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**Ed Humpherson, Director General for Regulation**

Mr Leon Hawthorne  
Editor, 'The Leon Hawthorne Show'  
(by email)

20 October 2017

Dear Mr Hawthorne,

**CPS conviction statistics for cases flagged as potential rape cases**

Thank you for contacting us about statistics published this week by the Crown Prosecution Service<sup>1</sup> (CPS) about convictions for rape. Your concern is that its description of these statistics is misleading. You also asked why the statistics that CPS and the Ministry of Justice (MoJ) publish on convictions<sup>2</sup> are different. For information, we have included in the Annex to this letter the CPS and MoJ statistics and the reasons published by CPS for why the difference occurs.

We reviewed the statistics and we agree that the description in the text is misleading to anyone who does not read the supplementary explanation CPS provided elsewhere. And in particular we think that the description 'rape convictions' used in the graphic will lead people to misjudge the number of convictions for rape. CPS explains that they include all records originally flagged as potential cases of rape in their system, so that the statistics include convictions for equivalent or lesser crimes. However, we agree that not everyone will come across the explanation as it appears in an annex to the report. We also think that CPS could make it clearer how those reasons account for the differences between CPS and MoJ statistics.

We recognise that there is considerable public interest in the justice system's handling of rape cases and we will take a close interest in how these statistics develop in response. We will write separately to CPS to tell them about our conclusions and ask them to review their publication in the light of our comments.

Yours sincerely



Ed Humpherson  
Director General for Regulation

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

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

## Annex 1:

### Numbers of cases involving rape as published by MoJ and CPS

Descriptions used by MoJ:	Published statistics		Descriptions used by CPS:
	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>

CPS says in the annex to its report that the published figures differ because:

- They are extracted from different sources
  - MoJ takes its data from administrative data systems generated by the courts
  - The data that forms the basis of the report is derived from the CPS' Case Management System (CMS)
- CPS data is for the financial year; MoJ data for the calendar year
- CPS convictions are for rape flagged cases convicted for rape, or for an alternative or lesser offence; MoJ offenders convicted covers only those convicted of rape
- CPS conviction rate is the proportion of convictions out of completed rape flagged prosecutions; MoJ conviction ratio is the number of defendants convicted of rape divided by the number of defendants prosecuted
- CPS data is for completed prosecutions. MoJ's offenders prosecuted data covers cases completed in Magistrates' Court, and therefore includes both completed and live cases in the Crown Court