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| Ministry of Justice | July 2017 |

**Freedom of Information Act (FOIA) Request –** 110070

You asked for the following information from the Ministry of Justice (MoJ):

**I would like to make a request under the Freedom of Information Act and would be grateful if you could please confirm for the individual years 2011 to 2016:**

**1) The total number of prosecutions in England relating to a sexual offence where the victim is a child (under the age of 18 at the time or commencement of offence)**

**2) The total number of prosecutions in Wales relating to a sexual offence where the victim is a child (under the age of 18 at the time or commencement of offence)**

**I would request the information be formatted to separate data relating to England and Wales respectively.**

Your request has been handled under the FOIA.

I can confirm that the MoJ holds all of the information that you have requested.

The attached table provides the number of offenders found guilty at all courts of sexual offences against children, in England and Wales, from 2011 to 2015.

I have not provided the equivalent figures for 2016 as these are currently unpublished statistics. The information is a subset of the Criminal Justice Statistics data which we routinely publish. It is intended for publication in May 2017.

Information which covers 2016 is exempt from disclosure under section 44(1)(a) of the FOIA, which refers to prohibitions on disclosure ‘by or under any enactment’ of the FOIA. In this case, the information you are seeking is prohibited by the Statistics and Registration Services (SRS) Act 2007 and the Pre-release Access to Official Statistics Order 2008.

As such we are required to consider your request in a manner compliant with the Pre-release Access to Official Statistics Order 2008 further to sections 11 and 13 of the SRS Act 2007.

The MoJ is obliged under section 13 of the SRS Act to continue to comply with the Code of Practice for Official Statistics (the Code) for statistics designated as National Statistics. Section 11(3) of the SRS Act regards the Pre-Release Access to Official Statistics Order as being included in the Code. Protocol 2 of the Code reflects the requirements of the Pre-Release Access to Statistics Order. Specifically, it requires producers of official statistics to ensure that no indication of the substance of a statistical report is made public, or given to the media or any other party not recorded as eligible for access prior to publication. I can confirm that the MoJ does publish information on findings of guilt for 2016, as part of National Statistics. Therefore, to now disclose as part of your FOI request, would violate the provisions of section 13 of the SRS Act and the Pre-Release Access Order to Official Statistics 2008 and as such engages the exemption under section 44(1)(a) of the FOIA.

Please also be aware that section 44 is an absolute exemption and does not require a public interest test.

The information for 2016 is also exempt from disclosure under section 22(1) of the FOIA, because it is intended for future publication. Please note that whilst quarterly court proceedings and convictions headline data are published and are currently available up to end September 2016, these data are subject to revision as later quarters are published, and are finalised only when the annual publication is made publicly available. To ensure consistency of data released to users, further breakdowns (in this case by specific offences under certain legislation) of 2016 Quarters 1 to 3 (January to September) data are not available until the annual criminal statistics publication is published in May 2017.