



CPS

Crown Prosecution Service

Annual Report and Resource Accounts 2007/08





CPS

Annual Report and Resource Accounts
For the period April 2007 - March 2008

From the Director of Public Prosecutions to
the Attorney General

Presented to Parliament in pursuance of section 9
of the Prosecution of Offences Act 1985, Chapter
23, and pursuant to the GRA Act 2000, Section 5

Ordered by the House of Commons to be
printed 15 July 2008

© Crown Copyright 2008

The text in this document (excluding the Royal Arms and other departmental or agency logos) may be reproduced free of charge in any format or medium providing it is reproduced accurately and not used in a misleading context. The material must be acknowledged as Crown copyright and the title of the document specified.

Where we have identified any third party copyright material you will need to obtain permission from the copyright holders concerned.

For any other use of this material please write to
Office of Public Sector Information,
Information Policy Team,
Kew, Richmond,
Surrey TW9 4DU
or e-mail: licensing@opsi.gov.uk

ISBN: 9780102957228



CONTENTS

LETTER FROM THE DIRECTOR TO THE ATTORNEY GENERAL	02-03
CROWN PROSECUTION SERVICE	04-05
SUMMARY OF PERFORMANCE AND ACHIEVEMENTS	06-07
SR 2004 PROGRESS ON DELIVERY	08-09
DELIVERING EFFICIENCIES	10-12
STRENGTHENING THE PROSECUTION PROCESS	13-19
CHAMPIONING JUSTICE AND THE RIGHTS OF VICTIMS	20-21
INSPIRING THE CONFIDENCE OF THE COMMUNITIES WE SERVE	22-27
DRIVING CHANGE AND DELIVERY IN THE CRIMINAL JUSTICE SYSTEM	28-29
BEING RENOWNED FOR FAIRNESS, EXCELLENT CAREER OPPORTUNITIES, AND THE COMMITMENT AND SKILLS OF ALL OUR PEOPLE	30-34
RESOURCE ACCOUNTS	36-85
ANNEX A - Casework Statistics	86-90
ANNEX B - Guidance Issued by the Director	91
ANNEX C - Code for Crown Prosecutors	92-99
ANNEX D - Designated Caseworkers	100-102
ANNEX E - Selection Criteria for Designated Caseworkers and Training Requirements	103
ANNEX F - Data Systems	104-105
ANNEX G - Glossary	106
ANNEX H - Your Local CPS	107
ANNEX I - CPS Area/Police Force Boundary Map	108

LETTER FROM THE DIRECTOR TO THE ATTORNEY GENERAL

I am pleased to report to you on the performance and continuing reform of the Crown Prosecution Service during 2007-08.

The past 12 months have been about both continuity and improvement; building on our work to become an accountable public service and striving towards the goal of consistently delivering justice for the victims and witnesses of crime. Our efforts have been part of a clear and coherent strategy that the CPS has been committed to over the past three years.

Whilst we hold true to our responsibilities as an independent prosecution service, we have worked hard to engage with communities and with criminal justice partners to ensure that we understand, and reflect, the changing nature of our society.

This year has seen the CPS make real progress in its activities to engage with the public. Our track record on community engagement is excellent and we believe that our introduction of Hate Crime Scrutiny Panels is genuinely ground-breaking. We will ensure that we continue to learn from public scrutiny of our work, and to improve future performance. We have continued to consult on key matters of policy - such as our approach to bad driving and crimes against older people.

Victims and witnesses remain a core priority. We have reviewed our procedures for the delivery of commitments under both the Victims' Code and Direct Communication with Victims. As a Service, we have also made great efforts to explain our work and to provide information on our decisions - especially to those who have been most directly affected by crime.

We continue to work with police colleagues, in jointly staffed witness care units across England and Wales. We wanted to ensure that victims and witnesses understand what is happening with their cases and feel empowered to give their best evidence. Early indicators suggest that those who have been unfortunate enough to suffer crime now have a higher level of confidence in the system than those who have not.

I am also delighted to say that our role in Charging has delivered continued success. Since its introduction, the guilty plea rate has increased by 85 per cent in the magistrates' courts and 20 per cent in the Crown Court. This is an improvement in service from which there must be no turning back.



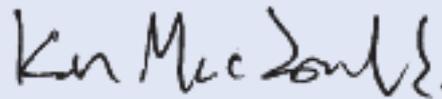
Sir Ken Macdonald QC

Our advocacy programme has also been remarkably successful. We now have 945 Crown Advocates in Crown Courts across England and Wales. We have more than 400 Associate Prosecutors whose commitment and excellence has seen their powers in the magistrates' courts extended by Parliament. The CPS is finally establishing itself as a Service of prosecuting advocates.

Partnership working is key to enabling us to deliver excellence. This means that we are always looking for ways to do things more effectively and efficiently. During 2007/08 we have worked with our police colleagues identifying savings both in terms of time and money that are consistent with sound charging decisions, but also ensure that the delivery of justice is both proportionate and effective. A new streamlined process for dealing with simple cases in the magistrates' courts is already beginning to deliver promising improvements.

The current economic environment means that public bodies have to become leaner and smarter. The CPS has already begun this work. The creation of 14 new regional Groups and the restructuring of CPS London will enable us to drive up the quality of our casework, maximise efficiencies and benefit from an increase in shared services. We have also achieved early successes in strengthening our finance function, knowing that its role will become even more important over the next three years.

We look forward to the future with confidence, knowing that the people of the Crown Prosecution Service are amongst the most committed and talented to be found in public service, or in any other arena.



SIR KEN MACDONALD QC
Director of Public Prosecutions

CROWN PROSECUTION SERVICE

Introduction

Role

The CPS was set up in 1986 as an independent authority to prosecute criminal cases investigated by the police in England and Wales. In undertaking this role, the CPS:

- Advises the police during the early stages of investigations;
- Determines the appropriate charges in all but minor cases;
- Keeps all cases under continuous review and decides which cases should be prosecuted;
- Prepares cases for prosecution in court and prosecutes the cases with in-house advocates or instructs agents and counsel to present cases; and
- Provides information and assistance to victims and prosecution witnesses.

Code for Crown Prosecutors

Before charging a defendant and proceeding with a prosecution, Crown Prosecutors must first review each case against the Code for Crown Prosecutors. The Code sets out the principles the CPS applies when carrying out its work. Those principles are whether:

- There is enough evidence to provide a realistic prospect of conviction against each defendant on each charge; and, if so,
- A prosecution is needed under the public interest.

The Director is under a statutory duty to publish the Code for Crown Prosecutors. The fifth edition of the Code was published on 16 November 2004 and reflects the responsibilities for Crown Prosecutors to determine charges.

Human Rights Act

The CPS is a public authority for the purposes of the Human Rights Act 1998. In carrying out their role, Crown Prosecutors must apply the principles of the European Convention on Human Rights in accordance with the Act.

Organisation

The CPS is headed by the Director of Public Prosecutions (DPP), Ken Macdonald QC. The Director is superintended by the Attorney General who is accountable to Parliament for the Service. The Chief Executive is Peter Lewis, who is responsible for running the business on a day-to-day basis, and for equality and diversity, human resources, finance, business information systems, and business development, allowing the Director to concentrate on prosecution, legal issues and criminal justice policy.

CPS Areas

The CPS has 42 Areas across England and Wales. Each Area is headed by a Chief Crown Prosecutor (CCP) who is responsible for the delivery of a high quality prosecution service to his or her local community. A 'virtual' 43rd Area, CPS Direct, is also headed by a CCP and provides out-of-hours charging decisions to the police. Three casework divisions, based in headquarters (HQ), deal with the prosecution of serious organised crime, terrorism and other specialised prosecution cases.

Each CCP is supported by an Area Business Manager (ABM), and their respective roles mirror, at a local level, the responsibilities of the DPP and Chief Executive. Administrative support to Areas is provided through a network of business centres.

Following a review of CPS Area organisation, reforms have been introduced to enhance the existing 42 Area structure. This has involved creating 14 Groups from 41 of the CPS Areas (excluding CPS London). The Groups have a specific remit to deliver measurable improvements across a range of functions. Each Group is overseen by a Group Strategy Board, chaired by a Group Chair who is a senior CCP, and supported by a senior ABM. All the CCPs and ABMs of the Areas within a Group are members of the Group Strategy Board. This reform has been designed to improve the resilience and effectiveness of the Service and its capability to deliver a world class prosecution service and meet the challenges of the future.

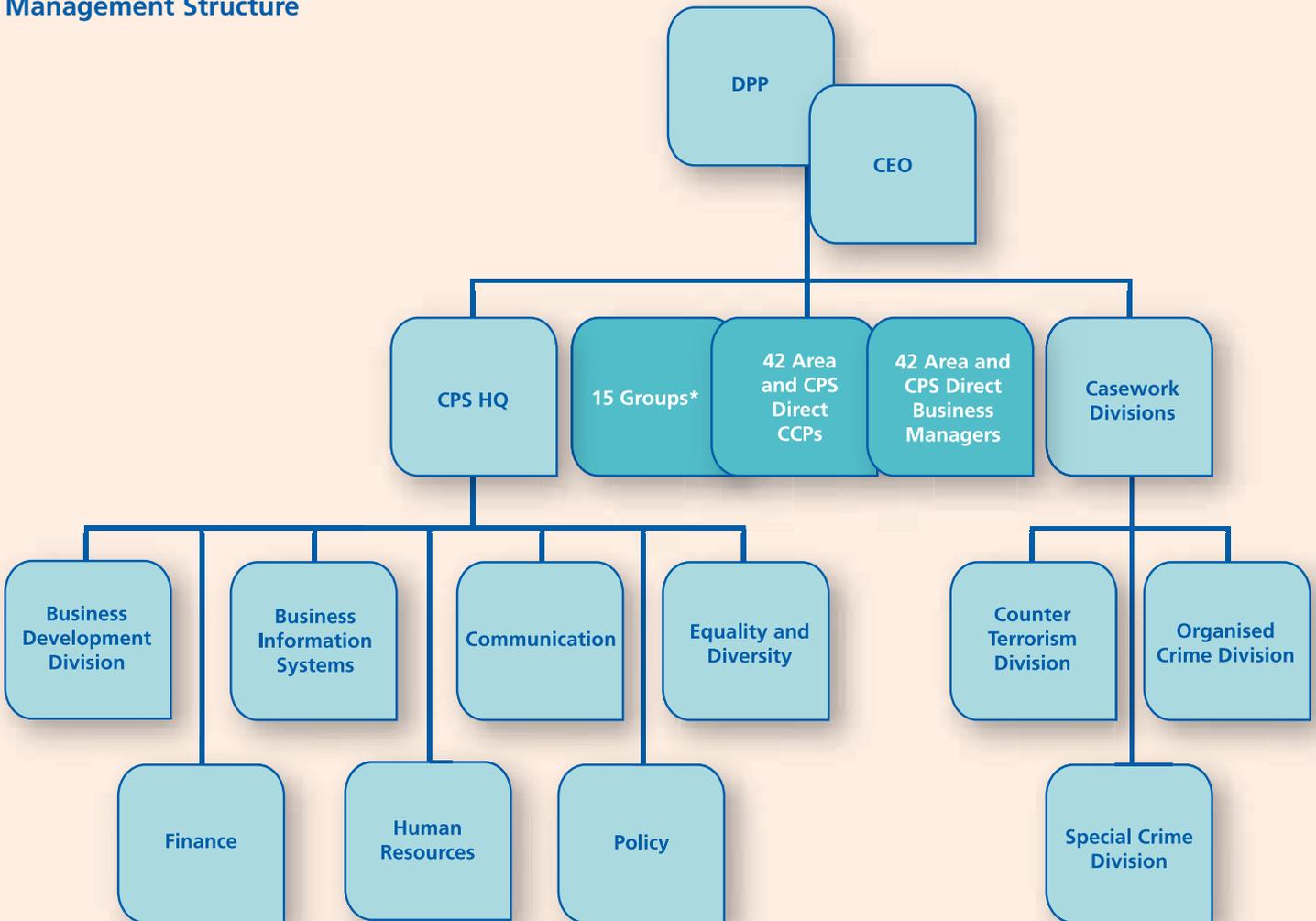
Links with Local Criminal Justice Boards

Local Criminal Justice Boards (LCJBs) bring together the Chief Officers of local criminal justice agencies to deliver the Public Service Agreement (PSA) targets in their Area and to drive through criminal justice reforms. All LCJBs have produced delivery plans to bring more offenders to justice, reduce ineffective trials and increase public confidence. Progress on the plans is reported to the National Criminal Justice Board (NCJB). The Attorney General, Solicitor General, DPP and CPS Chief Executive, along with the Home Secretary, Secretary of State for Justice, and others, are members of the NCJB.

Office for Criminal Justice Reform

The CPS also works closely with the Office for Criminal Justice Reform (OCJR), which is the trilateral team drawn from the Home Office, Ministry of Justice (MoJ) and the Attorney General's Office to support criminal justice departments, agencies and LCJBs in working together to deliver PSA targets and to improve the service provided to the public.

Management Structure



* Including CPS London

SUMMARY OF PERFORMANCE AND ACHIEVEMENTS

Aim

The CPS works in partnership with the police, courts, Home Office, MoJ and other agencies throughout the Criminal Justice System (CJS) to reduce crime, the fear of crime, and its social and economic cost; to dispense justice fairly and efficiently and to promote confidence in the rule of law.

The CPS's overall aim, which reflects the government's priorities for the CJS, is to:

Deliver a high quality prosecution service that brings offenders to justice, helps reduce both crime and the fear of crime, and thereby promote public confidence in the rule of law through the consistent, fair and independent review of cases and through their fair, thorough and firm presentation at court.

CPS Vision

The CPS is working to become a world class, independent prosecuting authority that delivers a valued public service by:

- **Strengthening the prosecution process to bring offenders to justice:** providing an independent prosecution service, working with the police from the outset of a case to its disposal; advising the police before charge; building and testing the strongest possible prosecution case and presenting that case fairly in the courts on behalf of the public.
- **Championing justice and the rights of victims:** assessing the needs of victims and witnesses and their likely evidence from the outset and throughout the life of the case; making sure their experience of the CPS and the CJS encourages them and others to come forward in future to play their part in bringing offenders to justice.
- **Inspiring the confidence of the communities we serve:** being visible, open and accountable for our decisions; being responsive to the needs of the community and providing a valued public service; being seen as the decision makers who decide which cases should be brought to court and bringing them to justice.
- **Driving change and delivery in the CJS:** as a self-confident leader, influential in delivering local criminal justice and in shaping the CJS of the future.
- **Being renowned for fairness, excellent career opportunities and the commitment and skills of all our people:** where everyone is treated on merit; where people of ability can rise to the top and where all our people are renowned for their commitment, skills and dedication to justice.



- **Having a strong capability to deliver:** by transforming HQ support to frontline delivery, securing value for money and efficiencies to reinvest in frontline prosecution services; improving the management of prosecution costs; harnessing IT to support CPS business; and delivering through effective programme and project management.

The vision has been refreshed for 2008-11 and will continue to take the Service forward to becoming a world class prosecution service.

Cases for advice and prosecution

- In 2007/08, the CPS provided 547,649 pre-charge decisions, completed 966,626 cases in the magistrates' courts and a further 96,992 in the Crown Court. This compared with a 2006/07 workload of 584,216 pre-charge decisions, 987,981 cases in the magistrates' courts, and 89,408 cases in the Crown Court¹.

Case results

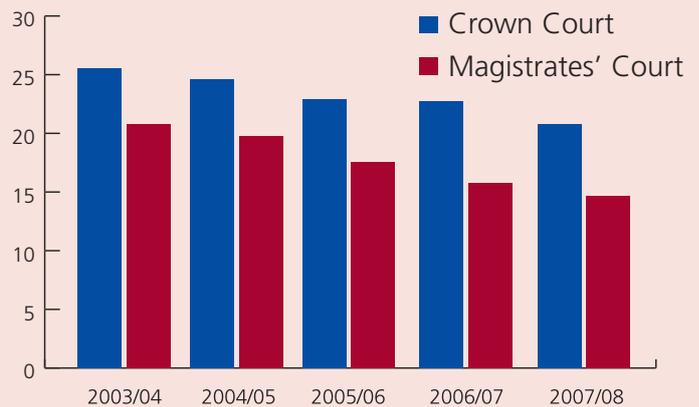
- During 2007/08, 828,535 defendants were convicted in the magistrates' courts and 76,947 were convicted in the Crown Court. The CPS made a substantial contribution to the CJS target of narrowing the justice gap.
- The percentage of cases discontinued in the magistrates' courts continued to fall, from 13.9% in 2003/04 to 12.7% in 2004/05, 11.8% in 2005/06, 10.9% in 2006/07 and 9.9% in 2007/08.
- Unsuccessful outcomes in the magistrates' courts fell from 21.3% of all outcomes in 2003/04 to 19.4% in 2004/05, 17.4% in 2005/06, 15.8% in 2006/07 and 14.3% in 2007/08.
- In the Crown Court, unsuccessful outcomes fell from 25.7% of outcomes in 2003/04 to 24.9% in 2004/05, 22.3% in 2005/06, 22.7% in 2006/07 and 20.7% in 2007/08.

¹CPS counting procedures were revised with effect from April 2007. Before that date, in cases where the defendant entered guilty pleas to some charges while others proceeded to a contested hearing, both the guilty plea and the subsequent contest were counted as a completed case. With effect from April 2007 cases falling into this category are counted once only, resulting in a slightly lower volume count. The 2006-07 figures quoted here have been adjusted in accordance with the new counting rules, and differ slightly from those previously published.

²Full Time Equivalent figures. Data are provisional and subject to change. The figures quoted here were correct at 1st April 2008.

Overall, unsuccessful outcomes fell from 21.6% of all outcomes in 2003/04 to 19.8% in 2004/05, 17.8% in 2005/06, 16.4% in 2006/07 and 14.9% in 2007/08; while convictions rose from 78.4% during 2003/04 to 80.2% in 2004/05, 82.2% in 2005/06, 83.6% in 2007/08 and 85.1% in 2007/08.

% Unsuccessful Outcomes



People

- At the end of March 2008 the CPS employed a total of 8,351 people², 54 fewer than at the same time the previous year. This includes 2,913 prosecutors and 4,946 caseworkers and administrators. Over 91% of all staff are engaged in, or support, frontline prosecutions. The CPS has 945 prosecutors able to appear in the Crown Court and on cases in the Higher Courts, and 419 Associate Prosecutors (formerly known as Designated Caseworkers or DCWs) able to present cases in the magistrates' courts.

CJS Performance

PSA Targets

PSA targets were set for the CJS in the Spending Review 2004 (SR 2004) for 2005-08. The targets, reported on at pages 8 and 9, are the responsibility of the Home Office, MoJ and the CPS.

Efficiency Savings

SR 2004 also required the CPS to deliver £34 million efficiency savings by March 2008 (pages 10 and 11). The CPS had no workforce reduction target in SR 2004, but has set a target of relocating 20 posts away from London and the South East by 31 March 2008. Both the efficiency savings and workforce reduction targets were exceeded.

SR 2004 PROGRESS ON DELIVERY

PSA Target 1:

Improve the delivery of justice by increasing the number of crimes for which an offender is brought to justice to 1.25 million by 2007/08.

An offence is said to have been brought to justice when a recorded crime results in an offender being convicted; cautioned; issued with a penalty notice for disorder; given a formal warning for the possession of cannabis or having an offence taken into consideration.

Performance Measures

Increase the number of crimes for which an offender is brought to justice to 1.25 million by 2007/08.

Latest Outturn

Ahead.

Latest performance shows that 1.449 million offences were brought to justice in the year to December 2007. This is a 44.6% increase since the year to March 2002.³

³The England and Wales figure includes estimates for missing data. Data are provisional and subject to change.

PSA Target 2:

Reassure the public, reducing the fear of crime and anti-social behaviour, and building confidence in the CJS without compromising fairness.

Public confidence in the CJS and the satisfaction of victims and witnesses is assessed using the British Crime Survey (BCS) and the Citizenship Survey (formerly the Home Office Citizenship Survey (HOCS)⁴). The target will have been achieved if, for the year 2007/08, two out of the three elements of the following are met.

Responsibility for the three assurance elements of the target lies with the Home Office. The three confidence elements, reported on below, are shared between the Home Office, MoJ and the CPS.

Performance Measures

Improve the level of public confidence in the CJS.

This is determined using questions in the BCS which ask whether the public believes the CJS is effective in bringing people who commit crimes to justice.

Reduce the number of people in black and ethnic minority communities who believe the CJS would treat them worse than people of other races.

This is determined using questions in the Citizenship Survey which ask whether people from a black or minority ethnic background believe the CJS would treat them worse than people of other races.

Increasing satisfaction of victims and witnesses.

This is measured using BCS questions on victim and witness satisfaction with the CJS.

Latest Outturn

Ahead.

Baseline (BCS 2003): 39%

Target (BCS 2007/08): An increase

Latest outturn (Year to December 2007): 44%

On Course.

Baseline (HOCS 2001): 33%

Target (The Citizenship Survey 2007): A reduction

Latest outturn (The Citizenship Survey April to December 2007): 27%

On Course.

Baseline (Six months to March 2004): 58%

Target (BCS 2007/08): An increase

Latest outturn (Year to December 2007): 60%

⁴HOCS is now the Citizenship Survey following the transfer of Communities Group from the Home Office to the Department of Communities and Local Government. The Citizenship Survey has moved to quarterly reporting.

DELIVERING EFFICIENCIES

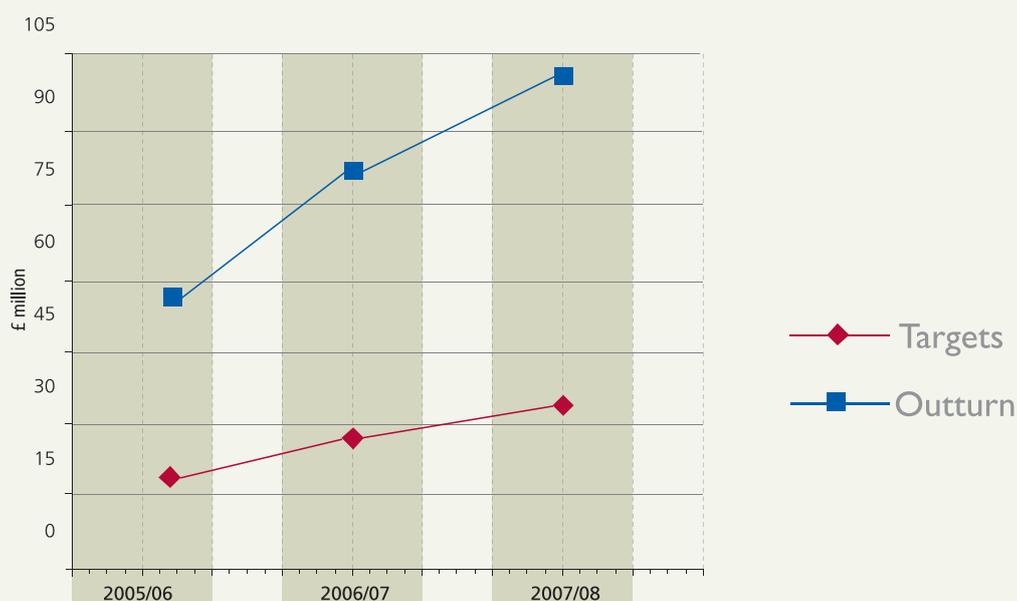
Introduction

The 2004 Spending Review set efficiency targets for the CPS to deliver savings of £20.1 million in 2005/06, £26.6 million in 2006/07 and £34.1 million in 2007/08. The targets cover the implementation of the charging programme, improvements in productive time, rationalising administrative support functions and improving procurement practices.

The table below shows the efficiency targets per year, along with the discrete year savings made to date for 2005/06, 2006/07 and 2007/08.

Workstream	2005-06		2006-07		2007-08		Cashable £m
	CPS Plan £m	Actual £m	CPS Plan £m	Actual £m	SR04 Target £m	Actual* £m	
Charging Programme	15.0	19.2	17.5	22.8	20.0	27.1	10.0
Productive Time	3.8	33.8	6.1	50.2	8.1	62.2	13.4
Procurement	0.5	2.5	1.0	4.3	2.5	5.5	5.5
Corporate Services	0.8	1.1	2.0	2.9	3.5	4.2	4.2
Total	20.1	56.6	26.6	80.2	34.1	99.0	33.1

*Provisional Total as at March 2008

Efficiency Targets

Provisional reporting⁵ at the end of the fourth quarter 2007/08 shows that the CPS has achieved overall cumulative efficiency savings of £99 million, including cashable savings of £33.1 million delivered against the SR 2004 target of £21.4 million.

The targets have been delivered through planned efficiencies, broadly covering:

- The implementation of the charging programme, designed to improve the effectiveness and the efficiency of the criminal justice process. Success is measured in terms of the improvement in the guilty plea rate, reductions in discontinuance and reductions in the proportion of cases that do not result in a conviction;
- Improvements in productive time, measured through a survey of users of the COMPASS Management Information System and in the deployment of higher court advocates (HCAs) and associate prosecutors;
- Savings through HQ rationalisation, relocation and corporate services reorganisation where service levels and process quality have been measured and benchmarked and serve as quality performance measures. These are measured through the number of staff redeployed, overhead cost comparison, and transactional processing costs; and
- Improving procurement practices, which focus on reducing the costs of goods and services whilst ensuring quality is maintained. Where alternative items or services are acquired, a standard specification is developed and delivered.

The productive time work-stream accounted for 63% of planned savings by 2007/08 with another 27% coming from charging programme efficiencies and the remainder through improved efficiency in the provision of corporate services and savings delivered through more effective procurement practices. Cashable savings were re-invested in charging, COMPASS and the Case Management System (CMS), and meeting new workload pressures on frontline staff.

⁵Figures will be finalised and restated later in 2008.

⁶Target was set by the Office of Government Commerce following the review by Sir Michael Lyons, 'Well Placed to Deliver? – Shaping the Pattern of Government Service', published on 15 March 2004

Actions taken to deliver efficiencies

- All 42 CPS Areas and CPS Direct are now operating under the Statutory Charging arrangements which were introduced by the Criminal Justice Act 2003.
- The structural reorganisation of Service Centres has been completed.
- All Areas have been set challenging targets for the increased deployment of HCAs and associate prosecutors which has led to significant savings in external counsel fees in the Crown Court and CPS staff costs in the magistrates' courts.
- Procurement initiatives including continuous review and re-negotiation of supplier contracts are being rolled out and are successfully delivering above target.
- There was not a target for workforce reductions in the CPS Efficiency Plan under SR 2004. The CPS had a target of relocating 20 posts out of London and the South East by 2008 against which 43 posts⁶ were relocated.
- Work has commenced on implementing the action plan following publication of the department's Capability Review.

Comprehensive Spending Review (CSR) 2007

The SR 2004 Efficiency Plan is superseded by the CSR 2007 Efficiency Delivery Plan. The agreed target for this plan is to achieve £69m cashable savings over three years, from both Area operations and corporate services.

CPS Performance*

Associate Prosecutors

Increase the number of magistrates' courts sessions covered by associate prosecutors.

Met - 20.4% of all available magistrates' courts sessions were covered by associate prosecutors (target 20%)

HCA's

Increase in the percentage of advocacy dealt with in-house.
Increase in counsel savings made through HCA deployment.

Met - Counsel savings of the Service has exceeded its 07/08 counsel fee savings target (ex VAT) of £15.1m achieving £17.1m, 113% of the YTD target.

Met - In 2007/08 counsel fee savings equate to 16.4% of the Graduated Fee Scheme advocacy value (based on 2007/08 GFS advocacy value).

Attrition

Reduction in unsuccessful outcomes in magistrates' courts and the Crown Court.

Met - Unsuccessful outcomes in magistrates' courts 14.3% (target 15%)

Not Met - Unsuccessful outcomes in Crown Court 20.7% (target 20%)

CMS

Increase to 90% the number of cases with a pre-charge decision.

Met - Number of cases with a pre charge decision 98.4% (target 90%).

Increase to 90% the number of cases with a Crown Court trial having completed a full file review.

Met - Number of cases with a full file review 95.2% (90%)

Charging

A reduction in the discontinuance rate for magistrates' courts and Crown Court activity.

Not Met - Pre charge discontinuance rate for magistrates' courts 14.7% (target 11%).

An increase in the guilty plea rate for magistrates' courts and Crown Court activity

Not Met - Pre charge discontinuance rate for Crown Court 12.9% (target 11%)

Met - Guilty plea rate for magistrates' courts 73.3% (target 52%).

Met - Guilty plea rate for Crown Court 72.5% (target 68%)

Hate Crime

Reduction in unsuccessful outcomes for hate crime.

Not Met - Unsuccessful outcomes for hate crime 29.1% (target 28%)

Ineffective Trials

A reduction in ineffective trials in the magistrates' courts and Crown Court.

Met - Ineffective trials in the magistrates' courts 18.3% (target 19%).

Met - Ineffective trials in the Crown Court performance 11.7% (target 14%) [figures based on a rolling quarter as of February 2008]

Proceeds of Crime

Assets recovered under the Proceeds of Crime Act.

Met - Nationally the number of confiscation orders obtained and the total value of confiscation orders was above target in 07-08, both at 103% against target. Restraint is well above target with performance at 172% against target.

No Witness No Justice

A reduction in the combined cracked and ineffective rates for the magistrates' courts and Crown Court. An increase in witness attendance in both the magistrates' courts and Crown Court.

Not Met - Magistrates' courts combined ineffective and cracked trial rate 8.0% (target 5.3%). Crown Court combined ineffective and cracked trial rate 3.9% (target 3.3%). Witness attendance 84% (target 87%)

Victims' Code

Timeliness, victim and witness timeliness.

Not Met - Victims' Code proxy target 87%, timeliness 77%, timeliness for vulnerable and intimidated witnesses was 60%

Sickness Absence

Reduce sickness absence rate.

Not Met - The rolling average number of sick days per employee was 9.4 days (target 7 days)

STRENGTHENING THE PROSECUTION PROCESS

Charging

Statutory Charging, which gives responsibility to the CPS for deciding the charge for all but the most minor criminal cases, has been operational across all 42 Areas since 3 April 2006. CPS Direct (see below) continues to support the charging arrangements.

Following the completion of post-implementation reviews in 2006, further work was undertaken to ensure effective Charging and monitoring arrangements were in place to realise the benefits. As a result of this work, local joint CPS and police protocols have been signed at Chief Officer level, which set out the expected levels of service each will provide in respect of Statutory Charging.

The provision of out-of-hours face-to-face Charging coverage continues in two test Areas, and the CPS and the Association of Chief Police Officers (ACPO) are continuing to explore and develop innovative ways of strengthening the provision of charging advice and delivering out-of-hours services.

The charging arrangements are already delivering considerable benefits. Prosecutors work closely with the police to build robust cases for prosecution that help to bring more offences to justice, increase the number of guilty pleas and reduce the number of cases that are discontinued. Figures for March 2008 show an increase in the guilty plea rate from 40% to 74% in the magistrates' courts whilst the discontinuance rate in the magistrates' courts has fallen from 36% to 13% with the rate of attrition falling from 40% to 19.2%.

CPS Direct

CPS Direct is a virtual CPS Area. Prosecutors work from home offices to make charging decisions on cases referred to the CPS outside the normal 9am to 5pm working hours in the working week, and provide a 24-hour service throughout public holidays and weekends.

In 2006/07, prosecutors working for CPS Direct had taken 183,034 calls from the constabularies of England and Wales, and had provided 127,911 advices to the police. The corresponding figures for the year 2007/08 were 171,426 calls and 135,816 advices, an increase in the number of advices of 6.2% over the previous year.

CPS Direct takes 500,000 calls - July 2007

CPS Direct set up to provide the police with out-of-hours charging decisions, reached its half-million milestone in July 2007, having responded to in excess of 500,000 requests for legal advice from police officers in England and Wales.

The then CCP for CPS Direct, Barry Hughes said:

"In passing the milestone of half a million calls, CPS Direct prosecutors have been able to play a major part in improving the way that the CPS works with the police around the clock to deal with criminals both effectively and robustly. I was delighted to see that in the recent Cabinet Office Capability Review of the CPS, CPS Direct was highlighted as a 'significant success' for the Service.

"CPS Direct has over 130 lawyers who make over 10,000 charging decisions every month. Over 90% of police officers who call CPS Direct are connected to a prosecutor within one minute.

"This early, professional legal advice enables the strongest possible case to be built and ensures offenders are charged with the right offences before the case comes to court. By working more closely together, the CPS and the police make the best of our respective skills and ensure that more criminals are brought to book."

The half-millionth call involved an offence of domestic violence. Domestic violence incidents, which often occur at night and weekends, form a large part of CPS Direct's workload. In 2007/08 nearly a quarter of calls to CPS Direct related to domestic violence incidents; over the same period CPS Direct advised on 45% of all domestic violence related cases nationally.



Barry Hughes

STRENGTHENING THE PROSECUTION PROCESS

Conditional Cautioning

Conditional Cautions were established by the Criminal Justice Act 2003. In appropriate cases, they can be used as a means to divert from court those whose offending is serious enough to warrant prosecution but who are prepared to admit their offence and agree to undertake rehabilitative or reparative activities as a condition of being cautioned. The decision whether or not to offer a Conditional Caution can only be taken by a prosecutor.

Following rollout to the seven early implementation Areas, national rollout of Conditional Cautioning commenced in April 2006. Rollout was implemented using a phased approach and Conditional Cautioning was introduced in at least one police Basic Command Unit (which tend to be aligned with CPS units) across 41 Areas by June 2007. Full coverage across all Areas was completed on schedule by the end of March 2008. As of March 2008, 7,006 conditional cautions had been issued nationally.

Advocacy

Effective in-house advocacy allows the CPS to provide the public with an enhanced level of service. Increased continuity of case ownership enables CPS advocates to demonstrate to victims and witnesses that they have an in-depth knowledge of their case. They can also provide the highest standards of support to victims and witnesses, as a consequence of their familiarity with their responsibilities under the wide range of CPS policy statements, such as the Victims' Code, the Prosecutor's Pledge, and the Policy for Prosecuting Cases of Rape.

The CPS continues to increase its own in-house high quality advocacy in all courts. In the 12 months to 31 March 2008, the number of HCAs (now known as Crown Advocates) has increased from 838 to 945 (full time equivalent). The increase is made up of lawyers from the CPS who have qualified as HCAs and a number of direct recruits from the self-employed Bar and solicitor higher court advocates, who bring significant Crown Court trial experience into the organisation.

In 2007/08, the value of counsel fee savings generated by HCAs was £17.1m (excluding VAT), equating to 16.4% of the total Crown Court GFS

advocacy value. This was a significant increase compared to the 2006/07 year, when the value of HCA generated counsel fee savings was £9.6 million (exc VAT), equating to 11% of the total Crown Court GFS advocacy value. This reflects the increase in the volume and range of cases now being dealt with by in-house advocates. For example, the number of cases listed for trial recorded as being covered by HCAs has increased significantly from 2,872 in 2006/07 to 6,083 in 2007/08.

Associate prosecutors are now able to prosecute most straightforward non-contested matters in the magistrates' courts in all 42 CPS Areas. In 2007/08, associate prosecutors dealt with 20.4% of magistrates' courts' sessions. This was a significant increase on the figure of 14.7% for 2006/07. As well as providing high quality advocacy, the deployment of associate prosecutors has also freed up lawyers to deal with more complex cases, case preparation, and trial advocacy in both the magistrates' courts and the Crown Court.

A Specialist Rape Advocate has also been appointed in Hampshire and the Isle of Wight. The Advocate joined the Area in November 2007 and as well as conducting rape trials, has also delivered specialist rape training to assist the development of other HCA colleagues. Three additional Specialist Rape Advocates continue to operate in CPS London. These specialists deal with rape and serious sexual offence cases from start to finish - from deciding on the charge, through reviewing the case, to conducting the trial in the Crown Court.

A case which saw eight defendants involved in an international drug ring convicted and sentenced to a total of 112 years was prosecuted solely in-house.

CPS Organised Crime Division Principal Crown Advocate, Graham Reeds, was counsel on the case, which was the first case he undertook on joining the Service from the Bar in May 2006.

"The case involved eight defendants, four of whom were foreign nationals, and a journey which started in Brazil and ended off the coast of Ireland, with a yacht intercepted by Customs officers and found to contain 90kg of cocaine," said Graham.

“The evidence had to be collated and presented quickly in time for the first hearing at the Crown Court in order to demonstrate to the accused that there was no answer to the evidence except to plead guilty.

“Four of the accused did this at the first hearing, including the main organiser. A fifth pleaded guilty later when he realised how powerful the evidence against him was.”

A further two defendants pleaded guilty after attempts to derail the trial failed, with the final defendant Paul Jorgenson being found guilty after a seven-day trial. The jury took just two hours to return a unanimous verdict.

At Preston Crown Court, defendants Lee Morgan and Johan Ranft were each jailed for 16 years. Erwin Kapitein and his girlfriend Odezia de Silva, and Ranft's brother Gerhardus, were jailed for 13, 11½ and 12 years respectively. James Downie and Paul Jorgenson were both sentenced to 15 years, and finally Stephen Hegarty was jailed for 13½ years.

At the end of the trial, the 45 foot hunter yacht which had carried the cocaine was seized and forfeited to the Serious Organised Crime Agency (SOCA) for the purposes of fighting organised crime.

The main organiser, Lee Morgan, is now the subject of a financial reporting order for the next 14 years.

“He was a career criminal. When he is released, he will always be required to account immediately for any obvious wealth he is found in possession of. Failure to do so will result in it being removed and he may also be prosecuted.”



Graham Reeds



In August 2007, Ann Evans and Peter Shaw (pictured above) became the first CPS in-house team to prosecute a murder trial at the Central Criminal Court, the Old Bailey. They faced a formidable defence team including five QCs.

The main defendant, 16 year old Lloyd Anderson-Burrows, was sentenced to be detained at Her Majesty's pleasure with a minimum recommendation he serve 11 years for the murder of Hemel Hempstead dad, Steven Jeeves.

During the trial, which lasted 40 days, the jury was told how Steven and his stepson, John Jeeves, became involved in a feud between their friend Richard Archer and the six defendants. Steven had been attempting to break up the fight and was instead beaten by the defendants and finally fatally stabbed in the chest by Anderson-Burrows.

Defendants Shingira Maenzanise received two years and three months for violent disorder and Lloyd Anderson-Burrows's two older brothers, Isher and Izra Campbell were sentenced to two and a half years imprisonment for violent disorder. Anderson-Burrows's mother, Angela Burrows, was sentenced to six years after driving the defendants to the scene of the crime and then trying to run over Richard Archer as Steven lay dying on the ground.

“The case, of course, was really challenging, but fortunately I was given the time to prepare for it properly. This meant that, when I went into court, I knew I was ready for anything,” said Ann.

On the subsequent conviction and sentencing, Ann added: “I am very pleased with the outcome. I believe that justice has been done.”

STRENGTHENING THE PROSECUTION PROCESS

Optimum Business Model

The Optimum Business Model (OBM) was created in response to comments by the National Audit Office (NAO) in relation to CPS efficiency in the magistrates' courts. The aim of the project was to review and identify best practice to improve the efficiency and effectiveness of the magistrates' courts processes and procedures.

The desired outcome of the OBM is to produce a framework of tested structures, roles and processes which will drive operational efficiency improvements as part of a continuous improvement cycle across CPS Areas. The recommendations within the model have been developed in conjunction with operational staff and continue to evolve.

At the end of March 2008, one Area in each of the 14 Groups and CPS London was operating the OBM and all Areas will be operating the OBM by the end of September 2008. Ongoing reviews and support for Areas will continue after this date, together with the project team seeking to continually improve the model and share best practice with Areas.

Early success with the OBM in the magistrates' courts has created a desire within the CPS to consider adopting OBM principles into the Crown Court. This work commenced in June 2008 with a view to piloting a model (or models) by late summer.

The CPS Board held its first meeting outside London in April 2008. As part of a programme of activities to raise awareness of the Board's role across the Service, Board members travelled to the Cowley offices of CPS Thames Valley where they met a number of staff, from Thames Valley, Bedfordshire and Hertfordshire.

The members of the Board enjoyed an informal lunch with staff, taking the opportunity to talk to them about their day-to-day work and responsibilities. It also gave staff the chance to quiz Board members about what they do. Caseworker Ian Ruth spoke to John Graham, Finance Director and Chief Executive Peter Lewis:

"It was good to be able to meet the members of the Board. I thought that it might be difficult to talk to them, but after being introduced, I found them very down to earth and relaxed. They seemed genuinely interested in my experiences."

CPS Thames Valley was chosen to host the Board's first 'away meeting' because of their success in piloting the OBM.

"I'm proud of the work that you have done, and you should be too. It's important not just to Thames Valley but to the entire Service - making our core business in the magistrates' courts more effective and efficient, and enabling us to deliver a better service to the public," the Director told staff.

After lunch the Board went to look at the OBM Proactive Case Progression Team, affectionately known as the 'pod', where Unit Heads Christopher Thompson and Helen Draycott explained how it works in practice. Christopher added,

"OBM has seen the time taken to complete the review on receipt of the full file fall from 22 days to 3 days. The volume of correspondence has reduced dramatically because our improved performance in the time taken to provide responses has broken the chain of serial chaser letters.

"The Board's visit was a very welcome opportunity to highlight the successes that we have been able to achieve through OBM."

Tackling Serious, Organised and Specialist Crime

The three CPS Central Casework Divisions - Organised Crime, Counter Terrorism and Special Crime - have continued to drive up the Service's capacity and capability to deal with the most serious and complex crime.

The Organised Crime Division (OCD) deals with work arising from SOCA. In the last year, this has included cases and operations targeting organised crime groups involved in importation or trafficking of drugs, guns, people and/or money, counterfeit currency and fraud. It has also been closely involved with CPS and CJS partners in policy and legislative development of initiatives in the organised crime area. The Confiscation Unit of OCD continues to restrain and confiscate assets from major criminals both on behalf of the CPS and foreign governments to great effect. The division also liaises with and often trains prosecutors across the world, and Liaison Magistrates, who are part of OCD.

The CPS has strengthened its response to terrorism further by increasing its resources within the Counter Terrorism Division (CTD) where staffing numbers have been increased by almost 30% over the last 12 months. This has included increasing capacity to deal with cases from both the Counter Terrorism Command in the Metropolitan Police and the three Counter Terrorism Units around the country. The CTD has also provided training and guidance on a range of issues including tackling violent extremism.

The Special Crime Division (SCD) has been involved in a number of high profile cases throughout the year and trained Areas/Groups to take on work including obtaining European Arrest Warrants and medical manslaughter cases. The SCD has also taken on responsibility for Domestic Extremism (particularly Animal Rights Extremism (ARE)). SCD liaises closely with CJS partners and Area coordinators to ensure that the CPS response to ARE issues supports the government's strategy. Additionally, SCD continues to deal with an ever increasing extradition export portfolio.

Colin Norris, a nurse responsible for the care of elderly patients, was found guilty of the murder of four of his patients and the attempted murder of another in March 2007. Ethel Hall, Doris Ludlam, Bridget Bourke and Irene Crookes all died at the hands of Norris, with Vera Wilby surviving an attempt on her life.

At the time he committed these offences in 2002, Norris was a nurse at Leeds General Infirmary and St James Hospital Leeds.

The jury's verdict represented the culmination of more than five years of close work between SCD and the murder investigation team of West Yorkshire Police.

Norris was sentenced at Newcastle Crown Court to a minimum of 30 years in prison. Commenting on the verdict, David Scutt, the CPS reviewing lawyer said:

"Colin Norris preyed on his patients at a time when they were at their most trusting and most vulnerable. Each was elderly and had undergone major surgery for hip fracture repair; each also had other serious underlying medical problems. His choice of insulin or anti-diabetic agents to poison them showed a degree of careful planning. Our thoughts and sincere condolences go out to the victims and their families at this time."

STRENGTHENING THE PROSECUTION PROCESS

Lawyer Ian Dawson took up the newly created role as Liaison Magistrate for Pakistan. He joined four CPS prosecutors already working around the world in France, America, Italy and Spain, assisting in the fight against global crime.

Commenting on his appointment Ian said: "I am delighted to have been offered this exciting opportunity. I will be representing the interests of all the prosecution agencies in the UK, not just the CPS, and I hope that I will be able to improve working relationships between criminal justice agencies in the UK and Pakistan."

DPP, Sir Ken Macdonald QC said: "Serious crime knows no borders, and this cadre of international CPS lawyers is vital in helping us to build relationships."

The CPS Liaison Magistrates were established in 2001 and each is a two or three-year posting. The core business is facilitating and advising on matters of mutual legal assistance on behalf of all UK law enforcement agencies. Pamela Hudson in Paris has been heavily involved in connection with the inquest into the death of Diana, Princess of Wales. Both Sally Cullen, OBE (Rome) and Dominic Barry (Spain) have provided invaluable assistance in a number of terrorist related prosecutions, while Nick Vamos has worked closely with his US colleagues to facilitate arrangements for obtaining digital evidence, in particular from US based Internet Service Providers.



Area Restructuring

The Area Restructuring Programme has been designed to enhance the existing 42 Area structure and improve the resilience and effectiveness of the Service so it is better positioned to meet future reforms and challenges. The programme is being implemented in two stages and is on course to meet its targets. The first stage, which was completed in March 2008, put in place the structural foundations. 14 Groups have been formed from bringing together 41 CPS Areas (excluding CPS London). All Group Chairs are in place and Group Strategy Boards meet regularly to address their remit for improving performance.

By 1 April 2008, each Group had put in place a Complex Casework Unit to deal with the serious and complex casework for the Areas within a Group. This will significantly enhance the CPS's capability to deal with this type of crime and ensure it is well placed to respond to anticipated police developments on serious organised crime. Each Group has also established a core Group Operations Centre which will begin to deliver essential specialist non-legal expertise and support to Areas within a Group.

The transformation stage will run from March 2008 to March 2009 and will focus on ensuring that the new structures are fully operational, and delivering the expected outcomes and benefits.

Casework Quality Assurance

CPS managers routinely assess the quality of casework being produced by operational lawyers by using a sampling and assessment process called Casework Quality Assurance, modelled closely on HM Crown Prosecution Service Inspectorate's inspection methodology. Each month sample case files are examined and tested against a range of standard questions at key stages of the prosecution process. The scheme helps managers to identify casework that fails to meet a satisfactory standard and where further staff training or development are required.

The scheme has been adopted across the CPS with more than 25,000 files examined each year. The results of the monitoring indicate that a good level of casework quality is being maintained across the Service, with over 94.7% of cases showing a proper application of the Code for Crown Prosecutors, CPS policy and charging standards.

International Crime

The purpose of the International Affairs Division in Policy Directorate is to create a more influential role for the CPS on the international stage.

The Division is responsible for a wide range of policy portfolios, including extradition and mutual legal assistance as well as terrorism, covert policing, intercept and high-tech crime. Policy advisors in the division are responsible for maintaining the Service's legal guidance on these portfolios, responding to Parliamentary Questions and consultation papers and providing briefings for the DPP and the Attorney General.

In relation to engagement with international institutions, the Division aims to maximise the CPS's ability to influence policy at an early stage by ensuring that the Service is fully informed about developments emanating from such international institutions as the European Union and Council of Europe. This will result in better legislation that helps to facilitate successful prosecutions and reduce cross-border crime.

The Division has adopted a strategic approach to engaging with priority countries and, as part of that approach, it runs a small number of capacity building projects in targeted countries where the CPS's expertise is of most value. The Division is also responsible for hosting visits by delegations from around the world.

CPS visit to Kabul for anti-corruption conference

CPS representatives visited Afghanistan to deliver an anti-corruption conference, held at the Afghan Attorney General's Office in Kabul, in May 2007. Representing the CPS were Head of International Affairs, Moira Andrews (see right), Deputy Head of International Affairs, Patrick Stevens, and Special Crime Division Prosecutor, Mark Carroll.

"The conference was a great success," said Moira. "It tied in practical investigative techniques with wider rule of law considerations, such as the rights of the individual, the need for the highest professional standards, the importance of consistency and for proportionality and demonstrably fair processes that ensure the supremacy of the law."

Mark delivered a training course to 70 participants, providing his insight and experience as a specialist corruption prosecutor.

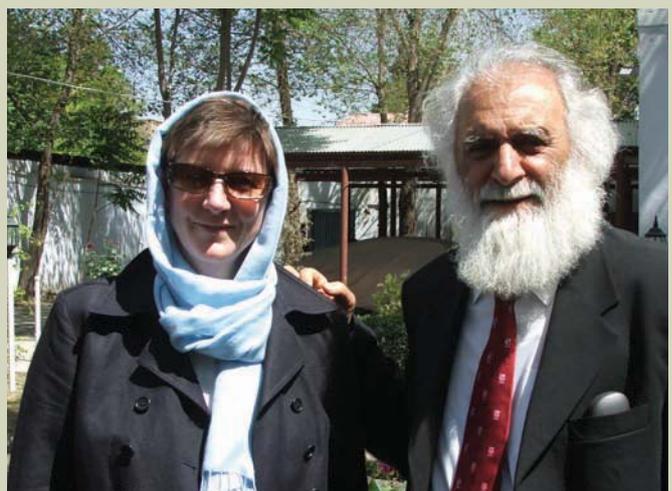
"The training course aimed to inform the AG and his staff of methods and tactics to prevent, detect and prosecute corruption," he said.

During their stay, Moira and Patrick also had a number of meetings with a variety of UK and international interlocutors, including the UNODC, UNDP and the US Embassy.

"Each supported the anti-corruption project unequivocally, seeing it as an important first step towards the establishment of an effective criminal justice system, at least in Kabul, and therefore something that would undoubtedly have a very positive impact on their own areas of operation," said Patrick.

He continued: "Corruption was acknowledged universally, not only as a major detractor from any attempt to tackle other forms of serious crime such as narcotics, insurgency and terrorism, but also as a barrier to access justice and protection of citizens from the abuse of power by public officials."

The Director has given his full support to ongoing CPS engagement with Afghanistan.



CHAMPIONING JUSTICE AND THE RIGHTS OF VICTIMS

Victims' Code and Prosecutors' Pledge

The Code of Practice for Victims of Crime (the Victims' Code), which came into full effect on 1 April 2006, sets out the standards of service that victims can expect from the CJS.

Key CPS commitments in the Code relate to the CPS Direct Communication with Victims (DCV) Scheme. Procedures for the delivery of these important commitments have been reviewed during 2007 and best practice seminars held across the country.

The Prosecutors' Pledge, launched by the Attorney General in October 2005, sets out the level of service that victims can expect from prosecutors. The ten commitments are included in the 'CPS Public Policy Statement on the Delivery of Services to Victims'.

A lawyer travelled to Vietnam to tell the parents of a student killed in London that four youths arrested on suspicion of causing his death would not face prosecution.

Michael Mulkerrins, who had reviewed the case, flew 5,700 miles to Hanoi after the family of Tu Quang Hoang Vu asked for a face-to-face meeting under the Direct Communications with Victims initiative. During two days of meetings at the parents' home in Hanoi, Michael explained the UK criminal justice system and why he had advised the police there was insufficient evidence to charge the teenagers with murder or manslaughter.

In a tragedy widely reported by the media, Tu, a 25-year-old architect, fell on to the tracks at Earl's Court tube station last November.

A group of Queens Park Rangers youth players was on the same platform at the time. One, a 17-year-old, who was standing close to Tu, also plunged under the oncoming train.

Tu, who was studying for a Masters degree at Kingston University, died. The teenager survived.

He and three other players - all aged 16 - were arrested by British Transport Police officers. Michael twice reviewed the evidence obtained from eye witnesses and CCTV footage and twice advised

police there was insufficient evidence to charge either murder or manslaughter.

"Witnesses said the youths were larking about," said Michael. "Three of them used the words 'dreadful accident' in their statements."

Assisted by an interpreter, he spoke to Tu's parents - father Tam Quang Vu, a retired accountant, and mother Lai Thi Kim Thoa, a nurse - and other relatives in May 2007.

After the meetings, he was invited to visit the Buddhist cemetery where Tu was buried.

No Witness No Justice

National implementation of No Witness No Justice (NWNJ) during 2005 saw the creation of 165 Witness Care Units (WCUs) across England and Wales, providing an enhanced level of service to victims and witnesses in cases where a charge has been brought.

During 2007, work has continued to improve the level of service offered by the units, including the development of a training course for WCU Managers and a national conference for witness care staff to share best practice.

Witness attendance rates have increased from 78% to 84% nationally since the introduction of WCUs. The number of trials that did not go ahead due to witness issues has fallen by 63% in the Crown Court, and by 14% in the magistrates' courts. Witness satisfaction continues to be monitored via the Witness and Victim Experience Survey (WAVES) conducted by Ipsos MORI and will be used from 2008 to measure performance in respect of victim and witness satisfaction across the CJS.

Victims' Advocates

The Victim Advocate Scheme was piloted in five Crown Court centres (Old Bailey, Winchester, Cardiff, Manchester and Birmingham) from April 2006 to April 2008. The scheme gives the family of the victim in cases of murder and manslaughter the opportunity of meeting the prosecutor in charge of the case and of making a Family Impact Statement (FIS) at the sentencing hearing. The FIS informs the court of the effect the crime has had on the family of the victim. The family also has the option of having appointed an independent publicly funded lawyer to assist them in making and delivering the FIS.

In the pilot areas, the CPS introduced an enhanced service whereby the prosecutor in charge of the case will offer to meet the family after charge in order to explain the role of the CPS, court processes and procedures (including the progress of the case) and outline the purpose of the FIS. The prosecutor will also deal with any other questions the family may have. The family may then decide whether they wish to have the services of an independent lawyer or the CPS prosecutor to assist them in making and delivering an FIS.

Evaluation of the pilots is being undertaken by the MoJ and a report will be published during 2008.

Victim Focus

In June 2007, the Attorney General announced that the CPS would implement a new scheme to provide an enhanced service for bereaved families. The scheme is known as Victim Focus and was introduced on 1 October 2007. The new service is based on the experience gained in the five Victims' Advocate Scheme pilot sites and will be offered to bereaved families in all murder and manslaughter cases, and certain fatal road traffic offences, heard in the Crown Court. As with the Victims' Advocates pilots, the focal point of the service is the opportunity for the family to meet the CPS prosecutor who will explain the court process and answer any questions that family members may have. The prosecutor will also explain that family members have the opportunity to make a Victim Personal Statement (VPS) that may be read to the court where there is a conviction as part of the sentencing process.

Pre-Trial Witness Interviews

Between January 2006 and January 2007, the pre-trial witness interview (PTWI) scheme was successfully piloted in four CPS Areas. Under the scheme prosecutors may interview witnesses about their evidence in order to assess its reliability or to better understand any complexities.

During the pilot, 93 cases were considered, which generated 53 PTWIs. Following the pilot, the four CPS Areas have continued to undertake PTWIs - by January 2008 over 90 interviews had been conducted, predominantly in serious cases. An external evaluation concluded that the scheme improved prosecutorial decision-making by strengthening cases which went to trial and rejecting potentially weak cases at an early stage. National implementation was achieved on time in April 2008 and around 180 prosecutors have been trained to undertake PTWIs.

INSPIRING THE CONFIDENCE OF THE COMMUNITIES WE SERVE

Community Engagement

To further enhance local engagement, the CPS has set up Area-based Hate Crime Scrutiny Panels (HCSPs), Group-level Community Involvement Panels (CIPs) and at national level, a Community Accountability Forum.

The HCSPs consider performance on handling of hate crime cases by scrutinising finalised case files and acting on the learning derived from the scrutiny process. The CIPs are consulted on strategies, business plans and community engagement plans. The national Community Accountability Forum is consulted in relation to the national CPS business plan, revised vision and strategy, equality impact assessments and on draft policy statements and guidance. In addition to these standing community forums, individual Areas undergo a bi-annual assessment of their performance in relation to their other engagement work with community groups, schools, colleges, victims and witnesses and the public in general.

In partnership with Derbyshire County Council, CPS Derbyshire has developed an innovative and comprehensive two hour lesson as part of the schools' citizenship curriculum. The interactive lesson includes understanding the role of the CPS, special measures, and taking on the role of a CPS prosecutor. A lesson plan for teachers has also been developed. The lessons have been positively received by schools and students. The full set of teaching materials can now be utilised by all CPS Areas.

Tackling Anti-Social Behaviour

During 2007/08, the CPS continued to contribute to the multi-agency programme of work to tackle anti-social behaviour (ASB) led by the Home Office ASB and Crime Prevention Unit. The network of specialist ASB prosecutors, which was established in 2004, was extended to ensure that all CPS Groups had a lead prosecutor to improve ASB work locally by:

- Developing and delivering training to prosecutors on applications for orders on conviction and prosecution of breach of ASBOs;
- Providing advice to prosecutors on the full range of enforcement measures and key issues in addressing ASB;

- Developing partnership working between the CPS, police, and other relevant agencies involved in taking action against ASB;
- Engaging with partner agencies and the community to develop a greater awareness of the issues of concern to the locality; and
- Providing expert tuition at a series of regional workshops run jointly with the Home Office ASB and Crime Prevention Unit.

Recovering Proceeds of Crime

The latest figures show that for 2007/08 the police and CPS obtained 3,995 confiscation orders to a value of £91,994,323 against end of year targets of 3,856 (volume) and £87,385,000 (value). Volume performance has increased by 22% and value performance has increased by 30% compared with 2006/07.

The police and the CPS have also exceeded the 2007/08 restraint order target, obtaining 1,119 restraint orders against a target of 642 orders. This represents an increase of 73% compared with 2006/07.

SOCA and the CPS have obtained 114 confiscation orders to a value of £9,776,845 and 71 restraint orders for the financial year 2007/08. SOCA figures are not included in the national totals.

As part of CSR 2007, asset recovery has now become a PSA target (24), to recover £250 million of criminal assets by 2009/10. Accordingly, the all-agency asset recovery target for 2008/09 is to collect £200 million of which £120 million is to come from confiscation and this will include the enforcement of confiscation orders obtained by CPS and other agencies.

In excess of £65 million has been enforced in respect of CPS confiscation orders in 2007/08. Over £13.5 million of this has been enforced by the CPS Area enforcement champions compared with £3.2 million in 2006/07.

The CPS was recognised at the Home Office Tackling Drug Supply Awards in April 2008. The award was in relation to North Wales Police's Operation Hawthorn, a multi-agency investigation into career criminal, John Gizzi.



CPS Greater Manchester North West Regional Asset Recovery Team (RART) Crown Advocate, Kath Greenwood, was among the team who won the "Best Practice in Asset Recovery" award.



At a confiscation hearing in March 2007 Gizzi was ordered to hand over £2.6 million in ill-gotten gains. Kath handled the entire restraint of his assets in-house. She spent a significant amount of time on the confiscation. After the restraint order was made she managed Gizzi's properties, preserving their value and agreeing their sale as required, at the best possible price.

Kath added: "His imprisonment and the confiscation of all his assets has publicly dismantled his criminal empire and demonstrated to the community that crime does not pay."

Hate Crimes

In 2007/08, the CPS reviewed its performance in the prosecution of hate crimes. This included domestic violence, homophobic crime, and for the first time disability hate crimes and a disaggregation of religiously aggravated from racially aggravated crimes. From November 2007, data on support for hate crime specialist services and same sex domestic violence cases have been recorded. By March 2008, there was a 32% increase in recorded hate crime cases compared with 2005/06, with domestic violence accounting for 82% of these cases. Convictions increased from 65.7% of hate crime outcomes in 2006 to 72.4% by quarter ending March 2008 against a target of 72% by April 2008, while convictions for domestic violence increased from 63.5% to 70.7% against a target of 70% by April 2008. By quarter ending March 2008, 27 Areas had already reached the target for April 2008 for hate crimes as had 30 Areas for domestic violence. The first Hate Crime report is due to be published in autumn 2008.

In December 2007, Thomas Blue was sentenced to life imprisonment with a minimum of 17 years for the murder of Adam Michalski. Blue stabbed Adam several times, including a fatal strike to the heart at Beechley Service station.

His Honour Judge John Rogers QC expressly stated that two years had been added to the minimum tariff to reflect the racial element of the offence that had been cited by the prosecution as an aggravating factor during the trial.

The trial was concluded four months after Blue's arrest, and was a testament to the partnership working of North Wales Police and North Wales CPS, and their commitment to ensuring the toughest penalties for those who are motivated by racism.

INSPIRING THE CONFIDENCE OF THE COMMUNITIES WE SERVE

Domestic Violence

The CPS continues to contribute to the government's strategy to tackle domestic violence. The Good Practice Domestic Violence Guidance was used to develop Area Business Plans in 2007/08. These plans included training for all prosecutors and caseworkers by April 2008, development of further specialist domestic violence courts (SDVC) and performance management of cases.

The CJS national SDVC programme, selected a total of 64 SDVCs for implementation by April 2007. Further selection of SDVCs took place in early 2008, bringing the total to almost 100 by April 2008, with supporting Independent Domestic Violence Advisors to assist victims and multi-agency risk assessment panels (MARACs) to assess victim risk.

In June 2007, a pilot on the prosecution of forced marriage and so-called honour crime cases started in four Areas - Lancashire, London, West Midlands and West Yorkshire. The pilot aims to identify the number and patterns of cases; determine issues facing prosecutors in identifying, managing and prosecuting these cases; and inform the development of any national guidance and training for prosecutors to reduce risk and increase support for victims. The results of the pilot will be reported in summer 2008.



West Midlands CPS launched a leaflet with the aim of encouraging more victims and witnesses to report so-called honour crimes and forced marriages.

The leaflet - 'Love, "Honour" and Obey' was the first CPS publication of its kind and defines offences of so-called honour crimes and forced marriages, and more importantly identifies the support that is available to victims of such crimes.

David Blundell, CCP for CPS West Midlands said; "Some communities talk of honour crimes and forced marriages. There is no such concept in English law. If a so-called honour crime has taken place or a forced marriage, criminal offences will have been committed and the police and the CPS will do everything in their power to ensure successful prosecutions. We will protect and support victims during the criminal process.

"It is essential that we challenge views that justify the unjustifiable. Crime is crime; victimising your own family is unacceptable in the 21st century.

"I would like to thank the voluntary sector in assisting us in the drafting of the leaflet. They will also help us in providing practical support to victims. Together we can make the unacceptable a thing of the past."

Imran Chaudhary from the Doli Project, who was part of the consultation group that looked at the design and content of the leaflet said: "Forced marriage and honour based violence often involve criminal offences that can be prosecuted under existing criminal law. The launch of this new CPS leaflet demonstrates their commitment to dealing with the challenges presented by these types of offences.

"It is important for victims to be aware that there is a wide range of support available to them, both from statutory agencies and community organisations, of which details can be found in this leaflet."

Four close relatives of a man who murdered his wife, Sabia Rani, were convicted of failing to protect her and thereby allowing her death.

Sabia was just 19 years old when she died at the family home in Leeds in May 2006. Sabia had only been married for a matter of months before repeated, savage beatings from her husband caused her death.

Shazad Khan (25) of Oakwood, Leeds was found guilty of his wife's murder in January 2007. In February 2008 Khan's mother, Phullan Bibi (52), two of his sisters, Uzma Khan (23), and Nazia Naureen (28) and Nazia's husband Majid Hussain (28) were all found guilty of failing to do anything to help protect vulnerable Sabia, from her death at the hands of her husband.

At the time of Shazad Khan's conviction, West Yorkshire Police and the CPS had already taken the first steps towards charging these defendants, a course supported in court by the trial Judge, His Honour Norman Jones QC.

All four relatives of Shazad Khan and Sabia Rani were convicted of causing or allowing the death of a vulnerable adult. Their convictions were secured on one of the first occasions when new legislation was used after the death of an adult. Phullan Bibi received a prison sentence of three years, Nazia and Uzma Naureen were both sentenced to two years imprisonment, while Majid Hussain received a one year sentence, suspended for two years, and 40 hours community sentence order.

Malcolm Taylor of CPS West Yorkshire's Complex Casework Unit said:

"Sabia Rani was the victim of horrific violence at the hands of her husband whilst her family, as the jury found, chose to do nothing to help her.



Malcolm Taylor

"This is the first case in West Yorkshire and one of the very first cases in the whole of England and Wales where the provisions of the Domestic Violence Crime and Victims Act 2004 have been used after the death of a 'vulnerable adult'.

"The message must be that if families or other people with a duty to look after those who need protection deliberately choose not to do so, their neglect will not be ignored by the law enforcement agencies, and prosecution will follow."

Violence against Women

As part of the implementation of the Single Equalities Scheme, the CPS prioritised the development of a Violence Against Women (VAW) strategy and action plans. Public consultation was carried out between November 2007 and January 2008 and the final strategy was published in April 2008. The action plans expand the good practice in the prosecution of domestic violence across a wider range of issues such as rape, prostitution, trafficking, and child abuse.

The first Violence Against Women report on performance will be published in autumn 2008, alongside a first Hate Crimes report.

Community Justice

Community Justice is about engaging with the local community, making the court more responsive to local people and working in partnership with the range of criminal justice agencies, support services and community groups to solve the problems caused by offending in the local area. The courts take a problem-solving approach, aiming to break cycles of re-offending by bringing together a range of statutory and third sector agencies to tackle the underlying causes of crime, such as, addiction, housing, education or debt problems.

There are now 13 community justice projects across England and Wales. Following the first two projects, the Community Justice Centre in North Liverpool and the Salford Community Justice Initiative, community courts are now established at Birmingham, Bradford, Hull, Leicester, Merthyr Tydfil, Middlesbrough, Nottingham, Plymouth, and three locations in London - Haringey, Newham and Wandsworth.

Further rollout of community engagement principles to the magistrates' courts will be completed by the end of 2008. Engaging with the community so directly will give the courts a better understanding of the issues faced by local communities, and the impact of crimes on their lives.

INSPIRING THE CONFIDENCE OF THE COMMUNITIES WE SERVE

Improving Public Awareness and Confidence in the CPS

The CPS has made significant progress over the last year, providing more information to the public through both local and national media and enhancing the Service's reputation for openness and transparency through the positive operation of the Protocol on the Disclosure of Prosecution Material.

The CPS has also held events such as media briefings with the DPP and other senior CPS personnel, including briefings for black and minority ethnic (BME) media. Briefings such as these promote two-way communication between the CPS and the media, raising general awareness of the Service's work, and enabling the media to discuss issues they have identified as being of particular interest or concern to their audiences.

During the year, the CPS launched a staff suggestion scheme to help staff contribute their ideas for improving the Service and also held a national staff awards event to identify and reward best practice across the organisation.

In 2008/09, the recruitment of 14 Group Communications Managers will strengthen relations with local media outlets and provide additional communication advice and support for frontline staff.

Following the conviction of four would-be suicide bombers for conspiracy to murder, Sue Hemming, Head of CTD praised the joint working relationship of the CPS and the Metropolitan Police's anti-terror unit, SO15.

The defendants planned a coordinated attack designed to cause death and destruction on the London transport system - just two weeks after the 7 July 2005 bombings. They were (L-R) Hussain Osman, Ramzi Mohammed, Muktar Said Ibrahim and Yassin Omar.



Sue Hemming

Sue said that, from the beginning, the leading lawyer on the case and CTD Deputy Head, Deb Walsh, faced a massive challenge.

"Osman fled the country straight after the attempt and, following an intense manhunt, the very first European Arrest Warrant for the return of a fugitive, from Italy to England, was issued," she said.

"Osman was returned within a record 55 days to face trial with the others."

Other challenges Sue highlighted were the "lack of defence statements - so they had to address every single possibility that might arise; and complex scientific evidence as the bomb methods used were relatively unknown peroxide-based devices".

Assisting Deb on the case was CTD Caseworker, Roshen Bhurtha, and counsel consisted of Nigel Sweeney QC, Max Hill and Alison Morgan.

"The excellent teamwork demonstrated in this case between the CPS, police and counsel was vital to our success.

"Fortunately the devices failed but the skill in putting together and prosecuting a case of this type without educating terrorists on how to do things better cannot be underestimated."

Further to the conviction of the four main suspects, Adel Yahya and Manfo Kwaku Asiedu pleaded guilty to collecting information useful to a person committing or preparing an act of terrorism and conspiracy to cause explosions respectively before scheduled retrials following earlier acquittals. In addition, a further five men were convicted of a number of offences relating to assisting the would-be bombers.





The arrest of Steve Wright following the murders of five young women resulted in one of the biggest cases ever handled by the CPS in Suffolk.

Over a 10-day period in December 2006, the naked bodies of (L-R) Gemma Adams, Tania Nicol, Anneli Alderton, Paula Clennell and Annette Nicholls were found in the Ipswich Area. From the outset, CPS prosecutors and police worked closely and quickly together.



Michael Crimp



Robert Sadd

Steve Wright was charged with the murders of the vulnerable young women, aged between 19 and 29, on 21 December 2006. CPS reviewing lawyers on the case - Crown Advocates Michael Crimp and Robert Sadd - found it extremely challenging.

"Much of the evidence was not available at the point at which we had to make a charging decision, but came in over the ensuing months," said Michael.

Robert added: "What turned out to be the core of the case was what we based our charging decision on - the defendant's DNA which was found on three of the victim's bodies in significant quantities. No other person's DNA was found on more than one body."

In sentencing Wright to a whole of life term in prison, at Ipswich Crown Court, for the murder of the particularly vulnerable women, Mr Justice Gross said:

"Drugs and prostitution meant they were at risk. But neither drugs nor prostitution killed them. You did.

"This was a targeted campaign of murder. It is right you should spend your whole life in prison."

Public Consultation

The CPS has continued to seek public opinion on new and revised policies. During 2007, the CPS undertook public consultations on policies including Crimes Against the Older Person, a Violence Against Women Strategy and action plan, and revisions to the Policy for Prosecuting Cases of Racist and Religious Crime. Feedback received has ensured that public concerns and social issues form part of the policy-making process.

The Equality and Diversity Unit worked closely with the Policy Directorate to produce the first Crimes Against the Older Person policy and guidance, thus fulfilling a key obligation of the CPS Single Equality Scheme. A variety of input into the development of the policy was ensured by setting up an external steering group with representatives from key older people organisations, holding two focus groups with older people themselves, and holding a three month consultation period, which attracted responses from a wide range of professionals and individuals. The policy was launched by the Director and Solicitor General in June 2008.

DRIVING CHANGE AND DELIVERY IN THE CJS

Joined-up IT

During SR 2004, the Modernising Technology Unit (formerly known as Criminal Justice Information Technology (CJIT)), created the CJS Exchange facility, which enables immediate electronic information sharing between the CJS partner agencies. In partnership, the CPS developed an interface to reduce the burden of inputting the same data into both police and CPS IT systems. Following the successful pilot between CMS and police IT system (NSPIS) in Humberside, the Exchange is now live across 11 Areas, with 18 Areas undergoing implementation. Rollout is scheduled for completion by December 2008.

During 2007/08 the CPS further enhanced the xCMS, which supports the Casework Divisions in more serious and complex cases, and has a secure electronic link to SOCA.

PROGRESS, the information system developed to ensure more effective case progression by all criminal justice agencies, was piloted in Manchester and Essex during 2007. A further pilot will be undertaken later in 2008, with a view to beginning rollout during 2009.

2008/09 will see the CPS continue to be a driving force for change through e-enabling technology that fully supports its priority programmes.

DGQP and the Streamlined Process

To reduce bureaucracy, the police and CPS have developed a Streamlined Process (SP) for simple cases in the magistrates' courts. This provides a summary of evidence for the prosecution which reduces the burden of paperwork in the production of a prosecution file by the police. SP is a further development of the Director's Guidance Quick Process which was originally piloted in two CJS Areas in early 2007. The potential benefits arising out of these early schemes were endorsed by Sir Ronnie Flanagan in his review of policing. Further enhancements to the original scheme were devised

and were approved on 12 December 2007 by the DPP. This revised approach, the Director's Guidance for the Streamlined Process, is being tested in seven local criminal justice areas: Cheshire, Gloucestershire, Humberside, London, Suffolk, Devon and Cornwall and Staffordshire. A preliminary evaluation of the guidance will take place after July 2008 followed by a more comprehensive evaluation in September 2008. It is anticipated that national rollout will take place in 2008/09.

Prolific and Priority Offenders

The CPS has continued to contribute at a national and local level during 2007/08 to deliver the Prolific and Priority Offender (PPO) Programme throughout England and Wales. The CPS has worked closely with colleagues in the CJS, particularly with police partners, to bring to justice those PPOs who are causing the most harm to their communities as identified by Crime and Disorder Reduction Partnerships and Community Safety Partnerships. The CPS has focused on the 'Catch and Convict' strand of the strategy and continues to provide a premium service in terms of the preparation and presentation of cases involving such offenders.

Drug Interventions Programme

The Drug Interventions Programme (DIP) involves the CPS, other criminal justice agencies and the National Treatment Agency working with drug treatment service providers to offer certain drug-misusing offenders a way out of crime and into treatment. The CPS has an important role in communicating drug test results to the court at bail and sentence hearings. CPS performance is monitored by using a proxy measure comparing Home Office figures for the number of drug tests carried out, to the number of DIP cases that have been identified.

The 'Required Assessment' provisions of the Drugs Act 2005 have now been implemented. Required assessment creates an opportunity for those testing positive for specified Class A drugs to engage with treatment and other support. Since April 2007, there are two required assessments: the initial and the follow up assessment. Criminal sanctions exist against those who fail to attend and remain for either assessment without good cause. The CPS worked closely with the Home Office concerning the introduction of the follow up assessment provision from April 2007.

National Crime Reduction Board; Gangs and Gun Crime; Reducing Re-offending

The National Crime Reduction Board (NCRB) is the key high-level forum for driving forward a coordinated, cross-government approach to crime reduction. Its role is to oversee and monitor delivery of the new Crime Strategy and, from April 2008, the new PSA 'Make Communities Safer'. The Board, which met for the first time in October 2007, is chaired by the Home Secretary, and its membership includes the Attorney General. There is already a ministerial taskforce on guns and gangs, which is overseeing a Tackling Gangs Action Programme; and a ministerial sub-group on reducing re-offending. The CPS is supporting delivery of this evolving work.



BEING RENOWNED FOR FAIRNESS, EXCELLENT CAREER OPPORTUNITIES AND THE COMMITMENT AND SKILLS OF ALL OUR PEOPLE

Recruiting and Developing our People

Since last year's annual report, the CPS's recruitment team has made progress in developing its recruitment and selection methodologies to ensure it attracts and appoints the right candidates for jobs in the Service.

Operating within the Civil Service Commissioner's Code, the recruitment process has been simplified and improved, with a move towards a range of specifically designed assessments. This gives candidates the opportunity to prove their capabilities in a fair and transparent environment.

To support the advances in recruitment policy during 2007/08, work will take place during 2008/09 to improve the CPS website. This will provide easily accessible and relevant information to those looking for information about the Service, as well as to those keen to apply.

During 2007/08 the CPS ran a number of recruitment fairs and open evenings where potential candidates were able to meet with current CPS staff; giving candidates an opportunity to truly understand the roles on offer.

Law Scholarship Scheme (incorporating the Legal Trainee Scheme)

Since the scheme began in 2003, 740 staff have benefited, or continue to benefit from the opportunities provided for further legal education: A levels, degrees, professional qualification. A number of CPS staff on the Law Scholarship Scheme were successful in the 2007 national campaign for internal and external applicants for the Legal Trainee Scheme. 1,870 applications were received and the CPS appointed 48 trainees in October 2007.

Nicola Warner began working for the CPS in 2003 after completing her undergraduate studies. Having enjoyed her work at CPS Bedfordshire, Nicola decided that she would like to become a lawyer.

"I was encouraged to apply for funding through the Law Scholarship Scheme. After supporting myself at university I knew that I was unlikely to be able to pay the fees for the Graduate Diploma in Law (GDL) and Legal Practice Course (LPC) and the scheme

seemed to me to be the perfect opportunity to achieve my aspiration. I was fortunate and secured funding for both the GDL and the LPC."

Although combining a full time job with studying is never easy, Nicola has received tremendous support including additional study leave and assistance with travelling expenses.

"My colleagues have been extremely encouraging; it has been invaluable to have such a supportive network of people to turn to when I have needed help and advice. They've really helped to keep stress to a minimum. "

Now an Associate Prosecutor, Nicola has found it incredibly rewarding to put into practice everything that she has learnt. She has secured a trainee position subject to successful completion of the LPC in July 2008.

"I am looking forward to continuing my training under the Law Scholarship Scheme and I am grateful for the assistance provided in helping me to realise my dream of working as a lawyer for the CPS. I am certain that I would not have progressed as rapidly without the assistance provided."



Nicola Warner

Proactive Prosecutor Programme

The proactive prosecutor programme (PPP) addresses the critical skills of case analysis and giving investigative advice.

During 2007/08 the training day 'Case Analysis Workshop: From Investigation to Trial' was launched. The workshop covers more complex cases, highlighting particular issues and reinforcing skills learnt from the two-day programme. It then goes on to move the process of case analysis forward to concentrate on the 'think trial' approach. Between April 2007 and March 2008 1,081 prosecutors attended the course.

Effective Performance Management

Embedding performance management is one of the priorities in the CPS People Strategy 2008-11. In 2007/08 a new appraisal process - Performance and Development Review - was introduced. It focuses on the skills and behaviours needed to carry out every role below senior civil servants in the CPS.

Work is underway to develop a new range of performance measures that will link individual and team performance to business outcomes. This will be introduced in 2008/09.

Management Training

In 2007/08, 166 lawyer managers attended Proactive Prosecutor Management courses. The training was developed to help Unit Heads support lawyers in prosecuting cases proactively and to help them to embed new approaches to their work, such as making charging decisions and providing investigative advice to police officers.

Training for managers, in 2007/08, was delivered locally to cover individual needs and covered a range of topics from Performance Development Reviews to new HR policies. This work will be followed up in 2008 in CPS Groups. Also for 2008, the CPS is planning a new national programme for first line managers leading to a recognised qualification.

Leadership and Management Capability

In 2007/08, the CPS designed and introduced new leadership strategies. Implementation began with the CPS Board, Group Chairs' and Corporate Delivery and Management Group and other key leaders in the CPS. This included one-to-one discussions of their specific challenges and development needs. During 2008/09, this will be followed up with a leader development programme which will develop the whole senior leadership cadre across the CPS.

Maximising Attendance

The CPS remains committed to reducing the level of sickness absence. For January - December 2006 the CPS absence rate was 8.7 days per employee; this has increased to 9.4 days⁷ in March 2008. During 2007/08 the CPS undertook work to improve the level of sickness absence across the CPS, with improved recording and monitoring, the introduction of a case conference approach to long term absence, supported by the new attendance management policy. 2008/09 will see the CPS continue with its work to improve performance on sickness. As part of the CPS People Strategy 2008-11, a programme of activity will take place designed to embed a culture of proactive attendance management through managing attendance and employee engagement strategies.

2007/08 also saw further links established with the Employers' Forum on Disability. Line managers were issued with the latest Guide on Attendance Management and Disability to ensure operational line managers have appropriate support to manage complex absence cases.

⁷The calculation of this figure has changed. Previous data was calculated as headcount per full year. This did not take into account people who worked only part of a year, or people with different working patterns i.e. a full time person working for half a year would have been attributed as one. The new calculation is based on full time equivalent adjusted for the number of days available for work in the year and further adjusted for working patterns. In the previous example where the person was shown as one, in the new calculation they would be shown as 0.5

BEING RENOWNED FOR FAIRNESS, EXCELLENT CAREER OPPORTUNITIES AND THE COMMITMENT AND SKILLS OF ALL OUR PEOPLE

Equality and Diversity

The CPS published its first Single Equality Scheme 2006-10 in December 2006. The Scheme incorporates race, disability and gender actions as required by relevant equality legislation. The Scheme also includes equality and diversity actions in respect of age, religion or belief, and sexuality and gender identity. The progress report on the outcomes of the Scheme's first year has been completed. The CPS has refreshed and revised several key policies and complementary guidance for prosecutors and we have developed new policies in relation to disability hate crime and crimes against older people (due to be published July 2008). The CPS has also produced a strategy and action plan on violence against women.

Health and Safety

The CPS works to ensure compliance with Health and Safety Legislation and good practices continue to be adopted, supported by a programme to increase awareness of health and safety across the Service.

During 2007/08, the CPS has successfully implemented:

- A smoke free policy;
- A revised CPS Health and Safety Policy Statement;
- Revised Fire Management Policy;
- In partnership with managing agents, a "Health and Safety Guide Control of Contractors On-Site"; and
- A wide range of health and safety training programmes for staff across the department, a total of 98 courses were held.

Estates Management

During the year, the CPS has utilised an Office of Government Commerce (OGC) Framework Contract to award a new managing agents contract which also allows for the integration and provision of facility management services. Use of the managing agents has continued to deliver cashable savings in relation to business rates and within 2007/08 it is estimated that a further £330,000 has been saved. The CPS remains focused on ensuring that its Estates Strategy continues to meet business needs and best practice. This year, the CPS has voluntarily taken part in the OGC Property Benchmarking Scheme in order to evaluate how the estate is "performing" and to identify areas where improvements or efficiencies could be achieved.

The accommodation cost per head for 2007/08 is £5,462, an increase of 2.5% on the previous year.

Capability Review

The CPS's Capability Review report was published in June 2007. The report placed the department in a good position on the list of Whitehall departments that have been evaluated.

The review focuses on how well the CPS is able to deliver now and in the future. In response to the review, the CPS has developed a detailed implementation plan that describes what success will look like in terms of improved outcomes at 6, 12 and 24 months and describes the key actions that will be undertaken to bring about these improvements. These are being closely monitored through the CPS governance structures and the CPS is also required to report to the Cabinet Secretary, Sir Gus O'Donnell, on progress.

The CPS had its formal six-month stocktake with Sir Gus in January 2008 and the feedback on progress was positive. The Service is now working to ensure that the actions being undertaken will deliver demonstrable and measurable improvements to staff, stakeholders and communities for the 12-month stocktake.

Management Review

In July 2007, the CPS began a Management Review to look at:

- The roles to be played by the centre, taking account of the Group and 42 Area structure and the business centres;
- The role of HQ in this context;
- A new framework agreement covering the roles and responsibilities of the centre, Groups, 42 Areas and the business centres; and
- Proposals on changes to the governance arrangements to match the new structure and meet the points in the Capability Review.

Two key strands of work were identified: assessing the mix of work undertaken in different parts of the organisation to find the best fit for the future; and developing plans to manage changes in the size, shape and skills base of the CPS workforce over the next three to five years.

Following a report to the CPS Board in November, a new operating model for HQ was agreed. Work is now underway to develop detailed proposals to deliver the recommendations in the report which will be agreed by summer 2008. An implementation programme to deliver the necessary changes in the size and shape of HQ will then be delivered through 2008/09 and beyond.

Improving Governance Arrangements

Following the publication of the Capability Review report, the CPS undertook a review of corporate governance in summer 2007. This resulted in revised committee arrangements that came into effect from September 2007. The membership of the Board has been reduced from 17 to 7 and the number of committees from four to three, being:

- Corporate Delivery and Management Group;
- Group Chairs Group; and
- Audit Committee.

There are clear accountability lines between the Board and the committees and these are built into published terms of reference. A single secretariat function provides streamlined and coordinated support and ensures that links between committee workstrands are identified and managed effectively. (For further detail on governance see p.40 of the Resource Accounts)

Improved Procurement

During 2007/08, the CPS has been working towards introducing a procure to pay (P2P) system. The system should produce a number of improvements including: reduced lead times through on-line ordering; improved budgetary control of procurement expenditure; and better management information. Rollout of the system has commenced with five CPS Areas going live. Orders are being placed electronically with 30 suppliers for a range of goods and services

The CPS has also been working closely with the other Law Officers' Departments on a project that will facilitate the use of electronic equipment in the presentation of evidence in court. This involves capturing evidence in an electronic format (for example, scanning instead of photocopying) and presenting it to court in this manner. The benefits will include easier transportation, simpler and faster presentation in court, fewer staff resources and more professional input where greater technical expertise is required. The aim is to have a contract in place by summer 2008.

The department was awarded the Chartered Institute of Purchasing and Supply's certificate in April 2008, for achieving the standard of excellence in purchasing policies and procedures.

BEING RENOWNED FOR FAIRNESS, EXCELLENT CAREER OPPORTUNITIES AND THE COMMITMENT AND SKILLS OF ALL OUR PEOPLE

Improving the Management of Prosecution Costs

The CPS works closely with the MoJ and Legal Service Commission on a coordinated approach for defence and prosecution costs, to help ensure that both parts of government are joined-up when dealing with the financial management of criminal cases.

The CPS also uses Case Management Panels to provide assurance to the Attorney General, and the wider CJS community. These ensure that appropriate consideration has been given to all pertinent issues surrounding the launch of any substantial case due to last eight weeks or more at trial and that the continuing strategic management of the case is kept under regular review. The Panel also provides a suitable forum for the reviewing lawyer to confirm that their considered prosecution strategy is sound.

Case Management Panels in the most significant cases are chaired by the DPP, otherwise they are chaired by CCPs.

Sustainable Development

In March 2005 the Government published 'Securing the Future', an updated Strategy for Sustainable Development in the UK. The strategy sets out the government's overall plans and required all government departments to draw up proposals for tackling sustainable development issues.

The CPS, as part of the Law Officers' Departments, has completed an action plan which was reported upon within the Law Officers' Departments Departmental Report 2008.

The Sustainable Development in Government Report 2007 was published earlier this year, and as part of the Law Officers' Departments CPS performance has improved and continues to do so.





RESOURCE ACCOUNTS

MANAGEMENT COMMENTARY

Introduction

The Accounts report the resources that have been consumed working to deliver the Department's aim and objective. This report has been prepared in accordance with the guidance set out in the Government's *Financial Reporting Manual (FRM)*.

Spending Review 2004

The Government spending plans for the CPS for the three years from 2005-06 to 2007-08, which were announced in July 2004 as part of the 2004 Spending Review, represent an average increase in real terms of 3 per cent a year.

The spending plans required the CPS to:

- Deliver more challenging Public Service Agreement (PSA) targets. Further details on performance against current PSA targets can be found within the body of the Annual Report under the heading: CRIMINAL JUSTICE SYSTEM PERFORMANCE;
- Complete the rollout of full statutory charging across England and Wales by March 2007;
- Improve the handling of victims and witnesses, promote their needs, ensure that victims' views are represented and enable both victims and witnesses to give evidence effectively; and
- Deliver significant efficiency savings that amount to £34 million in 2007-08. Further details can be found within the body of the Annual Report under the heading: CRIMINAL JUSTICE SYSTEM PERFORMANCE.

Departmental Report

The CPS Departmental Report is presented to Parliament as part of the Law Officers' Departments Departmental Report. The report for 2007-08 was published in May 2008 and can be found on the CPS website: www.cps.gov.uk.

The coverage of the report includes the following main elements:

- Progress on delivering public services, including departmental objectives, PSA targets and modernising government;

- Recent developments in the CPS, including reorganisation and other new legislative and working practice initiatives;
- An analysis of expenditure over the previous five years and the expenditure plans for the next three years; and
- CPS performance and achievements.

The Autumn Performance Report 2008 will be published in December 2008 and provides supplementary performance information on PSA targets and progress on the key initiatives being undertaken by the CPS and other CJS agencies. Autumn Performance Reports are available at www.cps.gov.uk.

OPERATING AND FINANCIAL REVIEW

a) Operating Review

(i) CPS Business Strategy for 2005-08

The CPS Business Strategy for 2005-08 focuses on how to deliver the PSA targets which represent the Government's key objectives in criminal justice, and the basis on which funding for the Service is provided.

The CPS Vision to become a world class prosecution authority and the supporting business strategy has been developed with regard to a number of business drivers and changes across the CJS and to wider Civil Service reforms.

The Business Strategy sets out a challenging reform agenda for the CPS over the three years to 2008. The changes set out in the Strategy are part of the wider reform of the CJS and are essential if the CPS is to play its full part in a more efficient and effective CJS and become more accountable to local communities.

The planned changes, which are described in detail in the body of the Annual Report, will mean a more confident, strong and independent CPS that is better equipped to bring more offenders to justice and to prevent offenders profiting from their criminality. It will mean that people will be more secure from anti-social behaviour and crime, communities will be safer places to live and work and the public will have more confidence and trust in the CPS and in the CJS as a whole.

(ii) Key Strengths

The Board believes the key strengths of the CPS include:

The Department has clear, strong direction and leadership that has transformed the organisation's role, performance and reputation in recent years. The Vision has enthused and raised the ambitions of many staff and has attracted more high quality recruits. The CPS employs 2,973 prosecutors, 989 are Higher Court Advocates able to present cases in the Crown Court and in the Higher Courts. The Department also employs 438 Associate Prosecutors able to present cases in the magistrates' courts. Both groups are representative of the increasing professionalism of the CPS.

The CPS has made good progress in building positive and effective working relationships with its partners and becoming an influential voice within the Criminal Justice System.

The CPS has a proven track record for successfully planning, resourcing and delivering major change initiatives including assuming the responsibility for determining the appropriate charge in all but the most routine cases, implementation of joint Witness Care Units with the police to provide a single point of contact for witnesses and the successful implementation of national Case Management and Witness Management Systems based on up to date IT infrastructure provided through a PFI agreement between the CPS and Logica.

The 2008-09 Main Estimate for the CPS has been approved and no changes are anticipated.

(iii) Future Factors

CSR2007

In October 2007 the Government concluded the Comprehensive Spending Review 2007 (CSR2007) which determined the spending plans and performance targets for all departments for financial years 2008-09 to 2010-11. CSR2007 has delivered a long term and fundamental review of government expenditure.

As part of the settlement the CPS has agreed the following new departmental strategic objective: To bring offenders to justice, improve services to victims and promote confidence by applying the

Code for Crown Prosecutors, by adopting a proportionate approach to determine which offenders should be charged and which should be diverted from court, and by firm and fair presentation of cases in court.

In addition the CPS will be working with the other Criminal Justice System agencies to contribute to the delivery of the following PSAs over the CSR period:

- Make communities safer;
- Deliver a more effective, transparent and responsive Criminal Justice System for victims and the public; and
- Reduce the risk to the UK and its interests overseas from international terrorism.

The Government has recognised the increasingly important role the CPS plays in supporting counter-terrorism activities and provided an additional £8 million per annum over the CSR2007 period.

In line with many departments the CPS will be expected to deliver efficiency savings of 3.2 per cent per year with a focus on cashable savings to free up resources to meet the challenges ahead. In addition the administration budget for the Department will be reduced by 5 per cent per year in real terms over the CSR2007 period, releasing additional resources for reallocation to frontline service delivery.

In January 2008 the CPS published the Department's CSR2007 Value For Money Delivery Agreement that explains how the efficiency savings targets will be achieved and which can be found on the CPS website: www.cps.gov.uk. The main themes are focused on delivering the Department's frontline activities more efficiently through more effective working with other CJS agencies and the adoption of lean service delivery techniques, maximising the efficiency opportunities provided by information technology, improved procurement and other corporate services and through increasing the role of the Department in presenting cases at court.

RESOURCE ACCOUNTS

(iv) Summary of Performance

The CPS has continued to make substantial progress in its reform programme in 2007-08 and in working to achieve the SR2004 PSA targets. Full details of performance and achievements during the year and comparisons with achievements in previous years can be found within the body of the Annual Report under the heading: CRIMINAL JUSTICE SYSTEM PERFORMANCE.

The CPS Business Strategy for 2005-08 together with the CPS Business Plan for 2008-09 focus on how the PSA targets will be delivered and are available on the CPS website: www.cps.gov.uk.

(v) Sustainability

Environmental Matters

The key CPS objectives to incorporate sustainable development and social and community issues are discussed in the body of the Annual Report under the heading Sustainable Development. The CPS, along with the other Law Officers' Departments, have agreed the Law Officers' Departments Sustainable Development Action Plan which will be published on the CPS website: www.cps.gov.uk.

b) Financial Review

The CPS net Request for Resources (RfR), as voted by Parliament, for the period to 31 March 2008 was £648 million. The outturn on expenditure as shown in the 2007-08 Accounts, Statement of Parliamentary Supply, was £633 million.

As part of the 2000 Spending Review plans, H M Treasury created a criminal justice reserve which set aside funding to provide for unforeseen pressures and trilaterally agreed new initiatives. The Attorney General, the Home Secretary and the Lord Chancellor agreed to allocate £76 million from the reserve in 2004-05 to the CPS to continue the reform of the Service. The investment has enabled the Service to direct additional resources to the more serious cases, progress the implementation of the charging initiative, bring more offences to justice, provide better support for victims and to implement the recommendations of Speaking up For Justice. The reserve became part of CPS baseline funding from 2005-06.

Note 2 to the Accounts analyses expenditure within the Departmental Expenditure Limit (DEL) by the Department's two functions, Administration and Crown prosecutions and legal services.

Administration represents the costs of running the Department and includes only those costs not attributed to front line services directly associated with the prosecution of criminal cases. Administration includes staff salaries, other staff related expenditure, accommodation and related costs for administrative staff based in CPS Headquarters. Overall the CPS administration outturn was £52 million compared to net provision of £57 million. The underspend of £5 million reflects, in part, continuing efficiency savings made during the year by HQ Directors to support the decision of the CPS Board to freeze HQ staff numbers and budgets from 2005 - 06 and, in part, some slippage in recruiting staff. The balance comprises the remaining reserves held as a contingency against unforeseen pressures.

Crown prosecutions and legal services cover the direct and indirect costs of taking cases to court. Following the cost of front line staff salaries, most of the expenditure is associated with the costs of the more serious cases, which are heard in the Crown Court and comprise the costs of employing barristers as advocates, reimbursing the costs of prosecution witnesses who attend court, and a number of other less significant costs associated with the prosecution process.

Expenditure on Crown prosecutions and legal services was £581 million compared with provision of £591 million representing an underspend of £10 million. Over £49 million of CPS provision for programme costs is provided by way of costs awarded against defendants and collected by the magistrates' courts on behalf of the CPS and through the collection of receipts in respect of confiscated criminal assets.

Within the overall expenditure position, expenditure on fees paid to counsel was around £3 million higher than originally planned for the year as explained below. The additional expenditure was offset by a reduction in expenditure on other areas of the Service.

The CPS and the Ministry of Justice use versions of a graduated fee scheme to calculate counsel fees in the majority of Crown Court cases. The concept of broad parity continues to create some upward pressure on the fees the CPS pays for the longer, more complex cases that have been historically outside the graduated fee scheme. About 40% of Crown Court cases involved indictable-only offences - the most serious cases of all - compared with 33% in 2000-01 and only 18.2% in 1991-92. There are further reasons for the increase in costs. The extension of recovery of criminal assets, the increasing requirements of disclosure, the conclusion of some extremely large cases, terrorism related prosecutions falling out of intensive activity by secret services and the police, and the increased use of information technology have all meant longer and more complex cases.

CPS costs have faced further upward pressure as Crown Court finalisations increased from 122,522 defendant finalisations in 2004-05 to 131,478 in 2007-08, an increase of 7.3% over three years.

Defendant finalisations increased by about 8,000 in the last year alone. These extra Crown Court finalisations have cost the Service around an additional £10 million in prosecution costs expenditure although the use of CPS Higher Court Advocates (HCAs) has helped to offset this pressure.

From October 2005 the graduated fee scheme was extended to include Crown Court cases that had cracked on the day of trial, cases where the defendant gave a guilty plea and cases that were expected to last between 25 and 40 days in court. Further measures are to be taken, in particular the

further extension of the deployment of HCAs to help manage these cost pressures.

Capital expenditure is focused on improving the Department's estate and office environment and investment in IT through the PFI arrangement with Logica.

The Department spent a total of £3 million on the purchase of fixed assets. This was £4 million less than the budget. The underspend was caused substantially by slippage in planned projects for improvements to leasehold properties and the replacement of office equipment. The Department's net cash requirement outturn was £627 million against an estimate of £649 million.

During 2007-08 debtors due within one year decreased by £1 million from £59 million to £58 million and debtor days decreased from 234 to 187 days. Debtors effectively represent the outstanding value of cost awards due to the CPS that are collected by the magistrates' courts on our behalf. Repayment arrangements agreed with defendants by the courts mean that collection can occur over an extended period of time. The introduction of income in respect of recovered criminal assets under the Proceeds of Crime Act incentivisation scheme has increased the total income for the Department and reduced the proportion accounted for by cost awards.

In the same period creditors increased from £59 million to £76 million and creditor days reduced slightly from 53 days to 51 days. The increase in creditors is due to the 'amounts issued from the Consolidated Fund for supply but not spent at year end' figure rising from £2 million last year to £22 million this year.

Reconciliation of resource expenditure between Estimates, Accounts and Budgets

	2007-08	2006-07
	£000	£000
Net Resource Outturn (Estimate)	648,432	621,342
Resource Budget (Estimate)	648,432	621,342
<i>Adjustments to additionally include:</i>		
Consolidated Fund Extra Receipts in the OCS	(164)	(2,059)
Unallocated Resource	(15,554)	(5,065)
Net Operating Cost (Accounts)	632,714	614,218

RESOURCE ACCOUNTS

Management

Sir Ken Macdonald QC was appointed the Director of Public Prosecutions in November 2003. The Chief Executive supports the Director. The Chief Executive has responsibility for finance, human resources, performance management, IT and business and administrative processes, allowing the Director to concentrate on prosecution and legal processes. Peter Lewis was appointed as the Chief Executive on 15 January 2007. The Remuneration Report provides details of service contracts, salary and pension entitlements for senior officials of the Department.

CPS Board

The CPS Board supports the Director and Chief Executive. It is collectively responsible for the delivery of the CPS public service outcomes, targets and our contribution to the Criminal Justice System Public Service Agreements.

Following the publication of the Capability Review report the CPS undertook a review of corporate governance in Summer 2007. This resulted in revised committee arrangements that came into effect from September 2007, with a subsequent change in January 2008.

Revised membership of the Board from September comprised the Director, Chief Executive, Finance Director, Chief Operating Officer, three Non-executive Directors (NED) and the Acting Chief Executive of the Office for Criminal Justice Reform (OCJR). The Board meets bi-monthly.

In addition to changes in the Board, the supporting committee structure was also changed. The Delivery and Change Committee (DCC), Strategy Policy and Diversity Committee (SPDC) and People Equality and Resources Committee (PERC), were disbanded, and Corporate Delivery and Management Group and Group Chairs Group were established in their place. The Audit Committee remained unchanged. The total number of supporting Committees was reduced from four to three. A single secretariat function provides streamlined and co-ordinated support and ensures that links between committee workstrands are identified and managed effectively.

The effectiveness of the new governance arrangements and membership of the Board and Committees will be reviewed in 2008-09.

The membership of the CPS Board and attendance during 2007-08 are as follows:

Board Member	Title	Attendance (out of 8 meetings)	Notes
Sir Ken Macdonald QC	DPP (Chair)	7	
Peter Lewis	Chief Executive	8	
John Graham	Finance Director	7	
Roger Daw	Policy Director	4 (out of 4)	
Steve Przybylski	Acting Business Development Director	4 (out of 5)	
Mike Kennedy	Business Development Director	2 (out of 2)	Appointed Chief Operating Officer in November 2007
Claire Hamon	Business Information Systems Director	3 (out of 4)	Left the Board after the July 2007 meeting
Ros McCool	Human Resources Director	4 (out of 4)	Left the Board after the July 2007 meeting
Séamus Taylor	Equality and Diversity Director	3 (out of 4)	Left the Board after the July 2007 meeting
Dru Sharpling	CCP London	3 (out of 4)	Left the Board after the July 2007 meeting
Judith Walker	CCP South Yorkshire	4 (out of 4)	Left the Board after the July 2007 meeting
Neil Franklin	CCP West Yorkshire	4 (out of 4)	Left the Board after the July 2007 meeting
Portia Ragnauth	CCP Durham	2 (out of 4)	Left the Board after the July 2007 meeting
Adele Clarke	ABM Northumbria	3 (out of 4)	Left the Board after the July 2007 meeting
Gerard Lemos	Non-executive Director	6	
Philip Oliver	Non-executive Director	6	
Rob Sykes	Non-executive Director	7	
Ursula Brennan	Chief Executive, OCJR	0 (out of 1)	Left the Board after the May 2007 meeting
Jonathan Sedgwick	Acting Chief Executive, OCJR	6 (out of 6)	Joined the Board at the May 2007 meeting

In April and October each year CCPs, ABMs and key managers in Headquarters meet together at conference to debate strategic issues and key operational problems.

The appointment and termination of staff who are members of the CPS Board, excluding the NEDs who are not employed by the CPS, is undertaken in accordance with the Civil Service Management Code. Where appropriate their remuneration, details of which can be found in the Remuneration Report, is determined by reference to the Senior Salaries Review Body. In the rare event of members holding company directorships or having any significant interests that conflict with their management responsibilities, these are declared and a record kept by the single secretariat. No specific action was required at Board level due to a declaration of interest in 2007-08.

The role of the Board is to:

- Ensure CPS continues to become world class and provides a fair and effective prosecution service;
- Demonstrate visible and effective leadership across the organisation to inspire confidence in staff, CJS and other stakeholders and the public;
- Determine the vision, role, direction and priorities of the CPS;
- Ensure effective allocation and management of CPS staff and financial resources;
- Monitor and improve the CPS performance; and
- Protect and enhance the CPS reputation as an organisation that is becoming a world class prosecution service.

Examples of business covered by the Board include:

- New CPS Vision;
- Strategic and Business Plan 2008-11;
- People Strategy; and
- Management Review.

Corporate Delivery and Management Group

CDMG contributes to the development and delivery of the CPS Vision and Strategy, cross-CJS PSAs, CPS public service outcomes and other priorities.

Work undertaken

- HQ Review (ongoing);
- Approved 2008-09 resource allocations; and
- Performance Management Framework.

Group Chairs Group

GCG contributes to the development and delivery of the CPS Vision and Strategy, cross-CJS PSAs, CPS public service outcomes and other priorities.

Work undertaken

- HCA Progression Framework; and
- Approved 2008-09 resource allocations.

CDMG Member	Title	Attendance (out of 6 meetings)	Notes
Peter Lewis	Chief Executive (Chair)	6	
John Graham	Finance Director	4	
Mike Kennedy	Business Development Director	4	Appointed Chief Operating Officer in November 2007
Gail Lamb	Acting Business Information Systems Director	5 (out of 5)	
David Jones	Business Information Systems Director	1 (out of 1)	Appointed Business Information Systems Director in February 2008
Ros McCool	Human Resources Director	5	
Séamus Taylor	Equality and Diversity Director	6	
Philip Oliver	Non-executive Director	5	
Karen Sawitzki	Senior Business Manager	2 (out of 2)	Joined CDMG at January 2008 meeting
Dru Sharpling	CCP London	1 (out of 2)	Joined CDMG at January 2008 meeting

RESOURCE ACCOUNTS

GCG Member	Title	Attendance (out of 6 meetings)	Notes
Peter Lewis	Chief Executive (Chair)	5	
Mike Kennedy	Chief Operating Officer	3	Appointed Chief Operating Officer in November 2007
Paul Whittaker	Group Chair Merseyside and Cheshire	4	
Neil Franklin	Group Chair West and North Yorkshire	5	
Martin Goldman	CCP CPS Direct	5	
Dru Sharpling	CCP London	4	
John Holt	Group Chair Manchester	5	
David Blundell	Group Chair West Midlands	6	
Nicola Reasbeck	Group Chair North East	4	
Nigel Cowgill	Group Chair South Yorkshire and Humberside	6	
Bob Marshall	Group Chair North West	5	
Chris Woolley	Group Chair Wales/Cymru	4	
David Archer	Deputy Group Chair Wales/Cymru	1	
Barry Hughes	Group Chair South West	2	
Nick Hawkins	Group Chair Wessex	5	
Roger Coe-Salazar	Group Chair South East	4	
Baljit Ubhey	Group Chair Thames and Chiltern	6	
Ken Caley	Group Chair Anglia	5	
Judith Walker	East Midlands	6	
Alison Saunders	Casework Divisions	5	

Audit Committee (AC)

The AC supports the Accounting Officers in their responsibilities for issues of risk control and governance by reviewing the comprehensiveness of assurances in meeting the CPS Board and Accounting Officers' assurance needs and reviewing the reliability and integrity of these assurances. The AC's role and responsibilities remained unchanged throughout the year.

Work undertaken

- Reviewed the systems and process of internal control and governance, including reviewing reports by Internal Audit and management on the effectiveness of systems for internal control, governance and risk management;

- Reviewed the Statement of Internal Control and Annual Resource Accounts for 2006-07 including the observations by NAO;
- Approved and monitored the Internal Audit programme for 2007-08, reviewed the findings from such activity and action taken by management on audit recommendations;
- Reviewed and endorsed the Head of Internal Audit's Annual Report for 2006-07; and
- Reviewed the external auditors' strategy and plan for the 2007-08 Resource Accounts.

From September DCC, SPDC and PERC were replaced by CDMG and GCG.

AC Member	Title	Attendance (out of 2 meetings)	Notes
Rob Sykes	Non-executive Director (Chair)	2	
Linda Fox	ABM, Hertfordshire	2	Left the CPS on 15 February 2008.
David Judd	Non-executive Director	2	
Paula Abrahams	CCP, Essex	2	

Strategy, Policy and Diversity Committee

SPDC determined the Service's overall vision and strategic direction and developed prosecution policies to deliver that vision whilst integrating all aspects of equality and diversity.

SPDC Member	Title	Attendance (out of 4 meetings)	Notes
Philip Oliver	Non-executive Director (Chair)	2 (out of 2)	
Roger Daw	Director of Policy	4	Left the committee after September 2007 meeting
Elizabeth Howe	CCP Kent	1 (out of 1)	Left the committee after June 2007 meeting
Charles Ingham	CCP Hertfordshire	3	
Alison Saunders	Head of Organised Crime Division	4	
Séamus Taylor	Director of EDU	2	
Chris Woolley	CCP South Wales	3	
Denise Bailey	ABM Hampshire and Isle of Wight	0 (out of 1)	Joined the committee at January 2008 meeting
Gerard Lemos	Non-executive Director	0 (out of 1)	Joined the committee at January 2008 meeting

Delivery and Change Committee

DCC managed the Service's change programme to ensure the delivery of PSA and other targets; reviewed and revised the existing change programme in order to integrate new legislative, policy or delivery objectives; and monitored progress so that it became 'business as usual'.

DCC Member	Title	Attendance (out of 1 meeting)	Notes
Gerard Lemos	Non-executive Director (Chair)	1	
Jean Ashton	ABM, Greater Manchester	1	
John Graham	Director of Finance	1	
Claire Hamon	Director of Business Information Systems	1	
Nick Hawkins	CCP, Hampshire and Isle of Wight	1	
Robert Stevenson	Deputy Director of Business Development	1	
Clare Toogood	Sector Business Manager, London South	1	
Judith Walker	CCP, South Yorkshire	1	

People, Equality and Resources Committee

PERC ensured that the CPS had the capacity and capability to deliver the agreed business strategy, by allocating resources and agreeing supporting strategies for people, equalities, finance and ICT; and ensured that these supporting strategies maximised efficiencies, delivered value for money and enabled the business strategy and PSA targets to be achieved against a background of increasing resource pressure.

RESOURCE ACCOUNTS

PERC Member	Title	Attendance (out of 2 meetings)	Notes
Peter Lewis	Chief Executive (Chair)	2	
Lesley Burton	ABM, London	1	
John Graham	Director of Finance	2	
Claire Hamon	Director of Business Information Systems	1	
Ros McCool	Director of Human Resources	2	
Philip Oliver	Non-executive Director	1	
Steve Przybylski	Acting Director of Business Development	2	
Baljit Ubhey	CCP, Thames Valley	1	

Pensions

The Accounting Policy Note 1.8 describes the CPS policy on how pension liabilities are treated and the accounting treatment is detailed in Note 7 and in the Remuneration Report.

Equal Opportunities

The CPS has a strong commitment and increasingly positive reputation on equal opportunities. The Service reviewed and refreshed its policy commitments on equal opportunities in 2005 and in its refined policy statement states:

'We are committed to taking account of the diversity of the population we serve and the staff we employ, promoting equality and opportunity for everyone. The Service recognises the challenge of institutional discrimination. We will work to eradicate it. We will work to ensure that prosecution decisions are free from bias or discrimination and that victims, witnesses and defendants are treated fairly, consistently and with respect. We will provide services in a manner that is appropriate to the individual. We are committed to achieving equality and respecting diversity in employment. We will work to build an inclusive workforce, which at all levels, reflects the communities we serve, where all staff are motivated and with no unjustifiable differences in employees' experiences.'

An Equal and Diverse Prosecution Service

The CPS has moved into a second phase in its work to further equality and diversity - it has moved on from a focus on raising awareness of the issues to a focus on outcomes. From April 2005 onwards the Service introduced equalities outcome measures into its performance review system and reports on achievements on a quarterly basis. The Service continually strives to improve its reputation on equality and diversity issues and in the past year its work has been positively recognised through the Cabinet Office Capability Review of the CPS (June 2007).

The CPS is committed to further progress on equality and diversity in employment and has put a Diversity Delivery Plan in place which sets out what we will do to achieve senior workforce representation targets.

Reporting of Personal Data Related Incidents

Incidents, the disclosure of which would in itself create an unacceptable risk of harm, may be excluded in accordance with the exemptions contained in the Freedom of Information Act 2000 or may be subject to the limitations of the other UK information legislation.

TABLE 1: SUMMARY OF PROTECTED PERSONAL DATA RELATED INCIDENTS FORMALLY REPORTED TO THE INFORMATION COMMISSIONER'S OFFICE IN 2007-08.

No incidents have needed to be reported to the Information Commissioner.

Table 2: SUMMARY OF OTHER PROTECTED DATA RELATED INCIDENTS IN 2007–08

Incidents deemed by the Data Controller not to fall within the criteria for report to the Information Commissioner's Office but recorded centrally within the Department are set out in the table below.

Category Types	Nature of Incident	Total
I	Loss of inadequately protected electronic equipment, devices or paper documents from secured Government premises	1
II	Loss of inadequately protected electronic equipment, devices or paper documents from outside secured Government premises	6
III	Insecure disposal of inadequately protected electronic equipment, devices or paper documents	1
IV	Unauthorised disclosure	2
V	Other	5

Explanatory Notes:

- The incidents include minor losses, and those relating to loss of case papers where the protection was adequate but for example a robbery took place on a courier van.
- Includes the loss of one laptop which had password protection and encryption on the basic input output system (BIOS). At the time of the loss the protective security on the laptop was compliant with Communications Electronics Security Group (CESG) guidance.
- The losses relate to a small number of individual case papers - no bulk losses.

TABLE 3: YEAR-ON-YEAR TOTAL NUMBERS OF PROTECTED DATA RELATED INCIDENTS PRIOR TO 2007–08

The CPS will not be providing similar details for the resource accounting period 2004-05, 2005-06, or 2006-07. Detail and the categorisation of the data losses are not totally reliable.

Employee Consultation and Providing Information to Employees

The CPS has continued in its strategy of communicating and consulting with staff, both

formally and informally. The main hub for the promulgation of business information is from an area on the CPS Intranet called "Infonet Live". From here staff can access weekly business updates, news and information produced by Areas and HQ Directorates for a more local perspective, as well as the monthly publication CPS News, which is also produced in hard copy and goes to an audience beyond the CPS.

The CPS intranet home page provides a portal to a number of themed areas as well as an online bulletin board, which is used to discuss a variety of business and social subjects. The intranet is becoming an important communication tool for the Department, as it moves to more sustainable working practices, with manuals and standard forms from across the different Directorates also published online, including the CPS HR policy procedures.

Staff are informed about items of change through team meetings and by newsletters circulated by project managers. Informal and formal consultations take place with the Trade Unions and staff networks over changes that will affect staff. Communication and consultation with the Trade Unions takes place as part of regular Whitley Council meetings. The CPS also meets with the Trade Unions to discuss specific policy changes and to conduct pay negotiations.

Payment of Suppliers and Witnesses

The CPS is committed to paying bills in accordance with agreed contractual conditions, or, where no such conditions exist, within 30 days of receipt of goods or services or the presentation of a valid invoice, whichever is the later. The CPS also seeks to pay all expenses to prosecution witnesses within 5 working days of receipt of a correctly completed claim form.

In 2007-08 the CPS settled 91.60% of undisputed invoices within 30 days of receipt and 97.12% of witness claims within 5 days. The CPS paid £Nil with respect to interest due under the Late Payment of Commercial Debts (Interest) Act 1998.

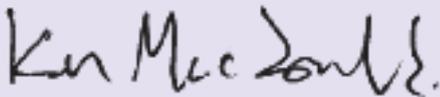
RESOURCE ACCOUNTS

Auditors

This year's Resource Accounts have been audited by the National Audit Office on behalf of the Comptroller and Auditor General. No further audit services were received aside from that of statutory audit by the NAO.

The cost of audit work was £92,000, which is solely related to audit services and is a notional cost (see Note 9).

As far as the Accounting Officer is aware, there is no relevant audit information of which the National Audit Office are unaware, and the Accounting Officer has taken all the steps that he ought to have taken to make himself aware of any relevant audit information and to establish that the entity's auditors are aware of that information.



Sir Ken Macdonald QC

Accounting Officer
3 July 2008

STATEMENT OF ACCOUNTING OFFICER'S RESPONSIBILITIES

Under the Government Resources and Accounts Act 2000, HM Treasury has directed the Crown Prosecution Service to prepare for each financial year resource accounts detailing the resources acquired, held or disposed of during the year and the use of resources by the Department during the year. The accounts are prepared on an accruals basis and must give a true and fair view of the state of affairs of the Crown Prosecution Service and of its net resource outturn, resources applied to objectives, recognised gains and losses and cash flows for the financial year.

In preparing the accounts, the Accounting Officer is required to comply with the requirements of the *Government Financial Reporting Manual* and in particular to:

- observe the Accounts Direction issued by HM Treasury, including the relevant accounting and disclosure requirements, and apply suitable accounting policies on a consistent basis;
- make judgements and estimates on a reasonable basis;
- state whether applicable accounting standards as set out in the *Government Financial Reporting Manual* have been followed, and disclose and explain any material departures in the accounts; and
- prepare the accounts on a going concern basis.

HM Treasury has appointed the Director of Public Prosecutions as Accounting Officer of the Department, and the Director of Public Prosecutions has appointed the Chief Executive as an Additional Accounting Officer, with responsibility for preparing the Department's accounts and for transmitting them to the Comptroller and Auditor General. The responsibilities of an Accounting Officer, including responsibility for the propriety and regularity of the public finances for which the Accounting Officer is answerable, for keeping proper records and for safeguarding the Department's assets, are set out in *Managing Public Money* published by HM Treasury. Under the terms of the Accounting Officer's Memorandum, the relationship between the Department's principal and additional Accounting Officers, together with their respective responsibilities, is set out in writing.

STATEMENT ON INTERNAL CONTROL

Scope of responsibility

As Accounting Officer, I have responsibility for maintaining a sound system of internal control that supports the achievement of CPS policies, aims and objectives, whilst safeguarding the public funds and departmental assets for which I am personally responsible, in accordance with the responsibilities assigned to me in *Managing Public Money*.

I am supported in managing the CPS and its key risks by a Chief Executive as additional Accounting Officer, the CPS Board and six Headquarters Directors. A governance review in 2007-08 resulted in a streamlined Board structure reducing the number of Chief Crown Prosecutor and HQ Director members and setting up two sub-groups: the Corporate Delivery and Management Group and the Group Chairs Group. During 2007-08, this was supplemented by two Board committees: the Audit Committee and, for part of the year, the Strategy, Policy and Diversity Committee. The CPS is organised into geographical Areas each headed by a Chief Crown Prosecutor with a direct line of accountability to me for legal decisions and casework, and, in the first instance, to the Chief Executive for the delivery of CPS objectives and PSA targets, and for managing local risks. In 2007-08 Areas were organised into Groups under the oversight of a Group Chair.

The CPS is an independent part of the criminal justice system under the ministerial superintendence of the Attorney General. I regularly meet the Attorney General to discuss progress, the issues and the risks of key criminal justice policy initiatives.

The purpose of the system of internal control

The system of internal control is designed to manage risk to a reasonable level rather than to eliminate all risk of failure to achieve policies, aims and objectives; it can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of departmental policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively

and economically. The system of internal control has been in place in CPS for the year ended 31 March 2008 and up to the date of approval of the annual report and accounts, and accords with Treasury guidance.

Capacity to handle risk

The CPS Board is responsible for ensuring that appropriate risk management arrangements exist and for ensuring that corporate risks are properly managed. The Corporate Delivery and Management Group (the change, risk and control oversight functions of which were previously carried out by the Delivery and Change Committee) assists the Board. The role of the Corporate Delivery and Management Group is set out under 'Review of Effectiveness'.

A Risk Management Champion (who is a Board member) and a Principal Risk Management Advisor, who is responsible for advising on embedding risk management across the Service, supported the Board during 2007-08 and provided update reports to the Board, the Corporate Delivery and Management Group (and previously the Delivery and Change Committee) and the Audit Committee.

The Board approved the CPS corporate risk tolerance - the amount of risk the Department is prepared to carry and all corporate risk owners are Board or Corporate Delivery and Management Group members.

Chief Crown Prosecutors are personally responsible for maintaining effective risk management arrangements and ensuring an effective system of internal control is operated in their Areas. With the Chief Executive, I personally take part in a quarterly round of performance review meetings with Areas. The frequency of review is determined by a risk based assessment. These include consideration of any key challenges or risks across 15 key indicators and business change projects plus a range of occasional thematic topics, which includes local risk management arrangements. In 2007-08 Area procedures for identifying and assessing their business risks were assessed for 21 Areas and Casework Divisions. A similar process is applied to Headquarters Directorates.

RESOURCE ACCOUNTS

The CPS risk management framework is contained in a written policy statement, a practical risk management guide and a written statement of best practice criteria. These are continuously reviewed to ensure they reflect current HM Treasury and Office of Government Commerce standards.

Risk management guidance is provided at the start of each business planning round. In 2007-08, the Service delivered risk training days and/or risk awareness seminars to 5 Areas and 3 HQ Directorates. The CPS Centre of Excellence also delivered training focused on managing business change risks.

Support and best practice guidance is available from the Principal Risk Management Advisor, the Centre of Excellence and a network of 5 Area Business Manager mentors, allowing Areas access to practical help and advice on managing their risks. The full range of risk guidance and support is available to everyone through the Service's internal 'Infonet' and is integrated with other business management and delivery skills that include planning, change, and programme; and project management guidance.

The risk and control framework

All risk management activity is aligned to the corporate aims, objectives, priorities and PSA commitments. Risk Management is applied to strategic corporate risks, Area operational and business risks and key business change programmes. For 2007-08 the focus for corporate and Area risks was the delivery of the PSA targets and the strategic business changes that underpin effective delivery. The priority corporate risk areas were:

- change management arrangements and the effective delivery of business benefits and efficiency gains;
- maintaining capability to deliver quality core business;
- strategic management capacity and capability required to sustain delivery of the PSA targets and business change commitments;
- development and anticipation of changes to government criminal justice policy;
- the impact on reputation from adverse publicity in high profile cases;

- the impact on PSA targets and business change commitments of Area restructuring;
- the impacts of structural and responsibility changes within the Criminal Justice System; and
- efficiency delivery and funding constraint effects on service delivery and public confidence.

Corporate, Area and HQ Directorate Business Plans are constructed in tandem with the relevant risk registers. Corporate and operational business risk owners are responsible for ensuring proper review and re-assessment of the level of risk. The Corporate Delivery and Management Group is responsible for identifying the risks to be managed corporately and updating the corporate risk register at formal quarterly reviews.

The CPS Board receives quarterly performance and risk highlight reports, and separate reports of any escalated risks. No corporate risks were escalated to the Board in 2007-08.

On behalf of the Board, the Corporate Delivery and Management Group oversees strategic business change projects and considers the level of risk assumed, and the balance of risk and potential benefits of new projects. Key business change programmes undergo Office of Government Commerce style 'Gateway' or 'Health Check' reviews. In 2007-08, these included reviews of our new human resource management system (HERMES), a direct procurement system (Procure2Pay) and the Area restructuring projects.

Our corporate risk management process has highlighted the need for more structured analysis of risk, cost and benefits. Work to develop this was carried out in 2007-08 and further development is planned for 2008-09.

For data and information handling risks the Board is assisted by a Chief Information Officer, Senior Information Risk Officer (both of whom are Corporate Delivery and Management Group members) and the Departmental Security Officer. During the year the Chief Executive oversaw a review by the Departmental Security Officer of information security risks that, together with an independent review of information systems security by internal audit, led to improvements to the handling and transfer of

electronically stored and paper information.

The Board fully met their programmed corporate risk identification and review commitments and their governance role by overseeing work of the programme boards responsible for the key business changes, including the progress of managing the associated key risks and issues in 2007-08. Due to the governance structure changes, the Corporate Delivery and Management Group was only able to review corporate risks on three of the four planned occasions. I am satisfied, however, that the necessary risk management actions were addressed properly at operational and project level.

Managers and staff at all levels have a responsibility to identify, evaluate, manage or report risks. The Director, Chief Executive and the Board encourage innovation and taking opportunities to further the interests of the CPS and the achievement of its objectives. The Board has set the CPS risk tolerance range, and the acceptable parameters for risk taking by managers are outlined in the CPS risk policy and guidance documents.

The Board requires Areas and HQ Directorates to maintain:

- a risk register detailing priority by likelihood and impact and showing ownership;
- a risk management action plan; and
- evidence of regular review and monitoring.

All Area risk registers were reviewed at the start of the year, and almost half reassessed in the year as part of the Area Performance Review process and to identify trends and common themes. No issues were escalated to the corporate risk register.

The CPS capacity to handle risk is under continuing review by the Corporate Delivery and Management Group and Audit Committee and the Principal Risk Management Advisor reports on progress against the CPS risk management development strategy.

The key areas for continuing development are:

- further embedding of risk - we are addressing this by continuing review and development of awareness, support and guidance material on the departmental Infonet; Principal Risk Management Advisor quality assurance and promotional visits to operational managers and HQ Directors; the delivery of formal risk training sessions and risk awareness development seminars; providing detailed written feedback reports on request; and maintaining summary best practice guidance;
- demonstrating improved risk handling and better delivery of planned outcomes - we are addressing this by integrated review of risk management and performance in quarterly Area performance review, and regular monitoring by CPS Board, Audit Committee and the Corporate Delivery and Management Group; and
- managing risks with partners - we are addressing this by working with the Office of Criminal Justice Reform on risks to the delivery of criminal justice PSA targets, and Criminal Justice Information Technology programme on risks to the development of joint information and communications technology; and establishing a criminal justice system risk management forum.

I am satisfied that, although we could further improve the application of our risk management framework, our risk management arrangements meet the necessary governance standards.

Review of effectiveness

As Accounting Officer, I have responsibility for reviewing the effectiveness of the system of internal control. My review of the effectiveness of the system of internal control is informed by the work of the internal auditors and the executive managers within the Department who have responsibility for the development and maintenance of the internal control framework, and comments made by the external auditors in their management letter and other reports. I have been advised on the implications of the result of my review of the effectiveness of the system of internal control by the Board, the Audit Committee and the Corporate Delivery and Management Group (and previously the Delivery and Change Committee), and a plan to address weaknesses and ensure continuous improvement of the system is in place.

RESOURCE ACCOUNTS

In the year, we reviewed corporate governance as required by the Corporate Governance Code of Practice. A new streamlined and focused Board and revised governance structure now operates with clearer responsibility and strategic oversight of internal control. There are clearer lines of accountability between the Board, its sub-groups and committees. A new role of Chief Operating Officer was established to provide accountability for delivery of change and performance in front line business and a focus for operational input to the Board.

Non-executive Directors sit on each group and committee with the exception of the Area and Group focused Group Chairs Group.

During 2007-08, the Board sub-groups and committees and their key roles were:

- Corporate Delivery and Management Group - to assist the Board in developing CPS and CJS strategy and policy; helping to exploit opportunities for partnership working; overseeing the corporate change agenda and benefits delivery; and overseeing key corporate performance and risk issues and advising the Board on strategic impacts and actions;
- Group Chairs Group - to assist the Board in developing CPS and CJS strategy and policy and helping to exploit opportunities for partnership working; advise on the impacts of proposed key operational changes; advise on the operational implications of key corporate performance and risk management issues;
- Strategy, Policy and Diversity Committee - to consider and inform the Service's overall vision and strategic direction, development of prosecution policies that integrate all aspects of equality and diversity. (The decision making role has been subsumed by the Board sub-groups and the Board has agreed to discontinue this committee from 2008-09); and
- Audit Committee - to provide objective advice, support and assurance to the Accounting Officer and Additional Accounting Officer on corporate governance, risk management, the system of internal control and external audit reports.

The Department has an internal audit function that operates to the 'Government Internal Audit Standards' guidance. They submit regular reports to the Audit Committee, including an annual report from the Head of Internal Audit that provides an independent opinion on the adequacy and effectiveness of the Department's system of internal control and includes recommendations for improvement to the systems of internal control.

In accordance with Code of Good Practice on Corporate Governance, the Audit Committee will prepare an annual report on the work of discharging its responsibilities.

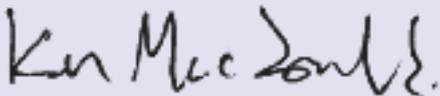
At the end of the calendar year each Chief Crown Prosecutor and HQ Director completes a certificate of assurance. The certificates include a statement on the level of assurance achieved throughout the year by the Area/Directorate against key aspects of their business. They specifically provide an assurance on the effectiveness of local systems to identify and manage the principal risks to the delivery of the Public Service Agreement targets. All certificates are validated against HM Crown Prosecution Service Inspectorate reports and other performance information. For 2007 assurances by managers indicated a continuing improvement in the reliability and effectiveness of key systems and business activities. A small number of 'assurance hotspots' were identified for further development work in 2008-09.

Our quarterly performance review programme with Area Chief Crown Prosecutors and Business Managers (detailed in the Capacity to Handle Risk section) is a key part of monitoring effectiveness of the system of internal control. Resulting action plans for performance improvement are agreed with me, the Chief Executive and the Chief Operating Officer.

Independent review of business efficiency and effectiveness in the Areas is carried out by HM Crown Prosecution Service Inspectorate. In 2007-08 they undertook a programme that included Area effectiveness inspections, operational performance assessments and thematic reviews of decision making and management in discontinued and discharged committals and of our 'Direct Communication with Victims' arrangements. HM Crown Prosecution Service Inspectorate also carries out joint thematic inspections with other independent Criminal Justice inspectorates.

Significant internal control issues

I have no significant internal control issues to report for 2007-08 and all previously reported issues have been cleared.

A handwritten signature in black ink that reads "Ken Macdonald". The signature is written in a cursive, slightly slanted style.

Sir Ken Macdonald QC

Accounting Officer

3 July 2008

RESOURCE ACCOUNTS

THE CERTIFICATE AND REPORT OF THE COMPTROLLER AND AUDITOR GENERAL TO THE HOUSE OF COMMONS

I certify that I have audited the financial statements of the Crown Prosecution Service for the year ended 31 March 2008 under the Government Resources and Accounts Act 2000. These comprise the Statement of Parliamentary Supply, the Operating Cost Statement and Statement of Recognised Gains and Losses, the Balance Sheet, the Cashflow Statement and the Statement of Operating Costs by Departmental Aim and Objectives and the related notes. These financial statements have been prepared under the accounting policies set out within them. I have also audited the information in the Remuneration Report that is described in that report as having been audited.

Respective responsibilities of the Accounting Officer and auditor

The Accounting Officer is responsible for preparing the Annual Report, which includes the Remuneration Report, and the financial statements in accordance with the Government Resources and Accounts Act 2000 and HM Treasury directions made thereunder and for ensuring the regularity of financial transactions. These responsibilities are set out in the Statement of Accounting Officer's Responsibilities.

My responsibility is to audit the financial statements and the part of the Remuneration Report to be audited in accordance with relevant legal and regulatory requirements, and with International Standards on Auditing (UK and Ireland).

I report to you my opinion as to whether the financial statements give a true and fair view and whether the financial statements and the part of the Remuneration Report to be audited have been properly prepared in accordance with HM Treasury directions issued under the Government Resources and Accounts Act 2000. I report to you whether, in my opinion, the information included in the Annual Report is consistent with the financial statements. I also report whether in all material respects the expenditure and income have been applied to the purposes intended by Parliament and the financial transactions conform to the authorities which govern them. In addition, I report to you if the Department has not

kept proper accounting records, if I have not received all the information and explanations I require for my audit, or if information specified by HM Treasury regarding remuneration and other transactions is not disclosed.

I review whether the Statement on Internal Control reflects the Department's compliance with HM Treasury's guidance, and I report if it does not. I am not required to consider whether this statement covers all risks and controls, or to form an opinion on the effectiveness of the Department's corporate governance procedures or its risk and control procedures.

I read the other information contained in the Annual Report and consider whether it is consistent with the audited financial statements. I consider the implications for my certificate if I become aware of any apparent misstatements or material inconsistencies with the financial statements. My responsibilities do not extend to any other information.

Basis of audit opinions

I conducted my audit in accordance with International Standards on Auditing (UK and Ireland) issued by the Auditing Practices Board. My audit includes examination, on a test basis, of evidence relevant to the amounts, disclosures and regularity of financial transactions included in the financial statements and the part of the Remuneration Report to be audited. It also includes an assessment of the significant estimates and judgments made by the Accounting Officer in the preparation of the financial statements, and of whether the accounting policies are most appropriate to the Department's circumstances, consistently applied and adequately disclosed.

I planned and performed my audit so as to obtain all the information and explanations which I considered necessary in order to provide me with sufficient evidence to give reasonable assurance that the financial statements and the part of the Remuneration Report to be audited are free from material misstatement, whether caused by fraud or error, and that in all material respects the expenditure and income have been applied to the purposes intended by Parliament and the financial

transactions conform to the authorities which govern them. In forming my opinion I also evaluated the overall adequacy of the presentation of information in the financial statements and the part of the Remuneration Report to be audited.

Opinions

In my opinion:

- the financial statements give a true and fair view, in accordance with the Government Resources and Accounts Act 2000 and directions made thereunder by HM Treasury, of the state of the Department's affairs as at 31 March 2008 and the net cash requirement, net resource outturn, net operating cost, operating costs applied to objectives, recognised gains and losses and cashflows for the year then ended;
- the financial statements and the part of the Remuneration Report to be audited have been properly prepared in accordance with HM Treasury directions issued under the Government Resources and Accounts Act 2000; and
- information included within the Annual Report is consistent with the financial statements.

Opinion on Regularity

In my opinion, in all material respects, the expenditure and income have been applied to the purposes intended by Parliament and the financial transactions conform to the authorities which govern them.

Report

I have no observations to make on these financial statements.

T J Burr

Comptroller and Auditor General
7 July 2008

National Audit Office
151 Buckingham Palace Road
Victoria, London SW1W 9SS

RESOURCE ACCOUNTS

Statement of Parliamentary Supply
Summary of Resource Outturn 2007-08

	Note	Estimate			Outturn			2007-08	2006-07
		Gross expenditure	A in A	Net Total	Gross expenditure	A in A	Net Total	£000	£000
							Net total outturn compared with Estimate: saving/ (excess)	Net Total	
Request for resources 1	2	707,159	58,727	648,432	690,558	57,680	632,878	15,554	616,277
Total resources	3	707,159	58,727	648,432	690,558	57,680	632,878	15,554	616,277
Non-operating cost A in A	5	-	-	-	-	-	-	-	-

Net cash requirement 2007-08

	Note	Estimate	saving/ Outturn	2007-08	2006-07
				£000	£000
				Net total outturn compared with Estimate: (excess)	Outturn
Net cash requirement	4	648,968	627,039	21,929	619,885

Summary of income payable to the Consolidated Fund

In addition to appropriations in aid, the following income relates to the Department and is payable to the Consolidated Fund

	Note	Forecast Income	2007-08 Receipts £000	Outturn Income	2007-08 Receipts £000
Total	5	-	-	164	1,308

Explanations of variances between Estimate and outturn are given in Note 2 and in the Management Commentary.

The notes on pages 59-78 form part of these accounts

Operating Cost Statement for the year ended 31 March 2008

	Note	£000	£000	£000	2007-08	2006-07
		Staff Costs	Other Costs	Income	£000	£000
Administration Costs on HQ and Central Services						
Staff costs	7	27,312				30,146
Other administration costs	8		26,697			21,474
Operating income	10			(1,650)		(313)
Crown Prosecutions and Legal Services						
Staff costs	7	333,576				318,019
Other programme costs	9		302,973			291,965
Less: income	10			(56,194)		(47,073)
Totals		360,888	329,670	(57,844)		614,218
Net operating cost	3				632,714	614,218
Net resource outturn	4				632,878	616,277

In 2007-08 the cost of external consultants was reclassified from staff costs to other administration costs and other programme costs.

Statement of Recognised Gains and Losses for the year ended 31 March 2008

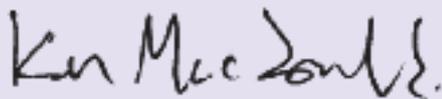
	Note	2007-08	2006-07
		£000	£000
Net gain on revaluation of tangible fixed assets	18	2,299	785
Net gain on revaluation of intangible fixed assets	18	7	3
Recognised gains for the financial year		2,306	788

The gains on tangible and intangible fixed assets are disclosed separately. Gains on intangible assets were not deemed sufficiently material to warrant separate disclosure in previous years.

RESOURCE ACCOUNTS

Balance Sheet as at 31 March 2008

	<i>Note</i>	2008 <i>£000</i>	2007 <i>£000</i>
Fixed assets:			
Tangible assets	11	28,114	27,753
Intangible assets	12	627	860
Debtors falling due after more than one year	13	2,400	3,194
Current assets:			
Debtors	13	57,680	58,789
Cash at bank and in hand	14	23,029	4,080
		<u>80,709</u>	<u>62,869</u>
Creditors (amounts falling due within one year)	15	(75,670)	(59,239)
Net current assets		<u>5,039</u>	<u>3,630</u>
Total assets less current liabilities		<u>36,180</u>	<u>35,437</u>
Provisions for liabilities and charges	16	(12,715)	(9,419)
		<u>23,465</u>	<u>26,018</u>
Taxpayers' equity:			
General fund	17	16,293	21,005
Revaluation reserve	18	7,172	5,013
		<u>23,465</u>	<u>26,018</u>



Sir Ken Macdonald QC

Accounting Officer

3 July 2008

Cash Flow Statement for the year ended 31 March 2008

	2007-08	2006-07
<i>Note</i>	<i>£000</i>	<i>£000</i>
Net cash outflow from operating activities	19(a) (623,543)	(612,439)
Capital expenditure and financial investment	19(b) (2,188)	(4,761)
Payments of amounts due to the Consolidated Fund	(2,293)	(3,290)
Financing	19(d) 646,973	610,027
Increase/(decrease) in cash in the period	19(e) <u>18,949</u>	<u>(10,463)</u>

RESOURCE ACCOUNTS

Statement of Operating Costs by Departmental Aim and Objective for the year ended 31 March 2008

Aim:

To deliver a high quality prosecution service that brings offenders to justice, helps reduce both crime and the fear of crime and thereby promotes public confidence in the rule of law, through the consistent, fair and independent review of cases and through their fair, thorough and firm presentation at court.

	2007-08			2006-07		
	£000	£000	£000	£000	£000	£000
	Gross	Income	Net	Gross	Income	Net
Objective	690,558	(57,844)	632,714	661,604	(47,386)	614,218
Net operating costs	690,558	(57,844)	632,714	661,604	(47,386)	614,218

The Department's objective was as follows:

To ensure the effective delivery of justice.

See Note 20

NOTES TO THE DEPARTMENTAL RESOURCE ACCOUNTS

1. Statement of Accounting Policies

The financial statements have been prepared in accordance with the 2007-08 *Government Financial Reporting Manual (FReM)* issued by HM Treasury. The accounting policies contained in the *FReM* follow UK generally accepted accounting practice for companies (UK GAAP) to the extent that it is meaningful and appropriate to the public sector.

In addition to the primary statements prepared under UK GAAP, the *FReM* also requires the Department to prepare two additional primary statements. The *Statement of Parliamentary Supply* and supporting notes show outturn against Estimate in terms of the net resource requirement and the net cash requirement. The *Statement of Operating Costs by Departmental Aim and Objective* and supporting notes analyse the Department's income and expenditure by the objectives agreed with Ministers. Where the *FReM* permits a choice of accounting policy, the accounting policy which has been judged to be the most appropriate to the particular circumstances of the Department for the purpose of giving a true and fair view has been selected. The Department's accounting policies have been applied consistently in dealing with items considered material in relation to the accounts.

1.1 Accounting Convention

These accounts have been prepared under the historical cost convention modified to account for the revaluation of fixed assets at their value to the business by reference to their current costs.

1.2 Basis of Consolidation

The CPS has no agencies or other bodies that may form part of a CPS departmental group.

1.3 Fixed Assets

Tangible Fixed Assets

Tangible fixed assets are stated at the lower of replacement cost and recoverable amount. All expenditure on tangible fixed assets of £500 or over is capitalised, including leasehold improvements. On initial recognition they are measured at cost including any costs such as installation directly attributable to bringing them into working condition.

All tangible fixed assets are restated to current value each year. Land and buildings are restated to current value using professional valuations in accordance with FRS15 every five years and in the intervening years by the use of published indices appropriate to the type of land or building. The Investment Property Databank supplies the indices used.

Title to the freehold land and buildings shown in the accounts is held as follows:

- a) property on the departmental estate, title to which is held by the CPS; and
- b) property held by the Department of Environment, Food and Rural Affairs in the name of the Secretary of State.

Other tangible fixed assets are restated to current value annually by indexation up to the year-end using Price Index Numbers for Current Cost Accounting, published by the Office for National Statistics.

Costs of bought-in services incurred in preparation for the implementation of IT projects are capitalised. Internal costs incurred on the same projects are not capitalised where the work can only be carried out by in-house staff.

Intangible Fixed Assets

Most software licences used in the business are paid for on an annual basis and their cost is charged to the Operating Cost Statement over the period to which the licences relate. However, the CPS has purchased certain licences for use over an extended period of time. These have been capitalised as intangible fixed assets, following the same conventions and principles as those applied to tangible fixed assets, including restatement to current value annually by indexation up to the year-end using relevant Price Index Numbers for Current Cost Accounting, published by the Office for National Statistics.

RESOURCE ACCOUNTS

1.4 Depreciation

Tangible Fixed Assets

Tangible fixed assets are depreciated at rates calculated to write them down to estimated residual value on a straight-line basis over their estimated useful lives. No depreciation is provided on freehold land since it has an unlimited useful life. Asset lives are normally in the following ranges:

Freehold buildings	20 to 50 years
Furniture and fittings	3 to 10 years
Information technology	4 years

Leasehold improvements are written off over the shorter of:

- a) the remaining life of the property lease;
- b) 10 years; or
- c) where it has been established that a break clause in the lease is likely to be exercised by the Department, the period to the first possible date of exercise of the relevant break clause.

Intangible Fixed Assets

Intangible fixed assets are depreciated at rates calculated to write them down to estimated residual value on a straight-line basis over their estimated useful lives, which are considered to be co-terminous with the Department's ICT managed service contract (see Note 23).

1.5 Operating Income

Operating income is income which relates directly to the operating activities of the Department, and consists of administration and programme income. It includes not only income appropriated in aid of the Estimate but also income to the Consolidated Fund, which in accordance with the *FReM* is treated as operating income. Operating income is stated net of VAT.

Administration Income

Administration income is income associated with support to front-line functions. This relates to the recovery of salaries for staff seconded to other Government Departments or Local Criminal Justice Boards, rental income from the sub-letting of buildings used principally for administrative purposes and reimbursement of expenditure under the

Government's Access to Work scheme. It includes not only income appropriated in aid of the Estimate but also income due to the Consolidated Fund, which in accordance with the *FReM* is treated as operating income. In the case of salary reimbursements, income is recognised quarterly in arrears; in the case of rental income, invoices are raised quarterly in advance and income is recognised monthly, and in the case of reimbursements under the Access to Work scheme, income is recognised on a case-by-case basis as it is received.

Programme Income

Programme income is direct income associated with delivery of front-line functions. The principal element relates to costs awarded to the CPS. The CPS receives awards of costs made against convicted defendants at the discretion of the judge or magistrates. Magistrates' courts are responsible for recording, enforcing and collecting these costs, forwarding collected monies to the CPS and, under delegated authority, for writing off awards where the amount outstanding is less than £100.

Bad debts are provided for on the basis of the historical relationship between costs awarded and cash collected.

In order to account for cost awards, the CPS uses returns submitted quarterly by the courts in respect of cash collected, transfers to and from other courts, amounts written off and cost awards outstanding. The CPS recognises income immediately these returns are received. In interim months, when no returns are received, income is accrued on the basis of historical data for each magistrates' bench. The costs reflect the nominal full cost of the prosecution but for administrative purposes are recorded against programme costs only. Cost award income is included in the objective in the *Statement of Operating Costs by Departmental Aim and Objective*.

Programme income includes rental income from other Government Departments in jointly occupied buildings, commercial sub-tenants and Non Departmental Public Bodies; but it also includes other income such as recovery of salaries for staff seconded to other Government Departments or Local Criminal Justice Boards, the Department's share of

Home Office receipts derived from criminal assets recovered under the Proceeds of Crime Act 2003 and reimbursement of expenditure under the Government's Access to Work scheme. In the case of rental income, invoices are raised quarterly in advance and income is recognised on a monthly basis. In the case of salary reimbursements invoices are raised and income is recognised quarterly in arrears. In the case of receipts under the Proceeds of Crime Act, the 'Asset Incentivisation Scheme', the Department is allowed to retain a proportion of the total value of assets recovered in the year. Income generated from this scheme is recognised in the CPS' accounts when the Home Office recognises it in their accounts. Income from the Asset Incentivisation Scheme is intended to offset the costs of assets forfeiture activity; within the CPS these costs fall within programme expenditure. In all other cases income is recognised on a case-by-case basis as it is received. Rental income received from other Government Departments is netted off against expenditure in accordance with the *FReM*.

1.6 Administration and Programme Expenditure

The *Operating Cost Statement* is analysed between administration and programme income and expenditure. The classification of expenditure and income as administration or as programme follows the definition of administration costs set out in the *Consolidated Budgeting* guidance issued by HM Treasury. Costs are stated inclusive of VAT.

Administration Costs

Administration costs reflect the costs of running the Department. These include both administrative costs and associated operating income. Income is analysed in the notes between that which, under the administrative cost-control regime, is allowed to be offset against gross administrative costs in determining the outturn against the administration cost limit, and that operating income which is not.

Programme Costs

Programme costs reflect non-administration costs being the direct cost and associated overheads of prosecution including the employment of counsel and compensation paid to witnesses for costs incurred through their attendance at court. Where a prosecution case is expected to last in excess of 40

days (or where three or more trial counsel are instructed) counsel are required to submit invoices covering work done as pre-determined stages in the case are reached; expenditure is recognised upon receipt of such invoices. This treatment of 'very high cost cases', which has been in existence since 2006-07, replaced a previous system for 'high cost cases' which did not involve counsel issuing periodic, or staged, invoices. As a result there are a small number of cases previously designated as 'high cost cases' for which final counsel invoices have not been received at the year end. Such items have been individually accrued for at 31 March 2008.

Counsel fees in cases which are expected to last for less than 40 days are paid through the CPS 'Graduated Fee Scheme' agreed between the Bar Council and the Department with a target of payment within 20 days of receipt of a valid claim. Payment is made on completion of all work on a case and the fee is not dependant on the effort deployed by the barrister in that particular case. The scheme includes a tariff of charges calculated using a range of set cost factors including the number of defendants, the complexity and volume of evidence, preparation, 'refresher' and appearance time. The scheme also includes different tariffs to cover 'guilty' and 'not-guilty' pleas by defendants - though pleas may change at any time before or even during a trial. In addition, barristers are entitled to return a brief at any time between their initial appointment and the start of a trial, so the Department does not incur any liability with a particular barrister until the commencement of a trial. In this context commencement is defined as the day on which a plea is made or the jury is sworn in. Therefore, for practical purposes, since on average most trials are started and completed within the same day (save for the sentence hearing which may occur a short time later) it is considered prudent to recognise expenditure on counsel fees in such cases only as trials are completed. It is not possible to ascertain the full value owed on all such cases at year-end until some considerable time later. Where actual counsel fees can be ascertained they have been accrued for; in all other cases the Department estimates such counsel fees outstanding for inclusion in these accounts.

RESOURCE ACCOUNTS

1.7 Capital Charge

A charge, reflecting the cost of capital utilised by the Department, is included in operating costs. The charge is calculated at the real rate set by HM Treasury (currently 3.5%) on the average carrying amount of all assets less liabilities, except for:

- a) cash balances with the Office of the Paymaster General and donated assets where the charge is nil; and
- b) liabilities for amounts to be surrendered to the Consolidated Fund for which no credit against the charge is allowed.

1.8 Pensions

Past and present employees are covered by the provisions of the Principal Civil Service Pension Scheme (PCSPS). This is a defined benefit scheme and is unfunded and non-contributory except in respect of dependants' benefits. The CPS recognises the expected cost of providing pensions on a systematic and rational basis over the period during which it benefits from employees' services by payment to the PCSPS of amounts calculated on an accruing basis. Liability for payment of future benefits is a charge on the PCSPS. With effect from 1 October 2002 new employees have the option to join either the PCSPS scheme or a Partnership Pension Account. The latter is a defined contribution scheme where the Department recognises the contributions payable for the year.

1.9 Operating Leases

Rentals due under operating leases are charged to the *Operating Cost Statement* over the lease term on a straight-line basis, or on the basis of actual rentals payable where this fairly reflects the usage. Future payments, disclosed at Note 22, "Commitments under Leases", are not discounted.

1.10 Private Finance Initiative (PFI) Transactions

The CPS signed a contract entering into a PFI transaction on 31 December 2001 for a 10 year period commencing 1 April 2002. This has been accounted for in accordance with Technical Note No.1 (Revised), entitled *How to account for PFI Transactions*, as required by the *FReM*. The balance of risks and rewards of ownership of the PFI property are borne by the PFI operator, therefore the PFI

payments are recorded as an operating cost. The CPS transferred all IT assets to the PFI operator with effect from 1 April 2002. A prepayment for their fair value is recognised and amortised over the life of the PFI contract.

1.11 Provisions

The Department provides for legal or constructive obligations, which are of uncertain timing or amount, at the balance sheet date on the basis of the best estimate of the expenditure required to settle the obligation. Where the effect of the time value of money is significant, the estimated risk-adjusted cash flows are discounted using the real rate set by HM Treasury (currently 2.2%).

1.12 Contingent Liabilities

In addition to contingent liabilities disclosed in accordance with FRS12, the Department discloses for parliamentary reporting and accountability purposes certain contingent liabilities where the likelihood of a transfer of economic benefit is remote. These comprise:

- items over £250,000 (or lower, where required by specific statute) that do not arise in the normal course of business and which are reported to Parliament by departmental Minute prior to the Department entering into the arrangement; and
- all items (whether or not they arise in the normal course of business) over £250,000 (or lower, where required by specific statute or where material in the context of resource accounts), which are required by the *FReM* to be noted in the resource accounts.

1.13 Value Added Tax

Most of the activities of the Department are outside the scope of VAT and, in general, output tax does not apply and input tax on purchases is not recoverable. Irrecoverable VAT is charged to the relevant expenditure category or included in the capitalised purchase cost of fixed assets. Where output tax is charged, the amounts are stated net of VAT.

2. Analysis of net resource outturn by section

	£000	£000	£000	£000	£000	£000	2007-08 £000	2006-07 £000
					Outturn	Estimate		
							Net Total outturn compared with Estimate	Prior-year outturn
	Admin	Other current	Gross resource expenditure	A in A	Net Total	Net Total		
Request for Resources 1:								
Administration costs on HQ and Central Services	54,009	-	54,009	(1,647)	52,362	57,303	4,941	51,310
Crown Prosecutions and Legal services	-	636,549	636,549	(56,033)	580,516	591,129	10,613	564,967
Total	54,009	636,549	690,558	(57,680)	632,878	648,432	15,554	616,277
Resource Outturn	54,009	636,549	690,558	(57,680)	632,878	648,432	15,554	616,277

Explanation of the variation between Estimate and outturn (net total resources):

- (i) Net total outturn was £15.554 million less than the Estimate, representing 2.4% of net provision. The underspend represents continuing efficiency savings made during the year by HQ Directors to support the decision of the CPS Board to freeze HQ staff numbers and budgets from 2005-06 and some slippage in the recruitment of staff.

Detailed explanations of the variances are given in the Management Commentary.

3. Reconciliation of outturn to net operating cost and against Administration Budget

3(a) Reconciliation of net resource outturn to net operating cost

		£000	£000	2007-08 £000	2006-07 £000
				Outturn compared with Estimate	Outturn
	Note	Outturn	Supply Estimate		
Net Resource Outturn	2	632,878	648,432	15,554	616,277
Non-supply income (CFERs)	5	(164)	-	164	(2,059)
Net operating cost		632,714	648,432	15,718	614,218

3(b) Outturn against final Administration Budget

	2007-08 £000	2006-07 £000
	Budget	Outturn
Gross Administration Budget	59,003	54,006
Less: Income allowable against the Administration Budget	(1,700)	(1,647)
Net outturn against final Administration Budget	57,303	52,359

RESOURCE ACCOUNTS

4. Reconciliation of resources to cash requirement

	Note	Estimate £000	Outturn £000	Net total outturn compared with Estimate: saving/ (excess) £000
Resource Outturn	2	648,432	632,878	15,554
Capital:				
Acquisition of fixed assets	11, 12 and 19	7,400	2,188	5,212
Investments		-	-	-
Non-operating A in A:				
Proceeds of fixed asset disposals		-	-	-
Accruals adjustments				
Non-cash items	8 and 9	(8,537)	(16,391)	7,854
Changes in working capital other than cash		-	5,944	(5,944)
Changes in creditors falling due after more than one year		-	-	-
Use of provisions	16	1,673	2,420	(747)
Net cash requirement		648,968	627,039	21,929

Explanation of the variation between Estimate and outturn (net total resources):

- (i) Net total outturn was £15.554 million less than the Estimate, representing 2.4% of net provision. The underspend represents continuing efficiency savings made during the year by HQ Directors to support the decision of the CPS Board to freeze HQ staff numbers and budgets from 2005-06 and some slippage in the recruitment of staff.
- (ii) Expenditure on acquisition of fixed assets was £5.212 million less than the Estimate. This was due to slippage in planned projects for improvements to leasehold properties and the replacement of office equipment.
- (iii) Non-cash items were £7.854 million higher than the Estimate due principally to:
 - (a) an increase in the doubtful debt provision resulting from a refinement of the basis of estimation (£4.494 million), and
 - (b) an increase in the early retirement provision resulting from departures that were not planned prior to the start of the accounting year (£3.335 million)
- (iv) Changes in working capital other than cash were £5.944 million higher than the Estimate due principally to:
 - (a) increased debtors for cost awards as a result of slower collections (£2.728 million), and
 - (b) reduced creditors because of speedier settlements of trade creditors (£1.540 million)
- (v) Use of provisions was £0.747 million higher than the Estimate due to increased payments to new leavers as noted in (iii) (b) above. Detailed explanations of the variances are given in the Management Commentary.

5. Analysis of income payable to the Consolidated Fund

Analysis of income payable to the Consolidated Fund.

In addition to appropriations in aid, the following income relates to the Department and is payable to the Consolidated Fund.

	Note	Forecast	2007-08	Outturn	2007-08
		Income £000	Receipts £000	Income £000	Receipts £000
Operating income and receipts - excess A in A	6	-	-	-	1,098
Non-operating income and receipts - excess A in A		-	-	-	-
Subtotal		-	-	-	1,098
Other operating income and receipts not classified as A in A	6	-	-	164	210
Other non-operating income and receipts not classified as A in A		-	-	-	-
Other amounts collectable on behalf of the Consolidated Fund		-	-	-	-
Total income payable to the Consolidated Fund		-	-	164	1,308

6. Reconciliation of income recorded within the Operating Cost Statement to operating income payable to the Consolidated Fund

	2007-08 £000	2006-07 £000
Operating income		
Administration	1,650	313
Netted-off gross expenditure in sub-head	-	-
Programme	57,288	48,019
Netted-off gross expenditure in sub-head	(1,094)	(946)
	57,844	47,386
Income authorised to be appropriated-in-aid		
Administration	1,647	310
Programme	56,033	45,017
	57,680	45,327
Operating income payable to the Consolidated Fund		
Administration	3	3
Programme	161	2,056
	164	2,059

7. Staff numbers and related costs

Staff costs comprise:

	£000	£000	2007-08 £000	2006-07 £000
	<i>Total</i>	<i>Permanently employed staff</i>	<i>Others</i>	<i>Total</i>
Wages and salaries	284,202	273,012	11,190	274,742
Social security costs	22,038	22,038	-	21,277
Other pension costs	54,648	54,648	-	52,146
Sub Total	360,888	349,698	11,190	348,165
Less recoveries in respect of outward secondments	(1,381)	(1,381)	-	(1,215)
Total net costs	359,507	348,317	11,190	346,950

The Principal Civil Service Pension Scheme (PCSPS) is an unfunded multi-employer defined benefit scheme but the Crown Prosecution Service is unable to identify its share of the underlying assets and liabilities. The scheme actuary valued the scheme as at 31 March 2007. You can find details in the resource accounts of the Cabinet Office: Civil Superannuation (www.civilservice-pensions.gov.uk).

For 2007-08, employers' contributions of £54,521,376 were payable to the PCSPS (2006-07: £52,057,440) at one of four rates in the range 17.1 to 25.5 per cent of pensionable pay, based on salary bands. The scheme's Actuary reviews employer contributions every four years following a full scheme valuation. From 2008-09, the salary bands will be revised but the rates will remain the same. (The rates will be changing with effect from April 2009). The contribution rates are set to meet the cost of the benefits accruing during 2007-08 to be paid when the member retires, and not the benefits paid during this period to existing pensioners.

RESOURCE ACCOUNTS

Employees can opt to open a partnership pension account, a stakeholder pension with an employer contribution. Employers' contributions of £116,719 (2006-07: £82,161) were paid to one or more of the panel of three appointed stakeholder pension providers. Employer contributions are age-related and range from 3 to 12.5 per cent (2006-07: 3 to 12.5 per cent) of pensionable pay.

Employers also match employee contributions up to 3 per cent of pensionable pay. In addition, employer contributions of £9,883, 0.8 per cent (2006-07: £6,111, 0.8 per cent) of pensionable pay, were payable to the PCSPS to cover the cost of the future provision of lump sum benefits on death in service and ill health retirement of these employees.

Contributions due to the **partnership** pension providers at the balance sheet date were £13,792. Contributions prepaid at that date were £Nil.

12 individuals (2006-07: 7 individuals) retired early on ill-health grounds; the total additional accrued pension liabilities in the year amounted to £25,159 (2006-07: £20,983).

Average number of persons employed

The average number of whole-time equivalent persons employed during the year was as follows.

Objective	2007-08			2006-07
		Permanent staff	Others	Number
To ensure the effective delivery of justice.	<i>Total</i>			<i>Total</i>
	8,520	8,297	223	8,546
Total	8,520	8,297	223	8,546

8. Other Administration Costs

	Note	2007-08		2006-07
		£000	£000	£000
Rentals under operating leases:				
Hire of office equipment		354		84
Other operating leases		6,487		4,444
			6,841	4,528
PFI service charges:				
Off-balance sheet contracts	23		597	616
Non cash items				
Cost of capital charge			(44)	(130)
Other expenditure				
Accommodation and associated costs		3,866		4,178
Consultancy (Note a)		3,404		-
Travel and subsistence		2,224		2,227
Training		1,963		2,154
Non PFI contract IT costs		1,085		1,111
Facilities management		993		447
Printing and stationery		782		1,237
Recruitment costs		773		707
Postage and carriage		391		387
Communications		189		241
Other expenditure		3,632		3,771
			19,303	16,460
			26,697	21,474

Note a - In 2007-08 the cost of external consultants was reclassified from staff costs to other administration costs and other programme costs.

9. Programme Costs

	Note	2007-08 £000	2006-07 £000
Rentals under operating leases:			
Hire of office equipment		1,640	1,016
Other operating leases		21,066	20,641
		<u>22,706</u>	<u>21,657</u>
PFI service charges:			
Off-balance sheet contracts	23	49,694	48,515
Non cash items			
Depreciation		4,783	4,457
Amortisation		181	169
Impairment		149	-
Loss on disposal of fixed assets		-	2
Loss on revaluation		88	51
Cost of capital charge:			
Civil Estate		210	207
Other items		722	793
Change in bad debt provision		4,494	1,425
Auditors' remuneration (Note a)		92	87
Provisions:			
Provided in year	16	5,562	2,227
Unrequired provision written back	16	-	(899)
Unwinding of discount on provisions	16	154	174
		<u>16,435</u>	<u>8,693</u>
Other expenditure			
Advocate fees		139,672	145,220
Accommodation and associated costs		18,514	18,766
Communications		6,568	5,827
Non-expert witness expenses		6,349	6,520
Expert witness fees		6,296	5,561
Printing and stationery		5,318	5,542
Travel and subsistence		5,068	4,920
Postage and carriage		4,752	4,385
Costs awarded to CPS written off	28	2,867	674
Prosecution presentational equipment		2,719	1,742
Prosecution transcripts and translations		2,698	2,494
Interpreters and translators		1,464	1,272
Consultancy (Note b)		1,450	-
Training		1,385	1,606
Publications		1,129	963
Other expenditure		7,889	7,608
		<u>214,138</u>	<u>213,100</u>
		<u>302,973</u>	<u>291,965</u>
Less: programme income	6	(56,194)	(47,073)
		<u>246,779</u>	<u>244,892</u>

Note a - There has been no auditors' remuneration for non-audit work.

Note b - In 2007-08 the cost of external consultants was reclassified from staff costs to other administration costs and other programme costs.

RESOURCE ACCOUNTS

10. Income

	2007-08	2006-07
	<i>£000</i>	<i>£000</i>
	<i>Total</i>	<i>Total</i>
Administration income:		
Rental receivable from external tenants	1,142	-
Consolidated Fund extra receipts	3	3
Other	505	310
Programme income:		
Costs awarded to the CPS	39,747	33,593
Recovered Assets Incentivisation Fund	10,068	8,115
Rental receivable from external tenants	1,119	2,466
Rental receivable from other departments	1,095	946
Netted-off gross expenditure in sub-head	(1,095)	(946)
Consolidated Fund extra receipts	161	653
Other	5,099	2,246
Total	57,844	47,386

11. Tangible fixed assets

	Freehold Land and Buildings	Leasehold Improvements	Furniture and Fittings	Information Technology	Total
	£000	£000	£000	£000	£000
Cost or valuation					
At 1 April 2007	6,544	4,522	31,753	2,071	44,890
Additions	9	446	2,438	131	3,024
Disposals	-	-	-	-	-
Revaluation	89	1,009	1,456	(171)	2,383
At 31 March 2008	6,642	5,977	35,647	2,031	50,297
Depreciation					
At 1 April 2007	433	778	14,392	1,534	17,137
Charged in year	249	802	3,225	373	4,649
Disposals	-	-	-	-	-
Revaluation	64	237	365	(269)	397
At 31 March 2008	746	1,817	17,982	1,638	22,183
Net book value at 31 March 2008	5,896	4,160	17,665	393	28,114
Net book value at 31 March 2007	6,111	3,744	17,361	537	27,753

Freehold land and buildings were valued at 31 March 2005 at £5,775,000 on the basis of existing use value by an external firm of Chartered Surveyors, Donaldsons. The valuations were undertaken in accordance with the UK Practice Statement 1.3 of the Royal Institution of Chartered Surveyors (RICS) Appraisal and Valuation Standards published 1 May 2003.

The Accounting Officer is not aware of any material changes in the carrying value of freehold land and buildings and therefore there have been no interim valuations, other than indexation, since 31 March 2005.

Other tangible assets are revalued on the basis of latest available indices.

The majority of IT assets in use in the business are held under a PFI contract as detailed in Notes 1.10 and 23.

12. Intangible fixed assets

Intangible fixed assets comprise software licences.

Cost or valuation

At 1 April 2007	1,026
Additions	-
Disposals	-
Revaluation	(21)
At 31 March 2008	1,005

Amortisation

At 1 April 2007	166
Charged in year	190
Disposals	-
Revaluation	22
At 31 March 2008	378

Net book value at 31 March 2008	627
Net book value at 31 March 2007	860

RESOURCE ACCOUNTS

13. Debtors

13 (a) Analysis by type

	2007-08	2006-07
	£000	£000
Amounts falling due within one year:		
Trade debtors (Note a and b)	40,284	37,185
Doubtful debt provision for costs awarded to the CPS	(10,712)	(6,218)
Deposits and advances	373	383
Other debtors (Note c)	1,341	989
Prepayments		
PFI	751	751
Other	13,335	13,669
Accrued income	12,308	12,030
Amounts due from the Consolidated Fund in respect of supply	-	-
	57,680	58,789
Amounts falling due after more than one year:		
Prepayments		
PFI	2,253	3,004
Other	147	190
	60,080	61,983

Note a - Included within debtors is £Nil (2006-07: £1,098k) representing excess Appropriations in Aid that will be due to the Consolidated Fund once the debts are collected.

Note b - It is not possible to analyse cost award debtors by amounts falling due within one year and amounts falling due after one year.

Note c - Included within other debtors is £Nil (2006-07: £46k) representing unexpected receipts due to the Consolidated Fund once the debts are collected.

13(b) Intra-Government Balances

	Amounts falling due within one year		Amounts falling due after more than one year	
	£000	£000	£000	£000
	2007-08	2006-07	2007-08	2006-07
Balances with other central government bodies	2,835	3,674	-	-
Balances with local authorities	5,361	4,985	131	91
Balances with NHS Trusts	1	-	-	-
Balances with public corporations and trading funds	-	-	-	-
Intra-government balances	8,197	8,659	131	91
Balances with bodies external to government	49,483	50,130	2,269	3,103
Total debtors at 31 March	57,680	58,789	2,400	3,194

14. Cash at bank and in hand

	2007-08	2006-07
	£000	£000
Balance at 1 April	4,080	14,543
Net change in cash balances	18,949	(10,463)
Balance at 31 March	23,029	4,080
The following balances at 31 March were held at:		
Office of HM Paymaster General	23,003	4,047
Commercial banks and cash in hand	26	33
Balance at 31 March	23,029	4,080

15. Creditors

15(a) Analysis by type

	2007-08	2006-07
	£000	£000
Amounts falling due within one year:		
VAT	78	113
Other taxation and social security	7,441	8,439
Trade creditors	7,748	9,288
Other creditors	5,148	5,564
Accruals and deferred income	32,226	30,611
	52,641	54,015
Amounts issued from the Consolidated Fund for supply but not spent at year end	21,929	1,995
Consolidated Fund extra receipts due to be paid to the Consolidated Fund received	1,100	2,085
receivable	-	1,144
	75,670	59,239

15(b) Intra-Government Balances

	Amounts falling due within one year		Amounts falling due after more than one year	
	£000	£000	£000	£000
	2007-08	2006-07	2007-08	2006-07
Balances with other central government bodies	37,003	19,751	-	-
Balances with local authorities	824	24	-	-
Balances with NHS Trusts	-	-	-	-
Balances with public corporations and trading funds	2	-	-	-
Intra-government balances	37,829	19,775	-	-
Balances with bodies external to government	37,841	39,464	-	-
Total creditors at 31 March	75,670	59,239	-	-

RESOURCE ACCOUNTS

16. Provisions for liabilities and charges

	Early departure costs	Other
	£000	£000
Balance at 1 April 2007	9,419	-
Provided in the year	4,800	762
Provisions not required written back	-	-
Provisions utilised in the year	(2,420)	-
Unwinding of discount	154	-
Balance at 31 March 2008	11,953	762

Early departure costs

The CPS meets the additional costs of benefits beyond the normal PCSPS benefits in respect of employees who retire early by paying the required amounts annually to the PCSPS over the period between early departure and normal retirement date. The CPS provides for this in full when the early retirement programme becomes binding on the CPS by establishing a provision for the estimated payments discounted by the HM Treasury discount rate of 2.2 per cent in real terms.

Other provision

Other provisions are outstanding compensation claims for personal injury and employment tribunal legal claims. Provision has been made for the litigation against the Department. The provision reflects all known legal claims where legal advice indicates that it is more than 50 per cent probable that the claim will be successful and the amount of the claim can be reliably estimated. Expenditure is likely to be incurred within one year. Legal claims which may succeed but are less likely to do so or cannot be estimated are disclosed as contingent liabilities in Note 26.

17. General Fund

The General Fund represents the total assets less liabilities of the entity, to the extent that the total is not represented by other reserves and financing items.

	Note	£000	2007-08 £000	£000	2006-07 £000
Balance at 1 April			21,005		16,403
Net Parliamentary funding					
Drawn Down		646,973		610,027	
Deemed		1,995		11,853	
			648,968		621,880
Year end adjustment					
Supply Creditor - current year			(21,929)		(1,995)
Net Transfer from Operating Activities					
Net operating cost		(632,714)		(614,218)	
CFERs repayable to Consolidated Fund	6	(164)		(2,059)	
			(632,878)		(616,277)
Non Cash Charges:					
Cost of capital charge	8 and 9	888		870	
Auditors' remuneration		92		87	
			980		957
Transfer from revaluation reserve	18		147		37
Balance at 31 March			16,293		21,005

18. Reserves

The revaluation reserve reflects the unrealised element of the cumulative balance of indexation and revaluation adjustments (excluding donated assets).

	2007-08	2006-07
	<i>£000</i>	<i>£000</i>
Balance at 1 April	5,013	4,262
Arising on revaluation during the year (net)		
Tangible fixed assets	2,299	785
Intangible fixed assets	7	3
Transferred to general fund in respect of realised element of revaluation reserve		
Tangible fixed assets	(149)	(37)
Intangible fixed assets	2	-
Balance at 31 March	7,172	5,013

RESOURCE ACCOUNTS

19. Notes to the Cash Flow Statement

19(a) Reconciliation of operating cost to operating cash flows

		2007-08	2006-07
	<i>Note</i>	<i>£000</i>	<i>£000</i>
Net operating cost		(632,714)	(614,218)
Adjustments for non-cash transactions	8 and 9	16,391	8,563
(Increase) in debtors		(2,587)	(7,445)
Increase/(decrease) in creditors falling due within one year		(2,213)	2,975
Use of provisions	16	(2,420)	(2,314)
Net cash outflow from operating activities		(623,543)	(612,439)

19(b) Analysis of capital expenditure and financial investment

		2007-08	2006-07
	<i>Note</i>	<i>£000</i>	<i>£000</i>
Tangible fixed asset additions	11	(2,188)	(5,092)
Intangible fixed asset additions	12	-	(119)
Proceeds of disposal of fixed assets		-	450
Net cash outflow from investing activities		(2,188)	(4,761)

19(c) Analysis of capital expenditure and financial investment by Request for Resources

	Capital expenditure	Loans, etc.	A in A	Net Total
	<i>£000</i>	<i>£000</i>	<i>£000</i>	<i>£000</i>
Request for resources 1	(3,024)	-	-	(3,024)
Total 2007-08	(3,024)	-	-	(3,024)
Total 2006-07	(5,211)	-	-	(5,211)

19(d) Analysis of financing

		2007-08	2006-07
	<i>Note</i>	<i>£000</i>	<i>£000</i>
From the Consolidated Fund (Supply) - current year	17	(646,973)	(610,027)
Net financing		(646,973)	(610,027)

19(e) Reconciliation of Net Cash Requirement to (increase)/decrease in cash

		2007-08	2006-07
	<i>Note</i>	<i>£000</i>	<i>£000</i>
Net cash requirement		627,039	619,885
Receipts from the Consolidated Fund (Supply) - current year	17	(646,973)	(610,027)
Amounts due to the Consolidated Fund - received in a prior year and paid over		2,085	2,690
Amounts due to the Consolidated Fund - received and not paid over		(1,100)	(2,085)
(Increase)/decrease in cash		(18,949)	10,463

20. Notes to the Statement of Operating Costs by Departmental Aim and Objective

Other current expenditures were as follows:

	2007-08	2006-07
	£000	£000
Objective		
To ensure the effective delivery of justice.	246,779	244,892
	246,779	244,892

This expenditure represents programme costs which form part of the net operating costs disclosed in the Statement of Operating Costs by Departmental Aim and Objective.

Capital Employed by Departmental Aim and Objective at 31 March 2008

The CPS' capital is employed exclusively for programme purposes.

Aim: To deliver a high quality prosecution service that brings offenders to justice, helps reduce both crime and the fear of crime and thereby promotes public confidence in the rule of law, through the consistent, fair and independent review of cases and through their fair, thorough and firm presentation at court.

	2007-08	2006-07
	Capital employed	Capital employed
	£000	£000
Objective		
To ensure the effective delivery of justice.	23,465	26,018
	23,465	26,018

21. Capital commitments

Contracted capital commitments at 31 March 2008 for which no provision has been made in these accounts.

	2007-08	2006-07
	£000	£000
	117	66

22. Commitments under leases

Operating Leases

Commitments under operating leases to pay rentals during the year following the year of these accounts are given in the table below, analysed according to the period in which the lease expires.

	2007-08		2006-07	
	Land and buildings	Other	Land and buildings	Other
	£000	£000	£000	£000
Obligations under operating leases comprise:				
Expiry within 1 year	1,626	89	1,106	1,229
Expiry after 1 year but not more than 5 years	12,067	3,287	12,527	3,246
Expiry thereafter	13,080	-	12,330	-
	26,773	3,376	25,963	4,475

RESOURCE ACCOUNTS

23. Commitments under PFI contracts

The Department has entered into the following PFI contract.

*Off balance sheet***Information, Communications and Technology (ICT) managed service**

The Department's ICT service is provided through a managed service contract with a term of 10 years from 1 April 2002 to 31 March 2012. The contract is extendable for a further five years. The estimated capital value of the contract is £19.8m (2006-07: £22.2m). Under the terms of the contract CPS ICT assets were transferred to the contractor with effect from 1 April 2002. A prepayment was established for the fair value of the ICT assets transferred (£7,510,233.28) and the assets were impaired to a nil value as at 31 March 2002.

Charge to the Operating Cost Statement and future commitments

The total amount charged in the Operating Cost Statement in respect of off-balance sheet PFI transactions was £50,290,921 (2006-07: £49,131,009); and the payments to which the Department is committed during the year following the year of these accounts, analysed by the period during which the commitment expires, are as follows.

	2007-08	2006-07
	<i>£000</i>	<i>£000</i>
Expiry within 1 year	-	-
Expiry within 2 to 5 years	51,106	42,105
Expiry within 6 to 10 years	-	-
	51,106	42,105

The contract covering the managed service allows for a number of improvements and enhancements to systems over the lifetime of the project. As such changes are successfully introduced there will necessarily be increases in the charges levied by the Service Provider. These increases will only be recognised in the accounts once the relevant changes have been properly tested and fully accepted as fit for purpose by the CPS.

24. Other financial commitments

The Department has entered into contracts, only cancellable at a significant cost, for the delivery and support of the Department's finance system and the development of the Department's Infonet. During 2007-08, the Department entered into a contract of significant value for the implementation of an integrated HR and payroll system. The payments to which the Department is committed during the year following the year of these accounts, analysed by the period during which the commitment expires are as follows.

	2007-08	2006-07
	<i>£000</i>	<i>£000</i>
Expiry within 1 year	-	-
Expiry within 2 to 5 years	1,559	924
Expiry thereafter	-	-
	1,559	924

25. Financial Instruments

FRS 13, *Derivatives and Other Financial Instruments*, requires disclosure of the role which financial instruments have had during the period in creating or changing the risks an entity faces in undertaking its activities. Because of the largely non-trading nature of its activities and the way in which government departments are financed, the CPS is not exposed to the degree of financial risk faced by business entities. Moreover, financial instruments play a much more limited role in creating or changing risk than would be typical of the listed companies to which FRS 13 mainly applies. The Department has no power to borrow or invest surplus funds and financial assets and liabilities are generated by day-to-day operational activities and are not held to change the risks facing the Department in undertaking its activities.

Liquidity risk

The Department's net revenue resource and capital requirements are financed by resources voted annually by Parliament. The CPS is not therefore exposed to liquidity risks.

Interest-rate and Foreign currency risk

The Department has no material deposits, and all material assets and liabilities are denominated in sterling, so it is not exposed to interest rate or currency risk.

Fair values

Set out below is a comparison by category of book values and fair values of the Department's financial assets and liabilities as at 31 March 2008.

	Book Value	Fair Value	Basis of fair valuation
	£000	£000	
Primary financial instruments:			
<i>Financial assets:</i>			
Cash at bank and in hand	23,029	23,029	
<i>Financial liabilities:</i>			
Provisions	(12,715)	(12,715)	Note a

Note a - Fair value is not significantly different from book value since, in the calculation of book value, the expected cash flows have been discounted by the real rate set by HM Treasury (currently 2.2 per cent).

26. Contingent Liabilities disclosed under FRS 12

A contingent liability of £147,575 has been reported for costs relating to three personal injury claims and one Employment Tribunal claim against the Department. It is not possible to estimate the financial effect of a further 19 claims received.

In addition, the CPS was also involved in negotiation of costs relating to dilapidation charges. One claim has been submitted by the Landlord, which may result in a settlement of £19,612. Five claims are expected to be submitted by Landlords, four of which may result in settlements totalling £1,338,416. It is not possible to estimate the financial effect of the remaining claim.

Included in contingent liabilities are two claims which exceed £250,000. These are two dilapidation claims of £733,000 and £292,804.

RESOURCE ACCOUNTS

27. Contingent Liabilities not required to be disclosed under FRS 12 but included for parliamentary reporting and accountability

There were no contingent liabilities of this nature at the year-end.

28. Losses and Special Payments

Included within the Operating Cost Statement are losses and special payments as follows:

	2007-08		2006-07	
	Number of cases	£000	Number of cases	£000
28a. Losses Statement				
Administrative write-offs	63,637	2,820	14,574	720
28b. Special Payments				
Ex gratia	27	213	34	320
Total of losses	63,664	3,033	14,608	1,040

Administrative write-offs include 63,573 cases relating to costs awarded to the CPS totalling £2,867k of which the Magistrates' Courts, who are responsible for collecting costs awarded to the CPS, wrote off 61,870 cases with a value of £2,515k under their delegated powers, and the CPS authorised a further write off of £352k comprising 1,703 cases.

The remaining £47k administrative write-offs reported are historic credit balances written off from staff overpayment suspense accounts.

Ex gratia payments reported are payments made in settlement of Employment Tribunal and personal injury claims made against the Department.

29. Related-party transactions

The CPS has close working relationships with all agencies within the criminal justice system and particularly the Courts, their ultimate controlling party being the Ministry of Justice (see Note 1.5). The Courts are regarded as related parties with which the Department has had material transactions, being mainly costs awarded by the Courts to the CPS (see Note 10) less amounts written off (see Note 9).

In response to the recommendations of the Glidewell review the CPS and the Police have combined the administration of case files through the co-location of Criminal Justice Units. In addition the CPS has had a number of transactions with other Government bodies.

The CPS requests that each of its senior managers complete a declaration, stating where they or their spouse and close family members have been in a position of influence or control in organisations with which the CPS has transactions. Steve Przybylski's daughter, Sarah Przybylska, received fees totalling £4,388 from the CPS for undertaking CPS advocacy while practising as a pupil barrister at 2 Hare Court, Temple, London. The remaining declarations advised no transactions had taken place.

30. Third-party assets

There are no third-party assets as at the balance sheet date.

31. Post Balance Sheet Events

The CPS had no post balance sheet events.

In accordance with the requirements of Financial Reporting Standard 21, post balance sheet events are considered up to the date on which the accounts are authorised for issue. This is interpreted as the date of the Certificate and Report of the Comptroller and Auditor General.

Departmental Remuneration Report

Remuneration Policy

The Remuneration Committee comprises:

Peter Lewis	(Chief Executive)
Ros McCool	(Director, Human Resources)
Mark Summerfield	(Deputy Director, Pay and Reward)

There are no independent members of the Committee.

The remuneration of senior civil servants is set by the Prime Minister following independent advice from the Review Body on Senior Salaries.

The Review Body also advises the Prime Minister from time to time on the pay and pensions of Members of Parliament and their allowances; on Peers' allowances; and on the pay, pensions and allowances of Ministers and others whose pay is determined by the Ministerial and Other Salaries Act 1975.

In reaching its recommendations, the Review Body is required to have regard to the following considerations:

- the need to recruit, retain and motivate suitably able and qualified people to exercise their different responsibilities;
- regional/local variations in labour markets and their effects on the recruitment and retention of staff;
- Government policies for improving the public services including the requirement on departments to meet the output targets for the delivery of departmental services;
- the funds available to departments as set out in the Government's departmental expenditure limits; and
- the Government's inflation target.

The Review Body takes account of the evidence it receives about wider economic considerations and the affordability of its recommendations.

Further information about the work of the Review Body can be found at www.ome.uk.com.

In addition, the Remuneration Committee is tasked with considering the relative contributions of the Department's senior employees within each pay band. Paying due regard to completed performance reports, consistency and scope of objectives and the effects of external factors, the Committee will then consider individual merit awards in line with Cabinet Office guidance.

If implemented, such merit awards will be in addition to the minimum progression of all Senior Civil Service pay bands implemented in line with the recommendations of the Review Body. The average increase for 2007-08 was 2.6 per cent.

Basic salary is not subject to performance conditions. An additional bonus of 7.6 per cent was available for distribution during 2007-08. The top performing 25 per cent received around 10 per cent of this allocation, the next 40 per cent receiving between 5 and 10 per cent of the allocation, and the third group of 20 to 25 per cent only receiving an allocation of the bonus on an exceptional basis. The remaining 5 to 10 per cent have an Improvement Plan drafted to address under-performance.

Service Contracts

Civil Service appointments are made in accordance with the Civil Service Commissioners' Recruitment Code, which requires appointment to be on merit on the basis of fair and open competition but also includes the circumstances when appointments may otherwise be made.

The DPP, Sir Ken Macdonald QC, was appointed by the Cabinet Office for a period of three years under a contract dated 1 November 2003; compensation for early termination is payable in accordance with the relevant provisions of the Civil Service Compensation Scheme (CSCS) and the DPP may retire early on medical grounds with benefits provided under the terms of his pension scheme.

His contract has been extended for a period of two years and runs from 1 November 2006 until 31 October 2008.

RESOURCE ACCOUNTS

Claire Hamon, the former Director Business Information Systems, served under a three year fixed term contract dated 13 January 2006 with a notice period of three months. She left the CPS in August 2007 under the terms of this contract.

All other officials covered by this report hold appointments which are open-ended and allow for retirement at the age of 60 or 65.

Early termination, other than for misconduct, would result in the individual receiving compensation as set out in the CSCS.

Further information about the work of the Civil Service Commissioners can be found at www.civilservicecommissioners.gov.uk.

With the exception of the car and chauffeur provided for the official use of the Director of Public Prosecutions, the remuneration of all directors, non-executive directors and staff employed in the CPS is paid entirely in cash.

Salary and Pension Entitlements

The following sections provide details of the remuneration and pension interests of the most senior officials of the Department.

Remuneration (audited)

fye = full year equivalent salary			2007-08	2006-07
Officials	Post held	Date joined or left Board (if applicable)	Salary £000	Salary £000
Sir Ken Macdonald QC (a)	Director of Public Prosecutions		195 - 200	180 - 185
Peter Lewis	Chief Executive	(from 15 Jan 07)	155 - 160	25 - 30 (fye 135 - 140)
John Graham	Director Finance		115 - 120	100 - 105
Mike Kennedy	Chief Operating Officer	(from 12 Nov 07)	75 - 80 (fye 140 - 145)	-
Gerard Lemos (b)	Non-executive Director		-	-
Philip Oliver (b)	Non-executive Director		-	-
Rob Sykes (b)	Non-executive Director		-	-
Adele Clarke	ABM, Northumbria	(from 23 Mar 07 to 18 Jul 07)	15 - 20 (fye 60 - 65)	0 - 5 (fye 55 - 60)
Roger Daw	Director Policy	(from 16 Jan 07 to 18 Jul 07)	40 - 45 (fye 120 - 125)	20 - 25 (fye 105 - 110)
Neil Franklin	CCP, West Yorkshire	(to 18 Jul 07)	35 - 40 (fye 105 - 110)	100 - 105
Claire Hamon	Director Business Information Systems	(to 18 Jul 07)	45 - 50 (fye 140 - 145)	135 - 140
Ros McCool	Director Human Resources	(from 15 Jan 07 to 18 Jul 07)	35 - 40 (fye 115 - 120)	15 - 20 (fye 100 - 105)
Steve Przybylski	Acting Director Business Development Directorate	(from 15 Jan 07 to 11 Nov 07)	75 - 80 (fye 120 - 125)	20 - 25 (fye 100 - 105)
Portia Ragnauth	CCP, Durham	(to 18 Jul 07)	25 - 30 (fye 80 - 85)	75 - 80
Dru Sharpling	CCP, London	(to 18 Jul 07)	40 - 45 (fye 135 - 140)	130 - 135
Séamus Taylor	Director of Equality and Diversity	(to 18 Jul 07)	35 - 40 (fye 95 - 100)	90 - 95
Judith Walker	CCP, South Yorkshire	(from 23 Mar 07 to 18 Jul 07)	30 - 35 (fye 95 - 100)	0 - 5 (fye 90 - 95)

a) The Director of Public Prosecutions is provided with a car and chauffeur for official use. This is assessed by H M Revenue and Customs as constituting a benefit in kind in the sum of £16,457. Tax and National Insurance contributions on this sum, amounting to £14,482 have been paid on the Director's behalf by the CPS. The remaining Board members did not receive any benefits in kind.

b) Non-executive Directors received a fee of £10,650 as remuneration for sitting on the Board during 2007-08. Expenses are paid.

RESOURCE ACCOUNTS

From 19 July 2007, the CPS operated revised governance arrangements. The composition of the CPS Board was reduced to eight permanent members:

Sir Ken Macdonald QC, Peter Lewis, John Graham, Mike Kennedy, Gerard Lemos, Philip Oliver, Rob Sykes and Jonathan Sedgwick. Jonathan Sedgwick is Acting Chief Executive Officer of the Office for Criminal Justice Reform.

Salary

'Salary' includes gross salary; performance pay or bonuses; overtime; reserved rights to London weighting or London allowances; recruitment and retention allowances; private office allowances and any other allowance to the extent that it is subject to UK taxation.

This presentation is based on payments made by the Department and thus recorded in these accounts.

Benefits in kind

The monetary value of benefits in kind covers any benefits provided by the employer and treated by HM Revenue and Customs as a taxable emolument.

Pension Benefits

Civil Service Pensions

Pension benefits are provided through the Civil Service pension arrangements. From 30 July 2007, civil servants may be in one of four defined benefit schemes; either a 'final salary' scheme (**classic**, **premium** or **classic plus**); or a 'whole career' scheme (**nuvos**). These statutory arrangements are unfunded with the cost of benefits met by monies voted by Parliament each year. Pensions payable under **classic**, **premium**, **classic plus** and **nuvos** are increased annually in line with changes in the Retail Prices Index (RPI). Members joining from October 2002 may opt for either the appropriate defined benefit arrangement or a good quality 'money purchase' stakeholder pension with a significant employer contribution (**partnership** pension account). Employee contributions are set at the rate of

1.5% of pensionable earnings for **classic** and 3.5% for **premium**, **classic plus** and **nuvos**. Benefits in **classic** accrue at the rate of 1/80th of final pensionable earnings for each year of service. In addition, a lump sum equivalent to three years' pension is payable on retirement. For **premium**, benefits accrue at the rate of 1/60th of final pensionable earnings for each year of service. Unlike **classic**, there is no automatic lump sum. **Classic plus** is essentially a hybrid with benefits in respect of service before 1 October 2002 calculated broadly as per **classic** and benefits for service from October 2002 calculated as in **premium**. In **nuvos** a member builds up a pension based on his pensionable earnings during their period of scheme membership. At the end of the scheme year (31 March) the member's earned pension account is credited with 2.3% of their pensionable earnings in that scheme year and the accrued pension is uprated in line with RPI. In all cases members may opt to give up (commute) pension for lump sum up to the limits set by the Finance Act 2004.

The **partnership** pension account is a stakeholder pension arrangement. The employer makes a basic contribution of between 3% and 12.5% (depending on the age of the member) into a stakeholder pension product chosen by the employee from a panel of three providers. The employee does not have to contribute but where they do make contributions, the employer will match these up to a limit of 3% of pensionable salary (in addition to the employer's basic contribution). Employers also contribute a further 0.8% of pensionable salary to cover the cost of centrally-provided risk benefit cover (death in service and ill health retirement).

The accrued pension quoted is the pension the member is entitled to receive when they reach pension age, or immediately on ceasing to be an active member of the scheme if they are already at or over pension age. Pension age is 60 for members of **classic**, **premium** and **classic plus** and 65 for members of **nuvos**.

Further details about the Civil Service pension arrangements can be found at the website www.civilservice-pensions.gov.uk.

Cash Equivalent Transfer Values

A Cash Equivalent Transfer Value (CETV) is the actuarially assessed capitalised value of the pension scheme benefits accrued by a member at a particular point in time. The benefits valued are the member's accrued benefits and any contingent spouse's pension payable from the scheme. A CETV is a payment made by a pension scheme or arrangement to secure pension benefits in another pension scheme or arrangement when the member leaves a scheme and chooses to transfer the benefits accrued in their former scheme. The pension figures shown relate to the benefits that the individual has accrued as a consequence of their total membership of the pension scheme, not just their service in a senior capacity to which disclosure applies. The figures include the value of any pension benefit in another scheme or arrangement which the individual has transferred to the Civil Service pension arrangements. They also include any additional pension benefit accrued to the member as a result of their purchasing additional pension benefits at their own cost. CETVs are calculated within the guidelines and framework prescribed by the Institute and Faculty of Actuaries, and do not take account of any actual or potential reduction to benefits resulting from Lifetime Allowance Tax which may be due when pension benefits are drawn.

Due to certain factors being incorrect in last year's CETV calculator there may be a slight difference between the final period CETV figure for 2006-07 and the start of period CETV figure for 2007-08 shown in the pension benefits table.

Real increase in CETV

This reflects the increase in CETV effectively funded by the employer. It does not include the increase in accrued pension due to inflation, contributions paid by the employee (including the value of any benefits transferred from another pension scheme or arrangement) and uses common market valuation factors for the start and end of the period.

Compensation for loss of office

There were no compensation payments made to former senior management in 2007-08.

Pension for the Director of Public Prosecutions

Pension benefits are provided through two pension schemes which have the DPP as its only member, and were laid before Parliament on 15 June 2006.

The Schemes are unfunded and the cost of benefits will be met by monies voted by Parliament each year. The pensions will be increased annually in line with changes in the Retail Prices Index.

The two pension schemes provide benefits which broadly match the benefits provided under the Judicial Pension Scheme. The principal scheme is a registered scheme and provides benefits up to the earnings cap. The supplementary scheme provides on earnings above the cap and is not a registered scheme. The normal retirement age for the scheme is 65.

Employee contributions are set at the rate of 3% of pensionable earnings up to the earnings cap. Benefits accrue at the rate of 1/40th of pensionable salary for each year of service. In addition, a lump sum equivalent to 2.25 years' pension is payable on retirement.

RESOURCE ACCOUNTS

Pension benefits (audited):

Officials	Accrued pension at pension age as at 31 March 2008 and related lump sum	Real increase in pension and related lump sum at pension age	CETV at 31 March 2008 (a)	CETV at 31 March 2007 (b)	Real increase in CETV
	£000	£000	£000	£000	£000
Sir Ken Macdonald QC Director of Public Prosecutions	pension 20 - 25 lump sum 55 - 60	pension 5 - 7.5 lump sum 12.5 - 15	398	255	88
Peter Lewis Chief Executive (from 15 Jan 07)	pension 50 - 55 lump sum 160 - 165	pension 10 - 12.5 lump sum 32.5 - 35	1,069	744	213
John Graham Director Finance	pension 40 - 45 lump sum 130 - 135	pension 2.5 - 5 lump sum 7.5 - 10	1,013	834	65
Mike Kennedy Chief Operating Officer (from 12 Nov 07)	pension 40 - 45 lump sum 125 - 130	pension 2.5 - 5 lump sum 7.5 - 10	874	747	59
Adele Clarke ABM, Northumbria (from 23 Mar 07 to 18 Jul 07)	pension 15 - 20 lump sum 45 - 50	pension 0 - 2.5 lump sum 0 - 2.5	190	210	5
Roger Daw Director, Policy (from 16 Jan 07 to 18 Jul 07)	pension 30 - 35 lump sum 90 - 95	pension 0 - 2.5 lump sum 2.5 - 5	464	483	28
Neil Franklin CCP, West Yorkshire (to 18 Jul 07)	pension 35 - 40 lump sum 105 - 110	pension 0 - 2.5 lump sum 0 - 2.5	821	826	-
Claire Hamon Director Business Information Systems (to 18 Jul 07)	pension 5 - 10 lump sum nil	pension 0 - 2.5 lump sum nil	90	89	9
Ros McCool Director Human Resources (from 15 Jan 07 to 18 Jul 07)	pension 30 - 35 lump sum 95 - 100	pension 2.5 - 5 lump sum 12.5 - 15	574	535	91
Steve Przybylski Acting Director Business Development Directorate (from 15 Jan 07 to 11 Nov 07)	pension 50 - 55 lump sum 150 - 155	pension 5 - 7.5 lump sum 17.5 - 20	1,142	978	162
Portia Ragnauth CCP, Durham (to 18 Jul 07)	pension 20 - 25 lump sum 65 - 70	pension 0 - 2.5 lump sum 0 - 2.5	302	332	3
Dru Sharpling CCP, London (to 18 Jul 07)	pension 5 - 10 lump sum 20 - 25	pension 0 - 2.5 lump sum 0 - 2.5	118	120	8
Séamus Taylor Director of Equality and Diversity (to 18 Jul 07)	pension 20 - 25 lump sum 60 - 65	pension 0 - 2.5 lump sum 0 - 2.5	286	306	12
Judith Walker CCP, South Yorkshire (from 23 Mar 07 to 18 Jul 07)	pension 25 - 30 lump sum 80 - 85	pension 0 - 2.5 lump sum 0 - 2.5	475	510	1

(a) Where an official ceased to act as a Board member during the year, the CETV shown is that at their date of departing the Board.

(b) Where an official has joined the Board during the year, the comparative CETV shown is that at their date of joining the Board.

ANNEX A - CASEWORK STATISTICS

In these statistics, a defendant represents one person in a single set of proceedings, which may involve one or more charges. A set of proceedings usually relates to an incident or series of related incidents that are the subject of a police file. If a set of proceedings relates to more than one person then each is counted as a defendant. Sometimes one person is involved in several sets of proceedings during the same year: if so, he or she is counted as a defendant on each occasion.

The figures comprise defendants dealt with by the 42 Areas of the Service, but do not include the specialised casework handled by Casework Directorate.

Chart 1 Magistrates' courts: caseload

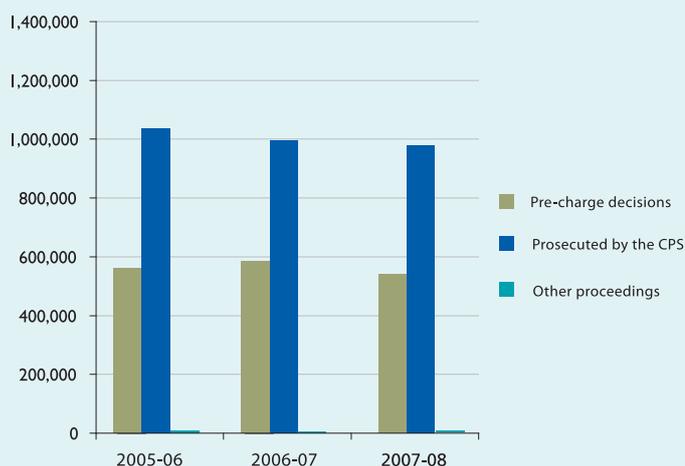


Chart 1 shows the number of cases dealt with by the CPS in 2007-08 and in the two preceding years.

The number of defendants prosecuted by the CPS fell by 2.2% during the year. Several factors may affect this figure, including the number of arrests, the impact of the early involvement of prosecutors, the number of offences cleared up by the police, and the number of offenders cautioned by the police. The present fall in caseload may also be related to lower levels of recorded crime, and to the increased number of comparatively minor offences now dealt with by way of a fixed penalty without CPS involvement.

	2005-06	2006-07	2007-08
Pre-charge decisions	570,757	584,216	547,649
Prosecuted by CPS	1,067,361	987,981	66,626
Other proceedings	3,890	3,873	4,439

Pre-charge decisions: in all but minor cases, and those where a guilty plea is anticipated, Crown Prosecutors are responsible for deciding whether a person should be charged with a criminal offence and, if so, what that offence should be in accordance with the Director's Guidelines. The figures shown here comprise all such decisions, regardless of whether the decision was to prosecute or not. Many pre-charge decisions will have been made in cases subsequently prosecuted by the CPS;

Prosecuted by the CPS: this figure comprises all defendants charged or summonsed whose case was completed in magistrates' courts during the period, including those proceeding to a trial or guilty plea, those discontinued, and those which could not proceed. Cases committed or sent for trial in the Crown Court are not included in magistrates' caseload data. Further information on the type of finalisations is shown at chart 3;

other proceedings: non-criminal matters, such as forfeiture proceedings under the Obscene Publications Acts.

Counting rules for the presentation of case volumes and outcomes were amended with effect from April 2007. Cases involving mixed pleas of guilty to some charges while other charges proceeded to contest were formerly double counted, but are now treated as a single defendant case. Historical figures in the present report have been adjusted in accordance with the revised rules, giving a consistent run of figures.

Chart 2 Magistrates' courts: types of cases



Chart 2 shows the different types of cases dealt with by the CPS in magistrates' courts. They are:

summary: cases which can be tried only in the magistrates' courts;

indictable only/either way: indictable only cases can be tried only in the Crown Court, but either way cases may be tried either in magistrates' courts or in the Crown Court.

	2005-06	%	2006-07	%	2007-08	%
Summary	725,993	62.6	669,217	62	640,483	60.3
Indictable only/ either way	433,985	37.4	410,869	38	421,647	39.7
Total	1,159,978		1,080,086		1,062,130	

The above figures include cases committed or sent for trial in the Crown Court as well as those completed in magistrates' courts.

Chart 3 Magistrates' courts: case outcomes

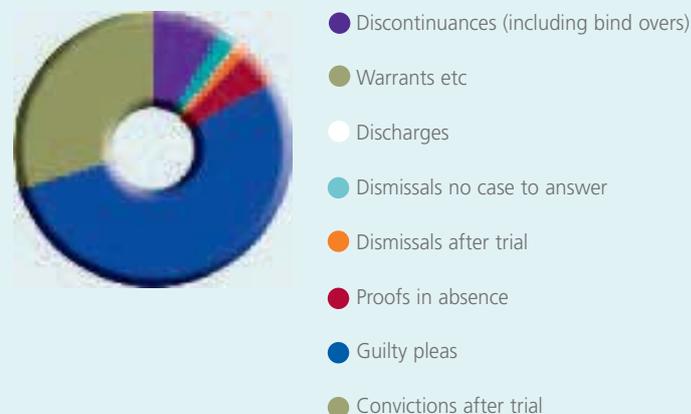


Chart 3 shows the outcome of defendant cases completed during the year. These are cases where a decision has been made by the police or CPS to charge or summons. Cases may proceed to prosecution or be discontinued at any stage of the proceedings up to the start of trial.

Discontinuances: Consideration of the evidence and of the public interest may lead the CPS to discontinue proceedings at any time before the start of the trial. The figures include both cases discontinued in advance of the hearing and those withdrawn at court. Also included are cases in which the defendant was bound over to keep the peace.

Warrants etc: when the prosecution cannot proceed because the defendant has failed to appear at court and a Bench Warrant has been issued for his or her arrest; or the defendant has died; or where proceedings are adjourned indefinitely.

Discharges: committal proceedings in which the defendant is discharged;

Dismissals: no case to answer: cases in which the defendant pleads not guilty and prosecution evidence is heard, but proceedings are dismissed by the magistrates without hearing the defence case;

ANNEX A - CASEWORK STATISTICS

Dismissals after trial: cases in which the defendant pleads not guilty and proceedings are dismissed by the magistrates after hearing the defence case - a not guilty verdict;

Proofs in absence: these are mostly minor motoring matters which are heard by the court in the absence of the defendant;

Guilty pleas: where the defendant pleads guilty;

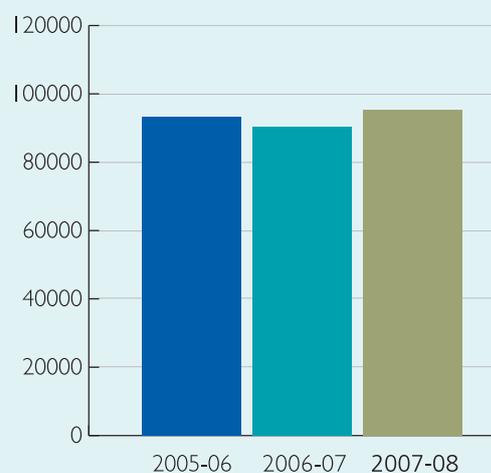
Convictions after trial: cases in which the defendant pleads not guilty but is convicted after the evidence is heard.

	2005-06	%	2006-07	%	2007-08	%
Discontinuances (including bind overs)	126,047	11.8	107,651	10.9	95,513	9.9
Warrants etc	36,191	3.4	26,013	2.6	19,690	2.0
Discharges	2,420	0.2	2,325	0.2	2,230	0.2
Dismissals no case to answer	2,841	0.3	2,193	0.2	1,800	0.2
Dismissals after trial	18,025	1.7	17,898	1.8	18,858	2.0
Proofs in absence	168,874	15.8	150,741	15.3	139,618	14.4
Guilty pleas	674,925	63.2	646,181	65.4	652,018	67.5
Convictions after trial	38,038	3.6	34,979	3.5	36,899	3.8
Total	1,067,361		987,981		966,626	

Discontinuances have continued to fall substantially, from 16.2% in 2001-02 to 15.6% in 2002-03, to 13.9% in 2003-04, to 12.7% in 2004-05, to 11.8% in 2005-06, to 10.9% in 2006-07, and to 9.9% in 2007-08, reflecting the positive impact of the charging initiative.

Convictions rose from 76.7% of all outcomes in 2002-03 to 78.7% in 2003-04, to 80.6% in 2004-05, to 82.6% in 2005-06, to 84.2% in 2006-07, and to 85.7% in 2007-08. Over the same period, unsuccessful outcomes fell from 23.3% in 2002-03, to 21.3% in 2003-04, to 19.4% in 2004-05, to 17.4% in 2005-06, to 15.8% in 2006-07, and to 14.3% in 2007-08. This was another positive outcome of charging.

Chart 4: Magistrates' courts: committals to the Crown Court



In addition to the above cases, which were completed in magistrates' courts, the following numbers of defendants were committed or sent for trial in the Crown Court:

	2005-06	2006-07	2007-08
committals for trial	92,598	91,900	95,433

Chart 5: Crown Court Caseload

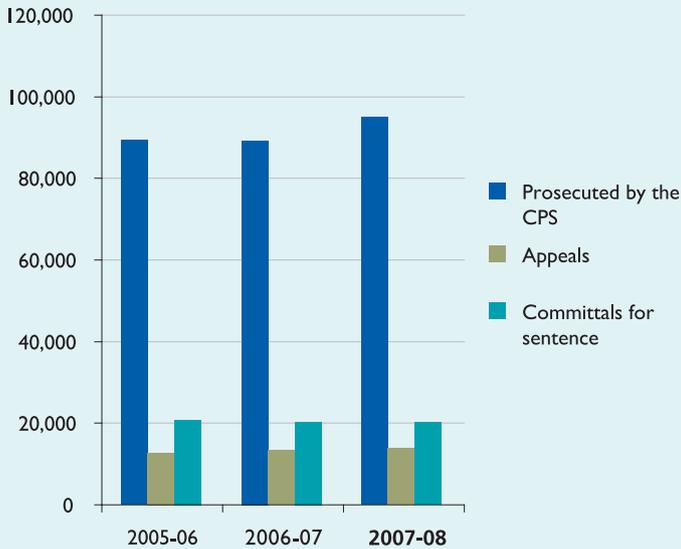


Chart 5 shows the number of defendants whose case was completed in the Crown Court:

Prosecuted by the CPS: This figure comprises all cases proceeding to trial or guilty plea in the Crown Court, together with those discontinued or dropped by the CPS after having been committed or sent for trial. The outcome of these proceedings is shown at chart 7;

appeals: defendants tried in magistrates' courts may appeal to the Crown Court against their conviction and/or sentence;

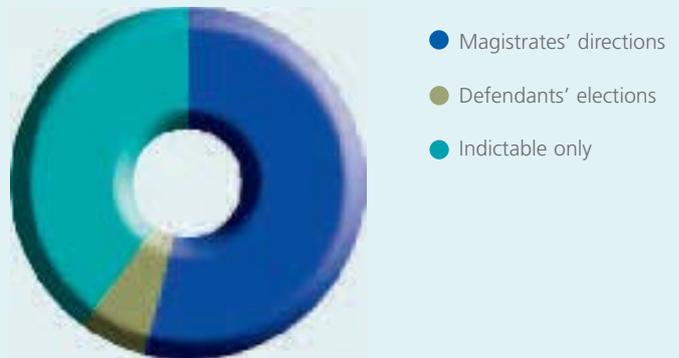
committals for sentence: some defendants tried and convicted by the magistrates are committed to the Crown Court for sentence, if the magistrates' decide that greater punishment is needed than they can impose.

	2005-06	2006-07	2007-08
Prosecuted by the CPS	89,970	89,408	96,992
Appeals	12,741	13,364	13,823
Committals for sentence	21,918	20,695	20,656

The number of defendants prosecuted increased by 8.5% during 2007-08.

Counting rules for the presentation of case volumes and outcomes were amended with effect from April 2007. Cases involving mixed pleas of guilty to some charges while other charges proceeded to contest were formerly double counted, but are now treated as a single defendant case. Historical figures in the present report have been adjusted in accordance with the revised rules, giving a consistent run of figures.

Chart 6: Crown Court: source of committals for trial



Magistrates' direction: these are either way proceedings which the magistrates thought were serious enough to call for trial in the Crown Court;

defendants' elections: these are either way proceedings in which the defendant chose Crown Court trial;

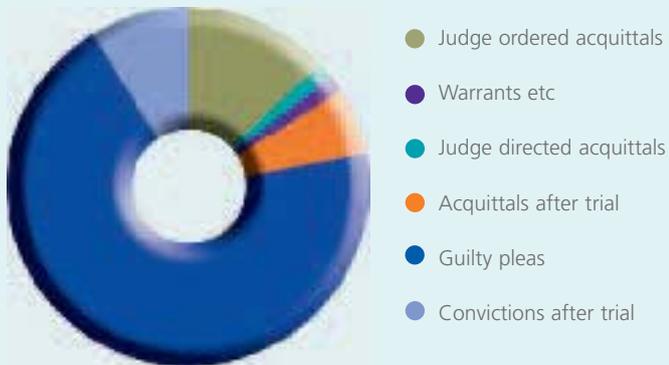
indictable only: these are more serious cases which can only be tried in the Crown Court.

	2005-06	%	2006-07	%	2007-08	%
Magistrates' directions:	49,330	54.8	48,320	54.0	51,603	53.2
Defendants' elections:	5,025	5.6	5,443	6.1	6,348	6.5
Indictable only:	35,626	39.6	35,654	39.9	39,048	40.3
Total:	89,981		89,417		96,999	

Indictable only cases represented 40.3% of the total compared with only 18.2% in 1991-92.

ANNEX A - CASEWORK STATISTICS

Chart 7: Crown Court: case outcomes



Cases against defendants committed for trial in the Crown Court can be completed in several ways:

Judge ordered acquittals: These are cases where problems are identified after a case is committed or sent to the Crown Court. The prosecution offers no evidence, and the judge orders a formal acquittal of the defendant. These include cases where an evidential deficiency has been identified, where the defendant has serious medical problems; or has already been dealt with for other offences; or when witnesses are missing. Cases sent to the Crown Court under s51 Crime and Disorder Act 1998 and subsequently discontinued are also included in this total. Also included are cases in which charges do not proceed to a trial, and the defendant is bound over to keep the peace;

Warrants etc: when the prosecution cannot proceed because the defendant fails to attend court and a Bench Warrant has been issued for his or her arrest; or the defendant has died; or is found unfit to plead. If the police trace a missing defendant, then proceedings can continue;

Judge directed acquittals: these are cases where, at the close of the prosecution case against the defendant, a successful submission of 'no case' or 'unsafe' is made on behalf of the defendant, and the judge directs an acquittal rather than allow the case to be determined by the Jury;

Acquittals after trial: when the defendant pleads not guilty and, following a trial, is acquitted by the jury

Guilty pleas: where the defendant pleads guilty

Convictions after trial: cases in which the defendant pleads not guilty but, following a trial, is convicted by the jury

	2005-06	%	2006-07	%	2007-08	%
Judge ordered acquittals (including bind overs)	12,389	13.8	12,102	13.5	12,356	12.7
Warrants etc	1,505	1.7	1,188	1.3	1,230	1.3
Judge directed acquittals	1,415	1.6	1,254	1.4	1,189	1.2
Acquittals after trial	5,675	6.3	5,746	6.4	5,270	5.4
Guilty pleas	60,252	67.0	60,918	68.1	69,242	71.4
Convictions after trial	8,734	9.7	8,200	9.2	7,705	7.9
Total	89,970		89,408		96,992	

Convictions rose to 79.3% compared with 76.7% in 2005-06 and 77.3% in 2006-07, while unsuccessful outcomes fell to 20.7% compared with 23.3% in 2005-06 and 22.7% 2006-07.

AGENT USAGE

The proportion of half day sessions in magistrates' courts covered by lawyers in private practice acting as agents in 2007-08 was 16.8% compared with 19.6% in 2006-07.

ANNEX B - GUIDANCE ISSUED BY THE DIRECTOR

Guidance Issued by the Director

During the period of this report, the Director of Public Prosecutions has issued guidance under S37A of the Police and Criminal Evidence Act 1984, as follows:

- The Director's Guidance on Conditional Cautioning (Fifth Edition) which added the new Fraud Act offences with effect from October 2007.

All S37A Guidance is available on the CPS website.

ANNEX C

Code for Crown Prosecutors

The Crown Prosecution Service is the principal public prosecuting authority for England and Wales and is headed by the Director of Public Prosecutions. The Attorney General is accountable to Parliament for the Service.

The Crown Prosecution Service is a national organisation consisting of 42 Areas. Each Area is headed by a Chief Crown Prosecutor and corresponds to a single police force area, with one for London. It was set up in 1986 to prosecute cases investigated by the police.

Although the Crown Prosecution Service works closely with the police, it is independent of them. The independence of Crown Prosecutors is of fundamental constitutional importance. Casework decisions taken with fairness, impartiality and integrity help deliver justice for victims, witnesses, defendants and the public.

The Crown Prosecution Service co-operates with the investigating and prosecuting agencies of other jurisdictions.

The Director of Public Prosecutions is responsible for issuing a Code for Crown Prosecutors under section 10 of the Prosecution of Offences Act 1985, giving guidance on the general principles to be applied when making decisions about prosecutions. This is the fifth edition of the Code and replaces all earlier versions. For the purpose of this Code, 'Crown Prosecutor' includes members of staff in the Crown Prosecution Service who are designated by the Director of Public Prosecutions under section 7A of the Act and are exercising powers under that section.

1 INTRODUCTION

1.1 The decision to prosecute an individual is a serious step. Fair and effective prosecution is essential to the maintenance of law and order. Even in a small case a prosecution has serious implications for all involved - victims, witnesses and defendants. The Crown Prosecution Service applies the Code for Crown Prosecutors so that it can make fair and consistent decisions about prosecutions.

1.2 The Code helps the Crown Prosecution Service to play its part in making sure that justice is done. It contains information that is important to police officers and others who work in the criminal justice system and to the general public. Police officers should apply the provisions of this Code whenever they are responsible for deciding whether to charge a person with an offence.

1.3 The Code is also designed to make sure that everyone knows the principles that the Crown Prosecution Service applies when carrying out its work. By applying the same principles, everyone involved in the system is helping to treat victims, witnesses and defendants fairly, while prosecuting cases effectively.

2 GENERAL PRINCIPLES

2.1 Each case is unique and must be considered on its own facts and merits. However, there are general principles that apply to the way in which Crown Prosecutors must approach every case.

2.2 Crown Prosecutors must be fair, independent and objective. They must not let any personal views about ethnic or national origin, disability, sex, religious beliefs, political views or the sexual orientation of the suspect, victim or witness influence their decisions. They must not be affected by improper or undue pressure from any source.

2.3 It is the duty of Crown Prosecutors to make sure that the right person is prosecuted for the right offence. In doing so, Crown Prosecutors must always act in the interests of justice and not solely for the purpose of obtaining a conviction.

2.4 Crown Prosecutors should provide guidance and advice to investigators throughout the investigative and prosecuting process. This may include lines of inquiry, evidential requirements and assistance in any pre-charge procedures. Crown Prosecutors will be proactive in identifying and, where possible, rectifying evidential deficiencies and in bringing to an early conclusion those cases that cannot be strengthened by further investigation.

2.5 It is the duty of Crown Prosecutors to review, advise on and prosecute cases, ensuring that the law is properly applied, that all relevant evidence is put before the court and that obligations of disclosure are complied with, in accordance with the principles set out in this Code.

2.6 The Crown Prosecution Service is a public authority for the purposes of the Human Rights Act 1998. Crown Prosecutors must apply the principles of the European Convention on Human Rights in accordance with the Act.

3 THE DECISION TO PROSECUTE

3.1 In most cases, Crown Prosecutors are responsible for deciding whether a person should be charged with a criminal offence and if so, what that offence should be. Crown Prosecutors make these decisions in accordance with this Code and the Director's Guidance on Charging. In those cases where the police determine the charge, which are usually more minor and routine cases, they apply the same provisions.

3.2 Crown Prosecutors make charging decisions in accordance with the Full Code Test (see section 5 below), other than in those limited circumstances where the Threshold Test applies (see section 6 below).

3.3 The Threshold Test applies where the case is one in which it is proposed to keep the suspect in custody after charge, but the evidence required to apply the Full Code Test is not yet available.

3.4 Where a Crown Prosecutor makes a charging decision in accordance with the Threshold Test, the case must be reviewed in accordance with the Full Code Test as soon as reasonably practicable, taking into account the progress of the investigation.

4 REVIEW

4.1 Each case the Crown Prosecution Service receives from the police is reviewed to make sure that it is right to proceed with a prosecution. Unless the Threshold Test applies, the Crown Prosecution Service will only start or continue with a prosecution when the case has passed both stages of the Full Code Test.

4.2 Review is a continuing process and Crown Prosecutors must take account of any change in circumstances. Wherever possible, they should talk to the police first if they are thinking about changing the charges or stopping the case. Crown Prosecutors should also tell the police if they believe that some additional evidence may strengthen the case. This gives the police the chance to provide more information that may affect the decision.

4.3 The Crown Prosecution Service and the police work closely together, but the final responsibility for the decision whether or not a charge or a case should go ahead rests with the Crown Prosecution Service.

5 THE FULL CODE TEST

5.1 The Full Code Test has two stages. The first stage is consideration of the evidence. If the case does not pass the evidential stage it must not go ahead no matter how important or serious it may be. If the case does pass the evidential stage, Crown Prosecutors must proceed to the second stage and decide if a prosecution is needed in the public interest. The evidential and public interest stages are explained below.

The Evidential Stage

5.2 Crown Prosecutors must be satisfied that there is enough evidence to provide a 'realistic prospect of conviction' against each defendant on each charge. They must consider what the defence case may be, and how that is likely to affect the prosecution case.

5.3 A realistic prospect of conviction is an objective test. It means that a jury or bench of magistrates or judge hearing a case alone, properly directed in accordance with the law, is more likely than not to convict the defendant of the charge alleged. This is a separate test from the one that the criminal courts themselves must apply. A court should only convict if satisfied so that it is sure of a defendant's guilt.

5.4 When deciding whether there is enough evidence to prosecute, Crown Prosecutors must consider whether the evidence can be used and is reliable. There will be many cases in which the evidence does not give any cause for concern. But there will

ANNEX C

also be cases in which the evidence may not be as strong as it first appears. Crown Prosecutors must ask themselves the following questions:

Can the evidence be used in court?

- a Is it likely that the evidence will be excluded by the court? There are certain legal rules which might mean that evidence which seems relevant cannot be given at a trial. For example, is it likely that the evidence will be excluded because of the way in which it was gathered? If so, is there enough other evidence for a realistic prospect of conviction?

Is the evidence reliable?

- b Is there evidence which might support or detract from the reliability of a confession? Is the reliability affected by factors such as the defendant's age, intelligence or level of understanding?
- c What explanation has the defendant given? Is a court likely to find it credible in the light of the evidence as a whole? Does it support an innocent explanation?
- d If the identity of the defendant is likely to be questioned, is the evidence about this strong enough?
- e Is the witness's background likely to weaken the prosecution case? For example, does the witness have any motive that may affect his or her attitude to the case, or a relevant previous conviction?
- f Are there concerns over the accuracy or credibility of a witness? Are these concerns based on evidence or simply information with nothing to support it? Is there further evidence which the police should be asked to seek out which may support or detract from the account of the witness?

- 5.5 Crown Prosecutors should not ignore evidence because they are not sure that it can be used or is reliable. But they should look closely at it when deciding if there is a realistic prospect of conviction.

The Public Interest Stage

- 5.6 In 1951, Lord Shawcross, who was Attorney General, made the classic statement on public interest, which has been supported by Attorneys General ever since: "It has never been the rule in this country - I hope it never will be - that suspected criminal offences must automatically be the subject of prosecution". (House of Commons Debates, volume 483, column 681, 29 January 1951.)
- 5.7 The public interest must be considered in each case where there is enough evidence to provide a realistic prospect of conviction. Although there may be public interest factors against prosecution in a particular case, often the prosecution should go ahead and those factors should be put to the court for consideration when sentence is being passed. A prosecution will usually take place unless there are public interest factors tending against prosecution which clearly outweigh those tending in favour, or it appears more appropriate in all the circumstances of the case to divert the person from prosecution (see section 8 below).
- 5.8 Crown Prosecutors must balance factors for and against prosecution carefully and fairly. Public interest factors that can affect the decision to prosecute usually depend on the seriousness of the offence or the circumstances of the suspect. Some factors may increase the need to prosecute but others may suggest that another course of action would be better.

The following lists of some common public interest factors, both for and against prosecution, are not exhaustive. The factors that apply will depend on the facts in each case.

Some common public interest factors in favour of prosecution

- 5.9 The more serious the offence, the more likely it is that a prosecution will be needed in the public interest. A prosecution is likely to be needed if:
- a A conviction is likely to result in a significant sentence;
 - b A conviction is likely to result in a confiscation or any other order;
 - c A weapon was used or violence was threatened during the commission of the offence;
 - d The offence was committed against a person serving the public (for example, a police or prison officer, or a nurse);
 - e The defendant was in a position of authority or trust;
 - f The evidence shows that the defendant was a ringleader or an organiser of the offence;
 - g There is evidence that the offence was premeditated;
 - h There is evidence that the offence was carried out by a group;
 - i The victim of the offence was vulnerable, has been put in considerable fear, or suffered personal attack, damage or disturbance;
 - j The offence was committed in the presence of, or in close proximity to, a child;
 - k The offence was motivated by any form of discrimination against the victim's ethnic or national origin, disability, sex, religious beliefs, political views or sexual orientation, or the suspect demonstrated hostility towards the victim based on any of those characteristics;
 - l There is a marked difference between the actual or mental ages of the defendant and the victim, or if there is any element of corruption;

- m The defendant's previous convictions or cautions are relevant to the present offence;
- n The defendant is alleged to have committed the offence while under an order of the court;
- o There are grounds for believing that the offence is likely to be continued or repeated, for example, by a history of recurring conduct;
- p The offence, although not serious in itself, is widespread in the area where it was committed; or
- q A prosecution would have a significant positive impact on maintaining community confidence.

Some common public interest factors against prosecution

- 5.10 A prosecution is less likely to be needed if:
- a The court is likely to impose a nominal penalty;
 - b The defendant has already been made the subject of a sentence and any further conviction would be unlikely to result in the imposition of an additional sentence or order, unless the nature of the particular offence requires a prosecution or the defendant withdraws consent to have an offence taken into consideration during sentencing;
 - c The offence was committed as a result of a genuine mistake or misunderstanding (these factors must be balanced against the seriousness of the offence);
 - d The loss or harm can be described as minor and was the result of a single incident, particularly if it was caused by a misjudgement;
 - e There has been a long delay between the offence taking place and the date of the trial, unless:
 - The offence is serious;
 - The delay has been caused in part by the defendant;
 - The offence has only recently come to light; or
 - The complexity of the offence has meant that there has been a long investigation;

ANNEX C

- f A prosecution is likely to have a bad effect on the victim's physical or mental health, always bearing in mind the seriousness of the offence;
- g The defendant is elderly or is, or was at the time of the offence, suffering from significant mental or physical ill health, unless the offence is serious or there is real possibility that it may be repeated. The Crown Prosecution Service, where necessary, applies Home Office guidelines about how to deal with mentally disordered offenders. Crown Prosecutors must balance the desirability of diverting a defendant who is suffering from significant mental or physical ill health with the need to safeguard the general public;
- h The defendant has put right the loss or harm that was caused (but defendants must not avoid prosecution or diversion solely because they pay compensation); or
- i Details may be made public that could harm sources of information, international relations or national security.
- 5.11 Deciding on the public interest is not simply a matter of adding up the number of factors on each side. Crown Prosecutors must decide how important each factor is in the circumstances of each case and go on to make an overall assessment.
- The relationship between the victim and the public interest**
- 5.12 The Crown Prosecution Service does not act for victims or the families of victims in the same way as solicitors act for their clients. Crown Prosecutors act on behalf of the public and not just in the interests of any particular individual. However, when considering the public interest, Crown Prosecutors should always take into account the consequences for the victim of whether or not to prosecute, and any views expressed by the victim or the victim's family.
- 5.13 It is important that a victim is told about a decision which makes a significant difference to the case in which they are involved. Crown Prosecutors should ensure that they follow any agreed procedures.
- 6 The Threshold Test**
- 6.1 The Threshold Test requires Crown Prosecutors to decide whether there is at least a reasonable suspicion that the suspect has committed an offence, and if there is, whether it is in the public interest to charge that suspect.
- 6.2 The Threshold Test is applied to those cases in which it would not be appropriate to release a suspect on bail after charge, but the evidence to apply the Full Code Test is not yet available.
- 6.3 There are statutory limits that restrict the time a suspect may remain in police custody before a decision has to be made whether to charge or release the suspect. There will be cases where the suspect in custody presents a substantial bail risk if released, but much of the evidence may not be available at the time the charging decision has to be made. Crown Prosecutors will apply the Threshold Test to such cases for a limited period.
- 6.4 The evidential decision in each case will require consideration of a number of factors including:
- The evidence available at the time;
 - The likelihood and nature of further evidence being obtained;
 - The reasonableness for believing that evidence will become available;
 - The time it will take to gather that evidence and the steps being taken to do so;
 - The impact the expected evidence will have on the case;
 - The charges that the evidence will support.
- 6.5 The public interest means the same as under the Full Code Test, but will be based on the information available at the time of charge which will often be limited.
- 6.6 A decision to charge and withhold bail must be kept under review. The evidence gathered must be regularly assessed to ensure the charge is still appropriate and that continued objection to bail is justified. The Full Code Test must be applied as soon as reasonably practicable.

7 Selection of Charges

- 7.1 Crown Prosecutors should select charges which:
- a Reflect the seriousness and extent of the offending;
 - b Give the court adequate powers to sentence and impose appropriate post-conviction orders; and
 - c Enable the case to be presented in a clear and simple way. This means that Crown Prosecutors may not always choose or continue with the most serious charge where there is a choice.
- 7.2 Crown Prosecutors should never go ahead with more charges than are necessary just to encourage a defendant to plead guilty to a few. In the same way, they should never go ahead with a more serious charge just to encourage a defendant to plead guilty to a less serious one.
- 7.3 Crown Prosecutors should not change the charge simply because of the decision made by the court or the defendant about where the case will be heard.

8 Diversion from Prosecution Adults

- 8.1 When deciding whether a case should be prosecuted in the courts, Crown Prosecutors should consider the alternatives to prosecution. Where appropriate, the availability of suitable rehabilitative, reparative or restorative justice processes can be considered.
- 8.2 Alternatives to prosecution for adult suspects include a simple caution and a conditional caution.

Simple Caution

- 8.3 A simple caution should only be given if the public interest justifies it and in accordance with Home Office guidelines. Where it is felt that such a caution is appropriate, Crown Prosecutors must inform the police so they can caution the suspect. If the caution is not administered, because the suspect refuses to accept it, a Crown Prosecutor may review the case again.

Conditional Caution

- 8.4 A conditional caution may be appropriate where a Crown Prosecutor considers that while the public interest justifies a prosecution, the interests of the suspect, victim and community may be better served by the suspect complying with suitable conditions aimed at rehabilitation or reparation. These may include restorative processes.
- 8.5 Crown Prosecutors must be satisfied that there is sufficient evidence for a realistic prospect of conviction and that the public interest would justify a prosecution should the offer of a conditional caution be refused or the offender fail to comply with the agreed conditions of the caution.
- 8.6 In reaching their decision, Crown Prosecutors should follow the Conditional Cautions Code of Practice and any guidance on conditional cautioning issued or approved by the Director of Public Prosecutions.
- 8.7 Where Crown Prosecutors consider a conditional caution to be appropriate, they must inform the police, or other authority responsible for administering the conditional caution, as well as providing an indication of the appropriate conditions so that the conditional caution can be administered.

ANNEX C

Youths

- 8.8 Crown Prosecutors must consider the interests of a youth when deciding whether it is in the public interest to prosecute. However Crown Prosecutors should not avoid prosecuting simply because of the defendant's age. The seriousness of the offence or the youth's past behaviour is very important.
- 8.9 Cases involving youths are usually only referred to the Crown Prosecution Service for prosecution if the youth has already received a reprimand and final warning, unless the offence is so serious that neither of these were appropriate or the youth does not admit committing the offence. Reprimands and final warnings are intended to prevent re-offending and the fact that a further offence has occurred indicates that attempts to divert the youth from the court system have not been effective. So the public interest will usually require a prosecution in such cases, unless there are clear public interest factors against prosecution.

9 Mode of Trial

- 9.1 The Crown Prosecution Service applies the current guidelines for magistrates who have to decide whether cases should be tried in the Crown Court when the offence gives the option and the defendant does not indicate a guilty plea. Crown Prosecutors should recommend Crown Court trial when they are satisfied that the guidelines require them to do so.
- 9.2 Speed must never be the only reason for asking for a case to stay in the magistrates' courts. But Crown Prosecutors should consider the effect of any likely delay if they send a case to the Crown Court, and any possible stress on victims and witnesses if the case is delayed.

10 Accepting Guilty Pleas

- 10.1 Defendants may want to plead guilty to some, but not all, of the charges. Alternatively, they may want to plead guilty to a different, possibly less serious, charge because they are admitting only part of the crime. Crown Prosecutors should only accept the defendant's plea if they think the court is able to pass a sentence that matches the seriousness of the offending, particularly where there are aggravating features. Crown Prosecutors must never accept a guilty plea just because it is convenient.
- 10.2 In considering whether the pleas offered are acceptable, Crown Prosecutors should ensure that the interests of the victim and, where possible, any views expressed by the victim or victim's family, are taken into account when deciding whether it is in the public interest to accept the plea. However, the decision rests with the Crown Prosecutor.
- 10.3 It must be made clear to the court on what basis any plea is advanced and accepted. In cases where a defendant pleads guilty to the charges but on the basis of facts that are different from the prosecution case, and where this may significantly affect sentence, the court should be invited to hear evidence to determine what happened, and then sentence on that basis.
- 10.4 Where a defendant has previously indicated that he or she will ask the court to take an offence into consideration when sentencing, but then declines to admit that offence at court, Crown Prosecutors will consider whether a prosecution is required for that offence. Crown Prosecutors should explain to the defence advocate and the court that the prosecution of that offence may be subject to further review.
- 10.5 Particular care must be taken when considering pleas which would enable the defendant to avoid the imposition of a mandatory minimum sentence. When pleas are offered, Crown Prosecutors must bear in mind the fact that ancillary orders can be made with some offences but not with others.

11 Prosecutors' Role in Sentencing

- 11.1 Crown Prosecutors should draw the court's attention to:
- Any aggravating or mitigating factors disclosed by the prosecution case;
 - Any victim personal statement;
 - Where appropriate, evidence of the impact of the offending on a community;
 - Any statutory provisions or sentencing guidelines which may assist;
 - Any relevant statutory provisions relating to ancillary orders (such as anti-social behaviour orders).
- 11.2 The Crown Prosecutor should challenge any assertion made by the defence in mitigation that is inaccurate, misleading or derogatory. If the defence persist in the assertion, and it appears relevant to the sentence, the court should be invited to hear evidence to determine the facts and sentence accordingly.

12 Re-starting a Prosecution

- 12.1 People should be able to rely on decisions taken by the Crown Prosecution Service. Normally, if the Crown Prosecution Service tells a suspect or defendant that there will not be a prosecution, or that the prosecution has been stopped, that is the end of the matter and the case will not start again. But occasionally there are special reasons why the Crown Prosecution Service will re-start the prosecution, particularly if the case is serious.
- 12.2 These reasons include:
- a Rare cases where a new look at the original decision shows that it was clearly wrong and should not be allowed to stand;
 - b Cases which are stopped so that more evidence which is likely to become available in the fairly near future can be collected and prepared. In these cases, the Crown Prosecutor will tell the defendant that the prosecution may well start again; and
 - c Cases which are stopped because of a lack of evidence but where more significant evidence is discovered later.

- 12.3 There may also be exceptional cases in which, following an acquittal of a serious offence, the Crown Prosecutor may, with the written consent of the Director of Public Prosecutions, apply to the Court of Appeal for an order quashing the acquittal and requiring the defendant to be retried, in accordance with Part 10 of the Criminal Justice Act 2003.

The Code is a public document. It is available on the CPS website: www.cps.gov.uk

Further copies may be obtained from:

CPS Communications Branch
 50 Ludgate Hill
 London EC4M 7EX
 Tel: 020 7796 8442
 Fax: 020 7796 8030
 E-mail: publicity.branch@cps.gsi.gov.uk
 Or go to: www.cps.gov.uk

Translations into other languages and audio or Braille copies are available. Contact CPS Communications Branch for details. The CPS Public Enquiry Point can provide general information on the CPS and advice on who to contact. The unit cannot give legal advice, but may be able to offer you practical information.

CPS Public Enquiry Point:
 Tel: 020 7796 8500 Phone calls may be recorded

**E-mail for enquiries and comments:
enquiries@cps.gsi.gov.uk**

ANNEX D

DIRECTOR OF PUBLIC PROSECUTIONS' GENERAL INSTRUCTIONS TO CROWN PROSECUTION SERVICE DESIGNATED CASEWORKERS, PURSUANT TO SECTION 7A (3) AND (4) OF THE PROSECUTION OF OFFENCES ACT 1985 ('THE ACT')

1. Preamble

- 1.1 These instructions will take effect on 2 January 2006, and will apply to all CPS employees designated by the Director in accordance with section 7A (1) of the Act. Any such employee will be referred to in these instructions as a Designated Caseworker ['DCW'].
- 1.2 These instructions apply whether the DCW has been so designated prior to the date specified in paragraph 1.1, upon that date, or subsequently.
- 1.3 Upon these instructions taking effect in accordance with paragraphs 1.1 and 1.2, all previous instructions issued to DCWs pursuant to section 7A(3) and (4) of the Act, and set out in the appropriate Annex of the Director's annual report to the Attorney General in accordance with section 7A(7)(c) of the Act, will cease to have effect.
- 1.4 The Director may from time to time issue guidance to CPS Areas as to how to approach implementation of these instructions, and dealing with related matters including procedures for supervision of DCWs and training requirements relevant to certain duties.

2. Powers and Rights of Audience

- 2.1 All DCWs will exercise the powers and rights of audience of a Crown Prosecutor in the conduct of criminal proceedings in magistrates' courts, including those concerning a defendant's application for bail, or application in relation to bail (including proceedings for breach of bail), whether or not the matter is contested and whether or not the defendant is an adult or youth, except to the extent that the proceedings are any of the excluded proceedings listed in paragraph 2.4 below.

- 2.2 All DCWs will exercise the powers of a Crown Prosecutor in the conduct of criminal proceedings in magistrates courts, including the power to review such proceedings in accordance with the Code for Crown Prosecutors and to determine such proceedings, except to the extent that the proceedings are any of the excluded proceedings listed in paragraph 2.4 below.
- 2.3 The powers of a DCW to review and determine proceedings are further subject to Section 3 below.
- 2.4 For the purpose of these instructions, excluded proceedings are proceedings:
- for an offence triable only at the Crown Court;
 - for an either-way offence in relation to which the defendant has, at a previous hearing, elected to be tried at the Crown Court;
 - for an either-way offence in relation to which the magistrates have decided, at a previous hearing, that Crown Court trial would be more suitable;
 - for an offence in relation to which a notice of transfer has been given under section 4 of the Criminal Justice Act 1987 or section 53 of the Criminal Justice Act 1991;
 - that take the form of a criminal trial, beginning with the opening of the prosecution case after the entry of a plea of not guilty by the defendant or the defendant's representative and ending with the conviction or acquittal of the defendant;
 - that take the form of a Newton Hearing; or
 - that take the form of a 'special reasons' hearing, namely where the offence carries obligatory disqualification and the defendant is calling evidence in support of 'special reasons' as to why he or she should not be disqualified from driving.
- 2.5 A DCW may exercise the powers and rights of audience of a Crown Prosecutor in order to prove a summary matter in the defendant's absence under section 12 of the Magistrates' Court Act 1980, if and only if there has been no response to the summons and the court proceeds to hear the case in the absence of the accused.

3. Powers to Review and Determine Proceedings

- 3.1 The fundamental principle is that DCWs shall only review magistrates' courts cases which straightforward and which involve no difficult technical issue, or other complication of fact or law.
- 3.2 Consistent with that basic principle, DCWs shall only review summary or either way offences where:
- the defendant is an adult; and
 - the matter is summary-only or considered to be suitable for summary disposal; and
 - a guilty plea is reasonably expected; or
 - (if otherwise) the offence is a minor road traffic offence, provided that the defendant is not a youth.
- 3.3 A guilty plea may reasonably be expected where a defendant has admitted the offence to police, or the offence has been witnessed by a police officer or police officers and the defendant has given no indication that he or she will plead not guilty.
- 3.4 A DCW may not review a case in relation to which any of the following applies:
- the decision to charge was not made in compliance with the Director's Guidance on Charging under section 37A of the Police and Criminal Evidence Act 1984, where it is in force in the Area;
 - the offence is indictable only;
 - where a summary matter, the defendant has pleaded not guilty and the matter has already been set down for summary trial;
 - where an either way offence, the matter is awaiting committal or transfer;
 - the offence requires the consent of the Director of Public Prosecutions or Attorney General;
 - the case involves a defendant who is a youth;
 - the matter may be considered sensitive, for example it involves a fatality, a child victim, the defendant is a serving police officer, it relates to a racial incident, or there is some other relevant factor likely to place the case within such a category of sensitivity;
- the charges allege the burglary of a dwelling, or the supply or possession with intent to supply of a controlled drug, irrespective of whether these offences are admitted. In relation to the former, a Crown Prosecutor will have to determine whether section 111 of the Powers of Criminal Courts (Sentencing) Act 2000 (the 2000 Act) applies. In relation to the latter, a Crown Prosecutor will similarly need to determine whether section 110 of the 2000 Act applies, where the drug is Class A, or committal to the Crown Court for a judge to consider confiscation under the Proceeds of Crime Act is otherwise appropriate;
 - any dispute as to the facts is such as to raise the possibility of an order under section 58(7) and 58(8) of the Criminal Procedure and Investigations Act 1996 relating to derogatory mitigation; or
 - the matter involves obligatory disqualification and there is notification from the defendant or the defendant's representative prior to any review that evidence will be called in respect of 'special reasons' as to why the defendant should not be disqualified.
- 3.5 Where it becomes apparent during either the review of the file, or during a subsequent hearing, that a summons or charge requires a minor amendment, for example, to correct:
- an error as to the value of any property;
 - the date or dates upon which an offence took place;
 - the venue for the offence; or
 - the description of any relevant object (including the registration details of a vehicle),
- the DCW may amend it or apply to the court to amend it without reference to a Crown Prosecutor.

ANNEX D

3.6 Without prejudice to the generality of paragraph 3.5, where:

- the matter charged is a road traffic offence involving production of documents by the defendant (otherwise than in specified proceedings), and the defendant has produced documents to the court's Police Liaison Officer (PLO) or other police officer; and
- the DCW is satisfied, as a result of speaking to the PLO or other police officer (or upon seeing a suitable signed statement from either), that the substantive charge is no longer sustainable, the DCW may withdraw the substantive charge or summons without reference to a Crown Prosecutor and proceed on any alternative charges that are also before the court.

Where in situations other than those described in paragraph 3.5 or 3.6, the DCW proposes a course of action involving the amendment/substitution/withdrawal or discontinuance or a charge or summons, a Crown Prosecutor must be consulted for a decision. The Crown Prosecutor will then endorse the file as to any decision taken. If the Crown Prosecutor is consulted on the telephone, the DCW should endorse the file with the decision.

December 2005

ANNEX E - DESIGNATED CASEWORKERS TRAINING AND SELECTION

Criteria for designation

1. Applicants for designation are required to have successfully completed probation and possess three years' relevant experience as a Caseworker or to have a suitable legal qualification. In their written submission they are required to demonstrate that they meet the criteria and satisfy the personal competencies. A selection panel considers each application and those applicants who pass the sift are invited to appear before local interview panels. Successful applicants are thereafter recommended for specialised training.

Training

- 2.1 Applicants undertake an intensive Service Internal training programme which involves assimilating a comprehensive Resource pack through distance learning and attending a Foundation Course (legal principles) and a separate Advocacy Course.
- 2.2 An applicant is only recommended for designation where at the conclusion of their Advocacy training they pass an independent assessment of competence undertaken during that period.
- 2.3 After successfully completing the Advocacy course, DCWs have to complete on line e learning modules covering Case Management Hearings and Custody Time Limits and a face to face one day event dealing with Bail Applications. It is recommended that this is done no longer than three to four months after the Advocacy assessment. The training equips the applicant with the knowledge and advocacy skills to undertake a review and presentational role in the magistrates' courts in accordance with the Director's General Instructions under section 7A (4) of the Prosecution of Offences Act 1985. There are additional required e learning modules whose purpose is to further enhance their knowledge. These are on Domestic Violence, the Threshold Test, Conditional Cautioning, and the Fraud Act 2006.
- 2.4 A Designated Caseworker must complete 16 hours of continuing professional development training per year.

ANNEX F - DATA SYSTEMS

PSA 1:

Improve the delivery of justice by increasing the number of crimes for which an offender is brought to justice to 1.25 million by 2007-08.

An offence is said to have been brought to justice when a recorded crime results in an offender being convicted; cautioned; issued with a penalty notice for disorder; given a formal warning for the possession of cannabis or having an offence taken into consideration. The MoJ collects these data from the police and the courts. They constitute National Statistics and are published annually in 'Criminal Statistics in England and Wales'.

The total offences brought to justice in the year to December 2007 is comprised of the following:

	Year Ending Dec 2007
Conviction	722,098
Cautions	380,416
Penalty Notices for Disorder	139,876
Cannabis Warnings	98,354
Offences Taken into Consideration	108,507
Total Offences Brought to Justice	1,449,251

PSA 2:

Reassure the public, reducing the fear of crime and anti-social behaviour, and building confidence in the CJS without compromising fairness.

The Citizenship Survey (formerly the HOCS)

- is a household survey of adults (age 16 and over) carried out by Communities and Local Government (CLG). It covers a range of topics, including perceptions of racial discrimination by public service organisations, and is used to measure performance against PSA targets for CLG, the Home Office, the OCJR and the Office of the Third Sector. The survey has previously been carried out in 2001, 2003 and 2005, providing performance data every two years. From April 2007, the survey has run on a continuous basis.

Headline findings on the PSA measures will be available quarterly, with the more detailed 2007-08 annual research reports available in autumn 2008. Data from April-December 2007 are included in this report.

British Crime Survey - The BCS is undertaken continuously, and figures for rolling 12-month periods are available quarterly. Although data are available quarterly, quarter-on-quarter comparisons need to be interpreted carefully as the data sets overlap. It should be noted that the BCS does not measure crimes against people living in group residences, under 16s, or against businesses.

Statistical significance - Statistics produced from surveys are most often estimates of the real figure for the population under study and therefore they may differ from the figures that would have been obtained if the whole population had been interviewed; this difference is known as sampling error. Because of the sampling error, differences in the figures may occur by chance rather than as a result of a real difference. Tests of statistical significance are used to identify which differences are unlikely to have occurred by chance. In tests that use a five per cent significance level, there is a one in 20 chance of an observed difference being solely due to chance.

Confidence intervals - Surveys produce statistics that are estimates of the real figure for the population under study. These estimates are always surrounded by a margin of error of plus or minus a given range. This margin of error or confidence interval is the range of values between which the population parameter is estimated to lie. For example, at the 95 per cent confidence level (used in most surveys), over many repeats of a survey under the same conditions one would expect that these confidence intervals would contain the true population value in 95 per cent of cases

Performance Assessments

These targets are directional (to achieve an increase or decrease) and are measured using survey data. In these cases the survey data must register at least a statistically significant change to be reasonably sure that the measured change is due to an actual change rather than a statistical aberration. In these cases, where interim trends are moving in the right direction but a statistically significant change has not yet been achieved, have been assessed as 'on course'.

Where data trends are moving in the wrong direction or too slowly, it is assessed as 'slippage'.

ANNEX G - GLOSSARY

ABM	Area Business Manager
ACPO	Association of Chief Police Officers
AGO	Attorney General's Office
ASB	Anti-Social Behaviour
ASBO	Anti-Social Behaviour Order
BCS	British Crime Survey
CCP	Chief Crown Prosecutor
CJS	Criminal Justice System
CMS	Case Management System
Code of Practice for Victims of Crime	See Victims' Code
Code for Crown Prosecutors	Sets out the principles the CPS applies when carrying out its work
CPS	Crown Prosecution Service
CSR 2007	Comprehensive Spending Review 2007
DCC	Delivery and Change Committee
DCW	Designated Caseworker
DIP	Drug Interventions Programme
DPP	Director of Public Prosecutions
DV	Domestic Violence
FIS	Family Impact Statement
FOI	Freedom of Information
FReM	Financial Reporting Manual
GFS	Graduated Fee Scheme
GSi	Government Secure Intranet
HCA	Higher Courts Advocate
HOCS	Home Office Citizenship Survey, now the Citizenship Survey
HQ	Headquarters
IT	Information Technology
LCJB	Local Criminal Justice Board
MOJ	Ministry of Justice
NAO	National Audit Office
NCJB	National Criminal Justice Board
NEDs	Non-Executive Directors
NWNJ	No Witness No Justice
OCJR	Office for Criminal Justice Reform
OGC	Office of Government Commerce
POCA	Proceeds of Crime Act
PPOs	Prolific and Priority Offenders
PSA Target	Public Service Agreement Target
QC	Queen's Counsel
SDVC	Special Domestic Violence Court
SOCA	Serious Organised Crime Agency
SR 2004	Spending Review 2004
Victims' Code	Code of Practice for Victims of Crime sets out the services victims can expect to receive from the CJS
WCU	Witness Care Unit
WMS	Witness Management System

ANNEX H - YOUR LOCAL CPS

1 Avon and Somerset

Barry Hughes CCP
Sarah Trevelyan ABM

2 Bedfordshire

Richard Newcombe CCP
Tim Riley ABM

3 Cambridgeshire

Richard Crowley CCP
Adrian Mardell ABM

4 Cheshire

Ian Rushton CCP
Angela Garbett ABM

5 and 25 London

Dru Sharpling CCP
Lesley Burton OD
Nazir Afzal SD (West)
Bob King A/SBM (West)
Wendy Williams SD (North)
Bob King SBM (North)
Nazir Afzal SD (South)
Clare Toogood SBM (South)
Rene Barclay DSC
Lesley Burton SBMCCC

6 Cleveland

Gerry Wareham CCP
Margaret Phillips ABM

7 Cumbria

Claire Lindley CCP
John Pears ABM

8 Derbyshire

Brian Gunn CCP
Chris Mitchell ABM

9 Devon and Cornwall

Tracy Easton CCP
Julie Heron ABM

10 Dorset

Kate Brown A/CCP
Jason Putman ABM

11 Durham

Chris Enzor CCP
Gary O'Brien ABM

12 Dyfed-Powys

Jim Brisbane CCP
Jeff Thomas ABM

13 Essex

Ken Caley CCP
Susan Stovell ABM

14 Gloucestershire

Adrian Foster CCP
Neil Spiller ABM

15 Greater Manchester

John Holt CCP
Jean Ashton ABM

16 Gwent

David Archer CCP
Helen Phillips ABM

17 Hampshire and IOW

Nick Hawkins CCP
Denise Bailey ABM

18 Hertfordshire

Charles Ingham CCP
Mark Fleckney A/ABM

19 Humberside

Barbara Petchey CCP
Caron Skidmore ABM

20 Kent

Roger Coe Salazar CCP
Julie Heron ABM

21 Lancashire

Bob Marshall CCP
Louise Rice ABM

22 Leicestershire

Kate Carty CCP
Jane Robinson ABM

23 Lincolnshire

Jaswant Narwal CCP
Gail Pessol ABM

24 Merseyside

Paul Whittaker CCP
Angela Walsh ABM

25 London

See 5 for details

26 Norfolk

Peter Tidey CCP
Catherine Scholefield ABM

27 Northamptonshire

Grace Ononiwu CCP
Fiona Campbell ABM

28 Northumbria

Nicola Reasbeck CCP
Ian Brown ABM

29 North Wales

Ed Beltrami CCP
Wray Ferguson ABM

30 North Yorkshire

Robert Turnbull CCP
Andrew Illingworth ABM

31 Nottinghamshire

Judith Walker CCP
Adele Clarke ABM

32 South Wales

Chris Woolley CCP
Mike Grist ABM

33 South Yorkshire

Nigel Cowgill CCP
Christopher Day ABM

34 Staffordshire

Harry Ireland CCP
Brian Laybourne ABM

35 Suffolk

Paula Abrahams CCP
Caroline Gilbert ABM

36 Surrey

Portia Ragnauth CCP
Steven Mould A/ABM

37 Sussex

Sarah Jane Gallagher CCP
Sam Goddard ABM

38 Thames Valley

Baljit Ubhey CCP
Karen Sawitzki ABM

39 Warwickshire

Mark Lynn CCP
Ian Edmondson ABM

40 West Mercia

Colin Chapman CCP
Vacant ABM

41 West Midlands

David Blundell CCP
Laurence Sutton ABM

42 West Yorkshire

Neil Franklin CCP
Karen Wright ABM

43 Wiltshire

Karen Harrold CCP
Kim O'Neill ABM

CPS Direct

Martin Goldman CCP
Delphine Horner ABM

CCP Chief Crown Prosecutor
ABM Area Business Manager
OD Operations Director
SD Sector Director
SBM Sector Business Manager
DSC Director Serious Casework
SBMCCC Sector Business Manager
Complex Casework Centre
A/ Acting

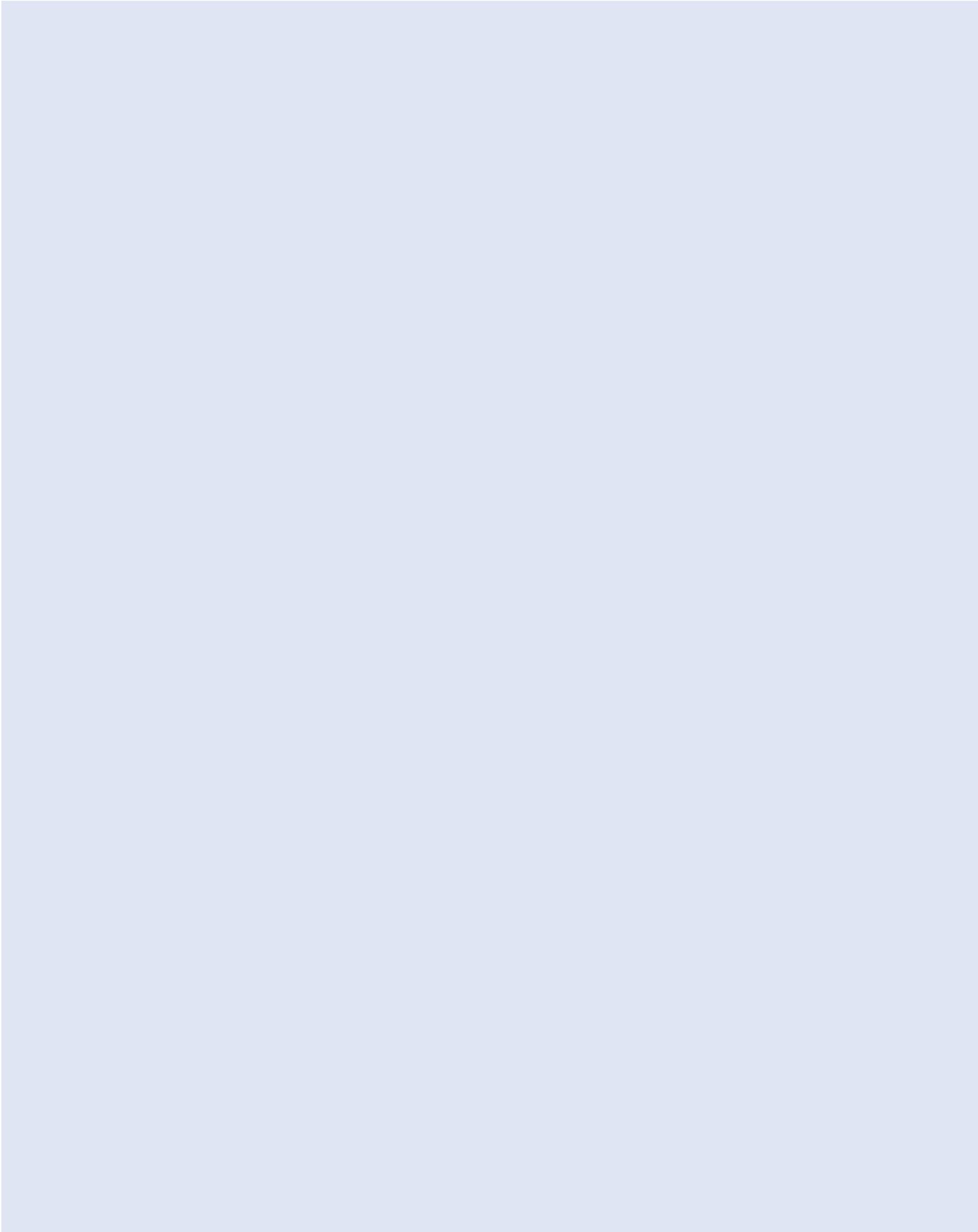
ANNEX I - CPS AREA/POLICE FORCE BOUNDARY MAP

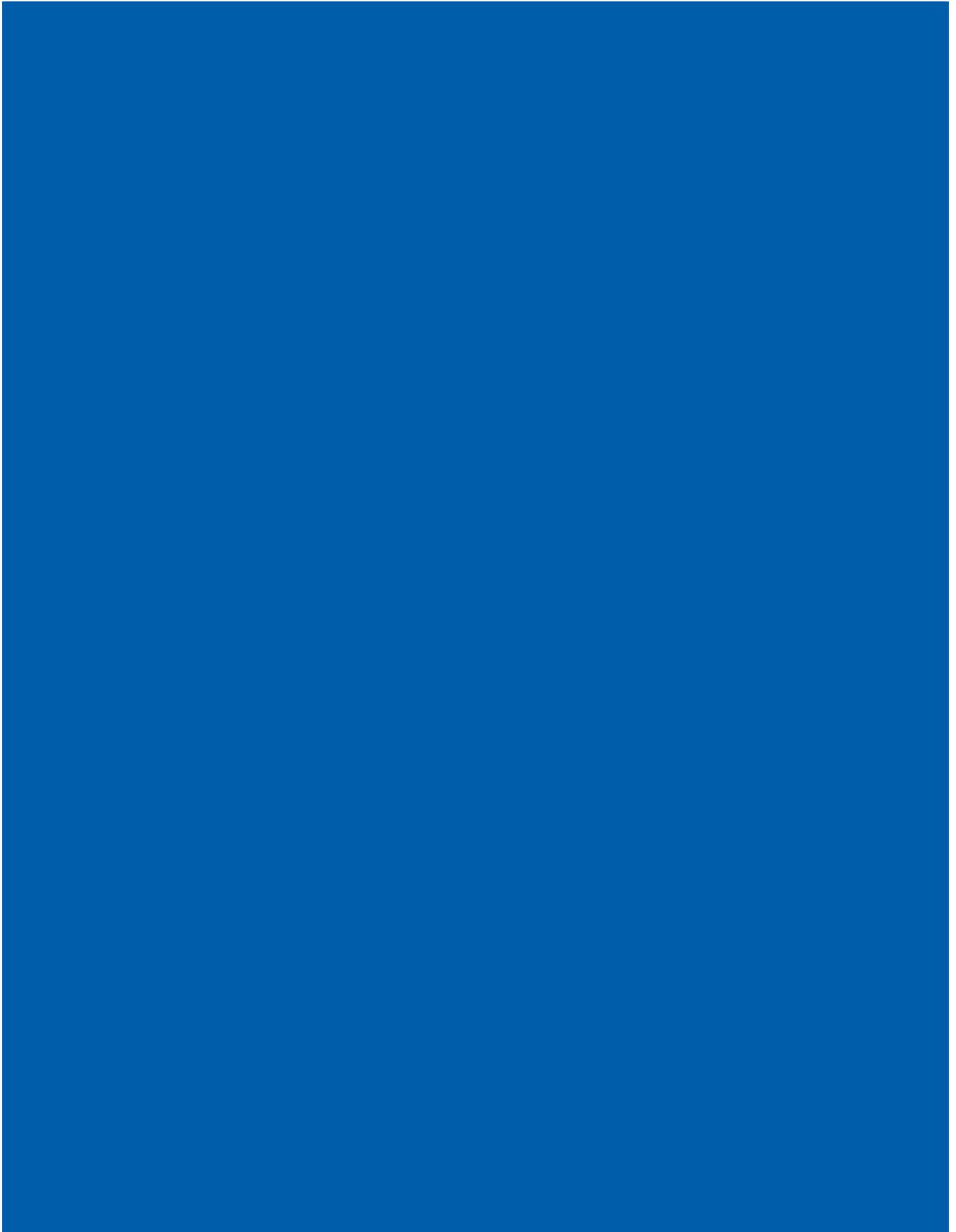


Printed in the UK for The Stationery Office Limited
on behalf of the Controller of Her Majesty's Stationery Office
ID 5749982 07/08

Printed on Paper containing 75% recycled fibre content minimum.

NOTES







CPS

Crown Prosecution Service Headquarters
50 Ludgate Hill,
London EC4M 7EX.
Tel: 020 7796 8000

Website address: www.cps.gov.uk
e-mail address for enquiries and comments:
enquiries@cps.gsi.gov.uk
Public Enquiry Point
Tel: 020 7796 8500



Designed by Ecoutez Creative Limited
email: info@ecoutez.co.uk



information & publishing solutions

Published by TSO (The Stationery Office) and available from:

Online

www.tsoshop.co.uk

Mail, Telephone Fax & E-Mail

TSO

PO Box 29, Norwich, NR3 1GN

Telephone orders/General enquiries 0870 600 5522

Order through the Parliamentary Hotline Lo-Call 0845 7 023474

Fax orders: 0870 600 5533

E-mail: customer.services@tso.co.uk

Textphone: 0870 240 3701

TSO Shops

16 Arthur Street, Belfast BT1 4GD

028 9023 8451 Fax 028 9023 5401

71 Lothian Road, Edinburgh EH3 9AZ

0870 606 5566 Fax 0870 606 5588

The Parliamentary Bookshop

12 Bridge Street, Parliament Square,

London SW1A 2JX

TSO@Blackwell

and other Accredited Agents

ISBN 978-0-10-295722-8



9 780102 957228