



Disclosure ref: 42 Sent: 28 July 2020

## Freedom of Information Act 2000 Request

***Requests on offences concealing the birth of a child, section 60; section 1 Infanticide, of procuring a miscarriage, section 58; child destruction, section 60; and preventing lawful and decent burial,***

### Request

#### ***Request one***

***Please advise how many offences charged and reached first hearing at the magistrates court for the offence of concealing the birth of a child, s60 of the Offences Against the Person Act 1861, each year from 1980 to 2020. Please provide your response in the form of a break-down, year-by-year.***

#### ***Request two***

***Please advise how many offences charged and reached first hearing at the magistrates court for the offence of infanticide, s1 of the Infanticide Act 1938, each year from 1980 to 2020. Please provide your response in the form of a break-down, year-by-year.***

#### ***Request three***

***Please advise how many offences charged and reached first hearing at the magistrates court for the offence of procuring a miscarriage, s58 of the Offences Against the Person Act 1861, each year from 1980 to 2020. Please provide your response in the form of a break-down, year-by-year.***

#### ***Request four***

***Please advise how many offences charged and reached first hearing at the magistrates court for the offence of child destruction, s60 of the Infant Life (Preservation) Act 1929, each year from 1980 to 2020. Please provide your response in the form of a break-down, year-by-year.***

#### ***Request five***

***Please advise how many offences charged and reached first hearing at the magistrates court for the common law offence of preventing lawful and decent burial, each year from 1980 to 2020. Please provide your response in the form of a break-down, year-by-year.***

### Response

The Crown Prosecution Service (CPS) does hold limited central data for the five requests you have made.



I attach for your reference an excel spreadsheet containing a table of offences data by calendar year for the period 2004 to 2019 and this data should be read in conjunction with the caveats appended to the table.

You may note that the attached data runs to 2019. The data for 2020 is exempt under Section 22 'future publication' as this data may be published in due course and a quarter in arrears. Please refer to the attached Section 17 refusal notice which explains this exemption in further detail.

Furthermore, it should also be noted that prior to the implementation of the CPS Case Management System/Management Information System (during 2004), CPS records were held in an aggregate form on a now decommissioned Case Information System. Such case material prior to 2004 cannot be further interrogated, centrally or manually in order to identify any previous offences. Finally, no records are held by this organisation of any prosecutions, for these offences, prior to the creation of the CPS in 1986.

Under section 16 of the FOI Act we have an obligation to advise what, if any, information may assist you with your request. You may find it helpful to refer your request to the Ministry of Justice (MOJ), as they are the official statistics holders of sentences imposed by the courts and their records both run alongside and predate CPS and it is therefore possible that more information about the prosecutions for the these specific offences may be held by them.

You therefore may wish to submit a Freedom of Information request to them via the email address below:

[data.access@justice.gov.uk](mailto:data.access@justice.gov.uk)

**Information Management Unit**

**020 3357 0788**

[IMU@cps.gov.uk](mailto:IMU@cps.gov.uk)