

CPS Joint Enterprise National Monitoring Scheme 2024/5

Wednesday 24 September 2025

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1. Introduction

Murder is one of the most serious criminal offences and the sentence on conviction is mandatory life imprisonment. The impact of homicide and attempted homicide on victims, survivors, their families and loved ones is profound. At the Crown Prosecution Service (CPS), we recognise the heavy responsibility we bear in delivering justice through independent, fair and robust prosecutions. These prosecutions are handled by some of our most experienced prosecutors and advocates.

Joint enterprise, also known as [secondary liability](#), is a legal doctrine in England & Wales where two or more people can be held responsible for the same crime, even if only one person physically committed the criminal act. This occurs when someone assists or encourages another person to commit a crime, intending that crime be committed, and they can be prosecuted and punished by a court as if they were the principal offender. In simple terms, a person who acts as a ‘look out’ or ‘getaway driver’ for an armed robbery can be prosecuted for the crime, in the same way as their criminal colleague who entered a bank with a gun and demanded money.

Almost any crime can be prosecuted on a joint enterprise basis. This report covers homicide and attempted homicide prosecutions brought on a joint enterprise basis. A joint enterprise in the case of a homicide might involve a group of offenders chasing, attacking and killing their victim, all acting together in the principal offence. Or an offender might take a secondary role such as verbally encouraging the crime or handing a weapon to the principal attacker in order to assist them.

Given the complexity and seriousness of these cases, and the severity of the consequences for defendants who are convicted of homicide or attempted homicide on the basis of joint responsibility for the actions of others, it is important that the CPS monitors the nature of its caseload and transparently reports on these prosecutions.

To that end, the CPS has implemented a full national monitoring scheme in all CPS Areas comprising a mandatory Joint Enterprise Monitoring Code ‘flag’ on the CPS Case Management System (CMS) for all cases of homicide and attempted homicide brought on a Joint Enterprise basis. The new national ‘flag’ and monitoring scheme was implemented to enable better tracking of joint enterprise homicide and attempted homicide cases and commenced in April 2024.

The national flag enables system generated reporting on a range of data from CMS. An element of manual data collection has also been undertaken to monitor and report on features of these cases that cannot be drawn from CMS.

Additionally, as part of the monitoring scheme there is a new mandatory requirement to hold a Case Management Panel (“CMP”) in every case for enhanced assurance and internal supervision. For further detail on CMPs see Section 3 below. We also have a network of Joint Enterprise Lead Prosecutors, known as single points of contact (“SPoCs”), that have been appointed in each regional CPS Area.

Joint enterprise homicide prosecutions are now among the most rigorously monitored case types in the CPS. This work sits within the overall [CPS Disproportionality Action Plan](#) published in November 2024, as part of a wider programme of cross-cutting work on disproportionality and fairness to defendants.

2. Background

The CPS commenced a pilot to monitor Joint Enterprise homicide/attempted homicide cases in February 2023 - [Crown Prosecution Service Joint Enterprise Pilot 2023: Data Analysis | The Crown Prosecution Service](#)

As mentioned above, “Joint enterprise”, or secondary liability applies where persons assist or encourage another to commit a crime. These persons are known as accessories or secondary parties.

Where two or more persons are involved in an offence, the parties to the offence may be principals (D1) or secondary parties (“accessories”) (D2). Each offence will have at least one principal, although it is not always possible or necessary to identify the principal(s). A principal is one who carries out the substantive offence i.e., performs or causes the actus reus of the offence with the required mens rea. If two or more persons do so, they are joint principals.

A secondary party is one who aids, abets, counsels or procures (commonly referred to as “assists or encourages”) D1 to commit the substantive offence, without being a principal offender. For example, in a burglary, the person who enters a property and steals something is the principal, whereas the person who acts as a lookout or driver is a secondary party. The secondary party can be prosecuted and punished as if he were a principal offender.

Secondary liability principles can be applied to most offences. The principles remain the same, whichever offence they are applied to. The principles are commonly used in offences of violence, theft, fraud and public order.

The CPS prosecution guidance on [Secondary Liability: charging decisions on principals and accessories](#) sets out how charging decisions are to be approached by prosecutors in cases involving persons who assist or encourage another to commit a crime.

3. Case Management Panels

The core of the new monitoring scheme is that all homicide and attempted homicide cases brought on a joint enterprise basis are ‘flagged’ on CMS to allow system generated data collection and subject to a mandatory Case Management Panel (CMP) which is held at the appropriate point following a charging decision.

Charging decisions in Joint Enterprise cases can be made following arrests at or near the time of the offence with suspects held in custody. In this case it may be appropriate to charge on the “Threshold Test”. The Threshold Test is intended to apply to a very limited range of cases where the Full Code Test cannot be met but the overall seriousness or circumstances of the case justify the making of an immediate charging decision, and there are substantial grounds to object to bail.

The police must always endeavour to conclude all reasonable lines of inquiry during a suspect’s period of detention so that the “Full Code Test” can be applied. But where they cannot, and the suspect would present a substantial bail risk, consideration can be given to whether the conditions of the “Threshold Test” are met.

In some cases, there will be enough evidence to charge on the Full Code Test, however even in these circumstances, further material is then obtained to strengthen the case.

Some Areas hold an initial CMP within the first weeks after a charging decision with their Unit Head (Senior District Crown Prosecutor), the allocated prosecutor and the prosecutor’s line manager (District Crown Prosecutor). In this case, the main CMP will then follow at a more mature stage when the issues in the case have become clearer. The main CMP would usually be chaired by the Deputy Chief Crown Prosecutor, or the Chief Crown Prosecutor, depending on availability and level of complexity of the case.

Legal points reviewed during the CMP include an analysis of the evidential issues such as the offence under consideration or charged, details of how the principles of secondary liability are being applied, and the role of each party. Panel members are given access to the relevant paperwork, written summaries on the key issues by the prosecutor, and an opportunity to ask probing questions about the case strategy and decisions, which the panel will then discuss. The panel can and will identify further actions which need to be undertaken and when to reconvene again.

As well as this enhanced local supervision and governance of these cases, the paperwork generated by the CMP process allows a central team in CPS headquarters to collect a manual dataset to monitor more detailed issues that the system generated process cannot, or cannot reliably, collate.

4. Methodology

The concept of Joint Enterprise homicide can be applied to a wide range of cases. The definition of “Homicide” used for the purposes of this scheme is broad, and covers, for example, offences of murder, attempted murder, manslaughter, causing or allowing the death of a child or vulnerable adult, child destruction, driving offences causing a death, and “inchoate” versions of all these offences (such as conspiracy to commit murder).

Examples of Joint Enterprise can include:

- murder related to rival so-called “county lines” groups fighting over territory;
- cases of causing or allowing the death of a child put on a joint basis, such as where the defendants are the child’s parents; and
- causing death by dangerous driving where two defendant drivers are racing each other.

The current sample size for the financial year 2024/25 in the new national scheme is lower than that of the pilot scheme, despite the pilot being in seven CPS Areas over a 6-month period. This is because the pilot included live, pre-charge and post-charge cases. The National Scheme only includes data on pre-charge and post-charge cases which have been finalised in this financial year and covers all CPS Areas. Live prosecutions during this period will become finalised in future years and counted in the dataset for that year. This will enable comparisons and identify trends in the data in subsequent years, as the sample set grows.

Using finalised cases as the reference point means that cases which went to trial recently (e.g. in the first few months of 2025) may not appear in this year’s dataset, depending on when the case was sentenced and finalised on CMS. These cases will appear in the monitoring report for 2025/26.

5. CPS Data Process

This report provides an overview of two datasets, system generated “flagged” data (“System Generated data”) from CMS and a manually created dataset (“Manual data”) collected centrally as part of the national scheme.

Due to differences in the way the data is collected, there may be some minor variations between the two, including for the same data type (e.g. defendant demographic data). This is explained in section 5.4 below.

Data on defendants, including demographic data, is passed to the CPS by the police. The data is not complete and is subject to varying levels of error and omission at local levels.

The overall sample for both datasets is relatively small when broken down by CPS Area, case feature, defendant characteristics, and other variables captured. Given that one case will likely feature several defendants, single cases can have an impact on patterns in the data, particularly at an Area level.

The Joint Enterprise flag was introduced at national level in April 2024, so comparisons with previous years and trends cannot be provided in this report. As mentioned in Section 4 there are some differences between the methodology used in the Pilot scheme and this new National scheme. This report will be produced on an annual basis, so year on year comparisons will be available in future.

The data in both the System Generated, and the Manual datasets should be read together with the relevant caveats which are set out in the CPS Data Limitations sections in the Data Annex.

5.1 System Generated “flagged” data

The first dataset consists of the system generated ‘flagged’ data derived from the CPS Case Management System (CMS) and its associated Management Information System (MIS). The data is held within a database within MIS and is based on suspects/defendants rather than cases. To be included in this dataset the key criteria that must be met are:

- The case was finalised on CMS during the period covered by this report (1 April 2024 to 31 March 2025). “Finalisation” refers to the administrative process to mark a case as closed and no longer a live case, such as on the date of sentencing.
- The Joint Enterprise monitoring flag had been applied to the case by the point at which the data is “frozen” each month. The Joint Enterprise flag is to be applied to all homicide and attempted homicide cases brought on a joint enterprise basis.
- The Principal Offence Category of Homicide had been applied to the defendant at case finalisation.

Please see the CPS Data Limitations (in the Data Annex) for further information relating to Monitoring Codes and Principal Offence Categories.

Data captured through the ‘flag’ is set out in the [Data Annex](#).

5.2 Manual data

The second dataset is a manually created dataset, although it relies on the application of the monitoring ‘flag’ by operational staff as a starting point to determine the list of cases meeting the criteria for the national scheme. As with the system generated data, this dataset only includes cases that were “finalised” on CMS in the relevant period (1 April 2024 – 31 March 2025).

As mentioned above, all post-charge joint enterprise homicide or attempted homicide cases are subject to a Case Management Panel (CMP) meeting. A form designed specifically for Joint Enterprise cases is used by the case legal team to manually collect information from those meetings.

This enables collection of a richer set of data than that available from the system generated data. Manual data collected includes:

- the ‘role’ of each defendant (principal or secondary);
- whether any mental health issues were identified; and
- information relating to potential ‘gang’ evidence in the case.

Demographic data is also collected in relation to each defendant, although this is available from the system generated dataset as well. This additional data is made available to, and is collated by, the headquarters monitoring team. The demographic data collected manually has been used to report on aspects not available from the system generated data – e.g. defendants by role of principal and secondary shown by ethnicity and sex.

The Manual dataset includes all defendants (on Joint Enterprise flagged cases) who at one stage were charged with a joint enterprise homicide or attempted homicide offence, even if the charge was later reduced to a lesser non-homicide charge such as “Assisting an Offender”.

5.3 Accuracy of flagging

The data in this scheme (both system generated and manual) is dependent upon lawyers and administrative staff identifying and correctly applying the Joint Enterprise monitoring flag to applicable cases recorded on CMS.

The data is therefore subject to a series of manual data quality dip sample checks each month to check that relevant cases have not been missed. To assist accuracy, each month the Headquarters monitoring team contact Area SPoCs about any homicide case with more than one defendant which has not had the flag applied, to determine whether the flag has been missed. The flag is then applied if appropriate. This is time sensitive as the data is “frozen” each month so that it cannot be updated after that event, for consistency of reporting.

5.4 Differences between the System Generated and Manual data findings

There are differences between the manual set of data and the monitoring flag data.

System generated data is subject to a series of recording rules and processes which may lead to a slight discrepancy with the data gathered manually. Whereas there is flexibility in the way in which manual data is recorded, with the ability to update data on cases/defendants in light of new information, data captured via the flag is 'frozen' in accordance with standard practice. Owing to these differences, the two datasets do not align exactly. Where possible, data that is missing from the system generated data but could be otherwise obtained through a series of manual checks has been included in the manual dataset.

This is the first year of the full monitoring scheme, and learning from the process of creating and working with two discrete data sets will be applied to future years.

System generated data gathered through the ‘flag’ is available in the [Data Annex A](#). Where this report cites Manual data, this is clearly stated in the commentary. Manually collected data is available in the [Data Annex B](#).

6. Data Commentary

6.1 System generated monitoring flag data

Tables and charts show flagged cases and their outcomes. Due to the nature of CPS systems, this will include cases where the eventual outcome may not relate to the flagged offence (see CPS Data Limitations in the data Annex for further information).

6.1.1 Pre-charge stage

Pre-charge legal decisions

Quarter	24/25-Q1	24/25-Q2	24/25-Q3	24/25-Q4	Rolling Year to Date
Legal decisions	128	135	112	135	510
Charged	111	117	102	128	458
Charged %	86.7%	86.7%	91.1%	94.8%	89.8%
No prosecution	17	18	10	7	52
No prosecution %	13.3%	13.3%	8.9%	5.2%	10.2%
Out of court disposal	0	0	0	0	0
Out of court disposal %	0.0%	0.0%	0.0%	0.0%	0.0%

The proportion of suspects charged (out of all legal decisions) was 89.8% of the total. This figure represents the ‘charge rate’. The number of suspects charged was 458.

Included in “legal decisions” are decisions to charge and prosecute, decisions not to prosecute, and recommended out of court disposals.

Tables are also available in the data Annex showing the proportion of pre-charge decisions which were classed as ‘non-legal’ decisions, and a further breakdown of those decisions.

England and Wales – Pre-charge outcomes

By CPS Area 24-25

Area	Total pre-charge decisions	Legal decisions	Charged	% Charged	Average (mean) days taken from referral to charge
TOTAL	674	510	458	89.8%	49.83
Cymru Wales	28	21	21	100.0%	49.24
East Midlands	44	27	26	96.3%	3.35
East of England	32	17	17	100.0%	1.12
London North	143	111	102	91.9%	20.38
London South	11	11	11	100.0%	9.18
Merseyside & Cheshire	25	23	10	43.5%	77.60
North East	43	35	31	88.6%	24.35
North West	37	32	25	78.1%	82.12
South East	20	13	13	100.0%	39.67
South West	23	23	23	100.0%	90.04
Thames and Chiltern	15	12	12	100.0%	54.75
Wessex	8	8	8	100.0%	2.38
West Midlands	170	113	103	91.2%	49.57
Yorkshire & Humberside	75	64	56	87.5%	134.13

The mean number of days taken from referral to charge across all Areas was 49.83 days.

In relation to the Area breakdowns, note that London (comprising both London North and London South) is unique. London has a dedicated homicide unit which handles all homicides, including joint enterprise homicides, irrespective of whether they originated from the London North or South Areas. For administrative reasons this is aligned with the London North Area and defendants in cases handled by this unit are counted within London North figures.

Attempted homicides, including joint enterprise cases, are handled by the respective Crown Court unit (London North or London South), depending on where the offence arose. However, if an attempted homicide case is particularly complex and meets specified criteria, it is handled by the Complex Case Unit, which is aligned with London South. This is also a pan-London unit, taking cases from both London North and London South.

Suspects charged with homicide are therefore shown within the London North figures. Attempted murders will be captured either in the London North or London South figures.

Looking at pre-charge outcomes, the Area figures show a wide variation in both the number of suspects charged across the country, as expected due to the different size of the CPS Areas, and the average number of days from referral to charge. West Midlands has the largest number of suspects charged (103) with a charge rate of 91.2%, closely followed by London North (102 suspects) with a charge rate of 91.9%, and then Yorkshire and Humberside (56 suspects) with a charge rate of 87.5%.

Wessex has the lowest number of suspects (8), with a charge rate of 100%, followed by Mersey-Cheshire (10 suspects) and a charge rate of 43.5% and London South (11 suspects), and a charge rate of 100%.

The small numbers of suspects in some Areas will have an impact on their charge rates and average number of days from referral to charge. The average number of days ranges from 1.12 days in the East of England to 134.13 in Yorkshire and Humberside.

Suspects in these cases are likely to be remanded in custody, with a proportion of these subject to emergency charging on the Threshold test. Charges may be altered or dropped at a later date when the Full Code Test is applied. See section 3 (Case Management Panels) above for information on the Threshold and Full Code Tests.

6.1.2 Post-charge stage

England and Wales – Prosecutions: Convictions / non-convictions

Quarter	24/25-Q1	24/25-Q2	24/25-Q3	24/25-Q4	Rolling Year to Date
Total completed prosecutions	81	96	150	122	449
Convictions	71	71	123	101	366
% Convictions	87.7%	74.0%	82.0%	82.8%	81.5%
Non-convictions	10	25	27	21	83
% Non-convictions	12.3%	26.0%	18.0%	17.2%	18.5%

There was a total of 449 completed prosecutions (defendants) for joint enterprise homicide and attempted homicide in 24/25, resulting in 366 convictions – a conviction rate of 81.5%. See the Data Limitations in the Data Annex for an explanation of the difference between the number of cases charged and the number of total prosecutions. Comparing the charging and conviction rates, 89.8% of all suspects are charged, and 81.5% of the number charged are later convicted.

The conviction rate can be compared with that for all cases (all crime), which was 83.1% for the financial year 24/25.

Note that these tables show flagged cases and their outcomes. Due to the nature of CPS systems this will include cases where the eventual outcome may not relate to the flagged offence (see CPS Data Limitations in the Data Annex for further information).

England and Wales – Prosecutions: By Outcome Types

Quarter	24/25-Q1	24/25-Q2	24/25-Q3	24/25-Q4	Rolling Year to Date
Total completed prosecutions	81	96	150	122	449
Convictions	71	71	123	101	366
% Convictions	87.7%	74.0%	82.0%	82.8%	81.5%
Guilty pleas	29	29	47	50	155
% Guilty pleas	35.8%	30.2%	31.3%	41.0%	34.5%
Convictions after trial	42	42	76	51	211
% Convictions after trial	51.9%	43.8%	50.7%	41.8%	47.0%
Proved in absence	0	0	0	0	0
% Proved in absence	0.0%	0.0%	0.0%	0.0%	0.0%
Non-convictions	10	25	27	21	83
% Non-convictions	12.3%	26.0%	18.0%	17.2%	18.5%
Prosecutions dropped	4	7	7	3	21
% Prosecutions dropped	4.9%	7.3%	4.7%	2.5%	4.7%
Acquitted/dismissed after or during trial	6	17	20	18	61
% Acquitted/dismissed after or during trial	7.4%	17.7%	13.3%	14.8%	13.6%
Administratively finalised	0	1	0	0	1
% Administratively finalised	0.0%	1.0%	0.0%	0.0%	0.2%
Discharged	0	0	0	0	0
% Discharged	0.0%	0.0%	0.0%	0.0%	0.0%

Of the 366 defendants convicted, 211 defendants were convicted after trial, and 155 entered a Guilty Plea. The figure for conviction after trial represents 47% of the total prosecutions, and the figure for Guilty Pleas represents 34.5% of the total prosecutions.

Of the non-conviction outcomes, 61 defendants were acquitted or dismissed after or during trial, representing 13.6% of the total prosecutions. The charges were dropped against 21 defendants (4.7% of total prosecutions).

Prosecution Outcomes

By CPS Area Q1 24-25 to Q4 24-25

Area	Total prosecutions	Convictions	% Convictions	Non-Convictions	% Non-Convictions	Average (mean) days from decision to charge to finalisation
TOTAL	449	366	81.5%	83	18.5%	487.66
Central Casework Divisions	6	4	66.7%	2	33.3%	1471.00
Cymru Wales	8	4	50.0%	4	50.0%	263.38
East Midlands	39	36	92.3%	3	7.7%	288.36
East of England	9	9	100.0%	0	0.0%	282.89
London North	114	88	77.2%	26	22.8%	656.73
London South	10	7	70.0%	3	30.0%	420.40
Merseyside & Cheshire	13	9	69.2%	4	30.8%	268.54
North East	26	23	88.5%	3	11.5%	276.12
North West	73	56	76.7%	17	23.3%	516.23
South East	13	12	92.3%	1	7.7%	571.62
South West	10	9	90.0%	1	10.0%	247.50
Thames and Chiltern	20	15	75.0%	5	25.0%	515.84
Wessex	15	13	86.7%	2	13.3%	342.50
West Midlands	59	49	83.1%	10	16.9%	625.96
Yorkshire & Humberside	34	32	94.1%	2	5.9%	377.16

Of the Areas with the three highest numbers of prosecutions, London North prosecuted 114 defendants, with a conviction rate of 77.2%, the North West prosecuted 73, with a conviction rate of 76.7% and the West Midlands 59, with an 83.1% conviction rate.

The mean average number of days from decision to charge to finalisation for these three Areas ranged from 516.23 to 656.73.

The mean average number of days from charge to finalisation is 487.66. There is a wide range, from the lowest figure of 247.50 days in the South West (however with only 10 defendants prosecuted) to 1471.00 days for the Central Casework Divisions (“CCDs”) (with 6 defendants prosecuted). If the number for the CCDs is excluded (see below), the next highest is London North with an average of 656.73 days.

The figure for the CCDs is particularly high due to the impact of a single case. This case was particularly complex involving multiple defendants, which was delayed as a result of legal arguments, a time lag between sentence and finalisation due to one defendant having a linked trial on other offences, and two defendants being out of the jurisdiction.

Due to homicide / attempted homicide being indictable only offences, all Joint Enterprise homicide cases are heard in the Crown Court. The average number of days from charge to finalisation will also be affected by the length of the current Crown Court backlogs in the relevant Areas. For comparison, the overall number of mean average days in all Crown Court cases in the financial year 2024/25 was 394.74.

6.2 Manual Data

6.2.1 Number of cases and defendants

The manual data showed 168 cases which were finalised within the 24-25 financial year, with a total of 511 Defendants.

Note that for the purposes of the manual dataset, the results for the CPS Areas London North and London South have been combined into one result shown as 'London'. This applies to all the manual data presented below.

As set out in the CPS Data Process section, this is a small sample size when broken down by CPS Area, case feature, defendant characteristics, and other variables captured in the scheme. Given that one case will likely feature several defendants, single cases can have an impact on patterns in the data.

6.2.2 Number of cases and defendants by Area

Chart 1 – Number of defendants and cases by CPS Area

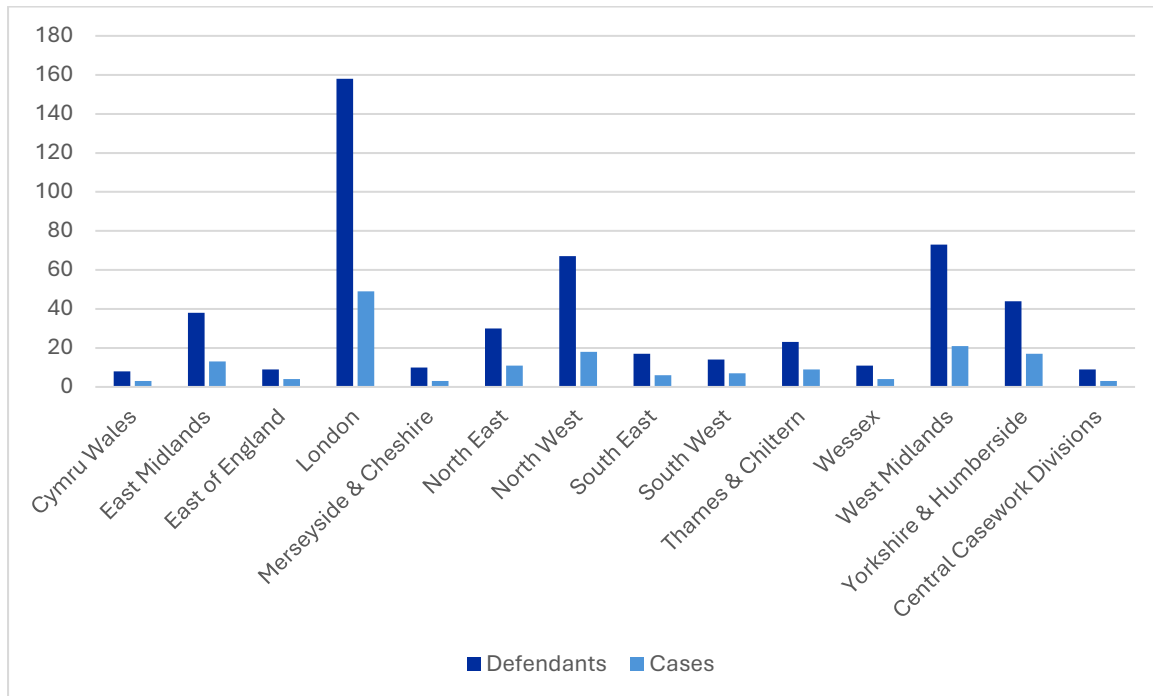


Table 1 – Number of defendants and cases by CPS Area

Area	Defendants	Cases
TOTAL	511	168
Central Casework Divisions	9	3
Cymru Wales	8	3
East Midlands	38	13
East of England	9	4
London	158	49
Merseyside & Cheshire	10	3
North East	30	11
North West	67	18
South East	17	6
South West	14	7
Thames & Chiltern	23	9
Wessex	11	4
West Midlands	73	21
Yorkshire & Humberside	44	17

As would be expected, the larger, more urban Areas have a higher number of cases. London had 49 cases and 158 defendants. The West Midlands and North West are next largest, with similar caseloads - 21 cases and 73 defendants, and 18 cases and 67 defendants respectively.

Of the remaining Areas, Cymru-Wales, and Mersey Cheshire have the smallest caseloads, with three (3) cases and eight (8) defendants, and three (3) cases and ten (10) defendants respectively, closely followed by East of England and Wessex with four (4) cases and nine (9) Defendants, and four (4) cases and 11 defendants respectively.

6.2.3 Number of defendants per case

Chart 2 – Total number of defendants per case

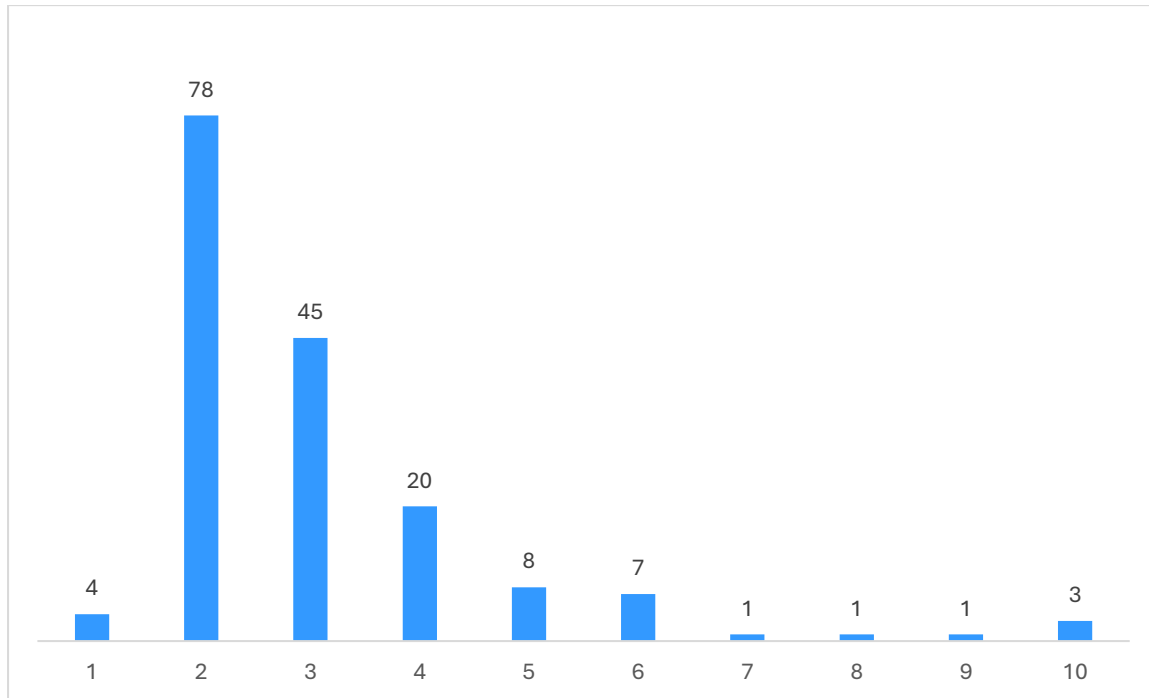


Table 2 – Total number of defendants per case

Number of Defendants	Number of Cases
1	4
2	78
3	45
4	20
5	8
6	7
7	1
8	1
9	1
10	3

The data shows that cases with fewer defendants are more prevalent in the sample. 75.60% of cases involve three (3) or fewer defendants. The most prevalent number is two (2) defendants (78 cases), followed by three (3) defendants (45 cases)

The average number of defendants per case (mean) nationally is 3.04, and the median number is three (3). The lowest number is one (1) defendant (4 cases) and the highest number is ten (10) defendants (3 cases).

Demographics

As with the system generated “flagged” data, given the small numbers at an Area level, the Area breakdowns, including percentages, should be treated with caution, particularly where they relate to a small number of cases and / or defendants, and where in some cases there may be missing data (e.g. as to self-defined ethnicity).

6.2.4 Age – overall

Chart 3 – Overall ages of defendants

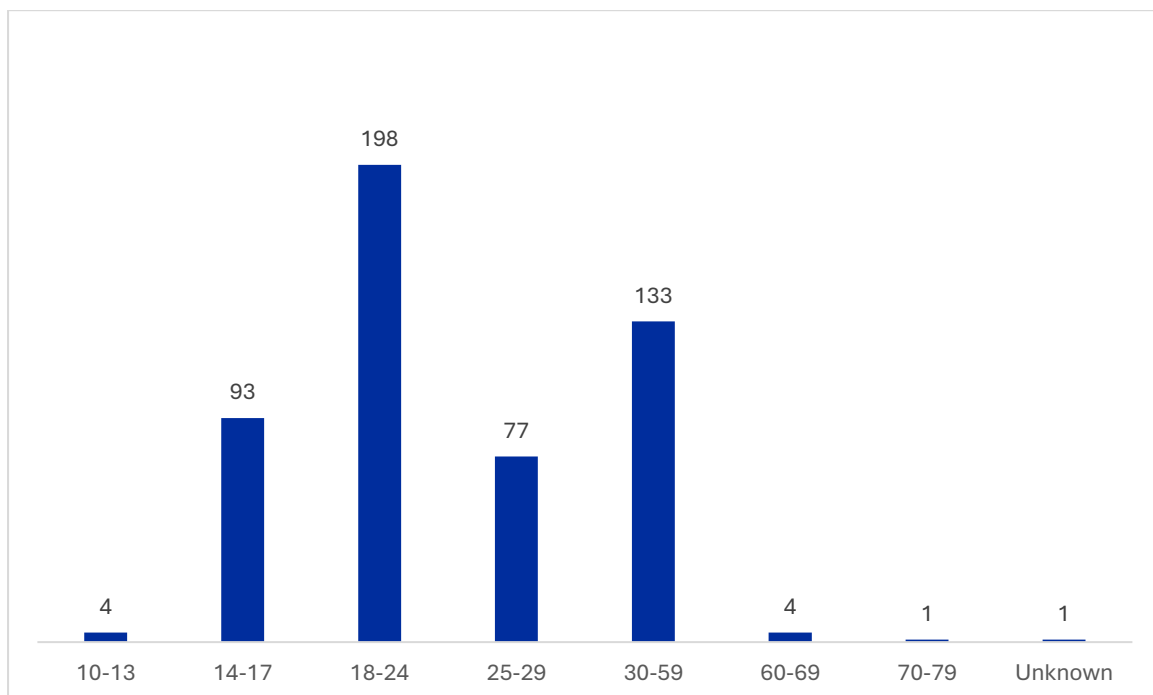


Table 3 – Overall ages of defendants

Age	Defendants	Percentage of total defendants
TOTAL	511	
10-13	4	0.8%
14-17	93	18.2%
18-24	198	38.7%
25-29	77	15.1%
30-59	133	26.0%
60-69	4	0.8%
70-79	1	0.2%
Unknown	1	0.2%

Note that the age band 25 – 59 used in the system generated dataset has been divided into two separate age bands (25 – 29 and 30 – 59) for the purposes of the manual dataset. This is to provide more granular data.

The highest number of defendants (198) fall into the 18-24 category, representing 38.7% of the total, followed by 133 defendants in the 30-59 age group (26.0%) and 93 in the 14-17 age range (18.2%).

19.0% of defendants were children (10-13 and 14-17), and 57.7% of defendants were under 25.

6.2.5 Age breakdown by Area

Chart 4 – Age breakdowns by Area

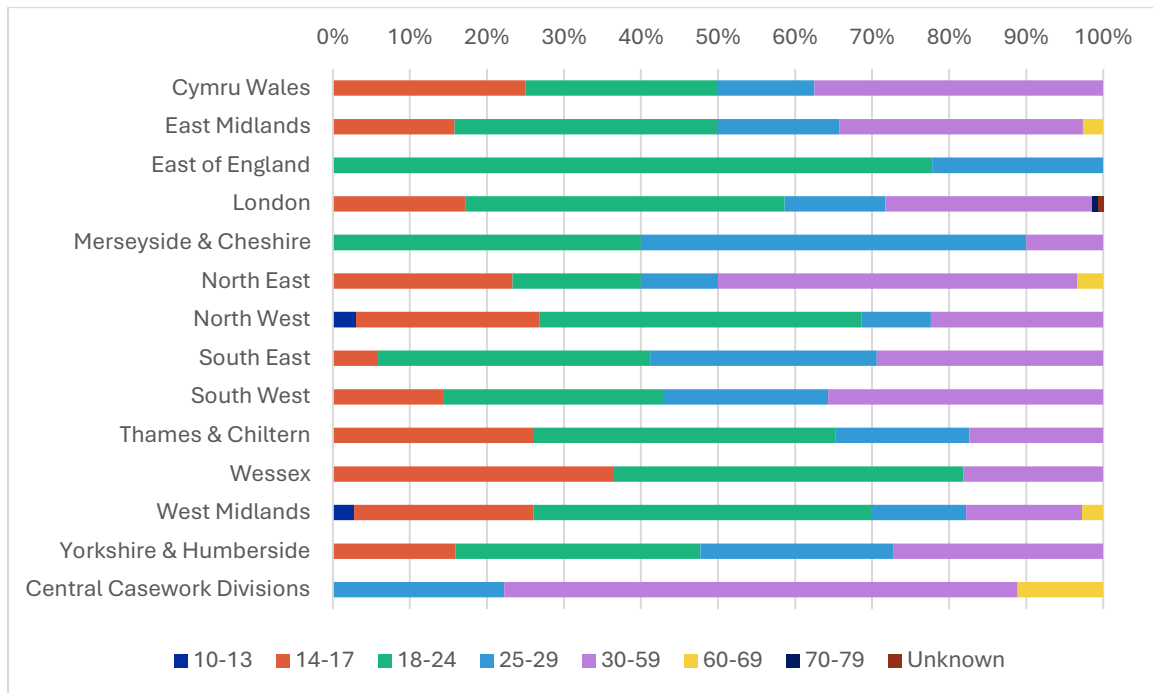


Table 4 – Percentage Age breakdowns by Area

Area	10-13	14-17	18-24	25-29	30-59	60-69	70-79	Unknown
TOTAL	0.8%	18.2%	38.7%	15.1%	26.0%	0.8%	0.2%	0.2%
Central Casework Divisions	0.0%	0.0%	0.0%	22.2%	66.7%	11.1%	0.0%	0.0%
Cymru Wales	0.0%	25.0%	25.0%	12.5%	37.5%	0.0%	0.0%	0.0%
East Midlands	0.0%	15.8%	34.2%	15.8%	31.6%	2.6%	0.0%	0.0%
East of England	0.0%	0.0%	77.8%	22.2%	0.0%	0.0%	0.0%	0.0%
London	0.0%	17.2%	41.4%	13.1%	26.9%	0.0%	0.7%	0.7%
Merseyside & Cheshire	0.0%	0.0%	40.0%	50.0%	10.0%	0.0%	0.0%	0.0%
North East	0.0%	23.3%	16.7%	10.0%	46.7%	3.3%	0.0%	0.0%
North West	3.0%	23.9%	41.8%	9.0%	22.4%	0.0%	0.0%	0.0%
South East	0.0%	5.9%	35.3%	29.4%	29.4%	0.0%	0.0%	0.0%
South West	0.0%	14.3%	28.6%	21.4%	35.7%	0.0%	0.0%	0.0%
Thames & Chiltern	0.0%	26.1%	39.1%	17.4%	17.4%	0.0%	0.0%	0.0%
Wessex	0.0%	36.4%	45.5%	0.0%	18.2%	0.0%	0.0%	0.0%
West Midlands	2.7%	23.3%	43.8%	12.3%	15.1%	2.7%	0.0%	0.0%
Yorkshire & Humberside	0.0%	15.9%	31.8%	25.0%	27.3%	0.0%	0.0%	0.0%

Comparing the age categories of defendants across CPS Areas, there are some differences.

There are four Areas with more than 40 defendants: London (combined), North West, West Midlands, and Yorkshire and Humberside. Percentages in the 14-17 category in these Areas ranged from 15.9% and 17.2% in Yorkshire and Humberside and London respectively, to 23.9% and 23.3% in the North West and West Midlands. Two Areas (Mersey -Cheshire and the East of England), had no defendants falling into the 14-17 age range. However, these two Areas both had low numbers of cases overall.

In general, the highest number of defendants is in the 18-24 category. Of the four Areas with the most defendants, three Areas exceeded the overall average of 38.7% with London, North West and West Midlands averaging between 41.4% and 43.8% whilst Yorkshire and Humberside fell below the overall average with 31.8%

In the next highest group, (30-59), with an average of 26.0% of defendants falling into this category, of the four Areas with the overall highest number of defendants West Midlands had a lower percentage (15.1%), whilst the range for the other three Areas was 22.4% to 27.3%.

Note that CCDs are not included in the commentary as their cases could originate from any part of England and Wales.

6.2.6 CPS Prosecutions by Ethnicity

The ethnicity data below refers to self-defined ethnicity – see CPS Data Limitations in the Data Annex for further information.

Chart 5 – Overall self-defined ethnicity by defendant

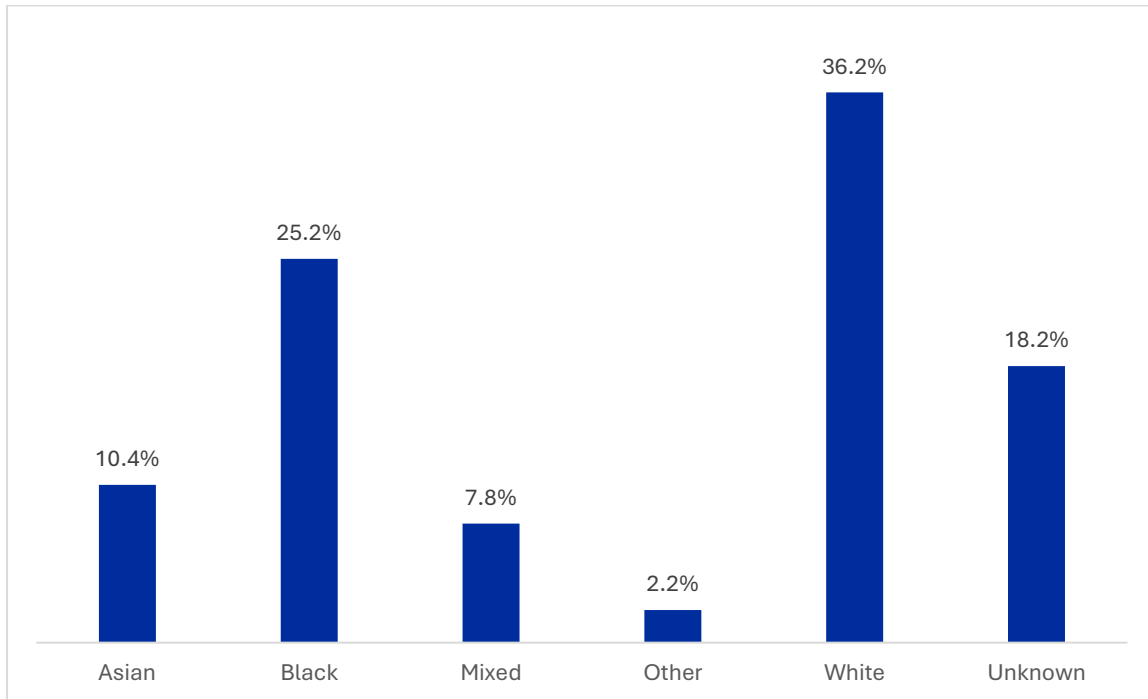


Table 5 – Overall self-defined ethnicity by defendant

Self-Defined Ethnicity	Defendants	Percentage of total defendants
TOTAL	511	
Asian	53	10.4%
Black	129	25.2%
Mixed	40	7.8%
Other	11	2.2%
White	185	36.2%
Unknown	93	18.2%

The largest category of ethnicity is 'White', with 36.2% of defendants falling into this category. 'Black' is the next largest at 25.2% and 'Asian' at 10.4%.

However, ethnicity was unknown for 18.2% of defendants. The ‘unknown’ category combines the ‘Not Stated’ and ‘Not Provided’ categories from the system generated data. In general, the CPS receives information relating to defendant characteristics from the police. Where this information is missing for cases included in the Joint Enterprise Monitoring Scheme, it has been possible to obtain missing data for defendant ethnicity in some, but not all, cases.

6.2.7 Ethnicity – Area breakdown

Chart 6 – Self-Defined ethnicity by Area

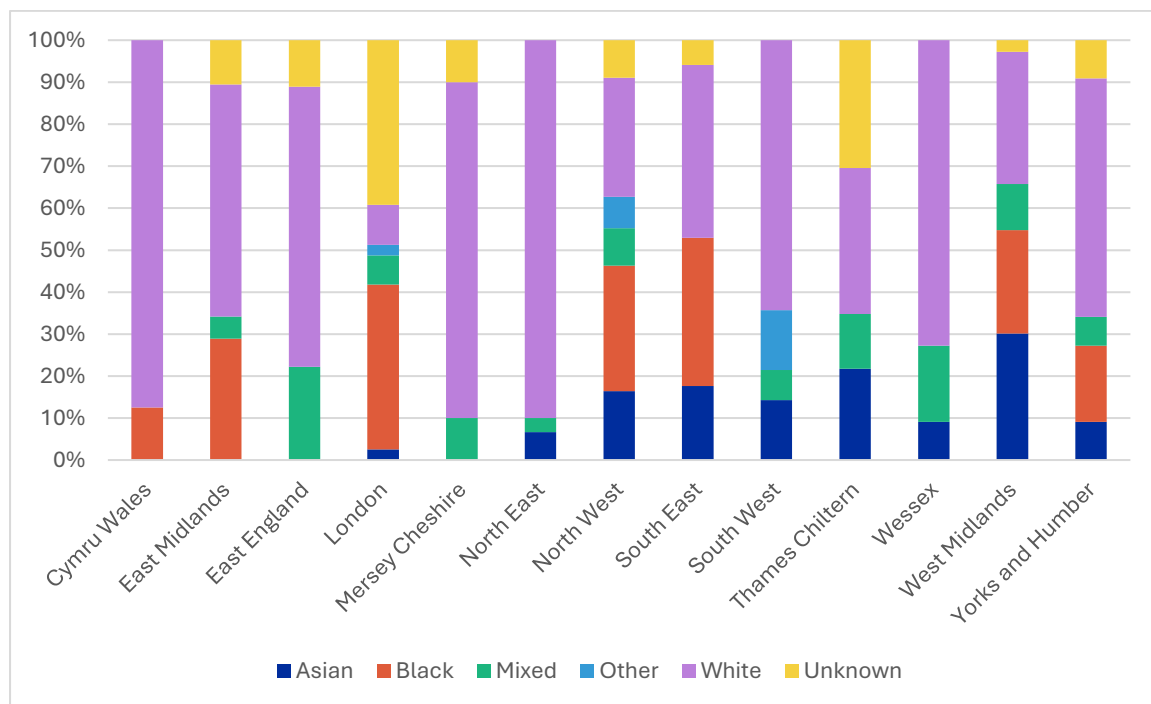


Table 6 – Percentage Self-Defined ethnicity by Area

Area	Asian	Black	Mixed	Other	White	Unknown
TOTAL	10.4%	25.2%	7.8%	2.2%	36.2%	18.2%
Central Casework Divisions	0.0%	11.1%	0.0%	0.0%	22.2%	66.7%
Cymru Wales	0.0%	12.5%	0.0%	0.0%	87.5%	0.0%
East Midlands	0.0%	28.9%	5.3%	0.0%	55.3%	10.5%
East of England	0.0%	0.0%	22.2%	0.0%	66.7%	11.1%
London	2.5%	39.2%	7.0%	2.5%	9.5%	39.2%
Merseyside & Cheshire	0.0%	0.0%	10.0%	0.0%	80.0%	10.0%
North East	6.7%	0.0%	3.3%	0.0%	90.0%	0.0%
North West	16.4%	29.9%	9.0%	7.5%	28.4%	9.0%
South East	17.6%	35.3%	0.0%	0.0%	41.2%	5.9%
South West	14.3%	0.0%	7.1%	14.3%	64.3%	0.0%
Thames & Chiltern	21.7%	0.0%	13.0%	0.0%	34.8%	30.4%
Wessex	9.1%	0.0%	18.2%	0.0%	72.7%	0.0%
West Midlands	30.1%	24.7%	11.0%	0.0%	31.5%	2.7%
Yorkshire & Humberside	9.1%	18.2%	6.8%	0.0%	56.8%	9.1%

The breakdown of defendants by ethnic background varies considerably across CPS Areas.

The Area with the highest percentage of ‘White’ defendants is the North East with 90.0% (of a total 30 defendants) compared to the national average of 36.2%. The Area with the next highest percentage is Cymru-Wales, the Area with the smallest number of defendants overall (8), where 87.5% of defendants have a ‘White’ background.

In comparison in London, with the largest total number of defendants (158), only 9.5% of defendants are ‘White’.

London has the highest percentage of defendants in the ‘Black’ category – with 39.2% , compared to the national average of 25.2% Of the other three Areas with the highest overall number of defendants, the percentage of defendants in the ‘Black’ category ranges from 18.2% in Yorkshire and Humberside, 24.7%in the West Midlands to 29.9% in the North West.

The ‘Asian’ category represents 10.4% of the total, with the highest figures in the West Midlands (30.1%) and Thames and Chiltern (21.7%).

Of the 'Unknown' category (18.2% in total), the only two Areas with figures exceeding the average were London (39.2% of the total) and Thames and Chiltern (30.4%).

6.2.8 Age and Ethnicity

Chart 7 – Age band and self-defined ethnicity of defendants

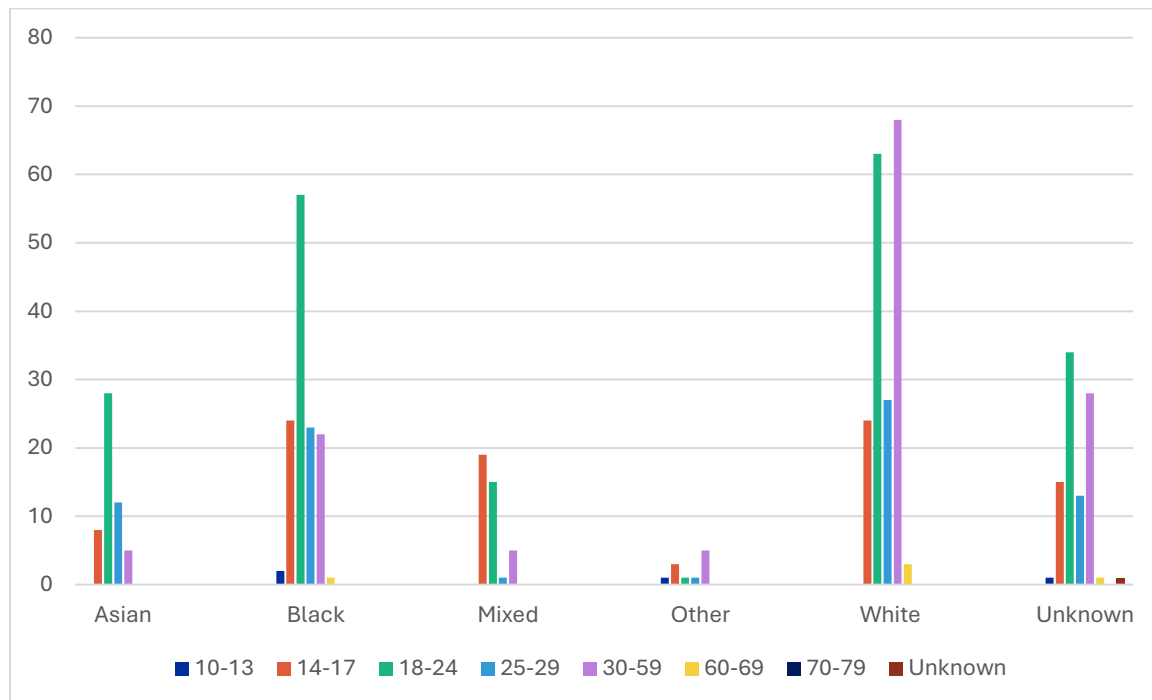


Table 7 - Age band and self-defined ethnicity of defendants

	Asian	Black	Mixed	Other	White	Unknown
TOTAL	53	129	40	11	185	93
10-13	0	2	0	1	0	1
14-17	8	24	19	3	24	15
18-24	28	57	15	1	63	34
25-29	12	23	1	1	27	13
30-59	5	22	5	5	68	28
60-69	0	1	0	0	3	1
70-79	0	0	0	0	0	0
Unknown	0	0	0	0	0	1

When age and ethnicity are taken together, black defendants were more frequently aged 18-24, while white defendants were more frequently in both the 18-24 and 30-59 age groups.

The ethnicity split within the 14-17 category is roughly similar by numbers of defendants between 'Black' (24 defendants), 'Mixed' (19 defendants) and White (24 defendants).

6.2.9 Ethnicity – Completed prosecutions / population – overall

Chart 8 – Self-Defined defendant ethnicity v population

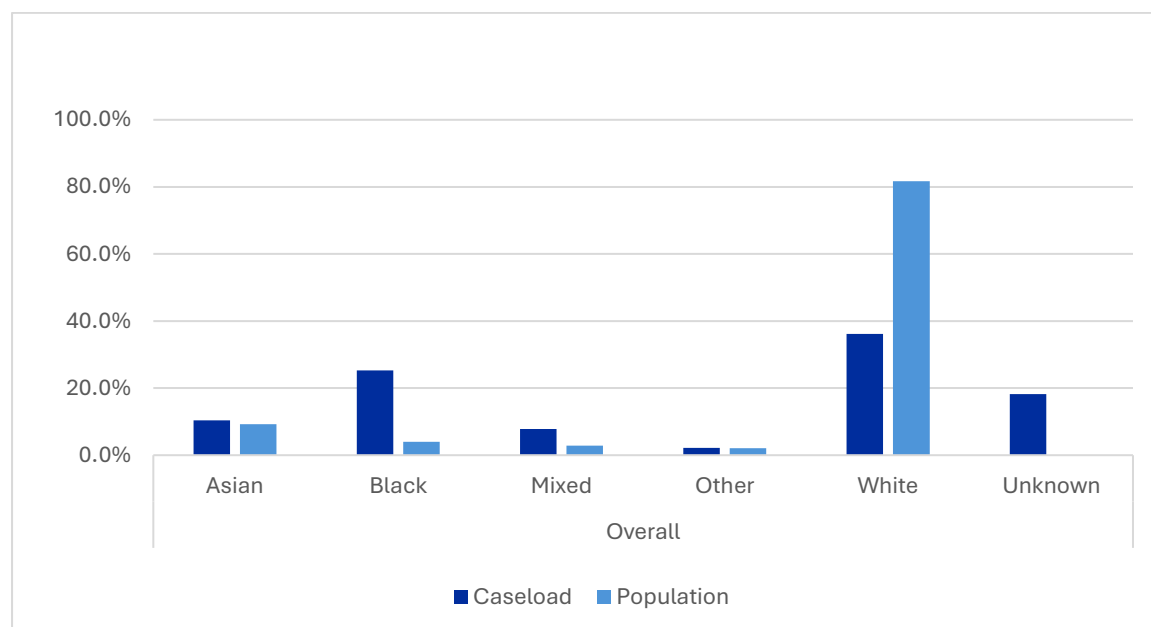


Table 8 - Self-Defined defendant ethnicity v population

	Caseload	Population
Asian	10.4%	9.3%
Black	25.2%	4.0%
Mixed	7.8%	2.9%
Other	2.2%	2.1%
White	36.2%	81.7%
Unknown	18.2%	0.0%

Source: Population, Office for National Statistics - Census 2021

The ethnicity of the defendants subject to a completed prosecution can be compared with that of the overall population for England and Wales. Note that the ethnicity population data is based on the ONS/census data (2021).

For 'Asian', 'Black', 'Mixed' and 'Other', the proportion in the CPS caseload exceeds that of the overall population, although the extent of the excess varies.

The proportion of black defendants in the CPS caseload exceeds the population considerably (25.2% of the CPS caseload, compared with 4.0% of the population).

The percentage of defendants in the Mixed category is 7.8%, compared with 2.9% of the population as a whole.

6.2.10 Ethnicity –Completed prosecutions / population – Area breakdown

Table 9 – Self-Defined defendant ethnicity v population by CPS Area

Area		Asian	Black	Mixed	Other	White	Unknown
TOTAL	Caseload	10.4%	25.2%	7.8%	2.2%	36.2%	18.2%
	Population	9.3%	4.0%	2.9%	2.1%	81.7%	0.0%
Cymru Wales	Caseload	0.0%	12.5%	0.0%	0.0%	87.5%	0.0%
	Population	2.9%	0.9%	1.6%	0.9%	93.8%	0.0%
East Midlands	Caseload	0.0%	28.9%	5.3%	0.0%	55.3%	10.5%
	Population	7.9%	2.6%	2.4%	1.3%	85.9%	0.0%
East England	Caseload	0.0%	0.0%	22.2%	0.0%	66.7%	11.1%
	Population	4.2%	2.3%	2.4%	1.1%	90.1%	0.0%
London	Caseload	2.5%	39.2%	7.0%	2.5%	9.5%	39.2%
	Population	20.7%	13.5%	5.8%	6.3%	53.8%	0.0%
Mersey Cheshire	Caseload	0.0%	0.0%	10.0%	0.0%	80.0%	10.0%
	Population	2.8%	1.1%	1.9%	1.2%	93.0%	0.0%
North East	Caseload	6.7%	0.0%	3.3%	0.0%	90.0%	0.0%
	Population	3.7%	1.0%	1.3%	1.0%	93.0%	0.0%
North West	Caseload	16.4%	29.9%	9.0%	7.5%	28.4%	9.0%
	Population	11.3%	3.0%	2.4%	1.6%	81.7%	0.0%
South East	Caseload	17.6%	35.3%	0.0%	0.0%	41.2%	5.9%
	Population	5.1%	2.1%	2.8%	1.4%	88.7%	0.0%
South West	Caseload	14.3%	0.0%	7.1%	14.3%	64.3%	0.0%
	Population	2.5%	1.3%	2.0%	0.8%	93.5%	0.0%
Thames Chiltern	Caseload	21.7%	0.0%	13.0%	0.0%	34.8%	30.4%
	Population	12.1%	4.0%	3.6%	2.0%	78.3%	0.0%
Wessex	Caseload	9.1%	0.0%	18.2%	0.0%	72.7%	0.0%
	Population	4.3%	1.3%	2.1%	1.0%	91.3%	0.0%
West Midlands	Caseload	30.1%	24.7%	11.0%	0.0%	31.5%	2.7%
	Population	13.4%	4.5%	3.0%	2.1%	77.1%	0.0%
Yorks and Humber	Caseload	9.1%	18.2%	6.8%	0.0%	56.8%	9.1%
	Population	9.1%	2.2%	2.2%	1.5%	85.1%	0.0%

Source: Population, Office for National Statistics - Census 2021

At an Area level (where the comparison is with the local population), black defendants are overrepresented in seven (7) CPS Areas (Cymru Wales, East Midlands, London, North West, South East, West Midlands and Yorkshire and Humberside), although note the small numbers of defendants in some of these Areas. Similarly, Asian defendants are overrepresented in eight (8) CPS Areas (North East, North West, South East, South West, Thames and Chiltern, Wessex, West Midlands, and Yorkshire and Humberside).

Role of the defendant – overall, principal or secondary

6.2.11 Average number of defendants by Area – principal and secondary

Chart 9 – Mean average number of defendants by Area – overall, principal and secondary

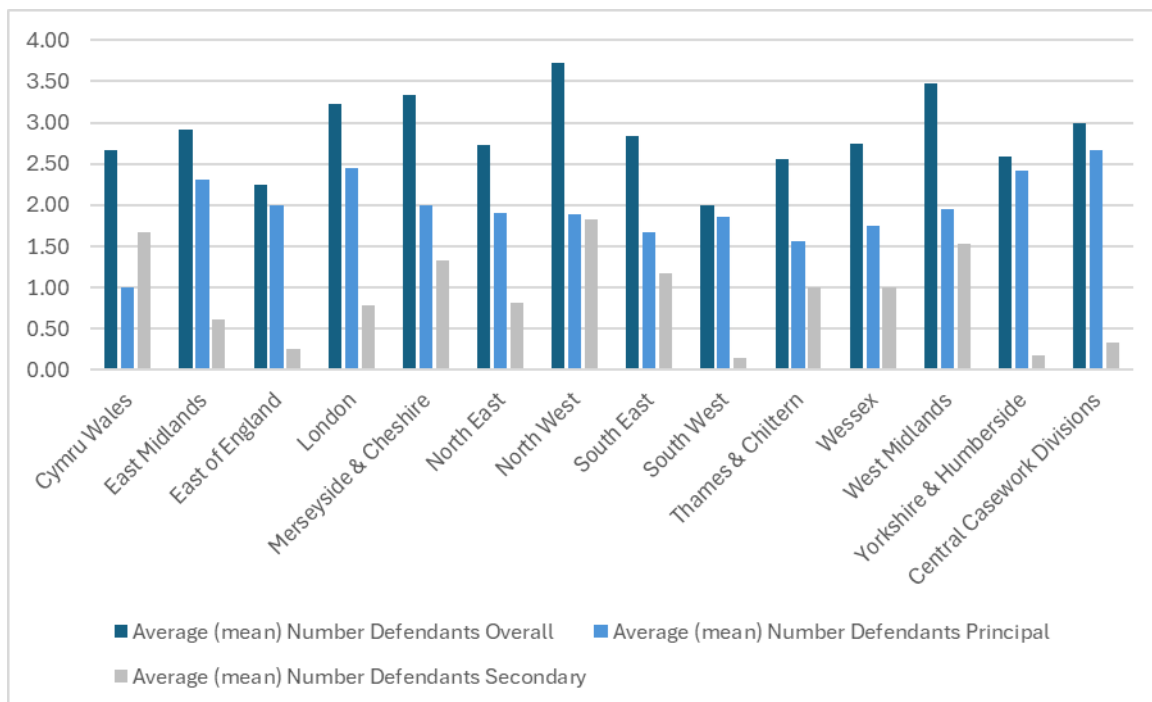


Table 10 – Mean average number of defendants by Area – overall, principal and secondary

Area	Average Number Defendants Overall	Average Number Principal Defendants	Average Number Secondary Defendants
TOTAL	3.04	2.12	0.92
Central Casework Divisions	3.00	2.67	0.33
Cymru Wales	2.67	1.00	1.67
East Midlands	2.92	2.31	0.62
East of England	2.25	2.00	0.25
London	3.22	2.45	0.78
Merseyside & Cheshire	3.33	2.00	1.33
North East	2.73	1.91	0.82
North West	3.72	1.89	1.83
South East	2.83	1.67	1.17
South West	2.00	1.86	0.14
Thames & Chiltern	2.56	1.56	1.00
Wessex	2.75	1.75	1.00
West Midlands	3.48	1.95	1.52
Yorkshire & Humberside	2.59	2.41	0.18

The number of principal defendants (356) is considerably higher than secondary defendants (155). See Section 2. (Background) above for an explanation of the difference between a principal and a secondary defendant. Compared to the average number of defendants per case (mean) of 3.04, the average is 2.12 principals and 0.92 secondaries, with all Areas except Cymru-Wales having a higher proportion of principal rather than secondary defendants.

There is some Area variation, with the average number of defendants per case ranging from 2.00 in the South West to 3.72 in the North West.

The fact that the average number of principal defendants exceeds the average number of secondary defendants per case reflects the nature of the offending, whereby the ‘principal’ is considered to have committed the offence, and the ‘secondary’ has assisted the principal in the commission of the offence. In cases where there is a ‘group’ attack on a victim, depending on the circumstances and evidence, all defendants may be prosecuted as joint principals.

Data on the principal or secondary role of a defendant is not available from the monitoring flagged dataset. The data is obtained directly from Areas, from information gathered during the CMP meetings.

6.2.12 Sex – principal / secondary

Chart 10 – Sex of principal and secondary defendants

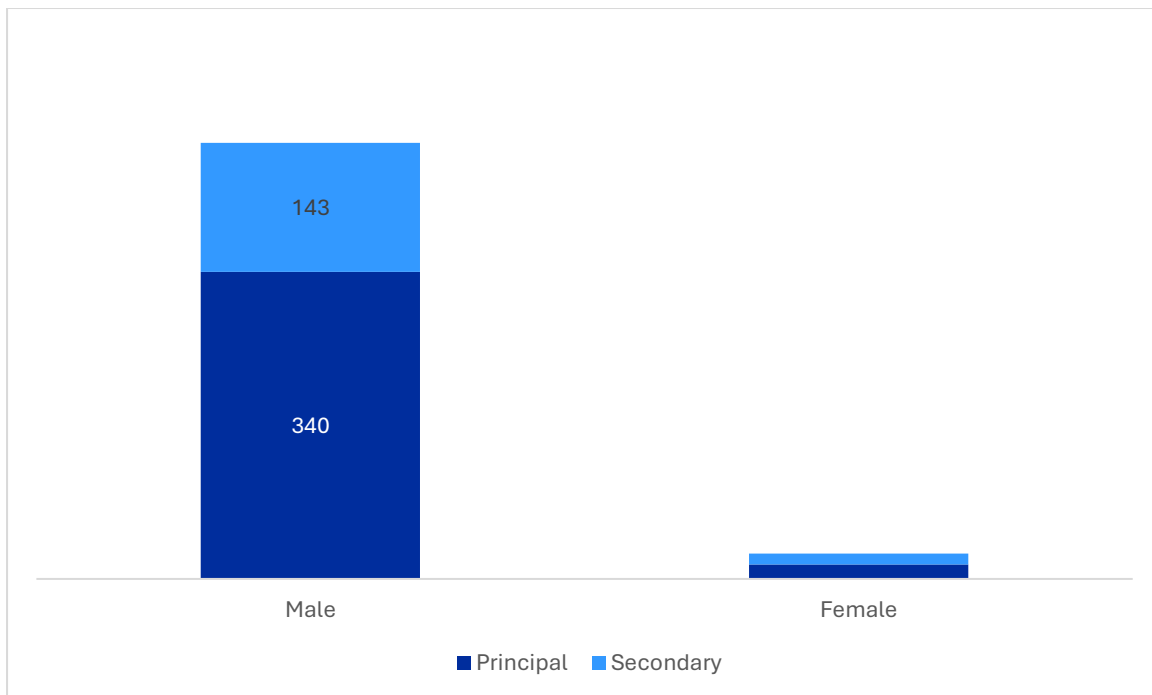


Table 11 – Sex of principal and secondary defendants

Sex	Principal	Secondary
TOTAL	356	155
Male	340	143
Female	16	12

94.5% of defendants are male (483). Of the 28 female defendants, slightly more were in the principal category than the secondary. A larger proportion of males fell into the principal category (70.4%) than the secondary.

6.2.13 Ethnicity – principal / secondary

Chart 11 – Self-Defined ethnicity of principal and secondary defendants

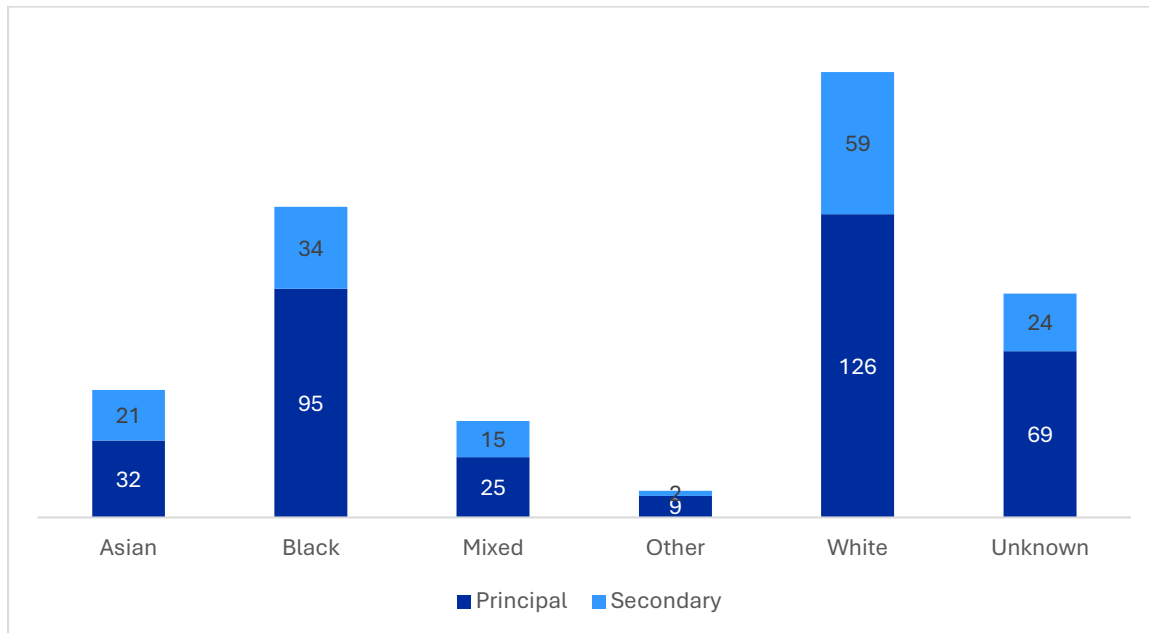


Table 12 – Self-Defined ethnicity of principal and secondary defendants

Self-Defined Ethnicity	Principal	Secondary
TOTAL	356	155
Asian	32	21
Black	95	34
Mixed	25	15
Other	9	2
White	126	59
Unknown	69	24

The ratio of principal: secondary defendants in the CPS caseload is broadly similar when considered by ethnicity and sex.

6.2.14 Cases prosecuted as “Gang”-related

Chart 12 – Number of cases prosecuted as “gang” related

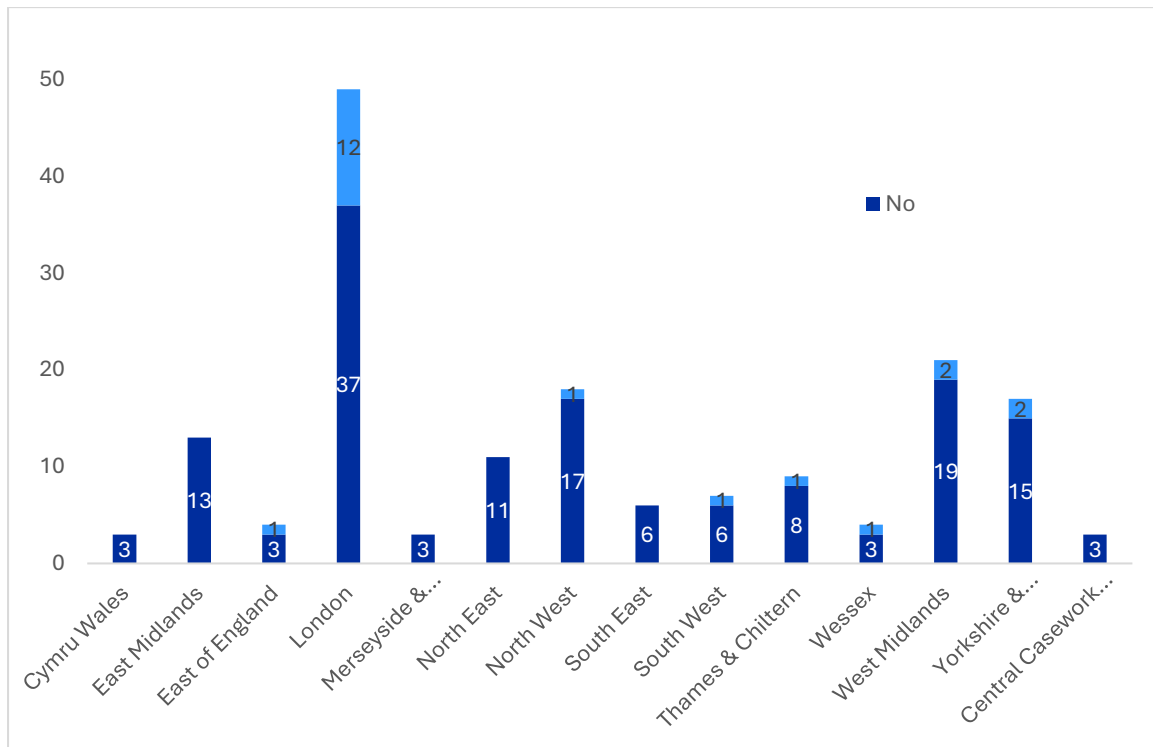


Table 13 – Number of cases prosecuted as “gang” related

Area	Yes	No
TOTAL	21	147
Central Casework Divisions	0	3
Cymru Wales	0	3
East Midlands	0	13
East of England	1	3
London	12	37
Merseyside & Cheshire	0	3
North East	0	11
North West	1	17
South East	0	6
South West	1	6
Thames & Chiltern	1	8
Wessex	1	3
West Midlands	2	19
Yorkshire & Humberside	2	15

Of the 168 cases, the prosecution sought to adduce evidence of alleged ‘gang’-related offending in 21 of them (12.5%). Over half of these were in London.

Data on whether a case was considered “gang-related” is not available from the system generated dataset. This data is obtained directly from Areas, from information gathered during the CMP meetings. As with other elements considered at the CMP meeting, the assessment as to whether there is a ‘gang’ element to the case or whether the prosecution should advance evidence of this in court may change during the life of a case.

Cases involving potential gang-related issues were discussed in a number of the Area LSIPs (see further below at Section 7). One scrutiny panel examined the differing use of

language to describe two similar cases (rival county-line groups), specifically in the police MG5 case summaries. The panel found it helpful to discuss the impact of the language used in forming a “picture” of the events.

In another panel there was a discussion around the use of the word “gang” with reference to the guidance in place within the CPS as to when it is appropriate to use it. In another panel the checks and balances that are in place around the use of the term were discussed. It was also noted that the definition of the word “gang” can vary amongst different agencies.

Alongside the monitoring scheme, the CPS headquarters team has been reviewing the national guidance on gang-related offending by meeting with stakeholders such as academics, community representatives and justice partners. That review has led to the conclusion that the CPS should publicly consult on questions which have arisen in relation to the guidance, including how a “gang” should be defined if a group is to be properly referred to as such in court proceedings.

6.2.15 Mental Health, including neurodiverse conditions

Table 14 – Number of defendants with a mental health issue

Mental health issue	Defendants	Percentage of total defendants
TOTAL	511	
Yes	25	4.9%
Unknown	486	95.1%

Mental health issues were reported for 25 defendants out of the total 511, representing 4.9%

Information on whether each individual defendant was deemed to have any mental health issues was gathered through a field on the CMP form asking “Mental Health issues identified”?

A decision was taken to focus on mental health, the CPS definition of which includes neurodiverse conditions for these purposes, rather than just physical disability or disability more broadly. The reason for this was because the quality of data flowing to CMS about whether or not a defendant has a disability is poor. It is more likely that mental health and neurodiverse conditions will be identified during a case and be relevant to the issues in the case such as a defendant’s behaviour, knowledge or intention.

Note that the legal team complete the CMP Form with the data available to them at the time of the meeting. Mental health issues affecting a defendant may come to light at a later date and would be kept under review throughout the life of a case. However, the updated information may not be available for the purposes of the monitoring scheme.

7. Local Scrutiny Involvement Panels

As part of the national monitoring scheme, CPS Areas are asked to convene a Local Scrutiny and Involvement Panel (LSIP) once per year to open two completed Joint Enterprise cases to external scrutiny by local community representatives, academics, and other experts.

Scrutiny panels play a vital role in ensuring that the CPS' approach to prosecuting crime takes into account the lived experience of families of the deceased, survivors, or defendants and those who support and advocate for them, bringing a critical eye to the quality of CPS casework decisions and approach to supporting victims. Panels are comprised of relevant local experts, including community representatives.

Criteria for case selection include:

- joint enterprise attempted homicide or attempted homicide cases with multiple defendants from ethnic minority backgrounds
- cases involving issues worthy of scrutiny and discussion by the panel, for example, where the role of secondary parties was contested, legal applications refused by a Judge, or there were mixed verdicts or acquittals
- cases involving gang narratives or drill music as evidence

This reflects the type of cases in which stakeholders have expressed particular interest. As can be seen from the data, the number of joint enterprise cases varies considerably across Areas. Some Areas therefore found it difficult to identify suitable cases. In future, some Areas may combine panels in order to have a larger pool of cases for discussion.

Panels have scrutinised a number of issues arising from joint enterprise homicide casework, such as contrasting factually similar cases with different outcomes;

considering cases with rival county line groups where drill music lyrics were involved; the presence of 'gang narratives' in casework, and whether this is relevant or justifiable; the role of youth specialists to examine background circumstances, including possible duress or exploitation; and the way in which our internal Case Management Panels operate and who sits on them.

Some examples of LSIP discussions:

- Presentation on half-time submissions of 'no case to answer' in two cases where the applications resulted in different outcomes. The Panel was asked to consider the court's decision after reviewing the prosecution and defence submissions.
- Case studies contrasting one case which featured CCTV evidence, one which did not. The Panel had discussions around the particular roles played by the defendants in each case.
- Discussion around two cases with similar features, with suspects from a number of different ethnicities, with a focus on contrasting the way the case summaries were written and the potential impact of the resulting narratives on the prosecution of the case.

Some early learning points have been identified, including practical tools to assist reviewing lawyers:

- One Area has developed a template to focus reviewing lawyers' minds on the elements of evidence establishing each individual's role in the alleged joint enterprise. This was used during the panel presentation of the case studies, and panel feedback was that it was a useful tool for reviewing these cases.
- The same Area is using 'lessons learned' from the cases scrutinised at panel meetings in the development of training packs for all Senior Crown Prosecutors handling homicide cases to assist with consistency when developing case strategies.

- Using analysis of cases which resulted in acquittals to better inform the timing of the Case Management Panels. For example, whether relevant issues could have been identified at any earlier stage in the case.
- A number of panels raised points for consideration around issues of specific relevance to children as defendants. These included the need to take a holistic view of a child defendant and their circumstances at the charging stage and as the case develops, and to understand the wider issues that can affect children in this type of casework, including, for example, duress and exploitation.

Panel members across the country have suggested future areas of focus such as:

- Cases where joint enterprise was considered but not charged
- Case openings by Counsel in court
- ‘Adultification’ in the context of disproportionality; [assuming a black child is more mature]
- Representation and lived experience, for example in relation to children and knife crime

8. Conclusion and next steps

During the period of 24/25 the CPS prosecuted 168 cases of homicide and attempted homicide brought on a joint enterprise basis.

It is notable that 19% of defendants were under 18, including four cases involving 10–13 year olds. It is also notable that 57.7% of defendants were under 25, with the highest number of defendants in the 18-24 category. The criminal justice system treats children differently from adults and significant weight is attached to the age of the suspect. The [CPS guidance on children as suspects or defendants](#) is clear that the CPS adopts a ‘child first’ approach, the primary focus of which is prevention, diversion, and a clear commitment to developing interventions to avoid unnecessary prosecutions and criminalisation of children. However, given the seriousness of the offences of homicide and attempted homicide, should the Full Code Test set out in the Code for Crown Prosecutors be met, prosecution is highly likely.

These crimes are a tragedy for the families of victims, and given the severe consequences for defendants, their lives will be forever altered by their role in a joint enterprise homicide. The CPS fully supports local and national Government initiatives which aim to reduce serious violence and homicide, particularly where the defendants and/or victims are children.

The data also shows that there are a small number of cases which are ‘gang’ related. Local case management panels observed that the definition or meaning of the word ‘gang’ can vary amongst different agencies. It was also recognised that use of the term ‘gang’ to describe a group of black children, in the absence of any evidence to suggest that they are involved in a ‘gang’, invokes a racial stereotype which may be racially discriminatory. This was noted as a particular issue in the context of joint enterprise homicide, where misconceptions around ‘gang’ association may lead to assumptions regarding the involvement and motivation of an individual implicated in a group-based

offence. The CPS has reviewed its guidance on ‘gang’-related offending alongside the monitoring scheme and will now publicly consult on this guidance to give clarity to practitioners on these issues.

Further, the CPS also notes that its caseload for joint enterprise homicide continues to feature an over-representation of black and Asian defendants, in comparison with the local population. This was also noted when the CPS piloted the collection of data for joint enterprise homicide and attempted homicide cases.

The CPS will continue to implement its [Disproportionality Action Plan](#), of which the Joint Enterprise Monitoring Scheme is a part, to improve its understanding of the drivers of disproportionality. We will continue our work to assure ourselves that we eliminate bias in decision-making.

We also recognise the importance of ensuring that learning from LSIPs is shared more widely across the CPS and with partners across the criminal justice system to improve casework quality and increase transparency of our decision making. We will review our national guidance to help local Areas make the best use of these forums – with a particular focus on enabling LSIPs to consider the evidence establishing each individual’s role in the alleged joint enterprise.

The CPS will continue to implement its Joint Enterprise Monitoring Scheme. Learning from the first year of the Scheme will support further improvements in the way in which data is collected and collated to provide the most detailed possible picture of these prosecutions.

Data Annex and CPS Data Limitations

This report includes a summary of statistics from the two datasets (System generated and Manual), with explanatory text. No inferential analysis has been carried out in relation to the data contained in the report.

[Annex A is an Excel file containing system generated data.](#)

[Annex B is an Excel file containing manual data.](#)

Understanding CPS data

In these data, a suspect or defendant represents one person (or on occasion ‘one company’) in a single set of proceedings, which may involve one or more charges. A set of proceedings usually relates to an incident or series of related incidents that are the subject of a police file. If a set of proceedings relates to more than one person, then each is counted as a suspect/defendant. In these proceedings the CPS refer to these as ‘multi-handed’ cases. Sometimes one person is involved in several sets of proceedings during the same year: if so, he or she is counted as a suspect/defendant on each occasion.

The casework data in these reports, comprise suspects and defendants dealt with by the 14 CPS Areas and the specialised casework handled by the Central Casework Divisions.

The data that forms the basis of this data release is derived from the CPS Case Management System (CMS) and its associated Management Information System (MIS). The data is held within a database within the MIS, based on suspects/defendants. Data has been broken down by overall volumes and proportions.

Monitoring flags

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.

CPS data are dependent upon lawyers and administrative staff identifying and correctly applying the monitoring 'flags' or case-markers to applicable cases that are recorded on the CPS' electronic Case Management System (CMS).

Monitoring flags are applied at case level. The flag may apply to only one suspect/defendant (in cases where a number of suspects/defendants are considered together) and equally may apply to only one offence a suspect/defendant is charged with (if a suspect/defendant is charged with more than one offence). It is not possible, other than by manually examining CPS case files, to say whether the flag applies to either one or more suspects/defendants or whether it applies to one or more offences.

The data that is produced through the application of the flag is primarily used for monitoring performance on all cases that involve allegations or charges where these categories of criminal offending apply. CPS data is accurate only to the extent that the flags have been correctly applied. Also note that:

- A flag is usually applied at the onset of any case referred by the police to the CPS and remains in place even if the charge is not proceeded with, is amended, or dropped.
- A flag may be applied at a later point which differs from that originally identified by the police.
- Although charges specifically related to a flag may be considered at the time of the pre-charge decision, the defendant may in fact be charged with another

offence. Similarly, there may be cases where a person is convicted of a lesser offence than that with which they were proceeded against.

- On flagging, we regularly publish management information to aid transparency and accountability, making clear any limitations. The way we measure our data allows us to track and monitor trends, including decisions to take no further action, to properly scrutinise how we're approaching monitored cases and highlight areas for improvement.

A flag remains in place, even if a decision is taken to charge an alternate offence or where a charge is subsequently amended, to ensure we are properly applying our policies. The flag allows us to track and monitor trends, around decision to take no further action and review all monitored cases to understand how they progress and identify potential learnings.

Joint Enterprise Homicide

From April 2024, all homicide and attempted homicide cases brought on a joint enterprise basis should have the Joint Enterprise monitoring flag applied to them on CMS.

The flag should also be applied to pre-charge cases where the police are seeking advice or a charging decision on an allegation of joint enterprise homicide or attempted homicide.

For these purposes homicide and attempted homicide has the same meaning as the CMS Principal Offence Category 'Homicide', which includes offences of murder, attempted murder, manslaughter, causing or allowing the death of a child or vulnerable adult, child destruction, driving offences causing a death, and inchoate versions of all these offences.

In line with all CPS monitoring flags, the flag should be applied at the onset of any joint enterprise (or secondary liability) homicide or attempted homicide case referred by the police to the CPS. The flag will remain in place even if the charge(s) are not proceeded with, are amended, or dropped. If a case is referred by the police for other charges but at a later date charges of joint enterprise homicide/attempted homicide are preferred, the flag is applied at that point.

Pre-charge decision data

Timeliness to charge

The timeliness of the decision to charge includes both CPS time and Police time and is a calculation of the number of calendar days that have elapsed since the first submission of a case was sought by the police, to the date in which the last decision was made to charge.

The data includes cases where the police have submitted a file for early advice as well as those for charging decision. The data includes cases where the police were required to submit further evidence prior to a decision to charge. This generally includes more than one submission and more investigation.

The publication has now been expanded to include a breakdown of timeliness where early advice has been sought and given and additionally where the referral was for a charging decision from the outset. Cases submitted for early advice are sent to the CPS during the investigative process and are therefore likely to record a higher number of average days to reach the point where the file is complete enough for a charging decision to be considered.

The timeliness of a charging decision is determined by three key factors: whether the case has been sent to the CPS for early advice during the investigative process, how

quickly the police can complete the necessary enquiries; and how quickly the CPS can then review the evidence provided by the police and finalise the charging decision.

Timeliness to charge (mean average)

Mean Average: The mean is the number you get by dividing the sum of a set of values by the number of values in the set. The 'mean average days from referral to charge' is calculated by dividing the sum of the number of calendar days by the number of suspects with a charge decision.

The number of calendar days being the days that have elapsed between each suspect being referred (for a charging decision or early advice) and the date each decision to charge was made.

Timeliness to charge (median)

Median Average: the median is the middle number in a set of values when those values are arranged from smallest to largest. The 'median average days from referral to charge' is calculated by arranging the suspects by their number of calendar days in order from smallest to largest and then identifying the middle number.

The number of calendar days being the days that have elapsed between each suspect being referred (for a charging decision or early advice) and the date each decision to charge was made.

Percentage of consultations in 28 Days

This measure is the proportion of pre-charge consultations completed within 28 days of receipt of material. The consultation to which the measure applies may come from the first submission of the file, or the second or subsequent submission following an action plan.

Cases not included in the measure:

- Cases in which the suspect is in custody and the charging advice is urgent and have a target of 3 hours rather than 28 days. Only certain police forces (who are live on the charging model) identify these consultations.
- Consultations with a 'Pending Response – Further Investigation' outcome are excluded, because these are not legal reviews – they are a means to administratively finalise cases when (for example) there has been no update to an action plan after 3 months.
- Early Advice consultations are excluded, because they deal with early-stage investigative advice before a pre-charge decision is sought.
- Files rejected at triage which are sent back to the police and not submitted for a consultation.

Average consultations

A case referred to the CPS for a pre-charge decision may require more than one consultation before the charging decision can be made. Average consultations are derived for each suspect by dividing the number of completed consultations recorded on pre-charge cases by the number of suspects with completed charging decisions.

Pre-charge decisions

Of all the suspects referred by the police, pre-charge decisions are those where CPS has completed making a decision on whether to charge, take no further action, recommend an out of court disposal, administratively finalise or 'other.' The volume of pre-charge decisions, for each different crime type, completed by the CPS will be a total of those referred by the police (flagged by the police and CPS at registration) together with any flagged by CPS prosecutors and administrators later, but before the final pre-charge decision is completed. The total pre-charge decision data is based on the date

the charging advice was completed and provided to the police. Therefore, data in this data release may include pre-charge decisions on cases referred by the police to the CPS in previous quarters or years.

Pre-charge legal decisions are charge, take no further action or recommend an out of court disposal.

Charged:

Charging decisions are where CPS is satisfied that the legal test for prosecution, set out in the Code for Crown Prosecutors is met there is enough evidence to provide a 'realistic prospect of conviction' against each defendant and the prosecution is in the public interest.

No Further Action

NFA decisions are where CPS has decided that no further action should be taken; the case cannot proceed to charge as it does not meet the Code for Crown Prosecutor test, for either evidential or public interest reasons.

Out of court disposals

A simple caution, conditional caution, reprimand, final warning, or TIC (taken into consideration) recommended by the CPS at pre-charge stage.

Pre-charge non-legal decisions are pending response – further investigation finalised and 'other.'

Pending response – further investigation

Decisions recorded as Pending response – further investigation (formally known as Administrative Finalisations) are finalised in the CPS Case Management System for administrative reasons following any further requests of the investigating authority.

These are not legal decisions and may not be the end of the case.

The change in the term used is designed to allow better understanding by the public and provide a clearer explanation of what has happened to the case. This follows recommendations to change the terminology used by Her Majesty's Crown Prosecution Service Inspectorate and in the November 2020 shadow report: The Decriminalisation of Rape. A report by The Centre for Women's Justice, the End Violence against Women Coalition, et al. in response to the England and Wales Governments "end to end" Review of the Criminal Justice System's Response to Rape.

The reasons for recording a pending response – further investigation outcome include:

- Early advice provided case returned to the police – this reason is selected when early advice has been given to the police with an action plan and if no response is received within one month, the case will be finalised administratively as pending response - further investigation.
- Action plan or rejection sent, pending response – this reason is selected when three months have passed following charging advice where the police have been asked to provide further material or where a file submission has been rejected at triage because items are missing. The police have not responded to the action plan or rejection and provided the additional material to allow a legal consultation to take place.
- Police decision to take no further action – this reason is used where the case has been returned to the police, with or without a lawyer's advice and/or actions, and the police decide to take no further action on the allegation.
- Charge advised, pending response – this reason is used for cases where the CPS have advised the police to charge but the suspect has not been charged, due to the suspect not answering police bail or being located, will also be administratively finalised. If the suspect is subsequently located and charged the case is reopened in CMS.

- Other including death of suspect, administratively finalised – this reason is used on cases where the suspect has died, or the result of the charging decision is not known or has not been given for that suspect.

Following a records management review, the volume of cases that were finalised pending response – further investigation in Q2 23/24 increased by 50.4%

Prosecution outcomes data

CPS outcomes are recorded on a defendant basis. In some cases, a number of defendants may be prosecuted together. All defendants may be convicted; all may be acquitted; or some may be convicted, and others acquitted.

Conviction outcomes

Guilty pleas

The defendant pleads guilty. The data includes defendants who pleaded guilty to some charges and were either convicted or dismissed after trial of other charges.

Convictions after trial

The defendant pleads not guilty but is convicted by the magistrates or by a jury after evidence is heard.

Proofs in absence

These are mostly minor motoring matters which are heard by the court in the absence of the defendant.

Non-conviction outcomes

Acquittals/dismissals after trial

The defendant pleads not guilty and, following a trial, is acquitted by the jury or proceedings are dismissed by the magistrates.

Prosecutions dropped

Consideration of the evidence and of the public interest may lead the CPS to discontinue or drop proceedings at any time before the start of the trial. The figures include both cases discontinued in advance of the hearing, where the CPS offered no evidence and those withdrawn at court. Also included are cases in which the defendant was bound over to keep the peace.

Administratively finalised (post charge)

When the prosecution cannot proceed because the defendant has failed to appear at court and a Bench Warrant has been issued for his or her arrest; or the defendant has died; been found unfit to plead; or where proceedings are adjourned indefinitely. If the police trace a missing defendant, then proceedings can continue.

Discharged

Committal proceedings in which the defendant is discharged.

Reasons for non-convictions

All cases resulting in an outcome other than a conviction are allocated a reason explaining why the case failed. If more than one reason applies, the principal reason is selected. Cases resulting in a post charge administrative finalisation are allocated the reason 'Admin Finalised'; no other reason need be recorded. If the defendant pleads not guilty, evidence is heard and the defence is required to present its case; and the case then results in acquittal or dismissal, then the reason 'Acquittal after trial' is allocated; no other reason applies. A reason must be allocated for all other non-conviction outcomes i.e., discontinued, withdrawn, no evidence offered, no case to answer, prosecution stayed, indictment stayed, left on file, judge directed acquittal, discharged

committal.

Acquittals after trial: The defendant is found not guilty by the magistrates or jury after a contested hearing in which the defence is called on to present its case. (Cases dismissed no case to answer or judge directed acquittals are not included).

Post-charge administrative finalisation: When a prosecution cannot proceed because a defendant: has failed to appear at court and a Bench Warrant has been issued for his or her arrest; or the defendant has died or is found unfit to plead or where proceedings are adjourned indefinitely. If a Bench Warrant is executed the case may be reopened.

Victim/witness Reasons: This reason should be used when the evidence of the victim/witness supports the prosecution case, but one or all the following apply:

- the victim/witness does not attend, or
- refuses to be called, to give evidence, or
- withdraws/retracts a complaint, and
- includes victim/witnesses who have been intimidated but it is inappropriate to compel them to attend court.

and

If the evidence of the victim/witness fails to support the prosecution of the defendant including issues of credibility leading to a non-conviction outcome, but the victim/witness has not retracted.

Data shows two separate breakdowns, with each providing an overall victim/witness reasons figure, a victim reasons figure and a witness reasons figure.

The first breakdown shows the volume and proportion of all prosecutions, and the second breakdown shows the volume and proportion of non-convictions.

Disclosure reasons: These are reasons identifying where an issue with the disclosure of unused material occurred including timeliness or failure to provide material.

Evidential reasons: These include all other evidential reasons.

Public interest reasons: These include all other public interest reasons.

Other: This applies to cases where there is a CPS process failure, such as papers or evidence not being served and the court refuses to grant an adjournment, where a non-conviction outcome stems from either an issue of diplomatic immunity; or the deportation or extradition of the defendant or where no other reason applies.

Principal offence category data

The Principal Offence Category indicates the most serious offence with which the defendant is charged at the time the prosecution was finalised. Where the nature of the charges alters during the life of a case, the Principal Offence at the time of finalisation may be different than would have seemed appropriate at an earlier stage of proceedings. In all such cases the Principal Offence category to be recorded is that which applies at finalisation, regardless of whether this is more serious, or less serious, than would have applied earlier in the life of the case.

Offences are divided into twelve categories: homicide, offences against the person, sexual offences, burglary, robbery, theft & handling, fraud & forgery, criminal damage, drugs offences, public order, motoring, and all other offences excluding motoring.

Pre-charge principal offence category data

The pre-charge principal offence category indicates the most serious alleged offence being considered at the first consultation for that suspect irrespective of the outcome of

the charging decision. If a decision is made to charge a suspect, the pre-charge principal offence category should be allocated based on the most serious offence considered not the most serious offence which may be subsequently charged. In all such cases the principal offence category to be recorded is that which applied at the first consultation, regardless of whether this is more serious, or less serious, than would have applied later in the life of the case.

Offences are divided into twelve categories: homicide, offences against the person, sexual offences, burglary, robbery, theft & handling, fraud & forgery, criminal damage, drugs offences, public order, motoring, and all other offences excluding motoring.

Demographic data

The equality profiles of suspects, defendants and victims, by sex and age are reported in the quarterly data tables. Additionally, ethnicity is reported for suspects and defendants only. All information about the suspect / defendant is received by the CPS from the police or other investigating authority.

Sex: data on the sex of suspects, defendants and victims are held in the CPS Management Information System, however the records are not complete. The sex of the suspect/defendant is unknown in some cases and may not be recorded in others. Throughout our publication we refer to sex rather than gender, because the binary classification better reflects how individuals are generally reported or managed through the CJS. For example, prisons are either male or female institutions, with prisoners normally placed based on their legally recognised gender. However, given the range of recording practises throughout the CJS, it is likely that most recording includes a mixture of physiological and personal identity. Similarly, we refer to females/males and women/men in this publication, as a reflection of the binary classification in use.

Age: data on the age of suspects, defendants and victims are collated by the CPS with reference to a series of age bands calculated from the date of birth recorded by the police. This means that the age band suspects/defendants are allocated to represents their current age rather than their age at the time the offence was committed. Individual ages cannot be disaggregated from these bands. The age band information should not be viewed as a comprehensive record of suspects/defendants' ages.

Suspects/defendants with no date of birth recorded are allocated to a 'not provided' category.

Ethnicity: up to the end of January 2021, data on the ethnicity of suspects / defendants were collected by the CPS in accordance with the agreed Criminal Justice System definitions for the 16+1 self-defined ethnicity (SDE) categories. From February 2021, a change was implemented on the Case Management System to provide for the collection of suspect, defendant and victim ethnicity data in accordance with the agreed Criminal Justice System definitions for the 18+1 self-defined ethnicity (SDE) categories. Police forces are required to use the SDE 18+1 codes when spoken contact has taken place and an individual has been given an opportunity to state their self-perceived ethnicity. Suspects/defendants may not state their ethnicity, or it may not be recorded. Ethnicity data are provided by the police and are subject to varying levels of error and omission at local levels. We do not consider therefore that full reliance can be placed on this information.

Regional Data

Pre-charge regional data

The data reported in the police force area tables show the proceedings that originated in the stated Police Force. Cases referred to the CPS for a charging decision or early advice may not necessarily be completed in the geographical area covered by that Force or the corresponding CPS Area due to cross border transfer of cases and the referral of others to the Specialist Casework Teams.

Prosecution regional data

The data reported in the police force area tables show the proceedings that originated in the stated Police Force. Prosecution cases completed by the CPS may not necessarily be completed in the geographical area covered by that Force or the corresponding CPS Area due to cross border transfer of cases and the referral of others to the Specialist Casework Teams.

Data Caveats

Crown Prosecution Service (CPS) caseload data are derived from 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 which constitutes official statistics as defined in the Statistics and Registration Service Act 2007.

These data have been drawn from the CPS's administrative IT system, which, as with any large-scale recording system, is subject to errors with data entry and processing. The figures are provisional and subject to change as more information is recorded by the CPS. We are committed to improving the quality of our data and from mid-June 2015 introduced a new data assurance regime which may explain some unexpected variance in some future data sets.

The official statistics relating to crime and policing are maintained by the Home Office and the official statistics relating to sentencing, criminal court proceedings, offenders brought to justice, the courts and the judiciary are maintained by the Ministry of Justice.

Manual dataset

For this dataset, manually collected data has been provided by each CPS Area and has been extracted from the CPS case management system and case files meeting the national monitoring scheme criteria, which is then collated by a central team in CPS Headquarters. As with any large-scale recording system, the process is subject to possible errors with data entry, processing and the manual searches undertaken.

The numbers of prosecutions in this dataset are small in comparison to the overall CPS caseload. Where percentage figures have been given, the reader should treat with caution due to the sample size as in some instances a difference in one case or defendant can make a significant difference to the percentage figure. For example, when comparing by CPS Area, some Areas have a much smaller number of cases or defendants than others.

