
Ed Humpherson, Director General for Regulation

Ms. Alison Saunders CB
Director of Public Prosecutions
Crown Prosecution Service
Rose Court
2 Southwark Bridge
LONDON
SE1 9HS

20 October 2017

Dear Ms Saunders,

CPS conviction statistics for cases flagged as rape

There is considerable public interest in the justice system's handling of rape cases and we welcome the insight provided by your Violence against Women and Girls report. In our view it provides an important scrutiny function.

However, following publication of your Violence against Women and Girls Report for 2016-17¹, we received correspondence expressing concern about some of the statistics it contains. One particular concern was that statistics about convictions originally flagged by you as possible cases of rape are misleading. A second concern was why the statistics that you and MOJ publish² on convictions are different. The statistics in question are:

| Descriptions used by MoJ: | Published statistics: | | Descriptions used by CPS: |
|---------------------------|-----------------------|--------------|------------------------------|
| Cases of Rape: | MoJ: 2016 | CPS: 2016-17 | CPS records flagged as rape: |
| Proceeded against | 3716 | 5190 | Prosecutions completed |
| Convicted | 1352 | 2991 | Conviction |

Source: MOJ: Criminal Justice System outcomes by offence tool 2016, filtered on Home Office rape offence codes 19C – 19H: <https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2016>

CPS: Violence against Women and Girls Report 2016-17: <http://www.cps.gov.uk/publications/docs/cps-vawg-report-2017.pdf>

We have reviewed these concerns and we agree that the description in the text of your report is misleading to anyone who does not read the supplementary explanation you have provided elsewhere. In particular we think that the description 'rape convictions' in the graphic used to illustrate the conviction statistic will lead people to misjudge the number of convictions for rape.

¹ <http://www.cps.gov.uk/publications/equality/vaw/#a02>

² <https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2016>

This is because you include all records originally flagged as potential cases of rape in your system, so that the statistics include convictions for equivalent or lesser crimes. We do recognise that you have included further explanation of how you define the statistics in the documents accompanying the report, and that you have given reasons for the differences between CPS and MoJ statistics, but not all readers will come across these explanations.

Given the importance of these issues, providing a fuller explanation of the context and how the statistics fit into the wider justice system would help to enhance the value of the statistics you report. As you look to do this, you should apply the principles of the Code of Practice³ and work closely with producers of related statistics to present a coherent picture of different aspects of the criminal justice system.

I am copying this letter to Steve Ellerd-Elliot, Chief Statistician at MoJ.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ed Humpherson', written in a cursive style.

Ed Humpherson
Director General for Regulation

³ <https://www.statisticsauthority.gov.uk/osr/code-of-practice/>