



The CPS incorporates RCPO

Disclosure Ref: 2

Computer Misuse Act prosecutions

FREEDOM OF INFORMATION ACT 2000 REQUEST

In your request you ask to be provided with the following in respect of Computer Misuse Act in both the UK and London.

1. The number of complaints received.
2. Number of cases investigated or any related information available.

It might be helpful at this stage if I explain a little about the role of the CPS in the Criminal Justice System to help you understand this response. The CPS is responsible for the prosecution of criminal cases across England and Wales. This has two important implications on your request.

First that there is no data held by the CPS with respect to the UK as its authority is only existent in England and Wales.

Secondly that as a prosecuting authority the CPS undertakes criminal proceedings following the investigation of alleged crime by the Police. As such the CPS do not directly receive complaints with regards to the commission of offences. A member of the public will complain to the Police in the first instance and following their investigation they may then refer the matter to the CPS.

The CPS therefore does not hold the information that falls within scope of the specific detail of your request. I am however able to provide information on the number of times an offence that has been committed under the Computer Misuse Act 1990 has reached a first hearing in a magistrate's court across England and Wales.

It is important when you view the data provided that you understand it only provides a limited picture of the level of crime involving computer misuse. The figures listed only indicate that a trial commenced, they do not show as to whether alleged perpetrators of the offence were found guilty. Further to this in instances where the computer misuse forms part of an underlying offence, the CPS normally prosecutes for the underlying offence alone. Explaining this further, in an instance where the offence of blackmail was committed following the illegal acquiring of data from computers, the CPS would prosecute for blackmail alone.

On that basis please find attached the figures for the number of offences charged under the Computer Misuse Act 1990 for the CPS Nationally and the London Area over the past three

years. As you'll see from the spreadsheet the table also references which section of the act the hearing was undertaken under.

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