2000			2001		
	Untried	Convicted Unsentenced	Total	Untried	Convicted Unsentenced	Total
<b>Males</b>						
All offences	50.87	40.12	74.75	48.50	42.24	74.49
Violence against the person	9.16	4.88	11.77	9.07	4.82	11.51
Sexual offences	2.07	0.98	2.59	1.81	0.95	2.32
Burglary	9.16	7.11	12.58	8.49	6.59	11.70
Robbery	3.85	2.13	4.76	3.56	2.04	4.37
Theft and handling	10.0	11.35	17.86	10.03	13.06	19.36
Fraud and forgery	0.80	0.71	1.26	0.95	0.85	1.48
Drug offences	4.30	3.00	5.90	4.77	3.22	6.46
Other offences	10.57	9.10	16.50	9.04	9.89	15.88
Offence not recorded	0.95	0.87	1.55	0.79	0.86	1.43
<b>Females</b>						
All offences	4.03	3.77	6.58	4.06	4.32	7.11
Violence against the person	0.54	0.30	0.71	0.55	0.35	0.75
Sexual offences	0.02	0.01	0.02	0.01	0.01	0.01
Burglary	0.31	0.19	0.40	0.34	0.18	0.42
Robbery	0.23	0.14	0.29	0.22	0.12	0.27
Theft and handling	1.40	1.94	2.88	1.30	2.20	3.05
Fraud and forgery	0.13	0.12	0.20	0.15	0.16	0.27
Drug offences	0.63	0.41	0.85	0.73	0.46	0.97
Other offences	0.64	0.55	0.99	0.59	0.68	1.07
Offence not recorded	0.13	0.13	0.23	0.16	0.17	0.30

(1) Total receptions cannot be calculated by adding together receptions in each category, because there is double counting.  
Source: Prison Statistics England and Wales, 2001, table 2.9 and provisional prison population statistics for 2001.

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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			Percentage of those proceeded against		
	1999	2000	2001	1999	2000	2001	1999	2000	2001
<b>Males</b>									
Violence against the person	50.5	48.9	48.2	9.7	9.9	9.8	19	20	20
Sexual offences	4.6	4.2	4.3	1.9	1.7	2.0	42	42	48
Burglary	30.5	27.8	27.2	7.9	7.5	7.3	26	27	27
Theft and handling stolen goods	110.7	107.2	107.2	6.1	5.4	5.3	5	5	5
Fraud and forgery	18.9	17.7	16.7	2.3	2.1	2.0	12	12	12
Criminal damage	11.9	11.1	11.8	1.1	1.1	1.4	9	9	11
Drug offences	46.6	41.5	43.1	7.5	6.8	7.7	16	16	18
Other (excluding motoring offences)	63.6	58.6	60.2	5.3	5.3	5.1	8	9	8
Motoring offences	9.7	9.0	9.1	1.1	1.1	1.1	11	12	12
<b>Total</b>	<b>346.8</b>	<b>326.0</b>	<b>327.8</b>	<b>42.9</b>	<b>40.8</b>	<b>41.8</b>	<b>12</b>	<b>13</b>	<b>13</b>
<b>Females</b>									
Violence against the person	5.0	5.4	5.1	1.0	1.1	1.0	19	21	20
Sexual offences	0.1	0.1	0.1	0.0	0.0	0.0	39	(55)	(55)
Burglary	1.6	1.5	1.6	0.4	0.4	0.4	25	26	27
Theft and handling stolen goods	27.8	27.4	27.4	1.1	1.0	1.1	4	4	4
Fraud and forgery	6.9	6.7	6.4	0.6	0.6	0.6	9	9	10
Criminal damage	1.1	1.0	1.1	0.1	0.1	0.1	12	10	12
Drug offences	6.3	5.4	5.3	1.5	1.3	1.4	23	24	27
Other (excluding motoring offences)	8.7	9.0	9.1	0.5	0.5	0.5	5	6	6
Motoring offences	0.7	0.6	0.6	0.0	0.0	0.0	6	6	5
<b>Total</b>	<b>58.2</b>	<b>56.4</b>	<b>56.6</b>	<b>5.3</b>	<b>5.1</b>	<b>5.3</b>	<b>9</b>	<b>9</b>	<b>9</b>
<b>Total persons</b>	<b>405.0</b>	<b>382.4</b>	<b>384.4</b>	<b>48.2</b>	<b>45.9</b>	<b>47.0</b>	<b>12</b>	<b>12</b>	<b>12</b>

Notes:

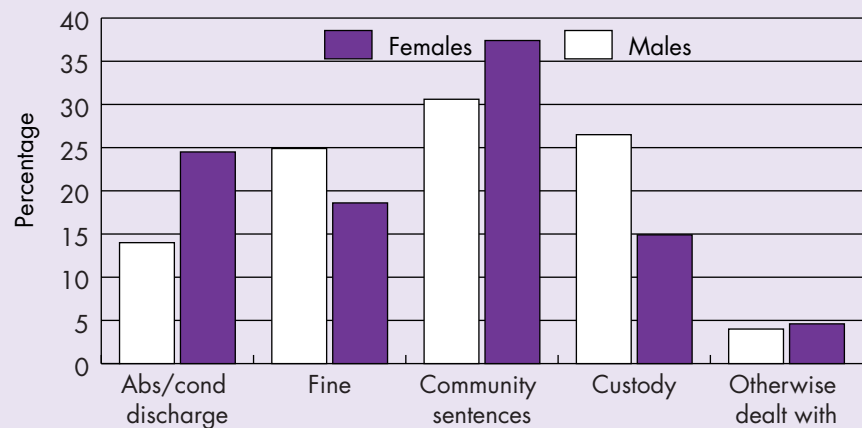
(1) For persons aged 18 and over, offences of robbery are triable only on indictment.

( ) Percentages in brackets are based on total of less than 100.

Source: Criminal statistics England and Wales, 2000, Table 6.6

## Chapter 5 Sentencing

**Figure 5.1:**  
Type of sentence or order  
for indictable offences by  
sex, 2001



- For indictable offences as a whole, females are more likely than males to be discharged or given a community sentence and are less likely to be fined or sentenced to custody (see figure/table 5.1).
- Women receive shorter sentences on average (see tables 5.3 and 5.4 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 2001, 8,100 females were sentenced to immediate custody for all offences.
- The eight offences for which women were most often sentenced to custody in 2001 were:
  - theft from shops (2,400 females sentenced to immediate custody)
  - other fraud (490)
  - other wounding (460)
  - production, supply and possession with intent to supply a class A controlled drug (450)
  - summary motoring (430)

- burglary of all kinds (330)
- handling stolen goods (320)
- robbery (320)

Some of these offences have relatively low custody rates (e.g. 12% for theft from shops) but the large volume of offences means that even a low custody rate delivers a large number to prison.

### *Custody rates in the Magistrates' court and Crown Court*

Recent data can be used to examine how the sentencing of women has changed between 1992 and 2001.

- Whilst the number of women dealt by the courts has increased, the proportion dealt with by the Crown Court remained relatively stable suggesting that the greater use of custody is not being driven by an overall increase in the seriousness of women's offending<sup>3,4</sup>. In fact, one conclusion is that the rise in sentenced prison receptions for women is being driven by a *more severe* response to *less serious* offences.

3. The maximum sentence that a magistrates court can impose for a single offence is 6 months.

4. It should be noted that other factors such as plea vary by venue.

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- Just under 44% of women sentenced in the Crown Court in 2001 received a custodial sentence compared to less than a quarter in 1992. Although the proportion given a custodial sentence at the magistrate court remains much lower, the *rate of increase* has been higher in that custody was used five times more frequently for women in 2001 than 1992 (see table 5.2).
- The average length of custodial sentences at magistrates courts for women over 21 years old remained about the same (2.2 – 2.3 months) whereas for Crown Court it increased from 18 months in 1992 to 24 months in 2001.
- 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.
- Provision of safe and secure accommodation – pre- and post-trial – was patchy;
- There was not always full consideration of 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. Work in 1998 revealed evidence that the kinds of information available to sentencers via pre-sentence reports vary in significant respects for men and women and according to ethnic group.

### 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;

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

England and Wales 2001		Number of people (thousands)									
Sex and type of offence	Total number of offenders sentenced	Absolute or conditional discharge			Community sentence	Detention and Young offender institution			Imprisonment		Total immediate custody
		Fine	S 90-92 PCC(S) Act 2000	Training Order		Fully suspended	Un-suspended	Otherwise dealt with			
<b>Males</b>											
Indictable offences	275.9	38.7	68.7	84.4	0.5	5.4	12.5	1.6	54.9	9.3	73.2
Summary offences	835.1	53.3	686.6	55.5	0.0	1.3	4.4	0.5	19.3	14.7	25.0
All offences	1111.0	91.9	754.7	139.9	0.5	6.7	16.9	2.1	74.2	24.1	98.2
<b>Females</b>											
Indictable offences	47.3	11.6	8.8	17.7	0.0	0.4	0.9	0.5	5.7	1.6	7.1
Summary offences	190.2	12.9	166.6	7.5	-	0.1	0.1	0.1	0.8	2.1	1.0
All offences	237.5	24.5	175.4	25.1	0.0	0.4	1.1	0.6	6.5	3.7	8.1

Note:

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

Source: Criminal statistics England and Wales, 2001, Table 7.4

**Table 5.2: Custody rates at the magistrates' courts and at the Crown Court for indictable offences by sex**

	Gender	1992	1994	1996	1998	2000	2001
<b>Magistrates courts</b>							
Number sentenced	Male	207,962	209,417	196,180	222,629	213,222	217,807
	Female	33,454	34,178	31,803	39,984	40,739	40,388
Number sentenced to immediate custody	Male	11,161	16,127	20,394	27,107	31,509	32,654
	Female	635	1,212	1,625	3,120	3,971	4,020
Custody rates	Male	5.4	7.7	10.4	12.2	14.8	15.3
	Female	1.9	3.5	5.1	7.8	9.7	10.0
<b>Crown Court</b>							
Number sentenced	Male	74,581	63,180	64,647	69,760	63,862	61,763
	Female	6,536	5,282	6,217	7,263	7,059	6,908
Number sentenced to immediate custody	Male	34,443	34,052	40,561	44,426	42,376	40,569
	Female	1,510	1,556	2,229	2,659	2,928	3,030
Custody rates	Male	46.3	53.9	62.7	63.7	66.4	65.7
	Female	23.2	29.5	35.9	36.6	41.5	43.9

Source: Offending and Criminal Justice Unit (RDS), Home Office  
Date 3 Oct 2002  
IOS 512-01

## Section 95

**Table 5.3: 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 the person <sup>(2)</sup>	Sexual offences	Burglary	Robbery	Theft and handling stolen goods	Fraud and Forgery	Criminal damage	Drug offences	Other (excluding motoring)	Motoring offences
<b>Magistrates' court</b>											
Proportionate use of immediate imprisonment <sup>(1)</sup> (percentage)											
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
1998	9	10	(30)	16	*	11	8	7	4	6	1
2000	11	11	(13)	32	*	14	8	5	4	6	3
2001	11	10	(17)	27	*	14	9	5	4	6	4
Average length of sentence for principal offences (months) <sup>(1)(3)</sup>											
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
1998	2.2	2.9	4.0	3.1	*	2.2	2.7	2.0	2.4	1.3	3.0
2000	2.3	3.0	4.0	3.5	*	2.2	2.7	1.7	2.3	1.3	4.1
2001	2.3	3.0	2.0	3.5	*	2.2	2.8	2.0	2.6	1.3	3.2
<b>Crown Court</b>											
Proportionate use of immediate imprisonment <sup>(1)</sup> (percentage)											
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)
1998	37	28	(51)	51	73	33	34	23	45	27	(16)
2000	42	33	(67)	53	75	41	32	25	55	30	(32)
2001	45	34	(39)	60	79	40	34	28	60	33	(42)
Average length of sentence for principal offences <sup>(1)(3)</sup> (months)											
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
1998	19.7	21.4	28.1	17.6	30.1	8.4	11.0	29.5	30.4	10.1	8.0
2000	21.0	20.4	39.4	17.6	28.4	8.6	9.5	27.9	34.6	9.3	7.7
2001	24.2	23.1	22.2	19.4	32.7	9.5	11.2	23.9	40.5	9.3	9.1

(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) A charging standard for assault was introduced on 31 August 1994, which led to the increase use of the summary offence of common assault.

(3) Excludes life sentences.

(\*) Based on less than 100 females sentenced.

Source: Criminal statistics England and Wales, 2001, Table 7.16

**Table 5.4: 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 the person <sup>(2)</sup>	Sexual offences	Burglary	Robbery	Theft and handling stolen goods	Fraud and Forgery	Criminal damage	Drug offences	Other (excluding motoring)	Motoring offences
<b>Magistrates' court</b>											
Proportionate use of immediate imprisonment <sup>(1)</sup> (percentage)											
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
1998	13	17	16	33	*	18	16	6	3	8	7
2000	16	19	24	39	*	22	16	7	4	9	8
2001	17	19	25	40	*	23	18	8	4	10	10
Average length of sentence for principal offences <sup>(1)(3)</sup> (months)											
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
1998	2.6	3.0	3.6	3.5	*	2.3	2.9	2.0	2.3	2.1	3.8
2000	2.5	3.1	3.7	3.5	*	2.3	2.9	2.0	2.2	2.0	4.0
2001	2.5	3.1	3.6	3.6	*	2.3	3.1	2.0	2.2	1.9	4.1
<b>Crown Court</b>											
Proportionate use of immediate imprisonment <sup>(1)</sup> (percentage)											
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
1998	64	59	77	79	92	57	57	40	66	53	60
2000	67	61	78	81	92	62	57	43	69	56	65
2001	66	61	77	79	92	59	57	43	73	53	62
Average length of sentence for principal offences <sup>(1)(3)</sup> (months)											
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
1998	23.6	23.1	41.3	21.9	47.2	12.4	16.1	26.3	32.2	12.5	9.8
2000	24.2	22.4	41.4	22.5	47.4	11.0	15.6	25.8	36.1	12.4	9.9
2001	26.0	23.1	41.2	23.9	47.2	11.8	15.7	28.5	38.8	14.1	10.3

(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) A charging standard for assault was introduced on 31 August 1994, which led to the increase use of the summary offence of common assault.

(3) Excludes life sentences.

Source: Criminal statistics England and Wales, 2001, Table 7.15



## Chapter 6

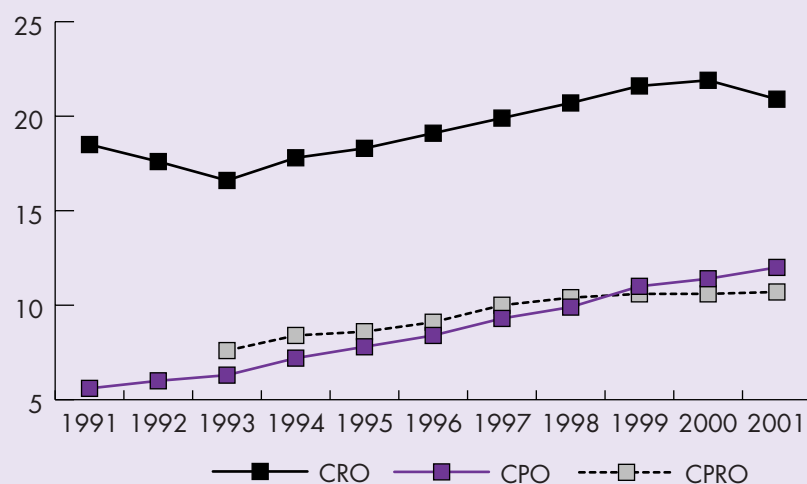
### Community penalties

- The number of women starting community sentences or pre- or post-release supervision by the probation service in 2001 was 22,700. They accounted for 13% of all persons starting such supervision.
- In 2001 there was an increase in the proportion of offenders who were female on community punishment orders (CPOs) and community punishment and rehabilitation orders (CPROs). The proportion of offenders starting a CPO who were female has risen steadily from 6% in 1991 to 12% in 2001. There is a similar trend in the proportion of females starting CPRO (11% in 2001). For community rehabilitation orders (CROs) the figure has risen gradually since 1993 but fell slightly in 2001 to 21%.

#### England and Wales

- Female offenders on community sentences are more likely to receive a CRO than any other type of order (59% receive CROs, 33% CPOs and 9% CPROs) whereas male offenders are more likely to receive a CPO (45%).
- Theft and handling stolen goods and summary offences are the main types of offences committed by those who receive community sentences. These make up 39% and 30% of female offences and 25% and 40% of male offences.

**Figure 6.1:**  
Percentage of offenders starting community sentences who were female:



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**Table 6.1: Persons sentenced for indictable offences by sex and type of sentence or order**

Sex and Year	Total number of persons sentenced	Community rehabilitation order	Community punishment order	Community punishment and rehabilitation order	Curfew order	Drug treatment and testing order	Total community sentences
Number sentenced for indictable offences				Number of persons (hundreds)			
<b>Males</b>							
1992	2825.4	258.4	291.0	*	*	*	549.4
1994	2726.0	279.2	303.6	72.8	*	*	655.6
1996	2608.3	259.3	258.7	91.1	1.0	*	610.1
1998	2923.9	293.6	272.0	112.0	5.0	*	682.5
2000	2770.8	279.0	263.6	99.4	13.1	2.5	657.6
2001	2745.7	293.6	247.6	70.3	19.7	33.2	664.4
<b>Females</b>							
1992	399.9	63.5	21.0	*	*	*	84.5
1994	394.6	69.2	25.1	8.3	*	*	102.6
1996	380.2	72.2	24.6	11.2	0.1	*	108.1
1998	472.5	90.5	30.5	16.0	0.6	*	137.6
2000	478.0	93.5	35.8	14.2	1.8	0.0	145.7
2001	473.0	90.1	34.6	9.9	2.6	6.4	144.0
<b>Percentage sentenced for indictable offences</b>							
<b>Males</b>							
1992	100.0	9.1	10.3	*	*	*	19.4
1994	100.0	10.2	11.1	2.7	*	*	24.1
1996	100.0	9.9	9.9	3.5	0.0	*	23.4
1998	100.0	10.0	9.3	3.8	0.2	*	23.3
2000	100.0	10.1	9.5	3.6	0.5	0.1	23.7
2001	100.0	10.7	9.0	2.6	0.7	1.2	24.2
<b>Females</b>							
1992	100.0	15.9	5.3	*	*	*	21.1
1994	100.0	17.5	6.4	2.1	*	*	26.0
1996	100.0	19.0	6.5	3.0	0.0	*	28.4
1998	100.0	19.1	6.5	3.4	0.1	*	29.1
2000	100.0	19.6	7.5	3.0	0.4	0.1	30.5
2001	100.0	19.1	7.3	2.1	0.6	1.4	30.4

**Table 6.2: Persons starting probation service supervision during 2001 by type of supervision and gender**

## England and Wales

Type of supervision	Male	Male as % of all orders	Female	Female as % of all orders	All orders/ supervision	% all orders <sup>(4)</sup>
CRO <sup>(1)</sup>	43,094	79	11,376	21	54,470	100
CPO <sup>(2)</sup>	45,899	88	6,287	12	52,186	100
CPRO <sup>(3)</sup>	13,849	89	1,654	11	15,503	100
Total community orders	102,842	84	19,317	16	122,159	100
Pre & post release	45,790	93	3,422	7	49,212	100
Orders + pre & post release supervision	148,632	87	22,739	13	171,371	100

**Table 6.3: Persons starting probation service supervision during 2001 by type of community order and gender**

## England and Wales

Order	Male	% of all orders – male	Female	% of all orders – female	All offenders	% of all orders – all offenders
CRO <sup>(1)</sup>	43,094	42	11,376	59	54,470	45
CPO <sup>(2)</sup>	45,899	45	6,287	33	52,186	43
CPRO <sup>(3)</sup>	13,849	13	1,654	9	15,503	13
All orders <sup>(4)</sup>	102,842	100	19,317	100	122,159	100

## Notes:

(1) Community rehabilitation order (CRO). Previously known as probation order.

(2) Community punishment order (CPO). Previously known as community service order.

(3) Community punishment and rehabilitation order (CPRO). Previously known as combination order.

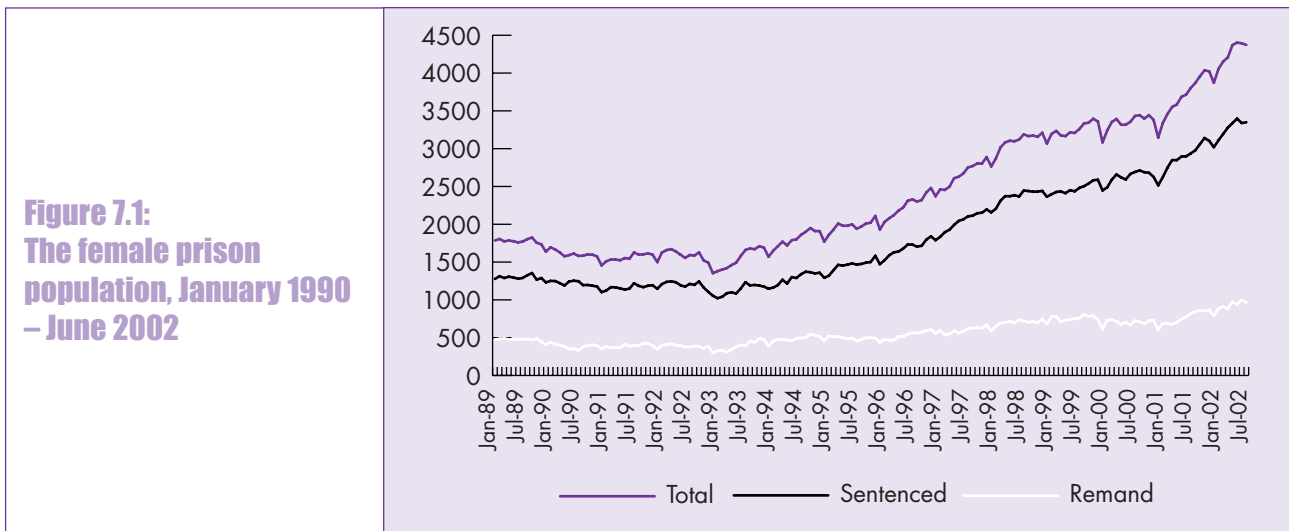
(4) Percentages are rounded independently therefore may not add up to 100.

Source: Probation Statistics England and Wales 2001.



## Chapter 7 Women in custody

[Please note that 2001 figures contained in this chapter are based on Provisional Prison Population Statistics.]

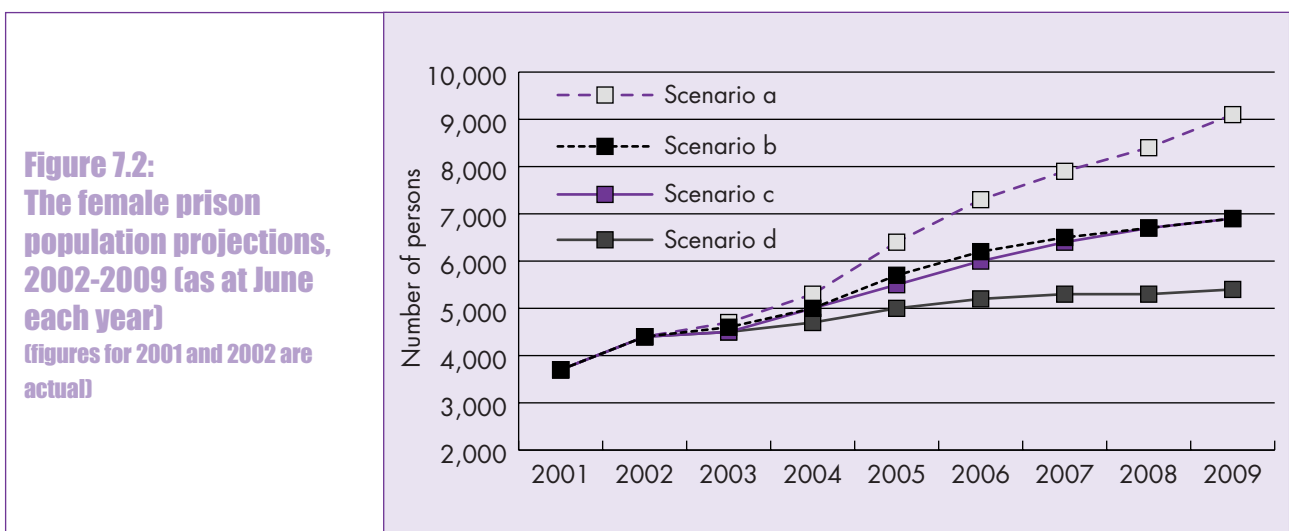


### Population (see table 7.1)

- Women are a small but increasing part of the total prison population<sup>5</sup>. In 1993, women comprised 3.5% of the prison population, rising to 3.9% in 1995, 4.4% in 1997 and 5.6% in 2001.
- 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 3,740 in 2001.

- Between 1993 and 2001, the average population of women in prison increased by 140% while the average population of men in prison increased by 46%. This reflects sentencing changes, especially the increase in the custody rate, shown in Chapter 5.
- 78% of the total female prison population were under sentence in June 2001.

### Population projections<sup>6</sup>



5. This includes women who are unconvicted, convicted, are awaiting sentence or have been sentenced.

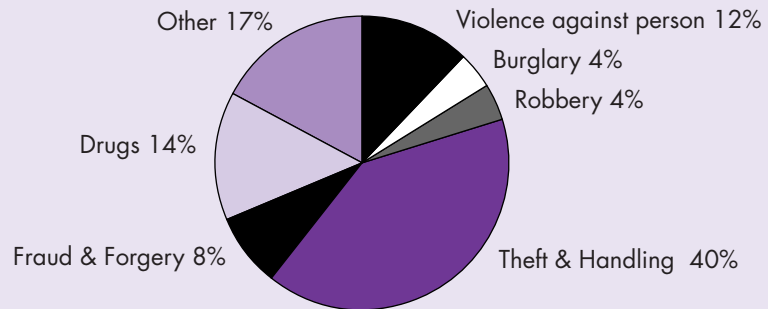
6. Figures were obtained from Home Office Statistical Bulletin 14/02: 'Projections of Long Term Trends in the Prison Population to 2009'.

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- Projections are based on assumptions about future sentencing trends and take account known changes in policy and legislation.
- The projections indicate that the number of women in prison is expected to increase over

the next 7 years. The central projection (scenario b) leads to a female prison population of 6,200 in 2006 and 6,900 by 2009. This represents a 57% increase in the female prison population between 2002 and 2009.

**Figure 7.3a<sup>7</sup>:**  
**Female receptions under sentence, 2001**

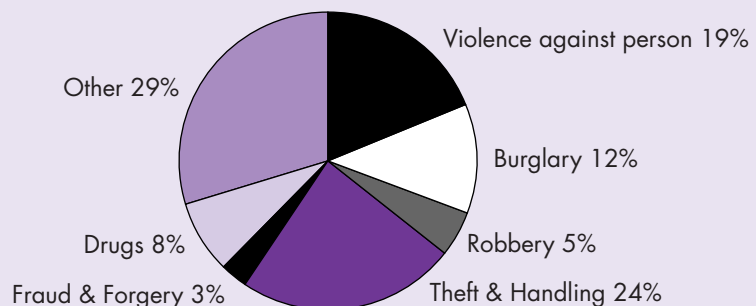


### Receptions of sentenced prisoners (see table 7.3a)

- 7,200<sup>8</sup> women were received as sentenced prisoners during 2001, 8% of all people received in prison under sentence.

- The most common offence category for which women are received into prison is theft and handling. 41% of sentenced receptions of women in 2001 were for this offence category, followed by other offences (17% of receptions), drug offences (14%) and violence against the person (12%).

**Figure 7.3b<sup>9,10</sup>:**  
**Male receptions under sentence, 2001**



- In 2001, 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, other offences, burglary and robbery.

7. Percentages exclude offence not recorded.

8. Including fine defaulters.

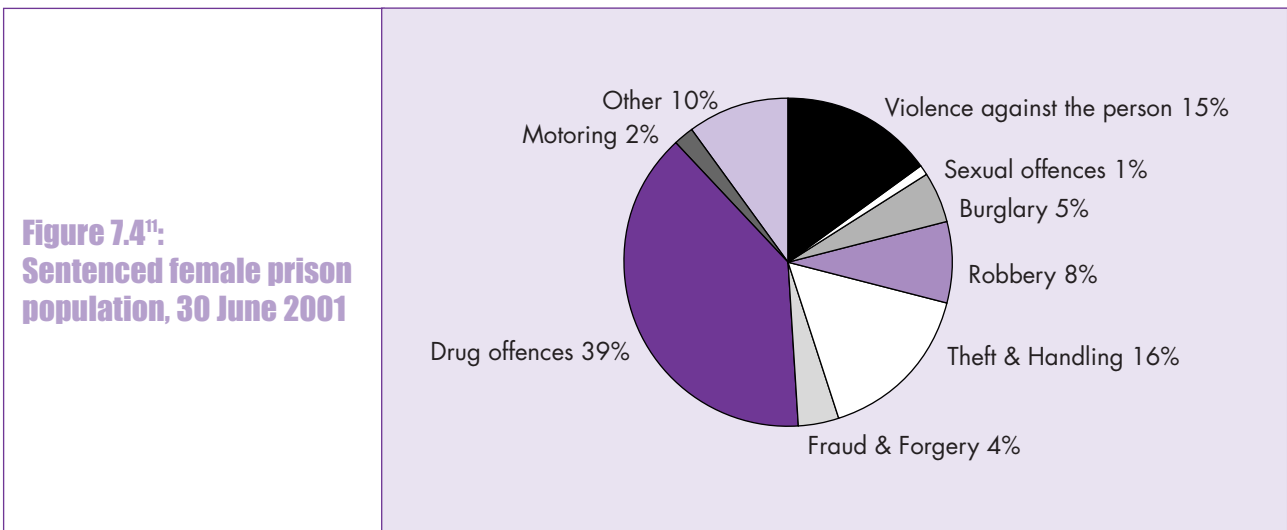
9. The proportion of males under sentence for sexual offences (3%) is included in the segment for violence against the person. In addition, the proportion of females received for violence against the person includes 14 females received for sexual offences.

10. Percentages exclude offence not recorded.

**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

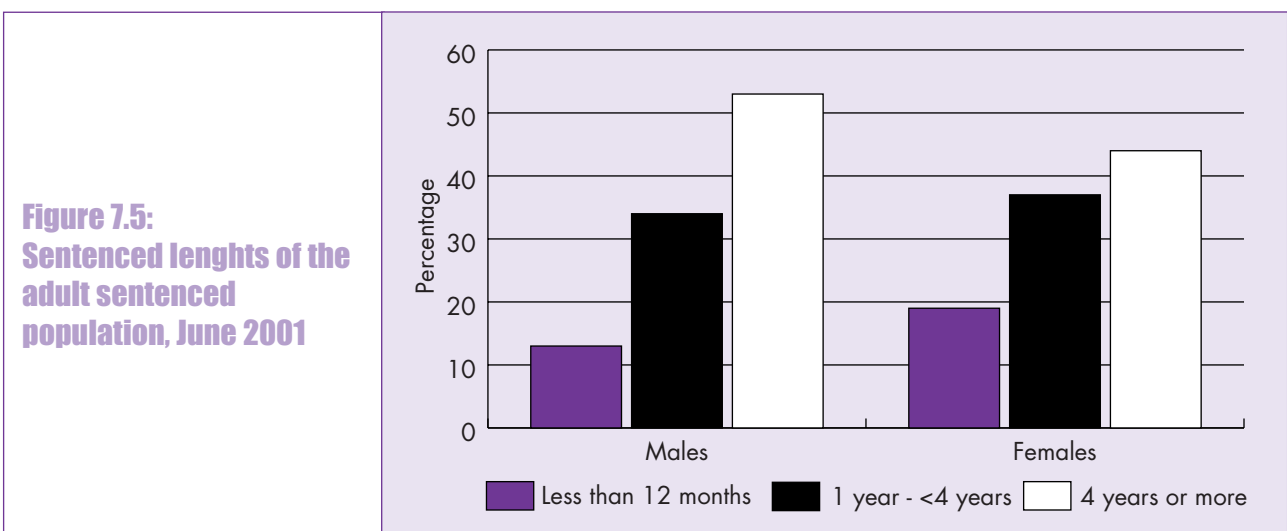
June 2001, the main offence groups were drug offences (39%), theft and handling (16%) and violence against the person (15%) (figure 7.4).



- The number of women sent to prison for fine default has declined substantially in recent years from 1,370 in 1995 to 370 in 1997, 150 in 2000 and 70 in 2001.
- Because of the short time served on average by fine defaulters (five days), the average number of female fine defaulters held during 2001 was just two.

**Sentence lengths**

- Most women coming into prison have received sentences of no more than a year. The sentences of women received into prison during 2001 were:
  - Up to and including 3 months 39%
  - Over 3 months to 6 months 24%
  - Over 6 months up to 1 year 13%
  - Over 1 year up to 3 years 14%
  - Over 3 years 9%



- Women in custody tend to be serving shorter sentences than men. (See figure 7.5).

11. Percentages exclude fine defaulters and offence not recorded.

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### Life sentence prisoners

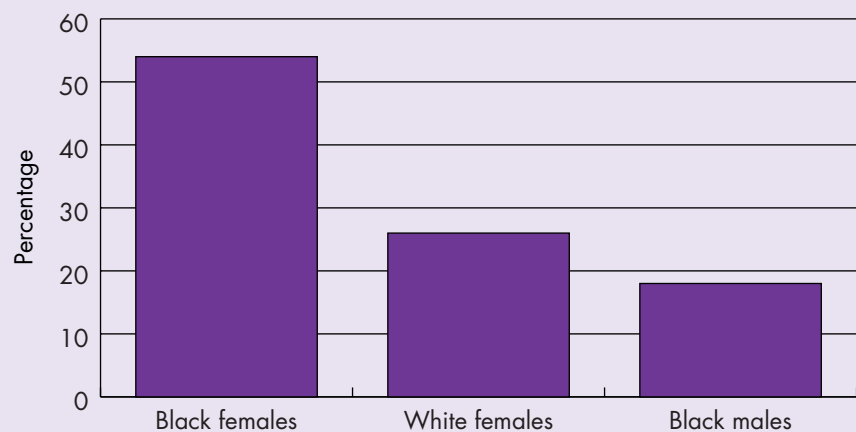
- At the end of June 2001, females comprised only a small proportion of the life sentence prisoner population, 3.4% compared to 5.6% of the total prison population. 10 of the 160 females serving life sentences were young offenders.
- The majority, (78%) were serving life sentences for murder. The main offence category for male life sentence prisoners was also murder (71%).

### Ethnic minorities

- On 30 June 2001, ethnic minority groups made up 26% of the female prison population compared to 20% of the male prison population. Black prisoners comprised 21% of the female prison population (13% males). Of those whose nationality was recorded, 19% of female prisoners were foreign nationals compared with 10% of men.
- 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. Using British nationality as a proxy for this, and limiting the comparison to the general population aged between 15 and 64, in 2001 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 2001, the proportion of black sentenced women in prison for drug offences (75%) was almost double the proportion of all sentenced female prisoners in prison for drug offences (39%). Excluding foreign nationals, the proportion of black women serving sentences for drug offences (54%) was still considerably higher than that of white women (26%) and black men (18%). (See figure 7.6)
- In June 2001, 92% of sentenced female prisoners who were black foreign nationals were held for drug offences. Many of these were arrested at ports and other locations and convicted of importing drugs.

**Figure 7.6:**  
Sentenced population of  
British Nationals for drug  
offences, 2001



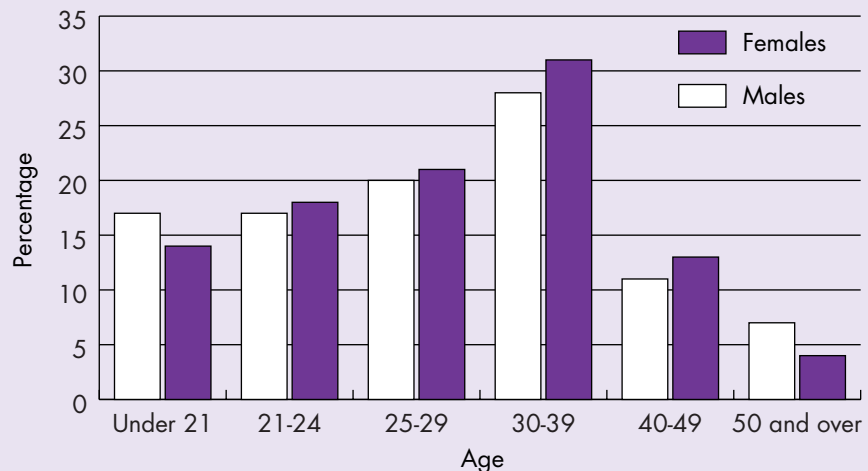
### Non-criminal prisoners

- During 2001, 100 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.
- The average female non-criminal population during 2001 was 40, nearly double the number in 2000.

### Age of women in custody

- 70% of sentenced women in custody in 2001 were aged between 21 and 39 years. The age distribution of females in prison stayed relatively stable between 2000 and 2001 (figure 7.7).

**Figure 7.7:**  
**Ages of sentenced prisoners, June 2001**



- 14% of all women in custody in June 2001 were young offenders (aged under 21 years old).

### *Juveniles (under 18s)*

- There are proportionately fewer juvenile females in prison than males.
- There were 310 receptions of sentenced females aged 15 to 17 in 2001, compared to 300 in 2000.
- 20 female juveniles were received with sentences of up to and including three months, 170 with sentences over 3 months and up to and including 6 months, 50 with sentences of over 6 months but less than 12 months and 80 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 theft and handling, violence and robbery. These categories accounted for three-quarters of all female juvenile receptions in 2001.
- Detention and Training Orders were introduced as a sentence of the courts for 12-17 year olds in April 2000. This means that the shortest immediate sentence is now four months compared to 2 months previously.

### *Family circumstances*

According to ONS and Home Office sources (ONS 2000; HORS 208, 2000):

- around two-thirds of female prisoners are single compared with 17% in the general population;

- At least one-fifth were living as lone parents before imprisonment (compared to 9% in the general population).

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

### *History of care and abuse*

- According to the 1997 Thematic review, 20% of women said that they had experienced time in care. The equivalent figure for the general population is just 2%.
- The review reports that nearly half of the females interviewed said that they had suffered abuse. Of these, a third reported both physical and sexual abuse, a third reported sexual abuse and the remainder reported that they had been physically abused. 40% of these women had been under 18 at the time; a further 22% had been abused both as a child and as an adult.

### *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 (Singleton, N. et al. ONS 1998).
- 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 financial year 2000/01, 9.9% of mandatory drug tests carried out in female prisons were positive compared with 12.8% in adult male prisons.

### *Mental health of prisoners*

- According to the Office for National Statistics survey, the proportion of females who had received help or treatment for a mental or emotional problem in the 12 months before entering prison was 40% – double the proportion of male prisoners.

- The prevalence of any personality disorder was lower for female prisoners than for males. 50% of females had some type of personality disorder compared to 78% of males held on remand and 64% of male sentenced prisoners.
- 31% of female prisoners were assessed as having anti-social personality disorder – the highest prevalence of any single type of personality disorder.
- 15% of female sentenced prisoners had previously been admitted to a mental hospital.

### *Healthcare*

- A recent survey of healthcare needs of prisoners found that 60% of women rated their own health as fair, poor or very poor (Marshall, T. et al, 2000).
- The greater part of most prisoners' health care is delivered by the Prison Service rather than the NHS. It has always been the aim to ensure that prisoners get health care standards equivalent to the NHS, but it is generally recognised this is not being achieved everywhere and in some places the gulf in standards is very wide.
- In an effort to secure better healthcare in prisons, a new formal partnership between the Prison Service and the NHS was set up in 1999. A first task has been a health care needs assessment for prisons.
- This assessment, carried out by a team from the Department of Public Health and Epidemiology at Birmingham University, found that women prisoners report higher rates of various physical and psychological problems than women in the general population. These include asthma, epilepsy, high blood pressure, anxiety and depression, stomach complaints, period and menopausal problems, sight and hearing difficulties and kidney and bladder problems.
- Female prisoners consult doctors about 20 times a year. This is five times more frequently than women of equivalent age in the community. Although it is slightly less than male prisoners who consult doctors 23 times a year on average.

### Regimes

A 2001 comparison of regimes in female prisons with all prisons indicated that female prisons provide:

- higher average hours on purposeful activity per week (25.1 hours compared with 23.7 for all prisons);
- longer time out of cell (10.3 hours on weekdays and 9.5 a day at weekends compared with 9.9 and 8.6 hours respectively);
- fewer accredited offending behaviour programmes (only 6.2% of completions in 2001/02 took place in female prisons);
- more hours of education and skills training (6.8 hours a week compared with 6.6 hours for all prisons);
- In 2001, temporary releases for all female adult prisoners were 124% more than in 1995 compared to a 64% increase in releases overall. This reflects reductions in compassionate and family visits; releases for working outside and reparations have risen.

### Educational achievement

- In a recent Home Office study (HORS 208, 2000), 74% of women in prison had left school at the age of 15 or 16 compared to 32% in the general population.
- 39% of women had any qualifications, compared with 82% in the general population and 51% of the male prison population.
- Prisoners have much lower basic skill attainments than the general population. Females however tend to achieve slightly better results than male prisoners in basic skills assessment screening tests. Provisional results from female prisons for 2001/02 showed that the proportion whose results were low (at level one and below) in reading was 47.1%, in writing (i.e. measured as spelling & punctuation) was 74.3% and in numeracy was 70.6%. This compares to overall results from all prisons of 49.4% in reading, 81.5% (i.e. now measured as spelling & punctuation) in writing and 64.4% in numeracy.

### Offences in prisons

- Women have a higher rate of offending against prison discipline compared with men (in 2001 there were 224 offences per 100 female prisoners compared with 160 per 100 male prisoners).

### Self harm/suicide

- The most recent ONS survey of psychiatric morbidity among prisoners in England and Wales found that 37% of sentenced female prisoners had previously attempted suicide (Singleton, N. et al., ONS 1998).
- 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.
- In 2001, there were 6 self-inflicted deaths among female prisoners, a rate per 1000 prisoner of 1.60 compared with a rate of 1.07 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.
- 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.
- Further information taken from a resettlement survey conducted in Dec 2001 (RF 173) revealed that only 59% of females had accommodation arranged in last 2-3 weeks of sentence. This compares with 67% of the whole sample and 69% of all male prisoners (adults and young offenders).

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### Work experience

- In a recent Home Office resettlement survey of 148 female prisoners nearing release in 2001 (unpublished), 29% of female prisoners had been in employment in the 12 months before custody compared with 50% of male prisoner (including male young offenders). 20% of female prisoners had never had a paid job compared with 12% of all male prisoners.
- In the 12 months before custody 10% of women were unemployed and not seeking work<sup>14</sup>; 17% were looking after home or family; 12% were long term sick or disabled; 22% were living off crime.
- According to a separate Home Office survey (2000), of those who had worked during the previous year, 27% had worked on a part-time basis and 52% in semi- or un-skilled manual jobs.
- A 1999 survey of 567 sentenced women prisoners aged 18 to 40 found that although 82% had worked at some stage before prison, only about half of these 44% had held a job in the 12 months prior to imprisonment.
- A follow-up survey of 178 of the women indicated that they did not find it easy to re-establish themselves in the workplace after their release. At the time of the follow-up interview (5 to 9 months after release) only 25% were in employment. Three in ten (30%) described themselves as unemployed and most of the remainder were looking after the home or family (29%).
- Labour market success on release tended to be related to respondents' pre-prison work record. Shorter-term prisoners (with sentences of no more than a year) were also more likely to have found work compared to longer-term prisoners.
- According to a recent resettlement study (2001), only 18% of females had employment or a training course arranged for release compared with 30% for the whole sample and 30% for adult males.

**Table 7.1: Average population in custody by type of custody and sex, 1990 – 2001**

	Number of prisoners (thousands)						
	1990	1992	1994	1996	1998	2000	2001
<b>All males</b>							
Population in custody of which:	44.0	44.2	47.0	53.0	62.2	61.3	62.6
Prisoners on remand	9.5	9.7	11.9	11.1	11.9	10.6	10.5
Prisoners under sentence	34.3	34.2	34.5	41.3	49.8	50.1	51.1
Young offenders	6.1	5.3	5.2	6.5	8.2	8.1	8.2
Adults	28.2	28.9	29.3	34.9	41.6	42.0	43.0
Non-criminal prisoners	0.2	0.3	0.6	0.6	0.5	0.6	1.0
<b>All females</b>							
Population in custody of which:	1.6	1.6	1.8	2.3	3.1	3.4	3.7
Prisoners on remand	0.4	0.4	0.5	0.5	0.7	0.7	0.8
Prisoners under sentence	1.2	1.2	1.3	1.7	2.4	2.6	2.9
Young offenders	0.1	0.1	0.2	0.2	0.3	0.4	0.4
Adults	1.0	1.0	1.1	1.5	2.0	2.3	2.5
Non-criminal prisoners	-	-	-	-	-	-	-

- = nil or negligible

**Table 7.2: Receptions<sup>(1)</sup> into prison under an immediate custodial sentence: by age and sex(p), 1990–2001**

	1990 <sup>(2)</sup>	1992 <sup>(2)</sup>	1994	1996	1998	2000	2001
<b>Males</b>							
<i>Total</i>	48.7	47.8	58.2	70.3	80.0	84.2	83.3
Adults	34.7	35.0	43.8	53.4	61.5	64.1	63.6
<b>Young Offenders</b>							
15-17	3.7	3.3	4.0	5.1	5.3	5.5	5.6
18-20	10.3	9.4	10.5	11.8	13.2	14.6	14.2
<b>Females</b>							
<i>Total</i>	2.1	2.2	3.0	4.0	5.9	7.0	7.2
Adults	1.7	1.8	2.4	3.3	4.8	5.8	6.0
<b>Young Offenders</b>							
15-17	0.1	0.1	0.1	0.2	0.3	0.3	0.3
18-20	0.3	0.3	0.4	0.5	0.8	0.9	1.0

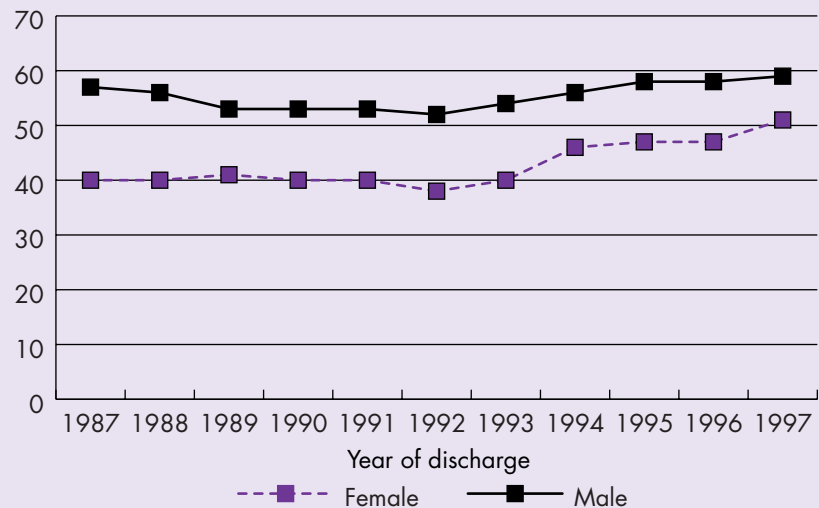
(1) Excludes fine defaulters.

(2) Includes 14-year-old males



## Chapter 8 Reconvictions

**Figure 8.1<sup>12</sup>:**  
**Prisoners reconvicted  
within 2 years**



- 58% of all prisoners discharged in 1997 were reconvicted for a standard list offence<sup>13</sup> within two years. The rates for the main groups were:
  - 54% for adult men;
  - 76% for male young offenders;
  - 51% 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 35% within two years, compared with 56% for men. For those sentenced to up to 12 months women had a reconviction rate of 56%, compared to 61% 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 1996 was 46% compared with 57% for men.
- In the same year, the reconviction rate for probation orders was 49% (63% for men), for community service was 35% (51% for men) and for combination orders was 50% (59% for men).

12. 1997 figures in this chart are provisional for the first quarter of the year.

13. Offences listed in Criminal Statistics publications which are mainly indictable either way offences, but include some summary offences as well.

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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 1996**

	Number of previous convictions <sup>(2)</sup>					Total
	None	1 or 2	3-6	7-10	11 or more	
<b>All males</b>						
Probation	34	52	65	72	79	63
Community service	29	46	62	67	76	51
Combination order	37	53	64	72	75	59
All community penalties	32	49	63	71	78	57
Immediate custody	19	42	57	69	79	58
<b>All females</b>						
Probation	26	48	60	65	85	49
Community service	19	39	57	74	82	35
Combination order	26	58	66	85	88	50
All community penalties	24	47	60	68	85	46
Immediate custody	11	37	61	76	83	47

(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.

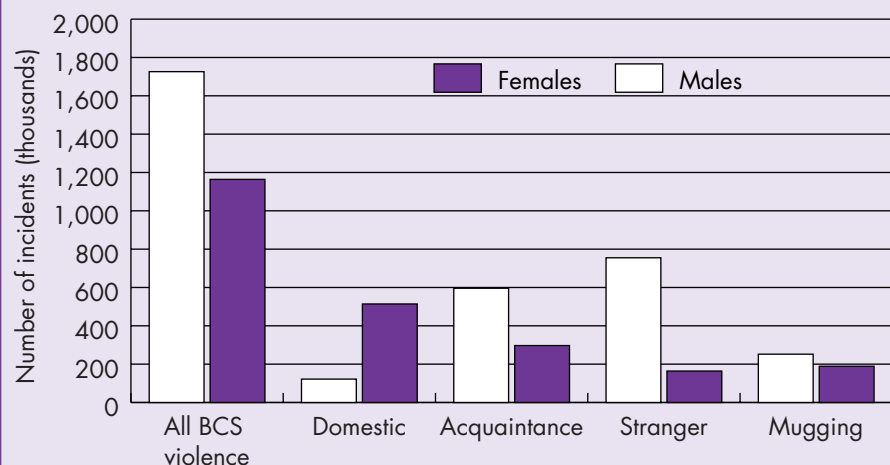
## Chapter 9

### Victims of crime

The majority of the material on violent crime presented in this section is drawn from the 2001/2002 British Crime Survey (reported in Home Office Statistical Bulletin 07/02) – a household survey of nearly 33,000 adults<sup>14</sup>.

*Violent crime* (includes domestic violence, mugging and other violence by strangers or acquaintances)

**Figure 9.1:**  
Number of violent crimes against males and females (2001/02 BCS interviews)



- 5.2% of adult men and 2.8% of adult women had been victims of at least one violent crime in the previous twelve months according to BCS interviews in 2001/02. The risks were greater for men and women aged less than 25;
- Men are the most frequent victims of stranger violence, muggings are more evenly split between the sexes, though men remain at higher risk;
- 44% of violent incidents against women were domestic. Repeat victimisation was particularly common for domestic violence with 57% of victims experiencing two or more crimes (2001/02 British Crime Survey interviews).

#### 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 reporting of incidents 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.

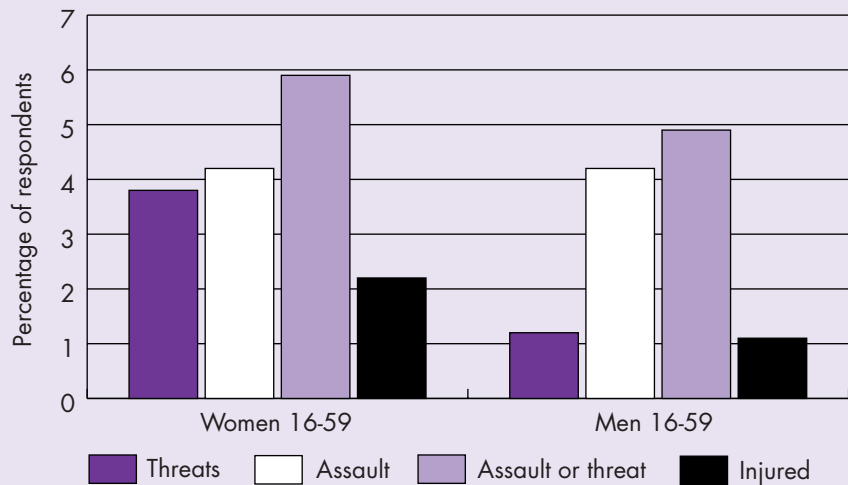
The main findings from *Domestic Violence: Findings from a new British Crime Survey self-completion questionnaire*, HORS 191<sup>15</sup> were:

- 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.

14. Adult offenders are defined here as over 16

15. A subsequent publication based on analysis of 2001/2 questions is planned for summer 2003

**Figure 9.2:**  
Prevalence of domestic violence in the last year



- 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.
- Special analysis of recorded crime data for 1999/2000 shows that three-quarters of male victims and nearly 90 per cent of female victims of Violence Against the Person<sup>16</sup> knew the offender.

## Robbery

- British Crime Survey 2001/02 figures indicated that 39% of victims of incidents of robbery were female.

Special analysis of recorded crime data for 1999/2000 shows that:

- The 14-17 year old male age group accounted for a quarter of all victims;
- Victimization levels for females were much lower and more evenly spread by age, although 15 per cent of female victims were aged 70 and over;
- The victim knew the suspect in almost half the robberies with male victims, and about a third with female victims.

16. includes murder, manslaughter, wounding and other acts endangering life but excludes common assault

## Indecent assault (including buggery)

- Female victims of indecent assault tended to be older than male victims.
- 37% 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 242 female homicide victims in 2000/01 (30% of all homicide victims).
- Women were more likely to be strangled or asphyxiated than men (25% compared with 15%).
- The main suspect was known to 43% of male victims and 71% of female victims. 42% of women were killed by current or former partners or lovers compared with only 4% of men.

## Rape

The following are taken from Recorded Crime figures (Home Office Statistical Bulletin 07/02)<sup>17</sup>:

- The police recorded 9,008 offences of female rape in 2001/2002. There were also 735 offences of male rape;

17. Recorded crime figures differ from the British Crime Survey in they include only those crimes reported to and recorded by the police.

- The police detected<sup>18</sup> 41% of female rapes and 47% of male rapes.

The 1998 and 2000 British Crime Surveys included a computerised self-completion questionnaire designed to provide the most accurate ever estimates of the extent and nature of sexual victimisation in England and Wales. The main findings from this work first reported in *Rape and sexual assault of women: the extent and nature of the problem, HORS 237*, are set out below. The estimates of the extent of crime come from BCS interviews in 2000 and the analysis of the nature of incidents comes from 1998 and 2000 interviews combined.

- 0.9 per cent of women aged 16 to 59 said they had been subject to some form of sexual victimisation (including rape) during the last year;
- 0.4 per cent of women said they had been raped in this period;
- In the year preceding the 2000 BCS it is estimated that 61,000 women were the victim of a rape in England and Wales;
- Around 1 in 10 women (9.7%) said they had experienced some form of sexual victimisation (including rape) since age 16;
- Around 1 in 20 women (4.9%) said they had been raped on at least one occasion since age 16;
- The BCS estimates that approximately three-quarters of a million women (754,000) have been raped on at least one occasion since age 16;
- Women are most likely to be sexually attacked by men they know in some way, most often partners (32%) or acquaintances (22%);
- 'Strangers' were only responsible for 8 per cent of rapes reported to the survey;
- The police came to know about 20 per cent of rapes.

A Home Office study looking at the processing of rape cases reported to the police in 1996 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;
- 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 not recorded as a crime;
- 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 crimed cases reached the Crown Court<sup>19</sup>;
- Just 9% of suspects were convicted of rape or attempted rape.

### Stalking

The material on stalking is taken from the 1998 British Crime Survey drawing from a new self-completion questionnaire designed to provide the first reliable measure of the extent of stalking, defined as persistent and unwanted attention, in England and Wales.

- Three-quarters of those who were identified as having been subject to persistent and unwanted attention were women;
- In 1998, 16.1% of women had experienced being stalked at some time in their lives, compared to 6.8% of men;
- Overall, the risks of being stalked in the last year were higher for women than for men – 4% and 1.7% respectively. This is due to particularly high risks among younger women;

18. 'Detected' replaces the previously used term 'cleared-up'

19. One defendant was convicted and sentenced at magistrates' court for unlawful sexual intercourse.

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- 16.8% of women aged between 16 and 19 years of age reported having been stalked compared with 3.1% of men, as well as 7.8% of women between 20 and 24 compared with 4.6% of men;
- An evaluation of the use of the Protection from Harassment Act revealed that harassment was most often perpetrated by an ex-partner (Harris 2000).

**Table 9.1: Number of violent incidents against men and women by BCS typology of violence, 2001/02**

	Number and percentages						BCS
	All (thousands)	Men (thousands)	Women (thousands)	% of all incidents	% against men within violence type	% against women within violence type	
All violence	2,891	1726	1164	100	60	40	
Domestic	635	122	514	22	19	81	
Acquaintance	894	596	297	31	67	33	
Stranger	920	755	164	32	82	18	
Mugging	441	252	189	15	57	43	

Notes:

1. Source 2001/02 BCS.
2. Because of the differing proportions of men and women in the sample to the population, the number of incidents against men and women do not add to totals. Survey rates are grossed up to population estimates.
3. 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.

**Table 9.2: Proportion of adults victims of violence by personal characteristics and BCS typology of violence 2001/02**

	Percentage					BCS
	All violence	% victims once or more			Mugging	
		Domestic	Acquaintance	Stranger		
<b>Men</b>	<b>5.2</b>	<b>0.3</b>	<b>1.9</b>	<b>2.5</b>	<b>0.9</b>	
16-24	16.2	0.8	6.0	8.2	3.2	
25-44	5.2	0.4	1.8	2.7	0.7	
45-64	2.5	0.1	1.1	0.9	0.4	
65-74	0.7	0.0	0.2	0.3	0.2	
75+	0.6	0.0	0.3	0.1	0.2	
<b>Women</b>	<b>2.8</b>	<b>0.9</b>	<b>0.8</b>	<b>0.7</b>	<b>0.7</b>	
16-24	7.5	2.6	2.5	1.5	1.8	
25-44	3.2	1.1	0.8	0.9	0.5	
45-64	2.0	0.5	0.5	0.5	0.6	
65-74	0.7	<0.1	0.2	0.1	0.4	
75+	0.5	<0.1	<0.1	<0.1	0.4	

(1) Source 2001/02 BCS. Risks based on adults.

## Chapter 10

### Female practitioners in the criminal justice system

This section provides information on the employment of women of women in the criminal justice system. The information shows that, for most criminal justice agencies, women are employed in lower proportions at senior levels than their presence in the workforce.

#### Employment in the Criminal Justice System 2000

	Total staff	Gender of staff			
		Female		Male	
<b>Home Office</b>					
AO equivalent & below	6,693	4,328	(65%)	2,365	(35%)
EO equivalent	6,068	3,231	(53%)	2,837	(47%)
HEO equivalent	2,689	1,381	(51%)	1,308	(49%)
SEO equivalent	1,039	427	(41%)	612	(59%)
G7 & above	1,170	394	(34%)	776	(66%)
TOTAL	17,659	9,761	(55%)	7,898	(45%)

At January 2002.

	Total staff	Gender of staff			
		Female		Male	
<b>Police</b>					
Constables	99,284	20,081	(20%)	79,203	(80%)
Sergeants	18,556	1,952	(11%)	16,604	(89%)
Inspectors & Chief Inspectors	7,743	597	(8%)	7,146	(92%)
Superintendent & above	1,456	103	(7%)	1,353	(93%)
TOTAL	127,039	22,733	(18%)	104,306	(82%)
Civilian Staff (inc. Traffic Wardens)	60,271	37,040	(61%)	23,232	(39%)

At 31 March 2002.

The highest ranking female Police Officer is of Chief Constable rank.

	Total staff	Gender of staff			
		Female		Male	
<b>Forensic Science Service</b>					
Agency/Contractors	119	58	(49%)	61	(51%)
Grade C	1331	876	(66%)	455	(34%)
Grade B	513	310	(60%)	203	(40%)
Grade A	404	138	(34%)	266	(66%)
Grade 6	38	9	(24%)	129	(76%)
TOTAL	2,405	1,391	(58%)	1,014	(42%)

At 1 April 2002.

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	Total staff	Gender of staff			
		Female		Male	
<b>Crown Prosecution Service</b>					
Level B & below (Administrators)	4,649	3,501	(75%)	1,148	(25%)
Level C (Lawyers)	1,951	1,046	(54%)	905	(46%)
Level D & above (Lawyers)	381	120	(31%)	261	(69%)
Level D & above (Administrators)	72	23	(32%)	49	(68%)
TOTAL	7,053	4,690	(66%)	2,363	(34%)

At 1 August 2002.

	Total staff	Gender of staff			
		Female		Male	
<b>Serious Fraud Office</b>					
HEO equivalent & below	136	72	(454%)	64	(46%)
SEO & above	74	24	(32%)	50	(68%)
TOTAL	210	96	(46%)	114	(54%)

At 31 July 2002.

	Total staff	Gender of staff			
		Female		Male	
<b>Lord Chancellor's Department Headquarters</b>					
AA to SEO	896	499	(56%)	397	(44%)
Grade 7 and above	335	153	(46%)	182	(54%)

At 1 April 2002.

	Total staff*	Gender of staff			
		Female		Male	
<b>Magistrates' courts</b>					
Justices' Chief Executives	39	8	(21%)	31	(79%)
Dual Appointments	6	3	(50%)	3	(50%)
Justices' Clerks	128	30	(23%)	98	(77%)
Senior Legal Managers	300	125	(42%)	175	(58%)
Senior Admin Managers	141	63	(45%)	78	(55%)
Court Clerk	1,497	913	(61%)	584	(39%)
Principal Admin Division	901	674	(75%)	227	(25%)
Admin Grades	5,579	4,232	(76%)	1,347	(24%)
Clerical	1,521	972	(64%)	549	(36%)
TOTAL	10,110	7,019	(69%)	3,092	(31%)

At March 2002.

\* Full-time equivalent

	Total staff	Gender of staff			
		Female		Male	
<b>Crown and Combined Court</b>					
AA-SEO	6159	4,200	(68%)	415	(32%)
Grade 7 and above	19	7	(37%)	12	(63%)

At 1 April 2002  
These figure exclude all casuals and off strength staff

	Total staff	Gender of staff			
		Female		Male	
<b>Judiciary and Magistracy</b>					
Lay magistrates	28,479	13,981	(49%)	14,498	(51%)
District judges <sup>20</sup> (inc. deputies)	258	50	(19%)	208	(81%)
Recorders	1,318	162	(12%)	1,156	(88%)
Circuit Judges	620	59	(7%)	561	(93%)
High Court Judges	107	6	(6%)	101	(94%)
Lords Justices	36	2	(6%)	34	(94%)

At 1 October 2002.  
Note: the District Judges figures (inc.deputies) do not include County Court District Judges

	Total staff	Gender of staff			
		Female		Male	
<b>Legal profession</b>					
Solicitors on the Roll	109,552	42,232	(39%)	67,320	(61%)
Solicitors with Practising Certificates	86,603	32,395	(37%)	54,208	(63%)
Solicitors in private practice	68,466	24,095	(35%)	44,371	(65%)

At 31 July 2001

	Total staff	Gender of staff					
		Female		Male		Not known	
Barristers in independent practice	10,338	2,408	(35%)	6,818	(65%)	1112	(11%)
Queen's Counsel	1,100	92	(8%)	1008	(92%)	77	(7%)

At 8 May 2002.

	Total staff	Gender of staff			
		Female		Male	
<b>Probation Service</b>					
Probation Officers (main grade)	6,403	4,044	(63%)	2,360	(37%)
Probation Officers (senior grade)	1,515	710	(47%)	805	(53%)
TOTAL (Probation Officers)	7,919	4,754	(60%)	3,165	(40%)
Other staff (inc. Hostel Managers)	9,667	7,270	(75%)	2,397	(25%)
TOTAL staff	17,586	12,024	(68%)	5,562	(32%)

At 31 December 2001.

The highest ranking female Probation Officers(excluding those seconded to the Home Office) were: 18 Chief Officers, 5 Deputy Chief Officers and 82 Assistant Chief Officers.

20. 2001 figures exclude County Court District Judges.

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	Total staff	Gender of staff			
		Female		Male	
<b>Prison Service</b>					
Prison Officer grades	23,052	3,775	(16%)	19,277	(84%)
Governor grades & equivalent new					
Prison Service grades	1,197	203	(17%)	994	(83%)
Other grades	20,214	9,223	(46%)	10,991	(54%)
Other grades	19,380	8,692	(45%)	10,688	(55%)

At 31 March 2002.

The highest ranking female Prison Officer was a Grade 1 Band A (formerly Governor grade).

	Total staff	Gender of staff			
		Female		Male	
<b>Parole Board</b>					
Members	120	40	(33%)	80	(67%)

At August 2002.

	Total staff	Gender of staff			
		Female		Male	
<b>Boards of Visitors</b>					
Members	1773	821	(47%)	912	(53%)

At 2 August 2002.

	Total staff	Gender of staff			
		Female		Male	
<b>Criminal Injuries Compensation Authority &amp; Criminal Injuries Compensation Appeals Panel</b>					
AO equivalent & below	285	141	(59%)	144	(41%)
EO equivalent	72	40	(56%)	32	(44%)
HEO equivalent	58	14	(24%)	34	(76%)
SEO equivalent	8	2	(25%)	6	(75%)
G7 & above	22	14	(64%)	8	(36%)
TOTAL	445	211	(54%)	224	(46%)

At 1 November 2002.

	Total staff	Gender of staff			
		Female		Male	
<b>Victim Support</b>					
• Volunteers					
Volunteer Staff Scheme	7,250	5,473	(75%)	1,642	(23%)
Crown Court Witness					
Service Volunteers	1,530	1,184	(77%)	325	(21%)
Magistrates' Court Witness					
Service Volunteers	1,688	1,302	(77%)	364	(22%)
Support Line	24	20	(83%)	4	(17%)
TOTAL	10,492	7,979	(66%)	2,335	(19%)

At January 2001.

	Total staff	Gender of staff			
		Female		Male	
• Staff					
Volunteer Staff Scheme	1,023	819	(80%)	204	(20%)
Crown Court Witness					
Service Volunteers	125	90	(72%)	35	(28%)
Magistrates' Court Witness					
Service Volunteers	157	110	(70%)	47	(30%)
Support Line	7	4	(57%)	3	(43%)
TOTAL	1,312	1,023	(78%)	289	(22%)

At 5 February 2002.

	Total	Gender of staff			
		Female		Male	
<b>Youth Justice Board (Percentage)</b>					
Manager	665	299	(45%)	366	(55%)
Police	331	138	(41%)	194	(59%)
Probation	302	168	(56%)	134	(44%)
Social services	1,490	834	(56%)	636	(44%)
Education	281	179	(64%)	102	(36%)
Health	193	140	(73%)	53	(27%)
Administration	862	787	(91%)	75	(9%)
Others	1,273	763	(60%)	510	(40%)
Total	5,395	3,306	(61%)	2,089	(39%)



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