



Service Prosecuting Authority

Quarterly Performance Report

Fourth Quarter 2015

Dated Jan 16

Quarterly Performance Report

Fourth Quarter - 2015

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Quarterly Performance Report

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Introduction

1. The Quarterly Performance Report is an attempt to provide key information to the Director of the Service Prosecuting Authority and the his Principal Legal Advisor, in order to assist in managing the Authorities core business.

Manning and Establishment

2. As at the end of 2015, the SPA's official establishment stands at 67, of which 37 are military (33 prosecutors) and 30 civilian staff. A further 5 personnel are assigned to IHAPT.

3. Points to note:

- a) There were a number of prosecutor appointments temporarily gapped due to a large number of post rotations during the period.
- b) Two civilian administration posts remain vacant – one in the UK and one in Germany.

The Role of the Principal Legal Adviser (PLA) to the Director of Service Prosecutions

4. The post of Principle Legal Adviser was created in June 2015 to take over general responsibility and supervision of the case work of the SPA. This is quite a general definition and involves a broad range of tasks, including simply being a sounding board for prosecuting officers with questions of law and procedure on their cases.

5. Casework. The PLA allocates all cases referred to SPA between the various teams. This requires an assessment of the nature of the case, to match it with the appropriate team of lawyers, together with consideration for the workload of each team. The PLA chairs the weekly case management meetings used within the SPA to monitor the progress of all our cases.

6. Where a schedule 2 AFA '06 case is to be discontinued, that decision must be reviewed by either the DSP or by the PLA. Where a victim exercises her / his right of review that review of the decision to discontinue is carried out by either the PLA or

the DSP. The PLA considers every application for AG's consent and drafts the cover letter where the decision is to seek consent.

7. On an ad hoc basis, where issues arise in cases, the PLA provides advice to prosecutors as and when questions of law arise. In the last 6 months the PLA has provided guidance and assistance on appeals to the Court Martial Appeal Court and regularly assists prosecutors with issues of law. This relates to matters that arise at trial as well as issues of law affecting the decision whether to bring charges.

8. Policy: The PLA is currently pursuing two particular priorities. Firstly, trying to eliminate delay in the investigation process. The PLA has established the Early Engagement working group with representatives of all three Provost Marshalls. The group is focussing on RASSO and domestic violence / abuse cases. The aim is to agree protocols for early engagement between the SPA and the service police (SP), together with agreement as to the contents required for an abbreviated casefile to be submitted to the SPA on referral by the SP. This group has met twice, will meet again in late January 2016 and at least once more thereafter. They intend to reach their conclusions and submit recommendations to the Provost Marshalls by March 2016.

9. The PLA's other goal is to encourage a positive approach to prosecution of RASSO cases. He seeks to ensure the approach to these cases is as close as possible to that adopted by the CPS.

EGPS

10. The Early Guilty Plea Scheme (EGPS) was introduced into SPA Germany as from Mon 11 Jun 12. The scheme was intended to run as a trial in Germany.

11. The EGPS scheme was not utilised during the period.

PQs and FOIs

12. During the last quarter of 2015, SPA received 8 x Freedom of Information (FOI) requests and answers were provided. 1 x Subject Access Request (SAR) was also received and answered along with 1 x Parliamentary Question (PQ), 1 x Ministerial Correspondence and 1 x "Treat as Official" correspondence.

CMAC Statistics.

13. Cases received/dealt with during 2015 are as follows,

CMAC		
	Waiting to be heard by Single Judge	4
	Refused by Single Judge	9*
	Waiting to be heard before Full Court	3
	Appeal Upheld	0

	Appeal Dismissed	7
	Appeals brought by prosecution Refused	1
	Appeals brought by prosecution upheld	1
	Appeals brought by prosecution abandoned	1
	TOTAL	26

. *2 appeal applications to be heard jointly.

Media Enquiries

14. The SPA Media team received 30 "initial" press enquiries. Of these, 23 were received directly by SPA Media. The remaining 7 were redirected by colleagues elsewhere within the MOD. These redirected enquiries required either contribution to a response where crossover between departments occurred, or in some instances for SPA Media to take the lead in preparing and delivering responses.

15. In addition to the 30 initial press enquiries the Media Team received 25 follow-up enquiries. Inclusive of the follow-up requests the SPA received a total of 55 press enquiries over the quarter.

Graphical Statistics

16. The following graphical statistics illustrate the referral and pre-charge advice case load for 2015. All the following are compared with the same period for the previous 4 years (ie 2011 to 2014).

- a). Comparison of referrals
- b). Comparison of PCA requests
- c). Comparison of complex and more serious cases – referrals
- d). Comparison of complex and more serious cases – PCA requests
- e). Comparison of complex and more serious cases with referrals
- f). Comparison of complex and more serious cases with PCA requests
- g). Comparison of AWOLs
- h). Comparison of AWOLs with referrals
- i). Case handling times for
 - i). Serious Case List (SCL)
 - ii). AWOLs

- iii). All other offences

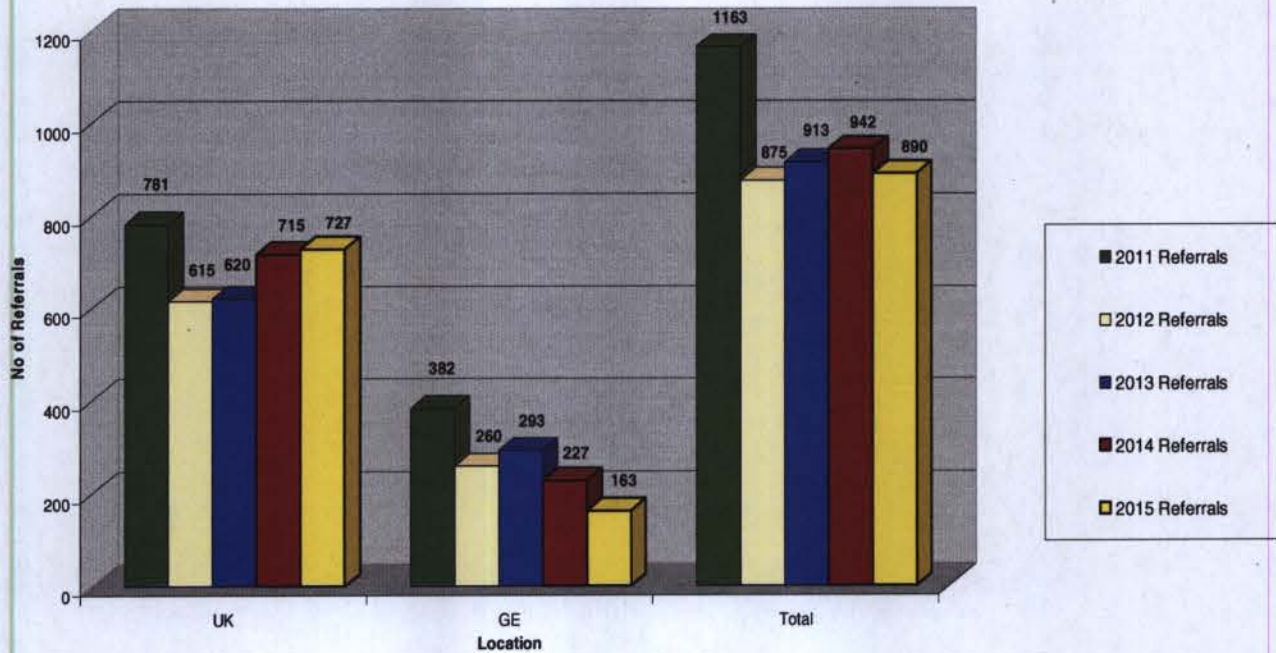
Court Martial, Outcomes and other Court Hearings

17. Court Martial statistics and Court Martial outcomes have also been provided as an additional means to review the Authority's overall workload throughout the period. As indicated with referral and pre-charge advice graphical displays, the Court Martial statistics are also compared with, in this case, the previous 3 years (ie 2012, 2013 and 2014).

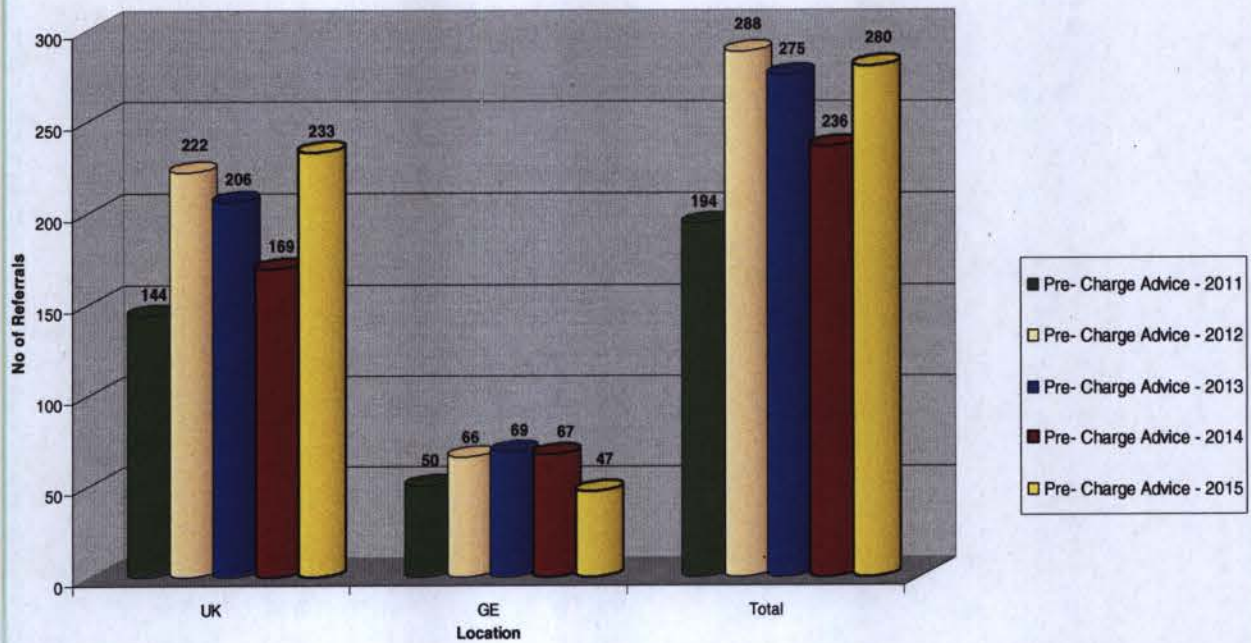
18. This report also includes statistics relating to the number of Preliminary Case Management Hearings (PCMHS), Preliminary Hearings (PHs), Listed for Mention (LFMs) and Custody Hearings (CHs) carried out during 2015.

DATA SETS – WORKLOAD – 2015

Referrals - 2015 – compared to 2011, 12, 13 and 14.

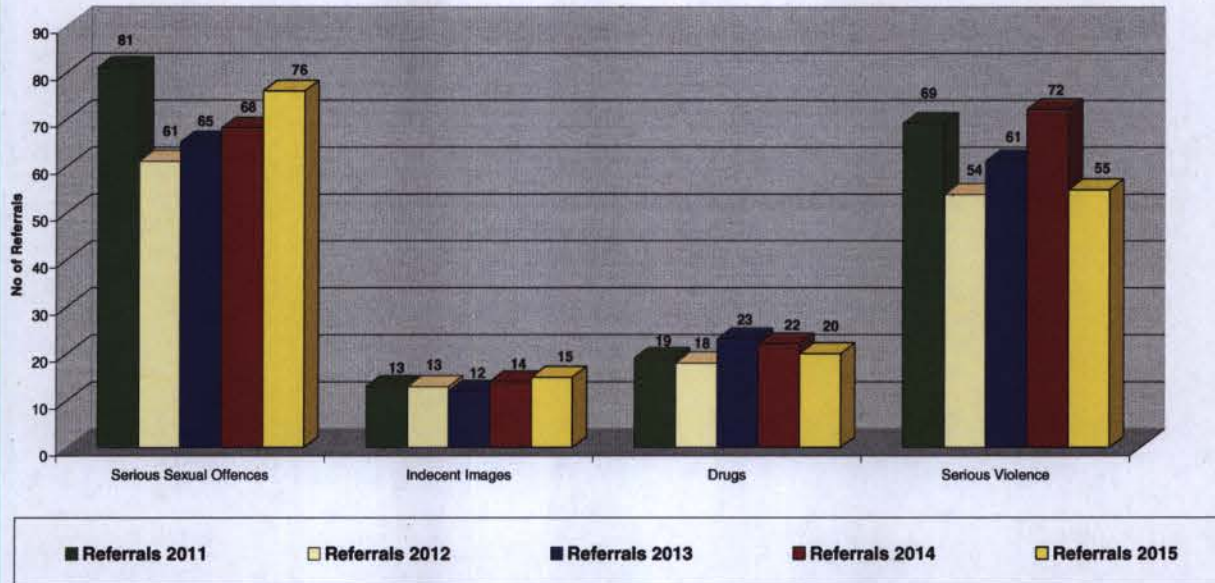


PCA - 2015 – compared to 2011, 12, 13 and 14.



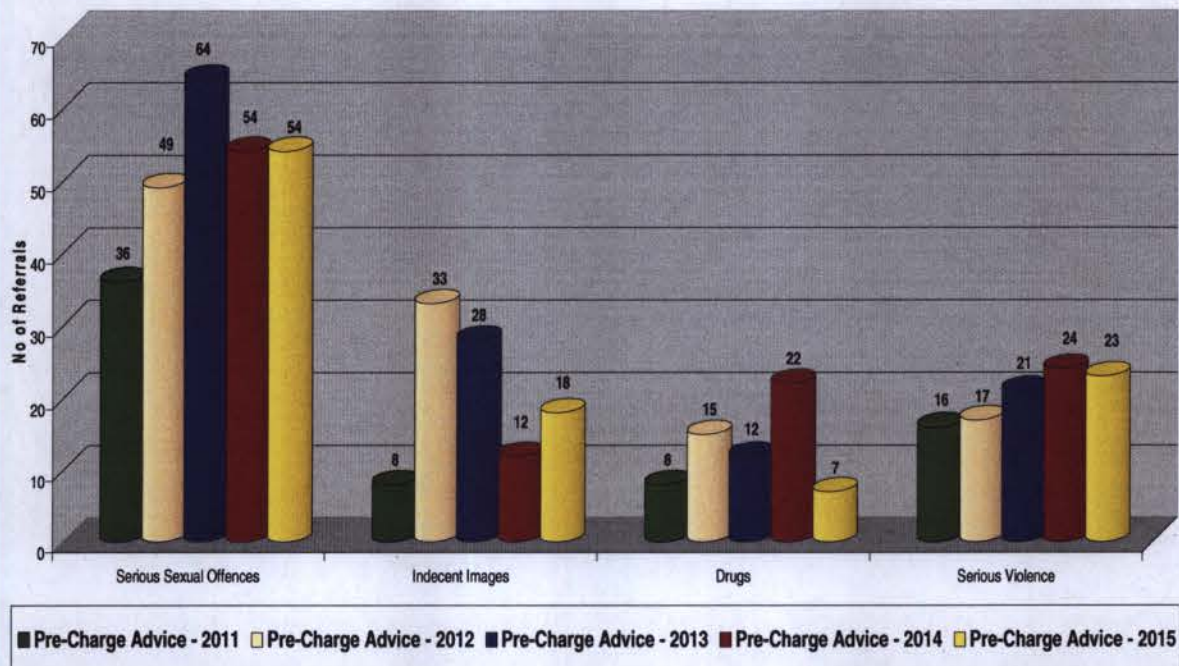
Comparison of complex and more serious referrals – 2015 – compared to 2011, 12, 13 and 14

Serious Sexual offences, Indecent Images, Drugs and Serious Violence

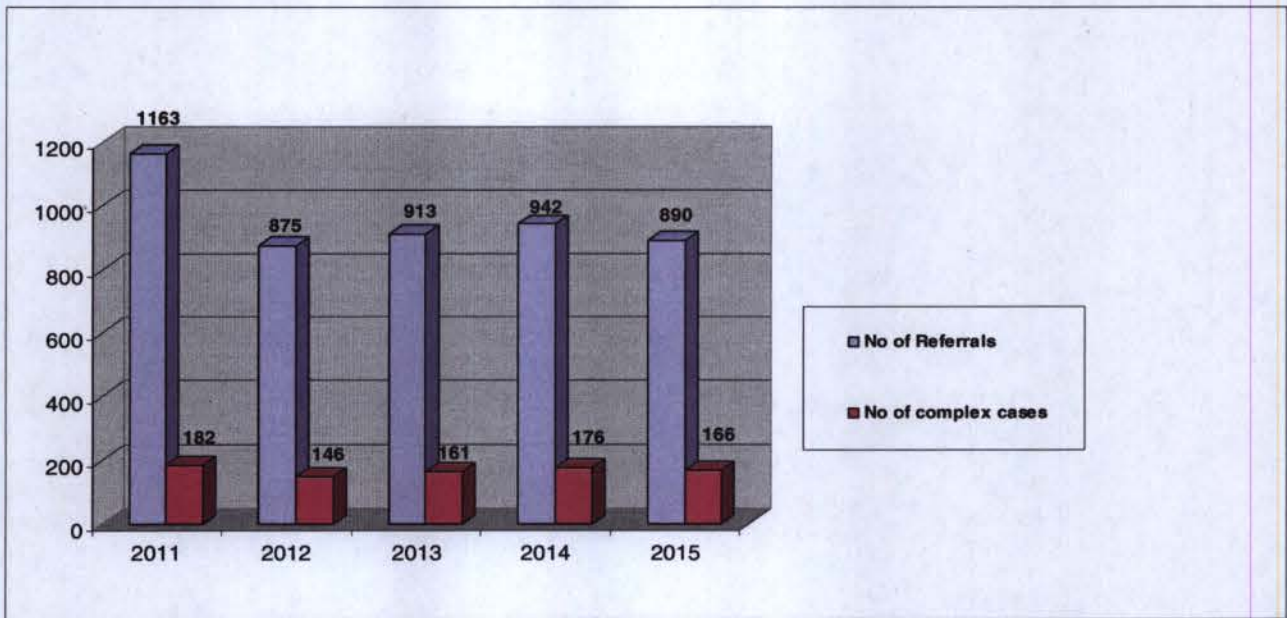


Comparison of complex and more serious PCA – 2015 – compared to 2011, 12, 13 and 14

Serious Sexual offences, Indecent Images, Drugs and Serious Violence

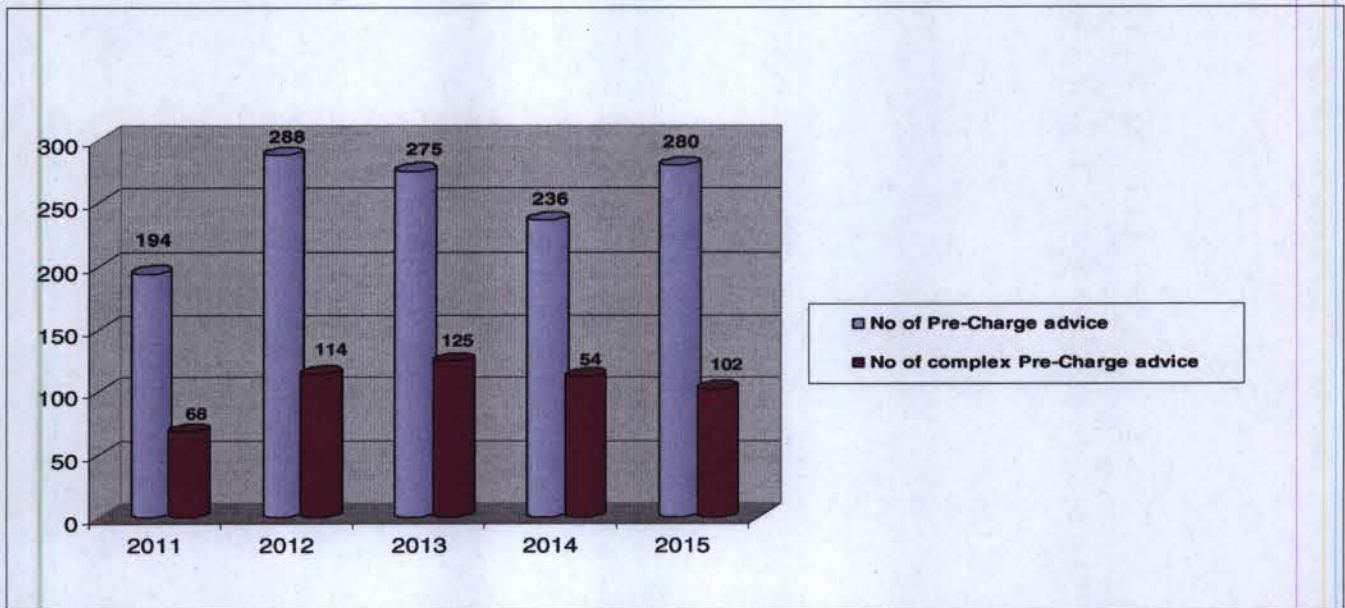


Comparison of Number of Referrals & Complex Cases – 2015 compared to 2011, 12, 13, and 14.

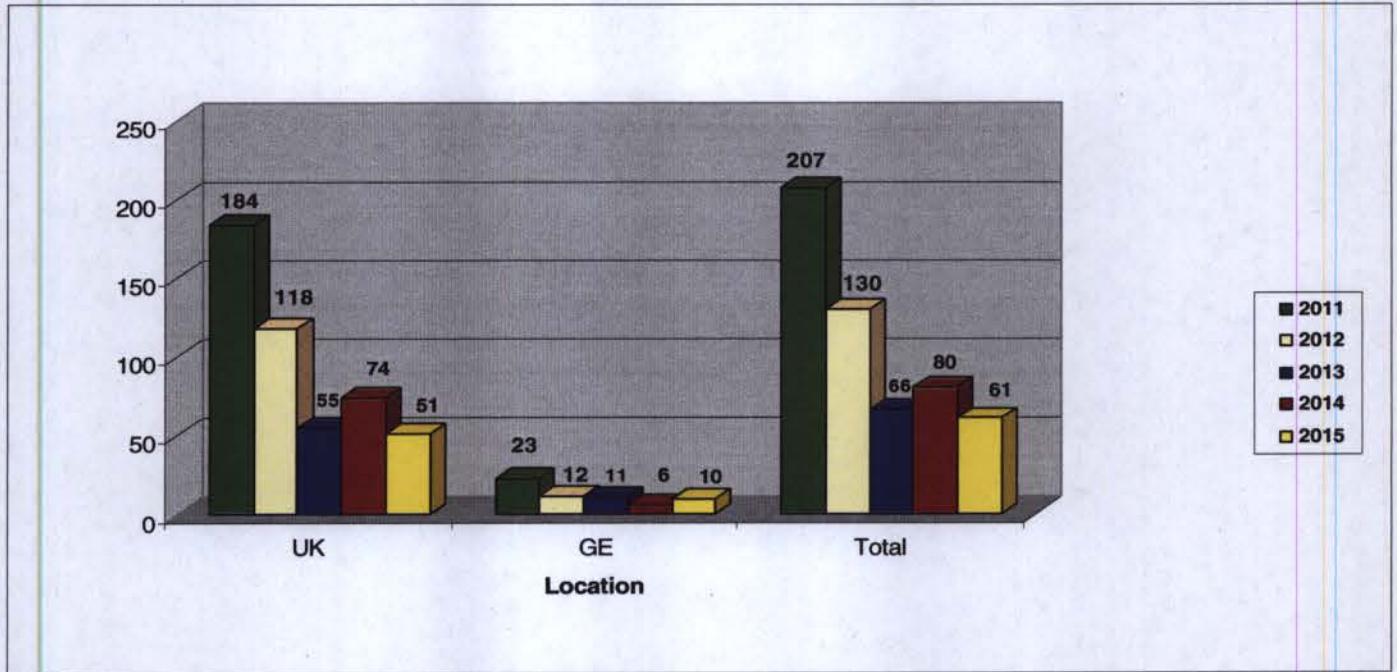


Year	No of Referrals	No of complex cases	Complex cases as a % of referrals
2011	1163	182	15.65%
2012	875	146	16.69%
2013	913	161	17.63%
2014	942	176	18.68%
2015	890	166	18.65%

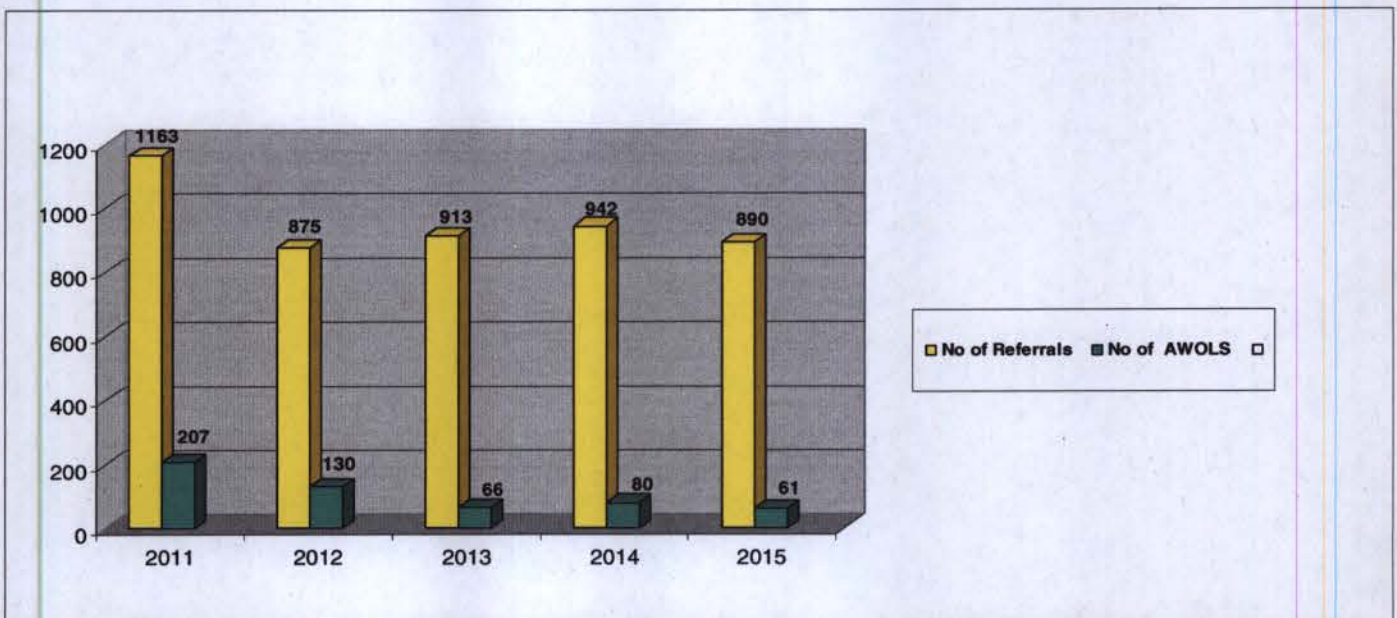
Comparison of Number of PCA requests & Complex Cases – 2015 compared to 2011, 12, 13, and 14.



AWOLS - 2015 – compared to 2011, 12, 13 and 14.



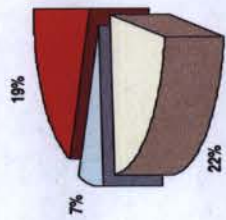
Number of Referrals compared to AWOLS – 2015 compared to 2011, 12, 13, and 14.



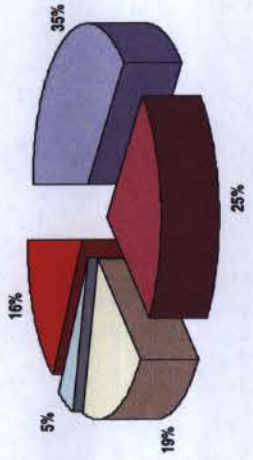
Year	No of Referrals	No of AWOLS	AWOLS as a % of Referrals
2011	1163	207	17.80%
2012	875	130	14.86%
2013	913	66	7.23%
2014	942	80	8.49%
2015	890	61	6.85%

Handling Times – Serious Cases – 2015 compared to 2011, 12, 13 and 14

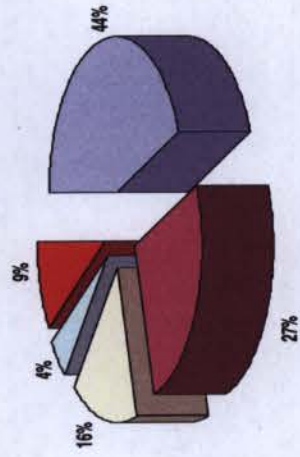
Handling times - Serious Cases - 2014



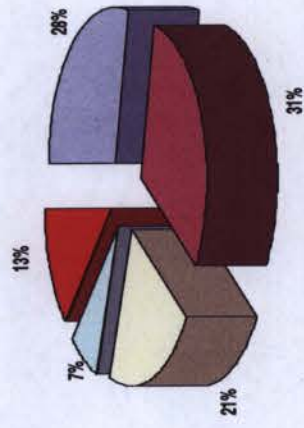
Handling times - Serious Cases - 2013



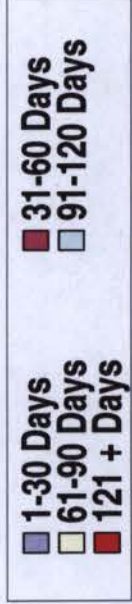
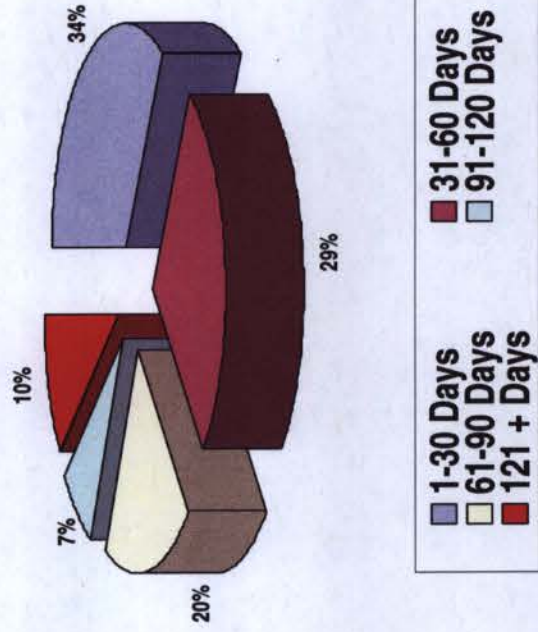
Handling times - Serious Cases - 2012



Handling times - Serious Cases - 2011

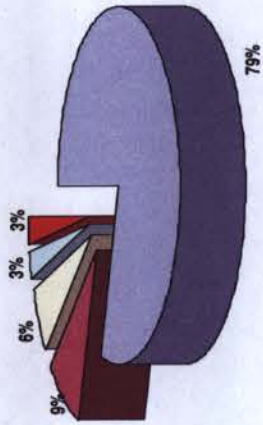


Handling times - Serious Cases - 2015

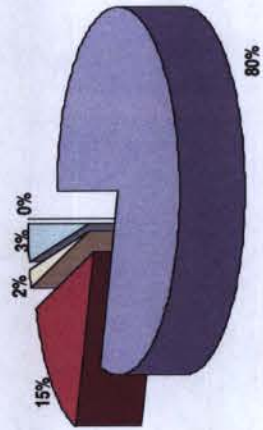


Handling Times – AWOLS – 2015 compared to 2011, 12, 13 and 14

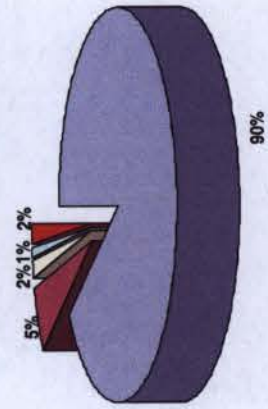
Handling times - AWOLS - 2014



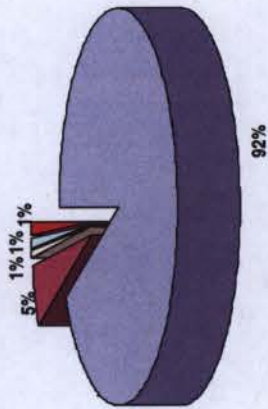
Handling times - AWOLS - 2013



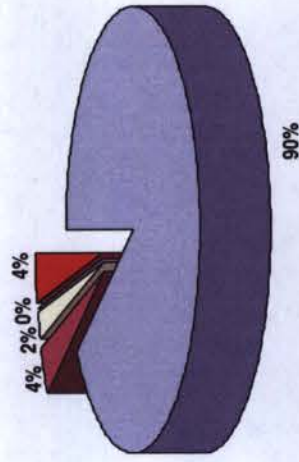
Handling times - AWOLS - 2012



Handling times - AWOLS - 2011



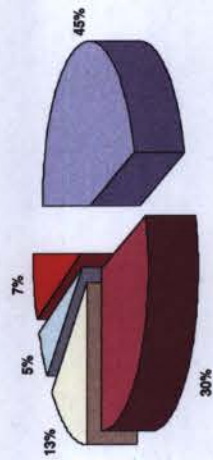
Handling times - AWOLS - 2015



- 1-30 Days
- 31-60 Days
- 91-120 Days
- 121+ Days
- 61-90 Days

Handling Times – Other Cases – 2011, 12, 13 and 14

Handling times - Other Cases - 2014



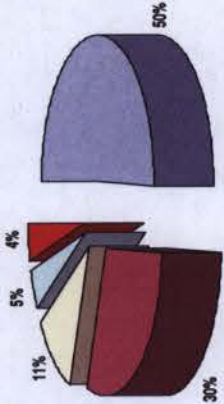
Handling times - Other Cases - 2013



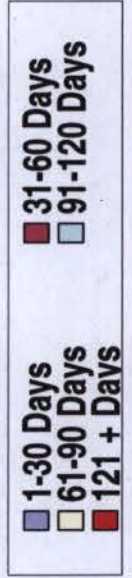
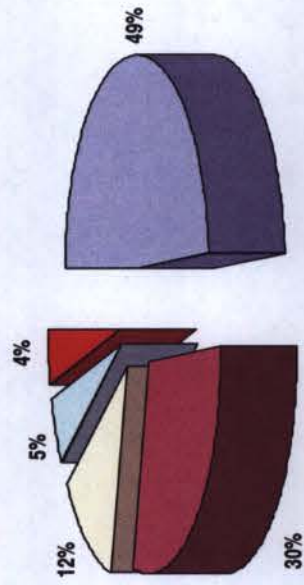
Handling times - Other Cases - 2012



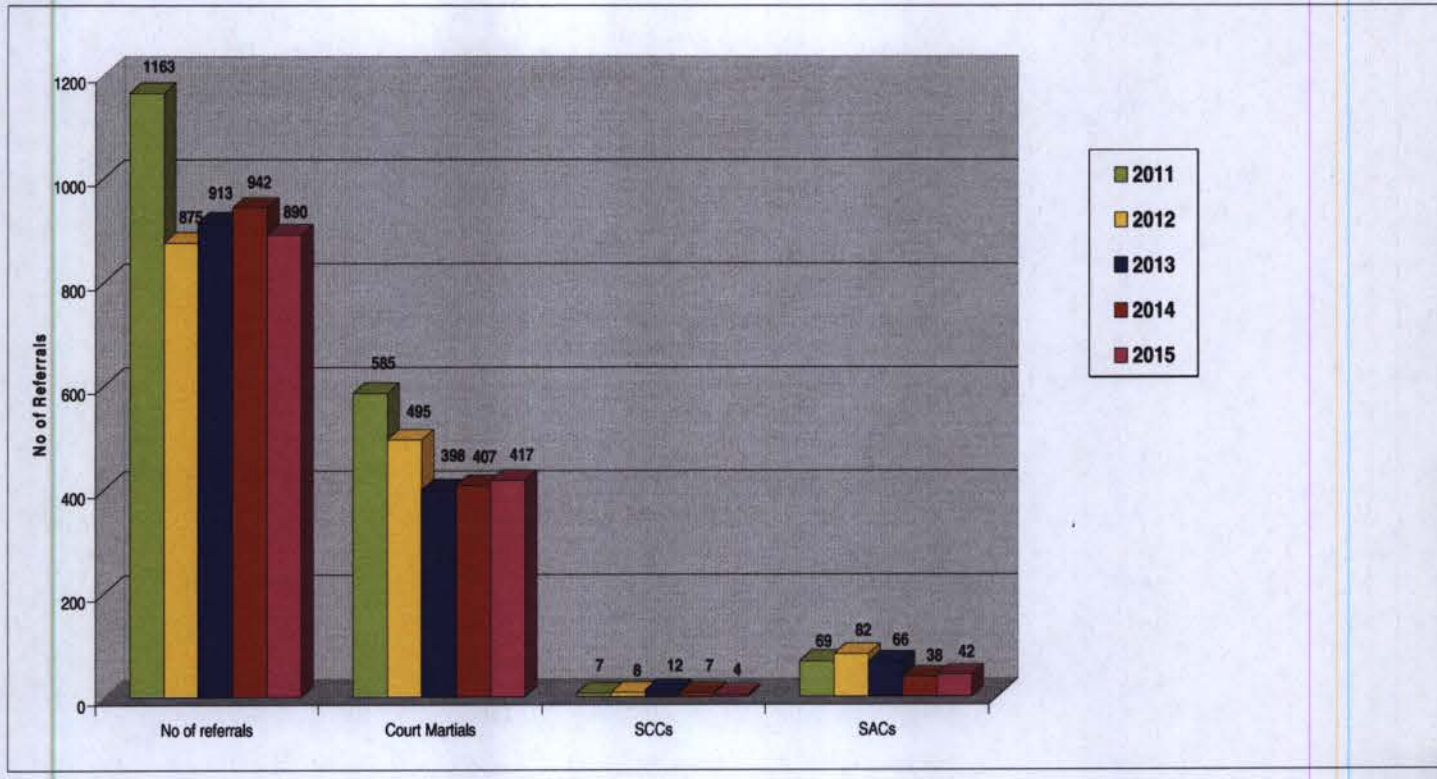
Handling times - Other Cases - 2011



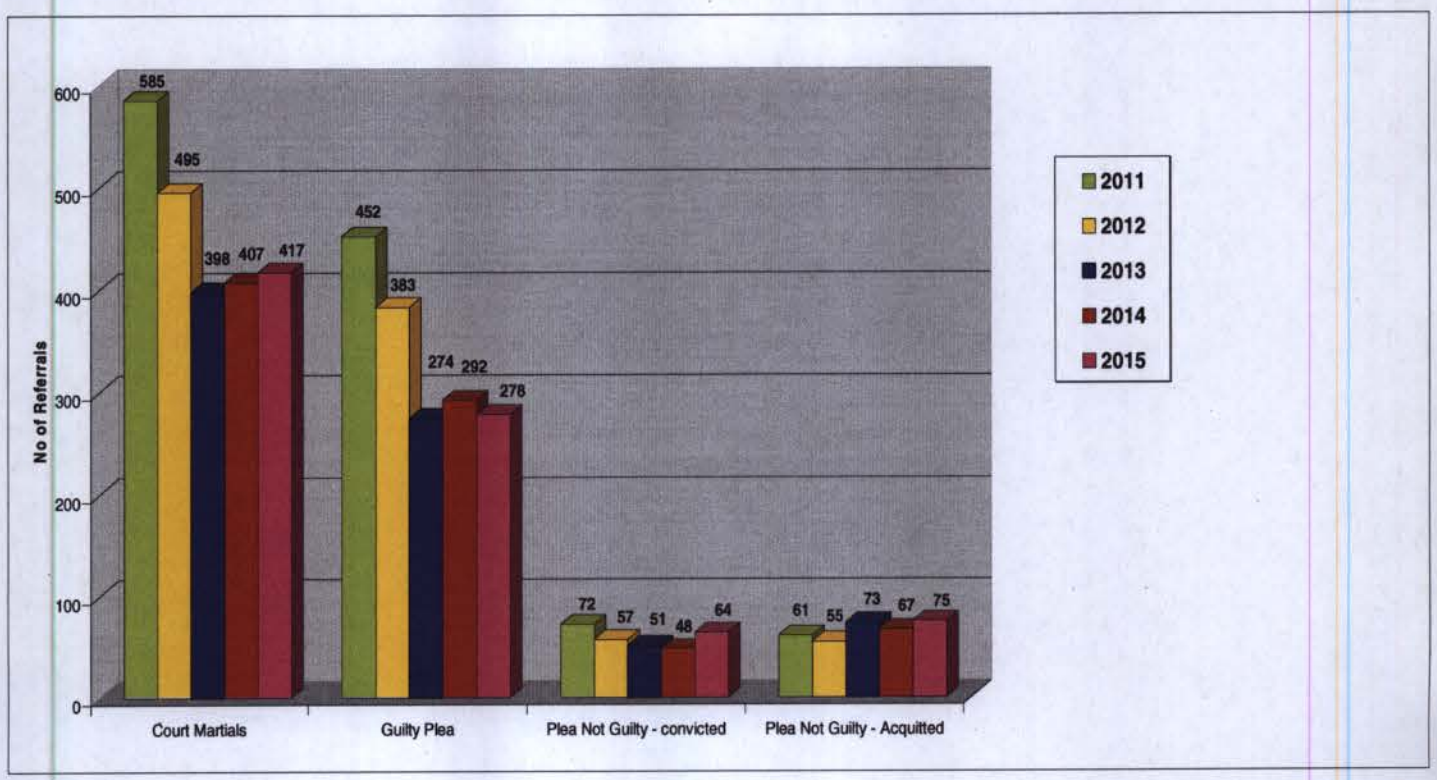
Handling times - Other Cases - 2015



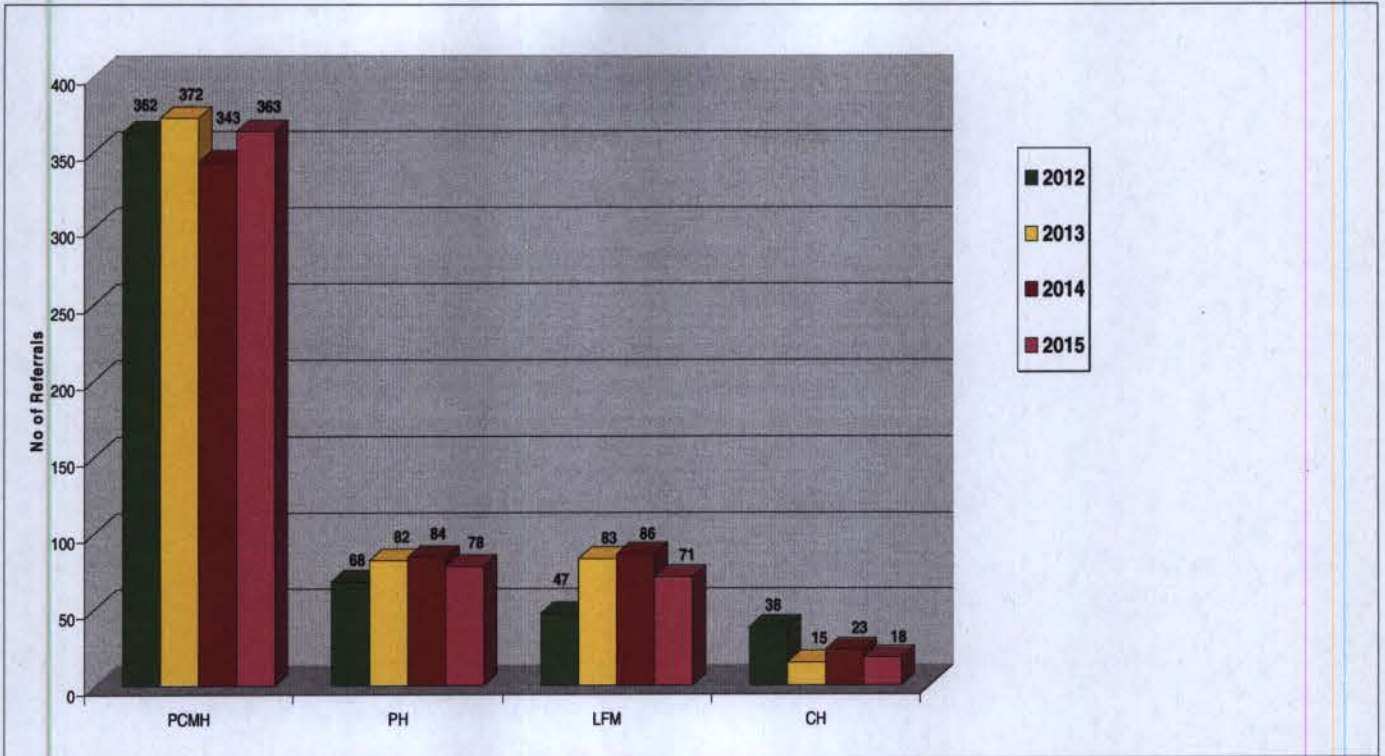
Summary of Trials 2015 – compared to 2011, 12, 13 & 14.



Summary of Court Martial outcomes for 2015 – compared to 2011, 12, 13 & 14.



Summary of other Court Hearings 2015 – compared to 2012, 13 and 14



The above graph displays, Preliminary Case Management Hearings (PCMHS), Preliminary Hearings (PHs), Listed for mention (LFMs) and Custody Hearings (CH)

Additional points

19. There are no further additional points.

COS HQ SPA