

## 6. Physical security

### Domain: The capability to live in physical security

#### Sub-domains:

- A. be free from violence including sexual and domestic violence and violence based on who you are;
- B. be free from cruel, inhuman or degrading treatment or punishment;
- C. be protected from physical or sexual abuse (especially by those in positions of authority); and
- D. go out and to use public spaces safely and securely without fear.

#### Final short list

##### Indicator 1: Violent crime

Measure 1.1 (E,S,W): Percentage that are victims of violent crime (all types)

Measure 1.2 (E,W, S): Percentage that are victims of violent crime involving knives, sharp stabbing instruments and guns

Measure 1.3 (E,W): Percentage that are victims of sexual violence (with separate reporting of rape and assault by penetration, including attempts, and other sexual violence)

Measure 1.3 (S): Percentage that are victims of sexual violence (with separate reporting of rape, including attempts, and sexual assault)

Measure 1.4 (E,W): Percentage that are victims of domestic violence (with reporting of relationship of victim to principal suspect, including partner violence)

Measure 1.4 (S): Percentage that are victims of partner violence

##### Indicator 2: Hate crime

Measure 2.1 (E,W,S): Percentage that are victims of hate crime (race)

Measure 2.2 (E,W,S): Percentage that are victims of hate crime (religion)

Measure 2.3 (E,W,S): Percentage that are victims of hate crime (age)

Measure 2.4 (S): Percentage that are victims of hate crime (gender)

Measure 2.5 (E,W,S): Percentage that are victims of hate crime (disability)

Measure 2.6 (E,W,S): Percentage that are victims of hate crime (sexual orientation)

Measure 2.7(E,W,S): Percentage that are victims of hate crime (transgender) (under development)

**Indicator 3: Physical security for people resident or detained in public and private institutions**

Measure 3.1 (E,W,S): Elder abuse and other abuse of the non-private household population (under development)

**Indicator 4: Fear of crime**

Measure 4.1 (E,W,S): Percentage that feel very unsafe or unsafe being alone at home and /or in local area (during the day and after dark)

Measure 4.2 (E,W): Percentage that feel very worried / worried about physical attack, sexual assault, intimidation and acquisitive crime

Measure 4.2 (S): Percentage that feel very worried / worried about physical attack, sexual assault and acquisitive crime

**Indicator 1: Violent crime****Measure 1.1: Percentage that are victims of violent crime (all types) (E,S,W)**

Sources: BCS (E&amp;W), SCJS (S)

Sub-domain: A

Evaluation against essential selection criteria:

1	Relevance	All equality characteristics
2	Legitimacy	Strong
3/4	Disaggregation	
	- at GB level	Unavailable
	- within England	Gender, age, ethnicity, disability, religion and belief, social class, sexual orientation
	- within Scotland	Gender, ethnicity, disability, age, social class
	- within Wales	Gender, age, ethnicity, disability, religion and belief, social class, sexual orientation
		Sample size: England and Wales (combined analysis): gender, age, ethnicity, disability, religion and belief, and social class all have more than 30 respondents in the sample; sexual orientation sample size to be confirmed in follow-up project
		Within Wales: gender, age, disability and social class (except for unclassified) all have more than 30 respondents in the sample; ethnicity restricted to two-band (white / non-white) or three-band (white / Chinese and other / remaining categories) analysis; religion restricted to two-band (Christian / non-Christian) or three-band (Christian / religious non-Christian / no religion) analysis
		Scotland: To be confirmed in follow-up project
5	Aspect of inequality	Outcome
6	Frequency	Annual
7	Individual level	Yes
8	Robustness	Good

### **Feedback from first and second rounds of consultation**

Participants in the first round of specialist consultation emphasized the importance of including a broad-based measure of physical violence within the physical security domain. Being a victim of specific violent crime types could then be reflected within the physical security domain as subheadings.

Participants at the Scottish consultation event suggested that disaggregation for some of the smaller ethnic groups remains limited in the Scottish Crime and Justice Survey (SCJS), despite the recent increases in sample size.

Emphasis was put on the possible limitations of police-recorded crime, and the advantages of basing prevalence estimates on general population surveys. However, the importance of monitoring the gap between estimates of prevalence from general population surveys and police-recorded crime figures was highlighted by a number of participants.

### **Decisions following consultation**

We have included a broad measure of the prevalence of violence crime under this Indicator, as recommend by participants at the physical security consultation event.

### **Decisions on the general positioning of the Indicator 1 measures**

In line with the comments of participants, we are proposing deriving estimates of the prevalence of violent crime from general population surveys because of the possible limitations of police-recorded crime statistics, particularly in relation to sexual violence, domestic violence and partner violence. It is widely recognized that police-recorded crime statistics are limited in that they reflect levels of local police activity at any particular point in time, and in that they fail to account for changes in reporting behaviour of victims. These are particular issues in the context of sexual, domestic and partner violence, where it is well-established that non-reporting continues to be a major problem. Indeed, as is pointed out in PSA 23, an increase in police-recorded rape and sexual assault could in fact be interpreted as a 'good' thing (reflecting an increasing propensity to report, rather than an increase in the prevalence of rape and sexual assault). Consequently, an indicator based on police-recorded crime could have an ambiguous interpretation - falling foul of the selection criteria set out in Chapter 2.

Whilst we are not recommending that prevalence rates are derived from police-recorded crime statistics for the Indicator 1 measures, we are nevertheless recommending that the **gap** between British Crime Survey (BCS) prevalence rates and police-recorded crime figures is monitored as part of the EMF (under the legal security domain) for three categories of violent crime: rape, domestic violence and

hate crime. See Chapter 7, Indicator 1. Again, this decision reflects a key concern raised by a number of participants.

The measures under Indicator 1 focus on the notion of **prevalence** rather than the notion of **incidence**. They capture and reflect the risk of any individual being a victim of each crime and provide an estimate of the proportion of the population that experiences at least one incident of each crime. However, they do not reflect the number of incidents experienced by each individual (and therefore the **intensity** of the capability loss associated with repeat victimisation. Incidence rates, which do reflect repeat victimisation, are, however, reflected in the specification of the measures under Indicator 1 of the legal security domain. In this way, we have attempted to build both the notion of prevalence and the notion of incidence into the EMF as a whole.

**Table 6.1 Measure 1.1 (EW) Percentage that are victims of violence**Authors' calculations from BCS, England and Wales, 2007-8<sup>1</sup>

	<b>Sample size</b>	<b>Percentage that are victims of all BCS violence (excluding snatch theft; (weighted percentage)</b>	<b>Significance (individual probit regression method)</b>
16-24	3963	9.9	Reference group
25-44	15605	3.4**	**
45-64	15355	1.5**	**
65-74	6343	0.5**	**
75+	5713	0.2**	**
Male	21347	4.1	Reference group
Female	25636	2.3**	**
White	43821	3.1	Reference group
Mixed	268	3.9	
Asian or Asian British	1459	3.4	
Black or Black British	860	3.3	
Chinese or Other	566	3.8	
White	43821	3.1	Reference group
Non-white	3162	3.5	
No limiting long-standing illness or disability	37578	3.3	Reference group
Limiting long-standing illness or disability	9291	2.5	**
Christian	36651	2.6	Reference group
Buddhist	219	3.6	
Hindu	411	3.5	
Jewish	175	7.3	
Muslim	904	3.1	
Sikh	194	2.9	
Other	267	5.4	
No religion	8006	5.2	**
Managerial and professional occupations	15636	2.4	Reference group
Intermediate occupations	5315	1.9	
Small employers and own account workers	4159	2.0	
Lower supervisory and technical	4800	3.0	

<sup>1</sup>Preliminary results. Significance based on ANOVA test.

Semi-routine and routine	13614		
Never worked and long-term unemployed	1413	3.7	
Full-time student	1815	10.1**	**
Not classified	213	8.4	
<b>Key intersectional groups</b>			
Young black men	36	11.1	
Young white men	46947	13.6	

### Measure 1.2 (E,S,W): Percentage that are victims of violent crime involving knives, sharp stabbing instruments and guns

Sub-domain: A

Source: E&W: BCS (victims form), Scotland SCJS

Evaluation against essential selection criteria:

1	Relevance	All equality characteristics
2	Legitimacy	Strong
3/4	Disaggregation	
	- at GB level	Unavailable
	- within England	Gender, age, ethnicity, disability, religion and belief, social class, sexual orientation
	- within Scotland	Gender, ethnicity, disability, age, social class
	- within Wales	Gender, age, ethnicity, disability, religion and belief, social class, sexual orientation
		Sample size: To be confirmed in follow-up project. For BCS, requires victim data (incident-based) set to be 'flattened' and merged with main data set (victim-based)
		Within Wales: To be confirmed in follow-up project
		Within Scotland: To be confirmed in follow-up project
5	Aspect of inequality	Outcome
6	Frequency	Annual
7	Individual level	Yes
8	Robustness	

The underlying rationale of this measure is to isolate violent crime involving knives and guns - two types of weapons that relate to public policy and the issue of knife and gun control. BCS weapon categories relating to guns, knives and sharp stabbing instruments are covered. The measure was tabled at the second round of specialist consultation. The particular importance of knives (and sharp / stabbing instruments) and gun crime is highlighted in a number of official documents and in best practice international guidelines for developing indicators of physical security of the person (for example Diprose 2007).

### **Feedback from the second round of consultation**

The Home Office web consultation response suggested that the measure might be unreliable for detecting any differences between equality groups, because it involves a very small proportion of the population (3.2 per cent are victims of violence; 6 per cent of violent incidents involve knives and 1 per cent involve guns – that is, very roughly 0.2 per cent of people are victims of violent crime involving knives and guns.

The Home Office also advised that we adopt a broad definition to sharp stabbing instruments that covered glasses.

### **Decisions following consultation**

We have re-specified the measure to broaden its coverage to include glasses. The use of glasses and bottles and weapons is separately identified in the BCS (but not in the context of being used as a sharp stabbing instrument). We originally proposed not covering these weapons under this measure to maintain a focus on the issue of gun and knife control. However, following discussions with the Home Office and in the light of new measures of gun and knife crime under the police-recorded crime system, we recommend that glasses and bottles are in fact included in the measure.

Our technical analysis and feedback from the Home Office has highlighted that crimes involving knives, sharp stabbing instruments and guns affect a small percentage of the population and that the measure would be statistically unreliable for detecting statistically significant differences between equality groups because it involves only a very small proportion of the population. Our recommendation is that where necessary, data for more one than year is pooled for this measure, in order to ensure a statistically reliable and robust approach. Unlike data for one year, the pooled data will provide an adequate basis for disaggregation by equality characteristics and to report on key intersectional issues (such as the relative risks for young men from ethnic minority groups).

**Focus on prevalence**

See comments earlier in this chapter under 'Decisions on the general positioning of the Indicator 1 measures'.

**Proportion that are victims of violent crime involving knives, sharp stabbing instruments and guns (authors calculations from BCS, England and Wales, 2007-8)**

- There are 137 of cases (incidents) of violence using knives and guns in the sample.
- Adding in glasses or bottles increases sample size significantly (61 cases of glasses or bottles in sample not currently included in above) and other stabbing instruments 10.
- In the light of the new definitions of knife and gun crime in the police-recorded crime system, we consulted on whether glasses and bottles should be covered by this measure. Following our discussions with the Home Office, our recommendation is that glasses and bottles should be included as 'sharp stabbing instruments'.

The victim data set is an incident-based data set rather than a victim-based data set. In order to take the development of this indicator forward, it will be necessary (1) to flatten the incident data set (in order to create a victim data set) and (2) merging with the main data set in order to disaggregate by equality characteristics. If sample size is too small for robust analysis, the data should be pooled over a number of years to facilitate robust data analysis by equality characteristic.

**Measure 1.3 (E,W): Percentage that are victims of sexual violence (with separate reporting of a. indecent exposure, unwanted touching and sexual threats; b. rape and assault by penetration (including attempts) and c. total sexual violence)**

**Measure 1.3 (S): Percentage that are victims of sexual violence (with separate reporting of rape, including attempts, and sexual assault)**

Sources: E&W: BCS (self-completion module); Scotland: SCJS

Sub-domain: A

Evaluation against essential selection criteria:

1	Relevance	All equality characteristics
2	Legitimacy	Strong
3/4	Disaggregation	
	- at GB level	Unavailable
	- within England	Gender, age, ethnicity, disability, religion and belief, social class, sexual orientation
	- within Scotland	Gender, Ethnicity, Disability, Age, Social Class
	- within Wales	Gender, age, ethnicity, disability, religion and belief, social class, sexual orientation
		Sample size:
		England and Wales (combined analysis): More than thirty respondents in sample for disaggregation by gender, age, ethnicity, disability, religion and belief, social class; sexual orientation sample size to be confirmed in follow-up project
		Within Wales analysis: age, gender, disability and social class (except unclassified): more than 30 respondents in sample for age, gender, disability and social class (except unclassified); ethnicity restricted to white/non-white; religion restricted to Christian / non-Christian
		Within Scotland analysis: To be confirmed in follow-up project
5	Aspect of inequality	Outcome
6	Frequency	Annual
7	Individual level	Yes

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8	Robustness	Possible under-reporting of sexual violence to general population surveys
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Freedom from sexual violence is explicitly in sub-domain A and is captured by Measure 1.3, the risk of being a victim of rape and sexual assault. In both the BCS and SCJS, rape is listed as a serious form of sexual violence. Consultation participants, especially in Scotland, emphasized the importance of covering sexual assault as well as rape in the prevalence measure.

For England and Wales we are able to derive a measure of the population prevalence of rape and sexual assault from the self-completion module of the BCS. In contrast, for Scotland, rape and sexual assault figures are not available in a self-completion module. They are however available through the main survey instrument.

Participants at the Scottish consultation event emphasized that although the increased size of the SCJS has improved prospects for disaggregation by ethnicity in Scotland, the feedback from the Scottish consultation event suggested that disaggregation for some of the smaller ethnic groups remains limited.

### **Feedback from the specialist consultation**

Participants in the consultation event in Scotland and web consultation feedback emphasized that the current statutory definition of rape in Scotland is different to that in England and Wales. However, the statutory definition of rape is under review, and the forthcoming Sexual Offences Bill in Scotland will redefine rape. There are places where Scottish Law differs from English Law and rape is one of these areas where the definition departs, for example Scots law doesn't cover non-gender specific rape, that is, male victim.

The Home Office consultation response noted that the figures are likely to be statistically unreliable for detecting any differences between equality groups because it involves a very small proportion of the population; 0.3 per cent are victims of rape and 1.8 per cent serious sexual assault.

### **Decisions following consultation**

We recommend that where necessary, data for more one than year are pooled in order to ensure adequate disaggregation by characteristics such as gender, ethnicity and age, and to capture and report on intersectional issues (such as the risk factors for young women, and young women from ethnic minority groups).

### Focus on prevalence

See comments earlier in this chapter under 'Decisions on the general positioning of the Indicator 1 measures'.

### Decisions on the use of self-completion modules

Where it is feasible, we are recommending that prevalence rates for sexual violence are derived from the self-completion modules of the BCS and SCJS. This is because the rate of disclosure to self-completion modules for sensitive questions such as domestic violence and sexual violence can be higher than those to the main survey questionnaire (Home Office 2007 61, 153; Home Office 2008 67, 197; Walby et al.: 2008: 45). However, the coverage of the SCJS questionnaire is significantly more limited than its counterpart in England and Wales; whilst the BCS self-completion module is limited by an age cut-off (at age 59). We are recommending that data-providers in both Scotland and England and Wales address these limitations as soon as it is feasible<sup>2</sup>.

**Table 6.2 Measure 1.3 (EW) Percentage that are victims of sexual violence in the last 12 months**

Authors' calculations from BCS self-completion module, for England and Wales 2007-8<sup>3</sup>

	<b>Indecent exposure, unwanted touching and sexual threats</b>	<b>Rape and assault by penetration (including attempts)</b>	<b>All sexual violence (indecent exposure, unwanted touching, sexual threats, rape (including attempts), assault by penetration (including attempts))</b>
	<b>% that are victims (weighted)</b>	<b>% that are victims (weighted)</b>	<b>% that are victims (weighted)</b>
16-24	3.73	0.92	4.03
25-40	1.32**	0.32**	1.49**
41-59	0.64**	0.14**	0.68**
Male	0.35	0.13	0.38
Female	2.72**	0.62**	2.98**

<sup>2</sup> The most recent BCS survey report states that the upper age of the self-completion module was raised to 69 for all interviews after 1<sup>st</sup> April 2008, and that the change applied to all interviews conducted after the 1st April, whether from the 2007-08 survey or the 2008-09 survey. However, the most recent information from the Home Office suggests that this pilot has not been successful.

<sup>3</sup> Preliminary results. Significance based on ANOVA test. Sample size > 30 for all disaggregation characteristics for all three categories of sexual violence.

White	1.57	0.41	1.7
Mixed	2.27	0.55	2.8
Asian / Asian British	1.37	0	1.4
Black / Black British	1.57	0	1.5
Chinese / other	0.84	0	0.86
White	1.48		1.7
Non-white	1.32		1.5
No limiting long- standing illness or disability	1.49	0.33	1.61
Limiting long- standing illness or disability	2.15**	0.78**	2.42**
Managerial and professional occupations	1.14	0.28	1.32
Intermediate occupations	1.55	0.22	1.69
Small employers and own account workers	1.00	0.04	1.02
Lower supervisory and technical	0.90	0.39	1.00
Semi-routine and routine	1.15	0.40	1.26
Never worked and long-term unemployed	3.22**	0.61	3.4**
Full-time student	4.46**	0.96**	4.63**
Not classified	1.81	1.75	1.81
Christian	1.41	0.38	1.53
Buddhist	1.17	0	1.20
Hindu	2.56	0	2.57
Jewish	3.51	0	3.51
Muslim	0.33	0	0.35
Sikh	1.96	0	1.99
Other	5.2**	1.6	5.54**
No religion	1.97	4.3	2.17

**Notes**

- 1.The number of victims is derived from questions in the self-completion module. The data from the self-completion module has been merged with the main data set to derive the equality characteristics analysis. Individuals from the youth sample who are included in the self-completion module have been excluded from the analysis.
- 2.'Don't knows' and 'can't remembers' are coded as missings.
- 4.Figures relate to the number of victims rather than the number of incidents.
5. Individual columns may not add up to total figures where individuals are victims of more than one category of sexual violence.

**Measure 1.4 (E,W): Percentage that are victims of domestic violence (with reporting of relationship of victim to principal suspect, including partner violence)**

**Measure 1.4 (S): Percentage that are victims of partner violence**

Sources: E&W: BCS (self-completion module); Scotland : SCJS (self-completion module, partner violence only)

Sub-domain: A

Evaluation against essential selection criteria:

1	Relevance	All equality characteristics
2	Legitimacy	Strong
3/4	Disaggregation	
	- at GB level	Unavailable
	- within England	Gender, age, ethnicity, disability, religion and belief, social class, sexual orientation
	- within Scotland	Gender, ethnicity, disability, age, social class
	- within Wales	Gender, age, ethnicity, disability, religion and belief, social class, sexual orientation

Sample size:  
 England and Wales (combined analysis):  
 More than thirty respondents overall in sample by gender, age, ethnicity, disability, religion and belief, social class; sexual orientation to be confirmed in follow-up project

Within Wales: partner violence – more than thirty respondents overall in sample by age, gender and disability; ethnicity restricted to white / non-white; religion restricted to Christian / non-Christian; social class – never worked and unclassified < 30.

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		Within Scotland: To be confirmed in follow-up project
5	Aspect of inequality	Outcome
6	Frequency	Annual
7	Individual level	Yes
8	Robustness	Possible under-reporting of domestic violence to general population surveys

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Freedom from domestic violence is explicitly in sub-domain A and is reflected as Measure 1.4, the prevalence of domestic violence. The measure is estimated for England and Wales from the self-completion module of the British Crime Survey, and for Scotland from the self-completion module of the Scottish Crime and Justice Survey.

A number of participants raised the need to include an indicator of domestic abuse as well as domestic violence. In response to this feedback, an indicator derived from the BCS self-completion module covering domestic emotional and financial abuse has been included in the individual, family and social life domain.

### **Feedback from the first and second round of specialist consultation**

A review of the definitions of domestic violence and domestic abuse highlighted and submitted by participants as part of the consultative process is provided in the Appendix.

The importance of recognising a broad concept of domestic violence, covering homophobic violence, elder abuse, violent crimes against disabled people and violent crimes committed because of belief or lack of belief in a domestic setting, as well as intimate partner violence, was emphasised repeatedly by a broad range of participants at the specialist consultation event.

The importance of covering physical security for the non-private household population was another key concern raised in the consultation. Some participants argued that domestic violence should be conceptualized as covering the domestic context of all people – including where a person’s domestic context is a residential establishment – and should cover physical abuse where the perpetrator is a professional rather than a family member. Others defended a more restrictive definition, with separate monitoring of the non-private household population and for cases where the perpetrator has a professional relationship with the victim.

Whilst the majority of feedback comments and suggestions at the specialist consultation event emphasised the importance of a broad definition of domestic violence, there was not unanimity on this issue. A key stakeholder has raised the importance of gender inequality in particular, and the importance of domestic violence in the sense of intimate partner violence in capturing and reflecting this inequality. The importance of including intimate partner violence as a sub-measure under this indicator was also a key issue emphasised in the consultation events in both Scotland and Wales. In addition, the Lancaster Data Review (Walby et al., 2008) also proposes the adoption of the ‘the successful prosecution of intimate partner violence against women and rape’ as a headline indicator for the legal security domains, rather than domestic violence, on the grounds that this provides a clear and unambiguous measure of gender inequality (Walby et al., 2008: 44-45, 57-58). At all stages of the consultation, participants in Scotland expressed support for retaining a gender-focused definition of domestic violence.

The Home Office noted in its consultation response that the risk of being a victim of domestic violence is statistically sound, although this may under-represent some sections of the population (for example those most heavily abused may be living in refuges not included in BCS).

Participants in Scotland emphasized that although the increased size of the SCJS has improved prospects for disaggregation by ethnicity in Scotland, the feedback from the Scottish consultation event suggested that disaggregation for some of the smaller ethnic groups remains limited.

In follow-up meetings, the Scottish Government has suggested that the definition of domestic violence differs from England and Wales, and that this has implications when comparing and interpreting the data. Domestic violence legislation in Scotland is gender-focused and is supported as such by the third sector. Sexual orientation and disability issues are lobbied through hate crime legislation.

### **Decisions following consultation**

Measure 1.4 is specified for England and Wales in a way that is intended to capture physical violence by partners and other family or household members. However, we have specified the measure in a way that establishes the importance of reporting the relationship of the victim to the principal suspect, and of separate reporting of partner violence.

This specification reflects our view that, on the one hand, there is an important role for a broad-based measure of domestic violence in the EMF that captures and reflects the different types of violent crimes that arise in the domestic context,

including homophobic violence, elder abuse, violent crimes against disabled people and violent crimes committed because of belief or lack of belief in a domestic setting, as well as partner violence. However, we also accept that partner violence captures and reflects power dynamics and gender relations. For these reasons, we feel that it is essential to include measures of both domestic violence broadly construed, and of partner violence in particular, within the EMF.

A key limitation of the BCS self-completion module has been the cut-off at age 59, which means that information about domestic and partner violence experienced by over-59s is not captured or reflected in the measures. We recommend that the self-completion module is extended to cover over-59s as soon as possible and that any necessary adjustments to ensure access of older people, including older disabled people, are secured. Although the latest technical report accompanying the BCS suggests that a change of this type was implemented from April 2008, the latest information from the Home Office suggests that this pilot has not been successful. In Scotland, no such age cut-off is applied to the domestic violence self-completion module.

**Focus on prevalence**

See comments earlier in this chapter under 'Decisions on the general positioning of the Indicator 1 measures'.

**Decisions on the use of self-completion modules**

See comments under Measure 1.3, sexual violence, in this chapter.

**Table 6.3 Measure 1.4 (EW) Percentage that are victims of domestic violence in the last 12 months**

Authors' calculations from BCS self-completion module, for England and Wales 2007-8<sup>4</sup>

	<b>Victims of partner violence (physical violence and sexual violence, perpetrator is partner or ex-partner) (weighted %)</b>	<b>Victims of other domestic violence (perpetrator other family members, not partner) (weighted %)</b>	<b>Victims of domestic violence (all perpetrators) (weighted %)</b>
16-24	4.07	1.97	6.00
25-40	3.50**	0.87**	4.37**
40-59	1.52**	0.67**	2.02**
Male	2.30	0.61	2.86
Female	3.23**	1.41**	4.50**
White	2.87	1.02	3.78
Mixed	2.55	0.84	3.05
Asian	1.57	0.85	2.46
Black	2.37	1.19	3.54
Chinese / other	1.60	1.08	2.59
White	2.87	1.02	2.81
Non-white	1.87**	0.97	3.78
No limiting long-standing illness or disability	2.67	0.93	3.53
Limiting long-standing illness or disability	3.78**	1.89**	5.20**
Managerial and professional occupations	2.26	0.47	2.74
Intermediate occupations	2.48	0.92	3.50
Small employers and own account workers	2.15	0.90	2.73
Lower supervisory and technical	2.96	1.08	3.82
Semi-routine and routine	3.41**	1.36**	4.51**
Never worked and long-term unemployed	4.64**	2.90**	7.19**
Full-time student	3.62	2.03**	5.66**

<sup>4</sup> Preliminary results. Significance based on ANOVA test. Sample size > 30 for all disaggregation characteristics for all three categories of domestic violence.

Not classified	1.88	0	1.97
Christian	2.63	0.96	3.50
Buddhist	3.70	3.15	5.86
Hindu	0.85	0.56	1.46
Jewish	0.51	0.51	0.53
Muslim	2.1	0.68	2.87
Sikh	0.17	2.71	2.96
Other	5.38	1.71	6.05
No religion	3.43	1.14	4.49

**Key intersectional group: Women who have not worked**

Follow-up project

**Notes**

1.Domestic violence is defined as including sexual violence, physical violence and threats but excluding prevention from having fair share of household money, from seeing friends and relatives, repeated belittling by a partner OR a family member other than a partner.

Other domestic violence is defined as including sexual violence, physical violence and threats but excluding prevention from having fair share of household money, from seeing friends and relatives, repeated belittling by a family member other than a partner.

Partner violence is defined as including sexual violence, physical violence and threats but excluding prevention from having fair share of household money, from seeing friends and relatives, repeated belittling by a partner. The excluded categories are used as a basis for an indicator of financial and emotional abuse in the individual, family and social life domain.:

2.The number of victims is derived from questions in the self-completion module. The data from the self-completion module data has been merged with main data set to derive the equality characteristic s analysis. Individuals from youth sample who are included in the self-completion module have been excluded from the analysis.

3.'Don't knows' and 'can't remembers' are coded as missings.

4.Figures relate to the number of victims rather than the number of incidents.

5. Individual columns may not add up to total figures where individuals are victims of both partner and other domestic abuse.

**Indicator 2: Percentage that are victims of hate crime**

- Measure 2.1 (E,S,W): Percentage that are victims of hate crime (race)**
- Measure 2.2 (E,S,W): Percentage that are victims of hate crime (religion)**
- Measure 2.3 (E,S,W): Percentage that are victims of hate crime (age)**
- Measure 2.4 (S) Percentage that are victims of hate crime (gender)**
- Measure 2.5 (E,S,W) Percentage that are victims of hate crime (disability)**
- Measure 2.6 (E,S,W) Percentage that are victims of hate crime (sexual orientation)**
- Measure 2.7 Percentage that are victims of hate crime (transgender) (under development)**

Sources: BCS (E&W), SCJS (Scotland)

Sub-domain: A

Evaluation against essential selection criteria:

1	Relevance	All equality characteristics
2	Legitimacy	Strong
3/4	Disaggregation	
	- at GB level	Unavailable
	- within England	Gender, age, ethnicity, disability, religion and belief, social class, sexual orientation
	- within Scotland	Gender, ethnicity, disability, age, social class
	- within Wales	Gender, age, ethnicity, disability, religion and belief, social class, sexual orientation

Sample size

England and Wales: (Note number of incidents, not number of victims) – number of cases in sample  
 n= 214 (race)  
 n=71 (religion)  
 n= 258 (age)  
 n=(sexuality / sexual orientation) n=151  
 n= 111 (disability)

Number of cases should support disaggregation by at least some equality characteristics, but requires victim data set to be merged with main data set in order to proceed. Where this is not feasible, the potential for disaggregating by further equality characteristics should be explored by pooling data over one or more years.

Within Scotland: To be confirmed in follow-up

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		project
		Within Wales: To be confirmed in follow-up project
5	Aspect of inequality	Outcome
6	Frequency	Annual
7	Individual level	Yes
8	Robustness	Relationship of measures to racist and religiously motivated crime need clarification in follow-up project

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This indicator focuses attention on the proportion of adults that are victims of hate crime. Victims of hate crime are defined as victims of crime where victimisation is attributed to the offenders' attitudes to race, religion and belief, sexual orientation, transgender, age, gender or other identity characteristic. Each category of hate crime is reported separately.

#### **Feedback from the first round of specialist consultation**

Feedback from the first round of specialist consultation emphasized the importance of separate identification of hate crime by type, and the development of the questionnaire comes some way to meeting the concerns. Participants emphasized that it will be important for the EMF to allow for separate monitoring of the prevalence of hate crime by each targeting characteristic (gender, disability, sexual orientation, transgender, disability, age, religion and belief, race and ethnicity) rather than in aggregate, even if recording systems are in present imperfect, and the numbers for separate categories of hate crime are in practice low.

Another important concern was that risk of hate crime should be disaggregated by equality characteristic rather than reported at the general population level. For example, disability hate crime should be reported separately as a risk factor for people with disabilities, rather than as a general population risk fact.

#### **Feedback from the second round of specialist consultation**

A further issue was the importance of disaggregating by narrow band equality characteristics in the hate crime context. For example, good practice for monitoring disability hate crime would be to facilitate narrow band disaggregation, enabling disability hate crime victimisation to be monitored separately for people with learning disabilities.

**MoJ web consultation response**

In its response to the web consultation, the MOJ considered the proposal that the hate crime measures should cover all the equality strands. It pointed out in this connection that the OCJR's consultation to agree a common definition of hate crime concluded that age should not be included in the 'Monitored Hate Crime Definition', and that Association of Chief Police Officers (ACPO) and the Crown Prosecution Service (CPS) measure hate crime in the following categories:

- Disability
- Race
- Religion
- Sexual Orientation
- Transgender

**Home Office web consultation response**

In its response to the web consultation, the Home Office made a number of comments on statistical reliability.

In relation to the proportion that report being victimised or picked where the incident is characterised as racially motivated, the HO noted that this measure is statistically sound but involves fairly small numbers. When the figures are disaggregated, the highest rates are among mixed ethnic background – 3 per cent. The figure for the white population is 0.1 per cent but because they are the majority group, estimated numbers of victims are highest for the white group.

In relation to the proportion that report being victimised or picked on that characterise the incident as religiously motivated, the HO noted that the measure is statistically unreliable for detecting any differences between equality groups because it involves a very small proportion of population (less than 0.1 per cent).

In relation to the proportion that report being victimised or picked on due to being different in some way (for example because they were gay/lesbian/an older person/disabled NOT race), the HO noted that it was not possible to comment on the measure because there is not an estimate of numbers yet, but they anticipate that these will be small.

**Scottish-specific issues**

Participants in Scotland recommended that the definition of racially aggravated / religiously motivated crime should flag up sectarian (Catholic v Protestant) hate crime. This might be appropriate to build in, if new national identity / sectarian violence questions are developed for the Census.

Participants at the Scottish consultation event also informed us that religion and race are currently covered as categories of hate crime in Scottish legislation. Pending the outcome of a major review, it is likely that sexual orientation, disability and transgender will be added as aggravating factors. However, it is likely that age and gender probably will not be added. The Executive has set up a working group on hate crime to examine possible routes within the criminal justice system to combat crime motivated by prejudices regarding disability, sexual orientation, age and gender. A news release by the Scottish Government on January 15, 2008 indicated that hate crime legislation is to be strengthened to protect disabled people, lesbian, gay, bisexual and transgendered communities<sup>5</sup>.

In follow-up meetings the Scottish Government expressed reservations about using the term 'hate crime', since this is a legal term. In fact what is being measured is an individual's perception of whether they think a crime committed against them was motivated by them belonging to a particular social group.

### **CPS policy on hate crime**

CPS policy on prosecuting disability hate crime and homophobic / transphobic hate crime is set out in CPS (2007ab)<sup>6</sup>.

### **Other feedback**

Some participants in follow-up discussions suggested that narrow band disability monitoring should be undertaken in relation to hate crime, in order to monitor the particular position of individuals with learning difficulties.

### **Decisions following the consultation**

For England and Wales, there has been a significant improvement in the question formulation in the BCS questionnaire this year, which had previously grouped together being victimised due to 'being different in some way' (for example being gay/lesbian/an older person/disabled/NOT race). In the 2007-8 victims form, sexuality and sexual orientation, disability and age are all now separately identifiable as targeting characteristics.

Two additional elements of the feedback from the first round of specialist consultation have not yet been resolved. The first issue is the narrow formulation of victimisation on the grounds of religion or religious belief, with no direct reference to other non-religious belief (including the absence of religious belief) as a targeting factor.

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<sup>5</sup> The Scottish Government, News Release, 'Hate Crime Laws to be Extended,' 15/01/2008. <http://www.scotland.gov.uk/News/Releases/2008/01/15105227>

<sup>6</sup> The availability of legal case outcome data is discussed under Indicator 1 of the legal security domain.

The second issue relates to the absence of an explicit reference to transgender as a targeting ground. Feedback from the specialist consultation events and the web consultation emphasized the importance of explicitly including transgender as a targeting characteristic for transparency purposes, notwithstanding the need for additional monitoring mechanisms because of small numbers. Furthermore, transphobic hate crime is an explicit category used in both the police incident flagging system (see Chapter 7, Appendix) and by the CPS (see Chapter 7, Indicator 1, Measure 3). We therefore recommend the explicit inclusion of this category.

In Scotland, targeting on the grounds of age, gender, sexual orientation and disability can also be separately identified, but no explicit reference is again made to transgender as a targeting factor. As with the BCS, transgender is not explicitly included as a targeting ground.

Whilst we are not recommending deriving hate crime prevalence rates from police-recorded crime statistics, we are nevertheless recommending that the gap between BCS prevalence rates and police-recorded crime figures are monitored as part of the EMF for hate crime. This measure now appears in the legal security domain, Indicator 1. See Chapter 7 for further details.

**Table 6.4 Measures 2.1-3, 5,6 (EW) Victims of hate crime**

Authors’ calculations from BCS victims dataset, England and Wales, 2007-8

	No of cases in sample (cases = incidents)
Incidents of hate crime (race) (Note, based on racist incidents question)	217
Incidents of hate crime (religion)	71
Incidents of hate crime (age)	248
Incidents of hate crime (disability)	111
Incidents of hate crime (sexuality or sexual orientation)	151
Prevalence of hate crime – combined variable: (RELIGION, AGE, SEXUALITY/SEXUAL, ORIENTATION, DISABILITY AND RACE)	696

**Follow on work**

In order to take the development of the hate crime indicator forward, a number of tasks need to be undertaken.

First, the current analysis is based on the number of incidents rather than the number of victims. The victims data set requires ‘flattening’ (that is, transformation from

incidents-based to victim-based data set). The number of victims of each type of hate crime (with each category reported separately) can then be derived.

Second, the victims data set requires merging with the main data set, in order to disaggregate by equality characteristics. The number of victims of each category of hate crime can then be expressed as a percentage of victims with relevant characteristics. For example, the number of victims of disability hate crime can be expressed as a proportion of the number of adults with disabilities.

We further recommend pooling of data over more than one year where this is necessary, to achieve adequate sample size.

### **Indicator 3: Physical security for people resident or detained in institutions**

#### **Measure 3.1 (E,S,W): Elder abuse and other abuse of the non-private household population (under development)**

We are recommending the development of an indicator covering the prevalence of physical violence in a variety of institutions and establishments such as care homes for the elderly, mental health institutions and within prisons. This would be an overarching indicator bringing together multiple data sources including data being collected by the Healthcare Commission, the Commission for Social Care Inspection (and their successor the Care Quality Commission) and the Prisons Inspectorate.

This proposal reflects the feedback comments and suggestions made by a number of subject experts and stakeholders at the physical security domain event.

#### **Monitoring physical security in communal establishments: What is happening in response to the recommendations in the Smith Review of Crime Statistics?**

The Smith Review of Crime Statistics (2006) recommended that ‘The British Crime Survey sample frame should be extended to include those living in group residences as soon as practical after taking the advice of those with relevant expertise and piloting the changes’ (Smith Review 2006).

The BCS sample frame also excludes those not living in ‘normal’ households - for example, those living in student halls of residence, nurses’ residences or old people’s homes. We think the Home Office should extend the BCS sampling frame to include such individuals. However, once again, the feasibility of such an extension would need careful development and some understanding of the victimisation rates of such groups<sup>7</sup>.

The HO response to the Smith Review of crime statistics (Action Plan at 19<sup>th</sup> July 2007) notes that the HO has undertaken from time-to-time some limited internal analysis to establish the impact of excluding these groups on the overall BCS crime rates, and found this to be small<sup>8</sup>. However, we would like to emphasize that,

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<sup>7</sup> The BCS also excludes various other groups of individuals not in households – for example, the homeless, those irregularly living in hostels and those in prisons. Criminological research suggests that these groups probably have very high victimisation rates. However, in these cases, we think that incorporating them into a household-based survey would be methodologically difficult. Therefore, we do not think the BCS sample should be extended to include these groups. Understanding the victimisation of these groups is important but that is probably best achieved by specific research.

<sup>8</sup> <http://www.homeoffice.gov.uk/rds/pdfs07/rcsactionplan.pdf>

whatever the impact of the exclusion of these groups from overall BCS crime rates, the physical security of individuals and groups in residential establishments is a key equality and human rights concern, and monitoring using high quality survey-based and administrative sources is essential.

The Home Office Action Plan on the Smith Review also refers to future methodological work that will be undertaken to consider the feasibility of including those in group residences within the BCS or as separate surveys. Pickering et al. (2008), in a Home Office Research Report, consider the options for extending the coverage to children and people living in communal establishments. The authors conclude that it would not be feasible to cover communal establishment residents in the BCS in a statistically reliable manner without incurring very substantial additional costs. If a decision were made to cover this population, a properly resourced feasibility study would be essential.

### **Building on existing processes of indicator development: The Department of Health / Home Office Consultation on Safeguarding Adults**

The Safeguarding Adults consultation recently launched by the Department of Health and the Home Office highlights the lack of indicators on physical abuse for elderly people. The Consultation document (DoH and HO: 2008, 21-22) states that:

- Of the 198 indicators in the National Indicator Set, on which targets in Local Area Agreements are based, there are no indicators directly relating to safeguarding adults.
- The same applies for indicator sets covering the police and the NHS.

The Consultation document suggests that, in the short/medium term, an outcomes framework could help to explain how safeguarding is a part of wider objectives, showing alignment between safeguarding and wider national Public Service Agreements and indicator sets such as the National Indicator Set and the Vital Signs indicator set. In the longer term, it suggests that a suitable measure on safeguarding could be specifically developed to include in Vital Signs and the National Indicator Set.

The *Safeguarding Adults* consultation document also contrasts the situation in England and Wales in relation to statistics on safeguarding adults. In Wales, where there are safeguarding indicators, and the first all-Wales report on the indicators shows both the difficulties of getting it right (for example, is an increase in referrals a positive or a negative indicator?) and the successes of having comparable data. The

document notes that, in England, there is currently no regular collection of abuse statistics.

The *Safeguarding Adults* consultation document finally states that the DoH is working with stakeholders to test the viability of collecting data on abuse. According to the consultation document, a pilot data collection is planned for late 2008 which, if successful, will subsequently lead to a national data collection. This might raise the possibility of developing safeguarding performance indicators in the next edition of the National Indicator Set, which forms the basis for the Local Performance Framework.

### **The position by March 2009**

We have asked the DoH to update us on the likely outcomes of the Safeguarding Adults consultation and whether these will include a process for developing indicators of physical security for individuals resident in public and private institutions which could be subsequently integrated into the EMF. The DoH response suggests that although the consultation has closed, it is too early at the time of writing to confirm any particular results. Major issues in the consultation need to be resolved and decisions on indicators will follow on.

On-going work has been commissioned by the DoH to pilot indicators of physical abuse for elderly people, but this focuses on physical violence within the community rather than in the institutional context.

A small pilot project entitled Abuse, Neglect and Loss of Dignity in the Institutional Care of Older People was also commissioned to examine the experience of older people – and those caring for them – in institutional settings, such as care homes and NHS wards, and will focus more broadly on issues of loss of dignity as well as abuse or mistreatment. However, the pilot identified a huge number of problems - most people in care homes have dementia and cannot participate in a survey kind of research, which means methodologically the proposed approach of asking people of their experience of abuse doesn't work. A methodology for taking this project forward has not yet been identified.

One possible option would be to pool pre-existing information on physical abuse from social services and the police. However, work to co-ordinate a process of this type has not been commissioned.

### **Follow-up discussions and meetings**

Welsh Assembly Government noted that any measurement framework affecting Wales should be aligned with or integrated within the overall work WAG is doing on

performance frameworks and that any work on, for example, protection of vulnerable adults needs to include the relevant policy department of the Welsh Assembly Government. If input is needed for England and Wales or the whole of the UK then further work needs to be done.

Scottish Government emphasized the importance of engaging with Scottish stakeholders, especially audit and inspection bodies.

### **Consultation feedback**

The importance of coverage of the non-household population is a key human rights concern that is further discussed in Chapters 15 to 17. The particular importance of including an indicator of physical abuse experienced by older people as part of the EMF was a key issue in the human rights consultation, as well as the physical security consultation event.

In Scotland, the importance of including information about complaints was emphasized in the context of monitoring the equality and human rights position of people resident in public and private institutions. Participants felt it would be important to include indicators of complaints and complaints handling within the EMF. This also cross-cut with a key issue raised at the human rights specialist consultation event.

At the physical security event, the importance of covering physical violence in a range of residential establishments, including private and public institutions such as care homes, prisons and refugee/asylum reception centres, was highlighted.

In the Scottish consultation event, the importance of the *Vulnerable Persons Data* was emphasized. Another specific issue was the importance of covering asylum detention centres. At the Welsh specialist consultation event, the existing Welsh safeguarding adults indicators, and related initiatives by Welsh assembly on safeguarding adults, were highlighted.

### **MoJ web consultation response**

The MoJ web response also highlighted the importance that for the physical security domain, NOMs data and any statistics collected for old people's homes are made available and included as a source for information. In addition, the MoJ supplied the following information. The Human Rights Division is in the process of establishing the UK's National Preventive Mechanism (NPM) required by the Optional Protocol to the Convention against Torture (OPCAT). MoJ is the custodian of OPCAT's requirement for regular independent inspection of all places of detention. The protocol stipulates that the NPM can be composed of one or several bodies. The UK intends the

domestic requirements of the Protocol to be fulfilled by the collective action of existing statutory inspection bodies, which are empowered to carry out unrestricted visits to places of detention (for example HM Inspectorate of Prisons, the Mental Health Act Commission and others). Similarly, the bodies who will be designated part of the NPM will carry on with their normal programmes of inspection but they will need to be aware that they are now operating within a new context - that is, to fulfil a UN treaty. Arrangements are for a co-ordination role for the NPM is being considered on how communications will flow back and forth to the UN. The flow of information between the bodies and co-ordinator of the NPM especially on the deaths from non-natural causes for people resident or detained in institutions such as prisons and police cells could act as a source for Life and Health indicator. More details on this will be considered after the NPM has been established and more information is available on which indicators are going to be used to measure the equality PSA.

### **Decisions following consultation**

We are recommending that the EHRC / GEO and devolved governments build on these initiatives by taking forward research on the development of a cross-cutting equality and human rights indicator so that measures of physical security for the non-private household population can be included within the EMF.

We agree with participants in the human rights consultation event that it is critical that an indicator of physical abuse experienced by older people, including in the institutional context, is incorporated in the EMF. It is anticipated that the Safeguarding Adults consultation being led by DoH and HO, and related research on the development of indicators of elder abuse, will be taken forward by the DoH and the HO; and that, as suggested in the consultation document, national indicators of elder abuse will result from this process.

In line with better data collection principles, rather than recommending the separate development of a new indicator of elder abuse, we recommend that the EHRC and GEO work with other stakeholders including audit and inspection bodies to support and build on the DoH and HO-led Safeguarding Adults process, and that resulting indicators are integrated into the EMF at the earliest possible date.

Should indicators of elder abuse, including in the institutional context, not follow from the Safeguarding Adults process, we recommend that the EHRC and GEO institute a new process to ensure the delivery of indicators of this type at the first possible opportunity.

**Indicator 4: Fear of crime**

**Measure 4.1 (E,S,W): Percentage that feel very unsafe or unsafe being alone at home and /or in local area (during the day and after dark)**

**Measure (E,W) 4.2: Percentage that feel very worried / worried about physical attack, intimidation and acquisitive crime**

**Measure 4.2 (S): Percentage that feel very worried / worried about physical attack, sexual assault and acquisitive crime**

Sources: E&W: BCS, Scotland: SCJS

Sub-domain: D

Evaluation against essential selection criteria:

1	Relevance	All equality characteristics
2	Legitimacy	Strong
3/4	Disaggregation	
	- at GB level	Unavailable
	- within England	Gender, age, ethnicity, disability, religion and belief, social class, sexual orientation
	- within Scotland	Gender, ethnicity, disability, age and social Class
	- within Wales	Gender, age, ethnicity, disability, religion and belief, social class, sexual orientation

Sample size:

England and Wales (combined analysis): more than 30 respondents in sample for gender, age, ethnicity, disability, religion and belief, social class; sexual orientation sample size to be confirmed in follow-up project

Wales: age, gender, disability and social class (except unclassified) more than 30 respondents in sample; ethnicity restricted to two band (white / non-white) or three band (white / non-white or white, Chinese other and remaining categories) analysis; religion restricted to two band (Christian / non-Christian) or three band (Christian / religious not Christian / no religion) analysis

Scotland: To be confirmed in follow-up project

5	Aspect of inequality	Process
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6	Frequency	Annual
7	Individual level	Yes
8	Robustness	Good

Indicator 4 focuses on the fear of crime. Measure 4.1 covers the number of people reporting fear of going out alone during the day and after dark in their area; and the number of people reporting not feeling safe when alone in their own home at night. Measure 4.2 focuses on the proportion feeling very worried / worried about physical attack, intimidation and acquisitive crime.

Fear of crime can change behaviour and have a negative instrumental affect on a number of capabilities in other domains (including the enjoyment of individual and social life, and the capability to enjoy an adequate standard of living). Although fear of crime is often well-founded, these adverse affects can arise even when perceived fear is only weakly associated with a person’s actual risk of being a victim of crime.

**Feedback from the first round of consultation**

Participants in round 1 of the specialist consultation emphasised a number of possible limitations of the original BCS-based measures we proposed, which focused on fear of being **alone** (either at home, or going out in the local neighbourhood, or after dark in local streets). The concept of fear of being **alone** was viewed as particularly problematic since a variety of reasons can underlie fear - for example, of going out alone (including the need for physical support) - and failed to reflect fear of physical attack in public places experienced by individuals collectively (including partners and groups), including homophobic and ethnic targeting.

Fear of being alone at **home** was also seen as being problematic by participants in both the Welsh and Scottish consultation events. This concept fails to capture, for example, the capability of being safe and secure in one’s domestic environment (including fear from stranger attack, even when at home with other people; and fear from attack from within the domestic environment).

Participants also suggested that measures of the fear of crime should be sufficiently broad to reflect with fear of ‘low level crime’ and anti-social behaviour. In Scotland and Wales, neighbourhood and community security and safety were highlighted as particular concerns (for example fear of crime associated with noisy neighbours, vandalism, drugs dealing, teenagers hanging around, being insulted / pestered).

**Decisions following consultation**

Despite the limitations highlighted at the consultation events, support for the inclusion of a measure focusing on fear of going out alone after dark can be found in international guidelines for developing indicators in the field of physical security of the person (for example Diprose 2007) and for this reason we have continued to include this measure under indicator 5. However, we have combined the various measures of fear of being alone (at home, going out in the local neighbourhood, and after dark in local streets) into a single measure, and have supplemented this measure with a second measure focusing on worry about a broad-range of crimes of violence against the person (including attack and intimidation) and acquisitive crimes against the person and property (including 'lower level' crimes such as graffiti and vandalism as well as, for example, fear of mugging, physical attack and ethnic targeting).

We feel that the supplementation of measure 4.1 with measure 4.2 addresses a number of the issues raised by participants in the specialist consultation. However, we do not feel that the BCS has a question that reflects the full conception of the capability of living in a state of personal domestic security and safety. This is because the BCS-based questions focus either on 'being at home alone' or on worry about burglary. We therefore recommend question development to meet this gap and to provide a new and improved measure that captures the broader concept of perceptions of domestic security and safety. We recommend that the data providers give consideration to this issue, and that the EHRC raise this issue at a regular meeting of the BCS user-group.

**Table 6.5 Measure 4.1 (EW) Percentage feeling very unsafe or unsafe being alone at home and in local area (during the day and after dark)**Authors' calculations from BCS, England and Wales, 2007-8<sup>9</sup>

	<b>% feeling very unsafe or unsafe</b>
16-24	30.1
25-44	27.9**
45-64	30.0
65-74	39.4**
75+	51.4**
Male	17.9
Female	45.6**
White	31.6
Mixed	32.8
Asian and Asian British	39.7**
Black and Black British	33.1
Chinese and Other	34.9
White	31.7
Non-white	36.8
No limiting long-standing illness or disability	29.1
Limiting long-standing illness or disability	47.7**
Christian	33.1
Buddhist	34.2
Hindu	42.9
Jewish	46.9
Muslim	37.8
Sikh	41.8
Other	36.9
No religion	25.3**
Managerial and professional occupations	24.9
Intermediate occupations	38.9**
Small employers and own account workers	24.7
Lower supervisory and technical	30.2
Semi-routine and routine	39.9**
Never worked and long-term unemployed	49.4**
Full-time student	29.1**
Not classified	38.7**

<sup>9</sup> Preliminary results. Significance based on ANOVA test. Sample size > 30 for all disaggregation characteristics.

**Table 6.6 Measure 4.2 (EW) Percentage feeling very worried / worried about (a) physical attack (b) intimidation (c) acquisitive crime against the person and property**

Authors' calculations using BCS, England and Wales, 2007-8<sup>10</sup>

	% feeling worried or very worried <sup>11</sup>
16-24	63.3
25-44	61.3**
45-64	61.6**
65-74	59.4**
75+	47.6**
Male	54.3
Female	65.9**
White	58.8
Mixed	65.4**
Asian or Asian British	76.2**
Black or Black British	72.7**
Chinese or Other	69.5**
Aggregate ethnicity	
White	58.8
Non-white	73.6
No limiting long-standing illness or disability	59.4
Limiting long-standing illness or disability	64.0**
Christian	60.2
Buddhist	68.8
Hindu	74.4**
Jewish	76.8
Muslim	75.6**
Sikh	78.9**
Other	68.6
No religion	54.9**
Managerial and professional occupations	55.1
Intermediate occupations	62.4**
Small employers and own account workers	57.7
Lower supervisory and technical	61.1**

<sup>10</sup> Preliminary results. Statistical significance relates to the unweighted sample only. Sample size > 30 for all disaggregation characteristics.

<sup>11</sup> WORRY CRIME combines the worry for: being mugged and robbed; having the home broken into and something stolen; being raped; being physically attacked by strangers; being subject to a physical attack because of skin, colour, ethnic origin or religion; being insulted or pestered by anybody while in the street or any other public place).

Semi-routine and routine	64.5**
Never worked and long-term unemployed	67.8**
Full-time student	63.2
Not classified	61.4

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## Recommendations

Looking at the portfolio of indicators being proposed for the physical domain as a whole, the set of indicators reflects sub-domains A-D and includes at least some process indicators. Both objective and subjective measures are also represented in the domain as a whole.

The inclusion of Indicator 4 - physical security for people resident or detained in institutions – ensures that, in line with the Selection Criteria outline in the Overall Project Note, a particular human rights concern is captured and reflected in the physical security domain. However, this indicator is very much under development and the need to address this data gap is a high priority.

There are only four Indicators being recommended for this domain, and there is no process indicator. The reduced number of indicators reflects the increased number of sub-measures in this domain. The exclusion of a process indicator reflects our efforts to keep the portfolio of indicators as a whole balanced. Relevant process indicators are included in the legal security domain (especially Indicator 1 (the police and criminal justice system – equal protection and support) and Indicator 2, Measure 2 (a. meets the needs of victims b. respects the rights of those accused of an offence and treats them fairly) and Indicator 2 Measure 3 (complaints handling by the police).

## We recommend

- That the BCS self-completion module is extended to cover over-59s as soon as possible and that the data providers make certain that any necessary adjustments to ensure access of older people, including older disabled people, are secured.
- That data providers in Scotland consider extending the SCJS self-completion module to cover sexual offences and the inclusion of a religion and belief variable.
- Inclusion of transgender as a targeting characteristic for transparency purposes under hate crime in the BCS, notwithstanding the need for additional monitoring mechanisms because of small numbers.
- In relation to Indicator 3, the recommendation in the Smith Review that the BCS is extended to cover group residences (including social and health care

establishments) should be implemented by the HO as soon as possible. If this recommendation has been rejected by the HO on cost grounds, the plan of action as to physical security for people resident in private and public institutions should be clarified and implemented at the earliest possible date.

- That the DoH and HO-led *Safeguarding Adults* consultation should, as the consultation document suggests, result in the development of new indicators of physical security, including indicators of physical security for older people, and covering the institutional as well as the community context.
- That EHRC work with DoH and HO, the devolved administrations, and the relevant audit and inspection bodies to ensure the timely delivery of national statistics that enable the physical security of people resident or detained in public and private institutions to be monitored. The timely delivery of national statistics on elder abuse is a particular priority. The EHRC has an important overarching and regulatory co-ordinating role and should also work to ensure the development and integration of the new indicators on elder abuse into the EMF at the earliest possible date.
- In relation to Indicator 4, we recommend question development to meet the need for a more complete measure of perceptions of domestic security and safety. We recommend that the BCS data providers give consideration to this issue.
- The EHRC or its representatives should join the BCS user-group and we recommend that this issue is raised and the recommendations under BCS question development are considered under ordinary processes.
- A sexual orientation variable should be included in the SCJS as soon as it is possible.
- Following discussions with the HO, the BCS sexual orientation variable, which is included in the self-completion module, has been released to the Essex archive. We recommend that this variable is released to Essex with future BCS data releases.

## Appendix 6.1 Definitions of domestic violence and domestic abuse

This Appendix provides details of the definition of domestic violence adopted by different sections of the police and criminal justice system (including definitions provided by stakeholders during the course of the specialist consultation).

### Definition adopted by the Home Office, ACPO and the HMCS

The Home Office and the HMCS adopt a definition of domestic violence agreed by the Government in 2004 to improve joint working practices and monitoring. This defines domestic violence as:

‘any incident of threatening behaviour, violence or abuse [psychological, physical, sexual, financial or emotional] between adults who are or have been intimate partners or family members, regardless of gender or sexuality.’

For the purposes of the definition, an adult is any person aged 18 years and over, and family members are defined as mother, father, son, daughter, brother, sister and grandparents, whether directly related, in-laws or step-family. The definition is supported by an explanatory text that makes it clear that domestic violence includes female genital mutilation, forced marriage and so-called ‘honour crimes’ (HMCS 2005, Home Office website<sup>12</sup>).

### Definition adopted in the Statutory Performance Indicators for Policing and Community 2008-9

The indicator of domestic homicide set out in the Statutory Performance Indicators (SPIs) for Policing and Community 2008-9 covers **all partners and ex-partners**. The publication states that over 2008/09, further work will be undertaken (through analysis of the Homicide Index) to ensure that forces are consistently flagging domestic violence cases which cover broader family members (that is, honour killings) in a standardised way. Once this has been achieved, the publication suggests that the indicator will be broadened out to cover all domestic violence homicides (Home Office (2008: 29).

The above publication further states that the APACS *Technical Consultation* detailed a number of SPIs which are not included in the list set out in the most recent SPIs technical guidance. Indicators that have consulted upon, but which have been delayed for further development and possible introduction in 2009/10, include domestic violence enforcement and domestic violence victimization. The commentary clarifies the position as follows:

- Domestic violence enforcement: Data on domestic violence (DV) offences is currently not collected by the HO, so introduction of this indicator is delayed until the data can be consistently collected.
- Domestic violence victimisation (NI 32): The support arrangements measured by this indicator are not yet available across the country. This indicator is delayed until the support arrangements are further rolled out across the country.

<sup>12</sup> Home Office, ‘Domestic Violence’, accessed at <http://www.homeoffice.gov.uk/rds/violencewomen.html>

### Definition in the British Crime Survey

The definition of domestic violence given in the main volume of *Crime in England and Wales 2006/07* is as follows:

‘.....assaults and woundings which involve partners, ex-partners, other relatives or other household members’ (Home Office 2007).

### Definitions in the self-completion module of the BCS

Statistics from the self-completion module of the BCS are analysed in Povey et al. (2008). Two key concepts are reported on: prevalence of violence, and partner abuse. The following definitions are provided:

- Partner abuse (non-sexual): non-sexual emotional or financial abuse, threats or physical force by a current or former partner. Family abuse (non-sexual): non-sexual emotional or financial abuse, threats or physical force by a family member other than a partner (father/mother, step-father/mother or other relative). Sexual assault: indecent exposure, sexual threats and unwanted touching (‘less serious’),
- Rape or assault by penetration including attempts (‘serious’), by any person including a partner or family member. Stalking: two or more incidents – causing distress, fear or alarm – of obscene/threatening unwanted letters or phone calls, waiting or loitering around home or workplace, following or watching, or interfering with or damaging personal property by any person including a partner or family member.

Partner abuse is defined to include

1. **Non-physical abuse** (emotional or financial), **threats or force** – non-sexual.
2. **Sexual assault**: indecent exposure, sexual threats and unwanted touching (‘less serious’), rape or assault by penetration including attempts (‘serious’).
3. **Stalking**: two or more incidents – causing distress, fear or alarm – of obscene/threatening unwanted letters or phone calls, waiting or loitering around home or workplace, following or watching, or interfering with or damaging personal property

(Povey et al. 2008).

### Definition in the SCJS

The main SCJS technical document refers to the survey covering domestic violence in the self-completion module. However, only intimate partner violence appears to be covered in the questions of the self-completion module<sup>13</sup>. This issue was raised at the consultation event in Scotland and participants were asked if we should recommend that a broader measure of domestic violence should be recommended for the Scottish context that could be used alongside the measure of intimate partner violence. However, participants in Scotland strongly disagreed with this proposal, and argued that this was one area where Scotland should diverge from England and Wales. For this reason, the measure of the prevalence of domestic violence (all types) is being recommended for England and Wales only.

<sup>13</sup> Scottish Executive (2007) *Scottish Crime and Victimisation Survey 2006: Technical Report* Volume 1, Edinburgh: Scottish Executive, p. 10.

**Definition of domestic abuse adopted by ACPOS and COPFS (provided by COPFS)**

The current definition is: 'Any form of physical, sexual or mental and emotional abuse which might amount to criminal conduct and which takes place within the context of a close relationship. The relationship will be between partners (married, cohabiting or otherwise) or ex-partners. The abuse can be committed in the home or elsewhere.'

The Scottish Government publish domestic abuse data (<http://www.scotland.gov.uk/Topics/Statistics/Browse/Crime-Justice/TrendDomesticAbuse>)

**Physical violence v physical abuse**

Participants in Wales expressed a preference for an indicator focusing on physical abuse rather than physical violence. It would be important, for example, to capture and reflect the importance of mental cruelty that results from on-going bullying behaviour, and the types of financial abuse that can arise in the context of power relations between men and women. Financial abuse of older people both within private households and in residential establishments were other key issues flagged up. The analysis by ACPO and National Policing Improvement Agency (2008) also focuses on the broader concept of physical abuse, rather than physical violence, emphasising the importance of a broad-based concept covering physical abuse; sexual abuse; emotional abuse; and neglect.

Whilst understanding the importance of this broader emphasis, we are following the recommendation in Walby et al. 2008 that this particular measure focuses on the narrower concept of domestic violence, rather than on other forms of abuse that are not necessarily criminalised (Walby et al. 2008, 45). However, dimensions of physical abuse not well covered by this measure are reflected in the EMF both within this domain (see Indicator 4) and in the Individual, Family and Social Life domain (Chapter 11, Indicator 2).