



Disclosure ref: 30 Sent: 2nd June 2020

Freedom of Information Act 2000 Request

To establish the amount of Abuse cases the CPS have called in other Government departments to assist in prosecution cases

Request (in bold and in italics) - responses appear below:

- 1. The main reason for the request is to establish how many cases of abuse your organisation has called in Government Departments and associated organisations such as OFSTED and ISI as witnesses in prosecution cases for abuse cases in the UK courts over the past 10 years for Independent Schools?***

The Crown Prosecution Service (CPS) has interpreted your question as referring to child sexual abuse occurring in a school environment. It should be noted that the CPS cannot disaggregate from our data cases where the abuse against a child or children took place in a school nor can we identify if witnesses were from Government Departments (OGDs) other than manually reviewing CPS case files.

As a guide of the work which would need to be undertaken, in the most recently available period year ending December 2019 the CPS completed prosecutions in respect of 4,354 case files flagged as child sexual abuse.

Section 12(1) of the FOI Act means public authorities are not obliged to comply with a request for information if it estimates the cost of complying would exceed the appropriate limit. [The appropriate limit for central government is set at £600.](#) This represents the estimated cost of one person spending 3.5 working days determining whether the department holds the information, and locating, retrieving and extracting the information.

We believe that the cost of manually reviewing 4,354 case files would exceed the appropriate limit. Consequently, we are not obliged to comply with your request.

If you are able to answer the below questions I would be grateful.

- 2. I would like to ask whether the CPS collate and keep a list of abuse incidents where staff have had to leave a school and for parents and others to access a list when checking schools suitability for their children's education?***



The CPS does not collate or keep a record of abuse incidents where staff have had to leave a school and for parents and others to access a list when checking schools suitability for their children's education. This is maintained and kept by the Department of Education. Please refer to them via the address below:

Freedom of information (FOI) requests

Department for Education (DFE)
Piccadilly Gate
Store Street
Manchester
M1 2WD
United Kingdom

- 3. I would also like to know how you categorise Independent school abuse cases. A number of agencies struggle to answer the question when asked about cases such as these, especially those that are categorised as 'Historic' or 'Non Recent'. How many years and or months have to pass for them to be listed as such when you articulate cases with the police and the courts?**

The CPS does not maintain separate category of independent abuse cases.

The legal guidance chapter on Non – Recent cases on the CPS website can be a further assistance. Please see the link below:

<https://www.cps.gov.uk/legal-guidance/non-recent-casesand-nominal-penalties>

- 4. It is still a mystery for many that abuse cases are regarded as Historic or non-recent!? I have never heard anyone talk about 'Non recent' or 'Historic' GBH, Murder, Fraud or Theft. Maybe the CPS has?**

This is not a valid request under the FOI Act. Please note that whilst the FOI Act allows the public to request information held by a public authority subject to any exemptions found in the Act, this must be information held by the public authority in recorded form. The authority is not obliged to create new information or find the answer to a question where the information is not already in recorded format. For guidance on how to structure a valid FOI request please refer to the ICO website on the link below:

http://ico.org.uk/for_the_public/official_information

We would therefore be grateful if you could clarify precisely what recorded information you seek for disclosure from the Crown Prosecution Service (CPS). We would then be happy to take forward your clarified request as a new request under the FOI Act.

- 5. Is there a level of seriousness of reporting where you as an agency prosecute the management of a School? Please see the latter part of this mail which raises a concern about legislation that doesn't seem to cover some reports and concerns that could easily fall through the net. My recent reporting of a Governor is on hold until the ISI do their next Inspection.**

In response to question five, please refer to the DFE via the address provided in our response to question two as they may be able to assist with your request.

6. Are you aware of any summing up information by judges that could be useful where safeguarding Governance and management advice has been given to Schools moving forward?

The CPS has interpreted this request to asking for legal advice. Please note that the role of the CPS is not to provide legal advice, therefore we are not obliged to provide a response to your question.

Under section 16 of the FOI Act we have an obligation to advise what, if any, information may assist you with your request; in reference to question one, you may find it helpful to see the CPS quarterly data on Violence Against Women and Girls (VAWG) Report publically available on the CPS website which include information on the number and outcome of child sexual abuse prosecutions within the past ten years (2009 to 2019). Please see links below:

<https://www.cps.gov.uk/violence-against-women-and-girls-data>

[Child sexual offences: completed prosecutions by outcome 2009-2019](#)

Information Management Unit

020 3357 0788

IMU@cps.gov.uk