

Article

# Child abuse and the criminal justice system, England and Wales: year ending March 2019

Information on responses to and outcomes of child abuse cases and the criminal justice system.

Contact:  
Meghan Elkin  
crimestatistics@ons.gov.uk  
+44 (0)20 7592 8695

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# 1 . Main points

- The majority of child abuse cases remain hidden and therefore do not enter the criminal justice system.
- Around 227,500 identifiable child abuse offences were recorded by the police in the year ending March 2019, of which around 1 in 25 (4%) resulted in a charge or summons.
- The number of suspects the police had referred to the Crown Prosecution Service (CPS) for a charging decision fell by 22% in the last year; the charging rate for legal decisions <sup>1</sup> also fell (from 73% to 68%).
- While not all cases continue through the criminal justice system, almost four in five of child abuse-flagged CPS prosecutions were successful in securing a conviction in the year ending March 2019 (79%).
- Immediate custody accounted for around one-half (50%) of sentencing outcomes recorded by the Ministry of Justice (MoJ) for identifiable child sexual abuse offences, and around one-quarter (23%) of cruelty to and neglect of children offences in 2018.
- Around one-half (49%) of child abuse offences recorded by the police do not proceed further through the criminal justice system because of evidential difficulties;<sup>2</sup> this reflects the challenges involved in investigating child abuse offences, and that some may have occurred a long time in the past.

## Statistician's comment

"By its very nature, child abuse is often hidden from view and many cases don't come to the attention of the police or the courts.

"Of identifiable child abuse offences recorded by the police in the year ending March 2019, 1 in 25 resulted in a charge or summons. Of cases that did lead to a prosecution, 4 in 5 resulted in a conviction.

"We see similar trends in figures for sexual offences. Of course, both crimes are particularly sensitive in nature and some have occurred a long time in the past making them more challenging to investigate."

Meghan Elkin, Centre for Crime and Justice, Office for National Statistics

## Finding help

If you or someone you know has experienced abuse, help is available:

- [Childline](#) can be called on 0800 1111
- [Help for Adult Victims of Child Abuse \(HAVOCA\)](#) offers online support
- [Mind](#) can be called on 0300 123 3393 or emailed at [info@mind.org.uk](mailto:info@mind.org.uk)
- [National Association for People Abused in Childhood \(NAPAC\)](#) can be called on 0808 801 0331
- [National Society for the Prevention of Cruelty to Children \(NSPCC\)](#) can be called on 0808 800 5000 or emailed at [help@nspcc.org.uk](mailto:help@nspcc.org.uk)
- [Rape Crisis](#) can be called on 0808 802 9999
- [Samaritans](#) can be called on 116 123 or emailed at [jo@samaritans.org](mailto:jo@samaritans.org)
- [The Survivors Trust](#) can be called on 08088 010 818
- [Victim Support](#) can be called on 0808 16 89 111

## Notes for: Main points

1. Legal decisions are decisions to charge, take no further action or issue an out-of-court disposal.
2. Evidential difficulties is used when the police were unable to build a strong enough case for the offence to continue through the criminal justice system. This can include when the offender could not be traced, or where the victim feels unable to support police action.

## 2 . Child abuse and the criminal justice system

As there is no specific offence of “child abuse” in law, it can be challenging to identify child abuse cases within the criminal justice system. In addition, different approaches to identifying cases of child abuse within the different data sources prevent direct comparisons across the criminal justice system.

For police recorded crime data, we have used the following definitions as the best indicator of the four main types of child abuse:

- child sexual abuse – any sexual offence where there are data to identify the victim was a child, either through the offence (for example, rape of a male or female child under age 16 years) or by using information on the age of the victim
- child physical abuse – offences of violence against the person involving “non-accidental infliction of physical force” where the victim was under the age of 18 years
- child neglect – the offence of ‘cruelty to children/young persons’; some of these offences would be counted as child physical abuse rather than neglect
- child emotional abuse – stalking or harassment offences where the victim was under the age of 18 years

The [Ministry of Justice \(MoJ\)](#)<sup>1</sup> uses subcodes of offences to identify those relating to child abuse. As such, only certain sexual offences against children and the offence of “cruelty to and neglect of children” are identifiable as child abuse.

Data are also available from the [Crown Prosecution Service \(CPS\)](#)<sup>2</sup> for child abuse-flagged cases, which may be applied for cases of neglect, physical, emotional, and sexual criminal offences.

See [Quality and methodology](#) for more information.

For information on the extent and circumstances of child abuse, and the demand on authorities and support services, see [Child abuse in England and Wales](#).

## Notes for: Child abuse and the criminal justice system

1. See [Criminal court statistics quarterly](#) and [Criminal justice statistics quarterly](#).
2. The Crown Prosecution Service (CPS) is the principal prosecuting authority for England and Wales, acting independently in criminal cases investigated by the police and others.

## 3 . Things you need to know about this release

This article brings together different data sources on child abuse and the criminal justice system with the aim of providing a better understanding of the outcomes of these cases than is possible from looking at individual data sources. It has been produced by the Office for National Statistics (ONS), working in collaboration with the:

- Crown Prosecution Service (CPS)
- Home Office (HO)
- Ministry of Justice (MoJ)

Further commentary on child abuse, including definitions and quality and methodology information, can be found in [Child abuse in England and Wales](#). This release includes separate articles on the extent and nature of the different types of abuse.

## How do the different data sources relate to each other?

Cases cannot be followed through the criminal justice system, and data from different stages cannot be directly compared. For example, because of the time lag between different stages of the system, cases recorded by the police may not appear in CPS or MoJ data until a later period. Indicators reported in this article use data on:

- charging outcomes
- prosecution and conviction outcomes
- sentencing outcomes
- characteristics of defendants

The different indicators are not directly comparable. They are collected on different bases (for example, crimes, suspects or defendants), using different timescales and reference periods. Cases may also drop out at any stage of the criminal justice system.

Findings from the data sources reported on in this article can be found in the [appendix tables](#). We have also released a [data landscape](#), which includes a comprehensive list of data sources relating to child abuse.

## 4 . What are the outcomes of child abuse cases recorded by the police?

Cases enter the criminal justice system when recorded by the police, but many cases remain hidden and will not come to the attention of the police.

When offences are recorded by the police, it is not possible to identify all child abuse offences. For further information see [Quality and methodology](#).

### The majority of cases were assigned an outcome in the latest year

There were around 227,500 identifiable child abuse offences recorded by the police in the year ending March 2019. It is important to note that some of these offences occurred more than a year ago. For example, where data were available from the Home Office Data Hub, 34% of sexual offences against children recorded by the police in the year ending March 2019 occurred one year or more ago. This includes 21% of cases which occurred 10 years or more ago (see [Child sexual abuse in England and Wales: year ending March 2019](#)).

The majority of offences (91%) had been assigned an outcome at the time of analysis ( [Table 1](#)). This varied by type of abuse ( [Tables 2 to 6](#)):

- child sexual abuse: 78%
- obscene publication offences against children: 96%
- child physical abuse (selected violence against the person): 98%
- child neglect (cruelty to children/young persons): 94%
- child emotional abuse (stalking or harassment): 98%

The lower proportion of child sexual abuse offences assigned an outcome at the time of analysis reflects the sensitive nature and complexity of investigating sexual offences, particularly rape.

Remaining offences were still under investigation.

### Around 1 in 25 cases resulted in a charge or summons in the latest year

The proportion of cases resulting in a charge or summons <sup>1</sup> in the year ending March 2019 was 4%, but this varied by type of abuse:

- child sexual abuse: 4%
- obscene publications offences against children: 10%
- child physical abuse: 4%
- child neglect: 4%
- child emotional abuse: 2%

There are also some variations within the types of abuse. For example, all child homicide offences which were assigned an outcome (67%) were assigned a charge or summons outcome in the latest year.

The proportion of child abuse cases to result in a charge or summons is similar to that of sexual offences (3%), a crime that is also complex to investigate. See [Crime outcomes in England and Wales 2018 to 2019](#) for more information.

## **Around one-half of cases did not proceed further through the criminal justice system because of evidential difficulties**

The outcome of “evidential difficulties” was applied to 49% of cases in the year ending March 2019. This outcome is used when the police were unable to build a strong enough case for the offence to continue through the criminal justice system. This can include when the offender could not be traced, or where the victim feels unable to support police action.

Child emotional abuse offences had the highest proportion of cases assigned this outcome in the year ending March 2019, when compared to other types of abuse:

- child sexual abuse: 45%
- obscene publications offences against children: 28%
- child physical abuse: 52%
- child neglect: 40%
- child emotional abuse offences: 61%

The proportion of child abuse cases closed as a result of “evidential difficulties” is similar to that of sexual offences (47%). See [Crime outcomes in England and Wales 2018 to 2019](#) for more information.

Data are available on “evidential difficulties” where the victim supports police action and where the victim does not support action. Victims may not want to be involved in investigations for a number of reasons, for example:

- worry that the process will be too distressing, or a fear of being judged
- the offence might have been committed by someone close to them and they may not wish the police to take action against them
- the victim wanted the crime recorded but did not want further action taken on this occasion

For child sexual, physical and emotional abuse offences, the majority of cases with an outcome of “evidential difficulties” included the victim not supporting action. For child neglect and obscene publication offences, the majority of cases with an outcome of “evidential difficulties” included the victim supporting the action.

For child abuse cases, it is possible these categories may consider the views of a parent or guardian. While a victim’s views will be considered by police and prosecutors, victims do not ultimately decide if a case will proceed. Prosecutors and police are told not to only rely on victims giving evidence in court. They should consider whether there is any other evidence upon which a prosecution can be built.

## **Cases referred for action to another body or agency**

Police may not pursue a prosecution if it is judged to not be in the best interests of the child nor in the public interest. Other action, such as a referral to the local authority, may be more appropriate.

Around 1 in 10 child abuse offences (10%) in the year ending March 2019 were assigned the outcome “action undertaken by another body/agency”. Child neglect offences had the highest proportion of cases assigned this outcome when compared with other types of abuse:

- child sexual abuse: 5%
- obscene publications offences against children: 5%
- child physical abuse: 3%
- child neglect: 31%
- child emotional abuse: 3%

The proportion of child abuse cases closed as a result of action being undertaken by another body or agency is higher than that of sexual offences (3%). See [Crime outcomes in England and Wales 2018 to 2019](#) for more information. This is likely to be because the police work closely with social workers, health workers, and other professionals who are connected to the child and family as part of a child protection investigation.

Cases where a prosecution is judged not in the best interests of the child may also account for some of the offences with outcomes of “not in public interest (police)”, or “further investigation to support formal action not in the public interest”. Around one-third (36%) of obscene publications offences against children were assigned these outcomes.

## **Cases with no suspect identified**

A suspect is not always identified by the police and so the case may be closed unless new information becomes available. Of the identifiable child abuse offences recorded by the police in the year ending March 2019, 14% had no suspect identified after the investigation was complete.

Child emotional abuse offences recorded by the police had the highest proportion of cases where no suspect was identified, but this varied by type of abuse:

- child sexual abuse: 16%
- obscene publications offences against children: 13%
- child physical abuse: 12%
- child neglect: 1%
- child emotional abuse: 22%

These proportions are likely to decrease as the police continue their investigations.

The small proportion of child neglect offences assigned this outcome reflects that the offence of “cruelty to children/young persons” specifies that it has to be committed by someone who has responsibility for that child.

The proportion of child abuse cases closed with no suspect identified is similar to sexual offences (15%). See [Crime outcomes in England and Wales 2018 to 2019](#) for more information.

### **Notes for: What are the outcomes of child abuse cases recorded by the police?**

1. Any reference to charge or summons outcomes includes cases where the defendant was issued with a postal requisition. A postal requisition is a legal document notifying a suspect that a decision has been made to charge and prosecute an offence at court. It sets out the date which the suspect has to attend court. The suspect may also receive evidence outlining the offence.

## **5 . Pre-charge decisions**

The Crown Prosecution Service (CPS) is the principal prosecuting authority in England and Wales, acting independently in criminal cases investigated by the police and others.

Cases are flagged as child abuse-related by lawyers and administrative staff, therefore CPS child abuse data are accurate only to the extent that flags have been correctly applied. A child abuse flag may be applied at the beginning of a case or later in the prosecution process if this becomes apparent. Data on pre-charge decisions are not available by type of child abuse-flagged offence.

### **The number of suspects of child abuse-flagged cases referred to the CPS from the police has fallen**

There was a 22% decrease in the number of suspects of child abuse-flagged cases referred to the CPS from the police in the year ending March 2019 (to 7,138 from 9,185 in the year ending March 2018). This follows smaller decreases seen since the year ending March 2016 ([Table 8a](#)).

The number of suspects referred from the police to the CPS has also fallen for other crime types in the latest year, such as human trafficking-flagged (30% fall), rape-flagged (23% fall), and domestic abuse-flagged (11% fall) cases<sup>1</sup> ([Table 8b](#)).



## Two-thirds of legal decisions made by the CPS resulted in a decision to charge

There were 10,318 child abuse-flagged cases referred to the CPS by the police that resulted in a finalised pre-charge decision in the year ending March 2019.<sup>2</sup>

Of these cases, 83% (8,541) resulted in a legal decision,<sup>3</sup> 17% (1,772) were administratively finalised, and fewer than 1% (five) were finalised in another way ([Table 9a](#)). The proportion of administratively finalised cases has tripled since the year ending March 2015.

Administrative finalisations are not legal decisions. This includes where the police decide that the case does not meet charging criteria and end the investigation without returning to the CPS for further consultation. It also includes cases where a suspect has died before charges had been authorised, or where a suspect has failed to answer police bail. Administrative finalisations may not be the end of a case.

Of the 8,541 cases where a legal decision was made:

- 68% resulted in a decision to charge<sup>4</sup>
- 31% resulted in no prosecution<sup>5</sup>
- 1% had an out-of-court disposal<sup>6</sup>

The proportion of cases resulting in a decision to charge (the charging rate) for legal decisions fell from 73% in the year ending March 2018.

The child abuse-flagged cases charging rate was higher than rape-flagged cases (48%), and lower than domestic abuse-flagged (74%) and human trafficking-flagged cases<sup>7</sup> (75%; [Table 9b](#)).

### Notes for: Pre-charge decisions

1. There will be some overlap between human trafficking-flagged, rape-flagged and domestic abuse-flagged cases with child abuse-flagged cases.
2. These are cases where the CPS has completed making a decision on whether to charge, take no further action, recommended an out of court decision, administratively finalised or "other".
3. Legal decisions are decisions to charge, take no further action or issue an out-of-court disposal.
4. The CPS amended the method for reporting the charging rate in the year ending March 2019 to exclude non-legal decisions. Out of all pre-charge decisions in the year ending March 2019 (10,318), the charge rate for child abuse-flagged cases was 56%.
5. Cases that cannot proceed to charge as it does not meet the Code for Crown Prosecutor test, for either evidential or public interest reasons.
6. An out-of-court disposal is where a caution, conditional caution reprimand or final warning is given, or the offence has been considered in relation to other charges.
7. There will be some overlap between human trafficking-flagged, rape-flagged and domestic abuse-flagged cases with child abuse-flagged cases.

## 6 . Prosecutions

Once somebody accused of child abuse has been charged,<sup>1</sup> the law requires that they are brought before a magistrates' court as soon as possible. Data are available from the Crown Prosecution Service (CPS) on the number of prosecutions for child abuse-flagged cases.

### There were fewer prosecutions for child abuse-flagged cases in the latest year

In the year ending March 2019, the CPS recorded 8,814 defendants prosecuted in child abuse-flagged cases ( [Table 10a](#)). This was a fall of 18% from the previous year (10,704). The fall in prosecutions can partly be explained by the fall in the number of referrals the CPS received from the police and the decrease in the charging rate (see [Pre-charge decisions](#)).

The pattern was largely similar across the different types of child abuse-flagged cases, except for child homicide-flagged cases which saw an increase:

- child sexual offence-flagged: 20% fall (to 5,091)
- child offences against the person-flagged: 17% fall (to 2,334)
- child homicide-flagged: 6% increase (to 33)

The small number of child homicide-flagged cases means that caution should be taken when interpreting this increase.

Similar decreases were also seen in other crime types, including sexual offence-flagged cases (16% fall) and domestic abuse-flagged cases (12% fall) in the latest year<sup>2</sup> ([Table 10b](#)).

### Additional data on prosecutions from the Ministry of Justice

Additional data are available from the Ministry of Justice (MoJ) on identifiable child sexual abuse offences and the offence of cruelty to and neglect of children.

The MoJ uses subcodes to identify those offences relating to child abuse. As such, not all child abuse offences can be identified and the data are not comparable with CPS data. For more information, see [Quality and methodology](#).

For child sexual abuse offences that can be identified, the MoJ recorded 6,119 defendants proceeded against at magistrates' courts for child sexual abuse offences in 2018:

- 746 (12%) were for child rape
- 2,562 (42%) were for child abuse image offences
- 2,811 (46%) were for other child sexual offences

The number of defendants proceeded against for child sexual abuse offences has fallen by 31% in the latest year ([Table 18](#)). Decreases were seen across all categories of child sexual abuse. The number of defendants proceeded against should be considered alongside the fall in the number of referrals the CPS received from the police and the decrease in the charging rate.

There was also a fall in the number of defendants proceeded against at magistrates' court for the offence of cruelty to and neglect of children in 2018, from 784 to 623 (21% decrease) ([Table 28](#)). Of these defendants, 49% (308) were committed for trial at Crown Court ([Table 30](#)).

Data for 2018 are the latest data available at the time of release.

## Notes for: Prosecutions

1. Includes where defendants are brought straight from custody, on bail, or were issued a postal requisition.
2. There will be some overlap between sexual offence-flagged cases and domestic abuse-flagged cases with child abuse-flagged cases.

## 7. Convictions

A conviction occurs when a person pleads, or is found, guilty of a criminal offence at either the magistrates' courts or the Crown Court. When a defendant has been found guilty of two or more offences, the offence selected is the one for which the heaviest penalty is imposed.

### Almost four in five child abuse-flagged cases resulted in a conviction

In the year ending March 2019, 79% of child abuse-flagged cases resulted in a conviction ([Table 10a](#)). This is a similar proportion to the previous year (78%).

However, the volume of convictions in overall child abuse-flagged cases fell by 17% in the latest year (to 6,971 from 8,350 in the previous year). This is in line with the fall in the volume of prosecutions (see [Prosecutions](#)), and similarly should be considered in the context of falls in referrals to the CPS and the charging rate (see [Pre-charge decisions](#)).

The proportion of prosecutions resulting in convictions were largely similar across all child abuse offence types, ranging from 72% for child offences against the person-flagged cases to 81% for non-rape child sexual offence-flagged cases.

The defendant pleaded guilty in 64% of child abuse-flagged prosecutions ([Table 11](#)). Of the 6,971 convictions for child abuse-flagged cases in the latest year:

- 81% (5,668) entered a guilty plea
- 19% (1,301) were convicted after trial
- fewer than 1% (two) were proved in absence

Around one in five (21%) child abuse-flagged prosecutions in the latest year were unsuccessful in securing a conviction, equating to 1,443 prosecutions. Of these non-convictions ([Table 12](#)):

- 44% (817) were acquitted after trial
- 17% (322) were because of victim issues<sup>1</sup>
- 7% (134) were administratively finalised<sup>2</sup>
- 31% (570) were because of other reasons<sup>3</sup>

An acquittal does not necessarily mean that the crime did not happen, only that it could not be proved that the defendant was guilty of the crime. The complexity of investigating child abuse offences, which are particularly sensitive in nature and often occurred a long time in the past, contributes to this.

## Additional data on convictions from the Ministry of Justice

While CPS data are primarily collected for case management purposes, the Ministry of Justice (MoJ) measures are based on the “final” offence. This means that they are not comparable. See [Quality and methodology](#) for more information.

For child sexual abuse offences that can be identified, the MoJ recorded that 5,547 defendants were found guilty in all courts in England and Wales in 2018, a decrease of 22% from 7,099 in 2017. This follows a previously upward trend between 2014 and 2016 ([Table 21](#)). The number of defendants found guilty follows a similar trend to the number of prosecutions.

In 2018, 503 defendants were found guilty of the offence of cruelty to and neglect of children. This is a 17% fall since 2017, and a 33% fall since 2015 ([Table 32](#)). Additional data on offenders who received a caution for cruelty to and neglect of children offences can be found in [Table 37](#).

Data for 2018 are the latest data available at the time of release. Conviction ratios (the number of convictions recorded in the year as a proportion of the number of proceedings in the same year) can be found in [Tables 24 and 34](#).

## Additional data from the Home Office Homicide Index

The Homicide Index contains detailed record-level information about each homicide recorded by police in England and Wales, and is continually updated with information from the police and the courts. Data are also collected on a suspect or victim basis, which is different to the CPS. As such, it is not comparable with data from child homicide-flagged cases recorded by the CPS.

There were 36 suspects as at 5 December 2019 indicted for child homicide relating to offences recorded in the year ending March 2019. Of these suspects, 72% (26) were convicted of homicide ([Table 7](#)).

### Notes for: Convictions

1. Victim issues include retractions, non-attendance at trial or where the “evidence of the victim does not support the case”.
2. Post-charge administratively finalised cases are those where a prosecution cannot proceed because a defendant has failed to appear at court and a bench warrant has been issued for his or her arrest; or the defendant has died, or is found unfit to plead; or where proceedings are adjourned indefinitely. If a bench warrant is executed the case may be reopened.
3. Other reasons include conflict of evidence or an essential legal element missing.

## 8 . Sentencing

When someone is convicted of a crime, they will be given a sentence by a court, which reflects the seriousness of the offence or offences committed by the offender.<sup>1</sup>

Data on sentencing are based on child abuse offences that can be identified in data from the Ministry of Justice (MoJ).

### **Around one-half of sentences for child sexual abuse offences in the latest year were for immediate custody**

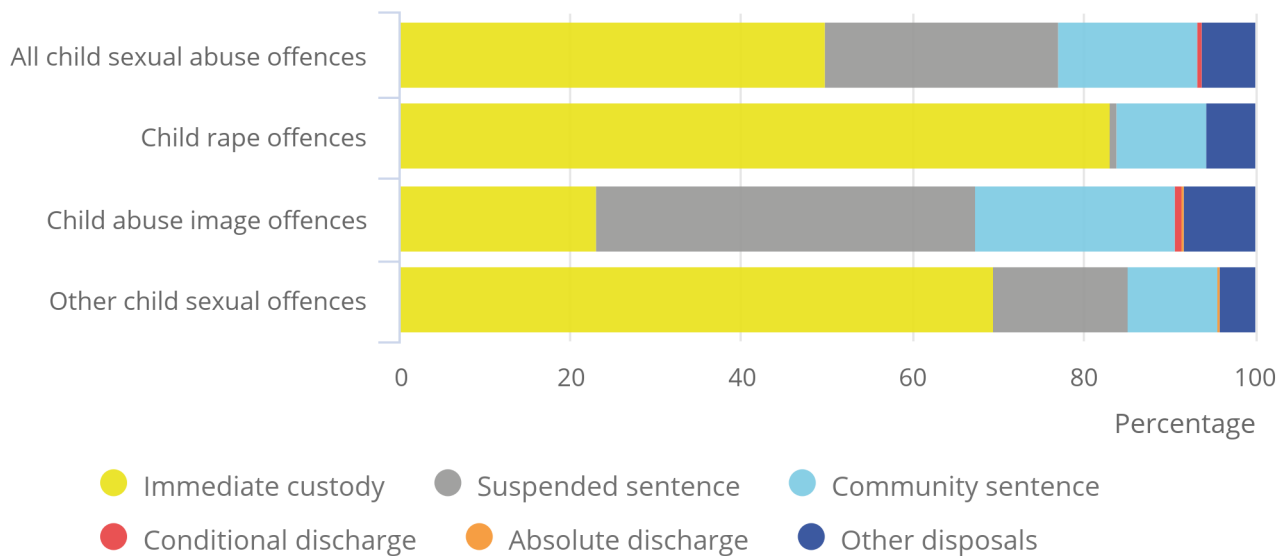
Immediate custody accounted for around one-half (50%) of sentencing outcomes recorded by the MoJ for identifiable child sexual abuse offences in 2018. However, differences were seen in the type of child sexual abuse offences (Figure 1 and [Table 25](#)).

**Figure 1: The majority of offenders were sentenced to immediate custody for child rape offences**

England and Wales, year ending December 2018

Figure 1: The majority of offenders were sentenced to immediate custody for child rape offences

England and Wales, year ending December 2018



Source: Ministry of Justice – Criminal Justice Statistics Quarterly

Notes:

1. Includes males, females, persons where sex is unknown or not stated and other offenders, that is companies, public bodies, and so on.
2. The figures given in the table relate to defendants for whom these offences were the principal offences for which they were dealt with. When a defendant has been found guilty of two or more offences it is the offence for which the heaviest penalty is imposed. Where the same disposal is imposed for two or more offences, the offence selected is the offence for which the statutory maximum penalty is the most severe.
3. Data are given on a principal disposal basis, that is, reporting the most severe sentence for the principal offence.
4. Other disposals include fines, compensation and offences otherwise dealt with.

Of those who were sentenced to immediate custody, the average custodial sentence length<sup>2</sup> was 55 months in 2018 ([Table 26](#)). In 2017, the average custodial sentence length was 52 months.

Child rape offences had the longest average custodial sentence length (138 months). Child abuse image offences had the shortest (18 months). Care needs to be taken when interpreting these figures as the maximum sentence for rape offences is longer than that of child abuse image offences.

## **Around 4 in 10 sentences for cruelty to and neglect of children offences were suspended sentences**

The MoJ recorded that suspended sentences (44%) and community sentences (25%) accounted for the largest proportion of sentencing outcomes for cruelty to and neglect of children offences in 2018 ([Table 35](#)). Immediate custody accounted for fewer than one-quarter (23%). This is in contrast to child sexual abuse offences ([Table 25](#)). These proportions have remained similar over time.

### **Notes for: Sentencing**

1. In assessing the seriousness of an offence, courts are required by law to take into account the culpability of the offender and the harm the offence caused or might foreseeably have caused. Courts will also take into account other aggravating and mitigating factors relevant to the offender or the offence, for example, previous convictions.
2. Excludes life and indeterminate sentences.

## **9 . Duration of child abuse cases**

### **The number of days to charge suspects has increased**

The Crown Prosecution Service (CPS) found the average number of days taken for a decision to charge in child abuse-flagged cases was 71 days in the year ending March 2019. This was an increase of 20 days since the previous year ([Table 13](#)). The number of days to charge a suspect is the date from receipt of the police file to the date the CPS made a decision to charge, and includes cases which are sent back to the police for further work. It does not take into account the date the offence took place.

Increased complexity in cases, and the increasing number of discussions between the police and CPS per case ([Table 14](#)) are thought to have led to this overall increase. It is not possible to separately identify the timeliness of cases that were subject to advice and further work before a charge decision was made.

### **The number of days from charge to finalisation has remained stable**

The average number of days from charge to finalisation for child abuse-flagged cases in the year ending March 2019 was 232 days, a similar level to the previous year (231 days; [Table 15](#)). This is calculated from when the CPS make a decision to charge a suspect, and so will include time before the first hearing at court as well as time taken for the court case to conclude.

The average number of days varied across types of abuse:

- child homicide-flagged cases: 302 days
- child sexual offence-flagged cases: 251 days
- child offences against the person-flagged cases: 181 days

## Additional data on duration of child sexual abuse offences recorded by the Ministry of Justice

Average duration of child sexual abuse cases from the Ministry of Justice (MoJ) is based on the time between the offence taking place to completion in court. This is different to how the CPS measure duration, which does not take into account when the offence took place. The MoJ data are also based on the principal offence, which is different to the CPS who flag relevant offences at any point of the prosecution process. For more information, see [Quality and methodology](#).

For identifiable child sexual abuse offences completed in 2018, the average offence to completion time was 605 days ([Table 27a](#)). The majority of the time in child sexual abuse cases is spent between the date of the offence and the defendant being charged or summonsed to court (ranging between 67% and 86%) ([Table 27a](#)).

This is partly because these offences can take some time to investigate and for evidence to be gathered, but also because these offences are often reported to the police some time after the offence took place.

Many victims do not feel able to disclose their abuse at the time. Data from the National Association for People Abused in Childhood's (NAPAC's) helpline show that around one in seven adults who called them in the year ending March 2019 had not told anyone about their abuse before. Further analysis from the Crime Survey for England and Wales (CSEW) shows that 46% of people who had experienced rape or assault by penetration (including attempts) only told someone about the abuse later in life. See [Child abuse in England and Wales](#) for more information.

The length of time from the offence to charge varies greatly by abuse type. This contrasts with the time between charge to first listing, and first listing to completion which varies much less.

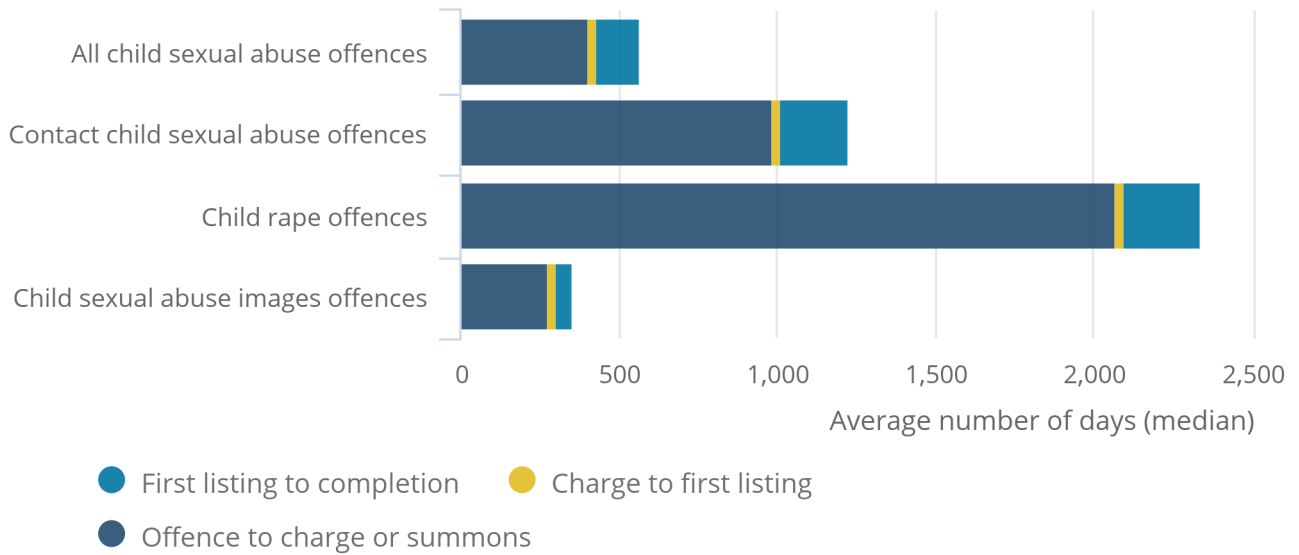


**Figure 2: The time for cases to complete varies by type of sexual abuse**

England and Wales, year ending December 2018

Figure 2: The time for cases to complete varies by type of sexual abuse

England and Wales, year ending December 2018



Source: Ministry of Justice – Criminal Court Statistics Quarterly

Notes:

1. Includes cases with an offence to completion time greater than 10 years but excludes a small number of cases with identified data quality issues and breaches.
2. Includes all criminal cases which have received a verdict and concluded in the year ending December 2018, in either the magistrates' courts or the Crown Court.
3. Statistics are sourced from linked magistrates' courts and Crown Court administrative data systems - with a match rate of around 95%.
4. Only one offence is counted for each defendant in the case. If there is more than one offence per defendant that complete on the same day, a set of validation rules applies to select one offence only and these relate to the longest duration, seriousness and the lowest sequence number of the offence.
5. The figures include Single Justice Procedure cases that were completed within magistrates' courts in England and Wales, introduced in June 2015.
6. Excludes cases in the magistrates' court that are committed to the Crown Court.
7. Includes TfL ATCM (automated track case management) cases which started in April 2017.
8. Cases have been classified according to the latest Home Office offence classification.
9. Median number of days is shown. The medians for each stage do not sum to the overall median for offence to completion.
10. "All child sexual abuse offences" include "contact child sexual abuse offences" and "child sexual abuse images offences".
11. "Contact child sexual abuse offences" include "child rape offences".

## 10 . Characteristics of defendants of child abuse

Data from the Crown Prosecution Service (CPS) on the characteristics of defendants are not always complete and so caution should be taken when interpreting findings.

Further information on perpetrators of child abuse based on data from the Crime Survey for England and Wales (CSEW) can be found in [Child abuse in England and Wales](#).

### The majority of defendants in child abuse-flagged cases were male

Where gender was known,<sup>1</sup> males accounted for the vast majority of defendants convicted for child abuse-flagged offences in the year ending March 2019 (91%; [Table 16](#)). This was true for all types of abuse, but to varying degrees:

- child sexual offence-flagged cases: 99% (4,992) defendants were male
- child offences against the person-flagged cases: 74% (1,717) defendants were male
- child homicide-flagged cases: 64% (21) defendants were male

Additional data on the sex of suspects for child homicides from the Home Office Homicide Index show that, of the 36 suspects indicted for homicide in the year ending March 2019, 81% were male ([Table 7](#)). Some data are also available on the relationship between the victim of homicide and the suspect ([Child physical abuse in England and Wales, year ending March 2019](#)).

## **Around 1 in 20 defendants in child abuse-flagged cases were under 18 years**

Where age was known,<sup>2</sup> the majority of defendants for child abuse-flagged cases were aged 25 years and over (81%). A further 14% were aged 18 to 24 years and 5% were under the age of 18 years ([Table 16](#)). These proportions were similar across all types of abuse.

## **The majority of defendants in child abuse-flagged cases were White**

Where ethnicity was known,<sup>3</sup> the majority of defendants for child abuse-flagged cases were White (85%; [Table 16](#)). These figures are similar to the proportion of the population that are White.<sup>4</sup> Proportions were largely similar across the different types of abuse, ranging from 77% for child offences against the person-flagged cases to 88% for child sexual offence-flagged cases.

## **Additional data on characteristics of defendants found guilty of child abuse offences from the Ministry of Justice**

Data are also available from the Ministry of Justice (MoJ) on the characteristics of those found guilty of child sexual abuse offences ([Tables 22 and 23](#)) and cruelty to and neglect of children offences ([Tables 32 and 33](#)).

Of the 5,547 defendants found guilty of child sexual abuse offences that could be identified in 2018:

- where sex was known,<sup>5</sup> nearly all (98%) were male
- where age was known,<sup>6</sup> nearly all (97%) were aged 18 years or over
- where ethnicity was known,<sup>7</sup> over 9 in 10 (91%) were White

Of the 503 defendants convicted of cruelty to and neglect of children offences in 2018:

- where sex was known,<sup>8</sup> around 6 in 10 (58%) were female
- where age was known,<sup>9</sup> all (100%) were aged 18 years or over; under the [Children and Young Persons Act 1933](#), a person must be 16 years or over to have committed this offence
- where ethnicity was known,<sup>10</sup> around 8 in 10 (82%) were White

## **Notes for: Characteristics of defendants of child abuse**

1. There were 40 cases where the sex of the defendant was unknown. These cases have been excluded from the analysis.
2. There were 23 cases where the age of the defendant was unknown. These cases have been excluded from the analysis.
3. There were 2,609 cases where the ethnicity of the defendants was unknown. These cases have been excluded from the analysis.
4. According to the 2011 Census, the White ethnic group made up 87% of the population aged 10 years and over in England and Wales.
5. For 24 defendants, their sex was unknown, not stated, or the defendant was a company or public body.
6. For 24 defendants, their age was unknown, not stated, or the defendant was a company or public body.
7. For 1,366 defendants, their ethnicity was unknown, not stated, or the defendant was a company or public body.
8. For five defendants, their sex was unknown, not stated, or the defendant was a company or public body.
9. For five defendants, their sex was unknown, not stated, or the defendant was a company or public body.
10. For 143 defendants, their ethnicity was unknown, not stated, or the defendant was a company or public body.

## 11 . Quality and methodology

Data included in this article will include both recent and non-recent cases of child abuse. Reports of child abuse that occurred in the past are recorded as child abuse, regardless of the age of the victim at the time the report is made.

### Identifying child abuse cases in police recorded crime data

There is no specific offence of “child abuse” in law. Some offences relate specifically to children, for example, cruelty to children/young persons, and rape of a male or female child under age 16 years. However, both adults and children can be victims of other offences, for example, murder or harassment. The age of the victim is therefore needed to identify those that relate to child abuse.

The Home Office Data Hub is a live database that allows police forces to provide the Home Office with information on all crimes recorded. This includes the age of victims at the time of the offence.<sup>1</sup> However, as this information is not always provided and not all police forces use the system, not all child abuse offences recorded by the police can be identified. Home Office Data Hub data are based on the year when the offence was recorded as a crime, not when the offence took place or when the case was heard in court.

Furthermore, not all crimes against children are child abuse. Child abuse does not include straightforward property offences where the child is a victim, for example, theft of a mobile phone.

Child sexual abuse recorded by the police are all sexual offences where there are data to identify the victim was under 18 years old.

Obscene publications offences relate to the possession, taking and distribution of sexual images, and are recorded under the category of “Miscellaneous crimes against society”.

The best available indicator of child physical abuse recorded by the police is offences of violence against the person involving “non-accidental infliction of physical force” where the victim was under the age of 18 years. For more information on the definition of physical abuse against children, see [Child physical abuse in England and Wales: year ending March 2019](#).

The best measure of child neglect in police recorded crime data is the offence of cruelty to children/young persons. Under the [Children and Young Persons Act 1933](#), this category provides the number of offences recorded by the police “if any person who has attained the age of 16 years and has responsibility for any child or young person under that age, wilfully assaults, ill-treats (whether physically or otherwise), neglects, abandons, or exposes him, or causes or procures him to be assaulted, ill-treated (whether physically or otherwise), neglected, abandoned, or exposed, in a manner likely to cause him unnecessary suffering or injury to health (whether the suffering or injury is of a physical or a psychological nature)”.

Previously, the offence of cruelty to children/young persons only covered physical harm to a child and limited the extent to which police were able to respond in cases of non-physical neglect such as emotional, medical and educational neglect.<sup>2</sup> In June 2015, as set out in the [Serious Crime Act 2015](#), the offence was amended to include cases where suffering or injury are psychological and/or physical in nature. However, some of these offences would be counted as child physical abuse rather than neglect.

Emotional abuse is not a separate offence in police recorded crime. The best available indicator of child emotional abuse recorded by the police is stalking or harassment offences where the victim was under the age of 18 years. There is no statutory definition of stalking, but it is considered to be a pattern of unwanted, fixated and obsessive behaviour which is intrusive. It can include harassment that amounts to stalking or stalking that causes fear of violence or serious alarm or distress in the victim. Stalking or harassment will not cover all emotional abuse cases handled by the police. Cruelty to children/young persons may include emotional abuse; these cases cannot be separately identified.

Some offences recorded by the police will have come to their attention through the child protection system. A child protection investigation is mainly the responsibility of social workers within children’s services. However, they work closely with the police, health workers, and other professionals who are connected to the child and family.

As part of this, the police will investigate whether a criminal offence has been committed. All cases reported to police should be recorded as crimes at the first point of contact, but some of the recorded crimes will subsequently be cancelled. This will happen where, after a police investigation, it has been concluded that no criminal offence has been committed. However, professionals working within the child protection system (including the police, social workers and health workers) may take other action if they believe a child is at risk. This may include a referral to the local authority. The outcomes of offences recorded by the police are therefore an underestimate of the demand on the police for child abuse.

## Home Office Homicide Index

Data on child homicides in this article have been extracted from the [Home Office Homicide Index](#). This contains detailed record-level information about each homicide recorded by police in England and Wales. Homicide Index data are based on the year when the offence was recorded as a crime, not when the offence took place or when the case was heard in court.

The data in this article refer to the position as at 5 December 2019, when the Homicide Index database was “frozen” for the purpose of analysis.<sup>3</sup> The data will change as subsequent court hearings take place or as further information is received.

## Child abuse cases and the criminal justice system

Child abuse cases cannot be followed as they progress through the criminal justice system. The [Ministry of Justice \(MoJ\)](#)<sup>4</sup> measures child abuse offences differently to the police, using subcodes of offences to identify those relating to child abuse. Therefore, only those offences that feature age specific subcodes are included in their statistics relating to child abuse. As a result, only certain sexual offences against children and the offence of “cruelty to and neglect of children” are identifiable as child abuse.

However, prosecutors are required to flag all cases of child abuse. Data are therefore available from the [Crown Prosecution Service \(CPS\)](#)<sup>5</sup> on cases referred to the CPS for a charging decision, prosecutions and convictions for child abuse-flagged cases. These data are obtained from the CPS Case Management System (CMS) and associated Management Information System (MIS).<sup>6</sup>

CPS child abuse-flagged data are dependent upon lawyers and administrative staff correctly identifying applicable cases and flagging these on the CMS. A child abuse flag may be applied at the beginning of a case or later in the prosecution process if this becomes apparent. These data are accurate to the extent that flags have been correctly applied.

The MoJ and CPS measure prosecutions and convictions differently according to their different purposes. While CPS data are primarily collected for case management purposes, MoJ measures are based on the “final” offence. For example, MoJ data will count a child rape conviction only where the final principal conviction is specifically for rape of someone under the age of 18. A case that initially started as a child rape but was eventually convicted as an alternative offence (such as a lesser sexual assault) would be counted under the alternative offence. In CPS data, the rape flag will remain in place, even if the decision is taken to charge an offence other than rape. This is why the cases are referred to as rape-flagged rather than rape. However, in both MoJ and CPS data, the offence would remain identifiable as child abuse.

Further commentary on child abuse, and quality and methodology information, can be found in [Child abuse in England and Wales](#).

### Notes for: Quality and methodology

1. The majority of police forces use the Data Hub, but some information is only available for certain forces, depending on the quality of information supplied. The Home Office is continuing to develop and implement this system.
2. The cruelty to children/young persons offence was introduced from 1 April 2012 and replaced classifications 11 and 12, “Neglecting to provide for apprentice or servant” and “Cruelty to or neglect of children”.
3. The Homicide Index is continually updated with revised information from the police as investigations continue and as cases are heard by the courts. The version used for analysis does not accept updates after it is frozen, to ensure the data do not change during the analysis period. See [Section 3.1 of the user guide](#) for more information.
4. See [Criminal court statistics quarterly](#) and [Criminal justice statistics quarterly](#).
5. The Crown Prosecution Service (CPS) is the principal prosecuting authority for England and Wales, acting independently in criminal cases investigated by the police and others.
6. The CPS collects data to assist in the effective management of its prosecution functions and therefore do not collect data that constitute official statistics as defined in the [Statistics and Registration Service Act 2007](#).