
Crown Prosecution Service

**Annual Report and Accounts
2012–13**

(for the period April 2012–March 2013)

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by Command of Her Majesty

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Director's letter to the Attorney General

I am pleased to report to you on the performance of the Crown Prosecution Service (CPS) for 2012-13.

Our mission is to deliver justice through the independent and effective prosecution of crime, fostering a culture of excellence by supporting and inspiring each other to be the best we can.

We are committed to our people and their development. Through our People Strategy we are building capability and moving the CPS towards a genuinely values-led organisation that recognises individuals and their contribution.

The introduction of a new mission statement and values is a fundamental step in ensuring we have the right culture for the future.

Our values emphasise independence and fairness, honesty and openness, respect for others, professionalism and striving for excellence will be at the heart of everything that we do, and we are committed to doing even more to improve staff engagement and embed a values culture.

We have led the drive for effective joint working with CJS partners and others which has strengthened our performance and response to high profile issues over the last year, particularly in relation to Child Sexual Abuse and Violence against Women.

This year we have developed an enhanced approach to victim and witness care through a process that gives victims the right to a review of any 'qualifying'¹ decision not to prosecute. This coupled with a streamlined and improved approach to handling complaints, supported by the introduction of an Independent Assessor of Complaints, will ensure greater scrutiny and transparency in the future and help ensure greater public confidence in the CJS.

The CPS has responded exceptionally well to the challenges of delivering the Spending Review 2010 savings and increasing the efficiency throughout the service. By the end of the final quarter of 2012-13, despite major change and challenges, the CPS has delivered largely consistently strong performance throughout the year. Four of our eleven critical measures improved whilst savings of £29.3m were made to reduce the cost of front line activity.

Key improvements include:

- The percentage of prosecutions dropped at third or subsequent hearing fell from 43% to 38%.
- The number of CTL failures fell from 28 to 11, a reduction of over 60%.
- The conviction rate for Violence against Women & Girls offences increased from 73% to 74%.

We have demonstrated a strong commitment to continuous improvement, involving all of our staff in building future resilience. Through a programme of work to refocus the CPS we will provide a high quality and efficient, standardised service that builds on the success of digital working.

A remodelled, simpler, stripped-back Seventh Edition of the Code for Crown Prosecutors, new public-facing performance measures, and our joint work across the CJS will support the Programme in driving improved consistency and making the organisation more efficient and better able to serve the public.

During this year, CPS success in implementing streamlined and digital working have led the department to become a recognised and influential leader, setting the digital agenda to drive change across the wider Criminal Justice System.

The introduction of Advocate Panels through fair and open competition has also ensured that high standards are maintained for the benefit of the CPS and the wider Criminal Justice System.

I would like to end my report to you by recognising the commitment of my staff to public service, quality, joint working, innovation and continuous improvement. Without this we would not have come as far as we have.

¹ A qualifying decision is where the CPS:

- (i) makes the decision not to charge (i.e. at the pre-charge stage); or
- (ii) decides to discontinue (or withdraw in the Magistrates' Court) all charges involving the victim, thereby entirely ending all proceedings relating to them; or
- (iii) offers no evidence

We are in the midst of significant change that we are committed to delivering at pace. I am confident that as we enter 2013-14 my staff will continue to drive new ways of working to support a high-performing prosecution service in which the public can have confidence.

A handwritten signature in black ink that reads "Keir Starmer". The signature is written in a cursive style with a horizontal line underneath the name.

Keir Starmer QC
Director of Public Prosecutions
24 June 2013

Who we are

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

- Advises the police during the early stages of investigations;
- Determines the appropriate charges in more serious or complex cases;
- Keeps all cases under continuous review and decides which cases should be prosecuted;
- Prepares cases for prosecution and prosecutes cases using in-house advocates, self-employed advocates or agents to present cases in court; and
- Provides information and assistance to victims and prosecution witnesses.

The way in which the CPS undertakes its role is governed by two key documents: the Code for Crown Prosecutors; and Core Quality Standards (CQS).

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 through which Crown Prosecutors arrive at decisions to charge suspects and proceed with prosecutions, or not. 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.

In 2012–13 we consulted on and published a revised Code for Crown Prosecutors. The Director is under a statutory duty to publish the Code for Crown Prosecutors. The seventh edition of the Code was published in January 2013 and it is replicated in full in Annex A (page 76).

The CQS lay down the quality of service that the public are entitled to expect from those who prosecute on their behalf. They apply to all those who deliver the prosecution service. The Standards form a constant thread through the Service's planning and performance monitoring regimes and provide all staff with a narrative around what they are responsible and accountable for delivering.

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 Chief Executive is responsible for running the business on a day-to-day basis, and for human resources, finance, business information systems, operations, and criminal justice policy, allowing the DPP to concentrate on casework, associated legal issues and legal policy.

The CPS is a national service that is delivered at a local level by 13 Areas across England and Wales. Each Area is led by a Chief Crown Prosecutor (CCP) who is responsible for the provision of a high quality prosecution service in their Area. Each CCP is supported by an Area Business Manager (ABM), and their respective roles mirror the responsibilities of the DPP and the Chief Executive. Administrative support to Areas is provided by Area Operations Centres. A 'virtual' 14th Area, CPS Direct, is also headed by a CCP and ABM, and provides out-of-hours charging decisions to the police.

In addition, three specialist casework divisions: Central Fraud, Serious Crime and Welfare, Rural and Health, deal with the prosecution of cases investigated by Her Majesty's Revenue & Customs (HMRC), the Serious & Organised Crime Agency (SOCA), UK Border Agency (UKBA), the Department for Environment, Food and Rural Affairs (DEFRA), the Department for Work and Pensions (DWP) and the Department of Health (DH). The work of the Serious Crime Group includes cases alleging terrorism and other challenging matters that require specialist experience.

Performance in 2012–13

Our Work

Advocacy

In February 2012 the CPS implemented new Advocate Panels, providing lists of quality-assessed advocates selected through a fair and open competition. These are the external advocates that CPS will call upon to undertake prosecution advocacy alongside its in-house advocates. During 2012-13 the appeals process for unsuccessful applicants was concluded, the results of specialist panels announced and the first annual upgrading and application window was opened during November 2012.

The panels contain about 2,900 barristers and solicitors who have the ability to undertake the highest quality advocacy for the benefit of the CPS and the wider criminal justice system. They represent a significant opportunity to the CPS to work more closely with self-employed advocates to secure a better quality of advocacy service overall.

Following a lengthy period of consultation and negotiation with the Bar Council, the CPS implemented new remuneration arrangements for self-employed advocates in March 2012. The new arrangements provide a simpler and easier scheme to operate than those they replace and support electronic payment of counsel fees by Procure to Pay (P2P) systems. P2P, which automates and accelerates payments, generates significant savings in administration and was rolled-out across the whole of the CPS following initial successful pilots in Greater Manchester and Hertfordshire.

CPS Appeals Unit

The CPS Appeals Unit provides a high quality service to the three most senior appellate courts in England and Wales—the Court of Appeal, the Administrative Court and the Supreme Court.

The cases it deals with range greatly in type, size and complexity and involve the practice of specialist civil law as well as criminal law and procedure. They are often of high public profile or sensitivity and their outcomes frequently have an impact upon the development of case law and the wider criminal justice system as well as on the lives of the individuals directly involved.

The Unit's remit is to: conduct the full range of appeals to the highest standards of quality and efficiency; manage the key relationship with the appellate courts; and identify cases with national policy or procedural implications or which will develop or clarify criminal case law.

In the Court of Appeal (Criminal Division) the Unit has conduct of all appeals against conviction, sentence and a range of other final orders and interlocutory proceedings, as well as responsibility for the progression of Unduly Lenient Sentence (ULS) appeals, working in support of the Attorney General's Office (AGO). In the Administrative Court the Unit conducts all judicial reviews and case stated appeals against final rulings, including reviews of CPS decisions to prosecute or not to prosecute. It also conducts all cases in the Supreme Court to which the CPS is a party.

The Unit now receives around 600 new appeal notifications each month and on 31 March 2013, the Unit had a total caseload of 3,561 live cases.

As well as expert legal decision-making and efficient paralegal support, appellate court cases demand high quality written and oral advocacy. Since April 2012 the Unit's advocates have appeared in 35 hearings in the Court of Appeal and Administrative Court.

The Unit has taken full advantage of the benefits of digital working to drive productivity and timeliness. It works collaboratively with the appellate courts, receiving daily notification from them of all new appeals electronically, while almost all information between the Court of Appeal and the Unit is served electronically and all briefs are served on counsel by secure email. 98% of the Unit's files are now electronic.

The Unit uses its unique position to identify cases and legal issues that require clarification for the benefit of CPS prosecutors and the wider criminal justice system, keeping the Director and the AGO well informed of all such matters on a regular basis.

Charging

The DPP's Guidance on Charging (4th edition, January 2011 revised arrangements) has been in operation nationally since 30 June 2011. Under these arrangements, the police are responsible for approximately 71.5% of all charging decisions, with the CPS responsible for the remaining 28.5%.

In partnership with ACPO we undertook further pilots in five areas to test whether shoplifting offences where a not guilty plea is anticipated should be charged by the police (the police can already charge these offences where a guilty plea is anticipated). The pilots started in September 2011 and ran until September 2012. Following an evaluation of these pilots, plans are being put in place to implement these arrangements nationally by June 2013.

As part of the national programme of work on refocusing the CPS, a review of the CPS Daytime telephony charging arrangements (CPS Daytime Direct) was undertaken. The review concluded that CPS Direct should be responsible for all volume crime charging decisions 24 hours a day, 7 days a week to enable a seamless service to the police. This change is expected to produce substantial efficiency benefits for the CPS at the same time as providing a more responsive service for police officers requiring charging advice. The change will see the transfer of management responsibility for daytime charging prosecutors from CPS Areas to CPSD. Prosecutors dealing with daytime charging decisions during the week will continue to be based at CPS offices, managed remotely by CPSD. The process of migrating daytime charging from local Areas to CPS Direct commenced on a rolling programme, with CPSD undertaking all national charging for volume crime across all Areas by 1 April 2013.

Victims and Witnesses

The Crown Prosecution Service (CPS) recognises the central importance of victims and witnesses in the prosecution process. There is a clear role for the CPS in witness care and management, demonstrated by our continuing commitment to enhance our services wherever possible.

In July 2012 we published a framework document which places the key elements of witness care into the one document, providing links to more detailed legal guidance where necessary. The framework is primarily to assist front line practitioners in understanding and delivering their CPS witness care commitments, thereby ensuring that we comply with our Core Quality Standards.

Following the successful evaluation of the pilot study in 2012 and with the support of ACPO, the CPS has implemented nationally a revised service to victims and witnesses, focusing Witness Care Units to give greater support to the most vulnerable victims and witnesses. Members of the joint CPS/police CJS Efficiency Team will be evaluating implementation and monitoring compliance with the revised minimum requirements from April 2013.

The targeted approach to victim and witness care is supported by the Ministry of Justice (MoJ), which is developing the Government's victim and witness strategy. As part of this work the MoJ is currently reviewing the Code of Practice for Victims of Crime. The CPS is represented on the cross-agency steering group, which is working with the MoJ to revise the Code. The new Code will include commitments relating to the Victim Personal Statement and also CPS commitments to bereaved families, building on the enhanced service that we now offer them.

The revised Code will provide clarity for victims in understanding their entitlements and will be used to meet obligations arising out of the EU Victims' Directive, which comes into effect in November 2015. The Directive provides victims of crime with minimum standards on their rights, support and protection within the EU and aims to ensure that all victims of crime receive appropriate protection and support; are able to participate in criminal proceedings; and are recognised and treated in a respectful, sensitive and professional manner without discrimination of any kind, in all contacts with any public authority, victim support or restorative justice service.

Following the judgment in *R v Killick*, the CPS has developed systems and processes to support the introduction of the Victims' Right to Review initiative, launched on 5th June 2013. The new processes will ensure that all victims who have a right to review a decision not to prosecute are informed of this; that we can resolve suitable requests informally and that we have an effective system for dealing with those requests that go to formal resolution.

Alongside this we are reviewing our wider communications with victims and witnesses to make them more responsive and appropriate. Our aim is to create an integrated system of victim and witness communications,

with tailored, enhanced services directed towards those in most need of support. To this end, we are planning to conduct a pilot study on how we can better communicate with victims in the latter half of 2013.

Violence against Women and Girls

Improving performance in cases involving Violence against Women and Girls (VAWG) has continued to be a key priority for the CPS during 2012-13 and our work over the last year was reflected in the government-wide VAWG Action Plans launched in March 2012. In April 2013, the CPS published statistics showing that the conviction rate for rape prosecutions had continued to rise to the highest on record, from 58% in 2007-08 to 63% in 2012-13 (note CPS recorded data on rape prosecutions includes all cases initially charged and flagged as rape including those where a conviction for an alternative offence was later obtained). The conviction rate for domestic violence had also increased by 1% in 2012-13 to 74%, compared to 60% in 2005-06. A key part of our approach is working with VAWG coordinators and supporting Areas through the bi-annual VAWG Assurance Scheme. This process requires Areas and coordinators to report on local VAWG performance to the Director and the Chief Operating Office including providing a qualitative assessment of 25% of rape prosecutions.

Key CPS activity over 2012-13 included:

- In July 2012, the CPS published a review of its three-year VAWG strategy from 2008 to 2011 which found that the strategy delivered a number of benefits to the organisation including more efficient prosecutions, improved implementation of policy, improved support for victims and more efficient and effective community engagement.
- In November 2012, the Director published a CPS action plan on prosecuting Female Genital Mutilation (FGM) including actions on gathering more robust data; identifying the issues that have hindered investigations and prosecutions; exploring how other jurisdictions prosecute this crime; and ensuring police and prosecutors work together closely from the start of the investigation.
- In November 2012, the CPS and ACPO developed a charging checklist for domestic violence to provide prosecutors and the police with a quick and easy tool to make sure all evidential opportunities are taken, collated and shared in the best way. This will also support effective investigations by the police to ensure all available evidence has been recorded and to have better decision making on charges and prosecutions.
- In November 2012, new stalking legislation was implemented with guidance being produced for prosecutors and cyber-stalking training rolled out.
- In January 2013, following a review by the Principal Legal Advisor, Alison Levitt QC, into the handling of four allegations made against the late Jimmy Savile, the Director initiated work with ACPO and the College of Policing on new guidance for the police and prosecutors in child sexual abuse cases. In addition a network of child sexual exploitation prosecutors have been set up and a joint CPS/police panel will be established in 2013-14 to review appropriate complaints made in the past which were not pursued by police and prosecutors, if requested. The Director provided further information.
- In February 2013, and following a National Scrutiny Panel chaired by the Director in July 2012, a range of actions to support the CPS response on teenage relationship abuse were launched including providing improved support to prosecutors and working in partnership with other agencies.
- In March 2013, the Director published a joint report produced by the Principal Legal Advisor and the Equality and Diversity Unit to share lessons learned following a seventeen month review of cases where a charge for perverting the course of justice or wasting police time was considered where an allegedly false allegation of rape and/or domestic violence had been made. The report indicated low numbers of false allegations.

For 2013-14, the CPS will continue to be a key contributor to the cross-Government VAWG action plan. Work is already underway to build on our approach in the coming year including taking forward steps on child sexual abuse, prosecution guidance for domestic violence, extension of Rape and Serious Sexual Offence Units and the prosecution of harmful traditional practices such as forced marriage, so-called honour-based violence and female genital mutilation.

Magistrates' and Crown Court work

We will create digitally linked magistrates' and Crown Court hubs that will have gateway units that will deal with uncontested cases and allocated case units that will deal with contested matters.

Advocacy units will deal with presenting cases in court.

In the digital environment the work of these units will be monitored by central management functions that will manage workflows within CPS Areas and, in time, across CPS Areas.

Complex Casework Units and Casework Divisions

Complex casework will continue to be dealt with by our current Casework Divisions and Complex Casework Units in each Area. In order to improve alignment between the two so that the CPS provides a single standard service to the National Crime Agency and standard approach to its highest tiers of casework, both will be supplied with a new Evidence Management System (EMS) I.T. that will allow them to use a proven standard approach to both case management and performance reporting. This will promote the development of standard practice in a similar way to that outlined for other aspects of the business.

Area Operations Centres

Under the Refocusing Programme Area Operations Centres (AOCs) and business support to the Casework Divisions will be structured and staffed in a standard way in all Areas with one support unit operating for all Casework Divisions. All will operate common processes for matters such as financial management, performance, productivity and I.T management.

Our People

Values

Following wide consultation we have set out new values for our organisation, that will inform all that we do. These have already been integrated into personal performance and development systems, and in the year ahead we will be embedding them into our business.

CPS aspires to be a values led organisation that will be:

- An organisation that is **independent** and **fair**—that works without bias seeking to deliver justice in every case;
- An organisation that is **honest** and **open**—one that explains its decisions, sets clear standards about the service people can expect from it and is honest if mistakes are made;
- An organisation that treats everyone with **respect**—recognising that there are people behind every case;
- An organisation that behaves **professionally** and strives for **excellence**—working as one team, using continuous improvement and being efficient and responsible with taxpayers' money.

The CPS People Strategy

Our People Strategy was launched in November 2011 and continued through 2012-13 fulfilling one of CPS's four strategic objectives:

To inspire, engage and support our people by delivering a new People Strategy that promotes an inclusive culture and which recognises individual contribution and supports the Service's aspirations of integrity, fairness, equality and diversity.

The Strategy forms part of our response to the CPS People Survey and reflects discussions with staff about how they would like to see the CPS develop and support its people over the coming years. The supporting programmes for 2012-13 were developed through focus groups with a range of stakeholders and from our 2012 People Survey results, overseen by the CPS People Strategy Programme Board which is chaired by the CEO with Non-Executive Director, CCP, HQ Director and senior managerial membership.

The Strategy puts people centre stage and is intended to send an unambiguous signal to all of our stakeholders—but especially to our managers and our staff—that the CPS is serious about the development of its people and is determined to build their capability.

Since launch, work has been undertaken to understand how the Strategy has been received by individuals and the difference it is making in their working lives. This information is being used so that, as the Strategy evolves, it will continue to be relevant to the changing ambitions and aspirations of our people.

Progress and Measures against the People Strategy

The People Strategy is intended to bring about a positive and permanent change in the culture of the CPS so that learning and development is brought to the fore and managerial skills are emphasised.

A review matrix was developed that monitors and measures local actions and progress across CPS and full reviews were undertaken during July 2012 and February 2013.

Progress is also measured against the 2012 People Survey results, which showed an increase of two percentage points on the CPS Employee Engagement Index for 2012. Of the 57 questions in the 2012 People Survey, the CPS saw an improvement in 50, suggesting the CPS People Strategy is impacting positively on staff perceptions on working for the CPS. However, we recognise there is more work to do and a further programme for improvement for 2013–14 is now agreed and being implemented across the Service.

Organisational Activity

The People Strategy is underpinned by a number of related programmes that support the Strategy's aims and which will bring real benefits to individuals and the business as a whole. During 2012-13, the programme delivery included:

- A Learning and Development Delivery Model to develop the capability of our people;
- A reviewed Dignity at Work policy focusing on preventing staff from bullying and harassment and ensuring they understand what is acceptable behaviour at work;
- Supporting 42 employees to complete an apprenticeship to provide valuable, recognised qualifications and transferable skills and we also offered 50 Legal Trainee places;
- A new Recognition Strategy to design and implement a more effective way of recognising an individual's contribution, linking local staff awards to the national staff awards;
- A new, on-line performance management system which was completed by 95.5% of CPS employees;
- A new approach to talent management and succession planning has been developed for roll-out in 2013-14;
- Introduction of an on-line exit questionnaire to capture the views of the staff that are leaving the organisation.

Learning & Development

During 2012–13, delivery of the CPS Management Development Programme commenced for 1,000 CPS managers. The aim of the 18-month mandatory programme is to increase management capability of the CPS and to ensure managers are well equipped to deliver an efficient and quality service. The programme is delivered through a blend of training events, e-learning and reflective practice. A framework of management standards is central to the initial assessment and end of programme assessment process. All managers successfully completing the programme and subsequently demonstrating their skills, knowledge and competence in the workplace will be awarded a nationally recognised qualification in operational management. The programme is being delivered in conjunction with Civil Service Learning and is held as a model of best practice for CSL integration across departments, demonstrating our commitment to working across departmental boundaries, in line with Civil Service Reform.

Legal training has included the provision of Associate Prosecutors Youth training and continued advocacy development. The team continued to develop a range of e-Learning covering some of the CPS priority areas— Allocation and Sending, Forensics, Cyber-Crime, LASPO, Human Trafficking and others.

This year has seen the re-introduction of the CPS Legal Trainee Scheme, with 17 successful applicants appointed to either a pupillage or a training contract. A new Legal Development scheme for CPS internal staff was introduced in early 2013, enabling 41 employees to progress their legal career in the CPS.

The Prosecution College

The Prosecution College continues to deliver a number of quality learning products within the legal spectrum. This year has seen the development of key learning products noted for their topical currency. This includes a suite of Cyber Crime e-Learning modules spanning from basic and intermediate knowledge levels, through

to specialist material on Cyber Stalking and Prohibited Sexual Images, and an awareness course on Human Trafficking, as an introduction to the new legislation and legal considerations.

The Prosecution College strategic commitment towards continued professional development has seen the deployment of a number of mandated courses on: Allocation and Sending, Disclosure Foundation, Forensic Science, Communication Data and Criminal Procedure Rules.

2012 represented a significant professional high for the Prosecution College team members and legal experts. The team gained GOLD recognition for Best Custom Content at the internationally acclaimed Brandon Hall Excellence Awards in Learning, for its Communication Data course.

The CPS is currently piloting the feasibility of offering Prosecution College services and products to CPS Advocate Panel Members and agencies within the Criminal Justice System with a view to extending this service across England and Wales.

Work continues in developing and utilising emerging learning technologies. Amongst other things, this includes a bespoke virtual learning environment for CPS line managers and the use of online webinar delivery.

Recognition Strategy

The CPS Recognition Strategy was launched in April 2012 and provided the facilities to provide more timely, structured and consistent processes for recognising the achievements of our employees. In its first year of operation over 675 formal Staff Award nominations were made and further initiatives to build a culture of recognition continue to be developed.

HR Policies

To ensure that CPS employment conditions fit our business requirements, are consistent with other government departments and reflect statutory developments, our HR policies are reviewed at regular intervals. During the year we have introduced new policies on Major Travel Disruption, Parental Leave, Reservists, Performance Management and Managing Poor Performance. Guidance has also been introduced to support remote working and attendance management. In addition, policies on Annual Leave, Civil Service Compensation Scheme, Code of Conduct, Employee Resourcing, Organisational Change, Redeployment, Gifts & Hospitality, Political Activities and Retirement have been updated.

New terms and conditions for new employees will apply from April 2013, in accordance with the new employment offer work that has been established under the Civil Service Reform plan. Similarly, notice has been given to terminate the Trades Union Facilities agreement to pave the way for reform to reduce TU facility time to no more than 50% for TU officials for trade union duties only, reducing cost to no more than 0.1% of the paybill.

Equal Opportunities

The CPS has a policy of equal opportunities and aims to create and sustain a working environment that is fair to all. Through commitment, action and review, it ensures that employment, training and development opportunities are appropriate to the abilities of the individual regardless of their sex, race, colour, nationality, ethnic or national origins, disability, religion, age, marital status, working pattern, sexual orientation or gender reassignment.

This policy has been jointly agreed and endorsed by the management and trade union sides of the Departmental Whitley Council. Both parties have affirmed their full support for the principle of equality of opportunity, and are determined to ensure that this policy is effectively implemented at all levels of the Service.

The Department's policy is based on the legislation governing equal opportunities and aims to promote equality of opportunity by following both the spirit and the letter of the Equality Act 2010.

The CPS is committed to further progress on equality and diversity in employment and service delivery.

Performance Management

Measurement

We have developed 10 key performance measures that will be published that will demonstrate service delivery against our key activities.

We will also seek to develop joint performance metrics with key delivery partners in the CJS, in particular, with the Courts and Police.

Core Quality Standards

The Core Quality Standards have been in operation for over three years and are now well embedded in the day-to-day work of the service. In order to assure compliance with the standards, approximately 13,000 files are reviewed each year. The results of these assessments are then compared against a basket of key performance measures.

The file review process, known as Core Quality Standards Monitoring (CQSM), requires managers to assess at least six files per month against 34 commitments set out in the Core Quality Standards. These assessments are supplemented by a peer review process where another manager assesses at least 12 files over a two-month period. This helps to ensure assessments are consistent and robust across the service. In the 2012-13 financial year, 13,278 files were assessed. Approximately 83% of the commitments in these files were fully met. Of the remainder, 9% were partially met and 8% not met.

CQSM results are further validated against a range of key performance measures drawn from the Casework Management System and other corporate databases. Other measures have also been selected to monitor performance on efficiency and productivity, violence against women, hate crime and people issues.

The results of both the CQSM assessments and the key performance measures are discussed in quarterly Area Performance Review (APR) meetings chaired by the Chief Operating Officer with Chief Crown Prosecutors and Area Business Managers. These meetings provide an early warning of poor or declining performance. Chief Crown Prosecutors and Area Business Managers are asked to report back to the CPS Board on corrective actions when performance fails to meet the required standard. Area Performance Review also provides a process for identifying and sharing best practice between senior managers across the service.

Complaints Handling

Through the change programme we will take action to put in place structures to deal with the implications of the judgment in *R v Killick* by establishing a process for a victim's right of review of decisions not to prosecute within our central Appeals Unit.

At the same time we will streamline and improve the approach we take to handling complaints generally with a particular reference to improving the way we engage with complainants and victims.

The complaints handling system will be enhanced by the introduction of an Independent Assessor of Complaints (IAC) who will review those cases where the complainant remains dissatisfied after our complaints procedure is concluded. The IAC will routinely audit a proportion of complaints to help identify issues and provide scrutiny and assurance about the operation of the system. The IAC will report directly to the CPS Board and produce an annual report that will be published.

Social and Community Matters

The CPS works in partnership with the other criminal justice agencies to respond to the concerns of local communities. We have a programme of community engagement, both nationally and in our operational Areas, to ensure that we are aware of the priorities of local communities. This commitment is expressed in Core Quality Standard 12 and performance is assessed on a quarterly and annual basis at local and national level.

There is a national Community Accountability Forum, which includes partners from national community organisations, through which we engage, involve and consult on a range of priorities. We have also established a National Scrutiny Panel that scrutinises issues such as hate crime and violence against women.

We have also set up Area Local Involvement and Scrutiny Panels to involve communities in planning, scrutiny and the analysis of local data.

Delivering Value

Refocusing Programme

In 2012 the CPS Board sanctioned proposals for the CPS to look again at its business model in 2012 with a view to introducing a model designed around digital working that would provide a high-performing, lean and efficient service for the future.

The programme includes the introduction of core CPS values; new ways of working (standardisation); changes to our business model and how we structure our charging, magistrates' court, Crown Court and complex casework functions; how we provide business support to our frontline operations; how we measure and report our performance; how we deal with complaints and how we structure our Headquarters and engage in the Government's shared services agenda.

New Ways of Working

Through the Refocusing Programme we aim to improve quality and efficiency by the introduction of standard operating practices that will operate at a national level and that have their bases in processes that currently operate in our higher performing units which we consider best practice.

We aim to create a genuinely national service that is locally delivered. Standard ways of working will be introduced by Standard Operating Practices (SOPs) that will be tested, developed and improved by a Continuous Improvement Team (CIT) in our Operations Directorate. The CIT will have a coordinating role in the continuous improvement of standard practices.

We appreciate that our national service needs to be delivered locally and that the CPS is accountable to, and needs to be receptive to, the views of local communities and stakeholders. The refocusing model will allow for proportionate discretion under the Chief Crown Prosecutor – within the operation of the standard operating practice – to ensure local needs are catered for and constructive working relationships can flourish with local CJS partners, communities and interest groups.

T3

Over the year 2012–13, the CPS has made substantial progress with its Transformation Through Technology (T3) Programme.

T3 is designed to transform the way the Service works, by moving case preparation, progression and presentation away from paper to digital using existing technology, enabling a more efficient and resilient service to be delivered.

The move to digital working under the programme has seen the CPS lead the way within the Criminal Justice System (CJS), working with CJS partners and a group of early adopter areas to pioneer various aspects of digital business change.

Together with the Criminal Justice System Efficiency (CJSE) Programme, the work is helping to modernise and reform the wider CJS into a simpler, swifter and more transparent service which meets the needs of victims and the public.

These initiatives are reducing or removing the movement of paper, and people, around the system through streamlined digital working.

Although much work remains to be done, significant strides have been made towards more efficient digital working. To date:

- Most police forces are now transferring over 90% of all case files electronically to the CPS with paper only by exception;
- All magistrates' courts are able to receive digital case files from the CPS;
- CPS prosecutors are increasingly presenting cases electronically in court from some of the 4,500 tablet devices that have been deployed;
- All Witness Care Units are working fully digitally;
- More than 2,000,000 messages are now being sent per month across CJSM secure e-mail;

- Many of the more complex and lengthy cases are being presented using electronic presentation and preparation of evidence (EPPE);
- Increasing numbers of defence firms (now 60% of contract holders) are signing up to working digitally through the use of a secure email account; and
- All CPS Areas are transferring information for pre-sentence reviews electronically to the National Offender Management Service (NOMS).

These achievements mean that digital working is now delivering real benefits. There have been challenges and there is more to do to fully embed digital practices across both the CPS and the wider CJS. But the point is fast approaching when digital will be the only way of working.

Efficiency

The CPS spending plans agreed for SR10 originally required savings of 24.5% in real terms. Subsequent budgets have reduced funding in 2014–15 to £503 million, a real terms reduction of 27%. Through maintaining an extremely tight grip on the comprehensive structured cost reduction programme developed for SR10 the department is ahead of plan by over £15 million at the end of 2012–13.

Over the next two years the CPS will change its business model to give full effect to the efficiencies it will gain through streamlined and more proportionate processes for the identification of guilty plea cases in both Magistrates' and Crown Court; the consolidation of case preparation work into fewer larger, more resilient hubs; the introduction of digital files and digital process; and driving out duplication and inefficiencies in current (paper) arrangements.

The Staff Resourcing Policy has been revised and detailed guidance on managing surplus staff has been introduced in order to continue to enable the CPS to respond to the outcomes of the Spending Review and beyond whilst also continuing to support security of employment and ensure that the CPS is resourced with the right skills, experience and knowledge to deliver the Core Quality Standards.

In April 2011 HR efficiency goals were incorporated into the Next Generation HR (NGHR) programme, which set out radical targets to be met by 2013. This HR cross-government group now called Civil Service HR (CSHR) monitor progress against these targets.

Since the initial inception of NGHR we have been working to align our function with the Civil Service HR delivery model and corresponding targets around ratio of HRD staff to employees and cost per head of the HRD function. We are actively pursuing a move to shared service for elements of HR advice and are working with MoJ as a potential future supplier of those services.

The CSHR requirement to provide progress against the targets has demonstrated that CPS is exceeding its ratio and cost targets of 1:90 and £710 by achieving 1:92 and £300 respectively (December 2012).

New procurement processes have ensured improved cost efficiency and the delivery of savings, in particular on temporary staff, consultancy, recruitment and travel.

The department has adopted a number of new pan-government contracts including those for Facilities Management and office supplies. Work has been completed to digitise the payment of counsel's fees resulting in approximately 120,000 paper transactions per annum being automated.

Our efficiency plans include the implementation of the CPS's Estates Strategy which will continue to reduce the number of small, uneconomic offices. Consolidation into larger offices will enable more flexible and effective use of resources, reduce costs and help us to achieve our Sustainable Development objectives (see page 20).

Headquarters and Shared Services

Headquarters will continue to reduce in size and cost with some changes being made to fit the proposals as set out above, for example, the establishment of a Continuous Improvement Team to monitor and develop standard operating practices.

We will continue to develop our engagement with the Government's shared service agenda and explore future opportunities in this regard.

Moving to the 'refocused' service in each of our Areas, Casework Divisions and Headquarters Directorates will occupy us through 2013-14.

Under the strategic supervision of the CPS Board the programme is governed by the Chief Operating Officer as Senior Responsible Owner.

Other Information

Payment of Suppliers and Witnesses

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

In 2012-13 the CPS settled 87% of undisputed invoices and staff and witness expense claims with 10 days of receipt (2011-12 79%). The CPS paid nothing in interest due under the Late Payment of Commercial Debts (Interest) Act 1998.

Sickness Absence

There has been an increase in average working days lost to sickness – up from 8.4 days per staff year in the year to December 2011 to 8.9 days in the year to December 2012.

This increase during 2012 was investigated and a number of actions are in place:

- A full review of our Attendance Management and Wellbeing Strategy is underway and has become one of the core programmes for the CPS People Strategy;
- The roll out of a programme of attendance management workshops, open to line managers and non-line managers which identifies the key parts of HR policy and actions that must be undertaken to address absence issues but also, to identify potential issues at an early stage;
- The use of mediation to support the informal resolution of disputes;
- Training all managers as part of the CPS management development programme to handle complex employment discussions more effectively.

Off-Payroll contracts

The CPS paid no individuals via off-payroll contracts in the period covered by these accounts.

Pension liabilities

Details on the treatment of pension liabilities, including a link to the statements of the relevant schemes are contained in Note 1: Accounting Policies and in the Remuneration Report that forms part of these accounts.

Events after the reporting period

There have been no events after the reporting period that would have a material impact on the financial statements for the year ended 31 March 2013.

Reporting Cycle

The CPS produces a three-year Corporate Business strategy and an Annual Business Plan. The Annual Business Plan is submitted by the Chief Executive to the Attorney General in April and sets out the Department's priorities, objectives and annual performance targets. It is the definitive document against which the Department's annual performance is measured.

The CPS's statutory authority to consume resources and spend cash that finances its spending plans comes from the annual Main Estimate which is presented to Parliament, as part of the Supply Procedure, by HM Treasury around the start of the financial year to which the Estimate relates.

Supplementary Estimates are presented as necessary during the year as the means for seeking Parliament's approval to additional resources and/or cash or revisions to the main Estimate.

The Annual Report and Accounts covering the Department's work for the preceding year is published each year. This includes information on the Department's performance against key performance indicators. Each year the Annual Report and Accounts are audited, published and laid before Parliament as a House of Commons paper.

They may be accessed at www.cps.gov.uk

Auditors

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

The cost of audit work was £96,000 for the audit of the CPS 2012-13 Resource Accounts. Auditor's remuneration is a notional cost (see Note 8).

Statement on disclosure to auditors

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

Financial Review

Introduction

Since 2009-10 total net expenditure has fallen sharply (see table below) and further reductions in expenditure are planned in the coming years.

Although shrinking budgets present challenges they also represent a powerful mandate for change. CPS planned well ahead of the 2010 Spending Review and designed a package of measures to preserve front line resources as far as possible. Headquarters budgets were reduced by 50% and a strategic plan was implemented to change the way we deploy people, digitise casework and introduce new streamlined processes.

Financial Results

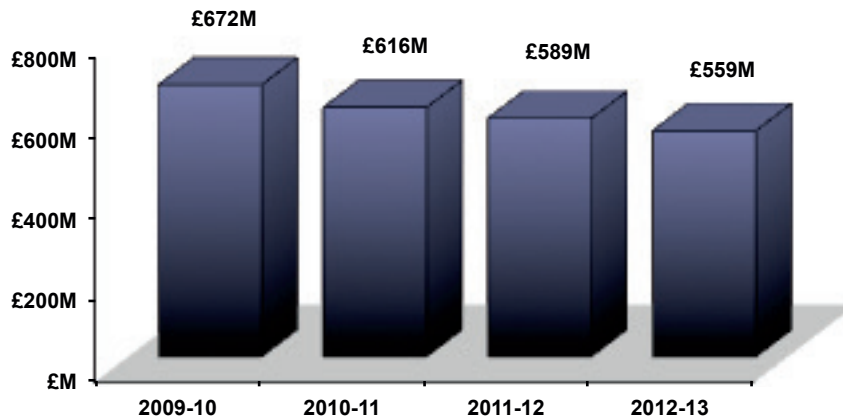
The CPS's net funding, as voted by Parliament, for the year to 31 March 2013 was £592 million.

In delivering the public prosecution service the Department spent a total of £629 million. After taking into account £66 million income, the total net resource requirement as shown in the Statement of Parliamentary Supply was £563 million which was £29.1 million or 4.9% less than the sum voted to the CPS by Parliament.

Net expenditure

The table below shows the CPS's net expenditure since 2009-10. It indicates that last year we spent less than in any other year in this period and that between 2009-10 and 2012-13 net expenditure fell by £113 million or 16.8%.

Total Net Expenditure as shown in the Statement of Comprehensive Net Expenditure 2009-2013



Income

When costs are awarded by courts, the CPS recovers some of the costs of its prosecutions from defendants and is allowed to recognise these cost awards as income.

In addition, the CPS recovers criminal assets through its confiscation, restraint and enforcement activity and under the Asset Recovery Incentivisation Scheme the department retains a proportion of the value of the assets so recovered.

Over the year the CPS received net income of £66.3 million – an increase of 3.0% over the equivalent figure from 2011-12 of £64.2 million. The majority of this change came from increased receipts through the Asset Recovery Incentivisation Scheme from £14.9 million in 2011-12 to £17.9 million in 2012-13.

The CPS's resources and expenditure are analysed between **Administration Costs** and **Crown Prosecutions and Legal Services**.

Administration Costs represents the costs of running the Department and includes only those costs not attributed to front line services directly associated with the prosecution of criminal cases. It includes staff

salaries, other staff-related expenditure, accommodation and related costs for administrative staff based in the CPS Headquarters and accounts for just 5.2% of total resource expenditure.

Overall, the CPS's net outturn against its Administration budget was £32.3 million compared to net provision of £39.9 million (Note 3b). The outturn represents an increase of £4.3 million or 15% against the figure of £27.9 million for 2011-12. The increase was largely the result of expenditure on the Management Development Programme (£1.6 million) in 2012-13 and the fact that 2011-12 expenditure had been reduced by a one-off rates refund of £1.5 million.

Crown Prosecutions and Legal Services cover the direct and indirect costs of taking cases to court and makes up approximately 94.8% of the CPS's total resource expenditure (Note 2). After the cost of front line staff salaries, most of the expenditure is associated with the costs of the more serious cases, which are heard in the Crown Court and comprise the costs of employing barristers as advocates, paying allowances and expenses to prosecution witnesses who attend court, the cost of expert testimony and a number of other less significant costs associated with the prosecution process.

In 2012-13 net expenditure on Crown Prosecutions and Legal Services was £527 million compared with provision of £541 million representing an underspend of £14 million.

Crown Court Advocacy

The CPS uses two fees schemes for the payment of self-employed advocates' fees. The majority of cases in the Crown Court handled by external advocates are paid under the graduated fee scheme (GFS). GFS is a formulaic scheme using a range of measures to determine the fee, and measures include offence category, pages of evidence, numbers of witnesses, outcome type, etc. In March 2012 a new, simplified scheme (Scheme C) was launched that is simpler to administer and which introduced revised rates.

Capital Expenditure

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

The Department spent a total of £0.17 million on the purchase of fixed assets and of this the great majority was for purchases of furniture and fittings.

Movements in Working Capital other than Cash

The closing balance on trade receivables and other current assets due within one year fell slightly from £56.1 million in 2011-12 to £54.0 million in 2012-13. In the same period trade payables and other current liabilities fell slightly from £104.0 million to £99.1 million.

Provisions for liabilities and charges

At the end of the financial year the CPS held total provisions of £16.6 million. Of this, £5.9 million was to cover the future cost of early departures and £10.6 million was for other expenses including relatively small amounts to cover personal injury and employment tribunal claims.

Non-current assets

At £29.9 million property, plant and equipment and intangible assets showed a fall of £10.4 million over the equivalent figure for 2011-12 of £40.3 million. In the case of property, plant and equipment the reduction was largely accounted for by disposals and depreciation. In the case of intangible assets a decrease in net values of £3.9 million was due to amortisation charged in year.

Cash and cash equivalents

The CPS held £22.4 million in cash and cash equivalents at the end of the reporting year – a decrease of £6.2 million from the 2011-12 balance of £28.6 million. This fall was caused by cash flows that were greater than the CPS's Supply from the Consolidated Fund of £546.2 million and the capital element of payments for on balance sheet PFI contracts (£9.5 million).

Net cash outflow from operating activities amounted to £542.1 million (£566.3 million in 2011-12), of which arising from investing activities was £0.4 million (£1.2 million in 2011-12) and from financing activities was £9.5 million (£9.0 million in 2011-12).

Reconciliation of resource expenditure between Estimates, Accounts and Budgets

	£000	£000
	2012-13	2011-12
Net Resource Outturn (Estimates)	563,223	591,077
<i>Adjustments to remove non-budget elements:</i>		
Consolidated Fund Extra Receipts in the resource budget	–	–
Total Resource Budget Outturn	563,223	591,077
<i>of which:</i>		
Departmental Expenditure Limits (DEL)	559,133	585,375
Annually Managed Expenditure (AME)	4,090	5,702
<i>Adjustments to include:</i>		
Voted expenditure outside the budget (b)	26,838	26,784
<i>Adjustments to remove:</i>		
Non-voted expenditure in the budget (c)	(29,074)	(29,094)
Net Operating Cost (Accounts)	560,987	588,767

This table reconciles the outturn as reported in the Resource Accounts to the Resource Budget Outturn

- (a) Consolidated Fund Extra Receipts (CFERs) are miscellaneous amounts that the CPS is not able to recognise as income and which are surrendered directly to the Consolidated Fund.
- (b) Voted expenditure outside the budget relates to charges in respect of the CPS's two PFI contracts arising from the adoption of IFRS.
- (c) Non-voted expenditure in the budget relates to nominal payments under operating leases which are recognised in the European System of Accounts (ESA) which underpins the Government's budgeting framework but not within the accounting framework, which reflects International Financial Reporting Standards (IFRS).

Sustainability Report

Summary of performance

The Crown Prosecution Service is committed to government policy to improve sustainability and as stated in our latest business plan is working towards meeting the Greening Government Commitment (GGC) targets which started on 1 April 2011 with a baseline period of 2009-10. The data attached reflects our present position for the financial year ending March 2013.

The CPS continues to reduce its gas and electricity emissions against the baseline of 2009-10. A large portion of the energy used is deemed renewable as well as coming from good quality Combined Heat and Power (CHP).

Overall Business travel emissions have remained even.

The CPS Headquarters building at Rose Court receives 100% renewable electricity and the majority of our buildings receive at least 10% renewable electricity and 15% good quality CHP.

The CPS has set up the following actions to improve sustainability:

- We have had gas supplied to one of our buildings, which has enabled us to move from inefficient night storage heaters to gas central heating;
- Estate rationalisation has continued this year and our estate is now smaller than previous years. Any moves completed continue to support the workplace standard of 8 desks per 10 person ratio. Our waste figures have reduced below our baseline figure this year and the majority of it is recycled. However it continues to be high as we continue with our Estate rationalisation plans;
- Through the use of Automatic Meter Reads (AMR) we have been able to develop a more detailed monitoring system and are developing processes that are supporting our move to using less energy;
- Work still continues to take place as a result of the Sustainability Surveys completed previously on seven of our major energy usage buildings. Any work completed will assist the CPS in reducing its energy consumption;
- The Central Cleaning contract across our estate continues to support the removal of waste bins from under desks, which allows Waste to be collected at central points on each floor to encourage recycling and reduce the overall volume of waste;
- The continued replacement and upgrade of our IT equipment as part of a set programme of technology refreshes and changes in working methods, with equipment that uses less power continues to support the reduction in energy consumption and our CO_{2e} emissions. Any equipment removed is disposed of under the WEEE Directive;
- Within the last year we have met the Closed Loop Procedure milestone for purchasing paper as detailed within the Guidance Document for the Greening Government Commitments;
- We are still reviewing our utility invoice paying mechanisms with a view to making them completely electronic;
- The review of our travel and subsistence procedures once completed will support our travel data collection;
- With support from Thames Water we have introduced Water AMR (Automatic Meter Readers) into our HQ building at Rose Court. Using this support alongside assistance from a project called the Rippleffect under WRAPs (Waste and Resources Action Programme) lead and using data now available we are considering the introduction of sub-meters to further analyse the water consumption;
- We, along with the other LOD members, signed up to the Carbon Trusts Carbon Management Programme and have a joint LOD Carbon Management plan, which covers the period until 2015;
- The CPS is a member of and the secretariat to the LOD Sustainable Development Steering Group.

Governance

The Solicitor General represents the Law Officers' Departments (LODs) on Sustainable Development matters. The minister is supported by the LOD SD Steering Group chaired by the CPS Finance Director. The CPS is the Secretariat to this Group and represents the LODs on any relevant SD committees.

Our results against the GGC targets will be reported annually.

Procurement

The CPS is making increasing use of mandated centralised procurement contracts where appropriate, that embed the Government Buying Standards (GBS) within them. However, if there are no centralised contracts then any contract entered into will meet the GBS requirements.

We have also been in discussions with our major supplier to establish their supply chain impacts in relation to our contract.

We are also looking to move Procurement to the "Shared Services" requirement with the Ministry of Justice.

Performance Data

(Part Estimated as full data not available for our Fleet and Waste)

The tables attached set out the CPS's performance against the key sustainability targets.

Greenhouse Gas Emissions

Scope 1 and 2 emissions include energy used by the department and its government subtenants and Fleet emissions. The GGC targets require a 25% reduction on Estate and travel emissions by 2015. The CPS's electricity supply is made up of brown, renewable and good quality combined heat and power. The expenditure and emissions figures shown reflect this breakdown. The information above is from the CPS's controlled estate where it pays the utility invoices direct to the supplier. It does not show the utility use paid directly by our landlords as part of the service charges incurred.

Emissions for scope 3 relate to recorded business travel including staff-owned cars and hire cars; air travel and train travel purchased within the relevant contracts. Currently, emissions from bus, taxi and some train/tube travel, where tickets are purchased outside of our travel contract, are not quantifiable. However, following the planned introduction of a revised electronic travel expense claims form this data should be available for reporting periods in the future.

Air and Rail travel has increased this year. However, Road travel has decreased. We have also reduced the number of leased vehicles across the estate. The need for fleet vehicles should reduce as CPS becomes less reliant on paper files.

The expenditure data shows all of the recorded expenditure on business travel.

Waste

The CPS has a national contract in place for the removal and secure destruction of paper waste. Approximately 99% of the waste generated is recycled and turned into tissue-based products. To ensure that security is not compromised there is no pre-sorting of CPS paper waste. Unfortunately this means approximately 1% of the shredded waste (staples, plastics, etc.) cannot be recycled into tissue/paper products.

Waste removal continues to be reviewed and where offices move over to the national contract we will see under-desk bins replaced with communal waste points. This facilitates easier segregation of waste and allows better use to be made of cleaners' time.

Some buildings have waste collection services provided by the Landlord and re-charged through a service charge.

The strategy to use the national FM contract has several benefits. It facilitates integration with cleaning services as the same contractor is actively involved with the movement of waste within a building and the removal of that waste from the building. Aggregating spend through one supplier means that the cost of waste removal is decreasing. In several buildings this has meant the collection savings will repay the initial investment in communal bins for segregating waste within one year. Central management of waste services also ensures more efficient and reliable management information on collection frequency and waste volumes.

Water

The data shown demonstrates our recorded water consumption and our water costs. The consumption figures, which continues to reduce relates to the metered water supply in m³. The costs include metered water, rated water and water cooler costs. We have considered installing water meters at our non-metered sites but the majority of the sites are not suitable for meter installation.

The target refers to the commitment to reduce water consumption by 2015 against a 2009-10 baseline.

Transparency Commitments as part of the GGC Reporting Requirements

These include the following areas:-

- Climate change adaptation
- Biodiversity and the natural environment
- Procurement of food and catering services
- Sustainable construction and
- People.

Climate Change Adaptation

We are in the process of reviewing our working methods and introducing best practice procedures across the department, which is leading us into reducing the numbers of offices across our estate and the setting up of "centralised hubs". All of our sites have contingency plans in place to address any major disruptions through weather or transport.

Biodiversity and the natural environment

As our estate is Office based we do not have any sites of Special Scientific Interest, which require a Biodiversity Action Plan.

Procurement of food and catering services

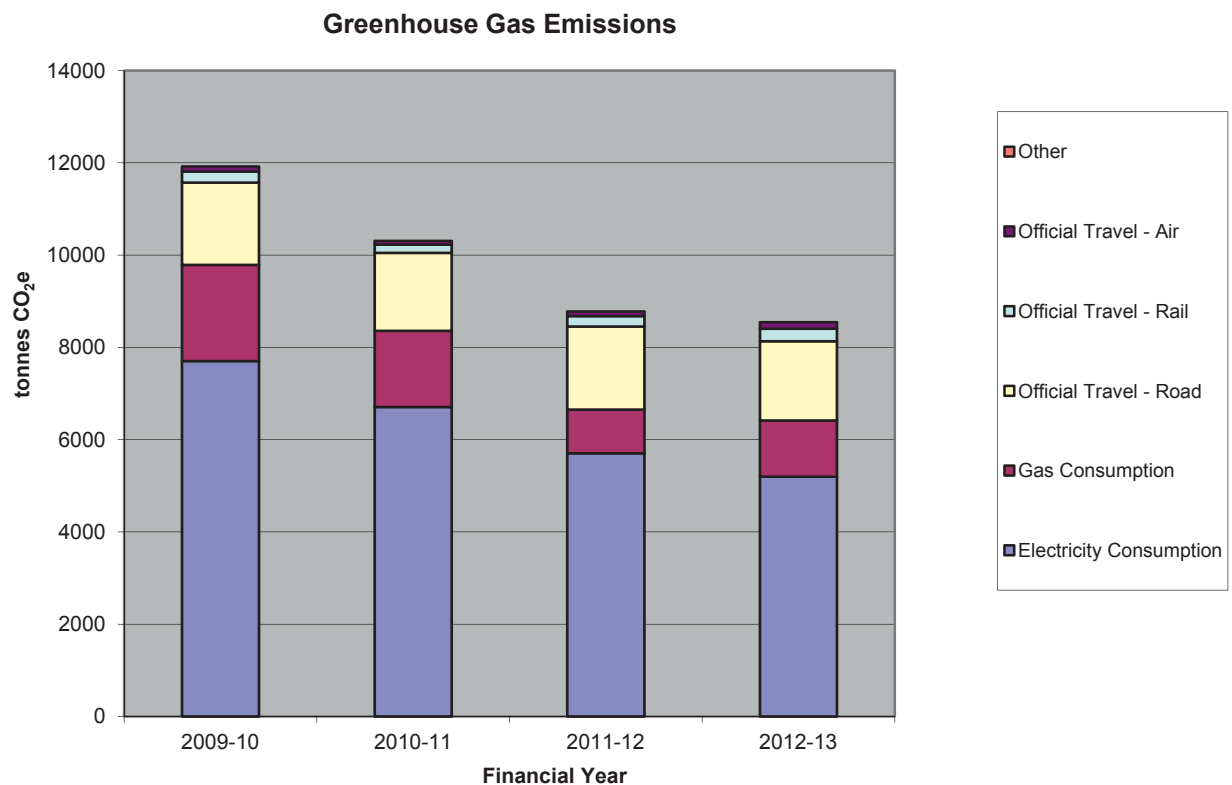
We have recently set up a FM contract which includes our catering requirements. It is still early days and our contractors are looking into our "ad-hoc" requirements across the country as well as reviewing the arrangements at our Staff Restaurant in our headquarters building at Rose Court. We have recently started discussions around the requirements of the Government Buying Standards (GBS) for Food and Catering Services, which is mandatory for departments to follow.

Sustainable Construction

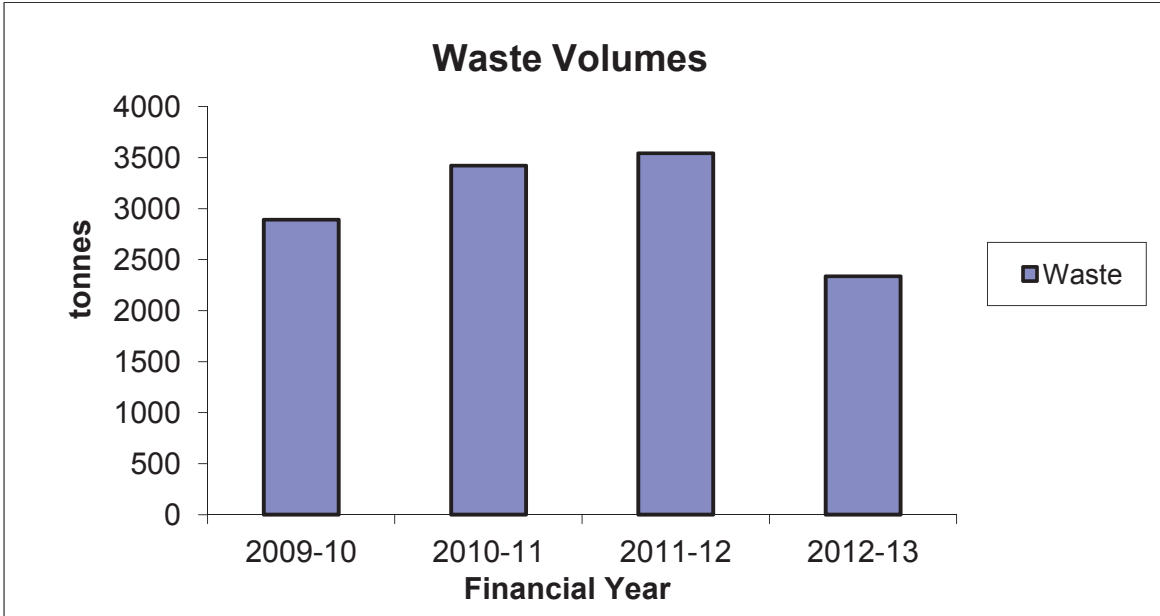
The CPS is not involved with any new construction. We do however occasionally have some refurbishment carried out on properties we plan to occupy. We do not procure timber direct but if procured by our agents it meets the government's sustainable timber procurement policy.

Note: The CPS incorporated the Revenue and Customs Prosecution Office during 2009-10, the figures above cover the combined department.

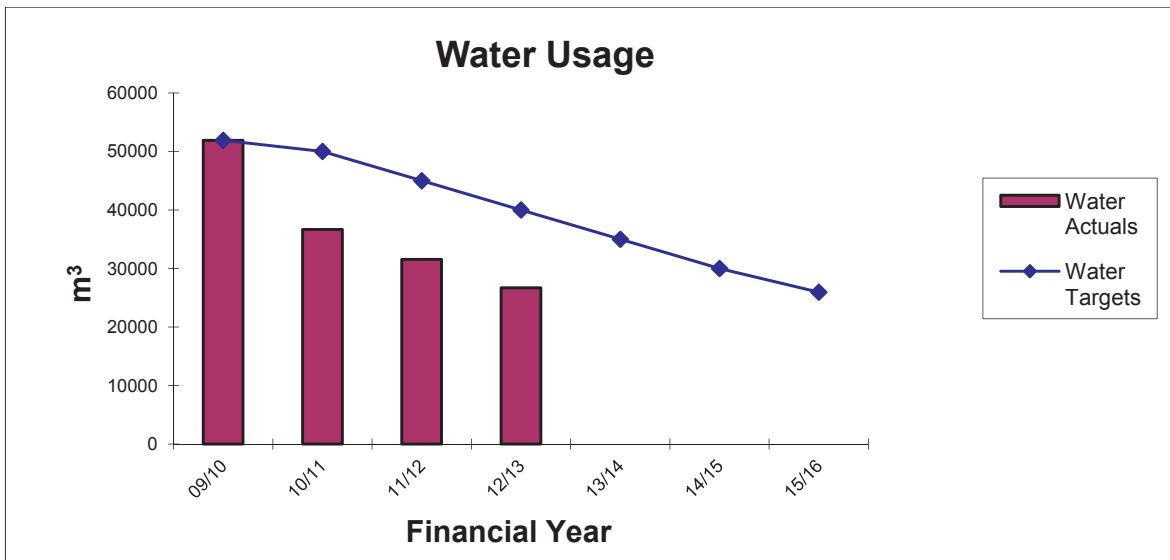
Greenhouse Gas Emissions		2009-10	2010-11	2011-12	2012-13
Non-financial indicators (tCO ₂ e)	Total Gross Emissions for Scopes 1 & 2	9,925	8,478	6,766	6,492
	Total Net Emission for Scopes 1 & 2	9,925	8,478	6,766	6,492
	Gross Emissions Scope 3 Business Travel	1,996	1,831	2,014	2,053
	Other Scope 3 Emissions Measured	0	0	0	0
Related Energy Consumption (kWh,000s)	Electricity: Non Renewable(kWh)	4,931	5,864	5,143	4,909
	Electricity: Renewable (kWh)	9,751	6,918	5,726	5,000
	Gas	11,364	8,993	5,163	6,628
Financial Indicators (£k)	Expenditure on Energy	2,382	1,602	1,551	1,457
	CRC Licence Expenditure	0	2	1	1
	Expenditure on Accredited Offsets	0	3	2	0
	Expenditure on Official Business Travel	5,427	3,707	5,660	4,101



Waste			2009-10	2010-11	2011-12	2012-13
Non-financial indicators (t)	Hazardous Waste	Total				
	Non Hazardous Waste	Landfill	210	376	611	477
		Reused/Recycled	2,682	2,966	2,792	2,041
		Incinerated/Energy from waste	0	79	139	115



Finite Resource Consumption		2009-10	2010-11	2011-12	2012-13
Non-financial indicators (m ³)	Water Consumption	51,907	36,672	31,563	28,741
Financial Indicators (£k)	Water Supply Costs	166	113	115	95



Notes:

1. Every year's CO2e data presented using Defra's 2011 GHG tables.
2. 2011-12 data as reported for GGC. The only estimated data is the Fleet data.
3. 2009-10 year is GGC baseline year.
4. 2010-11 data updated as per SOGE reporting data.

Statement of Accounting Officer's Responsibilities

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

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

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

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

Governance Statement

This Governance Statement sets out the Crown Prosecution Service's governance, risk and compliance framework and our management of the major risks to the achievement of our strategic objectives from 1 April 2012 to 31 March 2013.

We ensure that we have robust governance arrangements in place to promote high performance and safeguard propriety and regularity.

The CPS is a government department that is not subject to the protocol on enhanced departmental boards but has sought to comply with the practices set out in the Corporate Governance Code of Good Practice wherever relevant and practical.

Governance Framework

Purpose

The purpose of the Crown Prosecution Service (CPS) is to prosecute criminal cases investigated by the police in England and Wales.²

Legal Status

The CPS was established in 1986 by the Prosecution of Offences Act 1985 as an independent authority to prosecute criminal cases investigated by the police in England and Wales.

Our principal address is: Rose Court, 2 Southwark Bridge, London, SE1 9HS.

Code of Practice

The way in which the CPS undertakes its role is governed by two key documents: the Code for Crown Prosecutors and Core Quality Standards (CQS). 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 through which Crown Prosecutors arrive at decisions to charge suspects and proceed with prosecutions, or not. 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 Director of Public Prosecutions (DPP) is under a statutory duty to publish the Code for Crown Prosecutors. The seventh edition of the Code was published in January 2013 and it is replicated in full in Annex A (page 76). The CQS lay down the quality of service that the public are entitled to expect from those who prosecute on their behalf. They apply to all those who deliver the prosecution service.

Organisation

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 Chief Executive is responsible for running the business on a day-to-day basis, and for human resources, finance, business information systems, operations, and criminal justice policy, allowing the DPP to concentrate on casework, associated legal issues and legal policy.

The CPS is a national service that is delivered at a local level by 13 Areas across England and Wales. Each Area is led by a Chief Crown Prosecutor (CCP) who is responsible for the provision of a high quality prosecution service in their Area. Each CCP is supported by an Area Business Manager (ABM), and their respective roles mirror the responsibilities of the DPP and the Chief Executive. Administrative support to Areas is provided by Area

² From 1 January 2010, following the merger with Revenue and Customs Prosecutions Office, the CPS assumed prosecutorial responsibility for all cases investigated by the Serious & Organised Crime Agency, UK Border Agency and Her Majesty's Revenue & Customs. From 1 September 2011 the prosecution function of the Department for Environment, Food and Rural Affairs (DEFRA) merged with the CPS. From 1 April 2012 the prosecution functions of the Department for Work and Pensions and Department of Health were assigned to the CPS.

Operations Centres. A 'virtual' 14th Area, CPS Direct, is also headed by a CCP and ABM, and provides charging decisions to the police.

In addition, three specialist casework groups: Central Fraud, Serious Crime and Welfare, Rural and Health, deal with the prosecution of cases investigated by Her Majesty's Revenue & Customs (HMRC), the Serious & Organised Crime Agency (SOCA), UK Border Agency (UKBA), the Department for Environment, Food and Rural Affairs (DEFRA), the Department for Work and Pensions (DWP) and the Department of Health (DH). The work of the Serious Crime Group includes cases alleging terrorism and other challenging matters that require specialist experience.

The CPS Board

The CPS Board, chaired by the DPP, is collectively responsible for the delivery of the CPS's public service outcomes and the wider contribution it makes to the Criminal Justice System.

The Board meets regularly to co-ordinate activity across the organisation, driving and monitoring performance and making strategic decisions about operational, resource, communications and other administrative matters. Board members meet formally with other senior managers, corporately and in their directorates, to steer and lead on strategically important areas of work.

The role of the Board is to:

- Demonstrate visible and effective leadership across the organisation to inspire confidence in staff, CJS and other stakeholders and the public;
- Determine and communicate the Vision, strategic objectives, direction and priorities of the CPS;
- Ensure effective allocation and management of the CPS's resources;
- Set the CPS's risk appetite and have ownership of the Corporate Risk Register; and
- Ensure the CPS is a high-performing, streamlined, prosecution service focused on quality and respected for its professionalism.

In 2012-13 the Board has focused on the following key priorities:

- Identifying and managing strategic challenges and risks, linked to Corporate Risk and wider Civil Service Reform;
- Refocusing the CPS to provide a high-performing, lean and efficient service for the future;
- Implementation of the People Strategy, including driving up employee engagement and development of values;
- Embedding T3 within CPS to support Refocusing and wider digital working across the CJS;
- Ensuring delivery against Core Quality Standards and performance improvement across all other key indicators; and
- Ensuring effective allocation and management of the CPS's staff and financial resources.

The Board is satisfied that it achieved its priorities in all areas and this is supported by analysis linked to the recent Governance Review which was submitted to the Board in May 2013. Recommendations to strengthen future working were endorsed and are currently being taken forward.

During 2012-13 the Board structure remained unchanged, with the membership comprising the DPP, Chief Executive, Chief Operating Officer, Finance Director and Non-Executive Directors (NEDs). However, throughout this period, there were changes in individual members. A new Chief Operating Officer was appointed and following the departure of two non-executive Directors, two new appointments were made.

The appointment and termination of staff who are members of the CPS Board, excluding the NEDs, who are not employed by the CPS, is undertaken in accordance with the Civil Service Management Code. Where appropriate their remuneration, details of which can be found in the Remuneration Report, is determined by reference to the Senior Salaries Review Body. In the rare event of members holding company directorships or having any significant interests that conflict with their management responsibilities, these are declared and a record kept by the secretariat. No specific action was required at Board level due to a declaration of interest in 2012-13.

The Board has four subcommittees: the Audit and Risk Committee, the Nominations and Governance Committee, the Directors' Group and the Chief Crown Prosecutors' Group.

Details of membership of the Board, and its four subcommittees, during the year and associated attendance is detailed on pages 35 and 36.

Audit and Risk Committee

Jeremy Newman took over as the Chair of the Audit and Risk Committee in December 2012. The committee, on behalf of the Board, maintains an overview of the risk, control and governance of the Crown Prosecution Service (CPS) ensuring that the system of internal control is adequate to deliver regulatory compliance, financial probity and value for money. The committee reviews and monitors the CPS's risk management processes and arrangements for ensuring compliance with regulatory and financial reporting requirements. It also agrees a programme for internal audit. This year the committee also monitored the revised risk management system, progress of and risks associated with the 'Refocusing' programme and the development of the People Strategy.

Nominations and Governance Committee

The Nominations and Governance Committee has delegated responsibility and authority for advising the Board on key elements of effectiveness, including ensuring that there are satisfactory systems for identifying and developing leadership and high potential, scrutinising the incentive structure and succession planning for the Board and senior leadership of the CPS, and scrutinising governance arrangements. It has specific decision-making responsibility in respect of payments to executives and senior management.

Directors' Group

The Directors' Group is made up of the most senior members of Headquarters staff and is responsible to the CPS Board for refining and delivering the CPS strategy, collective delivery of the strategic objectives; CPS core quality standards and efficiency supporting the operational delivery of CPS business.

Chief Crown Prosecutors' Group

The Chief Crown Prosecutors' Group is made up of CPS's most senior prosecutors and is responsible for operational delivery; delivery of core quality standards and efficiency in front line operations; engagement and influence of key stakeholders; and feedback to the Directors' Group and the CPS Board, through the Chief Operating Officer, on strategic operational proposals.

Risk Management

In accordance with the CPS risk management policy, everyone in the Service has a role to play in effective risk management. It is CPS risk policy to integrate risk management in all core aspects of the business including business planning, management information, performance reporting and the decision-making processes.

Each Area maintains a risk register which is updated periodically in the financial year. The risk information is reviewed at appropriate levels and links into the Corporate Risk Register (CRR) which is the framework for managing our strategic risks.

The CPS Board is responsible for ensuring that there are appropriate risk management arrangements and that corporate risks are properly managed and includes a risk management champion. The Directors' Group, on behalf of the Board, undertakes regular and detailed oversight of the risk management capability and the management of key corporate risks. All corporate risk owners are Board or Directors' Group Members.

During the current financial year we have updated our risk guidance by simplifying the content and clarifying definitions. The new risk guidance will be formally in place from 1 April 2013. A risk 'heat map' has also been introduced to provide a pictorial view of our key risks. These changes to the risk management framework have been reviewed by our Internal Audit function and assurance on its effective operation has been received.

Risk Profile

The priorities for risk management in the Crown Prosecution Service during 2012-13 have been:

Refocusing

Building on the progress made to deliver the savings required to live within the SR2010 settlement the CPS Board sanctioned proposals for the CPS to look again at its business model in 2012 with a view to introducing a model designed around digital working that would provide a high-performing, lean and efficient service for the future.

Through the Refocusing Programme we aim to improve quality and efficiency by the introduction of standard operating practices that will operate at a national level and that have their bases in processes that currently operate in our higher performing units which we consider best practice.

The programme includes the introduction of core CPS values; new ways of working (standardisation); changes to our business model and how we structure our charging, magistrates' court, Crown Court and complex casework functions; how we provide business support to our frontline operations; how we measure and report our performance; how we deal with complaints and how we structure our Headquarters and engage in the Government's shared services agenda. Along with the T3 Programme, Estate Strategy and People Strategy the Refocusing Programme constitutes the CPS' main change programme.

Moving to the 'refocused' service in each of our Areas, Casework Divisions and Headquarters Directorates will occupy us through 2013-14.

After initial scoping work was conducted by various task and finish Working Groups over the summer and autumn of 2012, the CPS Board agreed proposals for internal consultation with CPS staff in October. The consultation concluded at the end of 2012 and the Board endorsed the response to that and the recommended post-consultation direction of travel in February 2013. Each stage of the process of reporting to the Board has had the benefit of full consideration by both the Directors' Group and Chief Crown Prosecutors' Group. The latter exercises the main operational scrutiny of the programme within the corporate governance structure of the CPS.

The risks associated to the programme have been specifically considered by the Audit and Risk Committee which receives regular reports concerning risk profile.

The Nominations and Governance Committee have ownership of talent management and succession planning generally. Associated issues arising out of the Refocusing Programme have been incorporated in the NGC's consideration of these issues.

Under the strategic supervision of the CPS Board the governance of the programme is the responsibility of the Chief Operating Officer in his capacity as Senior Responsible Owner.

Transformation Through Technology (T3)

The T3 Programme has been separated from the overall CJS Efficiency Programme after a successful period of progressing digital working across the CJS, this has been impressive given the differing priorities and pressures for the various agencies. The CPS now has all Areas exchanging information digitally with the police for first hearing files and is progressing well with other aspects of exchanging information digitally with the police. The next phase is increasing the level of digital working with the courts, the CPS are currently routinely sending initial details of the prosecution case (IDPC) information to the court. The CPS Board has recognised that due to the volume of cultural change the CPS now has to concentrate on embedding digital working in the CPS. The Governance of the Programme has been reviewed, a new Programme Director appointed and Programme documentation is being updated to ensure current processes are embedded and the next phase of digital working is managed using proven programme management techniques.

Technology within the CPS is continually being assessed to ensure it fully supports digital working and progress with HMCTS is being made in investigating a joint IT platform for case management emphasising the CJS cross-agency and joint working agenda.

The T3 Programme regularly reports into the CPS Board which challenges progress and agrees recommendations for implementing digital working.

Estates Strategy

The CPS estates strategy for the next five years is well aligned to the wider government position as outlined in the Civil Service Reform plan. As with most organisations estate is a major area of expenditure. Whilst many of the costs which make up this overall expenditure are fixed and long term, the economic climate is such that the department's estate needs to be managed strategically as a single asset in order to maximise value, increase flexibility and drive down cost. The move to the 13 Area structure, functional co-location and court rationalisation supported by improvements in technology have already enabled the move to fewer, larger buildings with greater space efficiency, but there are many other issues to address to maximise future estate efficiency.

Since 2010 there have been over 20 office closures. These have mainly been smaller regional offices with staff relocating to other local CPS offices with spare capacity. These closures have realised significant savings and have reduced the footprint of the estate by almost 20%. However, in order to deliver the savings and level of estate reform required under this strategy, the pace of closures and relocations needs to increase and be sustained.

CPS has continually reviewed the efficiency of its estate. One of the principal enablers of rationalisation across both private and public sectors is the adoption of flexible working. This means freeing up people to work in ways that best suit their needs. As well as promoting more efficient use of space, enforcing open-plan workplaces removes barriers to communication. Flexible working coupled with space solutions and flexible IT frees people from their desks and enables choice in the location of work.

The government is encouraging all departments to increase levels of flexible working, including enabling home working, working from other departmental offices and other government department sites. However, currently, the level of flexible working across the CPS is low. Barriers include the use of fixed IT for staff, and working practices for a number of roles, principally casework administrators, mean that people can only work effectively when they are based at their office. However, the biggest barrier affecting most of our front line staff is the security protocols applied to our casework. A review of the protective marking system currently being undertaken by the Cabinet Office may increase opportunities for flexible working. A second enabler will be the introduction of the new Public Services (ICT) Network across the government estate. A key benefit of which will be the ability for staff with access to a secure government IT account to log on at any PSN-enabled site and access their data and business applications.

The CPS Estate rationalisation programme will also need to align with the Government Property Unit's Regional Estates Strategy. The Government Property Unit has a list of 'core' buildings in the major cities and Departments are expected to move to these core buildings as space becomes available.

People Strategy

The People Strategy, which was launched in 2012, remains a vitally important programme for the organisation. The overall aim of the strategy is to improve the employee experience of working in the CPS. As we continue to build on the success of last year, the following three broad areas were our priority for this reporting year:

- Staff Development
- Communications
- Performance and Efficiency

Within these, there are a total of seventeen core programmes, each one with the aim of making a positive impact on the employee and the organisation. Updates have been provided on a regular basis as the programmes progress including impact that the strategy has had on CPS staff across the service. Detailed information on the People Strategy is made available to staff on the Infonet.

Counter-fraud and corruption

Historically, the CPS has experienced very low levels of fraud and its system of prescribed financial checks and controls is comprehensive. Established policies on fraud and whistle-blowing, which are published on the CPS Intranet, make clear that the organisation has a zero tolerance approach to fraud and that where fraud does occur, the response will be swift and robust.

CPS participates actively in initiatives by the Cabinet Office to co-ordinate Government responses to fraud. In 2012 the CPS carried out a Fraud Awareness Campaign which was followed up by Gateways and other

communications on fraud to all staff. Following this Campaign the great majority of employees in the CPS completed the Civil Service e-learning course on Counter Fraud. This acted as a reminder of the need to be vigilant and have good local procedures in place that are consistently applied and reviewed on a regular basis.

The CPS has a comprehensive system of prescribed financial checks and controls to discourage and detect fraud, which include the requirement for managers to perform regular audit checks on financial transactions. Transactions are sample checked to ensure that they have been authorised at an appropriate level and that payments are correct. The Court Business Delivery Unit (CBDU) systematically reviews counsel fee payments to ensure compliance with the CPS's various fee regimes and with internal processes for paying counsel and other suppliers. CPS Internal Audit carries out routine checks to assure financial regularity and propriety at a national level, and a sample of payments is reviewed every year to confirm key controls are in place and operating as intended. A new online system was introduced for financial delegations in 2011 providing increased security on the process and allowing more efficient review. Delegations for all staff are reviewed annually.

Despite having an adequate control framework in place, on Wednesday 13 February a member of staff in the HQ Finance Business Centre noticed a discrepancy in an invoice. A manager was alerted, and they found a pattern of irregularities around claims for taxi fares for witnesses in the West Midlands. The Director of Finance and the Head of Internal Audit were informed and further discreet investigations were carried out.

It soon became clear that the irregularities were suspicious and were centred on the activities of a member of staff in the West Midlands Finance Centre. The matter was reported to the West Midlands Police Economic Crime Unit.

On Wednesday 27 February the police arrested the Finance Manager for CPS West Midlands and an apprentice who worked in her team. It emerged that together they had carried out a fraud over five years with a cumulative value of over a million pounds by creating invoices for a bogus taxi company.

The two were charged on Thursday 28 February and dismissed from the service with immediate effect. From the outset the fraud was clearly a matter of the utmost seriousness and the CPS acted with appropriate rigour. As soon as fraud was suspected the police were involved and the case became subject to a full police investigation. A task and co-ordinating group, chaired by the Chief Executive, directed the internal response.

Authorisation to procure goods or services or otherwise independently commit expenditure was removed from the West Midlands Area. A firm of external auditors was engaged to conduct an audit of all payments in West Midlands in the last five years and a forensic review of transactions across the CPS. An internal investigation, led by a former Deputy Chief Inspector for Her Majesty's Crown Prosecution Service's Inspectorate, into the control framework and governance arrangements of West Midlands was commissioned. Area Business Managers and their equivalents in other parts of the CPS were asked to review the control framework and governance arrangements in their units and provide an assurance that controls were being applied and monitored.

These investigations have confirmed that the fraud in West Midlands, whilst serious, was an isolated event. No other suspicious payments were identified.

Security

In June 2012, the Senior Information Risk Owner (SIRO) formally reported the CPS' compliance against the Security Policy Framework (SPF) and Information Assurance Maturity Model (IAMM) – including the compliance of its third party supplier (Logica CGI) for its business critical system – to the Cabinet Office through the submission of the annual Security Risk Management Overview (SRMO).

An additional assessment against the SPF (V8.0) mandatory requirements was carried out in February 2013.

During the last year CPS Information Risk Management governance arrangements have been improved and embedded as follows:

- A review of all customer facing Information Security policies has been undertaken and streamlined into 2 new policies – CPS Security & Information Risk Policy and CPS Security & Information Assurance Policy. These documents have been authorised by the Security & Information Management Group (SIMG) who undertake the department's governance role;
- Personnel security – a joint working group with business and HR representatives to review vetting procedures for authorised posts and after care has been established;
- Baseline security checks have been transferred to DSU to streamline vetting process;

- Personnel Vetting, IT Security, and Information Handling arrangements with the Bar have been updated;
- The department has moved across to the Civil Service Learning (CSL) for delivery of the mandatory Protecting Information e-learning;
- The Information Commissioner's Office (ICO) original audit of the CPS in May 2011 (which covered Data Protection Governance, Training and Awareness, Records Management, Security of personal data) was followed up by a desk-based review in November 2012 to measure the extent to which the CPS had implemented the agreed recommendations and to identify any subsequent change to the level of assurance previously given. The ICO considers that the arrangements now in place provide a reasonable assurance that processes and procedures to mitigate the risks of non-compliance with the Data Protection Act (DPA) are in place;
- Information Management Advisors (IMAs) continue to receive on-going training;
- A new Business Continuity Manager has recently taken up post;
- The newly appointed SIRO intends setting up a Compliance Unit and will include area performance on security and data handling issues in his quarterly performance reviews with the IAOs;
- Written guidance has been provided to staff concerning CMS access, reinforcing access controls, their 'Need to Know' and mandating local auditing of the CMS system;
- Other written guidance – for example handling information on removable media (encrypted and unencrypted) and security procedures for laptops and tablets – have been promulgated across the department;
- A new leavers' process is in place to ensure access to IT equipment and information is properly managed.

There have been three breaches of the Data Protection Act (DPA) that have been reported to the ICO during this period by the CPS and 3 complaints from members of the public. In each instance the breach occurred as a result of the inadvertent disclosure of personal details to an unintended recipient. One of the breaches reported to the ICO involved the FOI team and was therefore significant because of their involvement but also due to the nature of the breach. To date, the ICO has not yet made a decision on any of the reported incidents.

The breaches occurred as isolated incidents in different CPS Areas/HQ Directorates. As part of the ICO breach reporting process we provided a full account of the breach, mitigating action, details of any disciplinary action taken, full details on policies, practices and procedures in place and training undertaken by employees on the DPA.

The SIRO issued a further Gateway notice (November 2012) to Chief Crown Prosecutors (CCPs) and HQ Directors reminding them that all security incidents and integrity concerns must be reported centrally to the DSU.

Reporting of Personal Data Related Incidents

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

Table 1: Summary Of Protected Personal Data Related Incidents Formally Reported to the Information Commissioner's Office in 2012-13

Reporting of Personal Data Related Incidents 2012-13			
1. Total Included Data Loss Incidents			
Category Types	I	Loss of inadequately protected electronic equipment, devices or paper documents from secured Government premises	8
	II	Loss of inadequately protected electronic equipment, devices or paper documents from outside secured Government premises	6
	III	Insecure disposal of inadequately protected electronic equipment, devices or paper documents	0
	IV	Unauthorised disclosure	26
	V	Other	4
Total			44
2. Lost/Stolen Blackberries			
			5
3. Lost/Stolen Laptops			
			14
<p>Explanatory Note: The incidents relating to loss of information have involved details from a single case file. To put the losses into context the CPS handles approximately a million defendant cases in a year. Most of these files make at least one journey to Court and in addition the CPS serves evidence on both the Court and solicitors/barristers (both defence and prosecution). The CPS continues to produce guidance and Gateway notices reminding staff of the data handling measures that should be adhered to when handling and sharing CPS information.</p>			
<p>Included – 44 personal data incidents have been included as losses for the purposes of this report. The majority of these incidents involved poor handling of the data leading to inadvertent unauthorised disclosures to others.</p>			
<p>Excluded – 38 incidents have been excluded from the report because the loss was very minor concerning a limited amount of personal data which was not compromised.</p>			
<p>Lost/Stolen Laptops/Blackberries: All devices were encrypted to the government standard. Therefore no CPS data has been compromised.</p>			

HMCPsi

Her Majesty's Crown Prosecution Service Inspectorate (HMCPsi) is an independent statutory body reporting to the Attorney General, whose primary function is to promote the effectiveness, efficiency and value for money of the bodies it inspects.

HMCPsi priorities for inspection are set out in an annual Business Plan and it reports annually to the Attorney on the performance of the CPS in addition to other individual and thematic inspection reports.

The CPS takes account of HMCPsi's findings and seeks to ensure that its recommendations are implemented as appropriate.

Review of Effectiveness

As Accounting Officer and the Director of Public Prosecutions I have a responsibility for reviewing the effectiveness of the system of internal control in the Crown Prosecution Service. My review is informed by the work of Internal Audit and members of the Directors' Group who have responsibility for the development and maintenance of the internal control framework, and comments and recommendations made by the external auditors in their annual management letter and other reports.

The effectiveness of the system of internal control was maintained and reviewed this year through:

- Comprehensive operational and financial planning and reporting processes within the CPS;

- Policies and procedures to support the flow of timely, relevant and reliable information across the organisation;
- Formalised authorisation processes and strengthening delegated authorities covering financial transactions and contracts;
- The work of Internal Audit which provides an independent and objective opinion on the adequacy of processes on risk, control, governance and finance systems;
- The Audit and Risk Committee which provides oversight and guidance on the work of Finance and Internal Audit providing an interface between the organisation and the National Audit Office;
- The HM Crown Prosecution Service Inspectorate who provide an independent review of business efficiency and effectiveness;
- The HQ Directors and Group Chairs completing a Certificate of Assurance that provides a specific and personal assurance based on a self-assessment of the reliability of their key business systems and activities throughout the year;
- The Information Assurance Maturity Model (IAMM) and Major Supplier 3rd Party Assurance assessments;
- The results of the CQSM assessments and validation measures being discussed in quarterly APR meetings which are led by the Chief Operating Officer and held with CCPs and ABMs;
- Case auditors who are aligned to Areas and Casework Groups to provide support, training and advice on counsel fee and prosecution cost issues;
- The alignment of the CQSM and APR performance framework with that of HMCPSI;
- Validation of Certificates of Assurance (CoA) when it is determined which HMCPSI Area Effectiveness reports have been published that cover the period in question.

Based on the above, I am able to report that there were no significant weaknesses in the CPS' governance and control framework that affected achievement of our strategic objectives in 2012-13.



Keir Starmer QC
Director of Public Prosecutions
24 June 2013

The Board

The membership of the Board, including attendance, during 2012-13 was as follows:

Board Member	Title	Attendance (out of 9 meetings)	Notes
Keir Starmer QC	DPP – Chair	9/9	
Peter Lewis	Chief Executive	8/9	
Mike Kennedy	Chief Operating Officer	4/6	Last meeting November 2012
Jim Brisbane	Chief Operating Officer	2/3	First meeting December 2012
Paul Staff	Director Finance	9/9	
Doreen Langston	Non-Executive Director – Chair of the Audit and Risk Committee	1/3	Left the CPS August 2012
Derek Manuel	Non-Executive Director – Chair of the Nominations and Governance Committee	8/9	
Alan Jenkins	Non-Executive Director	9/9	
Jeremy Newman	Non-Executive Director – Chair of the Audit and Risk Committee	1/3	Appointed to the Board December 2012
Alison Porter	Non-Executive Director	3/3	Appointed to the Board in December 2012

The membership of the Audit and Risk Committee during 2012-13 was as follows:

Member	Position/Role
Doreen Langston	Non-Executive Chair (left August 2012)
Jeremy Newman	Non-Executive Chair (appointed December 2012)
Richard Szadziwski	Non-Executive Member
Alan Jenkins	Non-Executive Member
Caroline Johnstone	Non-Executive Member

The membership of the Nominations and Governance Committee during 2012-13 was as follows:

Member	Position/Role
Derek Manuel	Non-Executive Chair
Keir Starmer QC	DPP
Peter Lewis	Chief Executive
Mike Kennedy	Chief Operations Officer (to November 2012)
Jim Brisbane	Chief Operations Officer (from December 2012)
Mark Summerfield	Director of Human Resources
Alison Porter	Non-Executive Member

The membership of the Directors' Group during 2012-13 was as follows:

DG Member	Position/Role	Notes
Peter Lewis	Chief Executive – Chair	
Keir Starmer QC	DPP	
Mike Kennedy	Chief Operating Officer	Last meeting November 2012
Jim Brisbane	Chief Operating Officer	First meeting February 2013
Nick Hunt	Director of Strategy & Policy	
Adrian Foster	Head of Operations	
Paul Staff	Director Finance	
	Chief Information Officer (on interim basis)	From September 2012
David Jones	Chief Information Officer	Last meeting July 2012
Alison Levitt	Principal Legal Advisor	
Mark Summerfield	Director HR	
Dale Simon	Director Equality & Diversity	
Joanna Millington	Head of Communications	

The membership of the CCPG during 2012-13 was as follows:

CCPG Member	Position/Role
Mike Kennedy	Chief Operating Officer – Chair (last meeting October 2012)
Jim Brisbane	Chief Operating Officer - Chair (from December 2012) Previously attended in post of CCP Wales
Adrian Foster	Head of Operations
Ed Beltrami	CCP Wales (first meeting December 2012)
Roger Coe-Salazar	CCP South East
Martin Goldman	CCP Yorkshire
Peter Swain	CCP CPS Direct (TP) (last meeting December 2012)
Nick Hawkins	CCP CPS Direct (as of February 2013) Previously attended in post of CCP Wessex
Kate Brown	CCP Wessex (TP) (first meeting February 2013)
Sue Hemming	Head of Special Crime and Counter Terrorism Division
Sue Patten	Central Fraud Group
Simon Clements	Head of Welfare, Rural and Health Division
Alun Milford	Head of Organised Crime Division (last meeting July 2012)
Gregor McGill	Head of Organised Crime Division (from September 2012) Previously attended in post of Legal Director, CPS London
Ken Caley	CCP Eastern (last meeting April 2012)
Grace Ononiwu	CCP Eastern (from August 2012) Previously attended in post of Legal Director, CPS London
Alison Saunders	CCP London
Harry Ireland	CCP West Midlands
Nazir Afzal	CCP North West
Barry Hughes	CCP South West
Baljit Ubhey	CCP Thames & Chiltern
Paul Whittaker	CCP Merseyside & Cheshire
Wendy Williams	CCP North East
Judith Walker	CCP East Midlands (last meeting March 2013)

Non-Executive Director's Report

I became a Non-Executive Board Member and Chair of the Audit and Risk Committee of the CPS on 3 December 2012.

The CPS is facing significant challenges arising from a changing environment and changing expectations as well as from financial pressures as a result of its reduced level of funding. The CPS has responded well to the challenges and is undergoing rapid change whilst continuing to lead reform in the criminal justice system.

The Board has been heavily involved in the Refocusing Programme including the development of a new mission for the CPS and its transformation into a values-led organisation committed to the development of its people.

The Board has also set the vision and strategy for the adoption of digital working throughout the CPS. The Transforming Through Technology (T3) programme is changing the way we work and has the potential to create a virtually paperless prosecution service enabling the use of a single case file from the investigation of an offence through to its conclusion either in court or by other disposal. The achievement of this ambition will need the full engagement and support of all delivery partners and it is encouraging to see how our partner organisations in the criminal justice system, including the Police and HMCTS, have responded to this initiative. One of my fellow non-executives is a member of the T3 programme team.

Other notable successes include the new approach to giving support to victims and witnesses, the introduction of the early guilty pleas scheme, and the highly-regarded response to high profile issues over the last year, particularly in relation to Child Sexual Abuse and Violence against Women.

People engagement continues to be a challenge and although, the Board has directed considerable attention, priority and resource to developing and motivating staff, CPS's People Survey results remain comparatively low, albeit rising slowly. The CPS is primarily a 'people business' so this is a matter of real concern and people issues will remain high on the Board's agenda in 2013-14.

The Board is provided with appropriate management information which gives us a good understanding of performance across the organisation. There is regular review of all areas and close focus on the weaker performing regions at each Board meeting. During the year two new non-executives were appointed – myself and Alison Porter – to replace two non-executives who retired in the year.

Details of Board committees are given elsewhere in this report.

The Board has recently carried out a review of governance within the CPS and the recommendations will be implemented in 2013-14.

The CPS cannot and will not stand still. Challenges in 2013-14 include the implementation of the newly introduced victims right of review, continued implementation of the refocusing programme and the necessary technological change combined with the need to continue to provide a high quality, national, statutory service whilst delivering real and ongoing reductions in resources.

Overall, I have been very impressed by the CPS and its people, under the inspiring leadership of the DPP, since I joined the organisation just over six months ago. I look forward to continuing my association with this values-led, people focussed, organisation.

Jeremy Newman
June 2013

The Certificate and Report of the Comptroller and Auditor General to the House of Commons

I certify that I have audited the financial statements of the Crown Prosecution Service for the year ended 31 March 2013 under the Government Resources and Accounts Act 2000. The financial statements comprise: the Statements of Comprehensive Net Expenditure, Financial Position, Cash Flows, Changes in Taxpayers' Equity; and the related notes. I have also audited the Statement of Parliamentary Supply and the related notes. These financial statements have been prepared under the accounting policies set out within them. I have also audited the information in the Remuneration Report that is described in that report as having been audited.

Respective responsibilities of the Accounting Officer and auditor

As explained more fully in the Statement of Accounting Officer's Responsibilities, the Accounting Officer is responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view. My responsibility is to audit, certify and report on the financial statements in accordance with the Government Resources and Accounts Act 2000. I conducted my audit in accordance with International Standards on Auditing (UK and Ireland). Those standards require me and my staff to comply with the Auditing Practices Board's Ethical Standards for Auditors.

Scope of the audit of the financial statements

An audit involves obtaining evidence about the amounts and disclosures in the financial statements sufficient to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or error. This includes an assessment of: whether the accounting policies are appropriate to the Department's circumstances and have been consistently applied and adequately disclosed; the reasonableness of significant accounting estimates made by the Accounting Officer; and the overall presentation of the financial statements. In addition I read all the financial and non-financial information in the 'Financial Review', 'Sustainability Report' and 'Governance Statement' to identify material inconsistencies with the audited financial statements. If I become aware of any apparent material misstatements or inconsistencies I consider the implications for my certificate.

I am required to obtain evidence sufficient to give reasonable assurance that the Statement of Parliamentary Supply properly presents the outturn against voted Parliamentary control totals and that those totals have not been exceeded. The voted Parliamentary control totals are Departmental Expenditure Limits (Resource and Capital), Annually Managed Expenditure (Resource and Capital), Non-Budget (Resource) and Net Cash Requirement. I am also required to obtain evidence sufficient to give reasonable assurance that the expenditure and income recorded in the financial statements have been applied to the purposes intended by Parliament and the financial transactions recorded in the financial statements conform to the authorities which govern them.

Opinion on regularity

In my opinion, in all material respects:

- the Statement of Parliamentary Supply properly presents the outturn against voted Parliamentary control totals for the year ended 31 March 2013 and shows that those totals have not been exceeded; and
- the expenditure and income recorded in the financial statements have been applied to the purposes intended by Parliament and the financial transactions recorded in the financial statements conform to the authorities which govern them.

Opinion on financial statements

In my opinion:

- the financial statements give a true and fair view of the state of the Department's affairs as at 31 March 2013 and of its net operating cost for the year then ended; and
- the financial statements have been properly prepared in accordance with the Government Resources and Accounts Act 2000 and HM Treasury directions issued thereunder.

Opinion on other matters

In my opinion:

- the part of the Remuneration Report to be audited has been properly prepared in accordance with HM Treasury directions made under the Government Resources and Accounts Act 2000; and
- the information given in the 'Financial Review', 'Sustainability Report' and 'Governance Statement' for the financial year for which the financial statements are prepared is consistent with the financial statements.

Matters on which I report by exception

I have nothing to report in respect of the following matters which I report to you if, in my opinion:

- adequate accounting records have not been kept; or
- the financial statements and the part of the Remuneration Report to be audited are not in agreement with the accounting records and returns; or
- I have not received all of the information and explanations I require for my audit; or
- the Governance Statement does not reflect compliance with HM Treasury's guidance.

Report

I have no observations to make on these financial statements.

Amyas C E Morse
Comptroller and Auditor General
National Audit Office
157-197 Buckingham Palace Road
Victoria
London
SW1W 9SP

26 June 2013

Accounts

Statement of Parliamentary Supply

Summary of Resource and Capital Outturn 2012-13

£000	Note							2012-13	2011-12
		Estimate			Outturn			Voted outturn compared with Estimate: saving/ (excess)	Outturn Total
		Voted	Non Voted	Total	Voted	Non Voted	Total		
Departmental Expenditure Limit									
- Resource	2a	580,639	-	580,639	559,133	-	559,133	21,506	585,375
- Capital	2b	2,700	-	2,700	(595)	-	(595)	3,295	51
Annually Managed Expenditure									
- Resource	2a	8,471	-	8,471	4,090	-	4,090	4,381	5,702
- Capital		-	-	-	-	-	-	-	-
Total Budget		591,810	-	591,810	562,628	-	562,628	29,182	591,128
Non Budget									
- Resource		-	-	-	-	-	-	-	-
Total		591,810	-	591,810	562,628	-	562,628	29,182	591,128

Total Resource	2a	589,110	-	589,110	563,223	-	563,223	25,887	591,077
Total Capital	2b	2,700	-	2,700	(595)	-	(595)	3,295	51
Total		591,810	-	591,810	562,628	-	562,628	29,182	591,128

Net cash requirement 2012-13

£000	Note	2012-13 Estimate	2012-13		2011-12
			Outturn	Outturn compared with Estimate: saving/ (excess)	Outturn
	4	574,439	552,048	22,391	576,859

Administration Costs 2012-13

	2012-13 Estimate	2012-13 Outturn	2011-12 Outturn
3b	39,858	32,305	27,967

Figures in the areas outlined in bold are voted totals or other totals subject to Parliamentary control.

Explanations of variances between Estimate and outturn are given in Note 2 and in the Financial Review on page 19.

The notes on pages 45 to 70 form part of these accounts.

Statement of Comprehensive Net Expenditure

for the year ended 31 March 2013

£000	Note	2012-13	2011-12
Administration costs:			
Staff costs	7	19,097	18,665
Other costs	8	13,683	9,740
Income	10	(442)	(487)
Programme expenditure:			
Staff costs	7	344,230	355,663
Other costs	9	249,511	268,864
Income	10	(65,092)	(63,678)
Net Operating Costs for the year ended 31 March 2013	3a	<u>560,987</u>	<u>588,767</u>
Total expenditure		626,521	652,932
Total Income		(65,534)	(64,165)
Net Operating Costs for the year ended 31 March 2013	3a	<u>560,987</u>	<u>588,767</u>
Other Comprehensive Net Expenditure			
		2012-13	2011-12
Net (gain)/loss on revaluation of property, plant and equipment		(1,727)	(166)
Net (gain)/loss on revaluation of intangible assets		–	(1)
Total Comprehensive Expenditure for the year ended 31 March 2013		<u><u>559,260</u></u>	<u><u>588,600</u></u>

The notes on pages 45 to 70 form part of these accounts.

Statement of Financial Position

as at 31 March 2013

£000	Note	2013	2012
Non-current assets:			
Property, plant and equipment	11	22,074	28,562
Intangible assets	12	7,828	11,742
Total non-current assets		29,902	40,304
Receivables falling due after more than one year	14	47	69
Current assets:			
Trade and other receivables	14	30,855	32,297
Other current assets	14	23,131	23,709
Cash and cash equivalents	15	22,391	28,590
Total current assets		76,377	84,596
Total assets		106,326	124,969
Current liabilities			
Trade and other payables	16	(16,172)	(14,727)
Provisions	17	(6,136)	(5,417)
Other liabilities	16	(82,961)	(89,244)
Total current liabilities		(105,269)	(109,388)
Non-current assets plus/less net current assets/liabilities		1,057	15,581
Non-current liabilities			
Provisions	17	(10,434)	(10,895)
Other payables	16	(17,248)	(24,195)
Total non-current liabilities		(27,682)	(35,090)
Total assets less liabilities		(26,625)	(19,509)
Taxpayers' equity and other reserves:			
General fund		(31,387)	(23,543)
Revaluation reserve		4,762	4,034
Total equity		(26,625)	(19,509)

Keir Starmer

Keir Starmer QC
Accounting Officer
24 June 2013

The notes on pages 45 to 70 form part of these accounts.

Statement of Cash Flows

for the year ended 31 March 2013

	Note	2012-13 £000	2011-12 £000
Cash flows from operating activities			
Net operating cost		(560,987)	(588,767)
Adjustments for non-cash transactions	8 and 9	15,705	18,559
(Increase)/decrease in trade and other receivables		2,034	2,391
Increase/(decrease) in trade and other payables		(1,928)	21,735
<i>add/(less) movements in payables relating to items not passing through the Statement of Comprehensive Net Expenditure</i>		6,093	(15,044)
Use of provisions	17	(3,048)	(5,131)
		<u>(542,131)</u>	<u>(566,257)</u>
Cash flows from investing activities			
Purchase of property, plant and equipment		(432)	(1,195)
Purchase of intangible assets		-	-
Proceeds of disposal of property, plant and equipment		-	1
		<u>(432)</u>	<u>(1,194)</u>
Cash flows from financing activities			
From the Consolidated Fund (Supply) – current year		546,237	592,112
Capital element of payments in respect of finance leases and on-balance sheet (SoFP) PFI contracts		(9,484)	(9,019)
		<u>536,753</u>	<u>583,093</u>
Net financing			
Net increase/(decrease) in cash and cash equivalents in the period before adjustment for receipts and payments to the Consolidated Fund			
		<u>(5,810)</u>	<u>15,642</u>
Payments of amounts due to the Consolidated Fund		(389)	(158)
Net increase/(decrease) in cash and cash equivalents in the period after adjustment for receipts and payments to the Consolidated Fund			
		<u>(6,199)</u>	<u>15,484</u>
Cash and cash equivalents at the beginning of the period			
	15	<u>28,590</u>	<u>13,106</u>
Cash and cash equivalents at the end of the period			
	15	<u>22,391</u>	<u>28,590</u>

The notes on pages 45 to 70 form part of these accounts.

Statement of Changes in Taxpayers' Equity

for the year ended 31 March 2013

	Note	General Fund £000	Revaluation Reserve £000	Total Reserves £000
Balance at 1 April 2011		(12,288)	4,425	(7,863)
Net Parliamentary Funding – drawn down		592,112	–	592,112
Net Parliamentary Funding – deemed		12,948	–	12,948
Supply payable adjustment	16	(28,202)	–	(28,202)
Comprehensive Net Expenditure for the year		(588,767)	167	(588,600)
Non-cash charges – auditor's remuneration	8	96	–	96
Transfers between reserves		558	(558)	–
Balance at 31 March 2012		(23,543)	4,034	(19,509)
Net Parliamentary Funding – drawn down		546,237	–	546,237
Net Parliamentary Funding – deemed		28,202	–	28,202
Supply payable adjustment	16	(22,391)	–	(22,391)
Comprehensive Net Expenditure for the year		(560,987)	1,727	(559,260)
Non-cash charges – auditor's remuneration	8	96	–	96
Transfers between reserves		999	(999)	–
Balance at 31 March 2013		(31,387)	4,762	(26,625)

The notes on pages 45 to 70 form part of these accounts.

Notes to the Departmental Resource Accounts

1. Statement of Accounting Policies

Basis of preparation

The financial statements have been prepared on a going concern basis and in accordance with the 2012-13 *Government Financial Reporting Manual (FReM)* issued by HM Treasury. The accounting policies contained in the *FReM* apply International Financial Reporting Standards (IFRS) as adapted or interpreted for the public sector context. Where the *FReM* permits a choice of accounting policy, the accounting policy which is judged to be the most appropriate to the particular circumstances of the Crown Prosecution Service for the purpose of giving a true and fair view has been selected. The particular policies adopted by the Crown Prosecution Service are described below. They have been applied consistently in dealing with items that are considered material to the accounts.

In addition to the primary statements prepared under IFRS, the *FReM* also requires the Department to prepare an additional primary statement. The *Statement of Parliamentary Supply* and supporting notes show outturn against Estimate in terms of the net resource requirement and the net cash requirement.

The financial statements are presented in Sterling and all values are rounded to the nearest thousand pounds (£000). Negative numbers are shown in brackets.

The accounts have been prepared under the Government Resources and Accounts Act 2000.

1.1 Accounting Convention

These accounts have been prepared under the historical cost convention modified to account for the revaluation of non-current assets.

1.2 Non-current Assets

Property, plant and equipment

Property, plant and equipment which are capable of being used for a period which exceeds one year and individually have a cost equal to or greater than £2,000 are capitalised, including leasehold improvements. Assets are stated at the lower of replacement cost and recoverable amount. On initial recognition they are measured at cost (for leased assets, fair value) including any costs such as installation directly attributable to bringing them into working condition.

Property, plant and equipment, other than land and buildings, is restated at fair value in existing use each year by indexation up to the year-end using Producer Price Indices, published by the Office for National Statistics. The carrying values of property, plant and equipment are reviewed for impairment if events or changes in circumstances indicate the carrying value may not be recoverable.

Land and buildings are restated at fair value using professional valuations, in accordance with guidance set out in the *FReM*, every five years. In the intervening years land and buildings are restated at fair value by the use of published indices appropriate to the type of land or building. The Investment Property Databank (IPD) supplies the indices used.

Title to the freehold land and buildings shown in the accounts is held in the name of the Secretary of State for Communities and Local Government.

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

Intangible non-current assets

On initial recognition intangible non-current assets are measured at cost including any costs such as installation directly attributable to bringing them into working condition. Intangible non-current assets are stated at the lower of replacement cost and recoverable amount. All expenditure on intangible non-current assets which are capable of being used for a period which exceeds one year and individually have a cost equal to or greater than £2,000 is capitalised.

All intangible non-current assets, other than the case management software (see 1.11) are restated to fair value in existing use each year by indexation up to the year-end using Services Producer Price indices, published by the Office for National Statistics.

1.3 Depreciation, Amortisation and Impairment

Property, plant and equipment

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

Freehold buildings	At least 20 years
Furniture and fittings	3 to 10 years
Information technology	4 years
Assets under PFI contracts	9 to 13 years.

The Department's PFI contracts were extended during 2009-10. The original contracts were for 10 years in the case of the IT infrastructure, 9 years for the Case Management System (CMS) and 6 years for the telecommunications system. Following extension, the contracts remain coterminous and are due to expire on 31 March 2015.

Leasehold improvements are written off over the shorter of:

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

Impairment losses that arise from a consumption of economic benefit are taken to the Statement of Comprehensive Net Expenditure, the balance on any revaluation reserve (up to the level of the impairment) being transferred to the general fund. Impairment losses that do not result from a loss of economic benefit are taken to the revaluation reserve, to the extent that the impairment does not exceed the amount in the revaluation surplus for the same asset.

Intangible non-current assets

Intangible non-current assets are amortised at rates calculated to write them down to estimated residual value on a straight-line basis over their estimated useful lives, which are considered to be coterminous with the Department's ICT managed service contract.

CMS is amortised from the date of the initial software release, over the 12 years of the contract, on a straight-line basis.

Software licences are amortised in a range between 3 to 5 years.

Impairment losses are charged in the same way as those arising on property, plant and equipment.

1.4 Leases

Where substantially all risks and rewards of ownership of leased assets are borne by the Department, the assets are recorded as non-current assets (either property, plant and equipment or intangible assets, depending upon the nature of the underlying assets). The assets are valued at the minimum lease rentals payable to the lessor over the life of the lease less the estimated service element inherent in the lease, discounted at HM Treasury's standard interest rate adjusted for inflation, and a debt of corresponding value is recorded to the lessor. The interest element of the lease payment is charged to the Statement of Comprehensive Net Expenditure over the period of the lease at a constant rate in relation to the balance outstanding.

Rentals due under operating leases are charged to the Statement of Comprehensive Net Expenditure over the lease term on a straight-line basis, or on the basis of actual rentals payable where this fairly reflects the usage. Future payments, disclosed at Note 19, "Commitments under Leases," are not discounted.

1.5 Cash

For the purpose of the Statement of Cash Flows, cash and cash equivalents consist of cash at bank and cash in hand.

1.6 Financial Assets

Financial assets consist of trade receivables and other current assets such as cash at bank and in hand. They are initially recognised at fair value, which is determined by reference to the underlying contract giving rise to the debt.

1.7 Financial Liabilities

Financial liabilities consist of trade payables and other current liabilities. They are initially recognised at fair value, which is determined by reference to the underlying contract giving rise to the liability.

1.8 Operating Income

Operating income is income which relates directly to the operating activities of the Department, and consists of administration and programme income. Operating income is stated net of VAT.

Administration income

Administration income is primarily rental income from the sub-letting of buildings occupied in part by the CPS. Rental income invoices are raised quarterly in advance and income is recognised monthly. Staff salary income is collected in respect of CPS staff on secondment to Local Criminal Justice Boards and other government departments and organisations, and is recognised as it is earned.

Programme income

The majority of programme income is costs awarded to the CPS. The CPS receives awards of costs made against convicted defendants at the discretion of the judge or magistrates.

In order to account for costs awards, the CPS uses returns submitted quarterly by the magistrates' courts, who are responsible for the collection of these costs. The CPS recognises income immediately after these returns are received. In interim months, when no returns are received, income is accrued on the basis of historical data.

Programme income also includes rental income from other government departments and commercial subtenants who occupy space in buildings leased by the CPS. Rental income invoices are raised quarterly in advance and income is recognised on a monthly basis over the following months.

Under the Proceeds of Crime Act's 'Asset Incentivisation Scheme', the Department is allowed to retain a proportion of the total value of assets recovered in the year. The scheme is managed by the Home Office. Income generated from this scheme is recognised in the CPS accounts when the Home Office recognises it in their accounts with estimated accruals in the intervening months.

Income is also received from the Home Office to fund the Regional Asset Recovery Teams working in the CPS and is recognised quarterly in arrears.

1.9 Administration and Programme Expenditure

The Statement of Comprehensive Net Expenditure is analysed between administration and programme income and expenditure. The classification of expenditure and income as administration or as programme follows the definition of administration costs set out in the *Consolidated Budgeting Guidance* issued by HM Treasury.

Administration costs

Administration costs reflect the costs of running the Department. These include both administrative costs and associated operating income.

Programme costs

Programme costs reflect non-administration costs being the direct cost and associated overheads of prosecution. These costs include the employment of counsel and reimbursements paid to witnesses for costs incurred through their attendance at court.

Very High Cost Cases (VHCC) are expected to last in excess of 40 days (or have three or more trial counsel instructed). Counsel are required to submit invoices covering work done as pre-determined stages in the case are reached and expenditure is recognised on their receipt.

Counsel fees in the majority of Crown Court cases which are those expected to last for 40 days or less are paid through the CPS 'Graduated Fee Scheme' agreed between the Bar Council and the Department. Payment is made on completion of all work on a case. The scheme provides a formulaic approach to calculating fees taking into account a range of set cost factors including the number of defendants, type of counsel, volume of evidence, number of witnesses and length of trial. For practical purposes, since on average most trials are started and completed within the same day (save for the sentence hearing which may occur a short time later) it is considered prudent to recognise expenditure on counsel fees only as trials are completed. It is not possible to ascertain the full value owed on all such cases at year-end until some considerable time later. Where actual counsel fees can be ascertained they have been accrued for; in all other cases the Department estimates such counsel fees outstanding for inclusion in these accounts.

1.10 Pensions

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

1.11 Private Finance Initiative (PFI) Transactions*IT Infrastructure Managed Service and CMS Software*

The CPS signed a contract entering into a PFI transaction with Logica plc on 31 December 2001 for a 10 year period commencing 1 April 2002 with an option to extend. During 2009-10 the Department exercised its option and the contract now runs until 31 March 2015. The extension has included some renegotiation of terms, but none that materially affect the service concession arrangements.

Under IFRS it has been determined that the contract contains two service concession arrangements: one covering the supply of an ICT infrastructure (including standard operating software), and one covering the design, creation and operation of a case management system. The infrastructure assets provided for use by the Department, and the CMS software designed by the contractor and provided for use by the CPS have been treated as non-current assets.

The infrastructure asset has been recognised as property, plant and equipment, and has been capitalised at the minimum lease payments less the best estimate of the supplier's service charges within those payments. The valuation of the asset has been informed by data provided by the supplier including the estimated costs of technological refreshment or updating which is a condition of the contract and the asset is being depreciated over the life of the contract on a straight-line basis.

The CMS software has been recognised as an intangible asset and as there is no active market, it has been valued at cost less accumulated amortisation less any impairment. The asset is amortised from the date of the initial software release, over the remaining life of the contract on a straight-line basis. The remaining costs incurred under the contract (that is, costs in excess of the minimum lease payments) are charged to the Statement of Comprehensive Net Expenditure in the period in which they arise.

The assets are not considered to have any residual value at the end of the lease period.

Additional rentals arising because of increased users of the systems, together with charges for additional facilities which have been introduced during the currency of the contract, are charged directly to the Statement of Comprehensive Net Expenditure in the period to which they relate.

Communications Managed Service

The CPS signed a contract on 1 April 2006 with Global Crossing for the provision of a managed telecommunications system for a 6 year period, with an option to extend. During 2009-10 the Department exercised its option and the contract now runs until 31 March 2015. The extension has included some renegotiation of terms but none that materially affect the service concession arrangements. These accounts reflect the extension.

This has been accounted for in accordance with IFRIC 12, Service Concession Arrangements, as required by the *FReM*. The infrastructure asset provided for use by the Department has been treated as property, plant and equipment, and has been capitalised at the minimum lease payments less the best estimate of the supplier's service charges within those payments, and the asset is being depreciated over the life of the contract on a straight-line basis. The assets are not considered to have any residual value at the end of the primary lease period.

As with the contract with Logica, additional rentals arising because of increased users of the systems, together with charges for additional facilities which have been introduced during the currency of the contract, are charged directly to the Statement of Comprehensive Net Expenditure in the period to which they relate.

During 2009-10 successful negotiations with the relevant suppliers led to both contracts being extended, and they are now due to expire on 31 March 2015. As a result the capitalised values of the underlying assets have been recalculated, and those assets are now depreciated (and, in the case of the CMS software, amortised) over their new remaining lives on a straight-line basis.

The depreciation, amortisation, impairment and restatement to current value in existing use by indexation up to the year-end of the assets arising out of these contracts all follow the principles governing the treatment of similar, owned assets.

1.12 Provisions

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

1.13 Bad Debt Provision

The Department receives the bulk of its income from costs awarded against convicted defendants. Her Majesty's Courts and Tribunals Service (HMCTS) is responsible for the collection of costs awarded to the CPS. The Department writes off specific costs awards when HMCTS considers the debts will not be collected. A proportion of the remaining income will not be collected and the Department fully provides against the risk of default on payment. The CPS uses trend analysis to compare the rate of collection over time to the annual value of costs awarded to estimate the appropriate bad debt provision.

1.14 Contingent Liabilities

In addition to contingent liabilities disclosed in accordance with IAS 37, the Department discloses for parliamentary reporting and accountability purposes certain contingent liabilities where the likelihood of a transfer of economic benefit is remote, but which have been reported to Parliament in accordance with the requirements of *Managing Public Money*. Where the time value of money is material, contingent liabilities which are required to be disclosed under IAS 37 are stated at discounted amounts and the amount reported to Parliament separately noted. Contingent liabilities that are not required to be disclosed by IAS 37 are stated at the amounts reported to Parliament. These comprise:

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

1.15 Employee benefits

The Department provides for holiday entitlements that have been earned but not taken at the date of the Statement of Financial Position. No central records of holiday entitlements exist within the Department, so it has been necessary to estimate the cost based on a sample of employees' personal records. Their average entitlements have then been multiplied by average pay data to arrive at a liability for the Department as a whole.

1.16 Value Added Tax

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

1.17 Accounting Standards and other FReM changes issued and effective in 2012-13 for the first time

There were no IFRS or FReM changes giving rise to changes in accounting policy and applied for the first time in the current period.

1.18 New or amended standards issued but not yet effective and not adopted early*IAS 1 Presentation of financial statements (Other Comprehensive Income)*

Items of other comprehensive income are to be grouped on the basis of whether they might at some point be reclassified from other comprehensive income to profit, for example, cash flow hedges, or where they will not, for example, gains on property revaluation. CPS Other Comprehensive Net Expenditure comprises only net gains and losses on revaluation.

IFRS 13 – Fair value measurement

IFRS 13 has been prepared to provide consistent guidance on fair value measurement for all relevant balances and transactions covered by IFRS (except where IFRS 13 explicitly states otherwise). The standard defines fair value, provides guidance on fair value measurement techniques and sets out the disclosure requirements. The standard requires fair value to be measured using the most reliable data and inputs available to determine the exit price for an asset or liability. This exit price is taken to be the price that two market participants (a buyer and seller) would settle on. The application of IFRS 13 is subject to further review by HM Treasury and the other Relevant Authorities before due process consultation.

Currently, CPS restates Property, Plant and Equipment at fair value each year using indices published by the Office for National Statistics. Land and Buildings are restated at fair value using professional valuations every five years and by using indices supplied by IPD in the intervening years. Intangible assets, other than the case management software, are also restated to fair value each year using indices published by the Office for National Statistics. Trade receivables, other current assets, trade payables and other current liabilities are all initially recognized at fair value.

1.19 Areas of judgement and key sources of estimation uncertainty

The preparation of financial statements requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities, disclosures of contingent assets and liabilities and the reported amounts of income and expense during the period. Actual results could differ from these estimates. Information about these judgements and estimations is detailed below.

Graduated Fees System (GFS) accruals

The system for managing and paying counsel fees in Areas and Casework Divisions is complex and there is a lengthy chain between case initiation and fees payment which involves many individuals. This means that generating an accurate counsel fee accrual relies on data sent from a number of financial and non-financial sources and calls on both judgement and a degree of skill.

The overall GFS accruals figure is informed by trend analysis of expenditure from prior periods, caseload volumes and a detailed assessment of a number of variables that tend to increase or decrease total expenditure on fees. The average payables days is calculated and compared to the reported accrual returns from Groups and Central Casework Divisions. This figure is used to adjust over and under accruals for each operational area and provides an accurate overall Departmental accrual. The accuracy of the adjustment relies on historical patterns of payment continuing into the future. The inclusion of higher cost cases into the GFS scheme has made expenditure more volatile and consequently increased the difficulty in capturing accrued expenditure.

The carrying amount of the GFS accrual at 31 March 2013 was £13.615 million.

PFI liabilities

The CPS is a party to two Private Finance Initiative (PFI) contracts, one with Logica for the provision of IT equipment and services and one with Global Crossing for the provision of telephony equipment and services. Departments adopted International Financial Reporting Standards (IFRS) for the first time in 2009-10 and under IFRS the accounting treatment for the PFI contracts changed.

Under IFRS the CPS IT and telephony infrastructure and specialist Case Management System software were deemed to be controlled by the Department and therefore defined as assets. Consequently the contracts are accounted for as capital assets on the CPS Statement of Financial Position and a corresponding liability to fulfil the payments to the suppliers for the remainder of the contract period.

The quarterly service payments made to Logica and Global Crossing are replaced by notional capital expenditure recorded at the outset of the contract and when infrastructure is subsequently refreshed. Charges depreciating the assets and an imputed interest charge, reflecting the fact that a proportion of the payments relates to the suppliers' cost of borrowing, are recorded throughout the life of the contracts. The adjustments are purely to the accounting treatment and there is no effect on the cash requirement of the Department.

The asset values recorded reflect the providers' assessments of the value of the infrastructure necessary to provide the service.

The total contract costs are based on the number of users and number of items of equipment supplied, with a base level of users and equipment specified, under which the costs would remain the same. Costs relating to additional users in excess of the base level are not included in the value of the asset and liability, as they are discretionary, and are accounted for as standard running costs.

The total obligations of the capitalised elements of the PFI contracts at 31 March 2013 was £56.949 million.

Provisions

Allowance for Receivables - Cost Awards

The CPS receives awards of costs made against convicted defendants at the discretion of the judge or magistrates. CPS is informed of the level of costs awarded in court by HMCTS and accounts for the corresponding receivables. HMCTS then pays over the cash collected, which reduces the receivable balance.

A number of these costs awarded may never be collected, for example when the individual is imprisoned, has left the country or has died. HMCTS writes off irrecoverable debts as and when they become apparent and informs the CPS of the amounts written off.

It is prudent for CPS to account for an allowance for receivables to reflect the fact that a proportion of outstanding receivables recognised are likely to require writing off in the future.

The level of allowance is based on a financial model utilising historical trend data relating to the total costs awarded in court and the amount of cash actually received.

The carrying amount of the allowance for cost award receivables at 31 March 2013 was £19.659 million.

Early retirements

Under the early retirement schemes that the CPS has run, the Department has been liable for the pension costs of the individual between the date of their early retirement and the date of the pre-existing pension entitlement, usually their 60th birthday.

The estimated total future cost of the pension for this period is accounted for at the date of early retirement as a liability on the Statement of Financial Position. As the monthly pension payments are made, this liability reduces.

The value of the liability for each of the individuals is calculated using pension information provided by DWP, this is then projected to the date of the individual's 60th birthday and discounted at the published HM Treasury rate to reflect the time value of money.

The estimated liabilities associated with new early retirees, changes to existing retirees' pensions and changes to discount rates must be accounted for as a change to the total liability provided for by the Department. This information is monitored in year and reconciled to the actual monthly pension invoices that are received.

From 2010-11 onwards, voluntary release schemes were centrally funded. They no longer create new pension liabilities for departments. Accordingly, only liabilities from previous years remain on CPS books and these will progressively diminish.

The carrying amount of the provision for early retirements at 31 March 2013 was £5.922 million.

Other liabilities

The Department provides for the costs of dilapidation claims made by landlords on the expiry of property leases, compensation claims for personal injury, employment tribunal and other civil litigation action against the Department.

Dilapidation claims are provided for when a claim is made by a landlord or when it is anticipated that a claim will be forthcoming. The value of anticipated claims is estimated by the CPS by extrapolating from costs actually incurred on previously expired leases.

Legal claims are provided for when the Department has been advised that there is a probability of over 50 per cent that the claim against the Department will succeed, usually when the CPS has admitted liability to some degree. Legal advisors provide an estimate of the financial cost.

Where the likelihood of a claim succeeding against the Department is possible but not probable or the amount of the claim cannot be accurately estimated, the existence of the claim is disclosed in the notes to the accounts, but not recognised in the financial statements.

The carrying amount of other liabilities at 31 March 2013 was £10.648 million.

Employee Benefits Accrual

IAS 19 requires that the department recognises accrued employee benefits, including paid annual leave.

There is no central record of leave untaken at any time. The Department estimates the total number of days of accrued annual leave using a sample of employees selected to provide geographical and job role coverage. This estimate of accrued leave per person is applied to the average staff cost and staff in post figure to calculate the total liability to the Department.

The carrying amount of the holiday pay accrual at 31 March 2013 was £4.466 million.

2. Net Outturn

2(a). Analysis of net resource outturn by section

2012 - 13									2011-12 Outturn
Outturn						Estimate			
Administration			Programme			Total	Net Total	Net Total compared to Estimate	Total
Gross	Income	Net	Gross	Income	Net				

Spending in Departmental Expenditure Limit

Voted:

A. Administration Costs in Headquarters and on Central Services

32,747	(442)	32,305	-	-	-	32,305	39,858	7,553	27,967
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B. Crown Prosecutions and Legal Services

-	-	-	591,920	(65,092)	526,828	526,828	540,781	13,953	557,408
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Annually Managed Expenditure:

Voted:

C. CPS Voted AME Charges (Note a)

-	-	-	4,090	-	4,090	4,090	8,471	4,381	5,702
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Total	32,747	(442)	32,305	596,010	(65,092)	530,918	563,223	589,110	25,887	591,077
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Note a – Annually Managed Expenditure comprises the following items charged to the Statement of Comprehensive Net Expenditure: holiday pay accrual, new provisions for staff early departure costs and claims made against the CPS, cost awards written off and changes to bad debt provisions made during the year. AME is credited with the value of provisions utilised in the year for staff early departure costs and claims made against the CPS.

2(b). Analysis of net capital outturn by section

2012 - 13					2011-12 Outturn
Outturn			Estimate		
Gross	Income	Net	Net Total	Net Total compared to Estimate	Total

Spending in Departmental Expenditure Limit

Voted:

B. Crown Prosecutions and Legal Services

166	(761)	(595)	2,700	3,295	51
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Total	166	(761)	(595)	2,700	3,295	51
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Explanation of the variation between Estimate and outturn (net total resources and capital):

DEL Administration expenditure was £7.553 million below the Estimate. This was due to lower than expected administrative staff costs and other administrative costs. Although expenditure in these categories was below budget the outturn figures were higher than their equivalents in 2011-12.

DEL Programme expenditure was £13.953 million below the Estimate. This was due to reductions in most areas of programme expenditure, including reductions in staff costs following a higher than expected number of staff taking Voluntary Exit terms.

AME expenditure was £4.381 million below the Estimate due to the write back and use of provisions in respect of early retirements, dilapidations, costs awards, employment tribunals and personal injury cases.

DEL Capital expenditure was £3.295 million below the Estimate due to reductions in the CPS estate and the disposal of assets with a carrying value of £0.761 million.

Additional information relating to these variances is provided in the Financial Review on pages 17 to 19.

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

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

			2012-13 £000	2011-12 £000
	Note	Outturn	Outturn	Outturn
Total resource outturn in Statement of Parliamentary Supply				
Budget	2a		563,223	591,077
Non-budget			-	-
Add: PFI accounting treatment adjustment (Note a)			26,838	26,784
Less: Income payable to Consolidated Fund	5		-	-
PFI budgeting treatment adjustment (Note a)			(29,074)	(29,094)
Net Operating Costs in Statement of Comprehensive Net Expenditure			<u>560,987</u>	<u>588,767</u>

Note a – Under Clear Line of Sight, the budgeting and accounting treatment of PFI expenditure are different. PFI costs are included in the Statement of Parliamentary Supply on the basis of ESA 95 (the National Accounts basis), but are included in the Statement of Comprehensive Net Expenditure on an IFRS basis.

3(b). Outturn against final Administration Budget and Administration net operating cost

			2012-13 £000	2011-12 £000
	Note	Outturn	Outturn	Outturn
Estimate – Administration costs limit	2a		39,858	42,574
Outturn – Gross Administration costs	2a		32,747	28,454
Outturn – Gross Income relating to Administration costs	2a		(442)	(487)
Outturn – Net Administration costs			<u>32,305</u>	<u>27,967</u>
Reconciliation to operating costs:				
Less: Holiday pay accrual classed as AME			33	(49)
Administration Net Operating Costs			<u>32,338</u>	<u>27,918</u>

4. Reconciliation of net resource outturn to net cash requirement

				Net total outturn compared with Estimate: saving/ (excess)
	Note	Estimate £000	Outturn £000	£000
Resource outturn	2a	589,110	563,223	25,887
Capital outturn	2b	2,700	(595)	3,295
Accruals to cash adjustments:				
<i>Adjustments to remove non-cash items:</i>				
Depreciation and amortisation		(8,900)	(11,255)	2,355
New provisions and adjustments to previous provisions		(8,199)	(3,306)	(4,893)
Capital element of payments in respect of finance leases and on-balance sheet (SoFP) PFI contracts		-	9,484	(9,484)
Adjustment between PFI budgeting and accounting treatments			(2,236)	2,236
Other non-cash items		(3,000)	(382)	(2,618)
<i>Adjustments to reflect movements in working balances:</i>				
Increase/(decrease) in receivables		-	(2,034)	2,034
(Increase)/decrease in payables		-	(3,899)	3,899
Use of provisions		2,728	3,048	(320)
Net cash requirement		<u>574,439</u>	<u>552,048</u>	<u>22,391</u>

5. Analysis of income payable to the Consolidated Fund

In addition to income retained by the Department, the following income relates to the Department and is payable to the Consolidated Fund (cash receipts being shown in italics).

	Outturn 2012-13		Outturn 2011-12	
	Income	<i>Receipts</i>	Income	<i>Receipts</i>
Excess cash surrenderable to the Consolidated Fund (Note a)	–	–	–	389
Total income payable to the Consolidated Fund	–	–	–	389

Note a – Excess cash surrenderable to the Consolidated Fund in 2011-12 comprised £389k excess Appropriation in Aid income recognised in 2010-11 and collected in 2011-12. There was no excess cash surrenderable for 2012-13.

Under HM Treasury's Clear Line of Sight, the budgeting and Estimates treatment for some income streams has changed, permitting departments to retain income that might previously have been surrendered to the Consolidated Fund as a Consolidated Fund Extra Receipt (CFER). Income which is outside the ambit of the Estimate must be surrendered to the Consolidated Fund. The CPS retained all income streams in 2012-13. Refunds of overpayments and rebates are netted off expenditure and all other unexpected income, which is within the ambit of the Estimate, is treated as miscellaneous income.

6. Statement of Operating Costs by Operating Segment

Detailed segmental information is not reported to the Board. The Board receives financial performance reports which are not disaggregated, but which show the CPS as a single unit. As such, no segmental information is disclosed.

7(a). Staff numbers and related costs

Staff costs comprise:

	2012-13 £000	2012-13 £000	2012-13 £000	2011-12 £000
	Permanently employed staff	Others	Total	Total
Wages and salaries	283,070	7,025	290,095	298,152
Social security costs	22,730	–	22,730	23,316
Other pension costs	50,502	–	50,502	52,860
Sub Total	356,302	7,025	363,327	374,328
Less recoveries in respect of outward secondments	(2,049)	–	(2,049)	(1,701)
Total net costs	354,253	7,025	361,278	372,627

£344.230 million of staff costs were attributed to programme expenditure (2011-12: £355.663 million).

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

For 2012-13, employers' contributions of £50,342,214 were payable to the PCSPS (2011-12: £52,713,557) at one of four rates in the range 16.7 to 24.3 per cent of pensionable pay, based on salary bands. The Scheme Actuary reviews employer contributions usually every four years following a full scheme valuation. The contribution rates are set to meet the cost of the benefits accruing during 2012-13 to be paid when the member retires and not the benefits paid during this period to existing pensioners.

Employees can opt to open a **partnership** pension account, a stakeholder pension with an employer contribution. Employers' contributions of £137,877 (2011-12: £134,881) were paid to one or more of the panel of three appointed stakeholder pension providers. Employer contributions are age-related and range from 3 to 12.5 per cent (2011-12: 3 to 12.5 per cent) of pensionable pay.

Employers also match employee contributions up to 3 per cent of pensionable pay. In addition, employer contributions of £11,507, 0.8 per cent (2011-12: £11,896, 0.8 per cent) of pensionable pay, were payable to the PCSPS to cover the cost of the future provision of lump sum benefits on death in service or ill health retirement of these employees.

Contributions due to the **partnership** pension providers at the balance sheet date were £13,701. Contributions prepaid at that date were £nil.

13 individuals (2011-12: 9 individuals) retired early on ill health grounds; the total additional accrued pension liabilities in the year amounted to £112,573 (2011-12: £91,551).

Average number of persons employed

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

	Permanent		2012-13	2011-12
	Total	staff	Number	Number
	7,046	6,936	Others 110	Total 7,464
Total	7,046	6,936	110	7,464

7(b). Reporting of Civil Service and other compensation schemes – exit packages

The figures shown are for 2012-13. Figures in brackets are for the prior year, 2011-12.

Exit package cost band	Number of compulsory redundancies		Number of other departures agreed		Total number of exit packages by cost band	
< £10,000	–	(–)	23	(22)	23	(22)
£10,000 - £25,000	–	(–)	144	(125)	144	(125)
£25,000 - £50,000	–	(–)	195	(178)	195	(178)
£50,000 - £100,000	–	(–)	110	(106)	110	(106)
£100,000 - £150,000	–	(–)	27	(36)	27	(36)
> £150,000	–	(–)	2	(2)	2	(2)
Total number of exit packages	–	(–)	501	(469)	501	(469)
Total resource cost 2012-13 (£'000)	–	–	20,923	–	20,923	–
Total resource cost 2011-12 (£'000)	–	–	20,711	–	20,711	–

Redundancy and other departure costs have been paid in accordance with the provisions of the Civil Service Compensation Scheme, a statutory scheme made under the Superannuation Act 1972. Exit costs are accounted for in full in the year of departure. Where the Department has agreed early retirements, the additional costs are met by the Department and not by the Civil Service pension scheme. Ill-health retirement costs are met by the pension scheme and are not included in the table.

8. Other Administration Costs

	2012-13 £000	2011-12 £000
Rentals under operating leases:		
Hire of office equipment	7	6
Other operating leases	1,556	788
	<u>1,563</u>	<u>794</u>
Non cash items		
Auditors' remuneration (Note a)	96	96
Other expenditure		
Training	2,239	638
Other staff costs	2,237	1,790
Consultancy and professional charges	1,579	1,563
Accommodation and associated costs	1,462	(118)
Non PFI contract IT costs	1,052	946
Travel and subsistence	865	814
Information Technology	539	816
Printing and stationery	515	346
Facilities management	514	528
File storage	241	223
Postage and carriage	166	177
Recruitment costs	121	173
Permanent transfer costs	102	137
Books, reports and newspapers	85	132
Communications	65	58
Shared services	1	340
Other expenditure	241	287
	<u>12,024</u>	<u>8,850</u>
	<u>13,683</u>	<u>9,740</u>

Note a – There has been no auditors' remuneration for non-audit work. The audit fee comprises £96k for the audit of the CPS 2012-13 accounts. The audit fee for 2011-12 comprised £96k for the audit of the 2011-12 accounts.

Note b – During the prior year the CPS received a £1.496 million rates refund on a property which it had vacated. This refund was netted off accommodation expenditure for 2011-12.

Note c – Training costs have increased because of the Management Development Programme, the cost of which in 2012-13 was £1.6 million.

9. Programme Costs

		2012-13		2011-12
		£000		£000
	Note			
Rentals under operating leases:				
Hire of office equipment		1,593		1,169
Other operating leases		19,801		22,654
			21,394	23,823
Interest Charges on imputed finance leases				
			1,212	1,677
PFI service charges				
			18,269	18,294
Non cash items				
Depreciation	11	7,341		7,705
Amortisation	12	3,914		3,935
Loss on disposal of property, plant and equipment	11,12	761		737
Loss on revaluation of property, plant and equipment		279		181
Change in bad debt provision		8		381
Provisions:				
Provided in year	17	2,699		7,702
Unrequired provision written back	17	(679)		(2,178)
Borrowing costs on provisions	17	1,286		-
			15,609	18,463
Other expenditure				
Advocate fees		110,608		111,041
Accommodation and associated costs		20,783		21,404
Information Technology		13,244		23,422
Expert witness fees		5,937		6,722
Non-expert witness expenses		5,405		5,889
Postage and carriage		4,923		5,252
Travel and subsistence		4,503		4,091
Costs awarded to the CPS written off	23	4,457		4,389
Printing and stationery		3,916		5,484
Communications		3,361		3,536
Prosecution transcripts and translations		3,270		3,568
Prosecution presentational equipment		2,422		2,354
Interpreters and translators		1,462		1,584
Consultancy and professional charges		1,394		1,722
Costs awarded against the CPS		1,203		385
Facilities Management		1,016		1,099
File storage		832		867
Permanent transfer costs		771		615
Books, reports and newspapers		514		608
Training		417		346
Other expenditure		2,589		2,229
			193,027	206,607
			249,511	268,864
Less: programme income	10	(65,092)		(63,678)
		184,419		205,186

10. Income

	2012-13	2011-12
	£000	£000
	Total	Total
Administration income:		
Rental receivable from other departments	809	904
Rent netted-off gross expenditure	(809)	(904)
Rental receivable from external tenants	221	234
Other	221	253
	<u>442</u>	<u>487</u>
Programme income:		
Costs awarded to the CPS	39,635	42,299
Recovered Assets Incentivisation Fund	17,909	14,905
Rental receivable from other departments	2,474	1,967
Rent netted-off gross expenditure	(2,474)	(1,967)
Rental receivable from external tenants	1,178	1,303
Local Criminal Justice Board and other secondments	1,390	1,517
Other	4,980	3,654
	<u>65,092</u>	<u>63,678</u>
Total	<u>65,534</u>	<u>64,165</u>

11. Property, plant and equipment

2012-13	Land	Buildings	Leasehold	Furniture	Information	Total
	£000	excluding	Improvements	and	Technology	£000
	£000	dwellings	£000	Fittings	£000	£000
	£000	£000	£000	£000	£000	£000
Cost or valuation						
At 1 April 2012	957	3,752	4,854	29,727	36,312	75,602
Additions	-	-	-	165	1	166
Disposals	-	-	(342)	(7,424)	(1,670)	(9,436)
Revaluation	(97)	(393)	42	510	5,074	5,136
At 31 March 2013	860	3,359	4,554	22,978	39,717	71,468
Depreciation						
At 1 April 2012	-	101	2,601	17,154	27,184	47,040
Charged in year	-	45	494	2,987	3,815	7,341
Disposals	-	-	(295)	(6,746)	(1,634)	(8,675)
Revaluation	-	(11)	22	290	3,387	3,688
At 31 March 2013	-	135	2,822	13,685	32,752	49,394
Carrying amount at 31 March 2012	957	3,651	2,253	12,573	9,128	28,562
Carrying amount at 31 March 2013	860	3,224	1,732	9,293	6,965	22,074
Asset financing:						
Owned	860	3,224	1,732	9,293	57	15,166
Finance Leased	-	-	-	-	-	-
On-balance sheet PFI contracts	-	-	-	-	6,908	6,908
Carrying amount at 31 March 2013	860	3,224	1,732	9,293	6,965	22,074

2011-12	Land £000	Buildings £000	Leasehold Improve- ments £000	Furniture and Fittings £000	Information Technology £000	Total £000
Cost or valuation						
At 1 April 2011	1,003	3,934	5,816	35,037	36,397	82,187
Additions	–	–	–	778	10	788
Disposals	–	–	(944)	(6,509)	(135)	(7,588)
Revaluation	(46)	(182)	(18)	421	40	215
At 31 March 2012	957	3,752	4,854	29,727	36,312	75,602
Depreciation						
At 1 April 2011	–	53	2,648	19,346	23,909	45,956
Charged in year	–	50	677	3,603	3,375	7,705
Disposals	–	–	(715)	(6,011)	(125)	(6,851)
Revaluation	–	(2)	(9)	216	25	230
At 31 March 2012	–	101	2,601	17,154	27,184	47,040
Carrying amount at 31 March 2011	1,003	3,881	3,168	15,691	12,488	36,231
Carrying amount at 31 March 2012	957	3,651	2,253	12,573	9,128	28,562
Asset financing:						
Owned	957	3,651	2,253	12,573	402	19,836
Finance Leased	–	–	–	–	–	–
On-balance sheet PFI contracts	–	–	–	–	8,726	8,726
Carrying amount at 31 March 2012	957	3,651	2,253	12,573	9,128	28,562

Reconciliation of additions to cash flows from investing activities shown in the Statement of Cash Flows

	Note	2012-13 £000	2011-12 £000
Additions of property, plant and equipment	11	166	788
Additions of intangible assets	12	–	–
Movement in capital creditors		114	(109)
Movement in capital accruals		152	516
Less: Proceeds of disposal		–	(1)
Less: additions of PFI contract assets		–	–
Net cash outflow from investing activities		432	1,194

Freehold land and buildings were valued at 31 December 2009 at £4,975,000 on the basis of existing use value by an independent firm of Chartered Surveyors, DTZ. The registered office is 125 Old Broad Street, London, EC2N 2BQ. The valuations were undertaken in accordance with the UK Practice Statement 1.3 of the Royal Institution of Chartered Surveyors (RICS) Appraisal and Valuation Standards published 1 May 2003. At 31 March 2013 land and buildings were further revalued using indices calculated by the Investment Property Databank and which are consistent with those used in previous years. The Accounting Officer is not aware of any material changes in the carrying value of freehold land and buildings.

Other property, plant and equipment are revalued using the Producer Price Indices published by the Office for National Statistics on 19 March 2013.

The majority of IT assets in use in the business are held under a PFI contract as detailed in Notes 1.11 and 20.

12. Intangible assets

Intangible assets comprise Case Management (CMS) software and software licences.

Software licences were revalued using the Services Producer Price Indices published by the Office for National Statistics on 20 February 2013.

CMS is the CPS case management system and the intangible asset is the system software. As at 31 March the carrying amount of the asset was £7.810 million and the asset's remaining amortisation period was two years. The CMS is stated at cost less accumulated amortisation, as detailed in Note 1.11.

2012-13

	CMS £000	Software Licences £000	Total £000
Cost or valuation			
At 1 April 2012	55,598	42	55,640
Additions	-	-	-
Disposals	-	-	-
Revaluation	-	-	-
At 31 March 2013	55,598	42	55,640
Amortisation			
At 1 April 2012	43,884	14	43,898
Charged in year	3,904	10	3,914
Disposals	-	-	-
Revaluation	-	-	-
At 31 March 2013	47,788	24	47,812
Carrying amount at 31 March 2012	11,714	28	11,742
Carrying amount at 31 March 2013	7,810	18	7,828
Asset financing:			
Owned	-	18	18
Finance Leased	-	-	-
On-balance sheet PFI contracts	7,810	-	7,810
Carrying amount at 31 March 2013	7,810	18	7,828

2011-12

	CMS £000	Software Licences £000	Total £000
Cost or valuation			
At 1 April 2011	55,598	92	55,690
Additions	–	–	–
Disposals	–	(51)	(51)
Revaluation	–	1	1
At 31 March 2012	55,598	42	55,640
Amortisation			
At 1 April 2011	39,979	35	40,014
Charged in year	3,905	30	3,935
Disposals	–	(51)	(51)
Revaluation	–	–	–
At 31 March 2012	43,884	14	43,898
Carrying amount at 31 March 2011	15,619	57	15,676
Carrying amount at 31 March 2012	11,714	28	11,742
Asset financing:			
Owned	–	28	28
Finance Leased	–	–	–
On-balance sheet PFI contracts	11,714	–	11,714
Carrying amount at 31 March 2012	11,714	28	11,742

13. Financial Instruments

Because of the largely non-trading nature of its activities and the way in which government departments are financed, the CPS is not exposed to the degree of financial risk faced by business entities. Moreover, financial instruments play a much more limited role in creating or changing risk than would be typical of a trading entity. The Department has no power to borrow or invest surplus funds and financial assets and liabilities are generated by day-to-day operational activities and are not held to change the risks facing the Department in undertaking its activities. The Department holds no assets that are available for sale, nor does it hold or trade in investments.

Liquidity risk

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

Interest rate and foreign currency risk

The Department has no material transactions in foreign currency; all material assets and liabilities are denominated in sterling. The CPS is not exposed to any material interest rate or currency risk.

Credit risk

The Department does not consider that any credit risk arises from trading with other government departments. In trading with commercial concerns, the Department undertakes regular investigation of creditworthiness and employs robust systems to ensure that monies due are collected on time.

As stated in Note 1.8, the CPS receives awards of costs made against convicted defendants at the discretion of the judge or magistrates.

Magistrates' courts are responsible for recording, enforcing and collecting these costs and forwarding collected monies to the CPS. As a result, the Department is not in a position to perform any checks on creditworthiness in advance, and has to rely on systems employed at magistrates' courts to ensure overdue balances are minimised and collected. There remains a significant risk that balances will not be collected in full and on time, and therefore bad debts are provided for on the basis of the historical relationship between costs awarded and cash collected.

As a result the Department considers that credit risk in respect of cost award debtors is adequately provided against.

Fair values

The following statement is a comparison by category of original cost and fair values of the Department's financial assets and liabilities at 31 March 2013.

	2012-13 £000		2011-12 £000		Basis of fair valuation
	Original cost	Fair value	Original cost	Fair value	
Financial assets:					
Loans and receivables	64,378	44,719	66,263	46,612	Note a
Cash at bank and in hand	22,391	22,391	28,590	28,590	
	86,769	67,110	94,853	75,202	
Financial liabilities:					
Other financial liabilities	(81,245)	(81,245)	(86,563)	(86,563)	
	(81,245)	(81,245)	(86,563)	(86,563)	

Note a – With the exception of cost awards, all receivables are stated at original cost. As stated in Note 1.8, the CPS receives awards of costs made against convicted defendants at the discretion of the judge or magistrates. Magistrates' courts are responsible for recording, enforcing and collecting these costs and forwarding collected monies to the CPS. Magistrates' courts record and account for individual cost award debtors, but report transactions to the CPS only on an aggregated basis. While the CPS can therefore account fully for aggregate costs awarded, the Department does not hold records of individual balances and transactions so it is not possible to analyse cost award receivables by anticipated future periods of receipt and the resultant cash flows cannot be estimated, nor can the CPS review individual balances for collectability. As a result, bad debts are provided for on the basis of the historical relationship between costs awarded and cash collected. The CPS considers that providing in this way against the aggregate balance of cost award debtors represents a fair value. The future timing of cash flows from cost award receivables remains uncertain, since detailed records of individual debtors' payment arrangements rest with the magistrates' courts. Since bad debts have effectively been excluded from the stated balance of cost award debtors the Department considers that remaining balances will be paid on a timely basis, and that discounting future cash flows would not provide a significantly different overall net position.

14. Accounts receivables, financial and other current assets

	2012-13	2011-12
	£000	£000
Amounts falling due within one year:		
VAT	1,983	1,989
Trade receivables (Note a)	49,785	51,029
Doubtful debt provision (Note b)	(19,659)	(19,651)
Deposits and advances	683	512
Other receivables	729	919
Prepayments	7,311	7,468
Accrued income	13,154	13,740
	53,986	56,006
Amounts falling due after more than one year:		
Trade receivables	27	63
Prepayments	20	6
	54,033	56,075

Note a – It is not possible to analyse cost award receivables by amounts falling due within one year and amounts falling due after one year. Her Majesty's Courts and Tribunals Service retain the accounting records for uncollected cost awards and these records are not analysed between amounts falling due within one year and amounts falling due after one year.

Note b – The CPS provides against the risk of default on payment of costs awarded against convicted defendants, £19.656 million (2011-12: £19.651 million) and against default on payment of other income, £0.003 million (2011-12: £Nil).

Note c – The heading "Trade and other receivables" on the Statement of Financial Position comprises Trade receivables and Other receivables net of the Doubtful debt provision. All other receivables categories above are included on the Statement of Financial Position as "Other current assets".

14(a). Intra-Government Balances

	Amounts falling due		Amounts falling due after	
	within one year		more than one year	
	£000		£000	
	2012-13	2011-12	2012-13	2011-12
Balances with other central government bodies	7,151	6,877	–	–
Balances with local authorities	27	43	–	–
Balances with NHS bodies	11	–	–	–
Balances with public corporations and trading funds	197	4	–	–
Subtotal: intra-government balances	7,386	6,924	–	–
Balances with bodies external to government	46,600	49,082	47	69
Total receivables at 31 March	53,986	56,006	47	69

15. Cash and cash equivalents

	2012-13	2011-12
	£000	£000
Balance at 1 April	28,590	13,106
Net change in cash and cash equivalent balances	(6,199)	15,484
Balance at 31 March	22,391	28,590
The following balances at 31 March were held at:		
Government Banking Service	22,389	28,589
Commercial banks and cash in hand	2	1
Balance at 31 March	22,391	28,590

16. Trade payables and other current liabilities

	Note	2012-13	2011-12
		£000	£000
Amounts falling due within one year:			
Other taxation and social security		7,546	7,998
Trade payables		10,973	9,713
Other payables		5,199	5,014
Accruals and deferred income		42,930	42,934
Current part of imputed finance lease element of on balance sheet (SoFP) PFI contracts		10,094	9,721
		76,742	75,380
Amounts issued from the Consolidated Fund for supply but not spent at year end		22,391	28,202
Consolidated Fund extra receipts due to be paid to the Consolidated Fund:			
received	5	–	389
receivable		–	–
		99,133	103,971
Amounts falling due after more than one year:			
Other payables, accruals and deferred income		6,882	3,972
Imputed finance lease element of on balance sheet (SoFP) PFI contracts		10,366	20,223
		17,248	24,195

16(a). Intra-Government Balances

	Amounts falling due within one year		Amounts falling due after more than one year	
	£000		£000	
	2012-13	2011-12	2012-13	2011-12
Balances with other central government bodies	36,018	42,935	–	–
Balances with local authorities	143	1,990	–	–
Balances with NHS bodies	–	–	–	–
Balances with public corporations and trading funds	–	–	–	–
Subtotal: intra-government balances	36,161	44,925	–	–
Balances with bodies external to government	62,972	59,046	17,248	24,195
Total payables at 31 March	99,133	103,971	17,248	24,195

17. Provisions for liabilities and charges

	Early departure costs	Other	Total
	£000	£000	£000
Balance at 1 April 2012	7,375	8,937	16,312
Provided in the year	611	2,088	2,699
Provisions not required written back	(129)	(550)	(679)
Provisions utilised in the year	(2,120)	(928)	(3,048)
Borrowing costs	185	1,101	1,286
Balance at 31 March 2013 (Note a)	5,922	10,648	16,570
Balance at 1 April 2011	10,798	5,121	15,919
Provided in the year	186	7,516	7,702
Provisions not required written back	(315)	(1,863)	(2,178)
Provisions utilised in the year	(3,294)	(1,837)	(5,131)
Borrowing costs	-	-	-
Balance at 31 March 2012	7,375	8,937	16,312
<i>Analysis of expected timing of discounted flows 2012-13</i>			
Not later than one year	1,798	4,338	6,136
Later than one year and not later than five years	3,858	3,718	7,576
Later than five years	266	2,592	2,858
Balance at 31 March 2013	5,922	10,648	16,570
<i>Analysis of expected timing of discounted flows 2011-12</i>			
Not later than one year	2,250	3,167	5,417
Later than one year and not later than five years	4,507	3,838	8,345
Later than five years	618	1,932	2,550
Balance at 31 March 2012	7,375	8,937	16,312

Note a – The balance comprises £6.136 million current liabilities and £10.434 million non current liabilities.

Note b – Included within other provisions is provision for dilapidations of £8.594 million (2011-12 £7.704 million).

Early departure costs

The CPS meets the additional costs of benefits beyond the normal PCSPS benefits in respect of employees who retire early by paying the required amounts annually to the PCSPS over the period between early departure and normal retirement date. The CPS provides for this in full when the early retirement programme becomes binding on the CPS by establishing a provision for the estimated payments discounted by the HM Treasury discount rate of 2.35 (2011-12: 2.8) per cent in real terms with effect from 31 March 2013.

Other provisions

Other provisions comprise outstanding compensation claims for personal injury, employment tribunal, civil legal claims and dilapidation claims served by landlords at the expiry of a lease on a property occupied by the CPS. In respect of compensation claims, provision has been made for the litigation against the Department. The provision reflects all known legal claims where legal advice indicates that it is more than 50 per cent probable that the claim will be successful and the amount of the claim can be reliably estimated. Expenditure on employment tribunal claims is likely to be incurred within one year and on personal injury claims within two years. Dilapidations claims are analysed as payable within one year, between two and five years and later than five years. Legal claims which may succeed but are less likely to do so or cannot be estimated are disclosed as contingent liabilities in Note 22. A provision is made against all anticipated dilapidation claims at a rate per square metre which reflects actual dilapidations discounted to reflect the time value of money. With effect from 31 March 2013 the discount rates were: -1.8% (for cash flows 0-5 years); -1.0% (5-10 years); +2.2% (more than 10 years). Other provisions are assessed quarterly. The balances for "provided in year" and "written back" therefore reflect the quarterly movements in provision.

18. Capital commitments

Contracted capital commitments at 31 March not otherwise included in these financial statements.

	2012-13	2011-12
	£000	£000
Property, plant and equipment	1	57

19. Commitments under leases*Operating Leases*

Total future minimum lease payments under non-cancellable operating leases are given in the table below for each of the following periods.

Obligations under operating leases for the following periods comprise:

	2012-13	2011-12
	£000	£000
Land		
Not later than one year	48	48
Later than one year and not later than five years	192	192
Later than five years	8	56
	<u>248</u>	<u>296</u>
Buildings		
Not later than one year	21,906	21,586
Later than one year and not later than five years	62,815	64,969
Later than five years	23,767	35,840
	<u>108,488</u>	<u>122,395</u>
Other		
Not later than one year	29	49
Later than one year and not later than five years	18	52
Later than five years	-	-
	<u>47</u>	<u>101</u>

In respect of land and buildings leases, the CPS has not entered into any contingent rent arrangements. The majority of leases are covered by the 1954 Landlord and Tenant Act which sets out the procedure for lease renewals.

The total future minimum sublease payments expected to be received under non-cancellable subleases as at 31 March 2013 is £1.283 million (2011-12: £3.896 million).

20. Commitments under PFI contracts

The Department has entered into two PFI contracts.

Information Technology (IT) managed service

The Department's IT service is provided through a managed service contract which was originally for a term of 10 years from 1 April 2002 with an option to extend. During 2009-10 the Department exercised its option and the contract now runs until 31 March 2015. The extension has included some renegotiation of terms, but none that materially affect the service concession arrangements.

Communications managed service

The Department's communications are provided through a managed service contract which was originally for a term of 6 years from 1 April 2006, with an option to extend. During 2009-10 the Department exercised its option and the contract now runs until 31 March 2015. The extension has included some renegotiation of terms, but none that materially affect the service concession arrangements.

Contractual payments therefore comprise two elements: imputed finance lease charges and service charges.

The imputed finance lease obligation is as follows:

Total obligations under on-balance sheet (SoFP) PFI contracts for the following periods comprise:

	2012-13	2011-12
	£000	£000
		<i>Restated</i>
Not later than one year	10,695	10,696
Later than one year and not later than five years	10,695	21,390
Later than five years	-	-
	21,390	32,086
Less interest element	(930)	(2,143)
Present value of obligations	20,460	29,943

These figures represent the present value of future minimum lease payments, discounted at HM Treasury's discount rate of 3.5 per cent, over the remaining term of the contract.

All minimum lease payments due under PFI contracts have been included in the calculation of the value of the assets taken onto the balance sheet in respect of those contracts; while payments may arise in future years as a result of there being more users than the minima stipulated in the contracts, the Department is not committed to make such payments unless and until such a liability arises.

The contracts covering these managed services allow for a number of improvements and enhancements to systems over the lifetime of the projects. As such changes are successfully introduced there may be increases in the charges levied by the Service Providers.

These increases will only be recognised in the accounts once the relevant changes have been properly tested and fully accepted as fit for purpose by the CPS.

Present value of obligations under on-balance sheet (SoFP) PFI contracts for the following periods comprise:

	2012-13	2011-12
	£000	£000
		<i>Restated</i>
Not later than one year	10,094	9,721
Later than one year and not later than five years	10,366	20,222
Later than five years	–	–
	<u>20,460</u>	<u>29,943</u>

Charge to the Statement of Comprehensive Net Expenditure and future commitments

The total amount charged in the Statement of Comprehensive Net Expenditure in respect of the service element of on-balance sheet PFI transactions was £18,269 (2011-12 £18,294); and the payments to which the department is committed is as follows:

	2012-13	2011-12
	£000	£000
		<i>Restated</i>
Not later than one year	18,384	18,379
Later than one year and not later than five years	18,390	36,775
Later than five years	–	–
	<u>36,774</u>	<u>55,154</u>

21. Other financial commitments

The Department has entered into contracts, which are not leases or PFI contracts, only cancellable at a significant cost, for the delivery and support of the Department's finance system, HR and purchasing system. The payments to which the Department is committed (inclusive of VAT) are as follows:

	2012-13	2011-12
	£000	£000
Not later than one year	535	471
Later than one year and not later than five years	339	383
Later than five years	–	–
	<u>874</u>	<u>854</u>

22. Contingent Liabilities

22 (a). Contingent Liabilities disclosed under IAS 37

As at 31 March 2013 the CPS was involved in 10 personal injury claims in addition to those for which a provision has been made (note 17). 7 claims may result in settlements totalling £245,100. It is not possible to estimate the value of the remaining 3 claims. The CPS was also involved in 16 Employment Tribunal cases in addition to those for which a provision has been made (note 17). 8 cases may result in settlements totalling £104,400. It is not possible to estimate the value of the remaining 8 cases.

Payments made on successful employment tribunal claims are expected to be made within one year and within two years for personal injury claims.

22 (b). Contingent Liabilities reported to Parliament in accordance with Annex 5.5 of Managing Public Money

The CPS has not given any guarantees, indemnities or letters of comfort which would require disclosure however remote the possibility of their realisation (2011-12: Nil).

23. Losses and special payments

Included within the Statement of Comprehensive Net Expenditure are losses and special payments as follows:

	2012-13		2011-12	
	Number of cases	£000	Number of cases	£000
23(a) Losses Statement				
Cash losses	28	175	30	230
Administrative write offs	67,569	4,457	59,609	4,389
Fruitless payments	–	–	1	7
Claims waived or abandoned	–	–	1	112
23(b) Special Payments				
Ex gratia	37	692	29	764
Total of losses	67,634	5,324	59,670	5,502

Cash losses are overpayments of pay and allowances paid to CPS staff and to suppliers which have not been recovered because it is not cost effective to pursue recovery.

Administrative write offs are cases relating to costs awarded to the CPS which the magistrates' courts are responsible for collecting. Between 1 April 2012 and 31 March 2013 the magistrates' courts wrote off 67,569 (2011-12 59,609) cases with a value of £4.457 million (2011-12: £4.389 million) under their delegated powers.

Ex gratia payments reported are payments made in settlement of Employment Tribunal, personal injury and other civil litigation claims made against the Department. Included within ex gratia payments are 16 payments the CPS had provided for (see note 17.)

Cash losses includes £0.171 million (2011-12 £0.209 million) relating to a fraudulent payments arising from a member of staff creating invoices for a bogus supplier. The fraud was discovered by staff within the CPS HQ Finance Business Centre and was reported to the police.

Details of cases over £250,000

There were no payments of over £250,000 (2011-12: Nil)

24. Related-party transactions

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

Details of salary, benefits in kind and pension benefits paid to key management personnel are given in the Remuneration Report. The CPS requests that each Board member completes a declaration, stating whether they or their spouse and close family members have been in a position of influence or control in organisations with which the CPS has transactions. All Board members, including those who left the CPS during the year, completed a declaration.

The declarations advised no material transactions had taken place.

25. Third-party assets

There are no third-party assets as at 31 March 2013 (2011-12: £Nil).

26. Events after the reporting period

In accordance with the requirements of IAS 10, events after the reporting period are considered up to the date on which the accounts are authorised for issue. This is interpreted as the date of the Certificate and Report of the Comptroller and Auditor General.

Departmental Remuneration Report

Remuneration Policy

The Nominations and Governance Committee (NGC) now acts as the Remuneration Committee for the CPS.

In 2012-13 this committee was made up of the following :

Derek Manuel	Non-Executive Board Member (Chair)
Alison Porter	Non-Executive Board Member (from 3 December 2012)
Keir Starmer QC	Director of Public Prosecutions
Peter Lewis	Chief Executive
Mike Kennedy	Chief Operating Officer (to 30 November 2012)
Jim Brisbane	Chief Operating Officer (from 3 December 2012)
Mark Summerfield	Director of Human Resources

The remuneration of senior civil servants is set according to guidance provided by the Cabinet Office, following the recommendations made by the independent Senior Salary Review Body (SSRB) to the Prime Minister.

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

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

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

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

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

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

In line with Government policy a pay freeze has applied to SCS staff from 2011-12 until 2012-13 and over this period no increase has been paid to these staff in relation to base pay, cost of living or performance. The pay settlement for SCS staff for 2013-14 had not yet been agreed but will apply Government policy. For other staff, the pay award for 2013-14 was limited to an overall increase of 1%.

In respect of the awarding of non-consolidated performance related pay, a scheme operated in 2012-13, authorised by the Cabinet Office. A performance related payment of up to 5 per cent of the total eligible SCS pay bill was available to be paid to the top 25 per cent of eligible staff. The actual distribution of payments was 3.14% of the SCS pay bill.

Service Contracts

The Constitutional Reform and Governance Act 2010 requires Civil Service appointments to be made on merit on the basis of fair and open competition. The Recruitment Principles published by the Civil Service Commission specify the circumstances when exceptions to appointments on this basis may apply.

Further information about the work of the Civil Service Commission can be found at www.civilservicecommission.org.uk.

The contract for the DPP, Keir Starmer QC, covers a period of five years from 1 November 2008 to 31 October 2013.

With the exception of Non-executive Directors, all other officials covered by this report hold appointments which are open-ended. Notice periods are set according to guidance provided by the Cabinet Office. Early termination, other than for misconduct, would result in the individual receiving compensation as set out in the Civil Service Compensation Scheme.

Non-executive Directors

All the Non-executive Directors have fixed term contracts covering a period of three years as follows:

Doreen Langston	15 June 2009 to 31 August 2012
Derek Manuel	6 July 2011 to 5 July 2014
Alan Jenkins	6 July 2011 to 5 July 2014
Alison Porter	3 December 2012 to 2 December 2015
Jeremy Newman	3 December 2012 to 2 December 2015

Either party may terminate the contract for any reason before the expiry of the fixed period by providing one month's written notice. If the appointment is terminated early by mutual consent no notice will be given by the CPS. No compensation is payable to Non-executive Directors for early termination of their contract.

Salary Entitlements

The following sections provide details of the remuneration paid to the most senior officials of the Department.

Remuneration (audited)

Officials	2012-13			2011-12		
	Salary £000	Bonus Payments £000	Benefits in kind (to nearest £100)	Salary £000	Bonus Payments £000	Benefits in kind (to nearest £100)
Keir Starmer QC <i>Director of Public Prosecutions</i>	195 – 200	–	Nil	195 – 200	-	Nil
Peter Lewis <i>Chief Executive</i>	160 – 165	15 – 20	Nil	160 – 165	15 – 20	Nil
Paul Staff <i>Director Finance</i>	95 – 100	10 – 15	Nil	90 – 95	10 – 15	Nil
David Green QC <i>Director Central Fraud Group (to 8 April 2011)</i>	–	–	Nil	0 – 5 (fye 210 – 215)	–	Nil
Mike Kennedy (a) <i>Chief Operating Officer (to 30 November 2012)</i>	95 – 100 (fye 145 – 150)	–	Nil	145 – 150	–	Nil
Jim Brisbane <i>Chief Operating Officer (from 3 December 2012)</i>	35 – 40 (fye 120 – 125)	–	Nil	–	–	–
Rob Sykes (b) <i>Non-executive Director (to 31 March 2012)</i>	–	–	–	10 – 15	–	1,000
Doreen Langston (b) <i>Non-executive Director (to 31 August 2012)</i>	5 – 10 (fye 10 – 15)	–	100	10 – 15	–	400
Alison Porter (b) <i>Non-executive Director (from 3 December 2012)</i>	0 – 5 (fye 10 – 15)	–	200	–	–	–

Officials	2012-13			2011-12		
	Salary £000	Bonus Payments £000	Benefits in kind (to nearest £100)	Salary £000	Bonus Payments £000	Benefits in kind (to nearest £100)
Jeremy Newman (b) <i>Non-executive Director</i> (from 3 December 2012)	0 – 5 (fye 10 – 15)	–	100	–	–	–
Derek Manuel (b) <i>Non-executive Director</i> (from 6 July 2011)	10 – 15	–	200	5 – 10 (fye 10 – 15)	–	200
Alan Jenkins (b) <i>Non-executive Director</i> (from 6 July 2011)	10 – 15	–	100	5 – 10 (fye 10 – 15)	–	Nil
Band of highest paid Director's total remuneration (£000) (c)		195 – 200			210 – 215	
Median total remuneration		29,666			29,648	
Ratio		6.7:1			7.2:1	

fye = full year equivalent salary

- Mike Kennedy left under Voluntary Exit terms on 30 November 2012. He received a compensation payment of £255 - 260k, and compensation in lieu of notice of £45 – 60k.
- Non-executive Directors are paid £13,044 per annum. Expenses are paid to all Non-executive Directors. Where the expense is for home to office travel, this is assessed by HM Revenue & Customs as constituting a benefit in kind. The tax and National Insurance contributions due on the benefits in kind are paid by the CPS.
- The 2011-12 figure has been re-stated to exclude severance.

Salary

'Salary' includes gross salary; overtime; reserved rights to London weighting or London allowances; recruitment and retention allowances; private office allowances and any other allowance to the extent that it is subject to UK taxation. This report is based on accrued payments made by the Department and thus recorded in these accounts.

Benefits in kind

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

Bonuses

Bonuses are based on performance levels attained and are made as part of the appraisal process. Bonuses relate to the performance in the year previous to that in which they become payable to the individual. The bonuses reported in 2012-13 relate to performance in 2011-12 and the comparative bonuses reported for 2011-12 relate to performance in 2010-11.

Pay Multiples

Reporting bodies are required to disclose the relationship between the remuneration of the highest-paid director in their organisation and the median remuneration of the organisation's workforce.

The banded remuneration of the highest-paid director in the Crown Prosecution Service in the financial year 2012-13 was £195-200k (2011-12: £210-215k). This was 6.7 times (2011-12: 7.2) the median remuneration of the workforce, which was £29,666 (2011-12: £29,648).

In 2012-13, no (2011-12: no) employees received remuneration in excess of the highest-paid director. Remuneration ranged from £14k to £200k (2011-12: £14k – £215k) (the amounts given for the highest paid director are the top of the band in which the remuneration falls). Following the departure of David Green in April 2011, the Director of Public Prosecutions was the highest paid director. There was no change in his salary since the previous year.

Total remuneration includes salary, non-consolidated performance-related pay and benefits-in-kind. It does not include severance payments, employer pension contributions and the cash equivalent transfer value of pensions.

Following the reduction in budgets as a result of the Spending Review, the median increased only very slightly in part due to the workforce structure, payment of contractual pay progression increases and payment of the statutory minimum increase. The majority of CPS employees have not received a pay increase in 2012-13.

Pension Benefits

Civil Service Pensions

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

Employee contributions are set at the rate of 1.5% and 3.9% of pensionable earnings for **classic** and 3.5% and 5.9% for **premium**, **classic plus** and **nuvos**. Increases to employee contributions will apply from 1 April 2013. Benefits in **classic** accrue at the rate of 1/80th of final pensionable earnings for each year of service. In addition, a lump sum equivalent to three years' initial pension is payable on retirement. For **premium**, benefits accrue at the rate of 1/60th of final pensionable earnings for each year of service. Unlike **classic**, there is no automatic lump sum. **Classic plus** is essentially a hybrid with benefits for service before 1 October 2002 calculated broadly as per **classic** and benefits for service from October 2002 worked out as in **premium**. In **nuvos** a member builds up a pension based on his pensionable earnings during the period of scheme membership. At the end of the scheme year (31 March) the member's earned pension account is credited with 2.3% of their pensionable earnings in that scheme year, and the accrued pension is updated in line with Pensions Increase Legislation. In all cases members may opt to give up (commute) pension for a lump sum up to the limits set by the Finance Act 2004.

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

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

Further details about the Civil Service pension arrangements can be found at the website <http://www.civilservice.gov.uk/pensions>

Cash Equivalent Transfer Values

A Cash Equivalent Transfer Value (CETV) is the actuarially assessed capitalised value of the pension scheme benefits accrued by a member at a particular point in time. The benefits valued are the member's accrued benefits and any contingent spouse's pension payable from the scheme. A CETV is a payment made by a pension scheme or arrangement to secure pension benefits in another pension scheme or arrangement when the member leaves a scheme and chooses to transfer the benefits accrued in their former scheme. The pension figures shown relate to the benefits that the individual has accrued as a consequence of their total membership of the pension scheme, not just their service in a senior capacity to which disclosure applies.

Pension benefits (audited):

Officials	Accrued pension at pension age as at 31 March 2013 and related lump sum	Real increase in pension and related lump sum at pension age	CETV at 31 March 2013	CETV at 31 March 2012	Real increase in CETV
	£000	£000	£000	£000	£000
Keir Starmer QC <i>Director of Public Prosecutions</i>	pension 20 – 25 lump sum 45 – 50	pension 2.5 – 5 lump sum 10 – 12.5	287	216	54
Peter Lewis <i>Chief Executive</i>	pension 70 – 75 lump sum 215 – 220	pension 0 – 2.5 lump sum 0 – 2.5	1,495	1,408	4
Paul Staff <i>Director Finance</i>	pension 45 – 50 lump sum 140 – 145	pension 2.5 – 5 lump sum 10 – 12.5	1,009	877	81
Jim Brisbane <i>Chief Operating Officer</i> (from 3 December 2012)	pension 30 – 35 lump sum 100 – 105	pension 0 - 2.5 lump sum 5 - 7.5	771	726	38
Mike Kennedy <i>Chief Operating Officer</i> (to 30 November 2012)	pension 55 – 60 lump sum 165 – 170	pension 0 – 2.5 lump sum 0 – 2.5	1,205	1,144	6

The figures include the value of any pension benefit in another scheme or arrangement which the member has transferred to the Civil Service pension arrangements. They also include any additional pension benefit accrued to the member as a result of their buying additional pension benefits at their own cost. CETVs are worked out in accordance with The Occupational Pension Schemes (Transfer Values) (Amendment) Regulations 2008 and do not take account of any actual or potential reduction to benefits resulting from Lifetime Allowance Tax which may be due when pension benefits are taken.

Real increase in CETV

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

*Pension for the Director of Public Prosecutions**Keir Starmer QC*

Pension benefits are provided through a pension scheme which has the DPP as its only member. The Scheme is unfunded and the cost of benefits will be met by monies voted by Parliament each year. The pension will be increased annually in the same way as other public service pensions. The pension scheme provides benefits which broadly match the benefits provided under the Judicial Pension Scheme.



Keir Starmer QC
Accounting Officer

24 June 2013

Annex A – Code for Crown Prosecutors

Introduction

- 1.1 The Code for Crown Prosecutors (the Code) is issued by the Director of Public Prosecutions (DPP) under section 10 of the Prosecution of Offences Act 1985. This is the seventh edition of the Code and replaces all earlier versions.
- 1.2 The DPP is the head of the Crown Prosecution Service (CPS), which is the principal public prosecution service for England and Wales. The DPP operates independently, under the superintendence of the Attorney General who is accountable to Parliament for the work of the CPS.
- 1.3 The Code gives guidance to prosecutors on the general principles to be applied when making decisions about prosecutions. The Code is issued primarily for prosecutors in the CPS, but other prosecutors follow the Code either through convention or because they are required to do so by law.
- 1.4 In this Code, the term “suspect” is used to describe a person who is not yet the subject of formal criminal proceedings; the term “defendant” is used to describe a person who has been charged or summonsed; and the term “offender” is used to describe a person who has admitted his or her guilt to a police officer or other investigator or prosecutor, or who has been found guilty in a court of law.

General Principles

- 2.1 The decision to prosecute or to recommend an out-of-court disposal is a serious step that affects suspects, victims, witnesses and the public at large and must be undertaken with the utmost care.
- 2.2 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 secure justice for victims, witnesses, defendants and the public. Prosecutors must ensure that the law is properly applied; that relevant evidence is put before the court; and that obligations of disclosure are complied with.
- 2.3 Although each case must be considered on its own facts and on its own merits, there are general principles that apply in every case.
- 2.4 Prosecutors must be fair, independent and objective. They must not let any personal views about the ethnic or national origin, gender, disability, age, religion or belief, political views, sexual orientation, or gender identity of the suspect, victim or any witness influence their decisions. Neither must prosecutors be affected by improper or undue pressure from any source. Prosecutors must always act in the interests of justice and not solely for the purpose of obtaining a conviction.
- 2.5 The CPS is a public authority for the purposes of current, relevant equality legislation. Prosecutors are bound by the duties set out in this legislation.
- 2.6 Prosecutors must apply the principles of the European Convention on Human Rights, in accordance with the Human Rights Act 1998, at each stage of a case. Prosecutors must also comply with any guidelines issued by the Attorney General; with the Criminal Procedure Rules currently in force; and have regard to the obligations arising from international conventions. They must follow the policies and guidance of the CPS issued on behalf of the DPP and available for the public to view on the CPS website.

The Decision Whether to Prosecute

- 3.1 In more serious or complex cases, prosecutors decide whether a person should be charged with a criminal offence and, if so, what that offence should be. They make their decisions in accordance with this Code and the DPP’s Guidance on Charging. The police apply the same principles in deciding whether to start criminal proceedings against a person in those cases for which they are responsible.
- 3.2 The police and other investigators are responsible for conducting enquiries into any alleged crime and for deciding how to deploy their resources. This includes decisions to start or continue an investigation and on the scope of the investigation. Prosecutors often advise the police and other investigators about possible lines of inquiry and evidential requirements, and assist with pre-charge procedures. In large scale investigations the prosecutor may be asked to advise on the overall investigation strategy, including decisions to refine or

narrow the scope of the criminal conduct and the number of suspects under investigation. This is to assist the police and other investigators to complete the investigation within a reasonable period of time and to build the most effective prosecution case. However, prosecutors cannot direct the police or other investigators.

- 3.3 Prosecutors should identify and, where possible, seek to rectify evidential weaknesses, but, subject to the Threshold Test (see section 5), they should swiftly stop cases which do not meet the evidential stage of the Full Code Test (see section 4) and which cannot be strengthened by further investigation, or where the public interest clearly does not require a prosecution (see section 4). Although prosecutors primarily consider the evidence and information supplied by the police and other investigators, the suspect or those acting on his or her behalf may also submit evidence or information to the prosecutor via the police or other investigators, prior to charge, to help inform the prosecutor's decision.
- 3.4 Prosecutors must only start or continue a prosecution when the case has passed both stages of the Full Code Test (see section 4). The exception is when the Threshold Test (see section 5) may be applied where it is proposed to apply to the court to keep the suspect in custody after charge, and the evidence required to apply the Full Code Test is not yet available.
- 3.5 Prosecutors should not start or continue a prosecution which would be regarded by the courts as oppressive or unfair and an abuse of the court's process.
- 3.6 Prosecutors review every case they receive from the police or other investigators. Review is a continuing process and prosecutors must take account of any change in circumstances that occurs as the case develops, including what becomes known of the defence case. Wherever possible, they should talk to the investigator when thinking about changing the charges or stopping the case. Prosecutors and investigators work closely together, but the final responsibility for the decision whether or not a case should go ahead rests with the CPS.
- 3.7 Parliament has decided that a limited number of offences should only be taken to court with the agreement of the DPP. These are called consent cases. In such cases the DPP, or prosecutors acting on his or her behalf, apply the Code in deciding whether to give consent to a prosecution. There are also certain offences that should only be taken to court with the consent of the Attorney General. Prosecutors must follow current guidance when referring any such cases to the Attorney General. Additionally, the Attorney General will be kept informed of certain cases as part of his or her superintendence of the CPS and accountability to Parliament for its actions.

The Full Code Test

- 4.1 The Full Code Test has two stages: (i) the evidential stage; followed by (ii) the public interest stage.
- 4.2 In most cases, prosecutors should only decide whether to prosecute after the investigation has been completed and after all the available evidence has been reviewed. However there will be cases where it is clear, prior to the collection and consideration of all the likely evidence, that the public interest does not require a prosecution. In these instances, prosecutors may decide that the case should not proceed further.
- 4.3 Prosecutors should only take such a decision when they are satisfied that the broad extent of the criminality has been determined and that they are able to make a fully informed assessment of the public interest. If prosecutors do not have sufficient information to take such a decision, the investigation should proceed and a decision taken later in accordance with the Full Code Test set out in this section.

The Evidential Stage

- 4.4 Prosecutors must be satisfied that there is sufficient evidence to provide a realistic prospect of conviction against each suspect on each charge. They must consider what the defence case may be, and how it is likely to affect the prospects of conviction. A case which does not pass the evidential stage must not proceed, no matter how serious or sensitive it may be.
- 4.5 The finding that there is a realistic prospect of conviction is based on the prosecutor's objective assessment of the evidence, including the impact of any defence and any other information that the suspect has put forward or on which he or she might rely. It means that an objective, impartial and reasonable jury or bench of magistrates or judge hearing a case alone, properly directed and acting in accordance with the law, is more likely than not to convict the defendant of the charge alleged. This is a different test from the one that the criminal courts themselves must apply. A court may only convict if it is sure that the defendant is guilty.

- 4.6 When deciding whether there is sufficient evidence to prosecute, prosecutors should ask themselves the following:

Can the evidence be used in court?

Prosecutors should consider whether there is any question over the admissibility of certain evidence. In doing so, prosecutors should assess:

- a) the likelihood of that evidence being held as inadmissible by the court; and
- b) the importance of that evidence in relation to the evidence as a whole.

Is the evidence reliable?

Prosecutors should consider whether there are any reasons to question the reliability of the evidence, including its accuracy or integrity.

Is the evidence credible?

Prosecutors should consider whether there are any reasons to doubt the credibility of the evidence.

The Public Interest Stage

- 4.7 In every case where there is sufficient evidence to justify a prosecution, prosecutors must go on to consider whether a prosecution is required in the public interest.
- 4.8 It has never been the rule that a prosecution will automatically take place once the evidential stage is met. A prosecution will usually take place unless the prosecutor is satisfied that there are public interest factors tending against prosecution which outweigh those tending in favour. In some cases the prosecutor may be satisfied that the public interest can be properly served by offering the offender the opportunity to have the matter dealt with by an out-of-court disposal rather than bringing a prosecution.
- 4.9 When deciding the public interest, prosecutors should consider each of the questions set out below in paragraphs 4.12 a) to g) so as to identify and determine the relevant public interest factors tending for and against prosecution. These factors, together with any public interest factors set out in relevant guidance or policy issued by the DPP, should enable prosecutors to form an overall assessment of the public interest.
- 4.10 The explanatory text below each question in paragraphs 4.12 a) to g) provides guidance to prosecutors when addressing each particular question and determining whether it identifies public interest factors for or against prosecution. The questions identified are not exhaustive, and not all the questions may be relevant in every case. The weight to be attached to each of the questions, and the factors identified, will also vary according to the facts and merits of each case.
- 4.11 It is quite possible that one public interest factor alone may outweigh a number of other factors which tend in the opposite direction. Although there may be public interest factors tending against prosecution in a particular case, prosecutors should consider whether nonetheless a prosecution should go ahead and those factors put to the court for consideration when sentence is passed.
- 4.12 Prosecutors should consider each of the following questions:
- a) How serious is the offence committed?
The more serious the offence, the more likely it is that a prosecution is required. When deciding the level of seriousness of the offence committed, prosecutors should include amongst the factors for consideration the suspect's culpability and the harm to the victim by asking themselves the questions at b) and c).
 - b) What is the level of culpability of the suspect?
The greater the suspect's level of culpability, the more likely it is that a prosecution is required. Culpability is likely to be determined by the suspect's level of involvement; the extent to which the offending was premeditated and/or planned; whether they have previous criminal convictions and/or out-of-court disposals and any offending whilst on bail or whilst subject to a court order; whether the offending was or is likely to be continued, repeated or escalated; and the suspect's age or maturity (see paragraph d) below for suspects under 18). Prosecutors should also have regard when considering culpability as to whether the suspect is, or was at the time of the offence, suffering from any significant mental or physical ill health as in some circumstances this may mean that it is less likely that a prosecution is required. However, prosecutors will also need to consider how serious the offence was, whether it is likely to be repeated and the need to safeguard the public or those providing care to such persons.

- c) What are the circumstances of and the harm caused to the victim?

The circumstances of the victim are highly relevant. The greater the vulnerability of the victim, the more likely it is that a prosecution is required. This includes where a position of trust or authority exists between the suspect and victim. A prosecution is also more likely if the offence has been committed against a victim who was at the time a person serving the public. Prosecutors must also have regard to whether the offence was motivated by any form of discrimination against the victim's ethnic or national origin, gender, disability, age, religion or belief, sexual orientation or gender identity; or the suspect demonstrated hostility towards the victim based on any of those characteristics. The presence of any such motivation or hostility will mean that it is more likely that prosecution is required. In deciding whether a prosecution is required in the public interest, prosecutors should take into account the views expressed by the victim about the impact that the offence has had. In appropriate cases, this may also include the views of the victim's family. Prosecutors also need to consider if a prosecution is likely to have an adverse effect on the victim's physical or mental health, always bearing in mind the seriousness of the offence. If there is evidence that prosecution is likely to have an adverse impact on the victim's health it may make a prosecution less likely, taking into account the victim's views. However, the CPS does not act for victims or their families in the same way as solicitors act for their clients, and prosecutors must form an overall view of the public interest.

- d) Was the suspect under the age of 18 at the time of the offence?

The criminal justice system treats children and young people differently from adults and significant weight must be attached to the age of the suspect if they are a child or young person under 18. The best interests and welfare of the child or young person must be considered including whether a prosecution is likely to have an adverse impact on his or her future prospects that is disproportionate to the seriousness of the offending. Prosecutors must have regard to the principal aim of the youth justice system which is to prevent offending by children and young people. Prosecutors must also have regard to the obligations arising under the United Nations 1989 Convention on the Rights of the Child. As a starting point, the younger the suspect, the less likely it is that a prosecution is required. However, there may be circumstances which mean that notwithstanding the fact that the suspect is under 18, a prosecution is in the public interest. These include where the offence committed is serious, where the suspect's past record suggests that there are no suitable alternatives to prosecution, or where the absence of an admission means that out-of-court disposals which might have addressed the offending behaviour are not available.

- e) What is the impact on the community?

The greater the impact of the offending on the community, the more likely it is that a prosecution is required. In considering this question, prosecutors should have regard to how community is an inclusive term and is not restricted to communities defined by location.

- f) Is prosecution a proportionate response?

Prosecutors should also consider whether prosecution is proportionate to the likely outcome, and in so doing the following may be relevant to the case under consideration:

- The cost to the CPS and the wider criminal justice system, especially where it could be regarded as excessive when weighed against any likely penalty. (Prosecutors should not decide the public interest on the basis of this factor alone. It is essential that regard is also given to the public interest factors identified when considering the other questions in paragraphs 4.12 a) to g), but cost is a relevant factor when making an overall assessment of the public interest.)
- Cases should be capable of being prosecuted in a way that is consistent with principles of effective case management. For example, in a case involving multiple suspects, prosecution might be reserved for the main participants in order to avoid excessively long and complex proceedings.

- g) Do sources of information require protecting?

In cases where public interest immunity does not apply, special care should be taken when proceeding with a prosecution where details may need to be made public that could harm sources of information, international relations or national security. It is essential that such cases are kept under continuing review.

The Threshold Test

5.1 The Threshold Test may only be applied where the suspect presents a substantial bail risk and not all the evidence is available at the time when he or she must be released from custody unless charged.

When the Threshold Test may be applied

5.2 Prosecutors must determine whether the following conditions are met:

- a) there is insufficient evidence currently available to apply the evidential stage of the Full Code Test; and
- b) there are reasonable grounds for believing that further evidence will become available within a reasonable period; and
- c) the seriousness or the circumstances of the case justifies the making of an immediate charging decision; and
- d) there are continuing substantial grounds to object to bail in accordance with the Bail Act 1976 and in all the circumstances of the case it is proper to do so.

5.3 Where any of the above conditions is not met, the Threshold Test cannot be applied and the suspect cannot be charged. The custody officer must determine whether the person may continue to be detained or be released on bail, with or without conditions.

5.4 There are two parts to the evidential consideration of the Threshold Test.

The first part of the Threshold Test – is there reasonable suspicion?

5.5 Prosecutors must be satisfied that there is at least a reasonable suspicion that the person to be charged has committed the offence.

5.6 In determining this, prosecutors must consider the evidence then available. This may take the form of witness statements, material or other information, provided the prosecutor is satisfied that:

- a) it is relevant; and
- b) it is capable of being put into an admissible format for presentation in court; and
- c) it would be used in the case.

5.7 If satisfied on this the prosecutor should then consider the second part of the Threshold Test.

The second part of the Threshold Test – can further evidence be gathered to provide a realistic prospect of conviction?

5.8 Prosecutors must be satisfied that there are reasonable grounds for believing that the continuing investigation will provide further evidence, within a reasonable period of time, so that all the evidence together is capable of establishing a realistic prospect of conviction in accordance with the Full Code Test.

5.9 The further evidence must be identifiable and not merely speculative.

5.10 In reaching this decision prosecutors must consider:

- a) the nature, extent and admissibility of any likely further evidence and the impact it will have on the case;
- b) the charges that all the evidence will support;
- c) the reasons why the evidence is not already available;
- d) the time required to obtain the further evidence and whether any consequential delay is reasonable in all the circumstances.

5.11 If both parts of the Threshold Test are satisfied, prosecutors must apply the public interest stage of the Full Code Test based on the information available at that time.

Reviewing the Threshold Test

5.12 A decision to charge under the Threshold Test must be kept under review. The evidence must be regularly assessed to ensure that the charge is still appropriate and that continued objection to bail is justified. The Full Code Test must be applied as soon as is reasonably practicable and in any event before the expiry of any applicable custody time limit.

Selection of Charges

- 6.1 Prosecutors should select charges which:
- a) reflect the seriousness and extent of the offending supported by the evidence;
 - b) give the court adequate powers to sentence and impose appropriate post-conviction orders; and
 - c) enable the case to be presented in a clear and simple way.
- 6.2 This means that prosecutors may not always choose or continue with the most serious charge where there is a choice.
- 6.3 Prosecutors should never go ahead with more charges than are necessary just to encourage a defendant to plead guilty to a few. In the same way, they should never go ahead with a more serious charge just to encourage a defendant to plead guilty to a less serious one.
- 6.4 Prosecutors should not change the charge simply because of the decision made by the court or the defendant about where the case will be heard.
- 6.5 Prosecutors must take account of any relevant change in circumstances as the case progresses after charge.

Out-of-Court Disposals

- 7.1 An out-of-court disposal may take the place of a prosecution in court if it is an appropriate response to the offender and/or the seriousness and consequences of the offending.
- 7.2 Prosecutors must follow any relevant guidance when asked to advise on or authorise a simple caution, a conditional caution, any appropriate regulatory proceedings, a punitive or civil penalty, or other disposal. They should ensure that the appropriate evidential standard for the specific out-of-court disposal is met including, where required, a clear admission of guilt, and that the public interest would be properly served by such a disposal.

Mode of Trial

- 8.1 Prosecutors must have regard to the current guidelines on sentencing and allocation when making submissions to the magistrates' court about where the defendant should be tried.
- 8.2 Speed must never be the only reason for asking for a case to stay in the magistrates' court. But prosecutors should consider the effect of any likely delay if a case is sent to the Crown Court, and the possible effect on any victim or witness if the case is delayed.

Venue for trial in cases involving youths

- 8.3 Prosecutors must bear in mind that youths should be tried in the youth court wherever possible. It is the court which is best designed to meet their specific needs. A trial of a youth in the Crown Court should be reserved for the most serious cases or where the interests of justice require a youth to be jointly tried with an adult.

Accepting Guilty Pleas

- 9.1 Defendants may want to plead guilty to some, but not all, of the charges. Alternatively, they may want to plead guilty to a different, possibly less serious, charge because they are admitting only part of the crime.
- 9.2 Prosecutors should only accept the defendant's plea if they think the court is able to pass a sentence that matches the seriousness of the offending, particularly where there are aggravating features. Prosecutors must never accept a guilty plea just because it is convenient.
- 9.3 In considering whether the pleas offered are acceptable, prosecutors should ensure that the interests and, where possible, the views of the victim, or in appropriate cases the views of the victim's family, are taken into account when deciding whether it is in the public interest to accept the plea. However, the decision rests with the prosecutor.

- 9.4 It must be made clear to the court on what basis any plea is advanced and accepted. In cases where a defendant pleads guilty to the charges but on the basis of facts that are different from the prosecution case, and where this may significantly affect sentence, the court should be invited to hear evidence to determine what happened, and then sentence on that basis.
- 9.5 Where a defendant has previously indicated that he or she will ask the court to take an offence into consideration when sentencing, but then declines to admit that offence at court, prosecutors will consider whether a prosecution is required for that offence. Prosecutors should explain to the defence advocate and the court that the prosecution of that offence may be subject to further review, in consultation with the police or other investigators wherever possible.
- 9.6 Particular care must be taken when considering pleas which would enable the defendant to avoid the imposition of a mandatory minimum sentence. When pleas are offered, prosecutors must also bear in mind the fact that ancillary orders can be made with some offences but not with others.

Reconsidering a Prosecution Decision

10.1 People should be able to rely on decisions taken by the CPS. Normally, if the CPS tells a suspect or defendant that there will not be a prosecution, or that the prosecution has been stopped, the case will not start again. But occasionally there are reasons why the CPS will overturn a decision not to prosecute or to deal with the case by way of an out-of-court disposal or when it will restart the prosecution, particularly if the case is serious.

10.2 These reasons include:

- a) cases where a new look at the original decision shows that it was wrong and, in order to maintain confidence in the criminal justice system, a prosecution should be brought despite the earlier decision;
- b) cases which are stopped so that more evidence which is likely to become available in the fairly near future can be collected and prepared. In these cases, the prosecutor will tell the defendant that the prosecution may well start again;
- c) cases which are stopped because of a lack of evidence but where more significant evidence is discovered later; and
- d) cases involving a death in which a review following the findings of an inquest concludes that a prosecution should be brought, notwithstanding any earlier decision not to prosecute.

This document is available electronically from our website:

www.cps.gov.uk

Further copies of The Code for Crown Prosecutors and information about alternative languages and formats are available from the CPS.

Please contact publicity.branch@cps.gsi.gov.uk or by post at:

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Annex B – Casework Statistics

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

The figures comprise defendants dealt with by the 13 Areas of the Service and, in the latest annual period, those proceedings previously conducted by the Department for Environment, Food and Rural Affairs (Defra), the Department for Work and Pensions (DWP) and the Department of Health (DoH). Data reported in the tables do not include the specialised casework handled by the central Casework Divisions. The central Casework Divisions, including prosecutions handled by the former Revenue and Customs Prosecutions Office, prosecuted 1,499 defendants in the period and handled 7,390 defendant appeals against conviction and/or sentence or extradition.

Chart 1: Magistrates' courts: caseload

Chart 1 shows the number of cases dealt with by the CPS in 2012-13 and in the two preceding years.

The number of defendants prosecuted by the CPS fell by 10.1% during the year. Several factors may affect this figure, including the number of arrests, the impact of the early involvement of prosecutors, the number of offences cleared up by the police, and the number of offenders cautioned by the police. The present fall in caseload may also be related to lower levels of recorded crime, and to the increased number of comparatively minor offences now dealt with by way of a fixed penalty without CPS involvement.

	2010-11	2011-12	2012-13
Pre-charge decisions	466,611	367,067	306,507
Out of court disposals	16,049	10,743	7,688
Prosecuted by CPS	840,983	787,547	707,777
Other proceedings	2,501	1,937	1,692

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

Out of court disposals: a simple caution, conditional caution, reprimand, final warning or TIC (taken into consideration) issued by the CPS at pre-charge stage;

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

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

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

Chart 2: Magistrates' courts: types of cases

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

	2010-11	%	2011-12	%	2012-13	%
Summary	523,556	54.9	477,561	53.6	424,087	52.9
Indictable only/either way	429,592	45.1	414,155	46.4	378,341	47.1
Total	953,148		891,716		802,428	

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

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

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

Chart 3: Magistrates' courts: case outcomes

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

	2010-11	%	2011-12	%	2012-13	%
Discontinuances (including bind overs)	80,911	9.6	75,579	9.6	68,092	9.6
Warrants etc	9,849	1.2	9,094	1.2	9,652	1.4
Discharges	1,690	0.2	1,308	0.2	1,272	0.2
Dismissals no case to answer	1,525	0.2	1,362	0.2	1,232	0.2
Dismissals after trial	19,517	2.3	17,681	2.3	17,316	2.4
Proofs in absence	124,573	14.8	112,094	14.2	97,694	13.8
Guilty pleas	570,073	67.8	538,568	68.4	483,985	68.4
Convictions after trial	32,845	3.9	31,861	4.1	28,534	4.0
Total	840,983		787,547		707,777	

Discontinuances: Consideration of the evidence and of the public interest may lead the CPS to discontinue or drop proceedings at any time before the start of the trial. The figures include both cases discontinued in advance of the hearing, where the CPS offered no evidence and those withdrawn at court. Also included are cases in which the defendant was bound over to keep the peace;

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

Discharges: committal proceedings in which the defendant is discharged;

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

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

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

Guilty pleas: where the defendant pleads guilty;

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

The rate of discontinuance remained stable at 9.6% in the three year period ending March 2013.

Convictions rose from 76.7% in 2002-03 to 86.2% in 2012-13.

During 2012-13, a total of 6,805 defendants pleaded guilty to some charges, and were either convicted or dismissed after trial of other charges. To avoid double counting, and to ensure consistency with figures for previous years, the outcome for these defendants is shown as a guilty plea.

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

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

	2010-11	2011-12	2012-13
committals for trial	112,185	104,204	94,688

Chart 5: Crown Court caseload

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

	2010-11	2011-12	2012-13
Prosecuted by the CPS	116,898	107,244	97,182
Appeals	13,961	12,244	10,882
Committals for sentence	19,857	21,944	21,039

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

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

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

The number of defendants prosecuted decreased by 9.4% during 2012-13.

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

Chart 6: Crown Court: source of committals for trial

	2010-11	%	2011-12	%	2012-13	%
Magistrates' directions:	63,771	54.9	59,703	56.0	54,918	56.8
Defendants' elections:	10,427	9.0	7,777	7.3	3,958	4.1
Indictable only:	42,019	36.2	39,209	36.8	37,849	39.1
Total:	116,217		106,689		96,725	

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

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

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

Chart 7: Crown Court: case outcomes

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

	2010-11	%	2011-12	%	2012-13	%
judge ordered acquittals (including bind overs)	14,958	12.8	12,527	11.7	11,209	11.5
Warrants, etc	923	0.8	841	0.8	773	0.8
judge directed acquittals	1,101	0.9	857	0.8	783	0.8
acquittals after trial	6,810	5.8	6,290	5.9	6,030	6.2
guilty pleas	84,742	72.5	78,106	72.8	69,971	72.0
convictions after trial	8,364	7.2	8,623	8.0	8,416	8.7
Total	116,898		107,244		97,182	

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

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

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

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

Guilty pleas: where the defendant pleads guilty;

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

Convictions rose from 74.3% in 2002-03 to 80.7% in 2012-13.

During 2012-13, a total of 2,494 defendants pleaded guilty to some charges, and were either convicted or acquitted after trial of other charges. To avoid double counting, and to ensure consistency with figures for previous years, the outcome for these defendants is shown as a guilty plea.

AGENT USAGE

The proportion of half-day sessions in magistrates' courts covered by lawyers in private practice acting as agents in 2012-13 was 20.0% compared with 8.8% in 2011-12.

Annex C – Instructions Issued by the Director of Public Prosecutions to Associate Prosecutors of the Crown Prosecution Service Pursuant to Section 7A of the Prosecution of Offences Act 1985 as Amended

1. Introduction

- 1.1 These instructions are issued by the Director of Public Prosecutions pursuant to sections 7A (3) and (4) of the Prosecution of Offences Act 1985 (the Act) which apply generally to CPS non-legal employees designated by the Director in accordance with section 7A (1) of the Act.
- 1.2 They will take effect on 4 October 2010.
- 1.3 A non-legal employee designated in accordance with section 7A (1) will be referred to in these instructions as an Associate Prosecutor (AP).
- 1.4 These instructions apply whether an AP has been designated prior to the date specified in paragraph 1.2, upon that date, or subsequently.
- 1.5 Upon these instructions taking effect in accordance with paragraph 1.1, all previous instructions issued to APs pursuant to section 7A(3) and (4) of the Act, and set out in the appropriate Annex of the Director's annual report to the Attorney General in accordance with section 7A (7)(c) of the Act, will cease to have effect.
- 1.6 The Director may from time to time issue guidance to Chief Crown Prosecutors on the implementation of these instructions, and dealing with related matters including procedures for supervision of APs and training requirements relevant to certain duties.
- 1.7 Nothing in these instructions prevents an AP from reminding a court of its duties and powers in relation to any proceedings (including sentencing).

2. The Statutory powers under section 7A

- 2.1 Subject to any exceptions or limitations contained within these instructions, Section 7A, as amended, confers on APs the powers and rights of audience of a Crown Prosecutor in relation to:
 - (i) bail applications;
 - (ii) The conduct of criminal proceedings in the magistrates' courts (including the youth court) other than trials of either way offences tried summarily or offences punishable with a term of imprisonment;
 - (iii) The conduct of applications or other proceedings relating to preventative civil orders;
 - (iv) The conduct of proceedings (other than criminal proceedings) in connection with the discharge of the functions assigned to the Director by the Attorney General; and
 - (v) Any other powers of a Crown Prosecutor not involving the exercise of rights of audience in relation to the conduct of proceedings falling within (ii), (iii) and (iv) above.
- 2.2 Section 7A does not give APs power to institute or commence criminal proceedings.

3. Powers and rights of audience

- 3.1 Subject to the exceptions or limitations specified in Schedules 1 to 5 and completion of the approved AP training, all APs will exercise the statutory powers under section 7A.

Bail applications (paragraph 2.1 (i) above)

- 3.2 Bail applications include a defendant's application for bail, or application in relation to bail (including proceedings for breach and variation) in the Crown Court or the magistrates' court, subject to the exceptions listed in Schedule 1.

Conduct of criminal proceedings (paragraph 2.1 (ii) above)

- 3.3 The powers and rights of audience in relation to the conduct of criminal proceedings relate to all stages of the proceedings in magistrates' courts after a person has been charged. However the power to conduct trials is restricted to trials of non-imprisonable summary offences.
- 3.4 In applying these instructions a 'trial' is defined in section 7A (5A) of the Act as beginning *with the opening of the prosecution case after a not guilty plea and ends with the conviction or acquittal of the accused.*
- 3.5 APs exercise these powers and rights of audience on the instructions of a Crown Prosecutor and do not have a power of review under the Code for Crown Prosecutors for this purpose, except in accordance with paragraph 3.14 below.
- 3.6 APs are not designated to exercise the powers and rights of audience of Crown Prosecutors in the magistrates' court (including the youth court), in relation to the proceedings specified in Schedule 2.

Preventative Civil Orders (paragraph 2.1 (iii) above)

- 3.7 APs are designated to conduct applications or other proceedings relating to those Preventative Civil Orders (PCOs) set out in paragraph 3.8 below. The conduct of proceedings that APs may undertake varies according to the legislative requirements of the particular PCO. This gives APs, where the legislation applies, authority to conduct an application for an order, or adduce further evidence, or apply for the variation or discharge of an order.
- 3.8 PCOs relate only to the following:
- (i) Anti-Social Behaviour Order – the conduct of applications for orders made after a verdict or finding; variation and discharge of such orders.
 - (ii) Football Banning Order – the conduct of applications on complaint or after a verdict or finding; to adduce and lead further evidence where appropriate; and to appeal against the refusal of a court to impose such an order.
 - (iii) Drinking Banning Order (to come into force on a day to be appointed) – the conduct of applications for orders made after a verdict or finding; variation and discharge of such orders.
 - (iv) Parenting Orders – a duty to assist the court on request.
 - (v) Restraining Orders – in relation to orders made after a verdict or finding to adduce and lead further evidence; and to apply for a variation or discharge of such an order. In relation to orders on acquittal to adduce and lead further evidence; and to apply for a variation or discharge of such an order.
- 3.9 A breach of a PCO is a criminal offence. Each PCO carries a different penalty. APs have power to deal with breaches subject to Schedule 2 and 4 below.
- 3.10 APs shall only exercise the powers and rights of audience as specified in Schedule 3.

Functions assigned by the Attorney General to the Director (paragraph 2.1 (iv) above)

- 3.11 The Attorney General has assigned to the Director the following functions:
- (i) applications for warrants of further detention under section 43(1) of the Police and Criminal Evidence Act 1984 and their extension under section 44 of that Act;
 - (ii) applications by other countries for extradition of persons in the UK;
 - (iii) conduct of proceedings relating to case stated and Habeas Corpus;
 - (iv) conduct of proceedings under section 2 of the Dogs Act 1871 instituted by a police force (dangerous dogs that may be destroyed); and
 - (v) applications for removal of driving disqualifications under section 42 Road Traffic Offenders Act 1988.
- 3.12 APs are designated to conduct proceedings only in relation to paragraphs 3.11 (iv) and (v) above, (proceedings under section 2 of the Dogs Act 1871 and those under section 42 of the Road Traffic Offenders Act 1988).

Powers not involving rights of audience (paragraph 2.1 (v) above)

- 3.13 The powers of a Crown Prosecutor that do not involve rights of audience relate to all other criminal proceedings conducted in the magistrates' court.
- 3.14 APs shall only review magistrates' court cases which are straight forward and which involve no difficult technical issues, or other complication of fact or law. Consistent with that principle, the power to review and determine such proceedings shall only be exercised in accordance with Schedule 4.

Schedule 1

Otherwise than as provided for in Schedule 6 APs are not designated to conduct bail applications (including any variations, breaches and appeals) in the following matters.

1. Bail applications in the Crown Court.
2. Bail applications in youth courts.
3. Bail applications in relation to youths charged with an adult in the magistrates' court or a youth appearing alone in the magistrates' court.

Schedule 2

Otherwise than as provided for in Schedule 5 APs are not currently designated to exercise the powers and rights of audience of Crown Prosecutors in the magistrates' court (including the youth court) for the following proceedings.

1. Trials relating to summary only non-imprisonable offences. Summary trials relating to either way offences and those punishable with a term of imprisonment are excluded from section 7A of the Act.
2. Post conviction hearings commonly known as 'Newton Hearings'.
3. Hearings in relation to committal proceedings where there is consideration of the evidence (section 6(1) of the Magistrates' Courts Act 1980).
4. Matters that involve obligatory driving disqualification where evidence will be called in respect of 'special reasons' as to why the court should not impose disqualification.

Schedule 3

APs shall only exercise the powers and rights of audience of Crown Prosecutors in relation to Preventative Civil Orders in the following circumstances.

APs shall only conduct proceedings for PCOs where the conditions in (i) and (ii) both apply. The conditions are:

- (i) Instructions have been given by a Crown Prosecutor in relation to the application, variation, or discharge or in adducing or leading further evidence, where applicable; and
- (ii) The proceedings are not contested.

Schedule 4

APs shall only exercise the powers of a Crown Prosecutor (including the power to review and determine criminal proceedings) in the following circumstances.

1. To review summary or either way offences only where:
 - the defendant is an adult; and
 - the matter is summary-only or considered to be suitable for summary disposal; and
 - a guilty plea is reasonably expected; or
 - (if otherwise) the offence is a minor road traffic offence, provided the defendant is not a youth.

A guilty plea may reasonably be expected where:

- a. The suspect has made a clear and unambiguous admission to the offence to be proved and has said nothing that could be used as a possible defence,

Or

- b. Though the suspect has made no admission in interview, the commission of the offence and the identification of the offender can be established by good quality evidence (e.g. of a police officer or another reliable independent witness) or the suspect can be seen clearly committing the offence on a good quality visual recording.
2. To amend a charge or summons where the amendment is minor, for example:
 - An error as to the value of any property;
 - The date upon which an offence took place;
 - The venue for the offence;
 - The description of any relevant object.
3. To withdraw a charge or summons where:
 - a road traffic offence involves the production of documents by the defendant (otherwise than in specified proceedings), and the defendant has produced the relevant documents to the court's Police Liaison Officer or other police officer; and
 - the AP is satisfied that the charge or summons is no longer sustainable.

Schedule 5

1. The following provisions of these instructions do not apply to those members of staff designated under Section 7A (1) of the Prosecution of Offences Act 1985 who have been appointed as Level 2 Associate Prosecutors:
 - (i) Schedule 2, paragraph 1 (Trials relating to summary only non-imprisonable offences).
 - (ii) Schedule 2, paragraph 2 (Newton Hearings in relation to summary only non-imprisonable offences only).
 - (iii) Schedule 2, paragraph 4 ('special reasons hearings').
 - (iv) Schedule 3, paragraph (ii) (thus allowing Level 2 Associate Prosecutors to conduct contested PCOs).
2. Level 2 Associate Prosecutors will be able to exercise the powers contained in Schedule 4 (2) and (3) to amend a charge or summons, or to withdraw a road traffic offence requiring the production of documents during the course of a trial.
3. Level 2 Associate Prosecutors have the following additional powers also exercisable during the course of prosecuting a trial:
 - i. To withdraw or offer no evidence or no further evidence in relation to any charge where:
 - They form the opinion that there is no longer sufficient evidence to support the charge and the trial will continue in relation to other charge(s) which are before the court.

Schedule 6

The following provisions of these instructions do not apply to those members of staff designated under Section 7A (1) of the Prosecution of Offences Act 1985 who have undertaken specialist youth training and are prosecuting in one of the following courts: Leeds, Wakefield, Pontefract, Dewsbury, Bradford, Huddersfield, Calder, Bingley, Oxford, Banbury, Didcot, Witney, Bicester, Milton Keynes, High Wycombe, Aylesbury, Reading, Newbury, Maidenhead, Slough, Bracknell, Hemel Hempstead, St Albans, Hertford, Stevenage, Watford, Hatfield, Bedford and Luton.

- i. Schedule 1, paragraph 2 (bail applications in youth courts).
- ii. Schedule 1, paragraph 3 (bail applications in relation to youths charged with an adult in the magistrates' court or a youth appearing alone in the magistrates' court).

Annex D – Associate Prosecutors’ Training and Selection

Criteria for designation

All persons designated under section 7A (1) of the Prosecution of Offences Act 1985 are generally known as Associate Prosecutors (APs).

All persons are selected for the AP role through fair and open competition or appointed in accordance with published CPS policy on “Staff movements within the CPS, including retirement, redundancy, promotion and transfer”.

In order to be designated as an AP all persons must meet the criteria and satisfy the personal competencies for the role. These competencies include having experience of casework within the criminal justice system or of lay presentation, and having a working knowledge of criminal law and its application, magistrates’ courts procedure and the criminal justice system.

Training

All prospective APs undertake an internal training programme which involves assimilating a comprehensive resource pack through distance learning and attending both a foundation course (legal principles) and a separate advocacy course, unless by virtue of their being a practising Crown Prosecutor immediately prior to re-grading as an AP, it is determined that they already possess the knowledge and experience necessary to exercise the designated powers.

The training equips the applicant with the knowledge and advocacy skills to undertake a review and presentational role in the magistrates’ courts in accordance with the Instructions issued by the Director, under section 7A (3) and (4) of the Prosecution of Offences Act 1985. Applicants attending this training will only be designated as an AP where they have passed an independent assessment of competence at its conclusion.

After successfully completing the advocacy course, APs have to complete a face-to-face training course dealing with bail applications. It is recommended that this is completed no longer than three to four months after the Advocacy assessment.

APs also have access to the CPS e-learning modules to further enhance their knowledge. These include Acceptance of Pleas, Criminal Procedure Rules, Assault Sentencing Guidelines and Custody Time Limits.

APs selected to prosecute trials in summary only non-imprisonable offences, and other contested cases, are known as Level 2 Associate Prosecutors (AP2s). AP2s undertake an intensive additional training programme, unless by virtue of their being a practising Crown Prosecutor prior to re-grading as an AP2, it is determined that they already possess the knowledge and experience necessary to perform that role.

The additional AP2 training involves the study of e-learning modules, observation of experienced advocates in trials and other contested hearings, attending a five day course on the underpinning knowledge and skills required for the role and a further five day practical advocacy course.

All prospective AP2s who attend this training must pass an independent assessment of competence at the end of the second five day course before they are permitted to deal with the summary trials and other contested hearings as set out in the Director’s Instructions.

Continuing professional development

All APs must complete 16 hours of continuing professional development training per year.

Annex E – Director’s Guidance

The Director of Public Prosecutions is required to issue guidance under Section 37A of the Police and Criminal Evidence Act 1984. During the period covered by this report the relevant guidance was:

- The Director’s Guidance on Charging (Fourth Edition).

Annex F – Common Core Tables

	Title	Details	Period Covered
Table 1	Public spending	A summary of the department's total expenditure by Treasury budgetary	2008-09 to 2014-15
Table 2	Public spending control	Current year expenditure against initial and final budgetary provision	2012-13
Table 3	Capital employed	Capital employed by the department in meeting its objectives	2008-09 to 2014-15
Table 4	Administration budgets	Administration expenditure related to the running of the department	2008-09 to 2014-15
Table 5	Staff in post	Average staffing numbers for the department	2008-09 to 2014-15
Table 6	Total spending by country and region	Analysis of spending in each UK country and nine regions of England	2008-09 to 2011-12
Table 7	Total spending per head by country and region	Analysis of spending per head of population in each UK country and nine regions of England	2008-09 to 2011-12
Table 8	Spending by function of programme, by country and region	Analysis of spending by function of programme in each UK country and nine regions of England	2011-12

Table 1: Total departmental spending

	2008-09 Outturn	2009-10 Outturn	2010-11 Outturn	2011-12 Outturn	2012-13 Estimated Outturn	2013-14 Plans	£'000 2014-15 Plans
Resource DEL							
Section A: Administration Costs in HQ and on Central Services	51,763	54,271	39,184	27,967	34,500	37,470	32,460
Section B: Crown Prosecutions and Legal Services	599,841	603,538	585,503	555,098	521,881	524,955	470,744
Use of Provisions	4,203	-	-	-	-	-	-
Total Resource DEL	655,807	657,809	624,687	583,065	556,381	562,425	503,204
<i>Of which:</i>							
- Pay	376,428	382,583	381,345	378,920	367,010	319,523	295,267
- Net current procurement ¹	273,588	267,700	236,173	198,400	184,436	236,502	204,137
- Current grants and subsidies to the private sector and abroad	-	-	-	-	-	-	-
- Current grants to local government	-	-	-	-	-	-	-
- Depreciation ²	5,623	7,384	7,076	5,745	4,935	6,400	3,800
- Other	168	142	93	-	-	-	-
Resource AME							
Section C: CPS voted AME Charges	13,339	14,483	-12,106	5,702	4,092	6,092	5,264
CPS non voted AME Charges	-4,203	-	-	-	-	-	-
Total Resource AME	9,136	14,483	-12,106	5,702	4,092	6,092	5,264
<i>Of which:</i>							
- Pay	-	-	-2,920	-	-	-	-
- Net current procurement ¹	-	-	-	-	-	-	-
- Current grants and subsidies to the private sector and abroad	-	-	-	-	-	-	-
- Current grants to local government	-	-	-	-	-	-	-
- Net public service pensions ³	-	-	-	-	-	-	-
- Take up of provisions	13,339	18,646	-4,122	5,905	3,316	5,333	4,505
- Release of provisions	-4,203	-4,163	-7,737	-5,132	-3,048	-2,241	-2,241
- Depreciation ²	-	-	-	-	-	-	-
- Other	-	-	2,673	4,389	4,458	3,000	3,000
Total Resource Budget	664,943	672,292	612,581	588,767	560,473	568,517	508,468
<i>Of which:</i>							
- Depreciation ²	5,623	7,384	7,076	5,745	4,935	6,400	3,800
Capital DEL							
Section B: Crown Prosecutions and Legal Services	5,506	6,112	3,031	788	-594	2,260	3,280
Total Capital DEL	5,506	6,112	3,031	788	-594	2,620	3,280

Table 1: Total departmental spending (continued)

	2008-09 Outturn	2009-10 Outturn	2010-11 Outturn	2011-12 Outturn	2012-13 Estimated Outturn	2013-14 Plans	2014-15 Plans
£'000							
<i>Of which:</i>							
– Net capital procurement ⁴	5,506	6,112	3,031	788	-594	2,620	3,280
– Capital grants to the private sector and abroad	–	–	–	–	–	–	–
– Capital support for local government	–	–	–	–	–	–	–
– Capital support for public corporations	–	–	–	–	–	–	–
– Other	–	–	–	–	–	–	–
Capital AME							
Total Capital AME	–	–	–	–	–	–	–
<i>Of which:</i>							
– Capital grants to the private sector and abroad	–	–	–	–	–	–	–
– Net lending to the private sector and abroad	–	–	–	–	–	–	–
– Capital support for public corporations	–	–	–	–	–	–	–
– Other	–	–	–	–	–	–	–
Total Capital Budget	5,506	6,112	3,031	788	-594	2,620	3,280
Total departmental spending⁵	664,826	671,020	608,536	583,810	554,944	564,737	507,948
<i>of which:</i>							
– Total DEL	661,313	663,921	627,718	583,853	555,787	564,685	506,484
– Total AME	9,136	14,483	-12,106	5,702	4,092	6,092	5,264

¹ Net of income from sales of goods and services

² Includes impairments

³ Pension schemes report under FRS 17 accounting requirements. These figures therefore include cash payments made and contributions received, as well as certain non-cash items

⁴ Expenditure on tangible and intangible fixed assets net of sales

⁵ 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 AME is the sum of resource budget AME and capital budget AME less depreciation in AME.

Table 2: Public spending control

	2012-13 Initial Budgetary Limit	2012-13 Final Budgetary Limit	£'000 2012-13 Projected outturn
Resource DEL			
Section A: Administration Costs in headquarters and on Central Services	47,793	39,858	34,500
Section B: Crown Prosecutions and Legal Services	542,899	538,053	518,833
Use of Provisions	2,728	2,728	3,048
Total Resource DEL	593,420	580,639	556,381
of which:			
Pay	335,689	335,785	367,010
Net current procurement ¹	248,831	235,954	184,436
Current grants and subsidies to the private sector and abroad	-	-	-
Current grants to local government	-	-	-
Depreciation ²	8,900	8,900	4,935
Other	-	-	-
Resource AME			
Section C: CPS voted AME Charges	8,471	8,471	4,090
Total Resource AME	8,471	8,471	4,090
of which:			
Pay	-	-	-
Net current procurement ¹	-	-	-
Current grants and subsidies to the private sector and abroad	-	-	-
Current grants to local government	-	-	-
Net public service pensions ³	-	-	-
Take up of provisions	-	-	-
Release of provisions	-	-	-
Depreciation ²	-	-	-
Other	-	-	-
Total Resource Budget	601,891	589,110	560,471
of which:			
Depreciation ²	8,900	8,900	4,935
Capital DEL			
Section B: Crown Prosecutions and Legal Services	2,700	2,700	-594
Total Capital DEL	2,700	2,700	-594
of which:			
Net capital procurement*	2,700	2,700	-594
Capital grants to the private sector and abroad	-	-	-
Capital support for local government	-	-	-
Capital support for public corporations	-	-	-
Other	-	-	-
Capital AME	-	-	-

Table 2: Public spending control (continued)

	2012-13	2012-13	£'000
	Initial	Final	2012-13
	Budgetary	Budgetary	Projected
	Limit	Limit	outturn
Total Capital AME	-	-	-
of which:			
Capital grants to the private sector and abroad	-	-	-
Net lending to the private sector and abroad	-	-	-
Capital support for public corporations	-	-	-
Other	-	-	-
Total Capital Budget	2,700	2,700	-594
Total departmental spending[^]	595,691	582,910	554,942
of which:			
Total DEL	587,220	574,439	550,852
Total AME	8,471	8,471	4,090

¹ Net of income from sales of goods and services

² Includes impairments

³ Pension schemes report under FRS 17 accounting requirements. These figures therefore include cash payments made and contributions received, as well as certain non-cash items

* Expenditure on tangible and intangible fixed assets net of sales

[^] 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 AME is the sum of resource budget AME and capital budget AME less depreciation in AME

Table 3: Capital Employed

	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	£000s 2014-15
	Outturn	Outturn	Outturn	Outturn	Outturn	Plans	Plans
Assets and Liabilities on the Statement of Financial Position at end of year:							
Assets							
Non-Current assets							
Intangible	24,594	19,761	15,676	11,742	7,828	3,914	0
Tangible	41,798	45,907	36,231	28,562	22,074	19,800	18,600
<i>of which:</i>							
Land and buildings	4,307	5,065	4,884	4,608	4,084	3,800	3,600
Other	37,491	40,842	31,347	23,954	17,990	16,000	15,000
Investments	0	0	0	0	0	0	0
Current assets	60,853	83,629	71,953	84,665	76,424	75,000	75,000
Liabilities							
Payables (< 1 year)	-93,679	-120,046	-94,018	-109,388	-105,269	-100,000	-90,000
Payables (> 1 year)	-39,861	-36,813	-29,596	-24,195	-17,248	-5,000	-4,500
Provisions	-11,612	-15,825	-8,109	-10,895	-10,434	-9,000	-9,000
Capital employed within core department	<u>-17,907</u>	<u>-23,387</u>	<u>-7,863</u>	<u>-19,509</u>	<u>-26,625</u>	<u>-15,286</u>	<u>-9,900</u>
ALB net assets	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total capital employed in departmental group	<u>-17,907</u>	<u>-23,387</u>	<u>-7,863</u>	<u>-19,509</u>	<u>-26,625</u>	<u>-15,286</u>	<u>-9,900</u>

¹ These figures are not subject to audit by The Comptroller and Auditor General.

Table 4: Administration budget

	£000s						
	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15
	Outturn	Outturn	Outturn	Outturn	Projected Outturn	Plans	Plans
Section A: Administration Costs in HQ and on Central Services	51,763	54,271	39,184	27,967	34,500	37,470	32,460
Total administration budget	51,763	54,271	39,184	27,967	34,500	37,470	32,460
<i>Of which:</i>							
Paybill	25,897	25,280	23,961	18,714	19,065	18,631	12,225
Expenditure	27,687	31,036	22,353	9,740	15,876	19,439	20,835
Income	-1,821	-2,045	-7,130	-487	-441	-600	-600

¹ These figures are not subject to audit by The Comptroller and Auditor General.

Table 5: Staff in Post

	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15
	Actual	Actual	Actual	Actual	Actual	Plans	Plans
Crown Prosecution Services:							
Civil Service FTEs	8,554	8,390	7,978	7,394	6,936	6,606	6,378
Other	201	172	116	70	110	50	40
Total	8,755	8,562	8,094	7,464	7,046	6,656	6,418

¹ These figures are not subject to audit by The Comptroller and Auditor General.

Table 6: Total spending by country and region (over spread of years)

	National Statistics			£ million
	2008-09 outturn	2009-10 outturn	2010-11 outturn	2011-12 outturn
North East	33	33	32	30
North West	95	93	91	81
Yorkshire and the Humber	58	62	55	51
East Midlands	44	43	40	38
West Midlands	67	63	59	55
East	51	52	48	41
London	149	152	143	138
South East	82	80	77	59
South West	41	40	39	55
England	<u>619</u>	<u>619</u>	<u>584</u>	<u>547</u>
Scotland	0	0	0	0
Wales	37	37	34	31
Northern Ireland	0	0	0	0
UK identifiable expenditure	<u>656</u>	<u>656</u>	<u>618</u>	<u>579</u>
Outside UK	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total identifiable expenditure	<u>656</u>	<u>656</u>	<u>618</u>	<u>579</u>
Non-identifiable expenditure	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total expenditure on services	<u>656</u>	<u>656</u>	<u>618</u>	<u>579</u>

¹ These figures are not subject to audit by The Comptroller and Auditor General.

Table 7: Total spending per head by country and region (over spread of years)

	National Statistics			£ per head
	2008-09 outturn	2009-10 outturn	2010-11 outturn	2011-12 outturn
North East	13	13	12	11
North West	14	14	13	11
Yorkshire and the Humber	11	12	10	10
East Midlands	10	10	9	8
West Midlands	12	12	11	10
East	9	9	8	7
London	19	20	18	17
South East	10	10	9	7
South West	8	8	7	10
England	<u>12</u>	<u>12</u>	<u>11</u>	<u>10</u>
Scotland	0	0	0	0
Wales	12	12	11	10
Northern Ireland	0	0	0	0
UK identifiable expenditure	<u>11</u>	<u>11</u>	<u>10</u>	<u>9</u>

¹ These figures are not subject to audit by The Comptroller and Auditor General.

Table 8: Spending by function of programme, by country and region

	National Statistics		£ million
	Law courts	Total public order and safety	TOTAL CROWN PROSECUTION SERVICE
North East	30	30	30
North West	81	81	81
Yorkshire and the Humber	51	51	51
East Midlands	38	38	38
West Midlands	55	55	55
East	41	41	41
London	138	138	138
South East	59	59	59
South West	55	55	55
England	547	547	547
Scotland	0	0	0
Wales	31	31	31
Northern Ireland	0	0	0
UK identifiable expenditure	579	579	579
Outside UK	0	0	0
Total identifiable expenditure	579	579	579
Non identifiable expenditure	0	0	0
Total expenditure by function of programme	579	579	579

¹ These figures are not subject to audit by The Comptroller and Auditor General.

Annex G – Complaints to the Parliamentary Ombudsman

The CPS was not the subject of any complaints to the Parliamentary Ombudsman during the reporting period.

Annex H – CPS Area/Police Force Boundary Map



Annex I – Glossary

ABM	Area Business Manager
ACPO	Association of Chief Police Officers
AGO	Attorney General's Office
CA	Crown Advocate
CCP	Chief Crown Prosecutor
CJS	Criminal Justice System
CPS	Crown Prosecution Service
CQS	Core Quality Standards
DPP	Director of Public Prosecutions
DV	Domestic Violence
FReM	Financial Reporting Manual
GFS	Graduated Fee Scheme
HMCPSI	Her Majesty's Crown Prosecution Service Inspectorate
HMCTS	Her Majesty's Courts and Tribunal Service
HMIC	Her Majesty's Inspectorate of Constabulary
HMICA	Her Majesty's Inspectorate of Court Administration
HMRC	Her Majesty's Revenue & Customs
HQ	Headquarters
MoJ	Ministry of Justice
NAO	National Audit Office
NED	Non-executive Director
OBM	Optimum Business Model
QC	Queen's Counsel
RCPO	Revenue and Customs Prosecutions Office
SOCA	Serious and Organised Crime Agency
SIRO	Senior Information Risk Owner
T3	Transforming Through Technology
UKBA	UK Border Agency
VAW	Violence Against Women



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