



Dr Minh Alexander  
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8 January 2018.

**Ref: 7358**

Dear Dr Alexander,

### **Freedom of Information Act 2000 Request**

Thank you for your Freedom of Information (FOI) request which we received on 8 December 2017.

The FOI Act gives you the right to know whether we hold the information you want and to have it communicated to you, subject to any exemptions which may apply. It is a public disclosure regime, not a private regime. This means that any information disclosed under the FOI Act by definition becomes available to the wider public.

### **Request**

#### ***Prosecutions for gross negligence medical manslaughter***

***Please can you advise since the CPS' Special Crime and Counter Terrorism Division was established:***

***1. How many cases of gross negligence medical manslaughter has the Division prosecuted?***

***Please give a list of cases prosecuted and their reference numbers.***

***2. How many of these resulted in conviction?***

***Please give a list of cases that resulted in conviction and their reference numbers***

***3. Does the CPS hold a central record on sentences handed down in these cases? If so, please provide the details.***

***4. Does the CPS have internal guidance on the prosecution of gross negligence medical manslaughter, and if so, can it share a copy (copies) of any such guidance?***

### **Response**

In response to questions one to three, it is not possible to identify cases of gross negligence manslaughter which occur in a medical or healthcare context from all the other manslaughter cases that are logged on our Case Management System. To attempt to ascertain such



information would require a manual check of CPS case records and, as a guide, the CPS prosecuted nationally, 1,072 manslaughter offences, from 1 April 2007 to 31 March 2017 (10 years). This equates to 764 cases. Therefore to provide this information would exceed the cost limit set out in the FOI Act.

Section 12(1) of the 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 conducting a manual review 764 cases to ascertain the information requested would exceed the appropriate limit outlined above and consequently we are not obliged to comply with your request.

In response to question four the Crown Prosecution Service does not hold internal guidance on the prosecution of medical professionals for gross negligence manslaughter.

If you are not satisfied with this response you have the right to request an internal review by responding in writing to one of the addresses below within two months of the date of this response. The internal review will be handled by a member of CPS staff who has not been involved with your original request.

[FOI.Unit@cps.gsi.gov.uk](mailto:FOI.Unit@cps.gsi.gov.uk)

Information Management Unit  
Rose Court  
2 Southwark Bridge  
London  
SE1 9HS

You do have the right to ask the Information Commissioner's Office (ICO) to investigate any aspect of your complaint. However, please note that the ICO is likely to expect internal complaints procedures to have been exhausted before beginning their investigation.

Yours sincerely

Ms F Sayed  
**Information Management Unit**  
**020 3357 0899**  
[FOI.Unit@cps.gsi.gov.uk](mailto:FOI.Unit@cps.gsi.gov.uk)

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