

Statistical bulletin

Domestic abuse in England and Wales: year ending March 2016

A report bringing together statistics to enable more thorough analysis of how domestic abuse is dealt with at the local level within England and Wales.

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Table of contents

1. [Main points](#)
2. [Statistician's quote](#)
3. [Things you need to know about this release](#)
4. [Prevalence of domestic abuse from the Crime Survey for England and Wales](#)
5. [Information recorded by the police](#)
6. [Domestic abuse-related offences – what are the outcomes?](#)
7. [Police referrals to the Crown Prosecution Service](#)
8. [Crown Prosecution Service prosecutions and convictions](#)
9. [Are there differences between local areas?](#)
10. [Future work and ongoing developments](#)
11. [Quality and methodology](#)
12. [Annex 1: Stages of the criminal justice process](#)
13. [Annex 2: Glossary](#)
14. [Background Notes](#)

1 . Main points

This report brings together national and local domestic abuse data from:

- The Crime Survey for England and Wales (CSEW)
- Home Office incident and police recorded crime data
- Home Office Homicide Index data
- Crown Prosecution Service (CPS) data including; referrals, prosecutions and convictions

Alongside this report, a [Domestic Abuse Statistics – Data Tool](#) has been published, allowing users to explore data for their police force area in more detail and compare this with other areas.

There were an estimated 1.8 million adults aged 16 to 59 who said they were a victim of domestic abuse in the last year, according to the year ending March 2016 CSEW. Women were more likely to report having experienced domestic abuse than men.

A large number of domestic abuse-related incidents were recorded by the police (1.03 million) in the year ending March 2016. Following investigations, the police concluded that a domestic abuse-related criminal offence was committed in approximately 4 in every 10 (41%) of these incidents (421,000).

Domestic abuse-related crimes recorded by the police accounted for approximately 1 in 10 of all crimes. The majority of domestic abuse (78%) consisted of violence against the person offences.

A decision to charge was made for 70% of domestic abuse-related cases referred to the CPS by the police. Convictions were secured for three-quarters of domestic abuse-related prosecutions. In 68% of the domestic abuse cases referred to CPS the defendant pleaded guilty, so most of the cases recorded as successful outcomes were due to guilty pleas (91%).

Over half of unsuccessful prosecutions (53%) were due to either victim retraction, victim non-attendance or evidence that the victim did not support the case. Victims may not want to be involved in the prosecution for a number of reasons, for example due to the level of fear and control exerted by the perpetrator. In 22% of unsuccessful prosecutions the defendant was acquitted by a jury or magistrates after a trial.

Caution should be taken when interpreting data on domestic abuse. Measures of domestic abuse presented in this report refer to victims, offences, suspects and defendants and are collected by different organisations, using differing timescales and collection methods. As these data do not refer to the same cohort of cases, direct comparisons cannot be made across data sources.

Police force area level data on domestic abuse contain similar caveats. The figures presented reflect differing local practices, priorities and demands on police forces that could result in different recording procedures at each stage of the criminal justice process.

2 . Statistician's quote

"I welcome this report which brings together statistics from across the crime and criminal justice system and provides insight to an important area of public policy, in line with the Government Statistical Service aim of 'better statistics; better decisions'. I hope that policy makers and practitioners find these data valuable; we would welcome feedback to help us improve next year's report."

3 . Things you need to know about this release

This statistical bulletin has been produced by the Office for National Statistics on behalf of the Domestic Abuse National Oversight Group¹, working in collaboration with:

- Home Office
- Crown Prosecution Service
- Her Majesty's Inspectorate of Constabulary (HMIC)
- College of Policing
- National Police Chiefs' Council (NPCC)

This publication has been produced in response to a recommendation made by HMIC in their 2015 report ['Increasingly everyone's business: A progress report on the police response to domestic abuse'](#):

"The Home Office, the Ministry of Justice, the National Police Chiefs' Council (NPCC), the Association of Police and Crime Commissioners (APCC), the College of Policing, HMIC and domestic abuse organisations should work together to develop a data set relating to domestic abuse which will enable more thorough analysis of how domestic abuse is dealt with in a force area."

The statistics presented in this report have been published as the first phase of a wider scheme of work on improving domestic abuse statistics in England and Wales. Additional information will be included in future phases of the project to increase the scope of the data available and work with key stakeholders towards creating a more comprehensive resource for users. The aim of this release is to bring together data on domestic abuse to help enable appropriate action to be taken to improve victims' experiences of the criminal justice process and to encourage more victims to come forward to report abuse.

It is anticipated that the data in this release, when considered alongside local knowledge, will be used by organisations responsible for dealing with domestic abuse to better understand local practices and performance and identify potential problems with recording, investigating and prosecuting cases of domestic abuse. For example, organisations may consider the robustness of domestic abuse investigations and prosecutions and what more could be done to support victims through the process, or consider the quality assurance processes around the recording of domestic abuse, in accordance with the National Crime Recording Standard. The data may also prompt organisations to question regional variations.

What is domestic abuse?

Domestic abuse is not limited to physical violence. It can include repeated patterns of abusive behaviour in order to maintain power and control in a relationship. The [cross-government definition](#) of domestic violence and abuse recognises this and defines domestic abuse as:

"Any incident or pattern of incidents of controlling², coercive³, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. It can encompass, but is not limited to, the following types of abuse:

- psychological
- physical
- sexual
- financial
- emotional”

With the exception of coercive and controlling behaviour, which was introduced as a new criminal offence on 29 December 2015, other acts of domestic abuse fall under generic offence categories in police recorded crime and criminal justice data, such as assault with injury.

Stages of the criminal justice process

This bulletin covers the following stages of the criminal justice process:

- the report of an incident to the police
- the recording of an offence by the police
- the outcome assigned to offences by the police
- the referral of a case to the Crown Prosecution Service (CPS) for a charging decision and preparation for prosecution
- the process through the court to guilty pleas or trial and its eventual outcome

Cases may drop out at any stage of this process for a number of reasons as explained later in the report.

For more information on these processes, please refer to Annex 1: Stages of the criminal justice process.

More detailed definitions of legal terms referred to in this document can be found in Annex 2: Glossary.

Data on domestic abuse in England and Wales

Statistics on domestic abuse are produced separately by a number of different organisations in England and Wales. When taken in isolation, these statistics may not provide the context required by users to enable them to understand the national and local picture of domestic abuse. This document brings together:

- ONS estimates from the Crime Survey for England and Wales (CSEW)
- Home Office incident and police recorded crime and outcomes data
- Home Office Homicide Index data
- Crown Prosecution Service data (CPS) including; referrals, prosecutions and convictions

Ministry of Justice (MoJ) criminal court data are not included in this report as it is currently not possible to identify prosecutions that involve a domestic abuse-related offence. This is because MoJ data are based on criminal offences and domestic abuse will be prosecuted under more generic offence types (for example, assault with injury or harassment). In addition, information on the relationship between offenders and victims is not held centrally, therefore there is currently no way to identify defendants of domestic abuse-related crimes.

The way in which data on domestic abuse are collected differs between sources and organisations. It should be noted, for example, that the CPS applies the government definition to all victims and perpetrators of domestic abuse irrespective of age. The CPS data therefore include both child and adult defendant and victim data and do not strictly align with the government definition of domestic abuse, which only applies to those cases where both the victim and perpetrator are aged 16 or over.

Data are collected over different timescales, can be based on offences, victims, suspects or defendants and can vary in the way cases are identified. These factors, together with the time lag between the stages in the criminal justice process, mean that each section in this release does not refer to the same cohort of cases and so direct comparisons cannot be made across sections⁴. Throughout the bulletin, caveats are provided to make it clear where a comparison can be made and reasons given why others are more difficult or where it is not possible to compare.

In addition to this bulletin, we have published a [Domestic Abuse Statistics – Data Tool](#) that allows users to explore data for police force areas in more detail and compare these with other areas within England and Wales. This tool should be viewed alongside this bulletin, where we provide explanation of the data and present a national picture of domestic abuse.

Understanding data about domestic abuse

The police service works to prevent and therefore reduce crime, including domestic abuse. At the same time, the police want to encourage more victims to come forward and report domestic abuse so that actions can be taken by a wide range of agencies to help victims and bring the perpetrators to justice. Prevention and encouragement are both necessary if domestic abuse is to be tackled more effectively. Relying exclusively on the available data without further analysis and interpretation may provide a misleading picture of how effectively domestic abuse is being tackled. In particular, improving the police's ability to investigate, solve and support the CPS in prosecuting cases of domestic abuse is dependent upon understanding and improving, many elements of domestic abuse investigations.

Changes in the prevalence or volume of domestic abuse can be attributed to many factors. In 2015, a [HMIC report on the police response to domestic abuse](#) detailed the improvements that had taken place across England and Wales since their previous inspection in March 2014 and also made further recommendations to police forces. Recent increases in the number of domestic abuse-related crimes recorded by the police could be due, in part, to police forces improving their recording of domestic abuse incidents as crimes and to forces actively encouraging victims to come forward to report these crimes.

However, it is also widely recognised that domestic abuse continues to be under-reported, with many more offences committed than are reported to and recorded by the police. The support services offered to victims of domestic abuse are also not reliant on the reporting of domestic abuse to the police. Estimates based on those interviewed in the Crime Survey for England and Wales during the [year ending March 2015](#) showed that around 4 in 5 victims (79%) of partner abuse⁵ did not report the abuse to the police. The data held by the police can, therefore, only provide a partial picture of the level of domestic abuse experienced in England and Wales.

Similarly, data from the Crime Survey for England and Wales should not be viewed in isolation. The estimates from the survey show a higher level of domestic abuse, in terms of the number of victims, than other data sources. The CSEW also shows that the majority of victims will not report the abuse they have experienced to the police. Therefore, while the CSEW provides a reliable estimate of the prevalence of domestic abuse trends, they may not match trends in administrative data sources. This means that the CSEW cannot be used to make any inferences about demands on the police or the criminal justice system.

As a result, the data presented in this report, while not directly comparable, should all be considered together to develop a picture of domestic abuse in England and Wales.

Where possible, the data presented in this report provide a breakdown by sex. In the majority of the analysis this refers to the sex of the victim rather than the perpetrator. It should be noted that in some cases the victim will be the same sex as the perpetrator.

Notes for Things you need to know about this release section:

1. For information please see [National Oversight Group on Domestic Violence report](#).
2. Controlling behaviour is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.
3. Coercive behaviour is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.
4. For example, a case reported to the police in one year may not appear with an outcome after investigation until the next year, or a case with a prosecution outcome in one year may have been initially reported to the police in a previous year.
5. Partner abuse is defined as any non-physical abuse, threats, force, sexual assault or stalking where the perpetrator is a partner or ex-partner. Questions on the nature of partner abuse are only asked in alternate survey years, therefore it is not possible to provide this data for the year ending March 2016.

4 . Prevalence of domestic abuse from the Crime Survey for England and Wales

This section presents findings from respondents interviewed in the Crime Survey for England and Wales (CSEW) during the year ending March 2016. Estimates are based on the self-completion module on intimate violence, which is asked of adults aged 16 to 59 living in households¹ in England and Wales.

Domestic abuse in the CSEW combines partner abuse (non-sexual), family abuse (non-sexual) and sexual assault or stalking carried out by a current or former partner or other family member – this broadly matches the Government's definition of domestic violence and abuse. The CSEW has measured some elements of non-physical abuse since April 2004, but does not completely capture the new offence of coercive and controlling behaviour. New survey questions to better estimate experiences of this type of abuse are currently being developed.

A self-completion module² on intimate violence was first included in the CSEW in 2001 and then included on a continuous basis since April 2004³. The use of self-completion on tablet computers (and previously laptops) allows respondents to feel more at ease when answering questions on sensitive issues due to increased confidence in the privacy and confidentiality of the survey. The prevalence of domestic abuse reported in the self-completion module is significantly higher than the prevalence of domestic violence reported in the face-to-face interview⁴. The self-completion module is currently restricted to respondents aged 16 to 59, although the age range is currently being reviewed⁵.

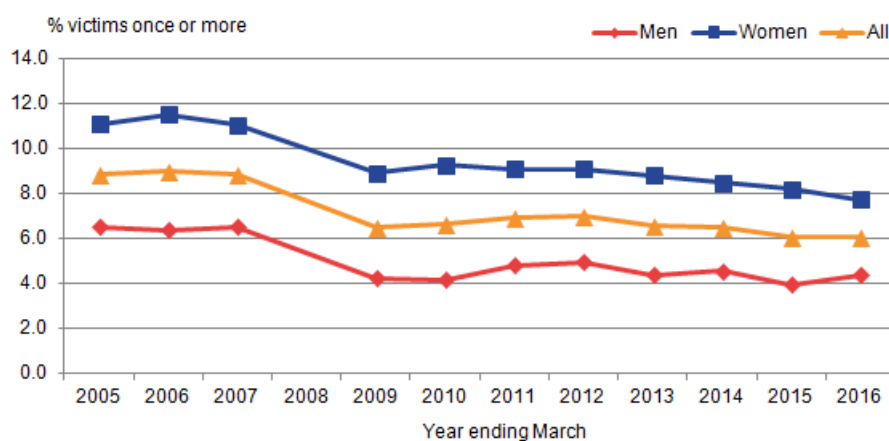
For the year ending March 2016 CSEW, an estimated 1.8 million adults aged 16 to 59 experienced domestic abuse in the last year, equating to a prevalence rate of 6 in 100 adults (Figure 1). Women were more likely to say they have experienced domestic abuse than men, with an estimated 1.2 million female victims compared to 651,000 male victims, according to the survey (7.7% compared with 4.4%). However the difference between the number of male and female victims (506,000) is at its lowest compared with previous years.

The trend in the prevalence of domestic abuse has remained fairly stable since the year ending March 2009, but is at its lowest since the year ending March 2005. The majority of victims of domestic abuse, as measured by the CSEW, will not report their experiences to the police and therefore CSEW estimates should not be seen as indication of demand on the police. Trends in police recorded domestic abuse incidents and offences can also be affected by factors other than prevalence, as explained later in the report.

The prevalence rate for domestic abuse from the CSEW can be broken down by police force area; for more information see the '[Are there differences between local areas?](#)' section.

Figure 1: Prevalence of domestic abuse in the last year for adults aged 16 to 59, by sex, year ending March 2005 to year ending March 2016 CSEW

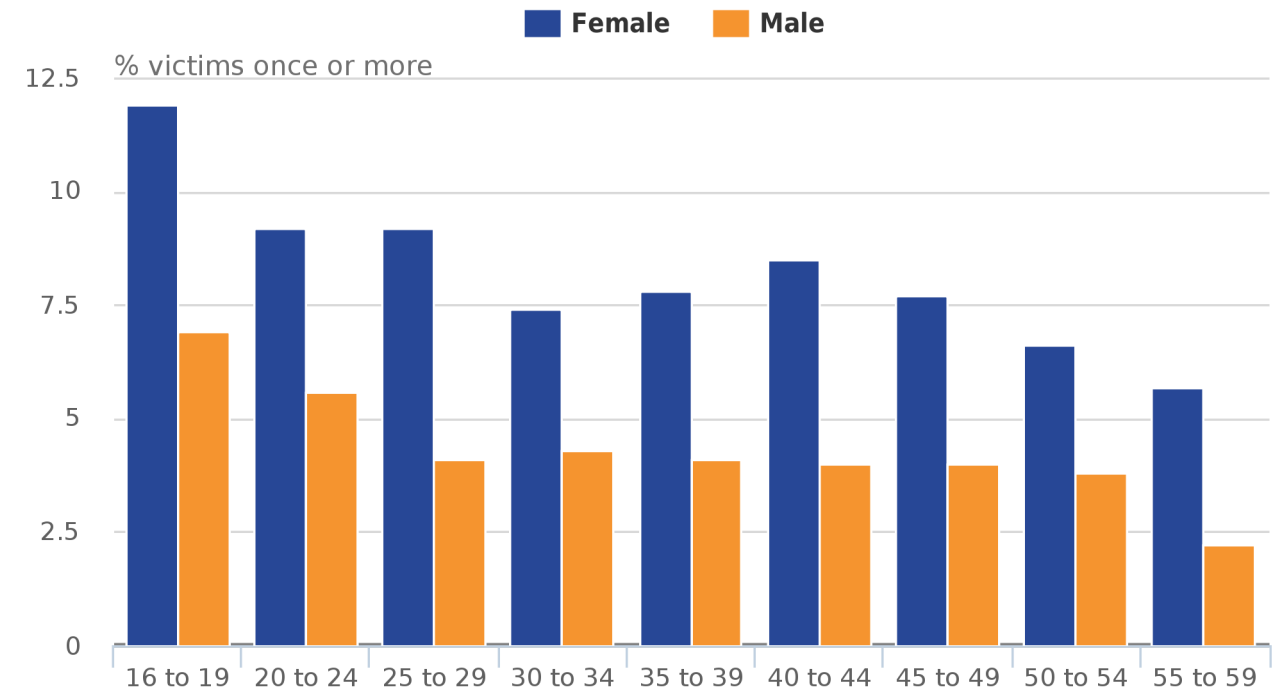
England and Wales



To provide a breakdown of the prevalence of domestic abuse by age and sex, a combined 3-year CSEW dataset from April 2013 to March 2016 has been used (Figure 2). Of all age groups, adults aged 16 to 19 were the most likely to say they had experienced domestic abuse in the last year (11.9% of women, 6.9% of men).

Figure 2: Proportion of adults aged 16 to 59 who experienced domestic abuse in the last year, by sex and age group, three year combined dataset, April 2013 to March 2016 CSEW

England and Wales



Source: Crime Survey for England and Wales, Office for National Statistics

More detailed information from the CSEW on intimate personal violence is available in the [Focus on Violent Crime and Sexual Offences, year ending March 2015](#) publication. The Focus on Violence and Sexual Offences publication covering the year ending March 2016 will be published in February 2017.

Notes for Prevalence of domestic abuse from the Crime Survey for England and Wales section:

1. Individuals staying in refuges, halls of residence and custodial settings are not covered by the survey.
2. “Self-completion” means that the respondent reads the questions themselves and records their answers directly onto a tablet.
3. The 2001 module differed from the one used from April 2004 onwards and therefore the year ending March 2005 is used as a baseline for trends.
4. In the year ending March 2015 CSEW, of those aged 16 to 59 who reported being victims of physical domestic abuse in the self-completion module, 14% reported being a victim of domestic violence in the last 12 months in face-to-face interviews (14% for women and 13% for men). Domestic violence involves force by a partner or family member and victims of any sexual assault by a partner or family member in the last year.
5. Between October 2016 and December 2016 the age limit has been removed for a quarter of the sample to include all ages, with the aim to extend to the whole sample from April 2017 if this testing proves successful.

5 . Information recorded by the police

The Home Office is responsible for the collation of recorded crime data supplied by the 43 territorial police forces of England and Wales, plus the British Transport Police¹.

As domestic abuse as a whole is not a specific criminal offence, offences that are domestic abuse-related will have been recorded under the respective offence that has been committed, for example, assault with injury. This means that while domestic abuse is part of the recorded crime series, prior to April 2015 it is not possible to determine how many crimes were domestic abuse-related.

In response to a recommendation in the Her Majesty's Inspectorate of Constabulary (HMIC) 2014 report '[Everyone's business: Improving the police response to domestic abuse](#)', the Home Office began collecting information from the police on whether recorded offences are related to domestic abuse in April 2015. Police forces are asked to "flag" crimes as being domestic abuse-related if the offence meets the government definition of domestic violence and abuse².

On 29 December 2015 the government introduced a new criminal offence of "[coercive and controlling behaviour](#)". The new law captures coercive control through psychological and emotional abuse that falls short of physical violence³. As this offence has been in place for less than a year, this report does not provide any data on the number of these offences or how they have been dealt with in the criminal justice system, but this information will be provided in future publications.

Domestic abuse incidents

An incident can be reported to the police by the public through a 999 or 101 call, a visit to the police station, or stopping an officer on patrol. As well as being reported by members of the public, domestic abuse incidents can also be referred by a police officer or a third party including the NHS, social workers, etc. Once a domestic abuse incident has been reported, an investigating officer will decide using the information available whether a crime should be recorded in accordance with the [National Crime Recording Standard \(NCRS\)](#). If it is clear when the domestic abuse incident is reported that the incident involved an offence, the police may record the incident as a crime immediately without first recording the incident as a starting point. This will depend on the local processes of police forces, the nature of each call and its urgency and the needs of each victim. Some reports will initially be recorded as incidents and later converted to a crime record following an investigation.

Police incident data on domestic abuse cover reports of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults, aged 16 and over, who are or have been intimate partners or family members (regardless of gender or sexuality). These domestic abuse incidents cover reports where, after initial investigation, the police have concluded that no notifiable crime was committed.

Incidents of domestic abuse that did result in a crime being recorded by the police are included in data on domestic abuse-related offences. To get a total picture of the demand upon the police that relates to domestic abuse, it is necessary to consider both domestic abuse incidents and offences.

In the year ending March 2016⁴, there were a total of 1,031,120 domestic abuse-related incidents and crimes recorded by the police in England and Wales. Of these, 609,935 (59%) were incidents not subsequently recorded as a crime and remained as incidents.

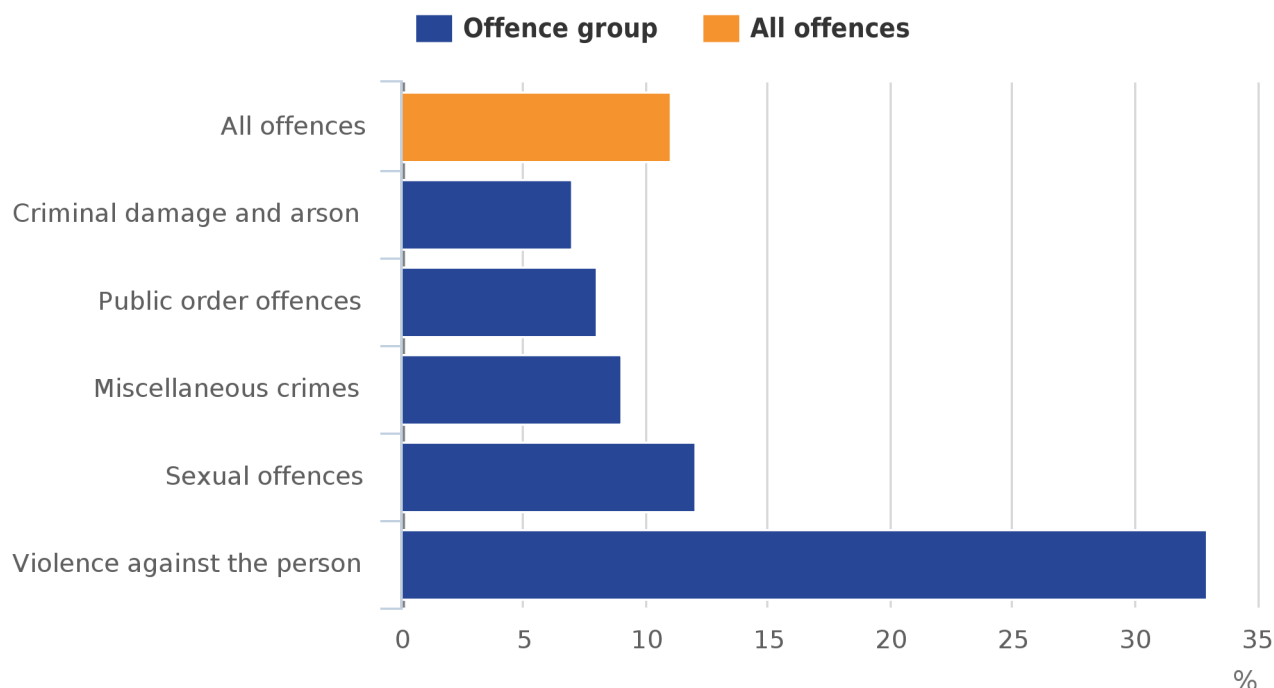
Recorded crimes flagged as domestic abuse-related

Across England and Wales, the 41% of domestic abuse-related incidents that were subsequently recorded as crimes in the year ending March 2016 amounted to 421,185 offences. This proportion varied by police force area; for more information see the "Are there differences between local areas?" section.

Of these, 327,565 offences (78% of the total) were violence against the person offences, 37,503 (9%) were criminal damage and arson offences, 16,632 (4%) were public order offences, 13,120 (3%) were sexual offences and the remaining 26,365 (6%) were miscellaneous and other notifiable offences.

Overall, 11% of all crimes recorded by the police (excluding fraud) were flagged as domestic abuse-related. Violence against the person offences were the most likely to be domestic abuse-related, comprising a third (33%) of violent crime. The offence group with the next highest proportion of offences being domestic abuse-related was sexual offences (12%; Figure 3).

Figure 3: Proportion of offences recorded by the police in England and Wales which were flagged as domestic abuse-related, selected offence groups, year ending March 2016



Source: Police recorded crime, Home Office

Notes:

1. Police recorded crime data are not designated as National Statistics.
2. Domestic abuse-related offences are defined as any incidence of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults, aged 16 and over, who are or have been intimate partners or family members, regardless of gender or sexuality.

Domestic homicides

Data on domestic homicides have been extracted from the Home Office Homicide Index, which contains detailed record-level information about each homicide recorded by police in England and Wales. It is continually updated with revised information from the police and the courts and, as such, is a richer source of data than the main recorded crime dataset⁵.

"Domestic" homicides from the Homicide Index include any homicide where the relationship between an adult victim and the perpetrator falls into one of the following categories: spouse, cohabiting partner, boyfriend/girlfriend, ex-spouse/ex-cohabiting partner/ex-boyfriend/girlfriend, adulterous relationship, lover's spouse, emotional rival⁶, son/daughter or parent (including step and adopted relationships), brother/sister and other relatives. These data exclude homicides where the victim was aged under 16, because these would not be classified as domestic homicides.

Homicide Index data are based on the year when the offence was recorded, not when the offence took place or when the case was heard in court. While in the vast majority of cases the offence will be recorded in the same year as it took place, this is not always the case. The data refer to the position as at 13 November 2015, when the Homicide Index database was “frozen” for the purpose of analysis⁷. The data will change as subsequent court hearings take place or as other information is received.

As there is considerable year-to-year variability in the volume of homicides recorded, this analysis combines data for a 3-year period (April 2012 to March 2015) to provide more robust results. These data relate to a different reference period to the rest of the domestic abuse data presented in this report and only include information up to the year ending March 2015, rather than the year ending March 2016.

There were a total of 432 domestic homicides recorded by the police in England and Wales, between April 2012 and March 2015. This represents 30% of all homicides where the victim was aged 16 and over during this time period. Of these 432 domestic homicides, 27% of victims were male (117) and 73% of victims were female (315). This contrasts with the gender breakdown of victims for all homicides, where 67% of victims were male (956) and 33% of victims were female (461).

The majority (97%) of the female domestic homicide victims were killed by a male suspect, compared with 89% of female victims of non-domestic homicides. Among men there was a bigger difference between domestic and non-domestic homicides, with around a third (32%) of domestic homicide victims being killed by a female suspect, compared with only 5% of victims of non-domestic homicides.

Over three-quarters (77%) of female domestic homicide victims were killed by a partner or ex-partner, with the remaining 23% killed by a family member. For male homicides, there was a much more even split, with around a half (51%) of victims killed by a partner or ex-partner and the other half (49%) killed by a family member (see [Appendix Table 2.10](#) of the Focus On Violent Crime and Sexual Offences, year ending March 2015).

These data can be broken down by police force area but it should be noted that there is considerable volatility in these numbers over time due to the volumes involved. Please see [Appendix Tables 7 and 8](#) or the [Domestic Abuse Statistics Data Tool](#) for more information.

Notes for Information recorded by the police section:

1. For more information on how police forces submit their data to the Home Office, please refer to Section 3.1 of the [User Guide to Crime Statistics](#).
2. Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality.
3. This offence is now included in the [Home Office Counting Rules](#), under the category of "Assault without injury".
4. Figures are not comparable to those published for previous years due to a change in the coverage of the data collection.
5. For example, when the police initially record an offence as a homicide it remains classified as such unless the police or courts decide that a lesser offence, or no offence, took place. The offence would be reclassified on the Homicide Index as "no longer recorded" but remain in the main police recorded crime collection as a homicide.
6. "Emotional rival" is defined as those instances where 2 persons come to know or meet each other through their association or knowledge of a third person, and where their emotional or sexual interest in this third person brings them into direct conflict with each other.
7. 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 to Crime Statistics](#) for more information.

6 . Domestic abuse-related offences – what are the outcomes?

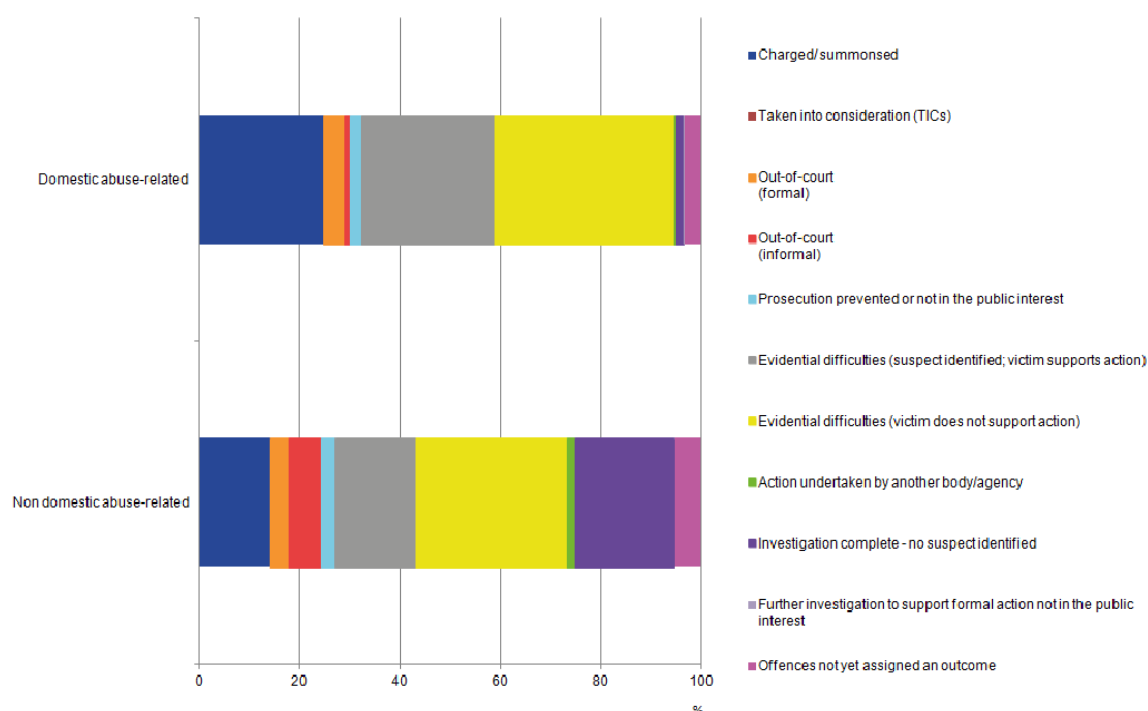
This section on outcomes covers how domestic abuse-related offences recorded in the year ending March 2016 have been dealt with by the police. Some of these cases may still be under investigation and therefore have not yet been assigned an outcome. The analyses presented are based on data from 17¹ of the 43 territorial police forces in England and Wales that supplied adequate data on domestic abuse outcomes to the Home Office Data Hub. This is a record-level crime system which police forces have been progressively switching over to. While all police forces provide data on domestic abuse-related offences, information on the outcomes of these offences is only available from the Home Office Data Hub and only 17 forces provided domestic abuse data and outcomes via the Data Hub for this period. In total, 96% of these domestic abuse-related offences had been assigned an outcome by the time the data were extracted².

Violence against the person offences made up around 4 in 5 (78%) of all domestic abuse-related cases compared with around 1 in 5 (19%) of all non domestic abuse-related offences recorded in the year ending March 2016. Overall, a third (33%) of all violent crimes were flagged as domestic abuse-related.

There were notable differences in outcomes between domestic abuse-related offences and offences that were not flagged as domestic abuse-related ([Appendix Table 13](#)). Domestic abuse-related violence offences had a higher proportion of charge or summons outcomes assigned than non domestic abuse-related violence offences (25% compared with 14%). Given the nature of the offence, there were very few cases of domestic abuse-related violence where no suspect was identified (1%) whereas such an outcome was assigned for 20% of other violent crimes. In contrast, the police were more likely to assign an outcome to show there were evidential difficulties in proceeding with prosecution for violent offences that were domestic abuse-related than non domestic abuse-related (62% compared with 46%). Over a third (36%) of domestic abuse-related violence had evidential difficulties outcomes where the victim did not support action and a quarter (26%) where the victim did support action. These figures reflect the challenges involved in investigating domestic abuse-related offences, despite the majority of suspects being identified.

Figure 4: Outcomes assigned to violence against the person offences recorded in the year ending March 2016, by selected offence group

England and Wales



A charge or summons outcome was assigned to 11% of sexual offences that were flagged as domestic abuse-related and over a quarter (28%) of domestic abuse-related sexual offences had not yet been assigned an outcome. These outcomes were similar to non domestic abuse-related sexual offences. However, evidential difficulties outcomes were assigned to 57% of domestic abuse-related sexual offences compared with 41% of non-domestic abuse ones. Generally, a higher proportion of evidential difficulties outcomes were assigned to domestic abuse-related offences compared with non domestic abuse-related offences.

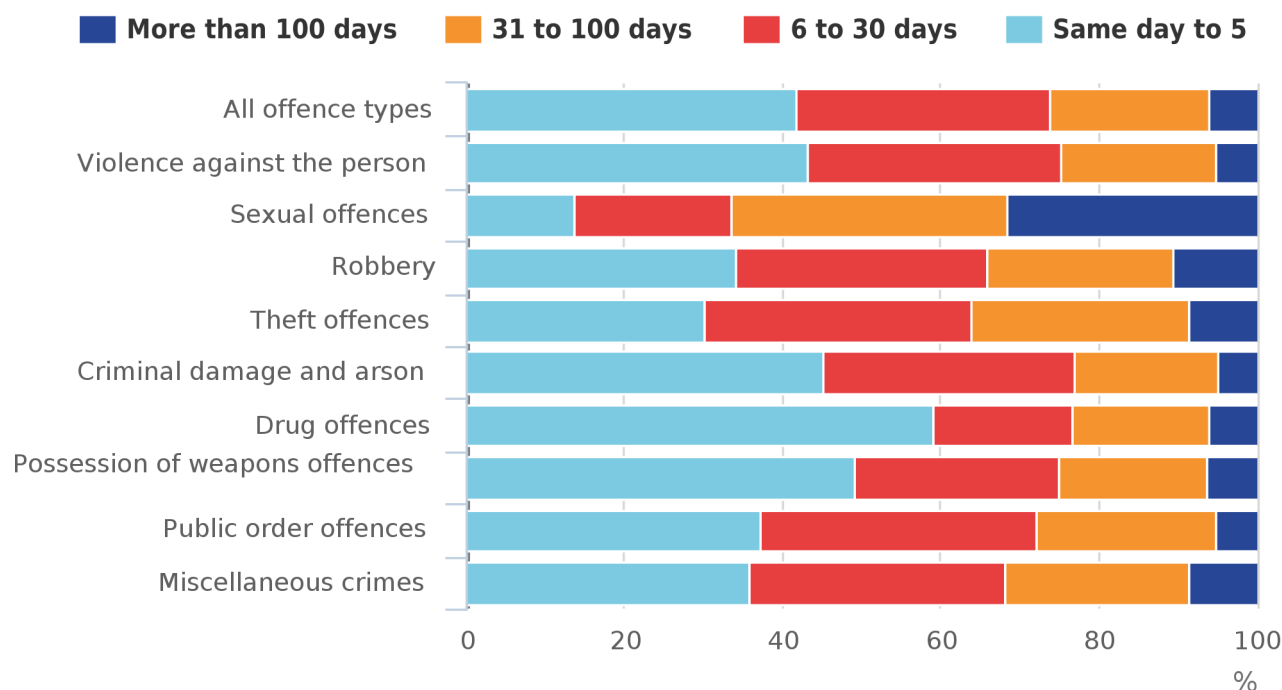
Time taken to assign outcomes

Approximately 4 in every 10 domestic abuse-related offences in the year ending March 2016 had an outcome recorded within 5 days of the offence being recorded. Around a third (32%) of outcomes were assigned between 6 and 30 days from when the police recorded the offence, a fifth (20%) between 31 to 100 days and 6% were assigned more than 100 days after the offence was recorded. This pattern is broadly similar for violence against the person offences, criminal damage and arson, public order offences and miscellaneous crimes flagged as domestic abuse (Figure 5).

Sexual offences were more likely to have a longer period of time between the offence being recorded and an outcome being assigned³. Around a third (35%) of outcomes took between 31 and 100 days to be assigned and another third (32%) had an outcome assigned over 100 days after the offence was recorded (Figure 5). This reflects that such offences are often more complex to investigate.

Figure 5: Length of time between domestic abuse-related offences and outcomes being recorded, by offence type, year ending March 2016

England and Wales



Source: Police recorded crime, Home Office Data Hub

Notes:

1. Police recorded crime data are not designated as National Statistics.
2. Based on 17 police forces that supplied adequate data.
3. Includes offences recorded in the year ending March 2016 that had been assigned an outcome by the time the data were received by the Home Office in early June 2016.

Notes for Domestic abuse-related offences – what are the outcomes? section:

1. Cambridgeshire, Cheshire, Cleveland, Devon and Cornwall, Gloucestershire, Greater Manchester, Humberside, Kent, Lancashire, Lincolnshire, Merseyside, South Wales, South Yorkshire, Staffordshire, Surrey, Thames Valley and West Yorkshire.
2. Early June 2016.
3. All sexual offences take much longer to have an outcome assigned due to the length and complexity of such investigations.

7 . Police referrals to the Crown Prosecution Service

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. Specifically with regard to domestic abuse, the CPS:

- decides which cases should be prosecuted after the cases have been referred to them by the police
- can advise the police during the early stages of investigations in more serious or complex cases
- prepares cases and presents them at court – using a range of in-house advocates, self-employed advocates or agents in court
- provides information, assistance and support to victims and prosecution witnesses

The [Code for Crown Prosecutors](#) sets out the principles to be followed by Crown Prosecutors when they make case decisions. The CPS does not determine guilt – that is a matter for the court to decide on the facts of a case as presented to the court. The CPS aims to build the strongest possible cases on the available evidence in order to assist the jury in this task.

CPS data are available through its Case Management System (CMS) and associated Management Information System (MIS). The CPS collects data to assist in the effective management of its prosecution functions. The CPS does not collect data that constitute official statistics as defined in the [Statistics and Registration Service Act 2007](#).

CPS domestic abuse data are dependent upon lawyers and administrative staff correctly identifying applicable cases and flagging the case on the Case Management System. These data are accurate only to the extent that flags have been correctly applied. CPS domestic abuse data presented in this report have also been published in the [Violence Against Women and Girls \(VAWG\) reports](#), but are brought together alongside other data sources for the first time here.

For CPS data, a domestic abuse flag may be applied at the beginning of a case, or applied later in the prosecution process if domestic abuse-related charges become apparent. There is a time lag between every stage of the criminal justice process: between police referral to the CPS for charging, prosecution, conviction and sentencing. For example, a domestic abuse case could be referred to the CPS in 2015, but a conviction may not be secured until 2016. As a result, the data presented in this report on referrals, prosecutions and convictions do not necessarily follow on from each other and caution should be taken when making comparisons ¹.

Data provided in this section of the report include both child and adult defendant and victim data. These differ from other data sources on domestic abuse. The Crime Survey for England and Wales (CSEW) reports on domestic abuse experienced by adults aged 16 to 59 and police recorded crime and the Homicide Index cover domestic abuse-related offences and domestic homicides where the victim was aged 16 or over.

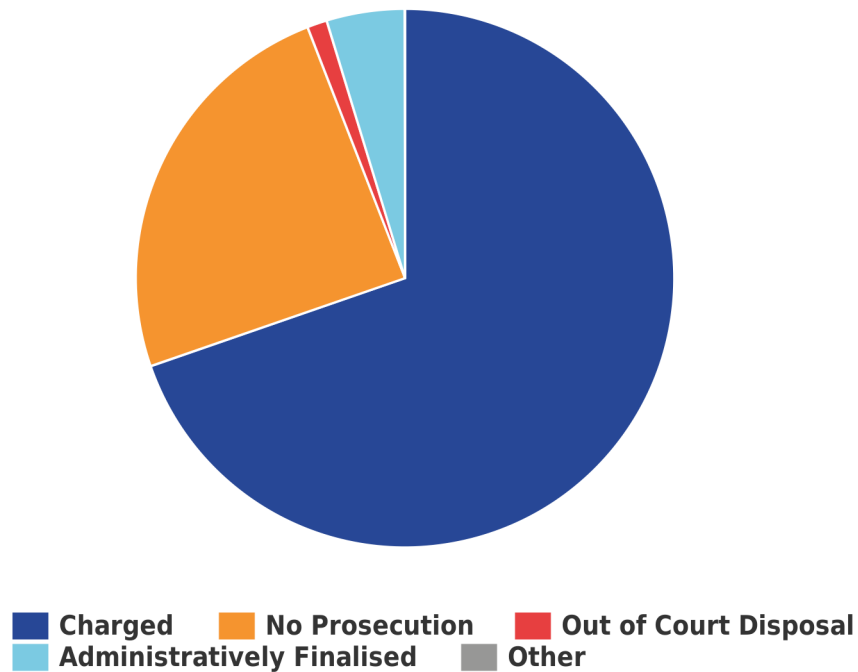
CPS pre-charge decisions

CPS charging data cover those cases, by suspect, forwarded to the CPS for a charging decision.

In the year ending March 2016, 70% of domestic abuse cases that were referred to the CPS resulted in a decision to charge. In just under a quarter (24%) of cases there was a decision not to prosecute, and 1% had an out of court disposal². The remaining 5% of domestic abuse cases were administratively finalised (Figure 6). The administrative finalisation code means that the CPS has not made a charging decision on a case brought to them by the police³.

Figure 6: Pre-charge decisions for domestic abuse-related cases, year ending March 2016

England and Wales, %



Source: Crown Prosecution Service (CPS)

Notes:

1. CPS data are not designated as official statistics.
2. 'Other' makes up less than 1% of pre-charge decisions.

The trend in the proportion of domestic abuse pre-charge decisions that resulted in a charge has been relatively flat over the last 7 years, with between 68% and 70% of cases resulting in a charge between the year ending March 2010 and the year ending March 2016⁴ (Table 1).

Table 1: Percentage of domestic abuse-related cases where a suspect was charged, England and Wales, year ending March 2010 to year ending March 2016

England and Wales

	Apr '09 to Mar '10	Apr '10 to Mar '11	Apr '11 to Mar '12	Apr '12 to Mar '13	Apr '13 to Mar '14	Apr '14 to Mar '15	Apr '15 to Mar '16
Percentage	68.1	68.1	69.6	68.3	70.4	68.9	69.7

Source: Crown Prosecution Service (CPS)

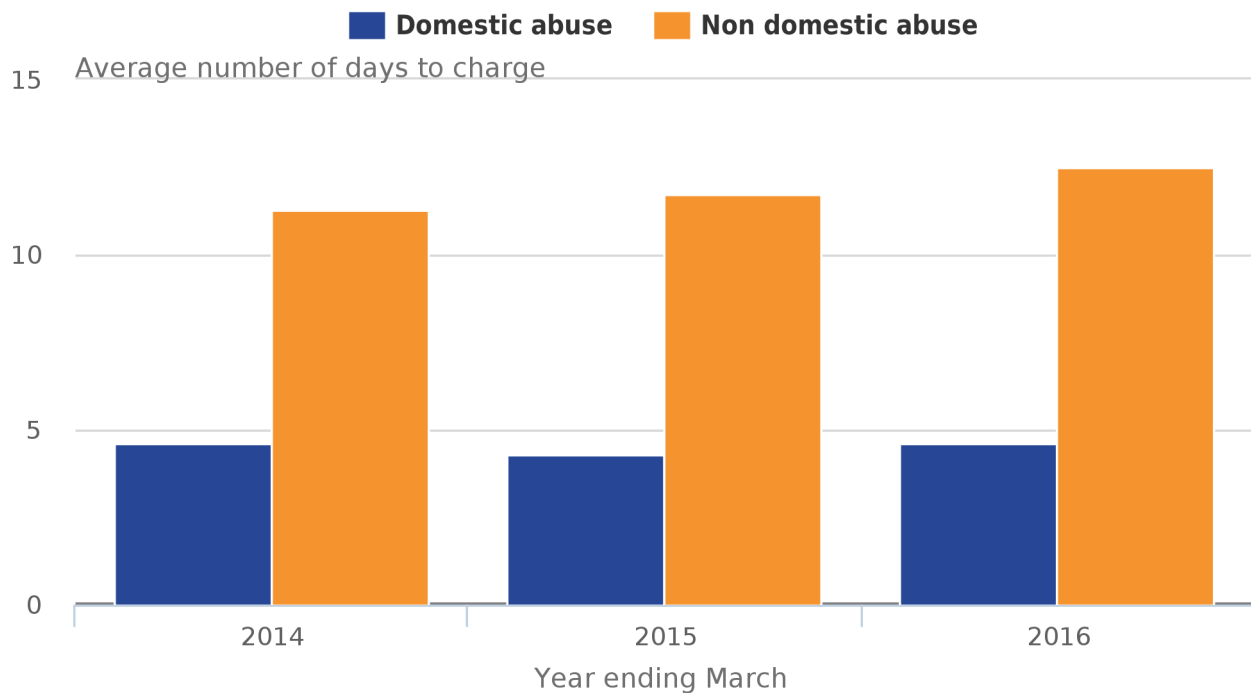
Notes:

1. CPS data are not designated as official statistics.
2. During the year ending March 2014, a revised method of reporting the outcomes of charging decisions was developed. The revised method has been used in this report (for both the current year and the back series of data) which provides a more accurate figure for the percentage of defendant cases which proceeded to prosecution. For this reason, the data will differ from that reported prior to the year ending March 2014.
3. The percentage of cases charged covers those domestic abuse cases, by suspect, forwarded to CPS during the year ending March 2016 for charging decisions and are not directly comparable in numbers with those prosecuted which covers cases, by defendant, finalised during the year ending March 2016.

The average number of days taken for a decision to charge^{5,6} to be made in domestic abuse cases was 4.6 days in the year ending March 2016, similar to the previous 2 years⁷. The average number of days taken for a decision to charge for domestic abuse-related cases is shorter than non-domestic abuse cases, which was 12.5 days in the year ending March 2016 (Figure 7). This could be attributed to the different crime types that make up domestic abuse-related offences compared with non domestic abuse-related offences.

Figure 7: Average number of days to charge domestic abuse and non domestic abuse-related cases, year ending March 2014 to year ending March 2016

England and Wales



Source: Crown Prosecution Service (CPS)

Notes:

1. CPS data are not designated as official statistics.

Disclosing private sexual images without consent

Offences involving the “disclosure of private sexual photographs and films with the intent to cause distress or anxiety” were made a specific offence in April 2015 and are included within the offence category of “harassment” under the Home Office Counting Rules. These offences are commonly referred to as “revenge pornography”. Since April 2015, the CPS has been recording how many prosecutions involving the offence have been flagged as domestic abuse-related. Of the 206 prosecutions recorded in the year ending March 2016, 184 (89%) were flagged as being domestic abuse-related (Table 2).

Table 2: Number and proportion of domestic abuse-related "revenge pornography" prosecutions, England and Wales, year ending March 2016

England and Wales	Apr '15 to Mar '16	
	Number	Percentage
Domestic abuse-related	184	89.3
Non domestic abuse-related	22	10.7
Total	206	100.0

Source: Crown Prosecution Service

Notes:

1. CPS data are not designated as official statistics
2. "Revenge pornography" involves the disclosure of private sexual images without consent with the intention to cause anxiety or distress

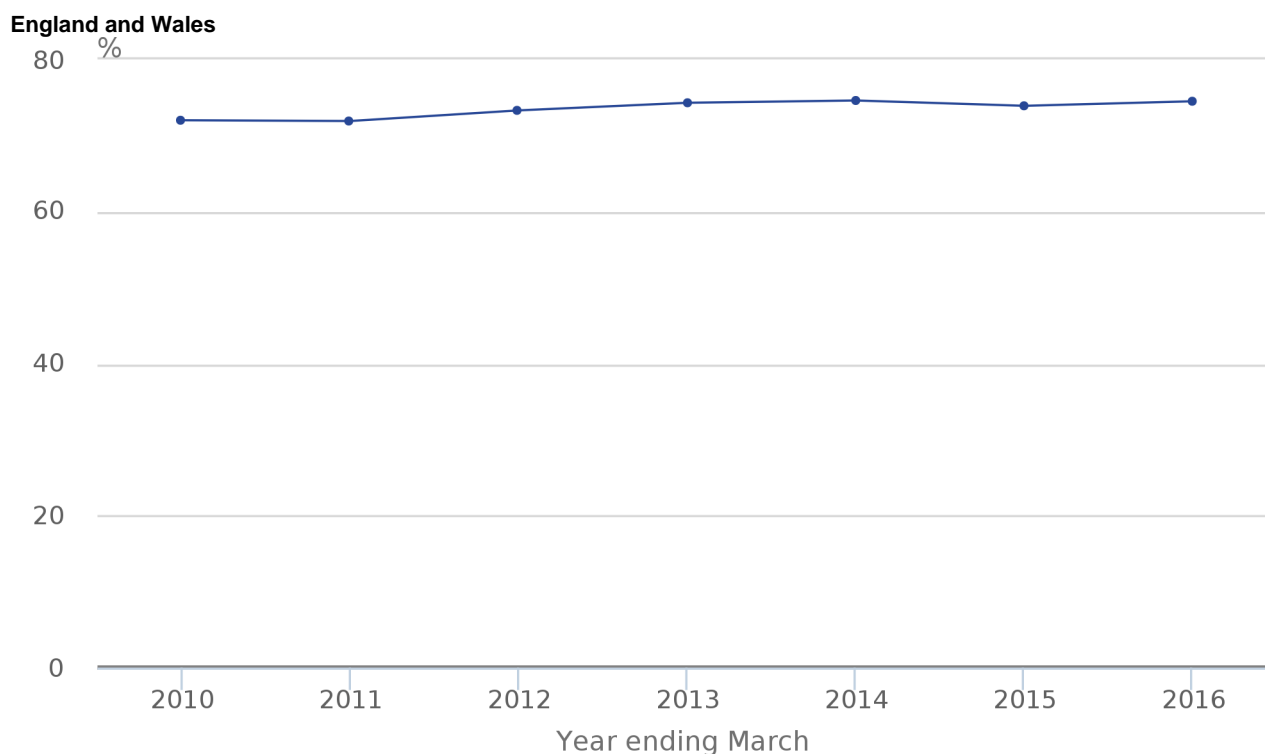
Notes for Police referrals to the Crown Prosecution Service section:

1. Note the percentage of cases charged covers those domestic abuse cases, by suspect, forwarded to CPS during the year ending March 2016 for charging decisions and are not directly comparable in numbers with those prosecuted which covers cases, by defendant, finalised during the year ending March 2016.
2. An out of court disposal is where a caution, reprimand or final warning is given or the offence has been considered in relation to other charges.
3. At any stage in the investigation (prior to a charging decision being given) the police may decide that the case does not meet charging criteria and end the investigation without returning to CPS for further consultation. As a result the CPS will administratively finalise the case because no actual charging decision has been made by them. It also includes cases where a suspect has died before charges had been authorised or where a suspect has failed to answer police bail.
4. The CPS is continually striving to improve the quality of data used in both internal and external reports. During the year ending March 2014, a revised method of reporting the outcomes of charging decisions was developed. The revised method has been used in this report (for both the current year and the back series of data) which provides a more accurate figure for the percentage of defendant cases which proceeded to prosecution. For this reason, the data will differ from that reported in CPS publications prior to the year ending March 2014.
5. The CPS Case Management System (CMS) data report the average number of calendar days since the first decision was sought by the police, to the date in which the last decision made was to charge. The data include those cases where the police were required to submit further evidence prior to a decision to charge being made and those more serious complex cases including cases involving a death, rape and serious sexual offences, child abuse, large scale or long term fraud and cases with substantial or complex video or audio key evidence, which all must be referred to CPS Area-based Prosecutors.
6. The system is unable to separately record the timeliness of those cases that were subject to advice and further work before a charge decision was made and recorded as the last decision.
7. The data include all cases where the decision was made on the same day by CPS Direct, who are responsible for all volume crime, charging decisions that must be referred to the CPS 24 hours a day, 7 days a week and those cases that must be referred to CPS Area-based Prosecutors by way of face to face, telephone, or written advice and consultation with the police. The data also include cases where a decision to charge was made after the police were required to submit further evidence prior to a decision to charge being made.

8 . Crown Prosecution Service prosecutions and convictions

Prosecutions cover domestic abuse cases, by defendant, finalised during that year¹. There were a total of 100,930 prosecutions for domestic abuse-related offences in the year ending March 2016, which accounted for around 16% of all prosecutions in England and Wales (Figure 19). Three-quarters of domestic abuse-related prosecutions were successful in securing a conviction during this year. This was the highest volume of convictions (75,235) ever recorded with the previous highest figure being recorded in the year ending March 2015 (68,601). The proportion of convictions for domestic abuse-related prosecutions has increased slightly from 72% in the year ending March 2010 to 75% in the year ending March 2016 (Figure 8).

Figure 8: Percentage of domestic abuse-related prosecutions that resulted in a conviction, year ending March 2010 to year ending March 2016



Source: Crown Prosecution Service (CPS)

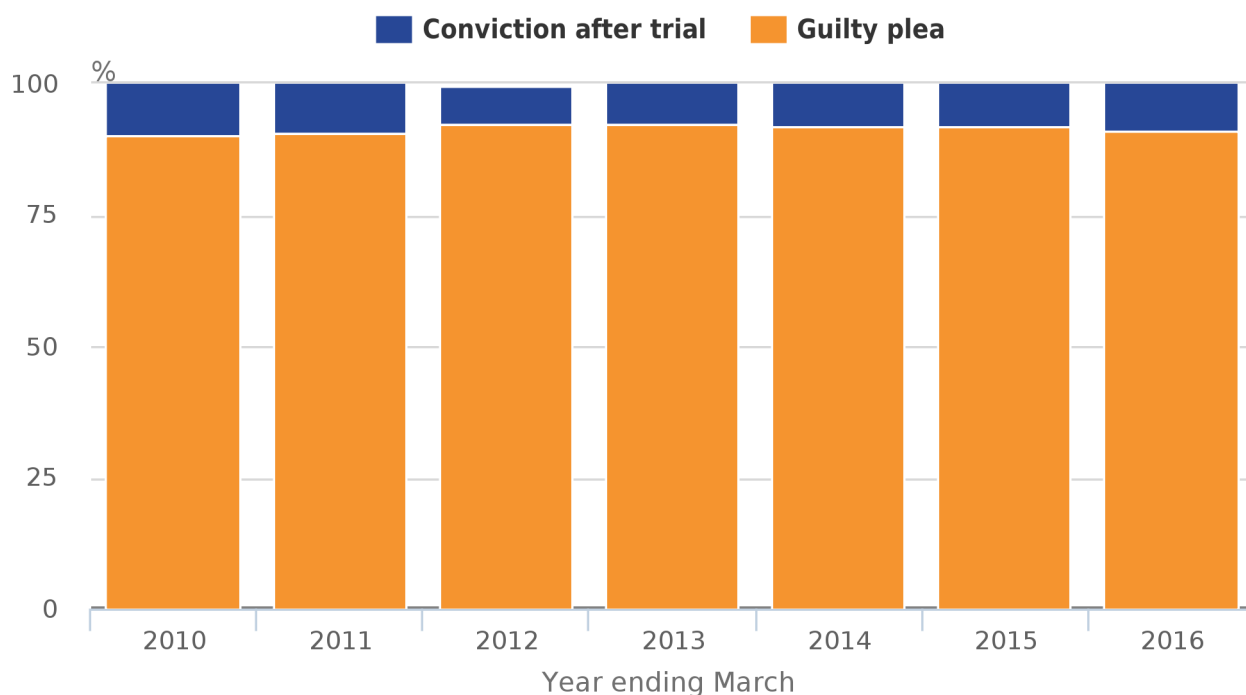
Notes:

1. CPS data are not designated as official statistics.

In 68% of the domestic abuse cases referred to CPS the defendant pleaded guilty, so of the 75,235 successful domestic abuse-related prosecutions in the year ending March 2016, 91% were due to a guilty plea, a figure which has remained relatively flat over the last 7 years (Figure 9). However, this latest figure represents the highest volume of guilty pleas (68,462) ever recorded, with the previous highest figure recorded in the year ending March 2015 (63,132). The remaining 9% of successful domestic abuse prosecutions in the year ending March 2016 secured a conviction following a trial and 0.2% were proved in absence. This percentage of convictions following a trial ranged from 8% to 10% between the year ending March 2010 and the year ending March 2016.

Figure 9: Successful prosecution outcomes, year ending March 2010 to year ending March 2016

England and Wales



Source: Crown Prosecution Service (CPS)

Notes:

1. CPS data are not designated as official statistics.
2. 'Proved in absence' is below 0.5% in every year and is therefore not represented in this chart.

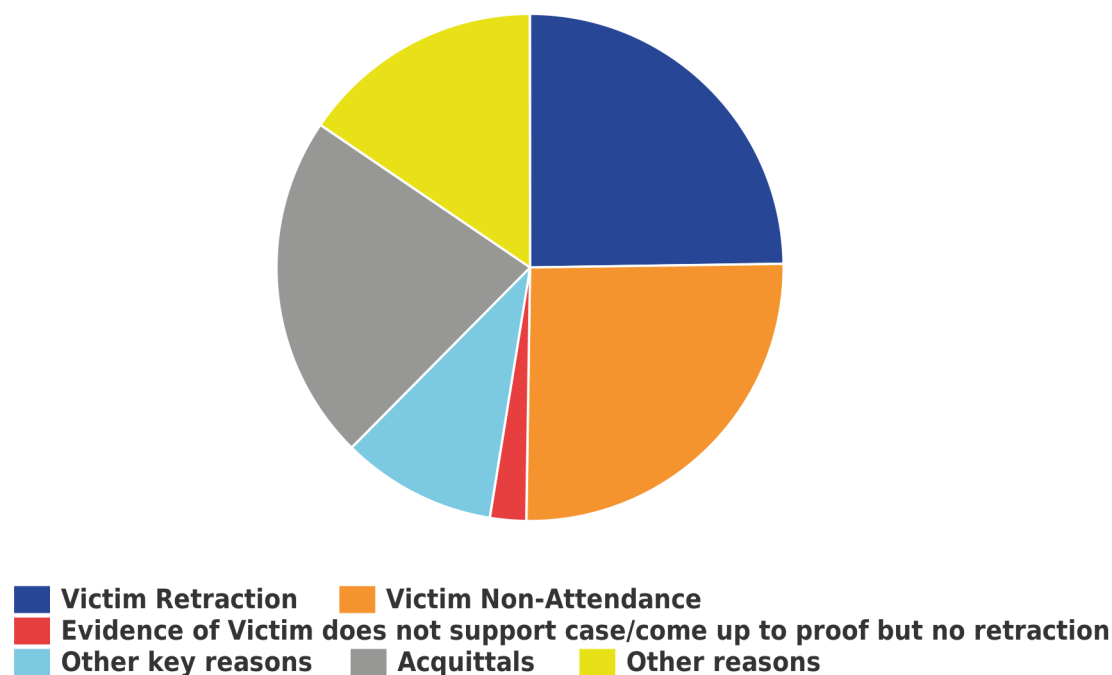
A quarter of domestic abuse-related prosecutions were unsuccessful in securing a conviction, equating to 25,695 prosecutions.

In reviewing the reasons offered for unsuccessful prosecutions, over half (53%) were due to either victim retraction, victim non-attendance or evidence of the victim not supporting the case (Figure 10). A quarter (25%) were due to victim retraction, where the evidence of the victim supports the prosecution case, but the victim refuses to be called as a witness, or retracts or withdraws a complaint. Victims may not want to be involved in the prosecution for a number of reasons, for example due to the level of fear and control exerted by the perpetrator, or a lack of sufficient response or support from agencies. The CPS provide training to Independent Domestic Violence Advisors (IDVAs) who support domestic abuse victims as well as providing support through special measures and speaking to victims at court. The 2015 HMIC report, "[Increasingly everyone's business: A progress report on the police response to domestic abuse](#)" found there was an increased focus among police forces to developing evidence-led prosecutions around domestic abuse. The report also found that response officers now have a greater awareness on the importance of collecting evidence at the scene (for example, using body-worn cameras) so that prosecutions can continue even if the victim does not support further action.

A further quarter (25%) were due to victim non-attendance, where the victim is called as a witness in a trial, but fails to attend court. The evidence of the victim did not support the case in 2% of unsuccessful prosecutions. In these cases the victims have not retracted their evidence, but it does not support the prosecution of the defendant, leading to an unsuccessful outcome.

Figure 10: Reasons for unsuccessful domestic abuse-related prosecutions, year ending March 2016

England and Wales, %



Source: Crown Prosecution Service (CPS)

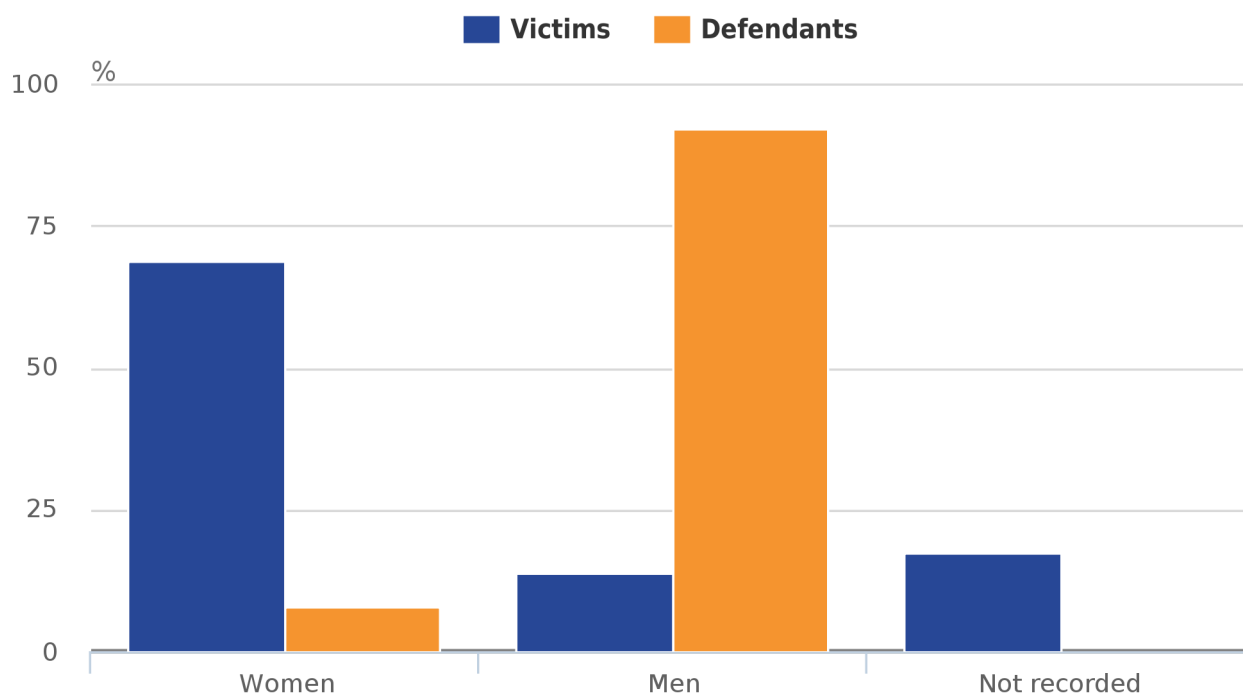
Notes:

1. CPS data are not designated as official statistics.
2. 'Other key reasons' refer to: caution, bindover, conflict of evidence, essential legal element missing, unreliable witness and acquittals. Data is no longer collected on 'Effect on Victim/Witness mental health'.
3. 'Other reasons' refer to a number of explanations for an unsuccessful outcome including missing statements and breach of Police and Criminal Evidence Act 1984 (PACE).

The vast majority of defendants (92%) of domestic abuse-related prosecutions were men (Figure 11)². In contrast, victims were female in 69% of domestic abuse-related prosecutions and 14% were male. The sex of the victim was not recorded in 17% of prosecutions³ (if this category was excluded from the analysis, the proportion of female victims would be 83% and male victims would be 17%).

Figure 11: Sex of victims and defendants in domestic abuse-related cases, year ending March 2016

England and Wales



Source: Crown Prosecution Service (CPS)

Notes:

1. CPS data are not designated as Official Statistics.
2. The CPS records some limited data, identifying the number of victims in the Witness Management System. This is a system used by Witness Care Unit (WCU) staff to manage cases. Not all cases are managed by WCUs and a number of CPS Areas do not use this system. It follows that there are many cases for which victim information is not recorded. As a result, it is not possible to correlate data on the sex of victims against data on the sex of defendants.

Notes from Crown Prosecution Service prosecutions and convictions section:

1. The percentage of cases charged covers those domestic abuse cases, by suspect, forwarded to CPS during the year ending March 2016 for charging decisions and are not directly comparable in numbers with those prosecuted, which covers cases, by defendant, finalised during the year ending March 2016. One defendant may have committed a number of offences, usually, although not exclusively, against one victim.
2. Data showing the sex of defendants are held in the CPS Management Information System, however, the records are not always complete. The sex of the defendant is unknown in some cases and may not be recorded in others.
3. The CPS records some limited data, identifying the number of victims in the Witness Management System. This is a purpose-built electronic system designed to enable Witness Care Unit (WCU) staff to manage their cases. Victim data are only recorded if a case is handled by a WCU which uses the system. Not all cases are managed by WCUs and a number of CPS Areas do not use this system. It follows that there are many cases for which victim information is not recorded. As a result, it is not possible to correlate data on the sex of victims against data on the sex of defendants.

9 . Are there differences between local areas?

The data presented so far in this report have focused on a national perspective of domestic abuse-related offences in England and Wales. This section presents a local breakdown of domestic abuse data, where it is available, that will allow police and crime commissioners, police, prosecutors and other criminal justice agencies to have an enhanced view of how domestic abuse is dealt with in their local area.

For each data source, references to police force areas (PFAs) differ slightly. Police force areas from the Crime Survey for England and Wales (CSEW) refer to the residence of the victim at the time of interview and do not necessarily refer to where the incident(s) took place. Police force areas from police recorded crime data refer to where the crime was recorded and police force areas from CPS data are based on where the originating police force is located (using the Unique Reference Number indicator)¹. These may be different geographical areas for the same case.

Data collection methods and practices also differ across each data source and include differences in timescales, measures and identification of domestic abuse cases. Alongside delays between each stage of the criminal justice process, this means that police force area breakdowns from the CSEW, police recorded crime and the CPS do not refer to the same cohort of cases and so direct comparisons cannot be made between them.

While all the police force area data presented in this section are ordered from lowest to highest measures, the positioning of police force areas may vary between data sources. For example, a police force could have a relatively low domestic abuse-related crime rate and a high conviction rate when compared with other police forces. These inconsistencies may be due to differing local practices, priorities and demands on police force areas that could result in different recording procedures at each stage of the criminal justice process. [Reports published by HMIC](#) on individual police forces' approach to tackling domestic abuse provide more context around the figures and should be looked at alongside the data.

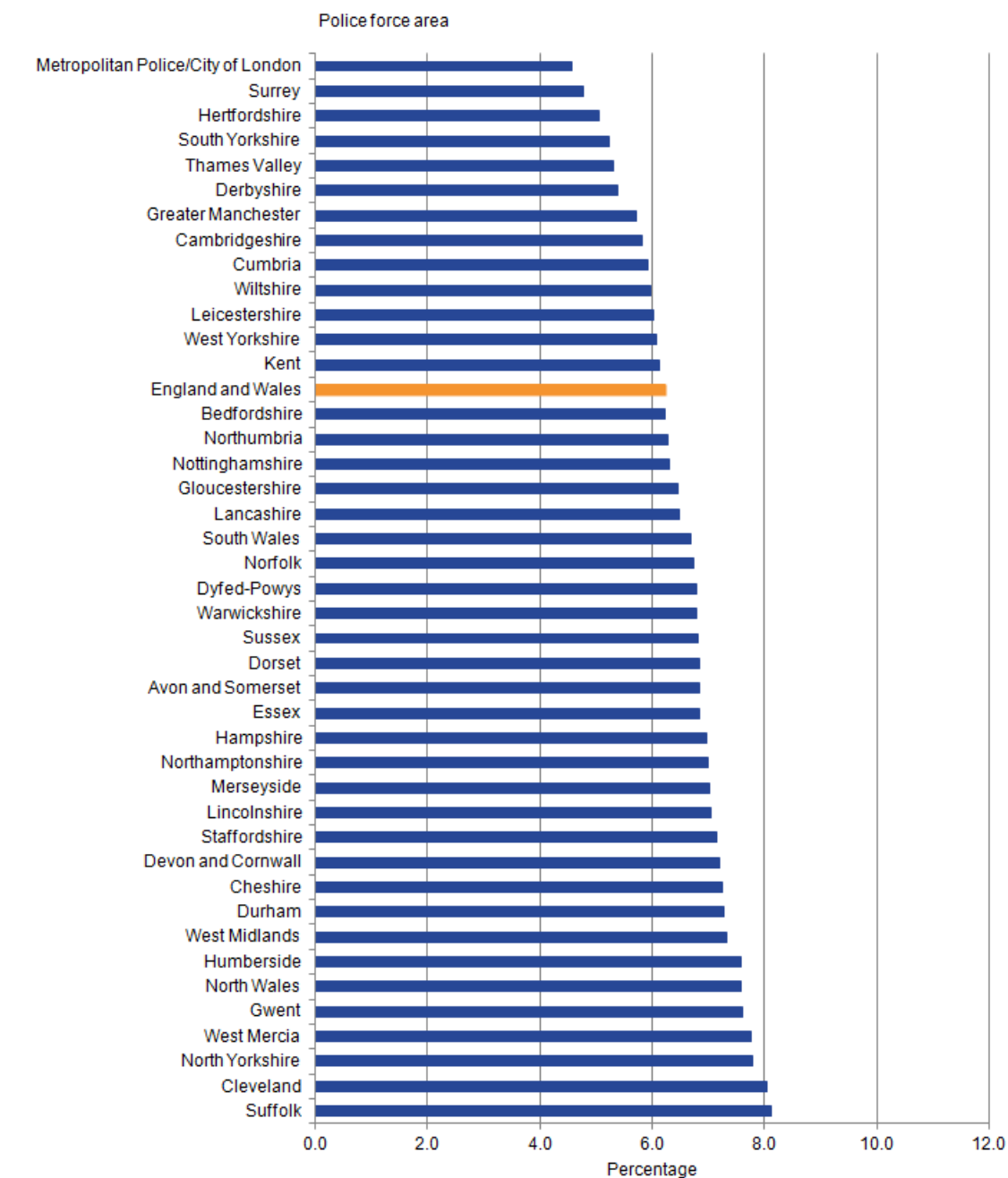
All data for each individual police force can be easily accessed using the [Domestic Abuse Statistics Data Tool](#), where more detailed comparisons can be made.

Crime Survey for England and Wales (CSEW)

Due to small sample sizes across individual police forces, this analysis combines 3 years' worth of data from the CSEW to present police force area breakdowns of domestic abuse. Across England and Wales, 6.2% of adults aged 16 to 59 said they had experienced a form of domestic abuse in the 12 months prior to interview (Figure 12). The prevalence of domestic abuse among police force areas ranged from 4.6% to 8.1%. The majority of police force areas had prevalence rates that were not statistically significantly different to the England and Wales average.

Figure 12: Prevalence of domestic abuse by PFA, combined years from April 2013 to March 2016, CSEW

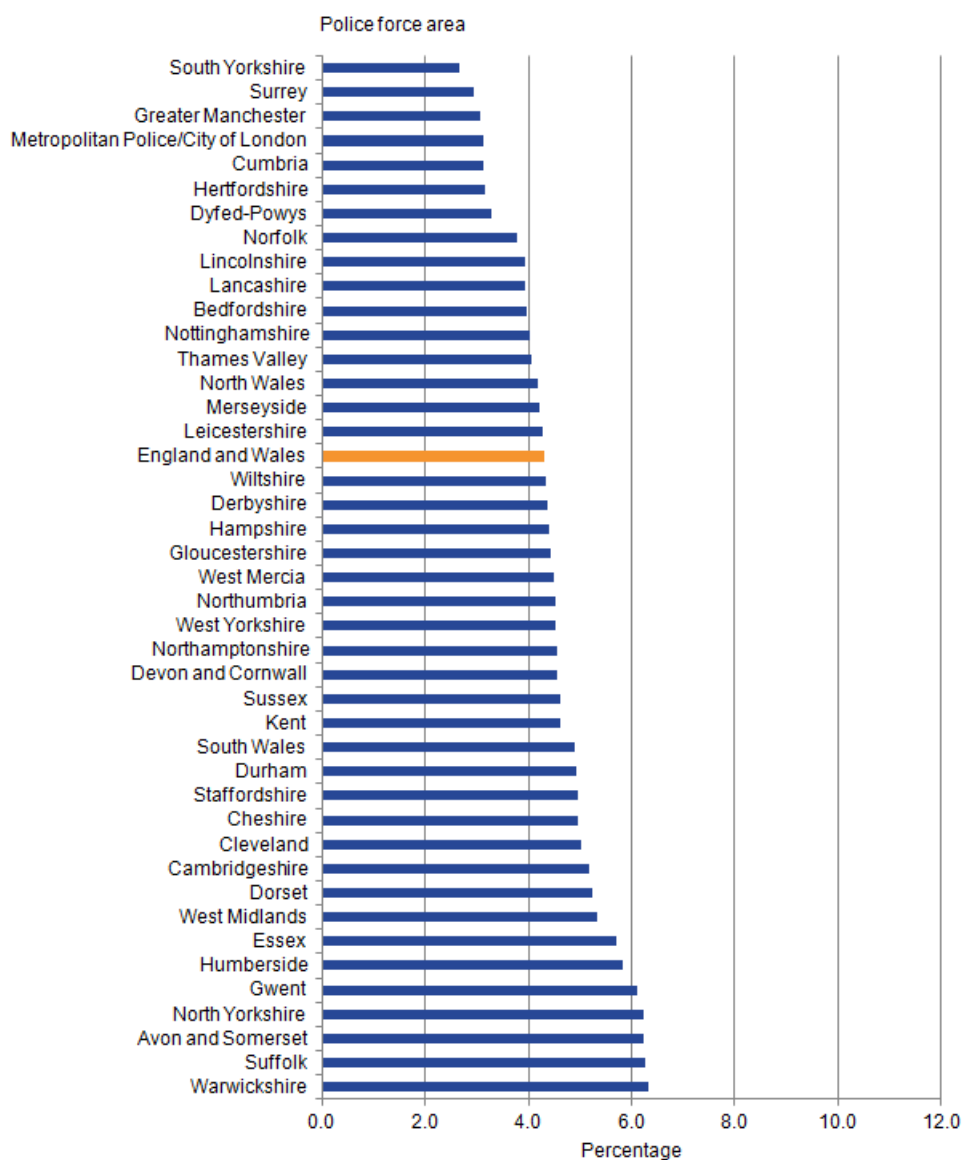
England and Wales



In England and Wales, 4.3% of men aged 16 to 59 said they had experienced domestic abuse. This prevalence for men varied across police force areas, ranging from 2.7% to 6.3% (Figure 13). As these rates were very similar for each police force area, the majority of police force areas were not statistically significantly different to the England and Wales average.

Figure 13: Prevalence of men aged 16 to 59 experiencing domestic abuse by PFA, combined years from April 2013 to March 2016, CSEW

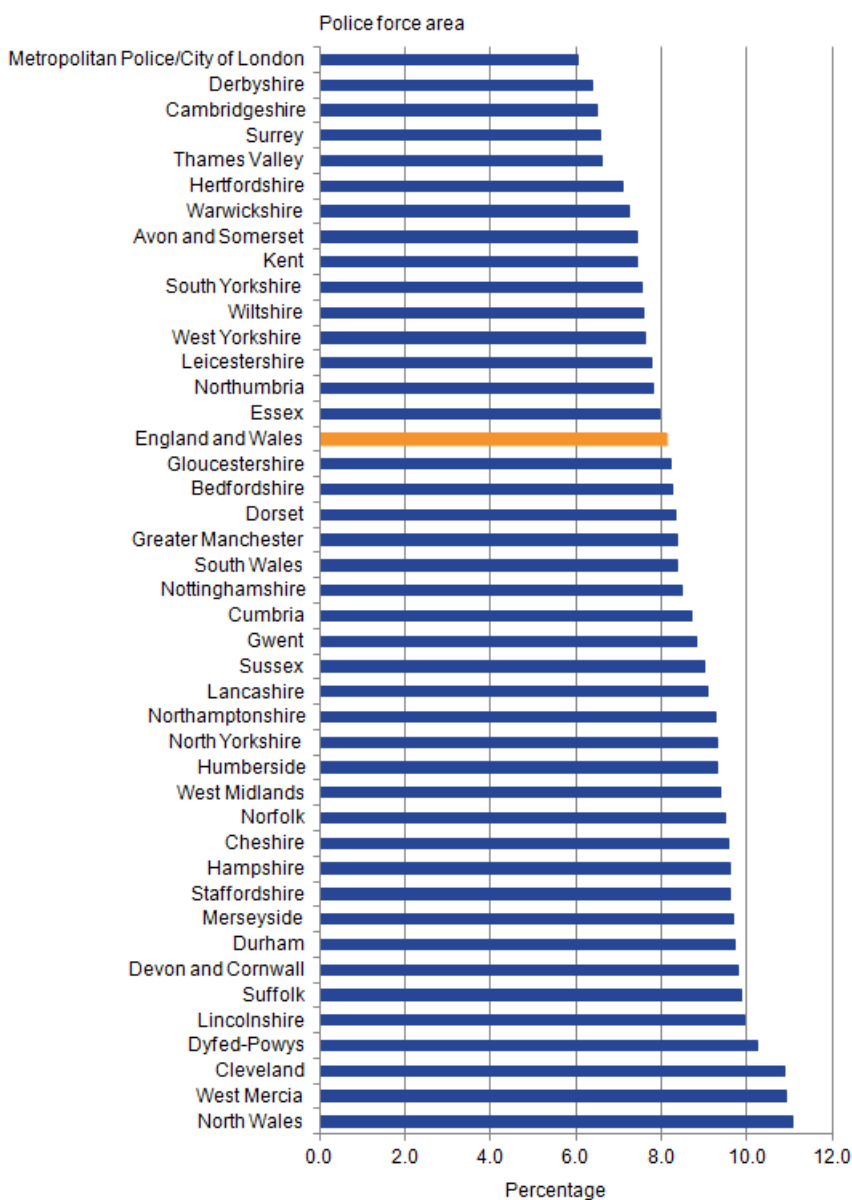
England and Wales



The national prevalence of domestic abuse for women was higher than for men, at 8.1%. Variation across police force areas ranged from 6.0% of women to 11.1% and most were not statistically significantly different to the average (Figure 14).

Figure 14: Prevalence of women aged 16 to 59 experiencing domestic abuse by PFA, combined years from April 2013 to March 2016, CSEW

England and Wales

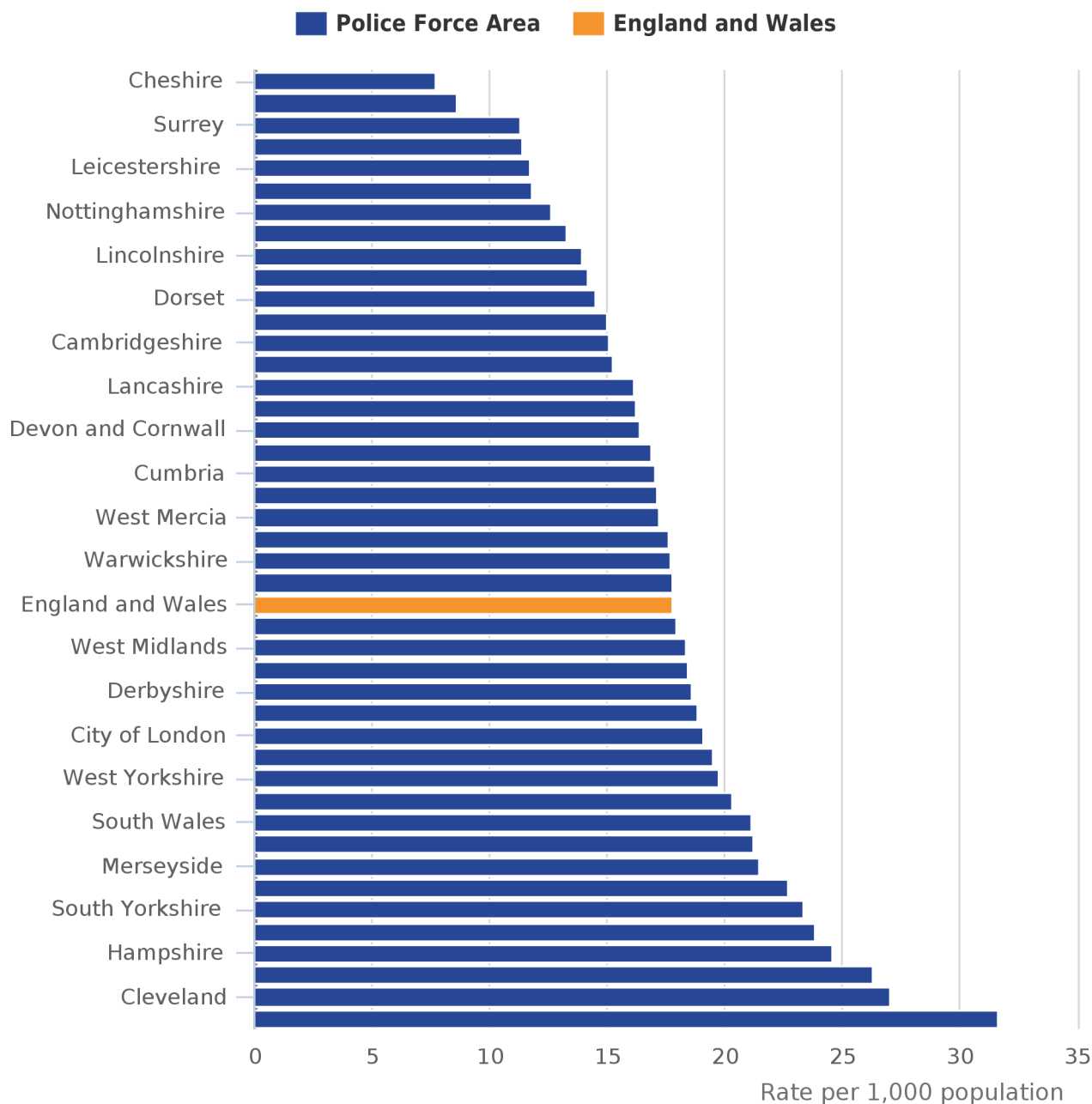


Police recorded incidents and crimes data

There were 18 domestic abuse incidents and crimes² recorded by the police per 1,000 population across England and Wales in the year ending March 2016. This ranged from 8 incidents and crimes per 1,000 population to 32 incidents and crimes per 1,000 population (Figure 15).

Figure 15: Domestic abuse combined incident and crime rate per 1,000 population by PFA, year ending March 2016

England and Wales



Source: Police recorded crime, Home Office

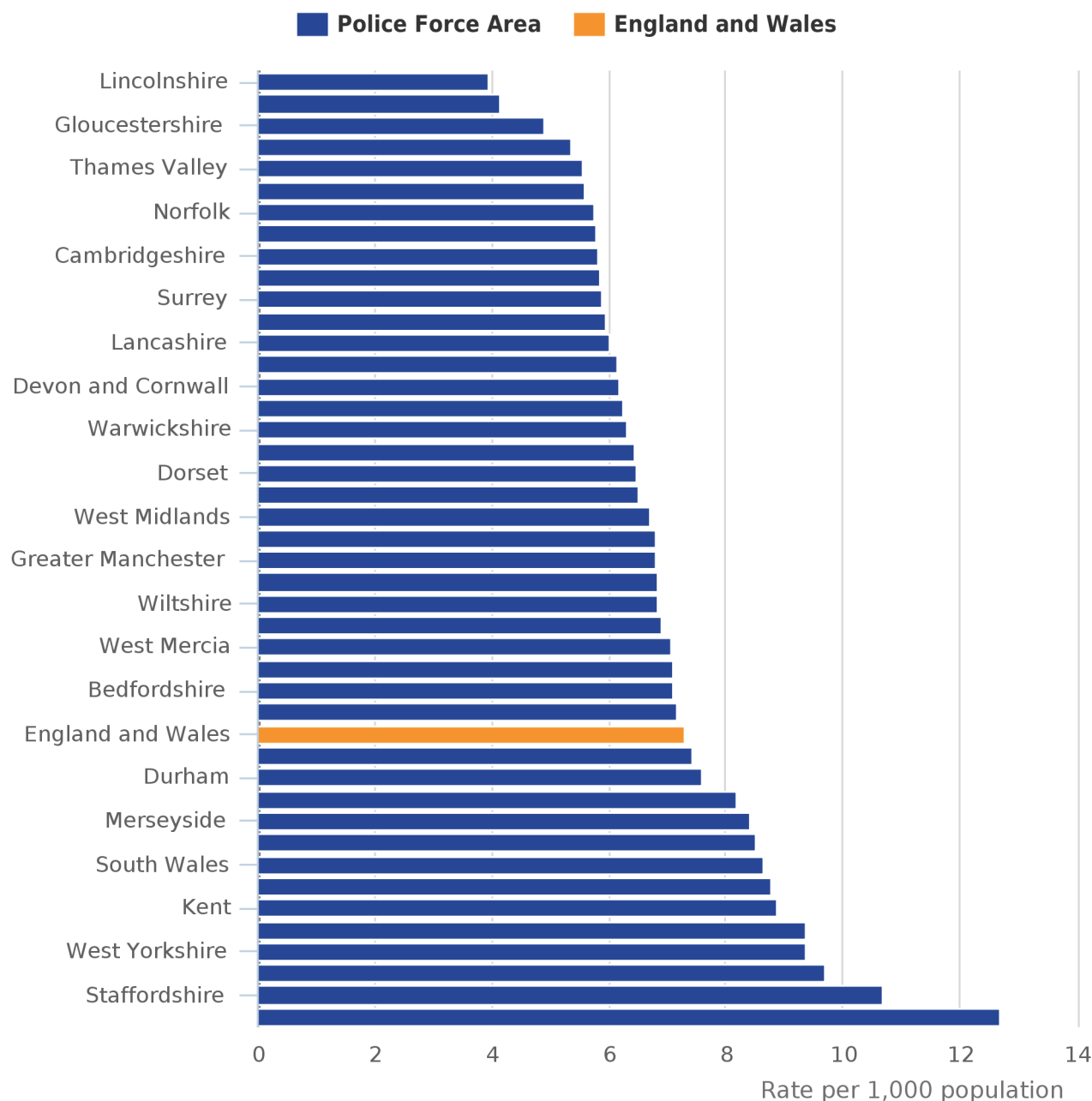
Notes:

1. Police recorded crime data are not designated as National Statistics.
2. Domestic abuse police incident data only includes domestic abuse incidents that did not result in a crime being recorded. Incidents of domestic abuse that did result in a crime being recorded by the police are included in data on domestic abuse-related offences. Therefore, to get a total picture of the demand upon the police that relates to domestic abuse, it is necessary to add the number of domestic abuse incidents and offences.

In the year ending March 2016, there were 7 domestic abuse-related offences recorded by the police per 1,000 population across England and Wales. This varied by police force area from 4 offences per 1,000 population to 13 offences per 1,000 population³. There were 13 forces that had a higher rate of domestic abuse-related crime than the average for England and Wales and the remaining 30 were below the national figure (Figure 16).

Figure 16: Domestic abuse crime rate per 1,000 population by PFA, year ending March 2016

England and Wales



Source: Police recorded crime, Home Office

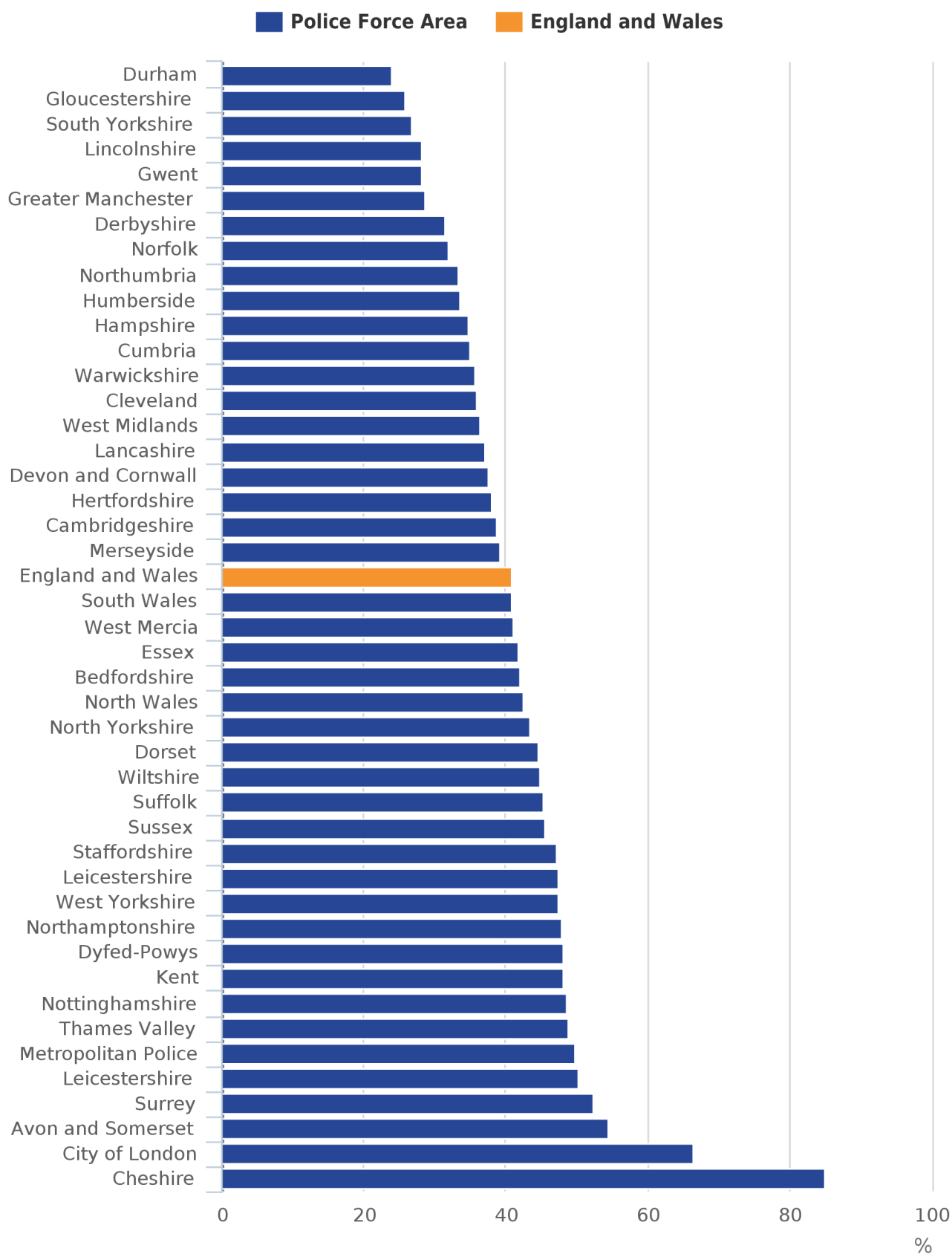
Notes:

1. Police recorded crime data are not designated as National Statistics.

Out of the 43 police forces (excluding British Transport Police), 20 had 35% to 45% of domestic abuse-related incidents recorded as crimes (Figure 17). There were 5 police force areas with 50% or more of domestic abuse incidents recorded as crimes and the lowest proportion of all domestic abuse-related incidents recorded as crimes was 24%.

Figure 17: Proportion of domestic abuse incidents recorded as crimes, by PFA, year ending March 2016

England and Wales



Source: Police recorded crime, Home Office

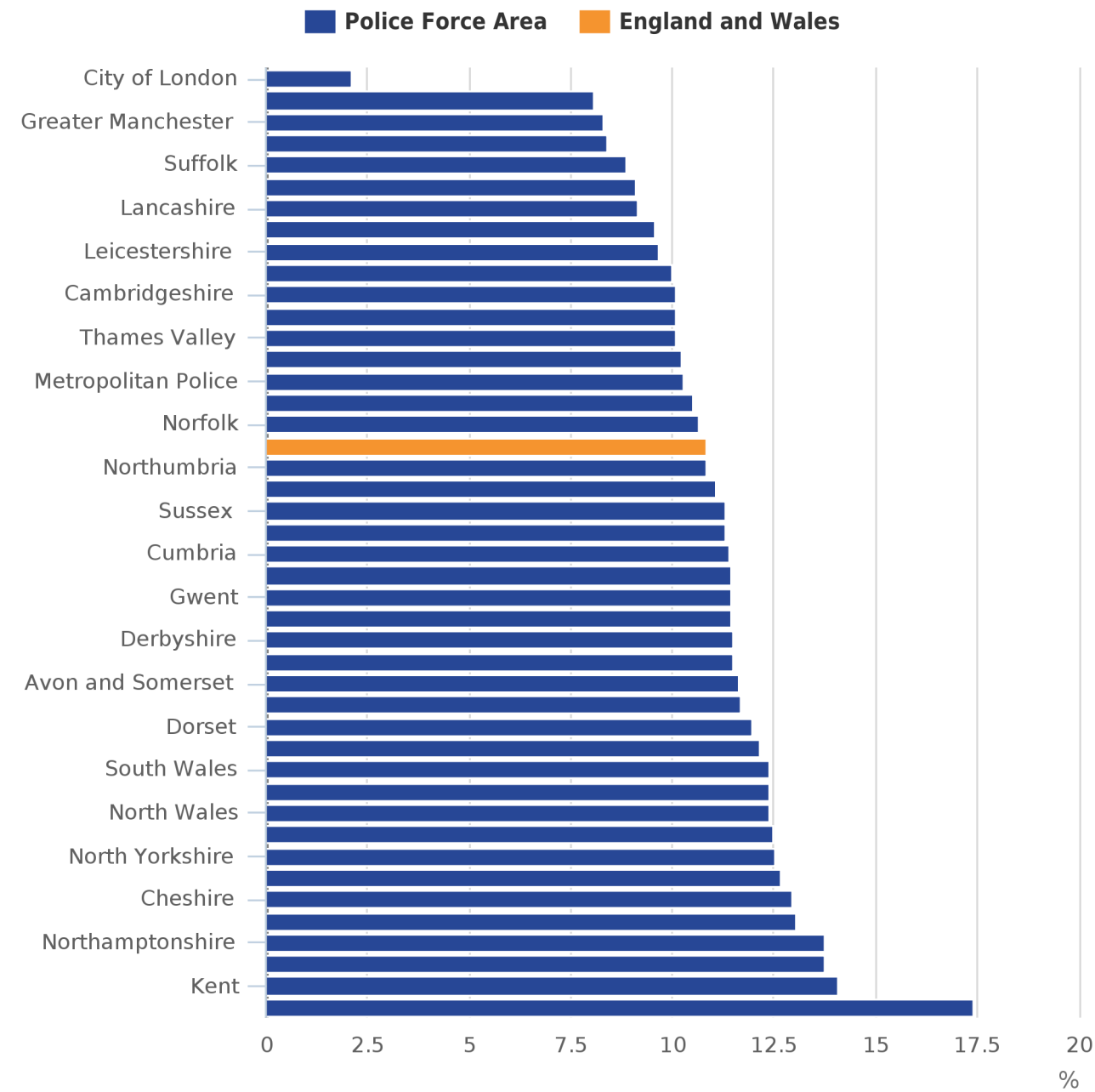
Notes:

1. Police recorded crime data are not designated as National Statistics.

Across England and Wales, 11% of all police recorded crimes were domestic abuse-related. This varied by police force area, ranging from 2% to 17% (Figure 18).

Figure 18: Proportion of all police recorded crimes that were domestic abuse-related, by PFA, year ending March 2016

England and Wales



Source: Police recorded crime data, Home Office

Notes:

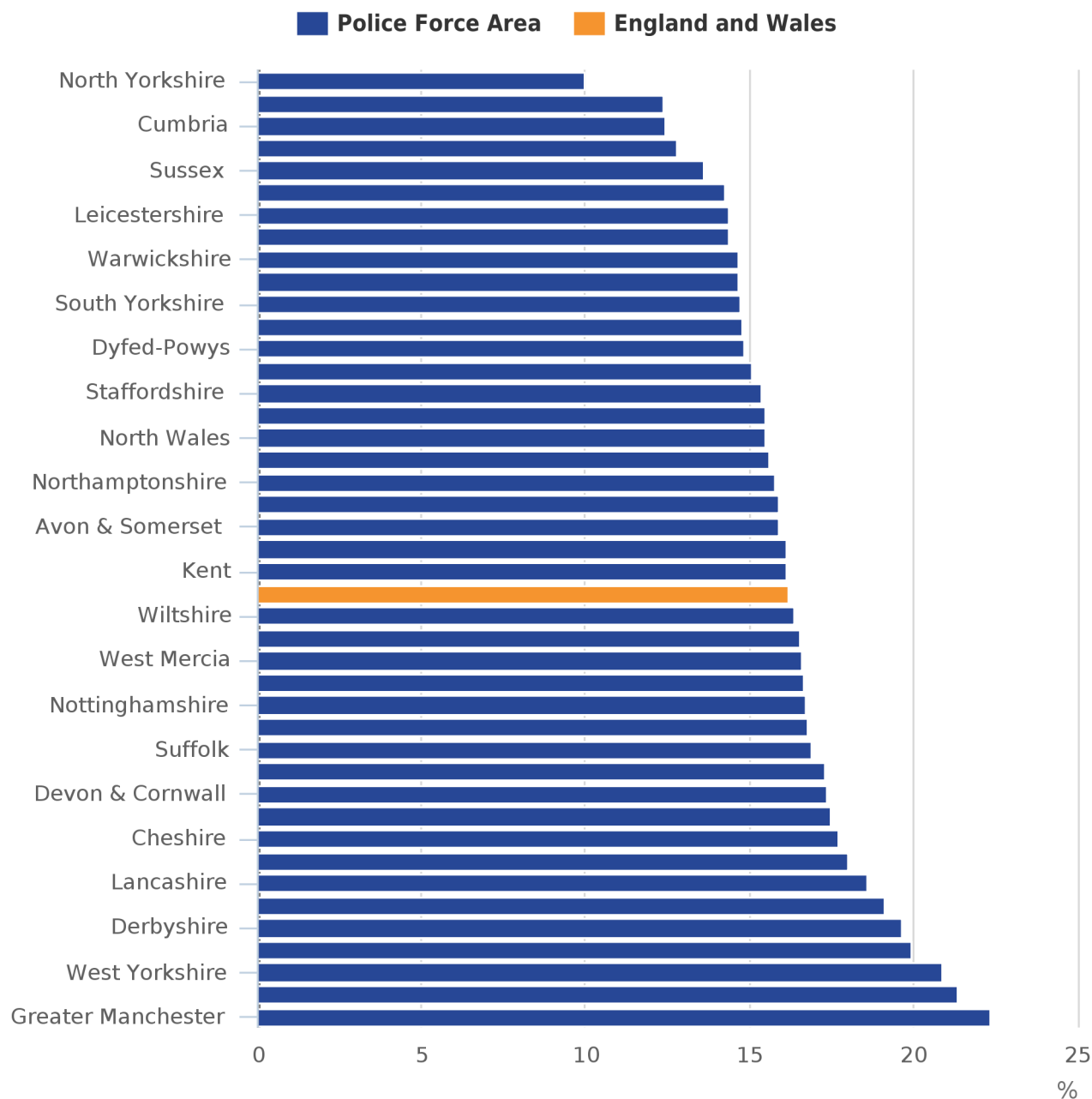
- 1. Police recorded crime data are not designated as National Statistics.

CPS domestic abuse-related prosecutions

In the year ending March 2016, 16% of prosecution cases handled by the CPS in England and Wales were domestic abuse-related. This percentage was relatively flat across police force areas, ranging from 10% to 22% (Figure 19).

Figure 19: Percentage of prosecution caseloads that were domestic abuse-related prosecutions by PFA, year ending March 2016

England and Wales



Source: Crown Prosecution Service (CPS)

Notes:

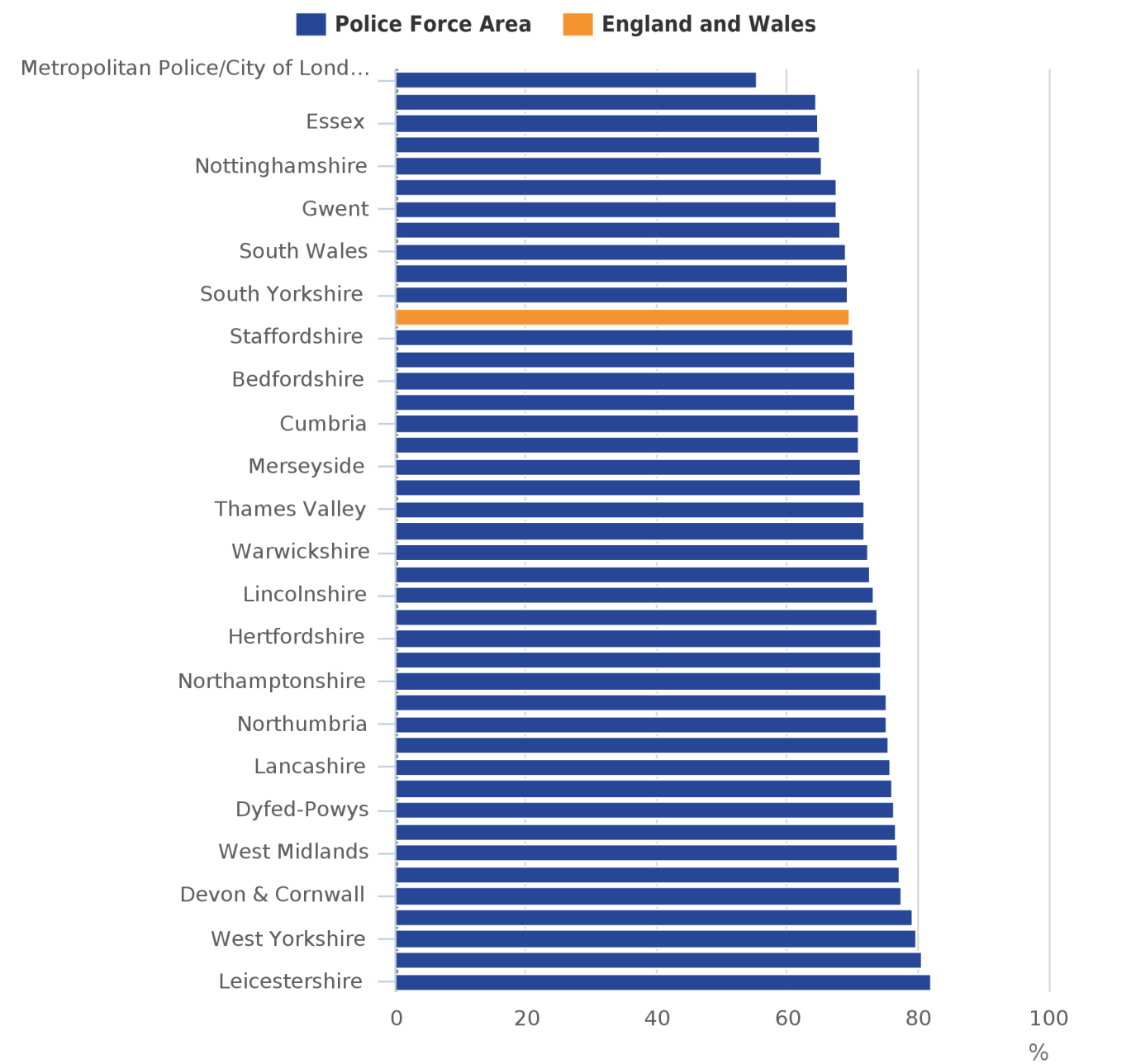
1. CPS data are not designated as official statistics.

Pre-charge decisions and charges

Across England and Wales 70% of domestic abuse-related pre-charge decisions resulted in a charge. This percentage was similar between police force areas, ranging between 55% to 82% (Figure 20).

Figure 20: Percentage of domestic abuse-related pre-charge decisions that resulted in a charge by PFA, year ending March 2016

England and Wales



Source: Crown Prosecution Service (CPS)

Notes:

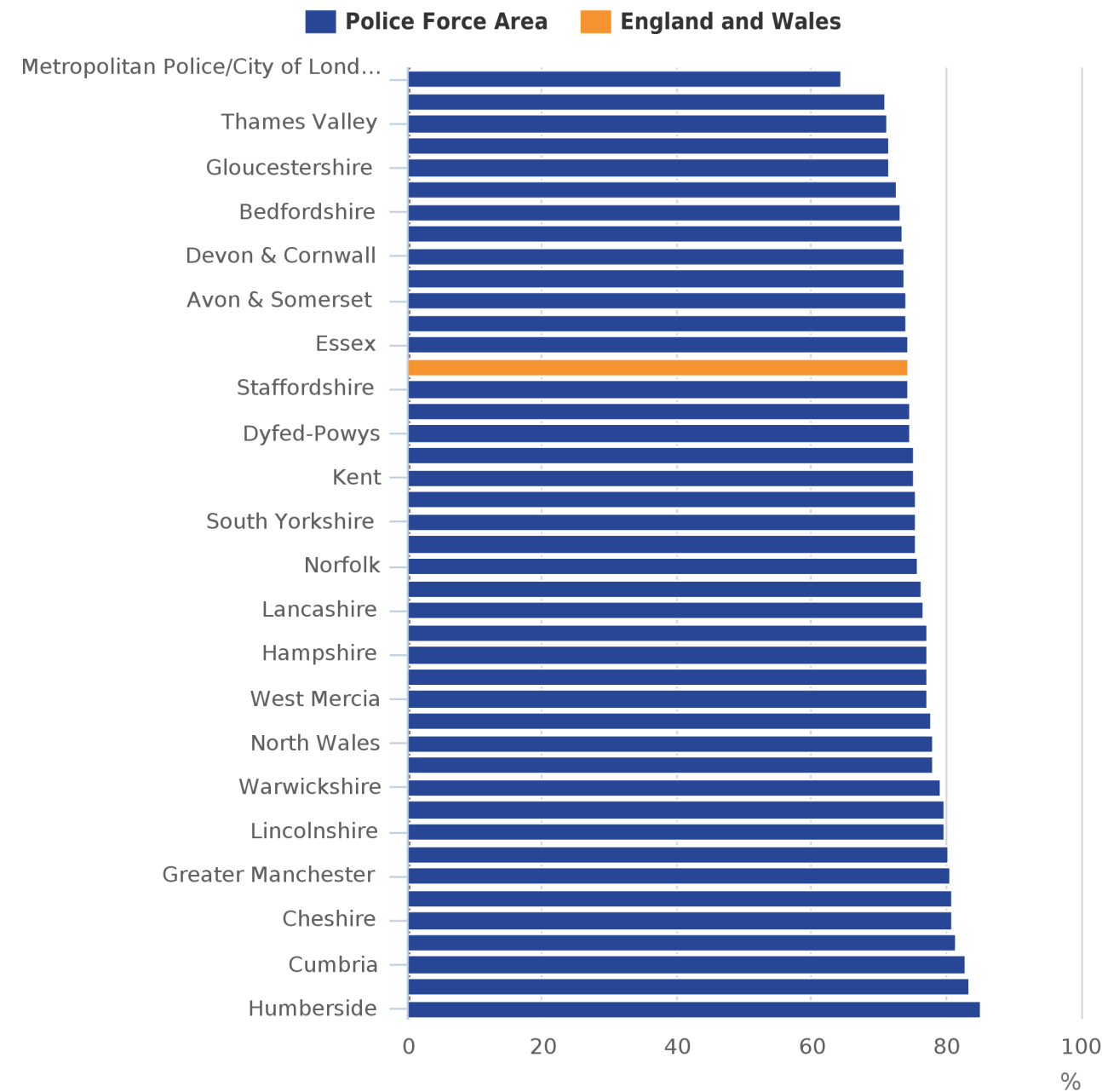
1. CPS data are not designated as official statistics.

Prosecutions and convictions

In the year ending March 2016, 75% of prosecutions for domestic abuse-related offences in England and Wales resulted in a conviction. Again, this level was fairly flat for all police force areas and convictions ranged from 64% to 85% of all prosecutions (Figure 21).

Figure 21: Percentage of domestic abuse-related prosecutions that resulted in convictions by PFA, year ending March 2016

England and Wales



Source: Crown Prosecution Service (CPS)

Notes:

- 1. CPS data are not designated as official statistics.

Notes for Are there differences between local areas? section:

1. Due to low numbers in the City of London police force, data for this area has been combined with data from the Metropolitan Police for the Crime Survey for England and Wales and CPS data. Separate figures for the City of London and Metropolitan Police force areas have been provided for police recorded crime.
2. This measure includes domestic abuse incidents that did not amount to a criminal offence (incidents) and domestic abuse incidents that were recorded as crimes (crimes).
3. The domestic abuse crime rate will be disproportionately higher for the City of London compared to other police force areas, due to its small resident population.

10 . Future work and ongoing developments

This annual publication forms phase 1 of a wider project on improving domestic abuse statistics in England and Wales. User feedback has been obtained during the development of phase 1 through discussions with domestic abuse organisations, police force staff and police and crime commissioners. Additional feedback will be sought on phase 1 of the project and discussions will commence around what data should be considered for phase 2, currently expected to be published in late 2017.

It is expected that phase 2 will include all the data presented in phase 1 (updated for the year ending March 2017) as well as additional statistics on domestic abuse from across government and other organisations. Examples of additional datasets that may be considered for phase 2 include data on coercive and controlling behaviour offences (including data from the Crown Prosecution Service (CPS) and the Ministry of Justice (MoJ)), Domestic Violence Protection Orders (DVPOs), Domestic Violence Disclosure Schemes (DVDS) and Multi Agency Risk Assessment Conferences (MARACs). Further development of sources such as the Home Office Data Hub (HODH) may also make it possible to expand the amount of domestic abuse data available at police force area level, for example, police outcomes data.

If you have any feedback on this release, or any suggestions relating to phase 2 of this project, please contact the Crime Statistics and Analysis Team at ONS – crimestatistics@ons.gsi.gov.uk

11 . Quality and methodology

More information regarding the coverage, coherence and accuracy of the CSEW and police recorded crime can be found in the [User Guide to Crime Statistics for England and Wales](#), the [Crime Statistics Quality and Methodology Information report](#) and (for CSEW only) the [CSEW technical report](#).

12 . Annex 1: Stages of the criminal justice process

The first recorded stage in the process begins when a victim or someone else reports an incident of domestic abuse to the police. The police will record a report of domestic abuse as an incident and must then assess whether or not an offence has been committed in accordance with the National Crime Recording Standard (NCRS)¹. If it is concluded that a crime did not take place, the domestic abuse incident remains recorded as an incident. If an offence has been committed, the incident will be recorded as a crime and will be identified as being domestic abuse-related.

The police then start an investigation to collect all evidence relevant to the case and identify a suspect. In April 2014 a new outcomes framework² was introduced for police, with an emphasis on transparency on how all crimes recorded by them are dealt with. Following investigation:

- the police charge a suspect with an offence relating to domestic abuse following a decision by the CPS; or
- during the investigation, the victim (for a wide variety of reasons) may decide not to support the police in their enquiries. Although this often means that it is more difficult for any further action to be taken by the police there is a presumption that the case will continue to be progressed; or
- exceptionally – the police may issue the suspect with a caution, or
- after further investigation, the police decide that a crime has not taken place; leading to the crime report being cancelled; or
- after further investigation, it becomes apparent the offence took place in another police force area, this would lead to a crime being transferred to that police force for the investigation to be continued³; or
- the police decide, sometimes following early investigative advice, from the CPS, that there is not enough evidence to take the case forward and take no further action; or
- the police investigate and decide on no further action without referral to the CPS; or
- the investigation does not identify a suspect (this is very rare for domestic abuse cases)⁴

During the investigation, the victim (for a wide variety of reasons) may decide not to support the police in their enquiries. Although this often means that it is more difficult for any further action to be taken by the police, the case will continue to be progressed if possible and therefore the outcome of such cases varies.

In cases where the victim does not support a police investigation or prosecution but maintains that the crime took place, the offence remains recorded. In such cases the police may suggest ways the victim can seek support through the criminal justice process, or from specialist support agencies or organisations, which may then enable the victim to support the prosecution. Where the victim still does not support the investigation or prosecution the police and the CPS will review all of the other evidence in the case to determine if the case can continue without the evidence of the victim. Where the [Code for Crown Prosecutors](#) is still satisfied, the crime is likely to proceed to court.

To support a victim through the trial process the CPS can ask the court to allow a victim or a witness in the case to use a variety of "special measures". These can include giving evidence behind screens or from another room or location using a video link. Where the case is reliant on the evidence of the victim, the CPS may ask the court to compel the witness to attend court by issuing a witness summons. However, this will only occur after the police have carried out a full risk assessment and detailed enquiries have been made with any specialist support agencies who are providing assistance to the victim. Another example of when the police may be unable to pursue an investigation is where the offender has died before the case could be investigated or prosecuted.

The police can request advice from the CPS on domestic abuse cases before referring them to the CPS for charging⁵. The police may make a request for informal advice without submitting a file, which can take place in person or over the telephone. Informal advice is sought if the matter is straightforward and does not require the formal submission of papers. Such advice would be generic, on general points of law and not case specific. An appropriate audit trail is required for any case specific enquiries and advice that the police may take in investigating a case.

The police may also seek early investigative advice. In particular the [Director's Guidance on Charging](#) (5th Edition) notes that:

"Prosecutors may provide guidance and advice in serious, sensitive or complex cases and any case where a police supervisor considers it would be of assistance in helping to determine the evidence that will be required to support a prosecution or to decide if a case can proceed to court."

Police referrals to the CPS for a decision whether to charge a suspect is sometimes referred to as Pre-Charge Advice, and is the most frequent interaction between the police and CPS. In some circumstances, a case referred to the CPS may require further evidence to be obtained before a charge decision can be made. If this is the case the Prosecutor will advise the officer of the further material required in order to obtain a charging decision.

Where the police believe that a domestic abuse case could proceed to charge, the decision to charge is made by the CPS and not the police. The [Code for Crown Prosecutors](#) sets out the conditions which must be met in order for a prosecution to take place⁶. There are two stages to this: the evidential stage and the public interest stage. The evidential stage requires that the CPS must be satisfied that there is enough evidence to provide a realistic prospect of conviction against each defendant on each charge.

The finding that there is a realistic prospect of conviction is based on the prosecutor's objective assessment of the evidence. It means that an objective, impartial and reasonable jury or bench of magistrates or judge hearing a case alone, properly directed and acting in accordance with the law, is more likely than not to convict the defendant of the charge alleged. This is a different test from that applied by the criminal courts; a court may only convict if it is sure that the defendant is guilty.

In every case where there is sufficient evidence to justify a prosecution, prosecutors must go on to consider whether a prosecution is required in the public interest. A prosecution will usually take place unless the prosecutor is satisfied that there are public interest factors tending against prosecution which outweigh those tending in favour. In the case of domestic abuse it will be rare for the public interest stage not to be met. In circumstances where a victim is not willing to support a prosecution, when considering public interest, prosecutors will give careful consideration to a number of factors. This can include the seriousness of the offence, the interests and safety of the victim, other family members and any children or other dependants, culpability of the defendant and any other factors which may present as relevant to public interest.

If there is insufficient evidence the case cannot continue regardless of how serious it is. The CPS review every case they receive from the police. Review is a continuous process and prosecutors must take account of any change in circumstances that occurs as the case develops, including what becomes known of the defence case. Where circumstances have changed, sometimes there is no longer a realistic prospect of conviction and in those circumstances a case may be discontinued – in other words, stopped from proceeding further. If the defendant pleads guilty or is found guilty by a jury, they will be sentenced by the judge or by the magistrates.

Notes for Annex 1: Stages of the criminal justice process section:

1. An example of a domestic abuse incident that does not amount to a crime would be two people having a loud argument, a third party calls the police, the police attend and calm the situation down, but no crime has taken place.
2. See section 1.2 of [Crime Outcomes in England and Wales, year ending March 2016](#).
3. There are strict guidelines to which the police must adhere to in order to transfer or cancel a crime report (please refer to the [Home Office Counting Rules](#) for further information).
4. In the year ending March 2016 this outcome applied to only 2% of cases.
5. For more information see [CPS Relations with the Police](#).
6. Additional information and support for prosecutors to enable them to make decisions in cases involving domestic abuse can be found in [Domestic Abuse Guidelines for Prosecutors](#).

13 . Annex 2: Glossary

Prevalence rate: The percentage of people aged 16 to 59 who reported they had experienced any form of domestic abuse in the last year in the Crime Survey for England and Wales (CSEW). This prevalence rate is used to produce estimates for the number of victims of domestic abuse, as reported in the CSEW.

Domestic abuse police incidents: Incidents of domestic abuse that were reported to the police, but following investigation, do not amount to a crime or offence according to the National Crime Recording Standards. These can be added to domestic abuse-related crimes to create a total picture of the demand that domestic abuse puts on the police.

Domestic abuse-related crimes: Incidents of domestic abuse that resulted in a crime being recorded by the police and are included in police recorded crime. These can also be referred to as domestic abuse-related offences. Domestic abuse-related crimes can be added to domestic abuse incidents to create a total picture of the demand that domestic abuse puts on the police.

Combined incident and crime data: Domestic abuse police incidents and domestic abuse-related crimes combined, providing the total demand on police. This is used in the report to calculate a combined incident and crime rate for domestic abuse and the proportion of domestic abuse incidents that were recorded as crimes.

Domestic homicides: Any homicide where the relationship between the victim and the perpetrator falls into one of the following categories: spouse, cohabiting partner, boyfriend/girlfriend, ex-spouse/ex-cohabiting partner/ex-boyfriend/girlfriend, adulterous relationship, lover's spouse, emotional rival¹, son/daughter or parent (including step and adopted relationships), brother/sister and other relatives.

Police outcomes: These data are based on the full outcomes framework² introduced in April 2014. This new outcomes framework allows every crime recorded by the police to be given a detailed outcome, showing how the police deal with crimes (including crimes which are still under investigation).

Pre-charge decisions: The decisions made by the Crown Prosecution Service (CPS) on referrals from the police. The charging data cover those cases, by defendant, forwarded to CPS during the year for charging decisions and are not directly comparable in numbers with the prosecutions data that cover cases, by defendant, finalised during the year.

Charged: Cases where the CPS' decision was to charge.

No prosecution: Those cases where the CPS' decision was not to prosecute, for evidential or public interest reasons.

Out of court disposal: Cases where a caution, conditional caution, reprimand or final warning has been given or where the offence has been taken into consideration in relation to other charges.

Administratively finalised: Cases where the CPS has not made a charging decision on a case brought to them by the police. The next stage of the process would be for the police to undertake more investigations or to complete an action plan provided by the CPS. At any stage in the investigation (prior to a charging decision being given) the police may decide that the case does not meet charging criteria and end the investigation without returning to CPS for further consultation. As a result the CPS will administratively finalise the case because no actual charging decision has been made by them. It also includes cases where a suspect has died before charges had been authorised or where a suspect has failed to answer police bail.

Other pre-charge decision: Cases where the outcome of the charging decision has not been recorded or is undefined.

Prosecutions: All cases where the defendant(s) were charged or summonsed in magistrates' or in the Crown Court during the period, including those proceeding to a trial or guilty plea, those discontinued and those which could not proceed.

Unsuccessful outcomes: The outcomes of all completed prosecutions where the defendant was not convicted, comprising the following:

- Discontinued and withdrawn: Cases where consideration of the evidence and of the public interest led the CPS to discontinue proceedings at any time before the start of the trial. Included here are cases formally discontinued in advance of the hearing, those in which no evidence was offered and those withdrawn at court. Also included are cases in which the defendant was bound over to keep the peace.
- Dismissed after full trial: Cases in which the defendant pleaded not guilty and proceedings were dismissed by the magistrates after hearing the defence case.
- Judge directed acquittal: Cases where at the close of the prosecution case against the defendant, a successful submission of "no case" or "unsafe" was made on behalf of the defendant, and the judge directed an acquittal rather than allowed the case to be determined by the jury.
- Jury acquittal: Cases where the defendant pleaded not guilty and, following a trial, was acquitted by the jury.
- All other unsuccessful outcomes: Comprising of cases resulting in administrative finalisations, discharged committals and no case to answer outcomes.
- Administrative finalisation: Cases where the CPS has not made a charging decision on a case brought to them by the police. The next stage of the process would be for the police to undertake more investigations or to complete an action plan provided by the CPS. At any stage in the investigation (prior to a charging decision being given) the police may decide that the case does not meet charging criteria and end the investigation without returning to CPS for further consultation. As a result the CPS will administratively finalise the case because no actual charging decision has been made by them. It also includes cases where a suspect has died before charges had been authorised or where a suspect has failed to answer police bail.
- Discharged committals: Committal proceedings in which the defendant is discharged. Following a discharge a case can be reinstated.
- No case to answer: Cases in which the defendant pleaded not guilty and prosecution evidence is heard, but proceedings were dismissed by the magistrates without hearing the defence case.

Convictions: Cases where the defendant was convicted following a prosecution, comprising:

- Conviction after trial: Cases in which the defendant pleaded not guilty, but was convicted after the evidence is heard.
- Guilty plea: where the defendant pleaded guilty.
- Proof in absence: Cases comprising of lesser offences which were heard by the court in the absence of the defendant.

Reasons for unsuccessful outcomes: comprises:

- Victim evidence does not support case: The evidence of the victim of an offence did not support the prosecution of the defendant, leading to an unsuccessful outcome, but the victim however, did not retract (the "reason title" was amended in April 2013 to: The evidence of the victim does not come up to proof, but there is no retraction).
- Victim non-attendance: The victim was called as a witness in a trial, but failed to attend court.
- Victim retraction: Where the evidence of the victim supported the prosecution case, but the victim refused to be called as a witness, or retracted, or withdrew a complaint.
- Caution: The defendant is charged with a criminal offence, but it is subsequently decided that a caution is more suitable than prosecution.
- Bindover: The defendant is charged with a criminal offence, but agrees to be bound over. This does not include persons who are bound over for a breach of the peace s115 Magistrates' Courts Act 1980 where there are no other criminal proceedings.
- Acquittals after trial: The defendant was found not guilty by the magistrates or jury after a contested hearing in which the defence was called on to present its case. (Cases dismissed, no case to answer or judge directed acquittals are not included.)
- Conflict of evidence: Conflict of prosecution evidence (from April 2013 the guidance was amended to clarify that this reason is not to be used when the victim retracts, does not attend or their evidence does not come up to proof).
- Essential legal element missing: Essential legal element missing (the "reason title" was amended in April 2013 to "Incorrect charging decision – legal element missing"; the updated guidance made it clear that this reason is not to be used when the victim retracts, does not attend or their evidence does not come up to proof).
- Unreliable witness: Unreliable witness or witnesses (The "reason title" was amended in April 2013 to: "Key witness (non-victim) refuses to give evidence/retracts/not up to proof" to provide clarity).

Notes for Annex 2: Glossary section:

1. "Emotional rival" is defined as those instances where 2 persons come to know or meet each other through their association or knowledge of a third person, and where their emotional or sexual interest in this third person brings them into direct conflict with each other.
2. See section 1.2 of [Crime Outcomes in England and Wales, year ending March 2016](#).

14. Background Notes

1. National Statistics are produced to high professional standards set out in the Code of Practice for Official Statistics. They undergo regular quality assurance reviews to ensure that they meet customer needs. They are produced free from any political interference. Only data from the Crime Survey for England and Wales (CSEW) are designated as National Statistics.
2. Police recorded crime are not designated as National Statistics. Data from the Crown Prosecution Service (CPS) are not designated as official statistics.
3. Details of policy governing the release of new data are available by visiting www.statisticsauthority.gov.uk/assessment/code-of-practice/index.html or from the Media Relations Office email: media.relations@ons.gsi.gov.uk