



Crown Prosecution Service HQ
102 Petty France
Westminster
SW1H 9EA

cpsprivateoffice@cps.gov.uk

Ed Humpherson
Director General for Regulation
Office for Statistics Regulation
By email

19 July 2023

Dear Ed,

Re: Statistics on rape and sexual offences

Thank you for your letter of 18 July in relation to our data on rape and sexual offences in our quarterly data publications.

I would like to thank you and your team for the advice that you have provided. As you say in your letter, the CPS is not an official statistics producer, but we publish quarterly bulletins as part of our ongoing commitment to transparency on prosecution performance.

We are committed to ensuring that our data is presented with sufficient context and clarity, and we welcome the suggested changes you have made. We have already made the relevant drafting changes and they are due to be published in line with our Q4 (January – March 2023) data on 20 July.

Taking each of your issues in turn, I would like to address how we have sought to rectify them:

‘The first issue is that it is not clear in the main section of the bulletin exactly what is being counted when it refers to rape cases, with this only being explained towards the end of the publication. The caveats and limitations of the data are not prominent which does not support appropriate use of the data.’

The CPS maintains a central record of pre-charge and prosecution outcomes with reference to a number of case monitoring flags, including cases involving offences of child abuse, crimes against older people, domestic abuse, hate crime, modern slavery, and rape.

We have focused on making the ‘monitoring flags’ more prominent throughout our Q4 data publication, by:

- i. adding a ‘monitoring flag caveat’ to the summary tables, as well as above each data table in the spreadsheets containing data obtained through the use of monitoring flags;

Crown Prosecution Service

- ii. positioning the monitoring flag caveats to a higher and more prominent position in the 'About CPS data' section of the publication;
- iii. ensuring that the word 'flagged' is included in the description of all data obtained through the use of monitoring flags within the publication and data spreadsheet; and
- iv. adding the monitoring flag caveats to all data spreadsheets containing data obtained through the use of monitoring flags.

'The second issue is that CPS is publishing management information on conviction rates that is different from the conviction rates data published by the Ministry of Justice (MoJ).'

We have amended and given more prominence to our signposting of official statistics relating to crime and policing and criminal court proceedings, on both the 'Performance management and case outcomes' web page, and on the 'CPS quarterly data summaries' web page. This will assist in ensuring that, on immediate viewing of our publication, the reader understands the context and limitations of our data.

'The third issue raised with us is that CPS's case flagging system may lead to inflated figures for the number of charges and conviction data for rape. This is because where a defendant is charged with rape and sexual assault, but then the rape charges are dropped or the defendant is only convicted of sexual assault, they are still included in the charges and conviction data for rape. Analysts in CPS informed us that the system was not designed to capture this information but recognised it was a limitation of the data.'

As per my comments regarding the first issue, we have sought to resolve this through the addition of monitoring flag caveats to all of the data spreadsheets to ensure that, at every moment that data is being looked at, it is done so within the context of the caveats.

Whilst we have been able to address these suggested changes at pace, we know that there is further work that the CPS can do to continue to strive for intelligent transparency. We will be looking carefully at a future voluntary application to the Code of Practice as we continue to seek to commit ourselves to the highest principles and practices of trustworthiness, quality and value that are embedded in the Code.

Yours sincerely,



MAX HILL KC
DIRECTOR OF PUBLIC PROSECUTIONS

Crown Prosecution Service