



The Law Officers' Departments

# Departmental Report 2008



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Presented to Parliament by the Attorney General  
and the Chief Secretary to the Treasury  
by Command of Her Majesty

May 2008

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## Foreword



I was delighted and honoured to take up the historic post of Attorney General in June 2007. As the Solicitor General and I were appointed, the government announced that there would be a consultation exercise on the best way to deliver the role in the first decade of the twenty-first century. Following this exercise, on 25 March 2008 the government published a White Paper 'The Governance of Britain: Constitutional Renewal' and a draft Bill.

The package of reform being proposed by the White Paper and to be considered by Parliament as this Report issues is as follows—

- **Power of direction** – the relationship between the Attorney General and the prosecuting authorities will be recalibrated in a significant and substantial manner. In particular I will cease to have any power to take decisions in an individual case, other than in certain exceptional cases.
- **Redefining relationship with prosecutors** – there will be a protocol – available publicly – which will set out how prosecutors and I are to exercise our functions in relation to each other.
- **National security cases** – I will have a very limited power of direction in relation to individual cases – exercisable only in exceptional cases where it is necessary to give a direction to safeguard national security. I will have to report to Parliament every time this power is used.
- **Consent** – I will be giving up my consent functions in determining whether a particular prosecution should be brought – except in certain limited cases.
- **Accountability to Parliament** – my accountability to Parliament will be enhanced by a number of measures to improve transparency, including the requirement to prepare a protocol as to the relationship with the prosecuting authorities and a requirement to provide Parliament with an annual report on the exercise of my functions.
- **Role as guardian of the rule of law** – the Attorney General's oath will be amended to require me to 'respect the rule of law'. This change will re-emphasise the basis on which I give legal advice and exercise my functions in the public interest, rather than on the basis of political convenience or party loyalty.
- **Attendance at Cabinet** – the Prime Minister has confirmed that I am to continue to attend Cabinet on a regular basis. This reflects the Prime Minister's view that my personal experience will provide a valuable contribution to Cabinet discussions.

No change is proposed to the role of the Law Officers as the government's chief legal advisers.

While the consultation exercise was in train and its outcome under consideration, the work of the Law Officers' Departments continued. This Report sets out details of the full and challenging programme of work they undertook. I would like to take this opportunity to express my thanks and appreciation to all staff for their dedication and commitment.

A handwritten signature in dark green ink that reads "Baroness Scotland". The signature is written in a cursive, flowing style.

Baroness Scotland QC  
Attorney General

## Introduction

### The Work of the Law Officers' Departments

**The Law Officers** are the Attorney General and the Solicitor General. They:

- Are principal legal advisers to the Crown and to Ministers;
- Discharge their statutory responsibility for superintendence<sup>1</sup> of the Directors of Public Prosecutions in England and Wales and Northern Ireland, the Director of the Serious Fraud Office (SFO) and the Director of the Revenue and Customs Prosecutions Office (RCPO);
- Have a general oversight of all prosecutions in England and Wales; and
- Are Ministers within the Criminal Justice System (CJS) together with the Ministers of the Home Office and Ministry of Justice.

The Law Officers also have responsibility for bringing certain types of legal proceedings in their own name in the public interest and for granting consent to prosecutions for offences. The Attorney General appoints Advocates to the Court, to assist the courts in civil and criminal proceedings, and Special Advocates in proceedings brought before the Special Immigration Appeals Commission and in certain other proceedings.

In addition the Attorney General holds the separate post of Attorney General for Northern Ireland. In that role, she superintends the Director of Public Prosecutions for Northern Ireland and appoints and is responsible for the Crown Solicitor.

The role of the Attorney General was the subject of a consultation exercise in 2007-08, the outcome of which is reported on page one.

**The Law Officers' Departments** comprise the Attorney General's Office (AGO)<sup>2</sup>, the Crown Prosecution Service (CPS), HM Crown Prosecution Service Inspectorate (HMCPPI), RCPO, the SFO and the Treasury Solicitor's Department (TSol).

**The Attorney General's Office** is a separate department, for which the Treasury Solicitor acts as Accounting Officer. Details of its administration are therefore included with those of TSol. AGO provides high-grade legal and strategic policy advice and support to the Law Officers. It ensures appropriate coordination across the Law Officers' Departments and contributes towards developing, with the CPS, RCPO and SFO, the cross-cutting policies of the CJS.

**The Crown Prosecution Service**, headed by the Director of Public Prosecutions, was established by the Prosecution of Offences Act 1985. It is responsible for deciding independently whether criminal proceedings begun by the police in England and Wales should be continued; for deciding the charge in all but minor cases; and for prosecuting those cases it decides to continue.

<sup>1</sup> Superintendence involves consideration of issues relating to prosecution policy and practice, as well as to cases that engage the Law Officers' public interest role.

<sup>2</sup> Formerly the Legal Secretariat to the Law Officers.



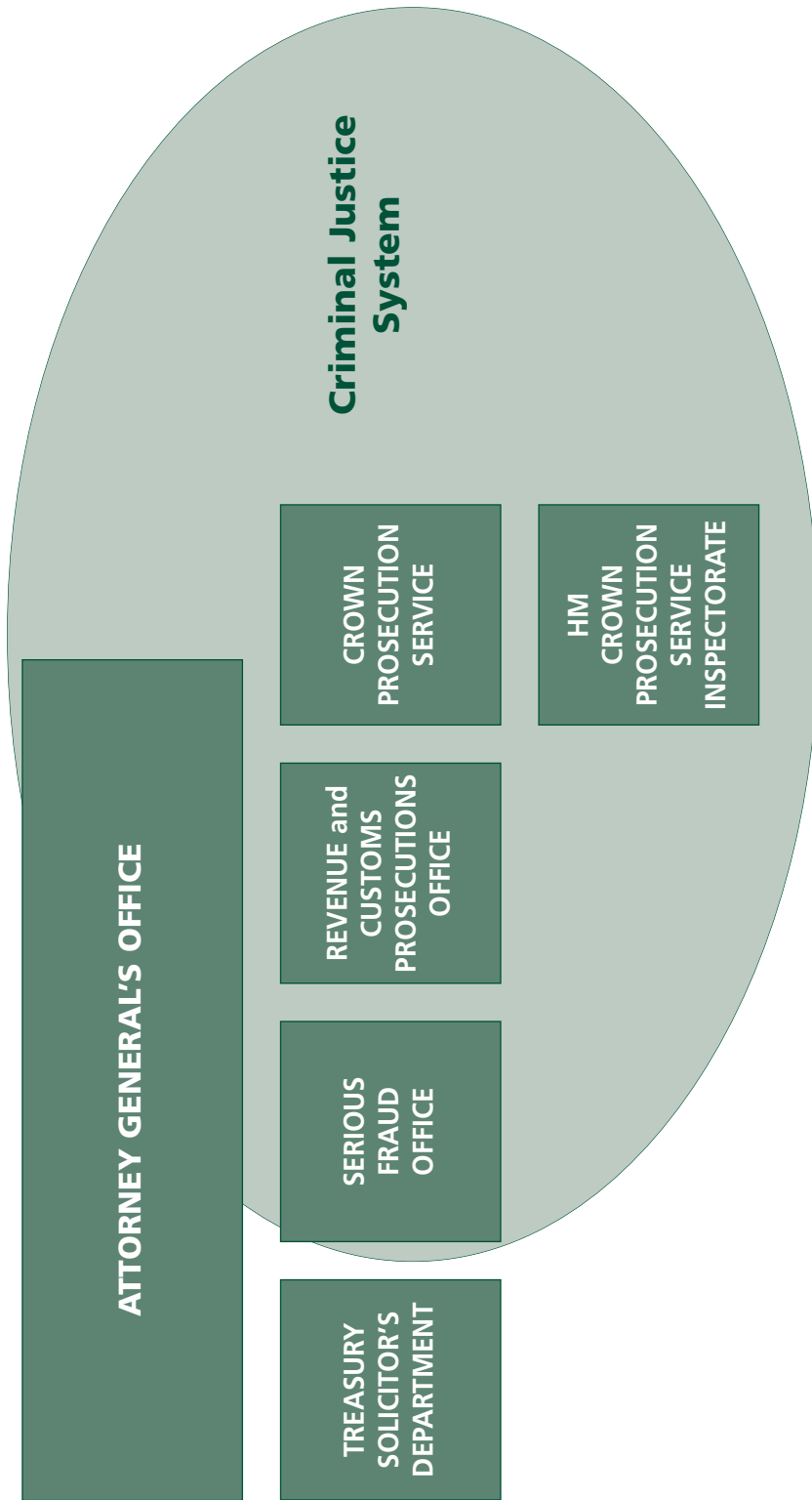
**HM Crown Prosecution Service Inspectorate** reports to the Attorney General on the performance of the CPS and RCPO. Details of the administration of HMCPSI are included with those of TSol.

**The Revenue and Customs Prosecutions Office** was created on 18 April 2005 through the merger of the Customs and Excise Prosecutions Office (CEPO) with the prosecuting arm of the Inland Revenue. CEPO became accountable to the Attorney General in April 2002, following the recommendation of His Honour John Gower and Sir Anthony Hammond that criminal prosecution work should be independent of the intelligence and investigation work carried out by (the then) HM Customs and Excise. A Memorandum of Understanding is in place between the Paymaster General on behalf of HM Treasury, the Attorney General, the Commissioners for HM Revenue and Customs (HMRC) and the Director of RCPO concerning the relationship between HMRC and RCPO as to the conduct of criminal investigations and prosecutions by the two departments.

**The Serious Fraud Office** was established by the Criminal Justice Act 1987. It investigates and prosecutes the most serious or complex cases of fraud in England, Wales and Northern Ireland, thereby contributing to the deterrence of such fraud.

**The Treasury Solicitor's Department** provides legal services to most government departments. The Treasury Solicitor is also Head of the Government Legal Service, comprising the legal teams in most central government bodies.

## ATTORNEY GENERAL'S OFFICE and the LAW OFFICERS' DEPARTMENTS: STRUCTURE





# 1

## Law Officers' Departments

## LAW OFFICERS' DEPARTMENTS

The Law Officers' Departments are working together to continuously improve services and increase efficiency. Joint working is a key element of the Attorney General's Vision and further work will be initiated throughout 2008-09.

### Freedom of Information

The Freedom of Information Act 2000 (FOIA) came into full force on 1 January 2005. The Act gives a right of access to anyone, anywhere in the world, to recorded information held by public authorities. During 2007 the Law Officers' Departments dealt with a total of 782 requests and 44 internal reviews.

	CPS	RCPO	SFO	TSol	AGO	HMCPsi
<b>FOI requests</b>	406	13	48	221	76	18
<b>FOI internal reviews</b>	28	0	2	9	4	1

### Consultancy

The Law Officers' Departments buy in external expertise to provide consultancy services. Consultancy may include providing advice, design and development, and implementation of specific projects. Consultancy services are used within the Law Officers' Departments where they provide value for money and expertise not available within the individual departments. Staff substitution/interim management refers to the use of agency staff to cover permanent posts, e.g. to cover maternity leave. During 2007-08 the Law Officers' Departments spent a total of £8.7 million on consultancy and £6.6 million on staff substitution/interim management.

	CPS	RCPO	SFO	TSol £'000
<b>Consultancy</b>	4,854	271	295	3,237*
<b>Staff substitution/ interim management</b>	3,933	707	1,750	204*

\*Includes figures for TSol, AGO and HMCPsi

### Shared Services

The Law Officers' Departments have worked in partnership to develop and introduce a new HR Information System, designed to increase efficiency in maintaining personal data and provide a comprehensive range of management information. The system will be further developed during 2008-09.

## Sustainable Development

Sustainable Development (SD) reporting in this document covers all six of the Law Officers' Departments. Each department is represented on the Law Officers' Departments' SD Steering Group which meets every two months to discuss progress and actions against the Law Officers' Departments' SD Action Plan and other issues arising. The Law Officers' Departments revised SD Action Plan has been published on each department's website. The plan includes action to raise awareness of SD issues across the departments. This will ensure that SD considerations are embedded both within policy development (where appropriate) and operational delivery.

The '2006-07 Sustainable Development in Government Report' was published in March 2008. The report shows significant improvement in most areas, and with planned work further improvements will be shown in next year's report.

Each Law Officers' Department has contributed to the improvement of SD, some notable successes are:

- The CPS has become accredited by the Institute of Energy under the Energy Efficiency Accreditation Scheme;
- The CPS continued to publish SD articles in *CPS News* this year including one by the Director of Public Prosecutions;
- The CPS has reduced carbon emissions from its estate by four per cent;
- The quantity of renewable energy used by the CPS has increased to 85%;
- RCPO is continuing to work closely with its estates service provider (HM Revenue and Customs) to reduce the organisation's impact on the environment. A new recycling scheme will be introduced in 2008-09 for the London office;
- RCPO has stopped buying bottled water and will be working with suppliers such as event organisers and external training providers in order to reduce consumption further;
- RCPO buys almost all of its catering consumables from local firms specialising in the supply of 'eco-friendly' and Fair Trade products;
- RCPO has raised awareness of SD issues through questions in their all-staff survey and regular articles in their staff magazine;
- SFO has procured 10% of its energy from renewable sources;
- SFO has reduced water consumption by 33.5%;
- SFO sources 29% of electricity from Combined Heat and Power;
- TSol made a Departmental Pledge in June 2007 to support the government led 'Act on CO<sub>2</sub>' campaign by making a commitment to get 'greener', to involve staff in the process, and to set internal targets for improvement;

- TSol's catering disposables are now 80% recyclable, Fairtrade as well as locally sourced products are used;
- TSol has established an Environmental Working Group, which meets to work towards achieving common goals across the premises and to formulate ideas and initiatives to further improve TSol's performance;
- The AGO offers support to the Solicitor General in her role as SD champion;
- HMCPSI reduced carbon emissions from its estate by 27% through switching 100% of the electricity supplied to renewable sources and improvements in energy efficiency;
- HMCPSI produced an environmental policy and an internal environmental action plan with a series of milestones for the whole organisation to aspire to; and
- HMCPSI has engaged staff with articles on resource efficiency and recycling in the internal staff newsletter and the SD issues newsletter, 'Greenzine'.

## Equality and Diversity

The Law Officers' Departments have continued to work together and individually to further equality and diversity in their employment policies, practices and wider business. The Law Officers are supported in their superintendence of this agenda through the Attorney General's Diversity Advisory Group, comprising 13 independent members providing advice and input across the six equality strands. This Advisory Group provides an important assurance, check and challenge function in relation to the direction and pace of progress across the prosecution departments.

## Health and Safety

The Law Officers' Departments have continued to improve health and safety procedures and increase awareness of all staff throughout 2007. All Law Officers' Departments buildings have implemented smoke free policies, revised health and safety policies and continued to provide a wide range of health and safety training programmes to all staff.

## Risk

The Law Officers' Departments all manage risk at Board level, supported by sub groups and risk champions. Each Board member has responsibility for risk and mitigation in their respective areas of responsibility, as well as corporately. Each department monitors progress and effectiveness of all major business change projects and the implementation of risk management development programmes. Audit committees within each department support the Accounting Officer by monitoring and reviewing risk, control and governance processes, and the associated assurance procedures.

The importance of the identification and management of risk is communicated across the Law Officers' Departments through departmental intranet sites and is discussed at all levels of business planning.

## Data Security

In 2007-08, the Law Officers' Departments reviewed information handling processes. A range of actions have been introduced to further reduce inherent risks and improve the effectiveness of information risk governance and accountability. This includes arrangements for handling personal data and other sensitive material. Further work will be carried out in 2008-09 to meet the proposed new government information risk and data handling standards. Each department has nominated staff who are responsible for determining appropriate ISO:27001 compliant information management and data handling policies and procedures.





# 2

## Crown Prosecution Service Crown Prosecution Service Common Core Tables

## CROWN PROSECUTION SERVICE

### Introduction

#### Role

The Crown Prosecution Service (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), Sir 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 human resources (HR), 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 advice 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 the Chief Executive. Administrative support to Areas is provided through a network of business centres.

Following a review of CPS Area organisation, structural reforms have been introduced to enhance the existing 42 Area structure. This has involved creating 14 Groups from the 41 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.

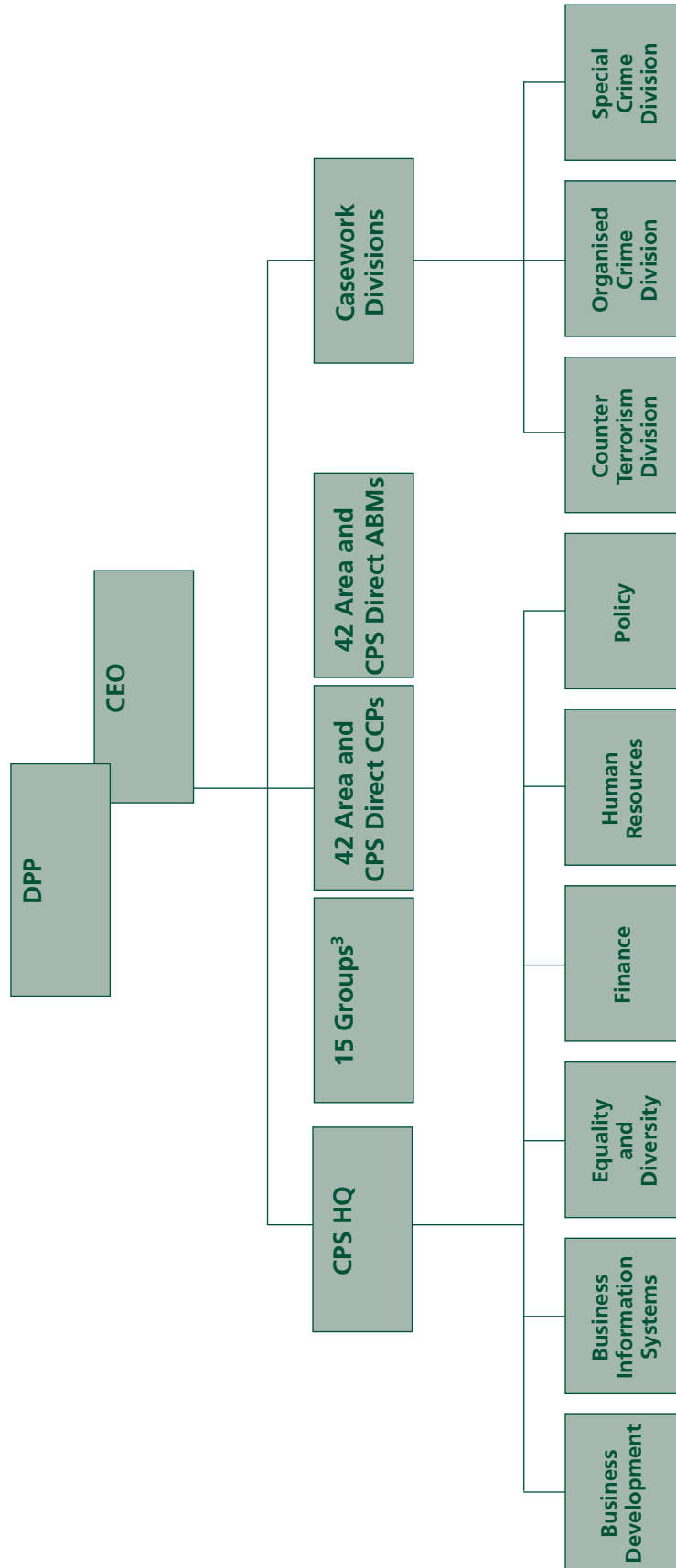
## Links with Local Criminal Justice Boards

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. Each LCJB has 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, Lord Chancellor and 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 CPS 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



<sup>3</sup> Includes CPS London.

## 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 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.***

## CPS Vision

The CPS subscribes to the Attorney General's Vision for the Law Officers' Departments and aspires to be a world class, independent prosecuting authority, at the heart of the CJS, providing a valued public service that meets the needs of victims, witnesses and communities, making a real difference to the lives of local people and helping to build a fairer and more decent society. This will be a Service that:

- Strengthens the prosecution process to bring offenders to justice;
- Champions justice and the rights of victims;
- Inspires the confidence of the communities we serve;
- Drives change and delivery in the CJS;
- Is renowned for fairness, excellent career opportunities and the commitment and skills of all our people; and
- Has a strong capability to deliver.

The CPS Vision is being refreshed for 2008-11 and will continue to take the Service forward to becoming a world class prosecution service.

## Criminal Justice System Performance

### Public Service Agreement Targets

PSA targets were set for the CJS in the Spending Review 2004 (SR 2004) for 2005-08. The delivery of the targets (see pages 18-19) is the responsibility of the Home Office, MOJ and the CPS.

### Efficiency Savings

SR 2004 also requires the CPS to deliver £34 million efficiency savings by March 2008 (pages 22-24). The CPS has no workforce reduction target in SR 2004 but has set a target of relocating 20 posts by 31 March 2008.

## CPS Performance Framework

The CPS Performance Management Framework has been revised with a greater focus on public service outcomes. As a result, there are clearer links between the high level public service outcomes (PSA and Corporate Vision) and the work of staff at an Area level.

### 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.

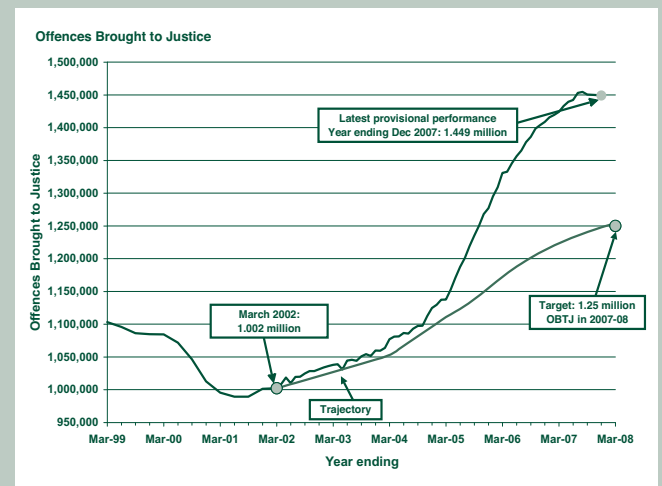
#### Performance Measures

**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.<sup>4</sup>



<sup>4</sup> The 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)).<sup>5</sup> 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	Latest Outturn
<p><b>Improve the level of public confidence in the CJS.</b> 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.</p>	<p><b>Ahead.</b> Baseline (BCS 2003): 39% Target (BCS 2007-08): An increase Latest outturn (Year to December 2007): 44%</p>
<p><b>Reduce the number of people in black and ethnic minority communities who believe the CJS would treat them worse than people of other races.</b> 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.</p>	<p><b>On course.</b> Baseline (HOCS 2001): 33% Target (The Citizenship Survey 2007): A reduction Latest outturn (The Citizenship Survey April to December 2007): 27%</p>
<p><b>Increasing satisfaction of victims and witnesses.</b> This is measured using BCS questions on victim and witness satisfaction with the CJS.</p>	<p><b>On course.</b> Baseline (Six months to March 2004): 58% Target (BCS 2007-08): An increase Latest outturn (Year to December 2007): 60%</p>

<sup>5</sup> HOCS 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 reporting quarterly.



## Data systems used by the CPS

### PSA1:

#### **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<sup>6</sup>:

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

### 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 OJCR 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.

<sup>6</sup> The numbers of offences brought to justice for 2007 are un-validated data from the courts and police, and are therefore provided as management information as they are provisional and likely to change. The final validated offences brought to justice data for 2007 will be published as a National Statistic by the MOJ in 'Criminal Statistics in England and Wales 2007' during the autumn 2008.

**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 16's, 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'.

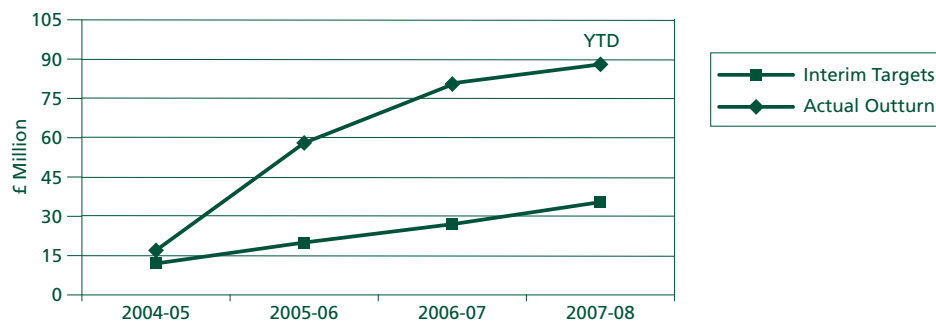
## Delivering Efficiencies

SR 2004 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 2004-05, 2005-06, 2006-07 and 2007-08.

Workstream	2004-05		2005-06		2006-07		2007-08		Cashable £m
	CPS Plan £m	Actual £m	CPS Plan £m	Actual £m	CPS Plan £m	Actual £m	CPS Plan £m	Actual <sup>7*</sup> £m	
<b>Charging Programme</b>	10.0	15.6	15.0	19.2	17.5	22.8	20.0	24.1	10.0
<b>Productive Time</b>	1.3	2.4	3.8	33.8	6.1	50.2	8.1	54.1	11.6
<b>Procurement</b>	0.3	0.6	0.5	2.5	1.0	4.3	2.5	4.3	4.3
<b>Corporate Services</b>	0.0	0.0	0.8	1.1	2.0	2.9	3.5	3.2	3.4
<b>Total</b>	<b>11.6</b>	<b>18.6</b>	<b>20.1</b>	<b>56.6</b>	<b>26.6</b>	<b>80.2</b>	<b>34.1</b>	<b>85.7</b>	<b>29.3</b>

\* To September 2007



<sup>7</sup> Data are provisional and may be subject to minor revision. The figures quoted here were correct at 27 February 2008.

At the end of the second quarter 2007-08 the CPS had successfully achieved overall efficiency savings of £85.7 million. Cashable savings of £29.3 million have been delivered compared to the SR 2004 target of £21.4 million.

The savings have been delivered largely through the productive time and Charging programme workstreams and from the COMPASS and Advocacy programmes which have enabled the CPS to improve the effectiveness and the efficiency of the criminal justice process.

The targets have and will continue to be met through planned efficiencies, broadly covering:

- The implementation of the Charging programme. 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 the deployment of Higher Court Advocates (HCAs) and Designated Caseworkers (DCWs);
- 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, focused 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 CPS expects the productive time workstream to account for around 63% of planned savings by 2007-08 with another 28% coming from Charging programme efficiencies. The remainder will be achieved through improved efficiency in the provision of corporate services and savings delivered through more effective procurement practices. Cashable savings are being re-invested in Charging, COMPASS and the Case Management System, and meeting new workload pressures in frontline staff.

**Actions taking place to deliver efficiencies**

- All 42 CPS Areas 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. Phase II continues and will be completed by the end of the financial year.
- The review and update of the COMPASS business case and cost benefits analysis to ensure all benefits are recognised will be completed.
- All Areas are working towards achieving challenging 2007-08 targets for the increased deployment of HCAs and DCWs and in-house magistrates' courts coverage.
- Procurement initiatives are being rolled out and are successfully delivering above target.
- There is no target for workforce reductions in the CPS efficiency plan. The CPS was set a Lyons<sup>8</sup> target of relocating 20 posts by 2010. Good progress has been made with the CPS recording 43 posts relocated out of London and the South East at the end of quarter one 2007-08.
- Continuous review and re-negotiation of supplier contracts to ensure that challenging efficiency delivery plan targets for procurement are met.
- The action plan following publication of the Capability Review will be implemented.

**Plans for delivering efficiencies over the next 6-12 months**

- Continue rollout of Conditional Cautioning across all Areas by the end of March 2008.
- A review of CPS HQ will be conducted to investigate further saving opportunities.
- The creation of the Group Strategy Boards provides the opportunity to improve effectiveness, maximise efficiencies and realise the benefits from economies of scale and skill. This will enable the delivery of value for money savings, especially in the areas of casework and support services.

<sup>8</sup> Target 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.

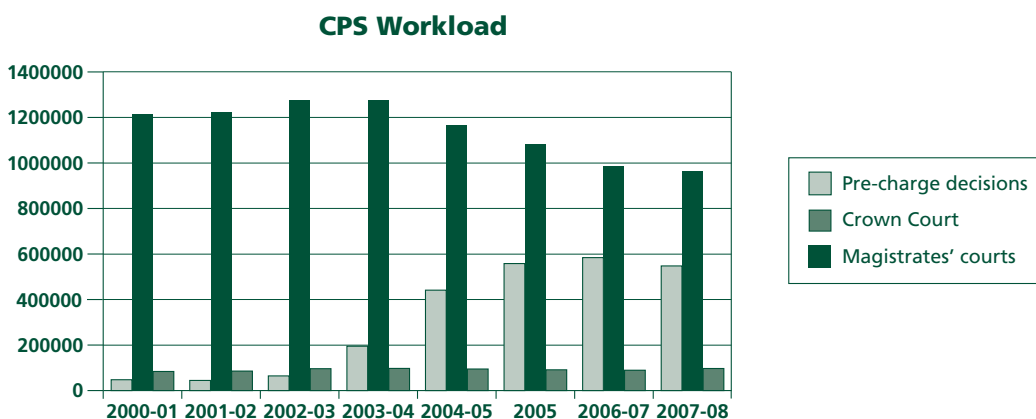
## CPS Performance

### People

At the end of March 2008 the CPS employed a total of 8,351 people, 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 advocate in the Crown Court and on cases in the Higher Courts and 419 DCWs able to present cases in magistrates' courts.<sup>9</sup>

### Workload

In 2007-08, the CPS provided 547,649 pre-charge decisions, completed 966,626 cases in 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 magistrates' courts, and 89,408 cases in the Crown Court.<sup>10</sup>



### Case Outcomes

There were continued improvements in reducing unsuccessful cases. Magistrates' courts unsuccessful outcomes represented 14.3% of the total compared with 15.8% in the preceding year. Crown Court unsuccessful outcomes represented 20.7% of the total compared with 22.7% in 2006-07.

<sup>9</sup> Full Time Equivalent figures. Data are provisional and subject to change. The figures quoted here were correct at 1st April 2008.

<sup>10</sup> CPS 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.

## Resources

The CPS budget for 2005-06 to 2007-08 was set in SR 2004 and the budget for 2008-09 to 2010-11 was set in the Comprehensive Spending Review (CSR) 2007.

	£ million					
	2005-06 Outturn	2006-07 Outturn	2007-08 Forecast Outturn	2008-09 Baseline Budget	2009-10 Baseline Budget	2010-11 Baseline Budget
<b>Administration Costs</b>	54	52	53	56	55	53
<b>Programme Costs</b>	546	564	584	580	575	571
<b>Total</b>	<b>600</b>	<b>616</b>	<b>637</b>	<b>636</b>	<b>630</b>	<b>624</b>

Over the three years up to 2007-08, the SR 2004 settlement represented an average increase in real terms of three per cent a year. From 2005-06 onwards, HM Treasury agreed to switch frontline costs, currently classified as administration costs, into programme costs. The baseline budget does not include the anticipated use of end year flexibility.

The SR 2004 settlement required the CPS to:

- Deliver more challenging PSA targets;
- Pay for the cost of the rollout of full Statutory Charging across England and Wales;
- 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 of £34 million by 2008.

The CSR 2007 settlement announced in October 2007 reflects the challenging fiscal environment and provides the CPS with an average annual real reduction in provision of 3.5% against the baseline budget for 2007-08. The settlement also recognised the priority and increasing workload associated with counter terrorism activity and increased the department's baseline funding by £8 million per annum. The CPS will contribute to the shared PSAs on Safer Communities, Justice for All and Counter Terrorism.

The CSR 2007 settlement identified a series of ambitious value for money reforms to be taken forward by the CPS and the other Law Officers' Departments.

The CPS is required to deliver:

- At least three per cent net value for money gains per annum;
- Five per cent annual real reductions in the core administration budget; and
- A proportionate contribution to the government's commitment to dispose of £30 billion worth of assets by 2010-11.

## Regulatory Impact Assessments

The CPS is not a regulatory department but does contribute to Home Office impact assessments on criminal justice legislation and MOJ impact assessments when appropriate.

## 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, the out-of-hours telephone service which allows experienced prosecutors to work from home to provide police with charging advice throughout the night, at weekends and on public holidays, 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 enable the benefits to be realised. 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 delivering locally based 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 pleas rate from 40% to 74% in the magistrates' court whilst the discontinuance rate in the magistrates' court has fallen from 36% to 13%.

### *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 also took responsibility for Conditional Cautioning out-of-hours from 1 October 2007.

### *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 is being 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 end of March 2008. As of March 2008, 7,006 Conditional Cautions have been issued nationally.

### *Advocacy*

The CPS continues to increase its own in-house high quality advocacy in all courts. In 2007-08, the value of counsel fee savings generated by HCAs was £17.1 million (ex VAT), equating to 16.4% of the total Crown Court Graduated Fee Scheme (GFS) advocacy value. During 2006-07, the value of HCA generated counsel fee savings was £9.6 million (ex VAT), equating to 11% of the total Crown Court GFS advocacy value. In 2007-08 the number of cases listed for trial recorded as being covered by HCAs was 6,083. The equivalent figure for 2006-07 was 2,872.

In the 12 months to 31 March 2008, the number of HCAs 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.

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. They are dealing with rape and serious sexual offence cases from start to finish, from deciding on the charge, through reviewing the case to prosecuting at trial in the Crown Court.

DCWs in all 42 Areas are able to prosecute most straightforward non-contested matters in the magistrates' court. In 2007-08 DCWs dealt with 20.4% of magistrates' court sessions. This was a significant increase in the figure for 2006-07 which was 14.7%.

### *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 organisation's capacity and capability to deal with the most serious and complex crime.

The Organised Crime Division (OCD) deals with work arising from the Serious Organised Crime Agency (SOCA). The division also liaises and trains prosecutors across the world, and liaison magistrates based in Rome, Madrid, Paris, Islamabad and Washington play a significant role in expediting mutual assistance and extraditions.

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 liaise 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.

### *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. The 14 Groups formed from bringing together 41 CPS Areas (excluding CPS London) have been established. 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 that will 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.

### *International Crime*

The CPS recognised the importance of international crime with the establishment in 2007 of a specialised division. It brings together experienced prosecutors with secondees from central government departments with expertise in foreign and domestic policy. This enables early engagement with other government departments to influence and shape domestic legislation from an international perspective. In addition, by bringing a more strategic, corporate approach to international work, the new division will strengthen the CPS's influence overseas.

The CPS now has systems in place to ensure that it is fully informed about any developing EU legislation. This should result in European legislation that helps to facilitate successful prosecutions and reduce cross-border crime.

## **Championing Victims and Witnesses**

### *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 standard of service that victims can expect from the CJS.

Key CPS commitments in the Code relate to the CPS Direct Communication with Victims Scheme (DCV). In September 2007 HM Crown Prosecution Service Inspectorate (HMCPPI) reported on their findings of an audit into the DCV scheme. The audit was undertaken at a time when the CPS had recently established a central team to focus on delivery of its commitments to victims and witnesses. The CPS worked closely with the Inspectorate team throughout the audit and published an immediate action plan to address HMCPPI concerns at the same time that the Audit Report was published. Performance has significantly improved since the beginning of the financial year. There has been an increase in communications with victims – the number of communications sent to victims averaged 90.2% during the three months to January 2008, against performance of 76.3% for the quarter ending April 2007. This represents an increase in the average number of letters sent from 3,825 nationally to 4,771. Further work is underway to improve the quality and timeliness of communications.

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.

***Victim and Witness Care Project: 'No Witness No Justice'***

National implementation of 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, a national conference for witness care staff to share best practice, and the development of a witness care manual.

Witness attendance rates have increased from 78% to 85% nationally since the introduction of WCUs. The number of trials that did not go ahead due to witness issues has fallen by 61% in the Crown Court, and by 13% in magistrates' courts. Witness satisfaction continues to be monitored via the Witness and Victim Experience Survey conducted by Ipsos MORI and will be used from 2008 to measure performance in respect of victim and witness satisfaction across the CJS.

***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, development of further specialist domestic violence courts and performance management of cases.

The CJS national specialist domestic violence court (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.

In January 2007 the CPS Employee Domestic Violence Policy was revised and recognised by the Domestic Violence Inter-Ministerial Group as best practice across government. All HR managers were trained on this policy in July 2007.

### *Violence against Women*

As part of the implementation of the Single Equalities Scheme the CPS has prioritised the development of a Violence Against Women strategy and action plans. Public consultation was carried out between November 2007 – January 2008. The action plans will 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.

### *Victims' Advocates*

Victims' Advocates pilots began in five Crown Court centres (Old Bailey, Winchester, Cardiff, Manchester and Birmingham) on the 24 April 2006. The scheme gives the family of the victim (currently for cases of murder and manslaughter), the opportunity 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' that sees the CPS reviewing lawyer meeting with the family shortly after they have decided to charge to explain the decision, answer any questions on the court process and outline the purpose of the FIS. 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. The pilots were extended by 12 months and concluded in April 2008. Evaluation of the pilots is being undertaken by the MOJ and a report will be published during 2008.

### *Victim Focus*

In October 2007 the Attorney General announced that the CPS would implement a new scheme to provide an enhanced service for bereaved families. The new service is based on the experience gained in the five Victims' Advocates pilot sites and will be offered to bereaved families in all murder and manslaughter cases, and certain road traffic fatalities, that are being tried in the Crown Court. As with the Victims' Advocates pilots the focal point of the service is the opportunity for the family to meet with the CPS prosecutor who will explain the court process and answer any questions 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. However, unlike the Victims' Advocates pilot family members do not have the option of an independent publicly funded lawyer or of reading the VPS in person to the court.

### *Pre Trial Witness Interviews*

Between January 2006 and February 2007 Pre Trial Witness Interviews (PTWI) were successfully piloted in four CPS Areas. During the pilot, 93 cases were considered, which generated 53 PTWIs. Following the pilot the four CPS Areas have continued to undertake PTWIs. 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. As a result the Attorney General has decided to rollout PTWI nationally by April 2008.

## **Engaging with Communities**

### *Recovering Proceeds of Crime*

For the financial year April 2007 to March 2008, the police and CPS obtained 3,977 confiscation orders to a value of £90,124,316 against end of year targets of 3,856 (volume) and £87,385,000 (value). Volume performance has increased by 21% and value performance has increased by 27% compared to 2006-07. Police and CPS have also exceeded the 2007-08 restraint order target of 642 by 72% by obtaining 1,106 restraint orders. Performance has increased by 71% compared to 2006-07.

SOCA and CPS have obtained 113 confiscation orders to a value of £9,775,906 and 66 restraint orders for the financial year 2007-08. SOCA figures are not included in the national totals.

Over £65 million has been enforced in respect of CPS confiscation orders in 2007-08 of which over £13.5 million has been enforced by the CPS Area enforcement champions. This can be compared against £3.2 million in 2006-07.

### *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 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 Unit.

### *Improving Performance on Rape Prosecutions*

The CPS introduced national monitoring of rape prosecutions on 1 October 2007 to drive forward improved performance and ensure compliance with policies and good practice.

A comprehensive quarterly report by all Area Rape Coordinators for their CCP and HQ has been established to provide a detailed analysis of rape prosecutions. These Area reports will inform the content of a composite national report and action plan, due by end of April 2008.

New training courses are being developed and piloted to improve the training and experience of specialist rape prosecutors along with guidance to consider all evidential avenues when advising upon and reviewing rape cases. The CPS is also contributing nationally through the National Sexual Assaults Referral Centre Steering Group and through local Area Rape Coordinators who are engaging with specialist support services locally.

### *Community Engagement*

To further enhance local engagement the CPS is setting up Group level Community Involvement Panels (CIPs), Area based Hate Crime Scrutiny Panels (HCSPs) and recruiting Group level Equality, Diversity and Community Engagement Managers (EDCEMs). The CIPs will be consulted in relation to strategies, business plans and community engagement plans. The HCSPs will consider performance on handling of hate crime cases and will also help increase understanding as to why decisions are made. The CPS aims to have appointed EDCEMs in early 2008 with all posts occupied by June 2008. The CPS has also extended its work engaging with Muslim communities. In 2007, eight community events have been undertaken across the country, including an event with Muslim women. Further events aimed at women and young people will be undertaken in 2008-09.

### *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 has 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 and 30 Areas for domestic violence. The first Hate Crime report is due to be published in autumn 2008.

### *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.

### *Improving Public Awareness and Confidence in CPS*

The CPS has continued its programme of engagement with local and national media. The Service now operates in a more transparent and open way, providing more detailed information to explain the decisions it has reached. The continued implementation of the Protocol on the Disclosure of Prosecution Material has greatly informed media coverage of high profile cases, giving the public a stronger insight into the workings of justice.

In addition, a number of strategies have been drawn up to increase the Service's engagement with audiences who have a particularly low awareness of its work, and the CPS's external website has been re-designed to enable users to more easily identify the content that is most relevant to them.

Internally the CPS has continued to employ the corporate identity that was first launched in the spring of 2007. Events have been held to recognise the positive contributions of CPS staff, with the launch of a staff suggestion scheme and a national staff awards event – held in October 2007.

### *Public Consultation*

The CPS has continued to seek public opinion on new and revised policies. During 2007-08 the CPS undertook public consultation on policies including Crimes Against the Older Person, 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.

## Building Strong Partnerships

### *CJSSS*

During 2007 the CPS made an effective contribution to the successful implementation of Criminal Justice Simple, Speedy, Summary (CJSSS). CJSSS is a programme of cross-CJS activity designed to provide a quicker, simpler process that improves the administration of justice in magistrates' courts. CJSSS examines processes to ensure they are efficient, effective and proportionate. All CJS areas have implemented CJSSS.

CJSSS aims to achieve a reduction in hearings from five or six in a typical case to one for guilty pleas and two for trials, and for the majority of cases to be dealt with from charge to disposal within six weeks. The three objectives flowing from these aims are:

- To achieve effective first hearings so that, where defendants plead guilty, they are dealt with on the same day;
- Where defendants plead not guilty, the case will proceed to trial at the next hearing; and
- Improvements in case progression to eliminate unnecessary hearings and ensure cases proceed on the date ordered.

A further extension of CJSSS to Youth courts is being taken forward in 2008.

### *DGQP and the Streamlined Process*

The police and CPS have developed the Director's Guidance for Quick Process (DGQP) (subsequently renamed the Streamlined Process) which provides a summary of evidence for the prosecution whilst reducing the bureaucracy of producing a prosecution file for the police. The process was piloted in two CJS Areas and the potential benefits were endorsed by Sir Ronnie Flanagan in his review of policing. Further testing and evaluation will continue with potential rollout throughout 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 prolific and priority offenders 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 Make Communities Safer PSA. The Board, which met for the first time in October 2007, is chaired by the Home Secretary, and its membership includes the Attorney General. Further consideration is being given to ministerial sub-groups of the NCRB. 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.

### ***Joining Up Criminal Justice Information Technology***

The Modernising Technology Unit (formerly known as Criminal Justice Information Technology (CJIT)), part of OCJR, created the CJS Exchange facility, which enables immediate electronic information sharing between the CPS and partner agencies. By using the interface, the burden of inputting the same data into both police and CPS systems has been substantially reduced. Following the successful pilot between the CPS Case Management System and police IT system NSPIS in Humberside, the Exchange is now live across eleven Areas, and sixteen Areas are currently undertaking preparation and business assurance phases prior to going live. It is planned to complete rollout by December 2008.

PROGRESS is an information system developed to ensure effective case progression by all criminal justice agencies including barristers and defence solicitors. It has been piloted in Manchester and Essex during 2007 and the results are currently being analysed. It is anticipated that the system will undergo a further pilot mid-2008 with a view to begin rollout in early 2009, although final decisions are yet to be made.

## Becoming an Employer of Choice

### *Recruiting and Developing our People*

In the last 12 months the CPS has focused on educating staff on effective recruitment and selection methods. The CPS now has a team of assessment experts working with the business to ensure the most effective selection methodologies are utilised. By devising a suite of role specific and generic assessments the CPS can offer candidates, internal and external, the opportunity to prove their capabilities in a fair and transparent environment.

The organisation is utilising a number of assessment types. These can involve anything from a short 20-minute written test to a half day mix of relevant exercises that have been specifically designed to measure the skills and knowledge for the particular role in question. Psychometric tools are also employed where they are relevant to the role and can be used to test verbal and numeric ability, as well as personality fit to the role and organisation.

In addition, in line with the DPP's objective of increasing in-house advocacy, the CPS has adopted a number of new methods for attracting high calibre advocacy specialists, including open evenings where potential candidates meet with current senior CPS representatives, including recruiters, advocates and, where appropriate, Heads of Directorates. This has also seen positive results, with a number of high-calibre Senior Crown Advocates already appointed to the Service.

<b>CPS Appointments April 2007 – March 2008</b>				
<b>Level</b>	<b>Total</b>	<b>Female</b>	<b>Ethnic Minority**</b>	<b>Appointees who meet the definition of disability under the DDA 1995**</b>
Pay Band A1	308	209	34	4
Pay Band A2	265	182	58	7
Pay Band B1	76	53	6	1
Pay Band B2	23	15	3	1
Pay Band B3	7	3	1	0
Pay Band C1	52	38	10	0
Pay Band C2	81	46	8	1
CA*	51	23	3	2
Level D	17	12	2	0
Level E	1	1	0	0
FEE PAID	3	0	0	0
PCA*	1	0	0	0
SCA*	4	1	0	0
SCP*	11	6	1	0
SCS	3	1	0	0
CCP	7	4	1	0
<b>Total</b>	<b>910</b>	<b>594</b>	<b>127</b>	<b>16</b>

Figures exclude casuals and temporary members of staff.

\* New grades introduced this year are as follows:

CA: Crown Advocate

PCA: Principal Crown Advocate

SCA: Senior Crown Advocate

SCP: Senior Crown Prosecutor

\*\* The figures only include those candidates who have disclosed their ethnic background or disability.

*Pay Tables*

Senior Civil Service (SCS) pay including CCPs and London Sector Directors as at 31 March 2008.

Salary Range	SCS	CCP	Total
£60,000 – £64,999	1	0	1
£65,000 – £69,999	2	0	2
£70,000 – £74,999	7	3	10
£75,000 – £79,999	5	6	11
£80,000 – £84,999	0	16	16
£85,000 – £89,999	5	3	8
£90,000 – £94,999	0	7	7
£95,000 – £99,999	2	1	3
£100,000 – £104,999	3	11	14
£105,000 – £109,999	2	0	2
£110,000 – £114,999	1	0	1
£115,000 – £119,999	1	0	1
£120,000 – £124,999	0	0	0
£125,000 – £129,999	0	0	0
£130,000 – £134,999	0	1	1
£135,000 – £139,999	2	0	2

*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 SCS 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 (PPM) courses. The training was developed to help Unit Heads support lawyers in prosecuting cases proactively and to help them embed new approaches to their work, such as making charging decisions and providing investigative advice to police officers.

### *Leadership and Management Capability*

A development programme profiling and developing the senior leadership cadre and using succession planning is underway. In 2008 the CPS is introducing master classes and a core programme for managers at all levels. This will provide training and support for managers to meet the challenges highlighted in the Capability Review (see page 41) and Staff Survey.

### *Staff Survey*

The CPS conducted a full Staff Survey in 2006. In July 2007, the CPS undertook a 'pulse survey,' with a cross section of staff to measure progress on some of the key areas for improvement identified in the last Staff Survey. Improvements were noted with a seven per cent increase in the number of people who said their job gives them a sense of personal accomplishment and a seven per cent rise in those who think they are treated with fairness and respect within the CPS. However more work is needed to address the issues of performance management. As a result of the surveys all Areas and HQ Directorates have developed Staff Survey Action Plans to address their specific local challenges.

Work continues to ensure there is appropriate support from across the CPS and the wider Civil Service to use staff survey results to inform strategies for improving employee engagement and involvement initiatives. The next Staff Survey is scheduled for May 2008.

### *Law Scholarship Scheme (incorporating Legal Trainee Scheme)*

Since the scheme began in 2003, 740 staff have benefited, or continue to benefit from the opportunities provided. This achievement was recognised when the CPS gained a highly commended in the National Training Awards for the Law Scholarship Scheme.

In 2007 a national campaign for internal and external applicants for the Legal Trainee Scheme was undertaken. 1,870 applications were received and the CPS appointed 48 trainees in October 2007.

### *Proactive Prosecutor Programme*

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

During 2007-08 the follow up 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.

### *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 had increased to 10 days in December 2007.<sup>11</sup> The CPS is now embarking on a programme of activity to embed a culture of proactive attendance management by developing suitable Managing Attendance and Employee Engagement Strategies as part of the CPS People Strategy 2008-11. Work continues to address the impact of stress in the work place, e.g. providing stress risk assessment workshops to support the embedding of the confidential and professional counselling service to CPS staff.

The revised Managing Attendance Policy provides greater clarity for managers in order to facilitate effective and robust management of attendance. Further links have been established with the Employers' Forum on Disability, resulting in increased practical support and advice being available to managers.

## Capability to Deliver

### *Optimum Business Model*

The Optimum Business Model (OBM) was formed 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 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 OBM and all Areas will be operating 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.

### *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.

<sup>11</sup> The 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.

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 done 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. Detailed proposals to deliver the recommendations in the report were agreed in early April 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.

### ***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. Piloting of the system has commenced in five CPS Areas and orders are being placed electronically with suppliers for a range of goods and services. The pilots will be reviewed in May with rollout across the CPS during 2008.

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

### ***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 this year it is estimated that a further £330,000 has been saved.

The CPS remains focussed 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 projected accommodation cost per head for 2007-08 is £5,462, an increase of 2.5% on the previous year.

### ***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.

A key focus of CPS activity in 2007 has been to embed recent changes in the management of very high cost cases. In mid-2006, the CPS implemented the Very High Cost Case (VHCC) scheme to improve the management and control of barristers fees in the small number of very expensive cases (those due to last more than eight weeks at trial). CPS Areas and barristers have now adopted the scheme and it is working effectively.



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.

## Forward Look

In the recent Capability Review, conducted by the Cabinet Office, the CPS was recognised as a well-led organisation with many strengths that has transformed its reputation over recent years. This has included taking greater responsibility by presenting more cases in court; deciding the charge in all but minor cases; and focussing on victims and witnesses. This work will continue throughout the next spending review period. The CPS Strategy for 2008-11 and detailed corporate business plan for 2008-09, set out the next stages in the CPS's journey to becoming a world class prosecution service. For further information please see the CPS website at [www.cps.gov.uk](http://www.cps.gov.uk).

## Further Information

More information on the CPS, its contribution to PSA targets and CJS reform, and its modernisation plans is available at [www.cps.gov.uk](http://www.cps.gov.uk) and from:

**Crown Prosecution Service**  
**50 Ludgate Hill**  
**London EC4M 7EX**

**Telephone: 0207 796 8000**

## Bibliography

2006-07 CPS Annual Report and Resource Accounts  
 The Code for Crown Prosecutors – available at the CPS website:  
[http://www.cps.gov.uk/victims\\_witnesses/code.html](http://www.cps.gov.uk/victims_witnesses/code.html)

\*Spending 2004

\*Public Service Agreements

\*Special Delivery Agreements

\*Departmental Investment Strategy

\*available at the Treasury web site:

[http://www.hm-treasury.gov.uk/spending\\_review/spend\\_sr04/spend\\_sr04\\_index.cfm](http://www.hm-treasury.gov.uk/spending_review/spend_sr04/spend_sr04_index.cfm)

## Common Core Tables

Title		Description	Period Covered
<b>Table 1</b>	Total Departmental Spending, Resources Budget and Capital Budget for CPS	Shows a summary of the Department's total budget and how the Department allocates and spends the resources & capital allocated to it by Parliament to deliver the services within its responsibilities.	2002-03 to 2010-11
<b>Table 2</b>	Administration Costs for CPS	Provides a breakdown of the staff and other general costs (including accommodation and other office costs) related to the running of the Department.	2002-03 to 2010-11
<b>Table 3</b>	Staff Numbers for CPS	A staffing count for the CPS.	2002-03 to 2010-11
<b>Table 4</b>	Capital Employed by CPS	Shows capital employed in meeting the Department's objectives.	2002-03 to 2010-11
<b>Table 5</b>	The CPS's identifiable expenditure on services, by country and region	Provides analysis of spending in each UK country and nine regions of England.	2002-03 to 2010-11
<b>Table 6</b>	The CPS's identifiable expenditure on services, by country and region per head	Provides analysis of spending per head of population in each UK country and nine regions of England.	2002-03 to 2010-11

Table 1: Total Departmental Spending, Resource Budget and Capital Budget for CPS

£'000

	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11
	Outturn	Outturn	Outturn	Outturn	Outturn	Estimated Outturn	Plans	Plans	Plans
<b>Resource budget</b>									
<i>Resource DEL</i>									
Increase public confidence in the CJS through fair, firm and effective prosecutions	451,293	512,517	565,363	600,466	616,274	635,826	636,081	630,964	625,133
<b>Total resource budget DEL</b>	<b>451,293</b>	<b>512,517</b>	<b>565,363</b>	<b>600,466</b>	<b>616,274</b>	<b>635,826</b>	<b>636,081</b>	<b>630,964</b>	<b>625,133</b>
<i>of which:</i>									
Near-cash	449,646	510,704	561,420	595,194	612,168	620,962	629,278	624,222	618,451
<i>of which:</i>									
Pay	231,052	279,870	294,065	310,185	331,635	350,500	350,500	347,500	344,500
Procurement	218,679	230,834	267,355	285,009	314,845	348,122	344,569	314,686	312,947
<b>Total resource budget</b>	<b>451,293</b>	<b>512,517</b>	<b>565,363</b>	<b>600,466</b>	<b>616,274</b>	<b>635,826</b>	<b>636,081</b>	<b>630,964</b>	<b>625,133</b>
<i>of which:</i>									
depreciation	1,902	2,352	3,364	5,406	4,676	5,056	5,056	5,056	5,056
<b>Capital budget</b>									
<i>Capital DEL</i>									
Increase public confidence in the CJS through fair, firm and effective prosecutions	5,528	7,370	7,042	3,406	4,761	3,500	5,300	5,200	5,100
<b>Total capital budget DEL</b>	<b>5,528</b>	<b>7,370</b>	<b>7,042</b>	<b>3,406</b>	<b>4,761</b>	<b>3,500</b>	<b>5,300</b>	<b>5,200</b>	<b>5,100</b>
<i>of which:</i>									
Capital expenditure on fixed assets net of sales	5,528	7,370	7,042	3,406	4,761	7,400	5,300	5,200	5,100
Less: depreciation	1,902	2,352	3,364	5,406	4,676	5,056	5,056	5,056	5,056
Net capital expenditure on tangible fixed assets	3,626	5,018	3,678	-2,000	85	2,344	244	144	44
<b>Total capital budget</b>	<b>5,528</b>	<b>7,370</b>	<b>7,042</b>	<b>3,406</b>	<b>4,761</b>	<b>3,500</b>	<b>5,300</b>	<b>5,200</b>	<b>5,100</b>
<b>Total departmental spending†</b>									
Increase public confidence in the CJS through fair, firm and effective prosecutions	454,919	517,535	569,041	598,466	616,359	634,270	636,325	631,108	625,177
<b>Total departmental spending †</b>	<b>454,919</b>	<b>517,535</b>	<b>569,041</b>	<b>598,466</b>	<b>616,359</b>	<b>634,270</b>	<b>636,325</b>	<b>631,108</b>	<b>625,177</b>
<i>of which:</i>									
Total DEL	454,919	517,535	569,041	598,466	616,359	634,270	636,325	631,108	625,177

† Total departmental spending is the sum of the resource budget and the capital budget less depreciation. Similarly, total DEL is the sum of the resource budget DEL and capital budget DEL less depreciation in DEL, and total Annual Managed Expenditure (AME) is the sum of resource budget.

#### Notes:

- 1 Total departmental spending consists of CPS resource and capital budgets (DEL budgets) less depreciation. The information in the table shows Near Cash and is broken down into pay, non pay, capital expenditure and depreciation.
- 2 DEL budgets are issued annually by way of a Request for Resources in the Main Estimate. The limits are set in agreement with HM Treasury and Voted by Parliament. The DEL budget sets out the CPS spending limit for increasing public confidence in the CJS through fair, firm and effective prosecutions. There are two opportunities in the financial year to revise (increase) DEL budgets. These are the Winter and Spring Supplementary Estimates and the documents are subject to approval (Vote) by Parliament in the same way as Main Estimates.
- 3 The information in the table covers a period of nine financial years; five outturn years and four plan years of which three cover the CSR 2007 period (2008-09 to 2010-11).

Table 2: Administration Costs for CPS

£'000

	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11
	Outturn	Outturn	Outturn	Outturn	Outturn	Estimated Outturn	Plans	Plans	Plans
<b>Administration Expenditure</b>									
Paybill	21,574	26,357	32,282	23,935	24,880	25,907	–	–	–
Other	22,669	26,998	26,421	29,710	26,740	27,295	–	–	–
<b>Total administration expenditure</b>	<b>44,243</b>	<b>53,355</b>	<b>58,703</b>	<b>53,645</b>	<b>51,620</b>	<b>53,202</b>	<b>57,727</b>	<b>56,368</b>	<b>57,008</b>
Administration income	–2,354	–2,570	–1,256	–146	–310	–1,700	–1,700	–1,700	–1,700
<b>Total administration budget</b>	<b>41,889</b>	<b>50,785</b>	<b>57,447</b>	<b>53,499</b>	<b>51,310</b>	<b>51,502</b>	<b>56,027</b>	<b>54,668</b>	<b>55,308</b>
<b>Analysis by activity</b>									
Increase public confidence in the CJS through fair, firm and effective prosecutions	41,889	50,785	57,447	53,499	51,310	51,502	56,027	54,668	55,308
<b>Total administration budget</b>	<b>41,889</b>	<b>50,785</b>	<b>57,447</b>	<b>53,499</b>	<b>51,310</b>	<b>51,502</b>	<b>56,027</b>	<b>54,668</b>	<b>55,308</b>

**Notes:**

- 1 The Administration budget covers the costs of HQ and Central Services. The CSR 2007 Settlement is challenging and requires the CPS to make efficiency savings in order to live within budget in future years.

Table 3: Staff Numbers for CPS

	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11
	Actual	Actual	Actual	Actual	Actual	Estimate	Plans	Plans	Plans
<b>Crown Prosecution Service:</b>									
CS FTEs	6,781	7,489	7,832	8,120	8,282	7,860	7,710	7,634	7,534
Overtime	41	49	38	41	39	33	30	28	25
Other	313	343	300	264	264	424	274	200	150
<b>Total</b>	<b>7,135</b>	<b>7,881</b>	<b>8,170</b>	<b>8,425</b>	<b>8,585</b>	<b>8,317</b>	<b>8,014</b>	<b>7,862</b>	<b>7,709</b>

**Notes:**

- 1 The CPS employs a mixture of lawyers and administrative staff to meet the following PSA targets as set out in CSR 2007:
- Deliver a more effective, transparent and responsive CJS for victims and the public; and
  - Make communities safer by focusing on protecting the public from serious crime (murder, violence and rape) and reducing re-offending.

Table 4: Capital Employed by CPS

£'000

	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08 Forecast	2008-09	2009-10	2010-11
	Outturn	Outturn	Outturn	Outturn	Outturn	Outturn	Plans	Plans	Plans
<b>Assets and liabilities on the balance sheet at end of year:</b>									
<b>Assets</b>									
Fixed assets	15,678	20,898	27,735	25,923	27,753	26,842	26,879	27,822	28,779
Intangible	0	0	0	946	860	622	565	514	467
Tangible									
<i>of which:</i>									
Land and buildings	3,564	3,378	5,775	5,697	6,111	5,896	5,689	6,488	7,401
Plant and machinery etc	12,114	17,520	21,960	20,226	21,642	20,946	21,190	21,334	21,378
Investments									
Current assets	61,156	50,839	76,164	70,958	66,063	82,658	80,158	77,658	75,158
<b>Liabilities</b>									
Creditors (<1 year)	-68,588	-53,273	-82,343	-66,931	-59,239	-74,635	-73,635	-72,135	-70,135
Creditors (>1 year)	-	-	-	-	-	-	-	-	-
Provisions	-12,112	-11,467	-11,075	-10,231	-9,419	-10,501	-15,081	-15,061	-10,341
<b>Capital employed within main department</b>	<b>-3,866</b>	<b>6,997</b>	<b>10,481</b>	<b>20,665</b>	<b>26,018</b>	<b>24,986</b>	<b>18,886</b>	<b>18,886</b>	<b>18,798</b>
NDPB net assets	-	-	-	-	-	-	-	-	-
<b>Total capital employed in departmental group</b>	<b>-3,866</b>	<b>6,997</b>	<b>10,481</b>	<b>20,665</b>	<b>26,018</b>	<b>24,986</b>	<b>18,886</b>	<b>18,886</b>	<b>18,798</b>

**Notes:**

- 1 The capital employed by the CPS comprises fixed assets (tangible and intangible), current debtors, creditors and provisions. Land and buildings are shown at Net Book value after depreciation and revaluations. Furniture and fittings form a major part of the remaining tangible assets held.

Table 5: The CPS's identifiable expenditure on services, by country and region

£ million

	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11
	Outturn	Outturn	Outturn	Outturn	Outturn	Plans	Plans	Plans	Plans
North East	20.5	23.5	22.0	25.5	26.2	28.8	27.1	26.9	26.7
North West	68.3	79.3	87.4	87.2	98.2	99.1	99.7	99.0	98.7
Yorkshire and Humberside	48.2	47.0	53.4	47.1	51.7	58.0	52.9	52.4	52.2
East Midlands	25.6	32.1	32.3	37.5	33.5	37.6	34.2	33.9	33.8
West Midlands	42.3	53.5	56.8	55.4	51.1	60.3	51.6	51.2	51.0
Eastern	35.2	37.9	41.0	46.2	48.9	50.5	50.1	49.6	49.3
London	112.6	118.8	148.0	159.2	161.9	163.6	164.6	163.5	162.6
South East	47.4	66.7	65.9	72.3	75.1	75.6	76.1	75.5	75.2
South West	26.6	31.5	34.1	38.9	37.0	39.0	38.0	37.7	37.7
<b>Total England</b>	<b>426.7</b>	<b>490.3</b>	<b>540.9</b>	<b>569.3</b>	<b>583.6</b>	<b>612.5</b>	<b>594.3</b>	<b>589.7</b>	<b>587.2</b>
Scotland	0	0	0	0	0	0	0	0	0
Wales	28.5	27.8	27.5	29.3	33.3	34.4	34.0	33.8	33.7
Northern Ireland	0	0	0	0	0	0	0	0	0
<b>Total UK identifiable expenditure</b>	<b>455.2</b>	<b>518.1</b>	<b>568.4</b>	<b>598.6</b>	<b>616.9</b>	<b>646.9</b>	<b>628.3</b>	<b>623.5</b>	<b>620.9</b>
Outside UK	0	0	0	0	0	0	0	0	0
<b>Total identifiable expenditure</b>	<b>455.2</b>	<b>518.1</b>	<b>568.4</b>	<b>598.6</b>	<b>616.9</b>	<b>646.9</b>	<b>628.3</b>	<b>623.5</b>	<b>620.9</b>
Non-identifiable expenditure	0	0	0	0	0	0	6.3	5.9	4.7
<b>Total expenditure on services</b>	<b>455.2</b>	<b>518.1</b>	<b>568.4</b>	<b>598.6</b>	<b>616.9</b>	<b>646.9</b>	<b>634.6</b>	<b>629.4</b>	<b>625.6</b>

**Table 6: The CPS's identifiable expenditure on services, by country and region per head** £'s per head

	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11
	Outturn	Outturn	Outturn	Outturn	Outturn	Plans	Plans	Plans	Plans
North East	8.1	9.2	8.7	10.0	10.3	11.3	10.6	10.5	10.4
North West	10.1	11.7	12.8	12.7	14.3	14.4	14.4	14.2	14.1
Yorkshire and Humberside	9.6	9.3	10.5	9.2	10.1	11.2	10.2	10.0	9.9
East Midlands	6.1	7.5	7.5	8.7	7.7	8.6	7.7	7.6	7.5
West Midlands	8.0	10.1	10.7	10.4	9.5	11.2	9.5	9.4	9.3
Eastern	6.5	6.9	7.4	8.3	8.7	8.9	8.8	8.6	8.5
London	15.3	16.1	20.0	21.4	21.6	21.6	21.6	21.2	20.9
South East	5.9	8.2	8.1	8.8	9.1	9.1	9.1	9.0	8.9
South West	5.3	6.3	6.8	7.6	7.2	7.5	7.3	7.1	7.1
<b>Total England</b>	<b>8.6</b>	<b>9.8</b>	<b>10.8</b>	<b>11.3</b>	<b>11.5</b>	<b>12.0</b>	<b>11.5</b>	<b>11.4</b>	<b>11.2</b>
Scotland	0	0	0	0	0	0	0	0	0
Wales	9.8	9.5	9.3	9.9	11.2	11.5	11.4	11.2	11.1
Northern Ireland	0	0	0	0	0	0	0	0	0
<b>Total UK identifiable expenditure</b>	<b>7.7</b>	<b>8.7</b>	<b>9.5</b>	<b>9.9</b>	<b>10.2</b>	<b>10.6</b>	<b>10.2</b>	<b>10.1</b>	<b>10.0</b>

**Notes to Country and Regional Analysis – Tables 5 & 6**

- 1 Tables 5 and 6 show analyses of the department's spending by country and region, and by function. The data presented in these tables are consistent with the country and regional analyses (CRA) published by HM Treasury in Chapter 9 of Public Expenditure Statistical Analyses (PESA) 2008. The figures were taken from the HM Treasury public spending database in December 2007 and the regional distributions were completed in January and February 2008. Therefore the tables may not show the latest position and are not consistent with other tables in the Departmental Report.
- 2 The analyses are set within the overall framework of Total Expenditure on Services (TES). TES broadly represents the current and capital expenditure of the public sector, with some differences from the national accounts measure Total Managed Expenditure. The tables show the central government and public corporation elements of TES. They include current and capital spending by the department and its NDPBs, and public corporations' capital expenditure, but do not include capital finance to public corporations. They do not include payments to local authorities or local authorities own expenditure.
- 3 TES is a near-cash measure of public spending. The tables do not include depreciation, cost of capital charges, or movements in provisions that are in departmental budgets. They do include pay, procurement, capital expenditure, and grants and subsidies to individuals and private sector enterprises. Further information on TES can be found in Appendix E of PESA 2008.
- 4 The data are based on a subset of spending – identifiable expenditure on services – which is capable of being analysed as being for the benefit of individual countries and regions. Expenditure that is incurred for the benefit of the UK as a whole is excluded.
- 5 Across government, most expenditure is not planned or allocated on a regional basis. Social security payments, for example, are paid to eligible individuals irrespective of where they live. Expenditure on other programmes is allocated by looking at how all the projects across the department's area of responsibility, usually England, compare. So the analyses show the regional outcome of spending decisions that on the whole have not been made primarily on a regional basis.
- 6 The functional analyses of spending in tables are based on the United Nations Classification of the Functions of Government (COFOG), the international standard. The presentations of spending by function are consistent with those used in chapter 9 of PESA 2008. These are not the same as the strategic priorities shown elsewhere in the report.



# 3

## Revenue and Customs Prosecutions Office



## REVENUE and CUSTOMS PROSECUTIONS OFFICE

### Introduction

The Revenue and Customs Prosecutions Office (RCPO), was established as an independent prosecuting authority in April 2005. Over the past three years, RCPO has made a significant contribution to the objectives of the CJS by reducing the harm caused by crime.

### Role

RCPO is responsible for carrying out criminal prosecutions for HM Revenue and Customs (HMRC) and also plays a vital role alongside the Crown Prosecution Service (CPS) in prosecuting cases investigated by the Serious Organised Crime Agency (SOCA).

As a major Crown Court prosecutor, RCPO is second only to the CPS in the number of serious cases it handles. In addition, it prosecutes a significant number of cases in the magistrates' courts. RCPO's prosecutions include many large and complex cases involving drugs, alcohol and tobacco smuggling, income tax and other types of large-scale tax fraud, money laundering, export control and sanctions violations.

By protecting the revenue through robust prosecutions, tackling organised crime and recovering criminal assets, RCPO plays an integral and important role in delivering key elements of the government's objectives of protecting tax revenues, tackling drugs and recovering the proceeds of crime.

### Organisation

The Attorney General appointed David Green QC to be the first Director of RCPO, with responsibility for leading the department's prosecution activity, managing all legal issues, and determining policy. RCPO employs 350 staff, including lawyers, caseworkers and administrators, who are based in London and Manchester. The Chief Operating Officer (COO), David Richardson, oversees business services including human resources, finance, and corporate services.

The full remit of casework includes:

- VAT fraud – from the simplest repayment fraud to complex cases involving multiple traders;
- Direct tax fraud – from large and sophisticated evasion cases on an international scale to less complex shadow economy frauds;
- Tax credit fraud;
- Excise fraud – tobacco, alcohol and fuels;
- Drug smuggling – from those carrying goods on or in their person to massive quantities of Class A drugs smuggled by air or sea;
- Money laundering – generally involving the proceeds of fraud or drugs trafficking;
- UN sanctions cases – involving exports to embargoed destinations or export of military or dual use goods;
- Exotic goods – from conflict diamonds to trafficking in endangered species governed by the Convention on International Trade in Endangered Species (CITES); and
- National Minimum Wage.

There are five casework divisions reporting to the Director. While multifunctional in capability, they can each be identified by a lead activity. They are:

Division A (Direct Tax)

Division B (Commercial)

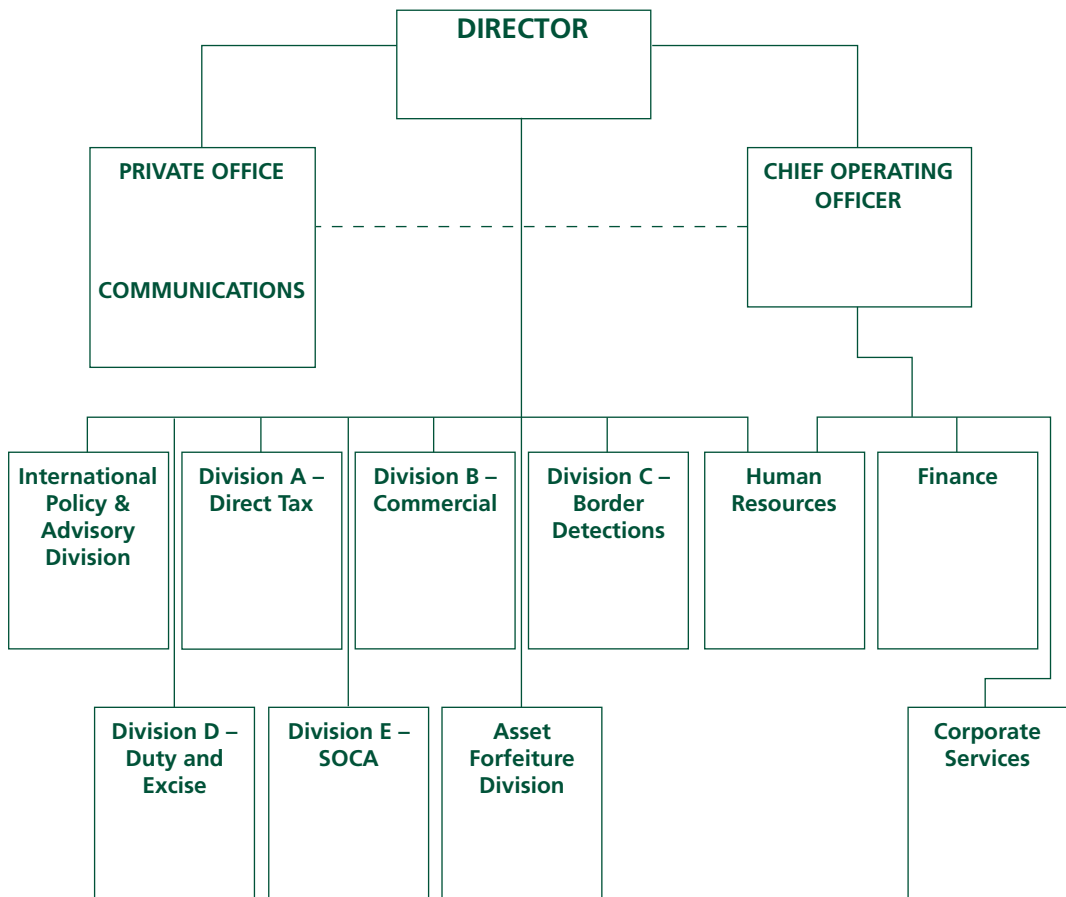
Division C (Border Detections)

Division D (Duty and Excise)

Division E (Serious Organised Crime Agency)

The Asset Forfeiture Division (AFD), led by Alun Milford, is responsible for conducting restraint, receivership and enforcement proceedings. The International, Policy and Advisory Division (IPAD), headed by Annewen Rowe, provides the Director with support on policy and internal quality assurance, as well as managing international casework (e.g. extraditions and international arrest warrants).

## Management Structure



The RCPO Board is headed by the Director, and includes four Non-Executive Directors (NEDs), as well as senior members of the organisation. An Audit Committee, chaired by a NED, assists the Director and the RCPO Board in fulfilling their oversight responsibilities, by advising on the adequacy of internal controls, corporate governance, risk management, financial reporting and audit arrangements.

### Aim

The strategic aim of RCPO is to be an effective, independent and specialist prosecuting authority that commands public confidence.

## Objectives

The following objectives support this aim:

- To prosecute cases efficiently, effectively and in accordance with the Code for Crown Prosecutors;
- To increase year on year the amount confiscated from criminals;
- To engage actively with HMRC and SOCA to ensure that appropriate weight is given to prosecution;
- To maintain and develop an appropriate specialist caseload;
- To provide a rewarding and stimulating working environment in which our staff develop and excel; and
- To make an effective contribution to the objectives of the Attorney General's Office (AGO) and the wider CJS.

As the prosecuting authority for HMRC, RCPO also supports HMRC in delivery of two of its top-level objectives:

- To improve the extent to which individuals and businesses pay the tax due and receive the credits and payments to which they are entitled; and
- To strengthen frontier protection against threats to the security, economic integrity and environment of the UK in a way that balances the need to maintain the UK as a competitive location in which to do business.

## Efficiency Plan

RCPO has already achieved its SR 2004 efficiency target of a workforce reduction of 10 staff years over the baseline figure from 2003-04. Also under SR 2004, RCPO was committed to make efficiency gains of £2.5 million by the end of 2007-08. As of December 2007 the department was on track to achieve these savings.

To monitor efficiency savings more accurately RCPO designed a model to express the relationship between the department's inputs and outputs. These are, respectively, RCPO's total net resource and the number of cases it completes, weighted to reflect their complexity. The new methodology was approved by the Office of Government Commerce and was commended by them as an example of good practice.

Under the 2007 Comprehensive Spending Review (CSR), RCPO is committed to achieve net cash-releasing savings of 3.5% of total expenditure per annum in real terms over the CSR period. This is an ambitious target but by tighter control of administrative costs, better management of counsel fees and investing in technology to support the prosecution process, RCPO will fulfil its commitments whilst maintaining both the quality and volume of its work.

## Performance Against Targets

During 2007-08, the priorities of RCPO have been:

- The early engagement of prosecutors with both HMRC and SOCA, including prosecutor charging – RCPO prosecutors decide whether and what criminal charges should be preferred and against whom. Under traditional arrangements, HMRC investigators have taken these decisions;
- The strengthening of the AFD, with a view to taking more money out of the criminal economy;
- The effective management of counsel and their fees;
- Continuing to play a full role within the CJS; and
- Improving the efficiency of support services.

The Business Plan for 2007-08 highlighted several key operational performance indicators in support of these priorities (results are to 31 December 2007).

- To sustain performance in relation to convictions and guilty pleas.
  - There have been convictions in 882 cases (91% of total cases prosecuted), resulting in the conviction of 1,104 defendants (86% of defendants prosecuted).
  - There were guilty pleas in 770 cases (80% of total cases prosecuted). Guilty pleas were made by 919 defendants (72% of defendants prosecuted).
- To complete at least 1,400 prosecution cases, of which at least 65 will be of high or medium complexity.
  - RCPO has completed 996 cases, with 1,317 forecast to be completed by 31 March 2008.
  - Of these, 69 are of high or medium complexity, with 92 such cases forecast to be completed by 31 March 2008.
- To recover at least £26.5 million in criminal assets.
  - £15.25 million in criminal assets has been recovered, with a total of £21.3 million forecast by 31 March 2008.
- To ensure that no more than 2.5% of cases in which a jury is empanelled result in a judge-directed acquittal.
  - 0.03% of cases have resulted in a judge-directed acquittal.

RCPO has also made several significant developments in the delivery of business services.

- To enforce the new regimes governing fees paid to the Bar.  
Financial management of counsel fees has been improved, with a far greater proportion of fee notes submitted promptly by chambers. In May 2007, RCPO wrote to all counsel on the Attorney General's approved list requiring that they submit a certificate stating that all invoices relating to 2006-07 and earlier had been submitted. For the preparation of the resource accounts RCPO was able to present the National Audit Office with certificates covering 99.7% of in-year counsel fee expenditure.
- To improve financial reporting.  
An effective month end process has supported improvements in financial reporting and forecasting, providing the Management Board with well supported financial information, and allowing the department to present an unqualified set of 2006-07 resource accounts to Parliament on time, ahead of the summer recess.
- To develop improved case management and case information systems.  
RCPO has initiated a programme of investment in new case management systems which will allow the department to be more effective and present cases more efficiently.
- To improve our IT services by bringing in a new service provider.  
In September 2007 RCPO transferred its IT and Telephony service to SunGard Vivista. The new service allows more flexibility and accountability as well as improved service levels for fault resolution which are better suited to the organisation's needs.
- To strengthen the human resources function.  
RCPO has reviewed underpinning HR policies and processes to ensure that it remains a supportive employer, providing opportunities for socially valuable, interesting and challenging work in a modern, professional environment.

## Strengthening the Prosecution Process

RCPO was established to provide an independent prosecuting authority, separate from the investigation function. Independence from investigators is fundamental to the reputation of RCPO prosecutors and a key constitutional safeguard. Prosecutors continue to work closely with investigation colleagues, building strong cases and delivering robust prosecutions. However, there is independence and transparent accountability on prosecution decisions, with a clear distinction made between the roles and responsibilities of investigators and prosecutors and a clear reporting structure to the Attorney General.

### *Prosecution Manual*

The department maintains a Prosecution Manual which sets standards that allow for the timely service of documents to courts and defence that are complete and accurately assembled, and contributes to CJS initiatives to reduce delay and ineffective hearings. The comprehensive procedural guidance provides staff with the confidence to manage and prosecute cases effectively. IPAD's quality assurance programme provides monthly Prosecution Manual checks and longer-term assurance reports commissioned by the Director on a risk basis. A Business Improvement Group, of senior case managers and lawyers, determines procedural changes that contribute to the development of the Manual.

### *Disclosure*

RCPO recognises that it is essential to its prosecuting activity that its disclosure obligations are properly discharged in all criminal proceedings. The department delivers extensive training and guidance to support a regime that follows the Attorney General's Guidelines on Disclosure 2005. There are regular meetings between investigators and RCPO to ensure that there is effective revelation and disclosure in cases. RCPO also delivers training on disclosure to investigators.

### *Prosecutor Charging*

In April 2007 RCPO introduced prosecutor charging for HMRC investigations, providing a service 24 hours a day, 365 days of the year. The scheme had been run successfully by the SOCA Division since March 2006. The department's prosecutors decide who, when and with what offence any person the subject of investigation by HMRC will be charged. RCPO's position as an independent prosecutor has been strengthened. Prosecutors are involved earlier across a broad range of cases and HMRC processes have been brought in line with standard CJS practice.

### *The Attorney General's Unified List*

RCPO is responsible for managing the Unified List, which includes details of non-CPS prosecutors who have been approved to work with RCPO and other central government departments, such as the Department for Work and Pensions. This ensures that all prosecutors who work for these departments are of a consistent standard of advocacy. The recruitment process for the current list began in August 2005 and runs on a three year cycle.

## **Championing Justice and the Right of Victims**

In cases prosecuted by RCPO, the victim is usually the taxpayer and society as a whole, rather than a discrete, identifiable individual. Nevertheless, RCPO recognises the importance of looking after victims in the CJS and has adapted the Prosecutors' Pledge to ensure that its prosecution teams consider whether there is any person in a case who could be considered to be a victim. Where there is such a person, RCPO will ensure that their view is taken into account in considering charges and accepting pleas, that they are informed where charges are withdrawn, and that they are protected from unwarranted attacks on their character.

As the prosecuting authority for HMRC and SOCA, RCPO prosecutions underpin the revenue collection and enforcement activity of these two organisations. A Memorandum of Understanding (MOU) sets out the relationship between RCPO and HMRC. Annexes to the Memorandum in the form of agreements covering Policy and Strategy, Casework Standards and Disclosure have been approved by Ministers and form the basis of the day-to-day interface between the departments. A protocol governing the relationship with SOCA has also been agreed.

Divisional heads have built effective and productive relationships with HMRC, SOCA, other government departments, particularly Law Officers' Departments, and the Attorney General's Office. This includes close liaison with HMRC regional managers and their SOCA equivalents in those areas where divisional heads have a lead strategic responsibility. The AFD advises HMRC and SOCA personnel on the conduct of financial investigations and on law, practice and procedure relating to restraint, confiscation, receivership and the enforcement of confiscation orders.

## Engaging with the Communities We Serve

The 'victim' in RCPO casework is the taxpayer and society as a whole, for example, people who are exploited by drug dealers or who suffer from drugs related crime. The key community for RCPO, therefore, is the wider public rather than specific local communities. RCPO's community engagement is through support of HMRC and SOCA, HM Courts Service and the Office for Criminal Justice Reform initiatives such as open court days and 'Inside Justice Week'. In both the way RCPO prosecutes cases and in its employment systems, RCPO aims to eliminate unlawful discrimination and promote equality of opportunity and good relations between persons of different racial, gender and cultural groups.

## Driving Change and Delivery in the CJS

### *Policy Development*

RCPO is involved in a range of initiatives in the CJS, contributing to debate, consultation and policy development. These include playing a part in the work of external bodies such as the Whitehall Prosecutors' Group, the Criminal Procedure Rule Committee, the Confiscation Performance and Delivery Board, Asset Recovery Working Group and the High Cost Cases Review Board. IPAD supports the Director in identifying key strategic legal policy issues, and it also provides advice and guidance to staff on issues concerning casework policy on domestic and international matters, particularly with regard to new legislation.

### *SOCA Work*

RCPO has a dedicated division for the servicing of SOCA work, and conducts the vast bulk of drug importation and money laundering casework coming from the Agency. SOCA's operations are intelligence-led, and RCPO prosecutors are involved from the tasking and coordination phase, providing advice that will shape the investigation and assist in identifying an outcome that is most effective in the reduction of the harm caused by serious organised crime. Under current arrangements the department provides a service 24 hours a day for 365 days of the year to SOCA, and it will ensure that its SOCA Division continues to be resourced appropriately.

### *Asset Forfeiture*

The AFD influences the development of confiscation law by dealing with all appeals in respect of its confiscation order cases. It is responding to increased demand for mutual legal assistance, which involves preserving assets so that they can be used to pay confiscation orders in overseas jurisdictions, and enforcing confiscation orders made overseas against assets located in the UK. Under the Asset Recovery Incentive Scheme RCPO is able to keep one-sixth of the assets it recovers to fund its asset forfeiture activity. In order to expand the work of the AFD and meet its target for confiscation, RCPO increased legal and support staff numbers during 2007-08.



## Excellent Career Opportunities with Skilled and Committed Staff

RCPO wants to attract and retain high-calibre staff who take pride in achieving results and whose contribution is valued and recognised. The organisation needs well-motivated and skilled staff to get the job done to the highest standards.

### *Learning and Development*

Learning and Development is one of RCPO's key business tools – the Learning and Development strategy allocates resources to where they are needed most through analysing organisational learning needs, implementing a corporate learning plan and evaluating the quality of that learning. This delivers timely and fitting learning opportunities that provide value for money and which meet the diverse needs of staff.

To identify learning needs, Learning and Development worked closely with IPAD and the Divisional Heads and reviewed individual staff development plans. The corporate learning plan included:

- Delivery of over 100 hours of in-house legal training;
- A customer service training programme to boost telephone skills for all employees;
- A programme to build managers' capabilities;
- Professional Skills for Government training;
- Induction programmes;
- E-learning;
- Coaching;
- Support for professional qualifications; and
- Opportunities for employees to apply for in-house training contracts.

The Learning Centre provides dedicated space for e-learning and professional development.

To help staff plan and review their development, RCPO introduced an electronic events calendar, a self-service booking system and online evaluation system. Of delegates surveyed over 90% rated their development positively.

### *Diversity*

The department is a member of the Attorney General's Equality and Diversity Action Group. RCPO has an Equality and Diversity Committee, chaired by a NED, that aims to encourage positive action in the organisation to enable it to meet its vision for diversity and fulfil its legal requirements. The Committee takes responsibility for the implementation and monitoring of RCPO's Equality Scheme and Action Plan, including Equality Impact Assessments.

### *Communications*

The main route to deliver news and information to RCPO staff is the intranet, which also serves as an electronic library for legal guidance and internal policy documents. RCPO held staff and managers' conferences in 2007 for the Director and his senior managers to address all staff, and for staff to air their views with senior management. RCPO also conducted a staff survey to gauge the views of staff across a wide range of the organisation's activities. A staff newsletter was launched in 2007.

## Building the Capability to Deliver

### *Finance*

The Finance function has strengthened key accounting systems and processes, and raised the general level of financial awareness in the organisation. During 2007 financial management of counsel fees was improved, with a far greater proportion of fee notes submitted promptly by chambers, while payment performance was sustained at a consistently higher rate than RCPO or its predecessors had previously achieved.

### *Human Resources*

RCPO has continued to strengthen its HR function and to review underpinning policies and processes. Performance management has been strengthened through the development of enhanced appraisal arrangements, and by support, guidance and training for managers on all aspects of performance management. As part of a shared initiative with other Law Officers' Departments, RCPO has worked on implementing an integrated HR database and payroll system. This will enable improved information and record keeping, streamlined processes, improved efficiency and the introduction of regular management reporting.

### *IT Services*

RCPO has a new IT service provider. An effective partnership has been established with the new provider aimed at allowing them to fully understand the business, and to enable a flexible service that can adapt to meet and keep pace with the changing needs of the organisation. RCPO is confident that this will bring considerable benefits to the organisation, providing an IT service that is fit for purpose and represents improved value for money.

### *Accommodation*

RCPO refurbished the third floor of the London office, in order to accommodate the enlarged AFD team and to ensure that the general improved standard of the working environment was maintained. We have provided dedicated areas for prosecutor charging, the electronic preparation of evidence, and for the new IT services provider. We have also created a reception area in the London office, and established a central switchboard service. The Manchester office will be refurbished to similar standards in Spring 2008.

## Forward Look

The priorities for RCPO going forward will be the servicing of criminal casework from HMRC and SOCA to the highest standard, and the development of relationships with these organisations. The department will work closely with HMRC and SOCA in order to ensure that, in the formulation and implementation of their strategic priorities, appropriate weight is given by them to the role of prosecutions. RCPO will also seek to provide prosecutorial support to the unified UK Border Agency, to enable this new organisation to enforce secure borders around the country.

RCPO will continue to use its expertise and experience in the UK and internationally to support other agencies in the fight against crime. This will be achieved by contributing to policy, legislation, practice and procedure. RCPO will play a key role in the strategy for tackling organised crime and protecting UK borders by prosecuting offenders referred to RCPO by HMRC and SOCA, assisting the Criminal Taxes Unit and using the law (including restraint and other preventative measures) to limit potential criminal activity and dissipation of assets. RCPO will work with partner CJS agencies to ensure that criminals continue to be deprived of the proceeds of crime.

RCPO will also provide a rewarding and stimulating environment in which our staff can develop and excel.

## Further Information

Further information on the work of RCPO may be obtained from:

**Revenue and Customs Prosecutions Office**  
**New Kings Beam House**  
**22 Upper Ground**  
**London SE1 9BT**

**Telephone number: 020 7147 7748**

**Fax: 020 7147 7791**

**Website: [www.rcpo.gov.uk](http://www.rcpo.gov.uk)**

Total public spending for RCPO*							£'000
	2002-03 Outturn	2003-04 Outturn	2004-05 Outturn	2005-06 Outturn	2006-07 Outturn	2007-08 Estimated Outturn	2008-09 Plans
<b>Consumption of resources</b>							
The effective and efficient prosecution of cases in accordance with the code for Crown Prosecutors							
<b>Total resource budget</b>	<b>26,768</b>	<b>26,358</b>	<b>32,052</b>	<b>33,880</b>	<b>32,398</b>	<b>34,381</b>	<b>36,397</b>
<i>of which: Administration expenditure</i>							
Paybill	9,084	9,554	9,465	9,941	10,705	11,478	–
Other	3,550	3,459	4,628	5,078	6,660	7,224	–
Total administration budget †	<b>12,634</b>	<b>13,013</b>	<b>14,093</b>	<b>15,019</b>	<b>16,648</b>	<b>18,253</b>	–
<b>Total capital budget</b>	–	–	–	–	–	1,800	–
Depreciation	–	–	–	–	–	–600	–
<b>Total departmental spending ‡</b>	<b>26,768</b>	<b>26,358</b>	<b>32,052</b>	<b>33,880</b>	<b>32,398</b>	<b>35,581</b>	<b>36,397</b>
<i>of which:</i>							
Total DEL	26,768	26,358	32,052	33,880	32,398	35,581	36,397
Total AME	–	–	–	–	–	–	–
* Outturns prior to 2005-06, when prosecuting functions were carried out by offices within Customs & Excise and the Inland Revenue, are not directly comparable to outturns since the creation of RCPO.							
† From the commencement of the 2008-09 financial year, and in agreement with HM Treasury, RCPO will classify all its budgets as Programme resource.							
‡ Total departmental spending is the sum of the resource budget and the capital budget less depreciation.							



# 4

## Serious Fraud Office Serious Fraud Office Common Core Tables

## SERIOUS FRAUD OFFICE

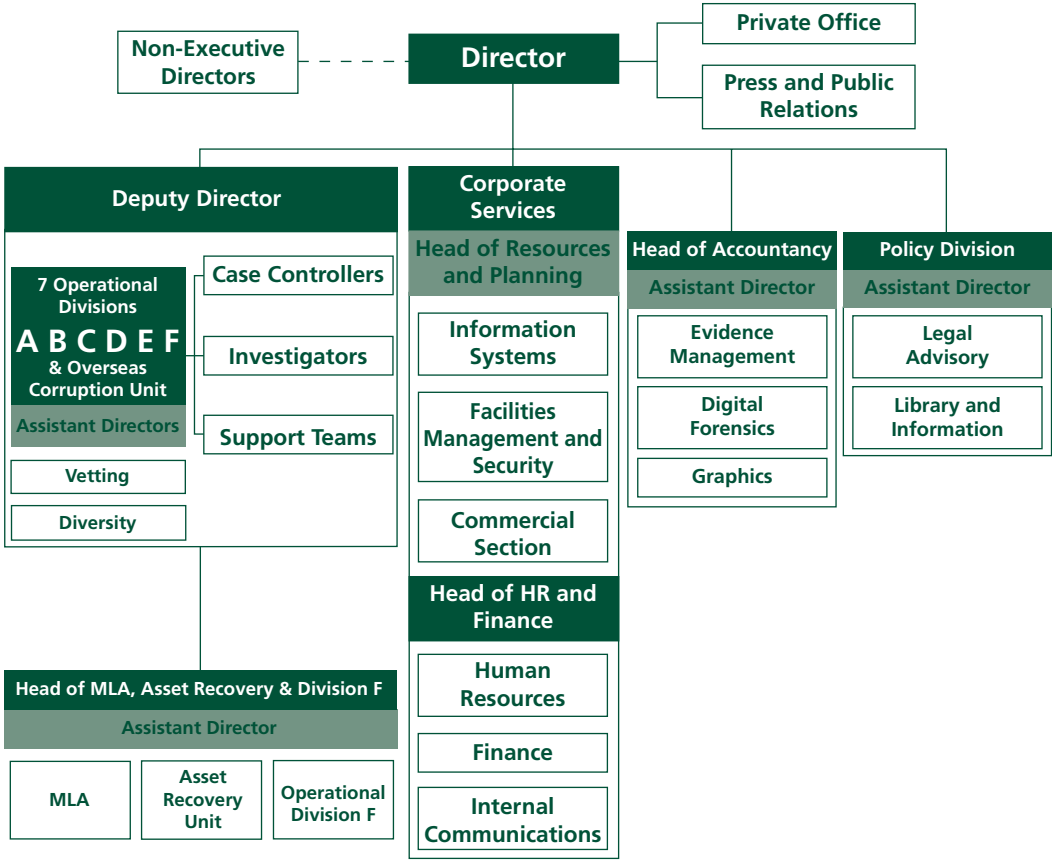
### Introduction

#### Role

The Serious Fraud Office (SFO) was established by the Criminal Justice Act 1987, following the 1986 Roskill Report. Under that Act its role is to investigate and prosecute cases of serious or complex fraud in England, Wales and Northern Ireland and contribute to deterring such fraud. The SFO is headed by the Director, Richard Alderman, who was appointed on 21 April 2008 succeeding Robert Wardle. The Director acts under the superintendence of the Attorney General.

In exercising his statutory responsibilities under the Criminal Justice Act 1987, the Director is supported by the Strategic Board and the Operational Board. The Strategic Board comprises the Director, three Non-Executive Directors (NEDs), the Deputy Director, the Head of Resources and Planning, the Head of Policy and the Head of Accountancy. The Operational Board comprises members of the Strategic Board, the seven Assistant Directors in charge of operational divisions, the Head of Mutual Legal Assistance (MLA) and Restraint and the Head of HR and Finance.

# Management Structure



## Organisation

The SFO is part of the Criminal Justice System (CJS) and is affected by changes and developments in that system. To achieve its aim and objectives it must take into account and be part of developments in the wider world of law enforcement and financial regulation.



## Aims and Objectives

The aim of the SFO is to contribute to:

- Reducing fraud and the cost of fraud;
- The delivery of justice and the rule of law; and
- Maintaining confidence in the UK's business and financial institutions.

The objectives of the SFO are to take on appropriate cases and:

- Investigate them and bring them to a successful conclusion as quickly as individual circumstances allow; and
- When a decision to prosecute is made, to prosecute fairly and in a way that enables the jury to understand the issues.

In carrying out its aims and objectives, the SFO will:

- Work effectively and efficiently;
- Cooperate with other agencies and overseas jurisdictions; and
- Ensure that its activities, and the way they are reported, contribute to deterring fraud.

## Efficiency Plan

### 2004 Spending Review

Delivery of the 2007-08 targets has continued to progress well with no risk to future delivery. As at December 2007 the declared savings were £5.9 million. These were mainly due to savings as a result of a changed accommodation strategy. Activity in the corporate services workstream delivered improved management information, reduced recruitment cycle times and lower agency staff rates along with focused recruitment advertising and rationalisation of temporary staff. The procurement stream resulted in the accommodation strategy change to a cost effective alternative, reduced costs of scanning and significant rationalisation of IT infrastructure and support service costs. In the productivity stream the DOCMAN system contributed to more effective case management and progress. Efficiency gains this year are estimated to be £6.5 million.

<b>Efficiency Review Targets</b>				
<b>Efficiency Review Timeframe:</b>				<b>Totals</b>
<b>Year</b>	<b>2005-06</b>	<b>2006-07</b>	<b>2007-08</b>	
<b>Target efficiencies:</b>	<b>£m</b>	<b>£m</b>	<b>£m</b>	<b>£m</b>
<b>SR 2004 Settlement</b>	<b>1.13</b>	<b>2.0</b>	<b>2.815</b>	<b>5.945</b>
<b>Efficiency by Workstream:</b>				
<b>Productive Time</b>				
DOCMAN	0.3	0.6	1	1.9
Scanning	0.2	0.2	0.2	0.6
Electronic Presentation of Evidence	0.02	0.02	0.06	0.1
<b>TOTAL</b>	<b>0.52</b>	<b>0.82</b>	<b>1.26</b>	<b>2.6</b>
<b>Procurement</b>				
Consultants	0.05	0.05	0.15	0.25
Facilities Management	0.01	0.01	0.01	0.03
Accommodation	1.4	1.6	2.0	5.0
<b>TOTAL</b>	<b>1.46</b>	<b>1.66</b>	<b>2.16</b>	<b>5.28</b>
<b>Corporate Services</b>				
Recruitment	0.01	0.01	0.01	0.03
Temp Staff	0.04	0.04	0.04	0.12
<b>TOTAL</b>	<b>0.05</b>	<b>0.05</b>	<b>0.05</b>	<b>0.15</b>
<b>Total Baseline Savings:</b>	<b>2.03</b>	<b>2.53</b>	<b>3.47</b>	<b>8.03</b>

## Performance Against Targets

The key targets to be achieved in 2007-08 were:

- Seek to achieve reductions in investigation and prosecution times for cases; and
- Maintain a caseload of 85 active cases (including appeals) within allocated resources. During 2007-08 the SFO worked on 82 cases with a total of 16 cases either tried or closed in the year. The caseload at 31 March 2008 was 69 (including appeals).

Additionally the following baseline measure is reported on:

- The long-run rate showing defendants successfully prosecuted. This provides a quality check over time. The current long-run rate is 69%; the figure for 2006-07 was 71%. Although there is no 'right' long-run rate, a reasonable expectation based on past performance is in the 60-75% range.

## Strengthening the Prosecution Process

The SFO is committed to reduce the length of investigation and prosecution phases by being more effective in those areas which it can more closely control. These include:

- Rigorous vetting of cases referred to the Office;
- Terminating investigations which are not likely to lead to a prosecution as quickly as possible;
- Focussing the investigation on key offenders and key charges to avoid over-burdening the investigation and prosecution;
- Transferring cases as quickly as possible to the Crown Court;
- Ensuring cases are presented fairly, concisely and understandably and continuously improving value for money;
- Using document management systems and information technology to speed up investigations and prosecution;
- Collaboration and joined up working with partners within the CJS;
- A review of practice and procedure is being carried out with particular reference to practice in other jurisdictions to see if the process can be strengthened; and
- The statutory criteria for accepting cases are interpreted in the light of published criteria agreed by the Law Officers. The key criterion for the SFO to take on a case is that the suspected fraud was such that the direction of the investigation should be in the hands of those who will be responsible for the prosecution.

The factors that would need to be taken into account include:

- The sum at risk is estimated to be at least £1 million. (This is simply an objective and recognisable mark of seriousness and likely public concern, rather than the main indicator of suitability);
- The case is likely to give rise to national publicity and widespread public concern. Such cases include those involving government departments, public bodies, the governments of other countries and commercial cases of public interest;
- The case requires a highly specialist knowledge of, for example, financial markets and their practices;
- The case has a significant international dimension;
- There is a need for legal, accountancy, and investigative skills to be brought together; and
- The suspected fraud appears to be complex and one in which the use of section two powers (Criminal Justice Act 1987) might be appropriate.

None of these factors, taken individually, would necessarily be regarded as conclusive.

The SFO already deals with money laundering offences arising out of investigations into serious or complex fraud, and is able to investigate any offence which involves such fraud. Offences such as laundering and corruption feature in both current investigations and past prosecutions. The Enterprise Act 2002 criminalised anti-competitive behaviour by individuals and the SFO shares responsibility with the Office of Fair Trading (OFT) for the conduct of criminal prosecutions under this legislation. The Anti Terrorism, Crime and Security Act 2001 clarified the law relating to the bribery of foreign officials by UK nationals or companies. The SFO has taken responsibility for the initial review of all allegations received in this area. Where sufficient evidence exists it will expect to begin an investigation. If the case should not for some reason fall within the SFO's criteria, it will endeavour to ensure that it is still dealt with by another law enforcement or regulatory body.

## Building Strong Partnerships

The SFO and the City of London Police Economic Crime Department have built on the initiatives to enable closer collaboration and mutual understanding to tackle fraud within London and the South East. Joint working discussions focussing on effectiveness, efficiency and logistics to support change have continued and positive advances have been made. The development of a joint mobile forensic laboratory will enable computer-based material to be accessed at the scene of a search rather than having to remove the hardware to a remote laboratory. This in turn will allow the computer owner to have their equipment returned more quickly and will make the material available to investigators in a much shorter time.

In London the SFO works primarily with the City of London Police (CoLP) as the lead force for the South of England. This relationship has been strengthened by the establishment of a special CoLP unit for investigating allegations of overseas corruption. A Memorandum of Understanding (MOU) with the Association of Chief Police Officers (ACPO) sets out the agreed approach to SFO investigations, and who will be responsible for different aspects of the work. Each operational division has an alignment with police forces in an operational area although all take cases from the Metropolitan and City police forces.

A case may be referred to the SFO by the police, the Business Enterprise and Regulatory Reform (BERR)<sup>12</sup>, another government body or regulator, or sometimes by a liquidator or other statutory office holder. Each is considered by the Vetting Team and the Deputy Director to decide whether it fulfils the statutory criteria for acceptance. In some cases preliminary enquiries are conducted to establish whether the case meets the criteria and whether there is a realistic prospect of the investigation resulting in a prosecution. Early referral of cases is encouraged. The SFO chairs the Joint Vetting Committee (JVC) which includes representatives from a number of organisations in the CJS. Its purpose is to decide which is the most appropriate body to investigate a suspected fraud. The committee includes representatives from the Crown Prosecution Service (CPS), Serious Organised Crime Agency (SOCA), Metropolitan Police, CoLP, ACPO (on behalf of the other police forces), OFT, HM Revenue and Customs (HMRC) and the BERR (investigations branch). The JVC is also a forum for discussing matters of mutual interest.

<sup>12</sup> Formerly the Department of Trade and Industry.

## MLA Unit

### Working with Bodies Overseas

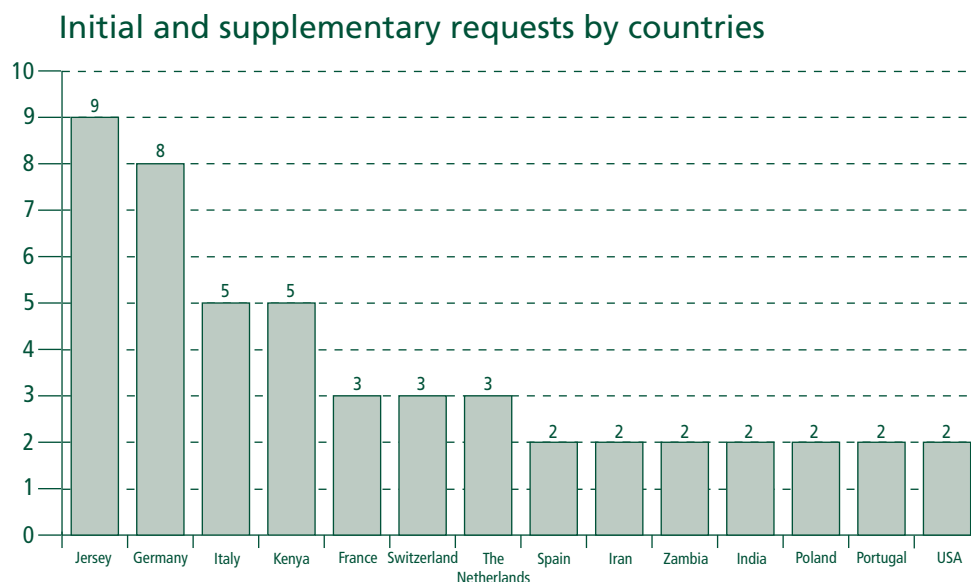
Deterring criminals abroad who target victims in the UK is one of the reasons that the SFO has a team of investigators who assist overseas investigations. The MLA unit also seeks to build relationships with overseas law enforcement bodies whose cooperation is so often essential for domestic investigations and prosecutions. Even before the SFO became the main UK agency investigating overseas corruption by UK nationals and companies, the MLA unit provided assistance in overseas corruption cases. Last year a Zambian prosecution resulted in a four year sentence utilising information gathered by the Unit from 2000. International requests for assistance during the reporting year show an increase of investigated offences involving corruption, almost 50% coming from Africa. The MLA statistics for 2007-08 listed below may not surpass the previous year's figures but the level of assistance, collaboration and training provided to overseas authorities has become more demanding.

MLA Figures					
	2003-04	2004-05	2005-06	2006-07	2007-08
New requests referred <sup>(a)</sup>	30	35	41	53	37
Requests accepted	30	30	40	53	37
Under consideration (at the end of year)	2	4	1	0	1
Supplementary requests	33	41	40	50	23
Number of Countries making requests	30	30	23	24	23
Requests active at year end <sup>(b)</sup>	44	51	57	71	61
Section 2 Notices issued for MLA	261	206	274	345	219
Search Warrants executed	10	8	0	7	3
<sup>(a)</sup> Figure for 2007-08 includes one restraint request.					
<sup>(b)</sup> Figure for 2007-08 includes two restraint requests and requests which still require further assistance.					

London is an important financial centre and the SFO must be vigilant to prevent it becoming the home for criminal proceeds. Where overseas investigations reveal laundering activities by professionals or institutions operating from London the SFO may:

- Commence a parallel domestic investigation;
- Restrain criminal proceeds until a confiscation order is made in the overseas prosecution; or
- Do both, commence a parallel domestic investigation and restrain criminal proceeds.

In the first ten months of 2007-08 the SFO provided assistance to the following countries:



The following countries sent through one request each: Argentina, Bahrain, Belgium, Bulgaria, Czech Republic, Monaco, South Africa, Sweden, Thailand and the Ukraine. Additionally, continual assistance relating to outstanding requests was provided to authorities in Pakistan, Canada, Israel, Mexico, Russia, Malaysia, Luxembourg and Australia.

By comparison the SFO has sought assistance in its domestic operations from countries including Australia, Austria, Belgium, Bermuda, British Virgin Islands, China, Cyprus, Czech Republic, Denmark, Eire, France, Guernsey, Hong Kong, Indonesia, Jersey, Jordan, Liechtenstein, Monaco, South Africa, Spain, Switzerland, Tanzania, The Netherlands, The Philippines, and USA.

Apart from operational assistance, the MLA Unit has also provided a number of formal presentations to representatives from countries including the Czech Republic, Sweden, Denmark, Ukraine, South Korea, and Indonesia. Investigative training was provided to a number of delegates from Tanzania.

The UN Corruption Convention has placed corruption higher on the agenda of a number of countries with requests coming from a broader range of countries. More requests involving multi state investigation have been coordinated through Eurojust where the facilities and translation services have been advantageous. There have been an increased number of overseas prosecutors from several jurisdictions within and outside Europe visiting the MLA Unit, to discuss operational priorities and request procedural advice relevant to their investigation. Domestic teams investigating overseas corruption matters have contributed their expertise in training overseas investigators visiting the SFO.

During the reporting year, the MLA Unit continued to work closely with other law enforcement agencies in the UK including HMRC, the CPS and the Financial Services Authority. Both SOCA and the Metropolitan Police continue to offer support when requested. Liaison with lawyers and senior police officers from these agencies is encouraged and annual MLA meetings at the Home Office foster greater collaboration on an inter agency level. Such cooperation reflects the increasing desire among law enforcement agencies to respond to overseas requests in a professional and organised manner which will enhance the reputation of the UK in the area of international mutual legal assistance.

## Management and Operations

The SFO has a multi-disciplinary approach to the investigation and prosecution of serious and complex fraud. Each case is allocated to a team that includes lawyers, investigators, information technology and other specialists, law clerks and police officers. The SFO makes extensive use of private sector expertise as necessary, for example employing private sector accountants to assist in investigations and using advocates to prosecute.

Each operating division is made up of lawyers, accountants and other specialist financial investigators and support staff. Inter-disciplinary teams, are formed from within the operating divisions, each headed by a case controller (lawyer) who manage the investigation and prosecution. Management information systems provide the Director and senior management with information on case budgets, expenditure and timetables. The Director holds monthly meetings with each division to discuss the cases and their progress.

The SFO operates a delegated budgeting system to encourage value for money, and budgeting rounds are held two or three times a year. Case budgets are delegated to case controllers and are reviewed as necessary in the light of changes in case plans. The SFO also undertakes monthly reviews of expenditure throughout the financial year to ensure that expenditure stays within provision. Working procedures and management information needs are part of the strategic reviews that are continuing.

Systems for risk management are in place and regular reviews take place at the relevant levels within the organisation. The Strategic and Operational Boards regularly monitor the identified key risks to the organisation. They are aided in this by the work of the Audit Committee which promotes and provides support on key overall corporate governance issues to the Director. Development of financial and information systems continues and these will improve the management and delivery of the SFO aim and objectives. Improvements are planned to provide for the capture and dissemination of more timely and accurate information to managers within the SFO to support decision making, the achievement of objectives and accountability. In the past year the SFO successfully piloted a new task management system that is currently being rolled out to all new cases.

The SFO seeks to achieve a cost effective balance between permanent and temporary staff and keeps its staffing plans under review so that staff numbers can be accommodated within administration costs provision. At 31 March 2008, the SFO had 13 members of the Senior Civil Service, falling within the salary bands indicated in the table below.

<b>Senior Civil Service Salaries</b>	
<b>£5,000 Bands</b>	<b>Number of staff</b>
£65,000 – 69,999	1
£70,000 – 74,999	2
£75,000 – 79,999	4
£80,000 – 84,999	3
£85,000 – 89,999	0
£90,000 – 94,999	0
£95,000 – 99,999	1
£100,000 – 104,999	0
£105,000 – 109,999	1
£110,000 – 114,999	0
£115,000 – 109,999	0
£120,000 – 124,999	0
£125,000 – 129,999	0
£130,000 – 134,999	0
£135,000 – 139,999	0
£140,000 – 144,999	0
£145,000 – 149,999	0
£150,000 – 154,999	0
£155,000 – 159,999	0
£160,000 – 164,999	0
£165,000 – 169,999	1



## Use of Information Technology

The Digital Forensic Unit (DFU) of the SFO is responsible for the acquisition, processing and some aspects of the investigation of relevant data from seized electronic devices. All SFO cases involve the analysis of digital material and the DFU contributes expertise and equipment to aid case investigators with this task. Keeping pace with change and especially the increasing volumes of digital material is a constant challenge and the Unit is in the process of creating a specialist team to deal with mobile devices, such as telephones and hand held computers. The DFU is heavily involved in the research and development of new techniques. The introduction of a mobile forensic laboratory to enable digital material to be accessed at the scene of a search has contributed to the effectiveness of the DFU team and the vehicle is frequently lent to police forces to support their own operations. The Unit continues to carry out work for the CoLP and two officers are permanently attached to and supported by the Unit. The Unit is heavily involved in supporting the disclosure of digital material under the Criminal Procedures and Investigations Act 1996 (CPIA) which is increasingly resource intensive.

The DOCMAN system supports the Office's casework from the initial acquisition of documents through to the presentation of the case in court. It involves scanning all the case documents in to a computer system so that caseworkers work on computerised images rather than paper documents and will provide enhanced capability to produce documentation sets needed for prosecution purposes. It provides provenance and continuity of evidence. DOCMAN and its predecessor system, the Document Control System, will both be replaced in 2009-10 by a new strategic solution which will extend IT support considerably further into case management and casework processes.

The SFO is a pioneer in presenting cases in court using IT. The majority of cases now use electronic presentation systems which shorten the length, and therefore the cost of trials.

The dependence of the SFO on information systems to carry out its daily operations continues to increase, particularly in relation to handling documentation, investigation and collaborative working. During the year work continued on:

- The support of the SFO infrastructure;
- Continuous review of the IT strategy to ensure best value and placement to be able to respond to continuing IT changes;
- Continuous review of security in accordance with government policy and the continued accreditation to ISO 17799;
- Further revision and testing of Business Continuity Plans to reflect changes and improved response capability;
- Adoption of the HERMES HR management system;
- Plans for electronic records management (ERM) and archiving to comply with central requirements and support access under the Data Protection Act and Freedom of Information (FOI) requests;
- Implementing a new office-wide intranet; and
- Development of a Task Management System.

## Departmental Investment Strategy

The capital provision published in the SR 2004 settlement details the total available to the department for administrative capital. All current and capital expenditure supports core operational functionality and is planned, as far as possible, to take account of changing circumstances which may affect these operations, in advance of their occurrence. The SFO continues to seek value for money on all procurement and contracts. Given the small size of the SFO, this is most effectively carried out through maximising use of framework contracts set up by the Office of Government Commerce and continuing partnerships with other public sector organisations that have dedicated resources working in these areas. The SFO is also looking at ways of leveraging better value through sharing of common services with other Law Officers' Departments.

Historically, the SFO has not been asset rich. Headquarters office space is occupied on a full repairing lease and a programme of refurbishment to support and improve the fabric of the property is in progress. With the increase in SFO permanent staff, Elm House has become incapable of supporting the SFO's total space needs. The SFO has leased additional office space close to Elm House. The additional capital provision available from 2004-05 was a step change and provided the opportunity for the SFO to reconsider its investment plans and seek to provide the tools to further promote effectiveness and efficiency including the DOCMAN Programme. As a component of this the capital employed by the SFO and plans for the future have an increasing impact on its ability to deliver the aims and objectives of SFO (see table below).

SFO Capital Employed							
	2002-03 Outturn	2003-04 Outturn	2004-05 Outturn	2005-06 Outturn	2006-07 Outturn	2007-08 Forecast Outturn	2008-09 Plan
<b>Assets on balance sheet at end of year:</b>							
Fixed assets:							
Tangible of which:							
Other Equipment	54	67	129	476	1,262	2,623	3,500
Leasehold improvements					1,086	2,300	2,100
Computer equipment	334	1,160	1,987	3,243	2,924	3,200	3,500
<i>Intangible</i>		168	168	215	393	475	450
	<b>388</b>	<b>1,395</b>	<b>2,284</b>	<b>3,934</b>	<b>5,665</b>	<b>8,598</b>	<b>9,550</b>
Current assets	4,621	2,627	2,913	1,660	2,758	2,634	2,700
Creditors (<1 year)	(6,292)	(4,049)	(5,871)	(6,125)	(5,102)	(4,900)	(4,800)
Provisions	(379)	(289)	(209)	(347)	(1,155)	(1,155)	(850)
<b>Capital employed</b>	<b>(1,662)</b>	<b>(316)</b>	<b>(883)</b>	<b>(878)</b>	<b>2,166</b>	<b>5,177</b>	<b>6,600</b>

## Resource Budget

Expenditure on administration includes current costs and the costs of capital spending. Administration expenditure includes general costs associated with the running of SFO and covers such items as staff costs, other general administrative expenditure, IT services and accommodation costs. Investigation and prosecution programme expenditure covers Counsel fees, witness expenses and other direct case investigation and prosecution costs. No specific provision to cover very large cases has been made in plans. Both the incidence and size of such cases are unpredictable and the subject of individual negotiation with the Treasury. Details of the administration and programme budgets outturn and future plans are given in the table below.

Resource Budget for the Serious Fraud Office							£000s
	2002-03 Outturn	2003-04 Outturn	2004-05 Outturn	2005-06 Outturn	2006-07 Outturn	2007-08 Forecast Outturn	2008-09 Plans
Serious Fraud Office	26,214	27,791	32,864	39,869	40,678	42,860	35,449

## Counsel Fees and Costs Awarded Against the SFO

Spending on counsel fees, a major component of programme expenditure and costs awarded against the SFO is given in the table below:

Counsel Fees and Costs Awarded Against the SFO							£000s
	2002-03 Outturn	2003-04 Outturn	2004-05 Outturn	2005-06 Outturn	2006-07 Outturn	2007-08 Forecast Outturn	2008-09 Plans
Counsel fees	4,000	4,306	3,748	4,284	4,224	5,682	4,500
Costs awarded	0	18	98	822	0	0	0

## Staffing

At 31 March 2008, the SFO had 307 permanent staff compared with 317 at 31 March 2007. These figures exclude fixed-term contract employees, consultants, counsel engaged on individual cases and police officers working within the Office.

Staff Numbers							
	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09
	Actual	Actual	Actual	Actual	Actual	Actual	Plans
Civil service full time equivalents	232	238	247	290	317	307	300
Overtime	2	2	2	2	2	2	2
Casuals	18	14	12	10	3	2	2
<b>Total</b>	<b>252</b>	<b>254</b>	<b>261</b>	<b>312</b>	<b>322</b>	<b>311</b>	<b>304</b>

Recruitment has been ongoing throughout the year, particularly in relation to investigative and legal staff. There has been one occasion where permitted exceptions to fair and open competition have been used. The resource needs of SFO cases are such that it proves necessary, from time to time, to appoint staff on short term contracts, particularly to provide support to off-site case teams.

The SFO is committed to treating all applicants fairly and reasonably irrespective of their ethnic or national origin, sex, marital status, sexual orientation, religion or disability. Processes are kept under regular review to ensure that any indicators of bias are highlighted and tackled. The SFO is similarly committed to treat all its employees fairly. The table below analyses staff by grade and shows the number of women, ethnic minority and disabled staff in post at 31 March 2008. During the year the SFO has reissued its policy documents on Equality and Diversity, and Dignity at Work.

Permanent Women, Ethnic Minority and Disabled Staff				
Band	No. of posts	Women	Ethnic Minority	Disabled People
SCS	13	4	0	0
Grade 7 – Grade 6	88	33	9	2
HEO – SEO	83	25	10	3
EO	79	41	25	5
AO	44	21	12	4
<b>Total</b>	<b>307</b>	<b>124</b>	<b>56</b>	<b>14</b>

## Human Resource Management

This year the SFO has continued work to improve the way staff are managed, assessed and rewarded. It has:

- Reviewed the performance bonus system in order to create a more robust and open process, resulting in three levels of bonus awarded;
- In partnership with the other Law Officers' Departments (CPS, Treasury Solicitor and Revenue and Customs Prosecutions Office), the SFO has introduced a new HR Information System, designed to increase efficiency in maintaining personal data and provide a comprehensive range of management information; and
- Continued a major review of recruitment and training strategies to ensure that skills and the availability of those skills better match business needs. Recruitment and selection processes have also been improved through the introduction of tailored assessment centres for investigative candidates.

Training and development remains a major priority. The SFO encourages development amongst its staff, including those who demonstrate the commitment and ability to obtain external qualifications. The Office has successfully retained its accreditation as an Investor in People. The SFO also has Approved Employer status for the Association of Chartered and Certified Accountants.

## Sickness Absences

Sick absence for 2007 resulted in an average of eight days per employee.

## 2007-08 Outturn

The provisional outturn for 2007-08 is £44.86 million.

## Public Spending Plans and Regional Expenditure

Public spending plans are shown in the table below. All SFO expenditure, by its nature, cannot be analysed by the country or region of the UK for whose benefit it has been expended except to say that expenditure is incurred mainly in London and the South East where SFO headquarters is based.

Total public spending for the SFO							£000s	
	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	
	Outturn	Outturn	Outturn	Outturn	Outturn	Forecast Outturn	Plans	
<b>Consumption of resources:</b>								
Reducing fraud and the risk of fraud, and delivering justice and the rule of law	26,214	27,791	32,864	39,869	40,678	42,860	35,449	
<b>Total resource budget</b>	<b>26,214</b>	<b>27,791</b>	<b>32,864</b>	<b>39,869</b>	<b>40,678</b>	<b>42,860</b>	<b>35,449</b>	
<i>of which:</i>								
Resource DEL	26,214	27,791	32,864	39,869	40,678	42,860	35,449	
<b>Capital spending:</b>								
Reducing fraud and the risk of fraud, and delivering justice and the rule of law	228	1,052	2,060	2,259	3,933	4,800	3,500	
<b>Total capital budget</b>	<b>228</b>	<b>1,052</b>	<b>2,060</b>	<b>2,259</b>	<b>3,933</b>	<b>4,800</b>	<b>3,500</b>	
<i>of which:</i>								
Capital DEL	228	1,052	2,060	2,259	3,933	4,800	3,500	
<b>Total public spending<sup>1</sup></b>	<b>26,259</b>	<b>28,234</b>	<b>33,772</b>	<b>41,023</b>	<b>43,369</b>	<b>47,660</b>	<b>38,949</b>	

<sup>1</sup>Total public spending calculated as the total of the resource budget plus the capital budget, less depreciation.

## Further Information

Further information on the work of the SFO may be obtained from:

**Serious Fraud Office**  
**Elm House**  
**10-16 Elm Street**  
**London WC1X 0BJ**

**Telephone number: 020 7239 7272**  
**Fax number: 020 7837 1689**



# 5

## Treasury Solicitor's Department

TSol (Treasury Solicitor's Department Agency)

Attorney General's Office

HM Crown Prosecution Service Inspectorate

Treasury Solicitor's Department Common Core Tables



## TREASURY SOLICITOR'S DEPARTMENT

### Introduction

The HM Procurator General and Treasury Solicitor's Department Estimate covers:

- TSol, which includes the Treasury Solicitor's Department Agency and the Government Legal Service Secretariat (GLS Secretariat);
- The Attorney General's Office (AGO), previously the Legal Secretariat to the Law Officers; and
- HM Crown Prosecution Service Inspectorate (HMCPIS).

TSol provides legal services to departments of central government and to other publicly funded bodies, and collects bona vacantia on behalf of the Crown. TSol's two main work streams are Litigation and Advisory legal services.

The GLS Secretariat supports the Treasury Solicitor in his role as Head of the Government Legal Service. It develops policies that enhance the reputation, effectiveness and corporate cohesiveness of the GLS.

The AGO provides legal and policy advice and support to the Attorney General and the Solicitor General (the Law Officers).

Receipts from client departments meet over 90 per cent of the costs of the work undertaken by TSol (either through hourly fees or a per capita charge rate). This part of the Estimate operates on net administration costs control. The public interest work undertaken by TSol and the other areas of the Estimate are met by funds voted by Parliament.

TSol was established as an Executive Agency in April 1996 and moved to net administration costs control in April 1999. The Agency is led by HM Procurator General and Treasury Solicitor (currently Paul Jenkins), in the role of Agency Chief Executive. Ministerial oversight of all the areas covered by the Estimate rests with the Attorney General.

### TSol Organisation and Management Structure

The Treasury Solicitor, as Chief Executive and Accounting Officer of TSol, is supported in delivering his responsibilities by the Board.

The TSol Board is a small group of directors and Non-Executive Directors (NEDs) representing different business areas – litigation, advisory work, and corporate services. It is the main decision making body and supports the Chief Executive in delivering the TSol's strategic objectives.

The Board and Directors' Forum includes all TSol directors and provides input on strategic issues to the Board through regular dialogue.



## TSol Aim and Objective

**TSol's purpose** is to be the leading provider of legal services to the government to:

- Enable the government to operate effectively within the rule of law; and
- Provide, procure and manage professional, high quality and best value legal services.

TSol serves over 180 government departments and public bodies and is one of the largest legal organisations in the UK with over 400 solicitors and barristers.

The purpose is delivered through making TSol the:

- Best for its people;
- Best for its clients; and
- Best in the business.

TSol has published a Corporate Plan 2008-11 which summarises its vision, business strategy and key success measures.

## Efficiency Programme

The targets for the efficiency savings and the workforce reductions to be achieved by March 2008 which were set in the 2004 Spending Review are:

Non-cashable savings	Cashable savings	Headcount reduction
£1.2m	£1.8m	36

The target savings of £0.3 million (£0.1 million non-cashable and £0.2 million cashable) in 2005-06 and £0.8 million (£0.4 million non-cashable and £0.4 million cashable) in 2006-07 were achieved. TSol has delivered an additional £0.9 million cashable savings in 2007-08 to remain on target. The target for workforce reductions as a result of these savings was 36 posts by the end of 2007-08. In 2007-08 the Chief Secretary to the Treasury agreed an additional 10 posts to add to the baseline against which savings are measured. At the end of December 2007, 25 of the 36 posts have been delivered, with the balance due by 31 March 2008.

TSol is focussed on achieving the twin goals of genuine efficiency and providing better quality services at lower cost to the client. TSol established an Efficiency Programme Board (replaced by the Change Board and subsequently the Performance and Investment Committee) to deliver, in 2007-08 and beyond, a programme of improved business processes, information systems and infrastructure and thereby reduced costs. Key initiatives include:

- Examination of IT service delivery options. ITIL®<sup>13</sup> best practice is being introduced to refocus in-house services, streamlining IS support and delivery of services. Technology is being rationalised and new systems introduced in order to support better services to clients. This will pave the way for considering how TSol resource IT services;

<sup>13</sup> IT Infrastructure Library® is a Registered Trade Mark of the Office of Government Commerce.

- Development and implementation of a shared service HR database and payroll solution in cooperation with the Crown Prosecution Service (CPS), Revenue and Customs Prosecutions Office (RCPO) and Serious Fraud Office (SFO);
- Investigation of the potential for shared procurement services; shared service developed with HM Revenue and Customs (HMRC);
- An audit of space at TSol headquarters to enable benefit maximisation of office and conference facilities; and
- A programme of change in Litigation & Employment Group.

## Value for Money

As the provider of legal services to over 180 government departments and public bodies, a key TSol aim is to provide value for money to its clients.

In 2006-07, the rate of increase in charge-out rates was reduced from 3% to 1.7% and a further reduction in the rate of increase to 1.5% was achieved for 2007-08. In 2008-09 TSol will hold charge-out rates at 2007-08 levels.

TSol has a specific target to limit overhead costs which was met in 2007-08.

## Targets

TSol business targets for 2007-08 were as set out in the Corporate Plan (2005-08):

### **for Client Service:**

- To meet client satisfaction ratings measured by % of clients rating TSol services as 'Good' or 'Excellent'
- At least 95% for Advisory and Litigation Divisions.

### **for Cost:**

- To recover from clients the full operating costs for chargeable services; and
- To maintain corporate service staff costs at no more than 14% of total staff costs (note that the basis for calculation of this measure was redefined for 2007-08 to make it more stretching).

### **for Government Productivity and Efficiency Targets:**

- To pay all undisputed supplier invoices in accordance with terms or within 30 days.

## Performance Against Targets 2007-08

TSol's performance against target is outlined below. Targets have been met or exceeded with the exception of invoice payment. TSol are committed to improving performance on this measure and a project will identify the process problems which have given rise to the downturn in performance in 2007-08 compared to previous years.

Performance Measures	Latest Outturn (to end Dec 07)	
<b>Client Satisfaction</b>		
Client satisfaction ratings as measured by % of clients rating TSol 'Good' or 'Excellent'	Target:	95%
	Achieved: Advisory	96%
	Litigation:	96%
<b>Cost</b>		
Maintain corporate staff overhead costs at no more than 14% of total staff costs	Target:	14%
	Latest Outturn:	12%
Recover full operating costs of chargeable services		Met
<b>Government Productivity &amp; Efficiency Targets</b>		
Pay all undisputed supplier invoices in accordance with terms or within 30 days	Latest Outturn:	83%

## TSol's work

TSol is structured to meet the needs of its clients. The work of each division is summarised below.

### Litigation and Employment Group

Provide civil litigation services to the majority of government departments and many other publicly funded bodies. It is one of the largest civil litigation practices in the country. Activity is recorded against some 21,000 cases annually. The Group has been restructured along client lines to improve the client focus of services, particularly for TSol's three major clients. The Group recovers the majority of its costs by billing client departments for its time, through a mix of hourly fee charging and capitation.

### Advisory Divisions

Provide legal services (advisory and legislative) to officials and Ministers in HM Treasury (HMT), the Department for Culture, Media and Sport (DCMS) and, jointly, the Department for Children, Schools and Families (DCSF) and the Department for Innovation, Universities and Skills (DIUS). Lawyers in these divisions work in close partnership with departmental colleagues and are co-located with them.

### Cabinet Office and Central Advisory Division (COCAD)

Has dedicated teams providing legal advice and support to the Cabinet Office and No 10, the Office of Government Commerce (OGC), OGC Buying Solutions, the Government Equality Office and Office for Standards in Education, Children's Services and Skills (OFSTED). In addition,

COCAD provides legal support to a range of other departments and public bodies. The relevant teams within COCAD have coordinating roles on Civil Service employment issues, public procurement, and discrimination law.

The full cost of advisory work is recovered from clients, through a mixture of per capita and hourly fee charging.

### European Division

Provides and coordinates legal services in support of the government's policies in relation to the European Union. It advises the European Secretariat to the Cabinet Office, conducts all litigation on behalf of the UK in the European Court of Justice, and coordinates approaches to questions of Community law across government departments. The cost of the Division's work is primarily met by the Vote, but since 2006-07 a levy on client departments has been introduced to meet part of the costs of the European Litigation team.

### Bona Vacantia Division

Acting on behalf of the Crown, the Division identifies, collects and disposes of ownerless assets left by dissolved companies and people who die without a Will or blood relatives entitled to inherit their estates. This involves handling some 13,000 new cases each year. The costs of the Division are met from income generated. In 2007-08, the Division began delivering the recommendations from the major review of its work commissioned by HMT in 2006-07. These included work to reduce costs, increase income and to create a new website, while absorbing a 20% increase in new cases, primarily the cash assets of dissolved companies.

### GLS Secretariat (the Secretariat)

The Secretariat is a separate unit within TSol, which provides effective advice and support to the GLS and to the Treasury Solicitor as Head of the GLS. This supports his role in providing leadership and strategic direction to the Service, properly balancing the needs of clients and lawyers and ensuring consistency with the overall direction of the Civil Service.

### Corporate Services

Has responsibility for planning and implementing strategic, business and policy development throughout TSol. It also provides Finance, HR, IT and Facilities Management Services to TSol. The cost is apportioned over the operational areas of TSol and recovered, as appropriate, through charges to clients and from the Estimate.

## Supporting the Attorney General's Vision

TSol supports the Attorney General's Vision through providing excellent career opportunities with skilled and committed staff, strengthening the capability to deliver and by building strong relationships across government.

### Excellent Career Opportunities with Skilled and Committed Staff

As at 1 April 2007 there were 748 staff in post in TSol and AGO of which 40% were male and 60% were female.

42 staff were recorded as non-respondents or non-participants in the disability and ethnic origin surveys. Of those who participated in those surveys, 6.5% declared a disability and 24.1% were from ethnic minorities.

There were 31 promotions in the period 1 April 2007 to 31 December 2007. Of those promoted 35% were male and 65% female. Of those promoted who declared their ethnic origin 71% were white and 29% were from ethnic minorities. 9.7% had declared a disability.

These figures do not include HMCPSI, who run their own equal opportunities policy and race equality scheme under the Race Relations Amendment Act 2000.

### Paybill and Senior Civil Service (SCS)

More than 71% of the total gross administration costs for the department are pay related. The paybill figure includes salaries paid to members of the SCS. From 1 April 2007 the SCS salaries are as follows:

Salary Band £k	No. of Staff
55,000 – 59,999	3
60,000 – 64,999	9
65,000 – 69,999	8
70,000 – 74,999	13
75,000 – 79,999	12
80,000 – 84,999	9
85,000 – 89,999	4
90,000 – 94,999	4
95,000 – 99,999	3
100,000 – 104,999	3
105,000 – 109,999	0
110,000 – 114,999	1
115,000 – 119,999	1
120,000 – 124,999	2
125,000 – 129,999	0
130,000 – 134,999	0
135,000 – 139,999	0
140,000 – 144,999	0
<b>TOTAL</b>	<b>72</b>

## Recruitment Information

Grade	Number	Male	Female	Ethnic Minority	Disabled
Grade 6	1	0	1	0	0
Grade 7	44	11	33	4	0
Legal Officer	28	4	24	6	0
Legal Trainee	7	5	2	0	0
Administrative Grades (SEO, HEO, EO, AO, PS and SG)	32	15	17	15	2
<b>TOTAL</b>	<b>112</b>	<b>35</b>	<b>77</b>	<b>25</b>	<b>2 (1.9%)</b>

To the end of December 2007, exceptions to the Office of the Civil Service Commissioners (OCSC) Recruitment Code were used on only two occasions, in both cases on reinstatement.

TSol is fully supportive of the Attorney General's Vision of becoming an employer of choice, and in 2007 updated the Workforce and Reward Strategy to support this. During 2007 the TSol Board worked on its 'Towards 2012' Strategy. This resulted in a People Strategy and Values statement. In addition, TSol are producing an Employee Deal which will articulate the aim of what 'best for people' means, what people can expect from TSol, and what in return TSol expects from them. People are TSol's greatest asset. Any outcomes that are delivered for clients or for the business are based on the strengths of TSol employees. TSol is committed to providing the best deal for its people.

TSol aim to offer an attractive and fulfilling experience for employees at all stages of their careers, putting TSol at the heart of the GLS, and a place where people want to remain or return to for the development of their careers. TSol is proud to be recognised as meeting the liP (Investors in People) standard and to hold the two-tick Disability Symbol. TSol achieved liP re-accreditation in 2006, and expect to do so again in 2008-09, at the same time as achieving Lexcel re-accreditation.

TSol is committed to ensuring all its people have the opportunity to acquire the competencies necessary to perform effectively in their current role and to meet the challenges of changing business needs as well as the chance to develop and grow. Managers have a key role to play and TSol support in this area includes learning and development, guidance and advice, facilitated by HR Account Managers – senior members of HR who offer advice to senior managers on day-to-day management issues. TSol is also continuing to implement the Civil Service *10 Point Diversity Plan* championed by the Head of the Civil Service.

Human Resource activities are supported through the HR Advisory Group – a group of key stakeholders from across the office. This work in 2007 has included:



- **Professional Skills for Government**

Professional Skills for Government (PSG) core skills have been incorporated into key HR policies. Phase 2 of PSG is due to be launched in 2008 and will introduce a new system for measuring progress, develop National Occupational Standards to support the acquisition of skills and will encourage a common approach to PSG for people in grades up to and including Senior Executive Officer (SEO).

- **Improving Leadership in TSol**

The 'Towards 2012' and 'People' strategies support the building of leadership skills. Starting at the top, the TSol Board has been undertaking development this year on providing strategic direction to the organisation. The People Development Team has identified the range of new and existing interventions to address the leadership development of SCS and Grade 6 staff in TSol. Working with consultants TSol is producing a development programme for senior managers at Board, Director and Team Leader level which will start in Spring 2008.

- **Staff Survey**

TSol's third staff opinion survey – 'What do you think?' – was conducted in November and December 2007. Response rates were significantly better than in previous years and TSol compares well against the central government benchmark. The Board and Directors Forum has identified specific actions to be taken forward at a corporate level to ensure action is taken as a result of the Staff Survey. This includes reviewing career development for all staff and providing clear leadership. Divisional Heads will deliver local plans based on the results for their particular area. All are encouraged to contribute to the development of action plans to build on the key strengths and areas for improvement identified in the reports.

- **Equal Pay Review**

During the course of 2007 TSol employed the Institute for Employment Studies to carry out an independent Equal Pay review of the pay policies, systems and salaries in place in the organisation. The results of the work have recently been collated, and an action plan produced to address a small number of issues, mainly around the transparency of some of the actual pay policies. No issues regarding bias or discrimination were identified during the review.

On the salaries themselves, there was a gender pay gap (in favour of men) across the whole department of 8%; this compares to a national average of 18%. When salaries from the SCS are removed (where higher individual salaries have a disproportionate effect on averages) the gender pay gap is actually 0.6%. No significant issues were raised.

- **Trade Unions/Partnership**

Overall TSol enjoys a good working relationship with the trade unions in TSol. Regular monthly meetings are held, and with a mix of attendees from both operational business areas and support functions. The trade unions made a presentation to the Board and Directors group in December where the operation of partnership was reviewed, and this will become an annual event in future. As a result future partnership meetings will be chaired by the Deputy Treasury Solicitor, with attendance by key Directors to ensure a strong business focus.

- **Recruitment and Appointment**

*Recruitment of senior posts*

As part of the strategy 'Towards 2012', TSol has reviewed the structure of its senior management team. The position of Deputy Treasury Solicitor has been reinstated with David Pearson filling this role. David's replacement as Head of Litigation is Hugh Giles. In addition, the positions of Business Partnership Director and Finance, Planning and Performance Director have been created (at SCS Pay Band 2 level) and have now been appointed. The post of Director of Corporate Services ceases to exist and the Head of Change now reports to the Deputy Treasury Solicitor; the Head of the Office of the Treasury Solicitor (formerly Business Strategy Unit) and HR Director report to the Treasury Solicitor.

*Legal recruitment*

The continuous recruitment campaign for government lawyers has enabled TSol to recruit a large number of high quality lawyers to meet its business needs but the organisation is still not able to meet the demand for recruits. TSol continues to use temporary staff in both legal and administrative areas both to manage gaps during recruitment and to manage volatility in the demand for its services. The ratio of permanent to temporary staff and the degree of flexibility required to maintain services is reviewed on an ongoing basis to ensure it best meets the development of TSol's longer term business strategy.

*Administrative recruitment*

TSol's administrative staff provide an important support service. During the year there was a major external recruitment exercise for administrative officers and several external recruitment exercises for specific specialist posts where TSol does not have a wide internal pool. TSol recognises opportunities for administrative career progression within TSol are limited compared to what it can offer lawyers. The department continues to encourage its administrative staff to develop transferable skills and encourage movement between teams to gain broader experience.

Staff numbers have continued to increase as demand for TSol services grows. Despite the pressure that this has created, efficiency gains have ensured that there has been no increase in the Corporate Services headcount.

- **HR Database**

HR, in conjunction with three other Law Officers' Departments (CPS, RCPO and SFO), introduced an HR database in June 2007. Further work is underway to build on further HR modules, including payroll, absence, training, self-service and development. The database has already provided HR information that was not previously available. As further modules are introduced the final fully-integrated HR system will allow for better resource and succession planning, and the production of more accurate, and up to date management information. The investment appraisal for Phase Two of the project has recently been agreed and shows a positive net benefit over the first five years.

## Modernising TSol

The focus for modernising TSol has been:

- Strengthening the capability to deliver through:
  - Improving governance and strategic focus; and
  - Improving Information Systems
- Building strong partnerships with clients

Underpinning this is a commitment to maintaining the quality of advice and service at a time of rapid workload expansion.

## Strengthening the Capability to Deliver

### Governance

TSol reviewed its governance in 2007. It has rationalised the existing network of committees, clarified roles and established a clear decision making structure with more professional and streamlined decision making and an ethos of delegating decisions to line management wherever practical.

Paul Jenkins, Treasury Solicitor, is the Chief Executive and Chief Accounting Officer for TSol. He chairs a Board comprising key Directors which has assumed a far more strategic focus. The Board is responsible for overall TSol performance, monitoring and addressing issues concerning strategic objectives, key client issues, strategic risks and financial health. It defines the governance structure and approves corporate and business plans, key business strategies and annual accounts.

Two key committees support the TSol Board – The Business Partnership Committee and The Performance and Investment Committee (see page 85 for further details)

### Business Strategy

The 'Towards 2012' programme sets out how TSol will respond to the on going increase in demand for its services whilst the pressures to reduce headcount and expenditure also increase.

The priorities are to:

- Sharpen customer focus by working in strategic partnership with them to plan together the most effective way to meet the increasing demand;
- Introduce more flexible service provision by developing partnerships with the private sector and focussing TSol on those areas where the most value is added;
- Enhance the value of TSol services by, for example, increasing Management Information and training to meet identified client needs; and

- Improve business and workforce planning and the cost-effectiveness of support services. For example the cost of Corporate functions, as a proportion of total cost, is being reduced by sharing the provision of services with other departments or agencies where this benefits the government.

## Information Services (IS)

TSol has, in support of the current IS strategy, delivered the following during 2007:

- Embarked upon a two year programme of change aligning the IT teams and processes to the OGC ITIL framework for best practice with new processes for incident management, problem management, change management and service desk implemented;
- Reflecting the Cabinet Office best practice of procuring industry standard off the shelf software, the following improvements have been made:
  - PC Desktop environment upgraded from Microsoft Windows 2000 to Windows 2003 with Microsoft Office 2003 deployed;
  - Email system upgraded from Novell GroupWise to Microsoft Exchange 2007; and
  - Upgrade and standardisation of the Arcserve Backup to Comvault Backup solution.
- In support of the Government Directive on Shared Services, phase one of a shared HR database system in joint cooperation with the CPS and others has been implemented in 2007. Further increased use of this shared resource is planned in 2008; and
- Security Accreditation to ISO27001 gained for IT systems with subsequent audits passed.

## Quality Standards

TSol achieved Lexcel accreditation from The Law Society in December 2006 and at its first annual check by the Lexcel assessor in November 2007 the report indicated further improvement had been maintained with increased examples of good practice in evidence. TSol will be re-assessed in November 2008 and it is a key objective to retain accreditation.

## Regulatory Reform Action Plan

TSol is not a regulatory department and has no actions to be completed in the Action Plan.

## Building Strong Partnerships

### Client Care

High quality, added-value client care is a priority for TSol and achieving the objective of 'best for its clients' is vital to maintaining its high reputation. The Client Care Programme Board was changed into a Business Partnership Committee which continues to focus on client issues, and manage the strategic risk of potential damage to TSol's reputation. A new post of Business Partnership Director has been created. The development of a Business Partnership Strategy will be a high priority in 2008-09.

In 2007-08 TSol has:

- Issued annual reports to three major clients – Borders and Immigration Agency, Ministry of Defence and Prison Service;
- Provided newsletters for a number of clients covering a range of issues from employment cases to public inquiries;
- Continued to develop the client care intranet site, which gives client care managers and all TSol staff access to information such as TSol's client care principles and standards on managing clients, Lexcel compliant processes for handling complaints and information on client feedback and how to obtain it; and
- Provided training to clients to identify further opportunities to add value.

### Client Feedback

TSol's primary method of receiving feedback is, currently, the client satisfaction survey. Informal feedback is also received at all levels from Case Officers to The Treasury Solicitor.

TSol consistently achieves high ratings in its client satisfaction surveys. The target is 95% rated as excellent or good. In 2007-08, 96% of Litigation clients rated TSol as 'good' or 'excellent' – a small increase on the previous year. 96% of Advisory clients rated TSol's services as 'good' or 'excellent'.

### 2008-09 Resource Estimate

The overall Net Resource Requirement for 2008-09 is £13.97million. This includes provision for the net administration costs of the Treasury Solicitor's Department Agency, and the costs of the AGO and HMCPSI. The public interest work undertaken by TSol, the costs of European Division which are not met from the Levy, and the costs of the GLS Secretariat are met from the Vote.

TSol also receives Voted funds to meet costs arising from its conduct of clients' legal work. These disbursements include payments to Counsel, expert witnesses and solicitor agents. The majority of these costs are recovered from client departments and the proceeds are Appropriated in Aid. Where such costs are incurred on cases undertaken in the general public interest, and are not therefore attributable to specific clients, they are charged to the Estimate.

Staff numbers show an increase as demand for TSol services grows. By introducing efficiencies, TSol has ensured that numbers have not increased at the same rate as demand. The levels of staff and the expenditure against each sub-head in the Estimate are summarised below. These numbers include all those working in the department and other bodies included in the Departmental Resource Account:

Core Staff Numbers										£'000
	2002-03 Outturn	2003-04 Outturn	2004-05 Outturn	2005-06 Outturn	2006-07 Outturn	2007-08 Projected	2008-09 Projected	2009-10 Projected	2010-11 Projected	
<b>TSDA</b>										
<b>Core staff numbers</b>	<b>664</b>	<b>729</b>	<b>765</b>	<b>770</b>	<b>817</b>	<b>843</b>	<b>862</b>	<b>862</b>	<b>862</b>	
Permanent staff	528	605	652	641	659	673	756	756	756	
Others	136	124	113	129	158	170	106	106	106	
<b>Gross administration costs*</b>	<b>68,956</b>	<b>76,627</b>	<b>72,874</b>	<b>75,671</b>	<b>80,202</b>	<b>66,456</b>	<b>97,963</b>	<b>97,833</b>	<b>97,706</b>	
<b>AGO</b>										
<b>Core staff numbers</b>	<b>39</b>	<b>42</b>	<b>47</b>	<b>51</b>	<b>53</b>	<b>60</b>	<b>64</b>	<b>64</b>	<b>64</b>	
Permanent staff**	35	37	43	46	46	49	52	52	52	
Others	4	5	4	5	7	11	12	12	12	
<b>Gross administration costs</b>	<b>3,116</b>	<b>3,387</b>	<b>3,976***</b>	<b>4,080</b>	<b>4,773</b>	<b>6,921</b>	<b>4,765</b>	<b>4,649</b>	<b>4,536</b>	
<b>HMCPISI</b>										
<b>Core staff numbers</b>	<b>45</b>	<b>45</b>	<b>48</b>	<b>46</b>	<b>44</b>	<b>47</b>	<b>51</b>	<b>51</b>	<b>51</b>	
Permanent staff	44	44	46	44	43	46	51	51	51	
Others	1	1	2	2	1	1	0	0	0	
<b>Gross administration costs</b>	<b>3,283</b>	<b>3,490</b>	<b>3,382***</b>	<b>3,737</b>	<b>3,602</b>	<b>3,971</b>	<b>3,874</b>	<b>3,780</b>	<b>3,688</b>	
<b>TSol's Total Core staff numbers</b>	<b>748</b>	<b>816</b>	<b>860</b>	<b>867</b>	<b>914</b>	<b>950</b>	<b>976</b>	<b>976</b>	<b>976</b>	
<b>Permanent staff</b>	<b>607</b>	<b>686</b>	<b>741</b>	<b>731</b>	<b>748</b>	<b>768</b>	<b>859</b>	<b>859</b>	<b>859</b>	
<b>Others</b>	<b>141</b>	<b>130</b>	<b>119</b>	<b>136</b>	<b>166</b>	<b>182</b>	<b>118</b>	<b>118</b>	<b>118</b>	
<b>Gross administration costs****</b>	<b>75,355</b>	<b>83,504</b>	<b>80,232</b>	<b>83,488</b>	<b>88,577</b>	<b>77,348</b>	<b>106,602</b>	<b>106,262</b>	<b>105,930</b>	

\* Due to the reclassification of programme expenditure to administration from 2008-09, all historical data has been adjusted since last year's publication to include what was previously programme.

\*\* Includes Ministers.

\*\*\* This differs from the Total Resources as reported in Table 1 for Total Public Spending for AGO and HMCPISI as they incurred A in A of £16k and £75k respectively.

\*\*\*\* This is in line with the Total Administration Expenditure in Table 3 for the Administration Budget.

Note that Total Core staff numbers for TSDA, AGO and HMCPISI exclude calculations for overtime as reflected in Table 4 for Staff Numbers at the end of this document.

## Departmental Investment Strategy

The department's investment strategy is directly linked to achieving its objectives. The total net book value of the department's fixed assets at 31 March 2007 was £6 million, comprising IT infrastructure and developments, furniture and fittings.

TSol has continued its policy of investing in improving and developing systems to support its business. In particular, investment was made in projects to improve time recording and billing and the delivery of TSol's Electronic Document and Records Management System (EDRMS).

Phase Two of TSol IS strategy commenced in 2007-08. This is integral to the success of achieving TSol's long term vision. It will take three years to deliver this phase which integrates outstanding actions from the first phase. In year one TSol has:

- Improved and increased remote access capability;
- Researched case management systems for Litigation Group;
- Developed a client database;
- Developed the management information facilities to assist bill reconciliations;
- Improved security systems;
- Conducted a feasibility scanning trial in Litigation Group; and
- Implemented a new HR database.

In year two TSol will develop HR database improvements, a Litigation case management system and a new billing system. Access to management information will be improved and a new Legal Information On-line Network (LION) content management system, to the benefit of all government lawyers, will be procured and implemented.

## Forward Look

In 2007-08 TSol undertook a major and radical review of its business. TSol identified where it wanted to be in 2012 and how to get there. The strategy will be delivered over five years. TSol will develop a more strategic approach to client relationship management, including an increasing capability to use the private sector. It will offer a greater breadth of value-added services, there will be a significant improvement in the ability to plan and manage performance and TSol will provide an IT and administrative infrastructure to support the efficiency gains which result from our re-organisation.

This clarification of business goals allowed TSol to define its People Strategy. Attracting and retaining high calibre people who are performing well is fundamental to success. Providing all of them with the best deal includes offering them high quality, interesting work and opportunities to develop and progress. Offering an attractive and fulfilling experience places TSol at the heart of the GLS and ensures that the expertise and experience required to meet our clients' changing needs is retained.

Taking this action will enable TSol not only to continue to provide high quality legal services but also to increase flexibility and maximise the value of the services provided. The increases in efficiency which have been and will be delivered have enabled TSol to freeze charge-out rates for 2008-09.

2008-09 will lay the crucial groundwork for delivery of the three year Corporate Plan, building on the organisational and governance changes delivered in 2007-08 and the development of HR, accommodation and business strategies.

## Further Information

Further information on the work of the Treasury Solicitor's Department may be obtained at [www.tsol.gov.uk](http://www.tsol.gov.uk) or from:

**Office of the Treasury Solicitor  
Treasury Solicitor's Department  
One Kemble Street  
London WC2B 4TS**

**Telephone 020 7210 3571**

**[www.tsol.gov.uk](http://www.tsol.gov.uk)**

## ATTORNEY GENERAL'S OFFICE

### Introduction

#### Role

The Attorney General's Office (AGO) is a separate department, for which the Treasury Solicitor is the Accounting Officer. It supports the Attorney General and Solicitor General (the Law Officers) in discharging their wide-ranging responsibilities for civil and criminal law, policy, and on matters of finance and performance.

The Law Officers have a statutory duty to superintend the Directors of Public Prosecutions for England and Wales and for Northern Ireland, and the Directors of the Revenue and Customs Prosecutions Office (RCPO) and Serious Fraud Office (SFO). AGO has responsibility for criminal justice policy as one of the trilateral criminal justice departments (with the Home Office and Ministry of Justice).

The Law Officers are the government's chief legal advisers. They are also the Ministers responsible for the Treasury Solicitor's Department (TSol) and have oversight of the Government Legal Service (GLS). They deal with questions of law arising on government Bills and with issues of legal policy. They are concerned with all major international domestic litigation involving the government. On occasion – where it does not conflict with their government role – they advise Parliament on procedural questions, matters of standards and privileges, and on the meaning and effect of proposed legislation.

The Law Officers also exercise a range of public interest functions, independently of the government, in both the civil and criminal fields.

#### Legal Advice

The Law Officers' legal advice to the government is (like any other legal advice) confidential and subject to legal professional privilege. In addition, the Ministerial Code provides that neither the fact nor the content of Law Officers' advice may be disclosed outside government without their consent. There is a specific exemption (subject to a public interest balancing test) for Law Officers' advice in the Freedom of Information Act 2000. In the course of 2007 the Law Officers have advised a wide range of government departments on various important and sensitive issues of international, EU and domestic law.

#### Casework

Casework covers items such as:

- Referring unduly lenient sentences to the Court of Appeal;
- Consenting to prosecutions;
- Bringing proceedings for contempt of court;
- Taking action against vexatious litigants;
- Intervening in the public interest in certain charity and family law cases; and



- Appointing advocates to act for the Crown, as well as appointing 'advocates to the court', and 'special advocates' to represent the interests of appellants in cases involving sensitive material.

### Northern Ireland

During the last year the rollout of the Public Prosecution Service (PPS) has been completed and now reaches decisions in respect of all police investigations. Work remains to be done in finding a suitable PPS office in Newry. Work on Human Rights guidance continues and will be completed during the next year. The Attorney General took a lead role, with other ministers, in the reduction of unnecessary delay within the Criminal Justice System (CJS) in Northern Ireland with the introduction of targets for all aspects of the criminal process and the establishment of a cross cutting delay action team.

### Policy, Finance and Performance

Working with the Law Officers' Departments, the policy and administration team identifies and leads or coordinates action on new policy initiatives (e.g. international strategy) and on those arising within the CJS (e.g. Sir Ronnie Flanagan's review). It is also the point of liaison with CJS Agencies and the Office for Criminal Justice Reform (OCJR), particularly in relation to the CJS initiatives and targets for which the Attorney General and Solicitor General act as champions (e.g. confiscation and domestic violence) and on European issues.

In cooperation with the Law Officers' Departments Finance Directors, the team coordinates action on cross-departmental finance and performance matters, including those arising from Spending Reviews and which have cross-CJS impact.

Also significant, following the Spending Review 2004 and in taking forward action from the Comprehensive Spending Review (CSR) 2007, is concerted action on delivery of the Law Officers' Departments efficiency programmes and consideration of shared services. Following the CSR 2007, details of each department's value for money Delivery Agreement, asset management strategies and Departmental Strategic Objectives can be accessed on the AGO website<sup>14</sup>.

In support of the Attorney General's role as champion of confiscation enforcement within Asset Recovery, the policy, finance and administration team holds the chair of the Confiscation Performance and Delivery Board. The Board looks at ways in which confiscation enforcement can be streamlined and improved, to achieve the 60% annual contribution to the overall asset recovery target.

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<sup>14</sup> [www.attorneygeneral.gov.uk](http://www.attorneygeneral.gov.uk)

## Fraud Review

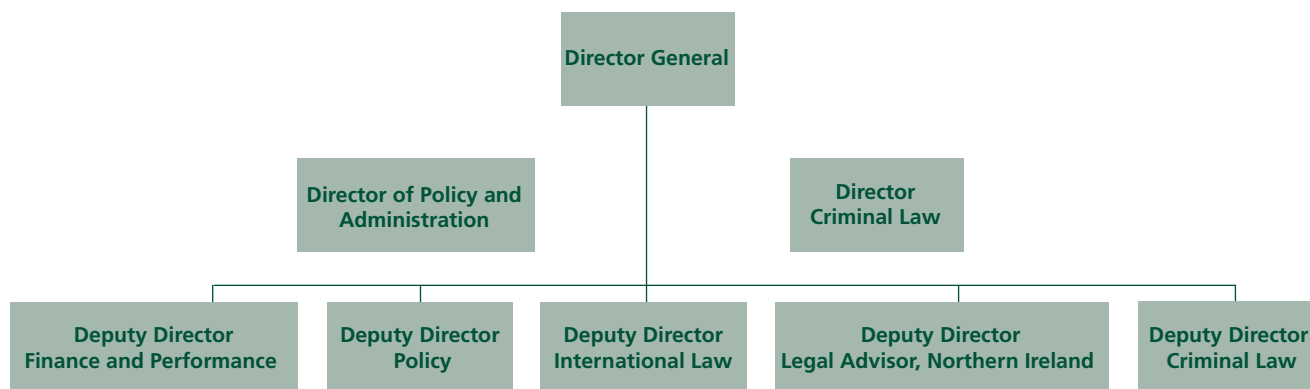
On 10 October 2007, as part of the CSR settlement, the government announced £29 million of new funding to implement some of the key recommendations of the Fraud Review. This funding is paving the way for development of the first national anti-fraud strategy. The Attorney General's Programme Board, supported by a series of Working Groups, has been preparing detailed business plans for the National Fraud Strategic Authority (which will incorporate a fraud loss measurement unit), the National Fraud Reporting Centre and the National Lead Force for Fraud. The National Fraud Strategic Authority is due to become operational during 2008. It will provide the leadership and national coordination needed for anti-fraud efforts to be as efficient and effective as possible. In particular, it will lead a managed programme across the public and private sectors to attack fraud through deterrence, prevention, detection, investigation, sanction and redress for victims.

In addition to these institutional changes, the Review's recommendations for the criminal justice system are being taken forward and will be the subject of public consultation.

## Organisation

The AGO is headed by the Director General, Jonathan Jones.

### Management Structure



## Aim

The AGO contributes to the Attorney General's aim for all the Law Officers' Departments, providing a first class public service.

## Objectives

The AGO strategic objectives for 2007-08 were:

- To provide high quality and timely legal advice to the Law Officers to enable them to advise ministers and other government departments;
- To provide high quality and timely policy advice, through a process of constructive engagement with other departments;

- To support the Law Officers' ministerial responsibilities in the CJS (in both England and Wales and Northern Ireland), including the delivery of policy initiatives and trilateral performance targets;
- To deal with casework in a timely and appropriate way;
- To drive the joining up of the Law Officers' Departments so as to increase efficiency and effectiveness;
- To support the Law Officers in their oversight of the GLS, and in their general oversight of prosecution work across government departments;
- To support the Law Officers in fulfilling their responsibilities to Parliament; and
- To support the Law Officers in developing and explaining their activities and responsibilities in the media.

## Performance

### *People*

In January 2008, at the time of its first staff survey, AGO had 64 staff, of whom 17 were lawyers, 25 support staff, 11 advising on policy matters, and 11 in ministerial support roles. The staff survey attracted a response rate of 88% and contained a number of very positive messages, including the fact that the majority of staff felt valued for what they could offer the AGO, understood how their work contributed to the objectives of the organisation, and were willing to 'go the extra mile' when required. Perception of management was also generally good. Important areas for improvement included poor perceptions of induction, insufficient commitment to staff development, and poor communication and joint working between teams in the AGO.

### *Correspondence*

In the calendar year 2007, 1776 items of correspondence were answered, of which 1222 were from members of the general public and 554 from Members of Parliament. 87% of letters received a reply within 20 working days.

### *Finance*

As part of the CSR 2007, the Attorney General received a settlement for all four Law Officers' Departments. From 2008-09 onwards, shares of this provision will be reflected in the Estimates of each department. In common with other government departments, the Law Officers' Departments are expected to achieve efficiency savings year on year of 3.5% over the CSR period.

The AGO itself is funded as part of the Treasury Solicitor's Department Estimate. Its total provision for 2007-08 was some £6.9 million resource and £1.6 million capital. The increase over 2006-07 is due to the final cost for fitting out new office premises occupied in May 2007 following the expiry of the lease on the previous accommodation and the need for a number of new staff to cover the growing work of the Law Officers and their Office.

### *Information Technology*

During 2007-08, under its new IT arrangements from 2006-07, AGO replaced its IT and telephony equipment as part of the fit out of its new premises.

## Further Information

Further information can be obtained from:

**The Attorney General's Office**

**20 Victoria Street**

**London SW1H 0NF**

**Telephone: 020 7271 2400**

**Website: [www.attorneygeneral.gov.uk](http://www.attorneygeneral.gov.uk)**

## HM CROWN PROSECUTION SERVICE INSPECTORATE

### Introduction

HM Crown Prosecution Service Inspectorate (HMCPPI) was originally established as an internal quality assurance unit within the Crown Prosecution Service (CPS) Headquarters in 1995. Following recommendations in a review by Sir Iain Glidewell, it became an independent statutory body under the CPI Act 2000.

The Chief Inspector of HMCPPI is appointed by and reports to the Attorney General who is responsible to Parliament for the CPS, the Revenue and Customs Prosecutions Office (RCPO) and for the Public Prosecution Service of Northern Ireland (PPS (N.I.)).

### Purpose

HMCPPI exists to enhance the quality of justice through independent inspection and assessment which improves the effectiveness of prosecution services, providing assurance to ministers, government and the public.

In order to achieve this HMCPPI endeavours to be an organisation which:

- Performs to the highest possible standards;
- Inspires pride;
- Commands respect;
- Works in partnership with other criminal justice inspectorates and agencies but without compromising its robust independence; and
- Values its staff; and
- Seeks continuous improvement in all it does.

### Organisation and Management Structure

HMCPPI operates from two locations and, as shown in the management structure chart, is split into two inspection teams, Southern Group and the Northern and Wales Group. Each team comprises of Legal and Business Management Inspectors. The current staffing level is 47, with 15 staff based in York and the remainder in London.

In the past year three new inspectors have been recruited replacing those on loan or who were leaving the service. One inspector was recruited for a short six month contract to assist on the Overall Performance Assessments (OPAs) the inspection teams undertook in the second half of 2007-08. In the Corporate Services Group the HR Manager returned to her host department in September and an interim HR Manager covered the position through until the end of January. Following a recruitment campaign a new HR Manager (part-time) took up the post at the beginning of February 2008.

The costs of HMCPPI are met from the Estimate of the Treasury Solicitor's Department. Provision for the Inspectorate in 2006-07 was £4.16 million and in the year 2007-08 the provision was increased to £4.19 million of which £3.04 million represented staff costs.

The provision for 2008-09 has been confirmed at £3.87 million.

## Human Resource Management

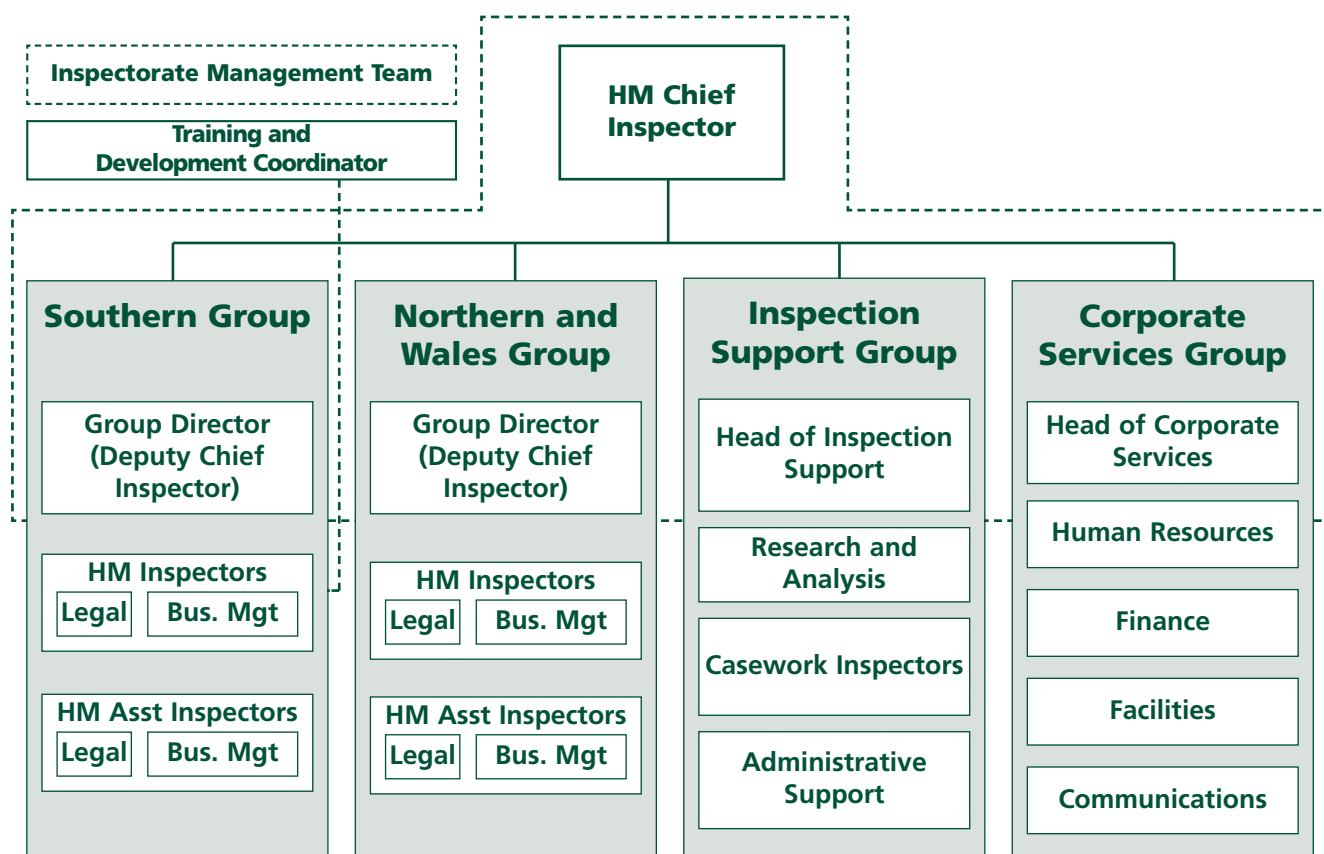
The Chief Inspector heads a management team that includes two Deputy Chief Inspectors heading up inspection teams, Southern Group and Northern and Wales Group as well as the Head of Corporate Services Group and Head of Inspection Support Group (ISG) plus the Training and Development Coordinator. Both the head of ISG and the Training and Development Coordinator combine these roles with their day-to-day duties as inspectors.

During 2007-08, HMCPsi established an Equality and Diversity Committee, in order to bring together a single equality scheme for the organisation and to monitor its introduction and implementation. In the latter part of 2007-08 a review was undertaken of the HMCPsi HR handbook and following completion of the updates and amendments Equality Impact Assessments are to be undertaken.

In the financial year 2007-08 a significant amount of training was undertaken at a corporate level as well as encouraging development at an individual level, including support for those demonstrating the commitment to obtain external qualifications.

In March 2007 the organisation achieved re-accreditation under Investors in People and subsequently drew on aspects of the assessor's report to develop management standards and staff standards which it is intended to introduce early in 2008.

## Management Structure



## Role and Responsibilities

The primary role of HMCPPI is to promote the effectiveness and efficiency of the CPS whose statutory function is to prosecute the majority of criminal cases in England and Wales. The CPS is organised into 42 geographical Areas, each under the leadership of a Chief Crown Prosecutor (CCP).

Following the recent creation of the 14 Groups it is not yet fully clear what impact may be on the inspection programme of HMCPPI.

## HMCPPI Aims and Objectives

HMCPPI aims to achieve excellence in all aspects of its activities and, in particular, to provide customers and stakeholders with consistent and professional inspection and evaluation processes together with advice and guidance. This is measured against recognised quality standards and defined performance levels.

The principal role of HMCPPI is to focus on outcomes that promote the effectiveness, efficiency and value for money of the CPS and other inspected prosecuting authorities within the Criminal Justice System (CJS). HMCPPI achieves this strategic objective by:

- Bringing about improvement through acting as a major driver for increasing performance in the prosecution authorities that it is responsible for inspecting;
- Encouraging joined up working within the CJS;
- Providing assurances to the Attorney General, Director of Public Prosecutions (DPP) and CPS Chief Executive in the performance of the CPS and other prosecuting authorities; and
- Contributing to greater value for money within the prosecution service and the CJS as a whole.

HMCPPI carries out its remit through a programme of single agency inspections, reviews of specific themes, joint inspections with one or more of the other four criminal justice inspectorates, and with other bodies such as Ofsted, the Commission for Social Care Inspection and the Audit Commission. The HMCPPI scrutiny of the CPS includes a periodic series of OPAs. These entail a 'one point in time' assessment of 13 aspects of performance leading to an overall assessment of excellent, good, fair or poor. The inspectorate model for assessment is designed to give pre-eminence to the ratings for 'critical' aspects of work as drivers for the final overall performance level. Assessments for the critical aspects are overlaid by ratings relating to the other defining aspects in order to arrive at the OPA.

An OPA is not a full inspection and differs from traditional inspection activity. Whilst it is designed to set out comprehensively the positive aspects of performance and those requiring improvement, it intentionally avoids being a detailed analysis of the processes underpinning performance. That sort of detailed examination will, when necessary, be part of the wider programme of inspection activity.

In recent years the Inspectorate's remit for single agency inspection has been broadened to include the RCPO and the PPS (N.I.) which came into being in June 2005. This work is undertaken on the basis of a statutory delegation from the Chief Inspector of Criminal Justice in Northern Ireland. In early 2007 the Inspectorate undertook a non-statutory inspection of the Army Prosecuting Authority.

In 2006-07, HMCPSI also developed an audit function looking at various systems and procedures. The first of these was Direct Communications with Victims (DCV) published in 2007. An audit of File Endorsement Standards will be published in early 2008.

## Services Delivered in 2006-07

### Review / Inspection of Other Prosecuting Authorities

- Review of Army Prosecuting Authority (June 2007)
- Inspection of Public Prosecution Service for Northern Ireland (July 2007)

### Area Effectiveness Inspections

- Gwent (May 2007)
- Gloucestershire (May 2007)
- Essex (August 2007)
- Hertfordshire (August 2007)
- Leicestershire (August 2007)
- Derbyshire (August 2007)

### OPAs

In the period June to December 2007 HMCPSI undertook an OPA programme of the CPS Areas. In total there were 51 reports produced. This assessment programme provided a good opportunity to compare current performance with the earlier (first) OPA carried out in 2005 and also identified the extent of improvement over that period.

### Thematic Reports

- Follow up review into CPS handling of British Transport Police casework (April 2007)
- Review of the decision making and management in discontinued cases and discharged committals (December 2007)
- Review of disclosure (to be published May 2008)

### CJS Area Inspections

HMCPSI works collaboratively on CJS Area Inspections with the four other criminal justice inspectorates to produce a comprehensive report on the workings of the CJS in a specific area/region. In 2007-08 a report was published in relation to the West Midlands Criminal Justice



Area. Inspections, led by HM Inspectorate of Courts Administration, were carried out in 2007-08 in relation to the Dorset CJS Area and Lancashire CJS Area. These reports were published in April and May 2008 respectively.

### Special Reports (undertaken jointly with other inspectorates)

- Review to ascertain the circumstances in which Anthony Leon Peart came to be at liberty on 29 July 2005 (published May 2008); and
- Report into the Resulting and Warrant Withdrawal Procedures used at Leeds Magistrates Court (March 2008).

### Trends Performance

The summative report on the latest round of OPAs published in March 2008 highlights the issues and changes in performance since the first OPA in 2005.

From its inspection activity HMCPSI also highlights, wherever possible, good practice and collaborates with the CPS in drawing together a register of good practice for CPS Areas to access on the intranet.

HMCPSI Liaison Inspectors also work closely with some Areas in achieving improvement and where appropriate direct them to good practice initiatives undertaken elsewhere.

### Involvement in the International Association of Prosecutors

At the annual conference in 2007, held in Hong Kong, Stephen Wooler (on behalf of HMCPSI) presented a paper as part of a panel on accountability of prosecutors. HMCPSI continues to have a close rapport with the Inspection Générale des Services Judiciaires (IGSJ). It was noted at the conference that the IGSJ had implemented some of the HMCPSI methodology which they had previously seen on shadowing an inspection.

### Recruitment Information April 2007 to December 2007

Grade	Number	Male	Female	Ethnic Minority	Disabled
Grade 6	2	1	1	0	0
Grade 7	2	1	1	0	0
SEO	2	1	1	0	0
HEO	0	0	0	0	0
EO	0	0	0	0	0
AO	0	0	0	0	0
AA	0	0	0	0	0
PS	2	0	2	0	0
<b>TOTAL</b>	<b>8</b>	<b>3</b>	<b>5</b>	<b>0</b>	<b>0</b>

There were no exceptions to the Office of Civil Service Commissioners Recruitment Code. A temporary position at SCS level was confirmed as permanent in February 2007.

The Senior Executive Officer recruitment relates to the HR manager position which was filled by an interim HR Manager with the subsequent appointment of a part-time permanent HR Manager in January 2008.

## Delivery in 2007-08

### Single Agency Work

In addition to work undertaken in relation to the Army Prosecutions and PPS (N.I.), HMCPSI continued with its programme of Area Effectiveness Inspections (AEI), completing six inspections in the first six months of 2007. The AEIs span all aspects of CPS work, its casework, policies, communications and management operations. They are underpinned by the AEI framework, a revised version of which is applied to the OPA framework where the opportunity for evidence gathering is more limited.

During the period June-December 2007 there was a major programme undertaken on the OPAs that included all the CPS Areas and required the full involvement and commitment of all the inspectors and their support staff over a very concentrated and intensive exercise.

### Joint Working

With changes to the Police and Justice Bill consequent upon the government's decision in October 2006 not to proceed with the establishment of a single inspectorate, the Chief Inspectors of the five inspectorates gave commitments to the three CJS ministers which included to:

- Develop a business plan for joint inspection work, consulting with a wide range of stakeholders, including agency leads to identify areas of great concern, risk and opportunity for improvement; and
- Review back office support to identify efficiency gains which can be redeployed to resource the enhanced joint working.

In 2007-08 the joint inspection activity centred on four high-level business processes: community safety, bringing offenders to justice, offender management and custodial conditions.

The joint business plan for 2007-08 set out a significant programme of inspections which included some new ventures but has built upon substantially the previous plans for joint working. A number of the Inspectorates had already formulated their business plans when the joint plan was being considered. It was acknowledged that this first year of a joint inspection programme would be less structured and robust than future joint business plans.

Whilst some of the new workstreams have been completed during 2007-08 others will generate further inspections, as part of the enhancement of the core joint programme.

During 2007-08 a small number of scoping studies were undertaken in subject areas where consultation and risk assessment had suggested inspection might be appropriate but where research or information required sorting before workstreams might be identified. On this basis scoping studies were commenced in respect of:

- Crime and disorder reduction partnerships;
- Information flows;
- Mentally disordered offenders;
- Victims and witness experience; and
- Equality and diversity.

### **Back Office Support**

In January 2007 the chief inspectors set up a working group to explore the opportunities for sharing services and achieving efficiency gains. In May 2007 the establishment of the Ministry of Justice presented new challenges and opportunities for the group in assessing how this new structure might impact the joint working of the five inspectorates. The report of the working group was submitted to the Chief Inspectors at the end of September 2007. A final report was submitted to CJS Ministers in late December.

### **Advisory Board**

The agreement between Criminal Justice ministers and the five CJS Chief Inspectors in October 2006 envisaged a series of quarterly meetings to review the development and implementation of joint inspection strategies. It was subsequently decided to supplement these arrangements by the creation of a small advisory board. Following a competition managed by the OCJR, three external members were appointed in January 2008, Professor Stephen Shute, Professor Rod Morgan and Dr. Silvia Casale. In order to avoid duplication the meetings of the Advisory Board are combined with the quarterly meetings between ministers and Chief Inspectors.

## Forward Look

### Proposed Inspection Programme for 2008-09

#### OPAs

In 2007 a second round of OPAs was undertaken of all CPS Areas. As well as providing a useful opportunity to compare and measure performance laterally and assess the progress achieved since the first round of OPAs in 2005, the summative report gives the Inspectorate the necessary information to identify themes which are critical to the operation of effective systems within the CPS. This process enables HMCPSI to identify aspects of CPS work which represent greater risks and focus inspection activity accordingly. This approach also makes best use of inspection resources and frees up time for joint and cross-cutting activity.

To consider the benefits and limitations of the OPA process and to consider the future approach to inspections an inspection strategy group was formed to undertake a fundamental review of our strategy and this review is expected to be completed by the end of April 2008. It will take into account the current restructuring of the CPS, with the setting up of 14 Groups which is likely to require significant adjustments to methodologies.

#### Joint working

##### Focus for Joint Inspection

Whilst in 2007-08 inspection activity concentrated on four high-level business processes, as referred to above, the Chief Inspectors also identified two cross-cutting factors for consideration, namely:

- **Victim and witness experience** – to examine the overall experience of victims and witnesses throughout their interaction with the CJS to identify levels of satisfaction and areas for service improvement; and
- **Equality and diversity** – to actively promote equality and diversity - both in respect of internal processes and in service provision to all users – and to identify and address improper discrimination within the CJS.

It is intended that these areas will remain the core focus for joint inspection in 2008-09. A general concentration on outcomes will also help to ensure that inspection activity adds value over and above that of the existing single inspectorate programmes and avoid important issues slipping between areas addressed in such single agency activity.

##### Long List of Proposed Inspections

The range of proposals for joint inspection activity during 2008-09 (excluding joint work with non-Criminal Justice Inspectorates) can be summarised under four headings:

- Pre-planned inspections (including ongoing programmes);
- Enhancement of 2007-08 inspections;

- Developments from 2007-08 scoping studies; and
- New proposals for Criminal Justice inspection.

Following consideration of the results of the consultation meeting in February 2008, and further discussion of individual proposals within the Criminal Justice Chief Inspectors Group (CJCIG) the long list of potential joint inspections will be reduced to form the intended programme for 2008-09.

CJCIG will also identify issues not forming part of the 2008-09 programme that should be further scoped, researched or otherwise examined to inform inspection activity in subsequent years.

In finalising the programme and identifying future activity CJCIG will be looking at the appropriate role for follow-up inspections or visits in supporting, but not replacing, the performance management function of agencies inspected.

## Further Information

Further information on the work of HMCPSI may be obtained from:

**HMCPSI**  
**26-28 Old Queen Street**  
**London**  
**SW1H 9HP**

**Telephone: 020 7210 1197**

**Website: [www.hmcpai.gov.uk](http://www.hmcpai.gov.uk)**

## Common Core Tables

**Table 1: Total public spending for HM Procurator General and Treasury Solicitor**
**£'000**

	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11
	Outturn	Outturn	Outturn	Outturn	Outturn	Projected	Plans	Plans	Plans
<b>Consumption of resources</b>									
TSDA <sup>(1)</sup>	2,898	1,661	8,146	6,138	471	5,524	5,333	5,203	5,076
AGO	3,116	3,387	3,960	4,080	4,773	6,921	4,765	4,649	4,536
HMCPSI	3,283	3,490	3,307	3,737	3,602	3,971	3,874	3,780	3,688
<b>TSol Total Resource Budget<sup>(2)</sup></b>	<b>9,297</b>	<b>8,538</b>	<b>15,413</b>	<b>13,955</b>	<b>8,846</b>	<b>16,416</b>	<b>13,972</b>	<b>13,632</b>	<b>13,300</b>
<i>Of which:</i>									
Near-cash <sup>(1)</sup>	7,598	6,555	10,593	11,696	7,587	13,482	11,631	11,348	11,071
Total Resource DEL <sup>(2)</sup>	9,297	8,538	15,413	13,955	8,846	16,416	13,972	13,632	13,300
<i>Of which:</i>									
Depreciation	875	1,287	3,539	1,227	1,835	2,529	1,988	1,931	1,876
<b>Capital Spending</b>									
TSDA	1,704	2,060	2,213	-29,195	916	3,900	3,900	3,900	3,900
AGO	103	89	14	70	1,446	100	100	100	100
HMCPSI									
<b>TSol Total Capital Budget</b>	<b>1,807</b>	<b>2,149</b>	<b>2,227</b>	<b>-29,125</b>	<b>2,362</b>	<b>4,000</b>	<b>4,000</b>	<b>4,000</b>	<b>4,000</b>
Total Capital DEL <sup>(2)</sup>	1,807	2,149	2,227	-29,125 <sup>(4)</sup>	2,362	4,000	4,000	4,000	4,000
<b>Total Public Spending</b>									
TSDA	3,782	2,514	6,888	-24,225	-420	7,356	7,356	7,283	7,211
AGO	3,169	3,401	3,906	4,091	6,191	6,570	4,764	4,648	4,535
HMCPSI	3,278	3,485	3,307	3,737	3,602	3,961	3,864	3,770	3,678
<b>Total Public Spending<sup>(3)</sup></b>	<b>10,229</b>	<b>9,400</b>	<b>14,101</b>	<b>-16,397</b>	<b>9,373</b>	<b>17,887</b>	<b>15,984</b>	<b>15,701</b>	<b>15,424</b>

<sup>(1)</sup> To bring data in line with the new recording of Consolidated Fund Extra Receipts (CFERs), all historical data for TSDA was adjusted.

<sup>(2)</sup> Departmental Expenditure Limits, plans set as part of the 2007 Comprehensive Spending Review.

<sup>(3)</sup> Total public spending calculated as the total of the resource budget plus the capital budget, less depreciation.

<sup>(4)</sup> 2005-06 capital outturn is derived from capital additions of £3,942k from the Resource Accounts less the proceeds from the sale of Queen Anne's Chambers of £33 million and sale of fixed assets of £67k.

Table 2: Capital employed for the HM Procurator General and Treasury Solicitor

£'000

	2002-03 Outturn	2003-04 Outturn	2004-05 Outturn	2005-06 Outturn	2006-07 Outturn	2007-08 Projected	2008-09 Plans	2009-10 Plans	2010-11 Plans
<b>Assets and liabilities on the balance sheet at end of year:</b>									
<b>Fixed Assets</b>									
Intangible	1,041	172	590	658	469	1,175	1,681	2,061	2,346
Tangible assets	27,493	28,522	28,269	4,807	5,561	7,757	9,818	11,363	12,523
<i>of which:</i>									
Freehold Land and Buildings	26,119	24,874	25,808	–	–	–	–	–	–
Leasehold Land and Buildings	550	522	538	–	–	–	–	–	–
Development under Construction		2,423	1,046	240	1,459	1,500	1,898	2,197	2,421
Development in use		106	52	1,291	1,266	2,200	2,784	3,223	3,551
Computer Network	776	533	783	1,269	893	1,100	1,392	1,611	1,776
Fixtures and Fittings	48	64	41	2,007	1,943	2,957	3,743	4,332	4,774
Current Assets:	19,059	18,706	18,089	19,559	24,148	19,370	22,000	22,000	22,000
Liabilities									
Creditors (due <1 year)	–13,506	–9,427	–8,978	–10,759	–12,629	–11,205	–13,000	–13,000	–13,000
Creditors (due >1 year)									
Provisions	–3,811	–3,261	–3,123	–3,250	–2,533	–2,440	–3,000	–3,000	–3,000
<b>Capital Employed within main Department</b>	<b>30,276</b>	<b>34,712</b>	<b>34,846</b>	<b>11,015</b>	<b>15,016</b>	<b>14,657</b>	<b>17,499</b>	<b>19,424</b>	<b>20,868</b>
NDPB net assets									
<b>Total Capital employed in Departmental group</b>	<b>30,276</b>	<b>34,712</b>	<b>34,846</b>	<b>11,015</b>	<b>15,016</b>	<b>14,657</b>	<b>17,499</b>	<b>19,424</b>	<b>20,868</b>

Table 3: Administration Budget HM Procurator General and Treasury Solicitor

£'000

	2002-03 Outturn	2003-04 Outturn	2004-05 Outturn	2005-06 Outturn	2006-07 Outturn	2007-08 Estimated Outturn	2008-09 Plans	2009-10 Plans	2010-11 Plans
<b>Administration Expenditure</b>									
Paybill*	28,269	33,208	35,811	39,296	42,412	54,514	51,814	51,814	51,814
Other**	47,086	50,296	44,421	44,192	46,165	22,834	54,788	54,448	54,116
<b>Total***</b>	<b>75,355</b>	<b>83,504</b>	<b>80,232</b>	<b>83,488</b>	<b>88,577</b>	<b>77,348</b>	<b>106,602</b>	<b>106,262</b>	<b>105,930</b>
Administrative Income****	-66,058	-74,966	-64,819	-69,533	-79,731	-63,630	-92,630	-92,630	-92,630
<b>Total Analysis by activity</b>	<b>9,297</b>	<b>8,538</b>	<b>15,413</b>	<b>13,955</b>	<b>8,846</b>	<b>13,718</b>	<b>13,972</b>	<b>13,632</b>	<b>13,300</b>
<i>Providing comprehensive &amp; competitive legal services to government departments &amp; publicly funded bodies</i>									
<b>Total Administration</b>									
<b>Budget</b>	<b>9,297</b>	<b>8,538</b>	<b>15,413</b>	<b>13,955</b>	<b>8,846</b>	<b>13,718</b>	<b>13,972</b>	<b>13,632</b>	<b>13,300</b>

\* This relates to staff costs for permanent staff members only.

\*\* Depreciation is included as it is now classified as administrative expenditure. This line now also includes expenditure that was previously programme due to reclassification of programme to administration expenditure in 2008-09 which resulted in changes to historical data.

\*\*\* Due to the new recording of provisions, utilisation of provisions is included here from 2005-06 onwards.

\*\*\*\* Due to the reclassification of programme expenditure to administration in 2008-09, all historical data has been adjusted in line with this. Total administrative income now includes what was previously programme. Administrative income has also been adjusted in line with the new recording of Consolidated Fund Extra Receipts (CFERs).



Table 4: Staff Numbers

£'000

	2002-03 Outturn	2003-04 Outturn	2004-05 Outturn	2005-06 Outturn	2006-07 Outturn	2007-08 Estimated Outturn	2008-09 Plans	2009-10 Plans	2010-11 Plans
<b>Total TSol</b>									
CS FTE	607	686	741	731	748	768	859	859	859
Overtime	0	4	3	3	3	2	2	2	2
Casuals*	141	130	119	136	166	182	118	118	118
<b>Total</b>	<b>748</b>	<b>820</b>	<b>863</b>	<b>870</b>	<b>917</b>	<b>952</b>	<b>978</b>	<b>978</b>	<b>978</b>
<b>TSDA</b>									
CS FTE	528	605	652	641	659	673	756	756	756
Overtime	0	2	1	1	1	1	1	1	1
Casuals	136	124	113	129	158	170	106	106	106
<b>Total</b>	<b>664</b>	<b>731</b>	<b>766</b>	<b>771</b>	<b>818</b>	<b>844</b>	<b>863</b>	<b>863</b>	<b>863</b>
<b>AGO</b>									
CS FTE**	35	37	43	46	46	49	52	52	52
Overtime	0	2	2	2	2	1	1	1	1
Casuals	4	5	4	5	7	11	12	12	12
<b>Total</b>	<b>39</b>	<b>44</b>	<b>49</b>	<b>53</b>	<b>55</b>	<b>61</b>	<b>64</b>	<b>64</b>	<b>64</b>
<b>HMCPSI</b>									
CS FTE	44	44	46	44	43	46	51	51	51
Overtime	0	0	0	0	0	0	0	0	0
Casuals	1	1	2	2	1	1	0	0	0
<b>Total</b>	<b>45</b>	<b>45</b>	<b>48</b>	<b>46</b>	<b>44</b>	<b>47</b>	<b>51</b>	<b>51</b>	<b>51</b>

\* Includes agency staff.

\*\* Includes Ministers.

These figures are consistent with the department's Resource Accounts and the Core Staff numbers table earlier in this document. However, unlike the Core Staff table, the above table includes overtime.

## Glossary

<b>ACPO</b>	Association of Chief Police Officers
<b>AFD</b>	Asset Forfeiture Division
<b>AGO</b>	Attorney General's Office
<b>AO</b>	Administrative Officer
<b>Beacon Area</b>	The Beacon Approach is a new way of managing the criminal justice reform programme nationally and of delivering sustainable improvements locally. There are currently 10 LCJBs involved in the Beacon Approach
<b>bona vacantia</b>	Ownerless goods
<b>BREEM</b>	Building Research Establishment Environmental Assessment Method
<b>CJS</b>	Criminal Justice System
<b>CJSSS</b>	Criminal Justice Simple, Speedy, Summary
<b>Code of Practice for Victims of Crime</b>	See Victims' Code
<b>CoLP</b>	City of London Police
<b>CPS</b>	Crown Prosecution Service
<b>DFU</b>	Digital Forensic Unit – a management unit of the SFO
<b>DOCMAN</b>	The DOCument MANagement system of the SFO
<b>DTI</b>	Department of Trade and Industry
<b>During 2007</b>	For the calendar year 01/01/2007 – 31/12/07
<b>EDRMS</b>	Electronic Document and Records Management System
<b>FOI</b>	Freedom of Information
<b>FSA</b>	Financial Services Authority
<b>HEO</b>	Higher Executive Officer
<b>HMCPSI</b>	Her Majesty's Crown Prosecution Service Inspectorate

<b>HMRC</b>	Her Majesty's Revenue & Customs, previously Inland Revenue and HM Customs & Excise
<b>liP</b>	Investors in People
<b>In 2007</b>	For the calendar year 01/01/2007 – 31/12/07
<b>IND</b>	Immigration and Nationality Department
<b>IPAD</b>	International Policy and Advisory Division
<b>IS</b>	Information Systems
<b>ITIL® (IT Infrastructure Library)</b>	<p>IT Infrastructure Library® is a Registered Trade Mark of the Office of Government Commerce</p> <p>ITIL® is the only consistent and comprehensive documentation of best practice for IT Service Management. Guidance on the provision of quality IT services, and on the accommodation and environmental facilities needed to support IT</p>
<b>JVC</b>	Joint Vetting Committee
<b>L-CAT</b>	Legal Services Catalogue is the series of framework agreements under which selected firms of solicitors can perform legal services for government departments and other public bodies without the need for further competition
<b>Lexcel</b>	The Law Society's quality standard for solicitors' practices
<b>MLA</b>	Mutual Legal Assistance – a management unit of the SFO, providing assistance to overseas governments and anti-fraud agencies
<b>MOJ</b>	Ministry of Justice
<b>NEDs</b>	Non Executive Directors
<b>NWNJ</b>	No Witness No Justice
<b>Office for Criminal Justice Reform (OCJR)</b>	A trilateral team drawn from Home Office, MOJ and CPS to support criminal justice departments
<b>OGC</b>	Office of Government Commerce
<b>OFT</b>	Office of Fair Trading
<b>OPA</b>	Overall Performance Assessment

<b>POCA</b>	Proceeds of Crime Act
<b>PPOs</b>	Prolific and Priority Offenders
<b>PS</b>	Personal Secretary
<b>PSG</b>	Professional Skills for Government
<b>RCPO</b>	Revenue & Customs Prosecutions Office
<b>SCS</b>	Senior Civil Service
<b>SEO</b>	Senior Executive Officer
<b>SFO</b>	Serious Fraud Office
<b>SG</b>	Support Grade
<b>SR 2004</b>	2004 Spending Review
<b>SLT</b>	Senior Leadership Team
<b>SOCA</b>	Serious Organised Crime Agency
<b>TSDA</b>	Treasury Solicitor's Department Agency – TSoI excluding HMCPSI and AGO
<b>TSoI</b>	Treasury Solicitor's Office
<b>UK</b>	United Kingdom
<b>Victims' Code</b>	Code of Practice for Victims of Crime sets out the services victims can expect to receive from the CJS
<b>WCU</b>	Witness Care Unit





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