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Have you got what it takes?

Working with the Crown Prosecution Service

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Important facts

The Crown Prosecution Service (CPS) is the principal prosecution authority in England and Wales, and is responsible for:

- **advising the police on cases for possible prosecution;**
- **reviewing cases the police have submitted;**
- **deciding on charges in more serious or complex cases;**
- **preparing cases for court; and**
- **presenting cases at court.**

The CPS is headed by the Director of Public Prosecutions (DPP). The DPP is superintended by the Attorney General, who is accountable to Parliament for the service.

The CPS is divided into 13 geographical areas, each led by a chief crown prosecutor (CCP). CPS Direct provides charging support for areas in the daytime and all out-of-hours charging decisions. The CPS also has central casework divisions which handle serious organised crime, terrorism, fraud and other cases which need specialist experience.

CCPs have responsibility for geographical areas larger than those that police and crime commissioners (PCCs) will cover, but this will not prevent them from working effectively with PCCs.

Background

The Code for Crown Prosecutors and core quality standards

The Code for Crown Prosecutors sets out the basic principles to be followed by crown prosecutors when they make casework decisions. Before charging a defendant and going ahead with a prosecution, crown prosecutors must first review each case against the Code. 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 in the public interest.**

The CPS will only start or continue a prosecution if a case has passed both stages.

The core quality standards (CQS) were introduced in 2010 to set out the quality of service that the public are entitled to expect from those who prosecute on their behalf. The CQS set out, in plain language, the key requirements for a successful prosecution and tell members of the public about the level of service they can expect from the CPS.

You can find copies of these documents here.

http://www.cps.gov.uk/publications/code_for_crown_prosecutors/index.html

http://www.cps.gov.uk/publications/core_quality_standards/

Important figures

In 2011 the CPS had 7,163 staff, including 2,669 prosecutors, 3,969 caseworkers and administrators; 94% of staff were involved in, or supported, frontline prosecution services.

The CPS made 397,985 charging decisions and prosecuted more than 900,000 cases, of which 110,294 were in the Crown Court, and 798,237 in the magistrates' courts.

Of those prosecuted, 88,731 defendants were convicted in the Crown Court and 691,625 in the magistrates' courts. In total 86% of cases prosecuted resulted in a conviction.

You can find more information on the CPS at: <http://www.cps.gov.uk/index.html>

More information

How does the CPS work with the police?

The relationship between the police and the CPS plays a pivotal role in the criminal justice system and is fundamental to improving the efficiency and effectiveness of the system.

Under charging arrangements, the police are responsible for deciding the charge for around three-quarters of all criminal cases. In the more serious and complex cases the CPS is responsible for deciding whether a person should be charged with a criminal offence, and, if so, what that offence should be.

Working with the police, CPS prosecutors can assess a case at an early stage so that if it is appropriate to prosecute, they can make sure that there is the best chance of getting a successful outcome. This joint approach by the CPS and police has led to the development of the 'prosecution team' ethos and closer working relationships between the organisations.

The CPS, police and other criminal-justice-system partners continue to work together to bring improvements across the whole of the criminal justice system.

What are the 13 areas that the CPS is divided into?

East of England, East Midlands, London, Mersey Cheshire, North East, North West, South East, South West, Thames and Chiltern, Wales, Wessex, West Midlands, and Yorkshire and Humberside. You can find information on the boundaries of each area here.

http://www.cps.gov.uk/your_cps/our_organisation/the_cps_areas.html

How much flexibility is there to deliver a prosecution service to meet local needs?

The CPS is a national organisation which delivers prosecution services locally. CCPs have authority in criminal justice matters locally and are able to use their resources flexibly to meet local priorities and concerns within the national framework.

What control do chief crown prosecutors have over local budgets?

CCPs are responsible for their area budget through the area's business plan. This includes responsibility for decisions to work on joint planning with local CJS partners, but this is within the overall national framework.

Who makes decisions on individual cases for prosecution?

Casework decisions are the sole responsibility of the CPS and must be made in line with the Code for Crown Prosecutors and CPS guidance and policies. It is a fundamental principle that prosecutors must be fair, independent, and objective. Prosecutors must not be affected by improper or undue pressure from any source.

Why is independence so important?

Although the prosecution service works closely with the police and other investigators, it is independent of them. The independence of prosecutors is essential. The decision to prosecute is a serious step. Fair and effective prosecution is essential to maintaining law and order. It is the duty of prosecutors to make sure that the right person is prosecuted for the right offence and to bring offenders to justice wherever possible. Casework decisions taken fairly, impartially and with integrity help to deliver justice for victims, witnesses, defendants and the public.