

Rt Hon Sir Alan Beith MP
Justice Committee Chair
House of Commons
London SW1 3JA
By email: justicecom@parliament.uk

30 September 2013

Dear Sir Alan,

Joint Enterprise Guidance

I write further to our earlier correspondence on this matter, in which you agreed with our proposal to collate Crown Prosecution Service (CPS) data on joint enterprise murder offences, to assist your review of the CPS guidance on joint enterprise.

In my previous letters I explained that we would examine all murder related cases involving multiple defendants for the years 2012 and 2013, and extract the following data:

The number of defendants:

- Jointly charged with murder;
- Charged with an alternative lesser offence, in addition to murder;
- Charged only with an alternative lesser offence;
- Convicted of any offence.

We have now completed this piece of work in relation to cases finalised in 2012.

In carrying out this exercise, we have managed to refine the data further, by additionally capturing all manslaughter cases involving multiple defendants, whether also charged with a count of murder, or without a count of murder. We trust this additional information will be of assistance to you.

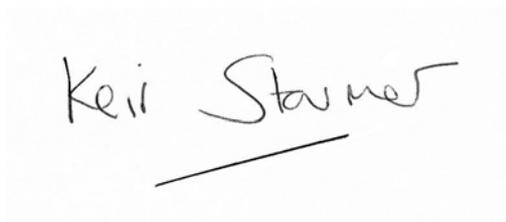
I enclose a spreadsheet containing two tables: the first sets out data on the number of charges and convictions; the second contains an analysis of this data, providing figures in relation to cases and defendants. This table includes the data that we indicated we would provide, listed above.

You will note from table 2 that out of a total of 470 defendants, 210 were charged with a lesser offence as well as a murder/manslaughter charge, and 67 were charged only with a lesser offence. The number of defendants charged with lesser offences may indicate that prosecutors are properly applying the principles set out in the guidance, by selecting charges that reflect the role played by the defendant, and which allow the jury to convict the defendant of a lesser offence, where appropriate. However, it should also be noted that some of the lesser offences include defendants charged with perverting the course of justice, in relation to acts done after the murder/manslaughter.

I also enclose an Executive Summary, which explains how the data has been collated, and sets out the relevant caveats relating to the data and the analysis.

As indicated previously, we intend to provide the 2013 data by early 2014.

Yours sincerely,

A handwritten signature in black ink that reads "Keir Starmer". The signature is written in a cursive style. Below the signature is a horizontal line.

**KEIR STARMER QC
DIRECTOR OF PUBLIC PROSECUTIONS**