



# Crown Prosecution Service

Annual Report and Accounts 2018–19

HC 2286



# Crown Prosecution Service

## Annual Report and Accounts 2018-2019

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Offences Act 1985

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# Who we are and what we do

The Crown Prosecution Service (CPS) prosecutes criminal cases that have been investigated by the police and other investigative organisations in England and Wales. Our duty is to make sure that the right person is prosecuted for the right offence, and to bring offenders to justice wherever possible. We make our decisions independently of the police and government.

The CPS:

- decides which cases should be prosecuted;
- determines the appropriate charges in more serious or complex cases, and advises the police during the early stages of investigations;
- prepares cases and presents them at court; and
- provides information, assistance and support to victims and prosecution witnesses.

## How we are organised and operate

The CPS operates across England and Wales, with 14 regional teams prosecuting cases locally. Each of these 14 CPS Areas is headed by a Chief Crown Prosecutor (CCP) and works closely with local police forces and other criminal justice partners. CPS Areas deal with a wide range of cases. The majority are less serious cases and are heard in the magistrates' courts, while the most serious cases are heard in the Crown Court. CPS Direct, with prosecutors based across England and Wales, provides charging decisions to police forces and other investigators 24 hours a day, 365 days a year.

There are also three Central Casework Divisions which deal with some of the most complex cases we prosecute. They work closely with specialist investigators from a range of organisations, including the National Crime Agency, HM Revenue and

Customs and the Independent Police Complaints Commission, as well as with police forces across England and Wales.

These three specialist divisions, each headed by a Head of Division (equivalent to a CCP), are:

- International Justice and Organised Crime Division;
- Special Crime and Counter Terrorism Division; and
- Specialist Fraud Division.

In addition, CPS Proceeds of Crime is a dedicated division responsible for all restraint, enforcement and serious confiscation work.

All of these operational divisions are supported by our headquarters directorates.

## Our values

Our values are central to everything we do

### **We will be independent and fair**

We will prosecute independently, without bias, and will seek to deliver justice in every case.

### **We will be honest and open**

We will explain our decisions, set clear standards about the service the public can expect from us and be honest if we make a mistake.

### **We will treat everyone with respect**

We will respect each other, our colleagues and the public we serve, recognising that there are people behind every case.

### **We will behave professionally and strive for excellence**

We will work as one team, always seeking new and better ways to deliver the best possible service for the public. We will be efficient and responsible with taxpayers' money.

# 1

## Introduction

by the Director of Public Prosecutions





**I am pleased to present my first Annual Report for the Crown Prosecution Service (CPS) for the 2018-19 financial year.**

I was honoured to take up post as Director of Public Prosecutions (DPP) in November 2018. I would like to start the report by thanking my predecessor, Alison Saunders CB, for her leadership of the CPS over the previous five years, including the first half of the financial year within this Report. When I arrived at the CPS I found, across the organisation, what you would wish for – namely dedicated, committed people determined to do right.

I also found an organisation making good progress against the strategic objectives set out in the CPS 2020 strategy – based around high quality casework, improving public confidence, supporting the success of our people and continuous improvement. It is clear to me that CPS 2020 has played an important role in setting the right tone for the organisation, and that a great deal has been achieved against its aims.

As DPP I want to build confidence in the work of the CPS by focusing on our people, and on the quality of our casework throughout the whole life of a case. This is taking place within the framework of CPS 2020 as we work together as an organisation to develop our future strategy (CPS 2025), which will be in place for the start of 2020-21.

Further details of our performance against our 2018-19 business plan objectives are set out in the Performance Report, but I would like to highlight here some particular developments over the last year.

We have continued our work with the police to improve performance on disclosure – moving from the

implementation of the National Disclosure Improvement Plan to focus on embedding the changes across our organisations. We are committed to maintaining this momentum to bring lasting improvements to how disclosure is managed in the criminal justice system.

We also started work to review prosecution fees. The CPS hugely values the work done each day by the external Bar, who are an essential part of the prosecution team. We recognise the feeling amongst many prosecution barristers about the existing fee schemes and so we committed to working with the Bar to reach a positive conclusion to the review.

In a context in which Parliamentarians have been the targeted victims of criminal conduct, we developed an information pack to help Parliamentarians and their staff to recognise and report potential crimes. Criminal offences committed against Parliamentarians imperil both the democratic process and public service, and the CPS takes that very seriously indeed.

In terms of the success of our people I have been pleased to see the focus on wellbeing supporting colleagues across the organisation, as well as efforts to make our workplace as inclusive as possible.

None of the work of the last year would have been possible without the commitment, professionalism and skill of CPS staff and I am very grateful to them for all their efforts. I look forward to working with them in the years ahead as we continue to provide our vital service to the public.

**Max Hill**

Director of Public Prosecutions

# 2

The year in numbers

We prosecuted

**494,811** cases

**83.7%** of defendants convicted

**76.7%** guilty pleas

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We helped recover

**£97.7 million**  
in proceeds of crime

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We have a diverse workforce, representing  
the communities we serve

**19.9%**  
black and minority ethnic

**10.1%**  
disabled

**5%**  
lesbian, gay or bisexual

# 3

## Performance report

## Overview

This Overview provides a summary of the CPS' purpose and objectives, of the key issues it faces, and of its performance during the year. More detailed performance information is provided in the Performance Analysis.

### Our aims and objectives

Our strategic priorities and the action we will take to continue improving our service to the public were set out in CPS 2020, under four pillars:

- Everyone contributing to high quality casework;
- Ensuring public confidence that we are fair, effective and independent;
- Supporting the success of our people; Continuously improving how we work.

Each year, we produce a business plan which sets out the specific steps we will take to achieve this vision. This can be found on our website [www.cps.gov.uk](http://www.cps.gov.uk).

For each of the CPS 2020 pillars, the Performance Analysis describes the key activities undertaken during 2018-19 and sets out our performance against the key measures in our business plan for the year.

### Key issues

Effective disclosure of evidence remained a key priority this year. We implemented the CPS, National Police Chiefs' Council and College of Policing's Joint National Disclosure Improvement Plan (NDIP) then developed and started to implement NDIP Phase 2 (published November 2018) to embed the improvement measures and ensure that the changes are having the intended effect throughout police forces and CPS Areas.

It is important for the CPS to reflect the community we serve, both in the diversity of our workforce and in how we work to deliver justice. During the year we published and started to implement our Inclusion and Community Engagement Strategy, which sets out our ambition for

promoting fairness, equality, diversity and inclusion across the criminal justice system and across our organisation.

The CPS worked to prepare for the UK's exit from the European Union (EU). Much of our casework has an international dimension and it is important that we can continue to work effectively with our European partners. We supported the Government in its negotiations over continued access to tools such as the European Arrest Warrant and European Investigation Orders while making contingency plans for different scenarios.

Decreasing finalisations reflect fewer cases being referred to the CPS by the police and other investigative bodies. Cross Departmental work is ongoing to better understand demand trends across the criminal justice system.

### Diversity and inclusion

The CPS approach to inclusion is grounded in, but not limited to, our responsibilities under equality legislation, as set out in the Equality Act 2010. The legislation imposes a general duty on public authorities including the CPS to have due regard in all that we do to:

- eliminate discrimination, harassment and victimisation,
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, and
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation, marriage and civil partnership. The CPS commitment to diversity and inclusion is at the heart of how we work. It is important to us both as an employer and in the way we approach our responsibilities as a prosecuting authority.

## Performance summary

To monitor delivery against our strategic objectives during 2018-19, we identified performance measures under each CPS 2020 pillar. This section summarises how we have performed against these measures during the year.

### Success of our People

Objective	2018-19 business plan measure	Performance
Improve on Employee Engagement Index (EEI) from previous People Survey	More than 61%	61%
Improve on the Civil Service ambition for apprenticeships	More than 2.3%	2.7%
Increase share of overall CPS spend invested in developing our people	More than 0.48%	0.52%
Proportion of declared disabled staff meets Civil Service average	More than 9.2%	10.1%
Proportion of declared BAME staff reflects our communities	More than 16.7%	19.9%

### Public Confidence

Objective	2018-19 business plan measure	Performance
Reduce unsuccessful outcomes owing to witness issues	Less than 27.5%	25.9%
Improve on public confidence figure in Crime Survey for England and Wales	More than 60%	62%
Ensure timeliness of communication with victims meets Victims' Charter standards	100%	85.5%

## High Quality Casework

Objective	2018-19 business plan measure	Performance
Increase compliance with Crown Court directions	More than 93%	91.7%
Increase proportion of recorded sentence uplifts for hate crime in finalised convictions	More than 70%	73.4%
Reduce magistrates' court cases dropped at third or subsequent hearing	Less than 20%	25.7%
Improve proportion of guilty pleas at first hearing in Crown Court cases	More than 41%	39.9%
Deliver Disclosure Improvement Plan	100%	97%
Maintain level of contribution to recovery of proceeds of crime	More than £80 million	£97.7 million

## Continuous Improvement

Objective	2018-19 business plan measure	Performance
Sustain availability of core business infrastructure	More than 99.5%	99.94%
Increase share of agencies sending multimedia evidence via shared systems	More than 50%	50%
More timely charging decisions	Less than 23.1 days	25.9 days

## Performance analysis

The Performance Analysis provides a more detailed analysis of how the CPS has performed against its strategic objectives during 2018-19. For each of the CPS2020 pillars, this section describes the key activities undertaken during 2018-19 and provides an assessment of the goals we achieved and the performance we delivered against the key targets set in our business plan for the year.



## Success of our people

### What we are trying to achieve

We will attract and retain the best people and be recognised for our investment in staff, training and skills

### What we did

- Launched the Prosecutor Pathway programme, providing different routes for CPS employees to train to become qualified lawyers. This is a ground-breaking scheme and is intended to play a major part of our social mobility agenda.
- Used an improved approach to recruitment, resulting in a 24% increase in applications for legal roles and a 12-fold increase in apprenticeship applications.
- Published our first Talent Strategy, setting out our commitment to an inclusive approach to talent identification and development which values all colleagues for their contribution to the organisation's success and enables them to realise their full potential.
- As part of our Inclusion and Community Engagement Strategy:
  - held a career development conference targeted at BAME colleagues to help further increase diversity in senior roles;
  - developed local plans to ensure that our workforce represents the communities we serve in different parts of England and Wales; and
  - worked to increase the proportion of our staff declaring their personal information to help guide our inclusion work, leading to those providing information on faith increasing from 69% to 75%.
- Launched a three-year programme offering health checks to all staff, with 1,800 people taking advantage of this within the year; 99% of those said they would recommend the health checks to colleagues; and 75% said that they would make positive healthy lifestyle changes as a result.
- To support positive mental health within the organisation, we now have more than 260 Mental Health First Aiders, trained to support people in crisis within the workplace and provide signposting to ongoing support options to those struggling with their mental health.
- Delivered Respect training in partnership with Business in the Community, raising awareness of the impacts of bullying and harassment and emphasising our commitment to tackling unacceptable behaviours.

### Recognising our inclusive and supportive workplace, the CPS has been:

- named in the top ten UK employers for Working Families for the second successive year;
- retained 'Investors in People' Silver standard - awarded to the top 14 per cent of organisations world-wide for high standards in people management; and
- named by Business in the Community as one of the UK's Best Employers for Race for the second year.

## What impact it had

Objective	2015-16	2016-17	2017-18	2018-19
Improve on Employee Engagement Index (EEI) from previous People Survey	54%	59%	61%	61%
Improve on Civil Service ambition for apprenticeships	-	2.3%	2.7%	2.7%
Increase share of overall CPS spend invested in developing our people	0.4%	0.4%	0.5%	0.5%
Proportion of declared disabled staff meets Civil Service Average	7.4%	8.4%	10.0%	10.1%
Proportion of declared BAME staff reflects our communities	18.8%	19.5%	19.8%	19.9%

Where performance is not shown for previous years the data is not available.

## High quality casework

### What we are trying to achieve

We will deliver justice through excellent, timely legal decision making, casework preparation and presentation.

### What we did

- Continued our joint work with the police to improve performance on disclosure - implementing the first phase of the Joint National Disclosure Improvement Plan (NDIP) before developing and starting to implement NDIP Phase 2 (published November 2018) to embed the improvement measures and ensure that the changes are having the intended effect throughout police forces and CPS Areas. This has included:

- providing disclosure training to approximately 2,200 prosecutors, and revising prosecutor induction training to include two days on disclosure;
- publication of a National Standard on disclosure and a protocol on handling third party material;
- investigation of what technological tools might assist with the examination of material;
- stronger national and local leadership and oversight of the operation of the disclosure process;
- the introduction of Disclosure Management Documents (DMDs) in all of our rape and serious sexual offences and complex cases in the Crown Court to show both the defence and the court what we have done in the case as well as, importantly, what we will not be doing; and

- all police forces and CPS Areas agreeing specific local improvement plans, and appointing disclosure champions to act as a source of expertise and provide guidance.
- Continued to work in close partnership with the police to improve the effectiveness and efficiency of prosecutions by improving file quality and case progression, including through reviewing the National File Standard and agreeing consistent standards and expectations of each organisation.
- Started a review of prosecution fees to develop new schemes that are simple, fair, affordable and sustainable.
- Created a Central Legal Training Team to deliver consistent and high quality legal development training with an initial focus on improving induction for new prosecutors.
- Further embedded our advocacy strategy through relaunching the Prosecution College for external advocates; and holding advocacy conferences relating to Youth Court and Crown Court advocacy.

### What impact it had

Objective	2015-16	2016-17	2017-18	2018-19
Increase compliance with Crown Court directions	79.3%	84%	91.6%	91.7%
Increase proportion of recorded sentence uplifts for hate crime in finalised convictions	33.8%	58%	69.1%	73.4%
Reduce magistrates' court cases dropped at third or subsequent hearing	30.6%	29.6%	28.3%	25.7%
Improve proportion of guilty pleas at first hearing in Crown Court cases	31.7%	39.8%	40.9%	39.9%
Deliver Disclosure Improvement Plan	-	-	-	97%
Maintain level of contribution to recovery of proceeds of crime	£111.6 million	£80.1 million	£80.1 million	£97.7 million

Where performance is not shown for previous years the data is not available.

## Continuously improving

### What we are trying to achieve

We will continue to digitise and modernise the way we work, supporting a flexible workforce and delivering swifter justice, fewer hearings and more effective trials.

### What we did

- Introduced a system to manage the safe, digital transfer of multi-media evidence without the need for physical discs, while continuing to work with police forces to support the rollout of their own digital systems.
- Invested in our Case Management system (CMS) to address key strategic priorities like disclosure, charging and case progression, coupled with interface improvements (Modern CMS) to enhance efficiency and improve the user experience.
- Redeveloped and improved in-house applications and migrated files, folders and services from local servers to more resilient centralised infrastructure.
- Transitioned from a single-supplier contract to a new suite of contracts for a multi-supplier environment of specialist providers, moving all core CPS systems from legacy infrastructure onto future-proofed cloud-based platforms. This reduced supplier costs and delivered improvements such as stronger security provisions and a 24/7 service desk.
- More than doubled the network bandwidth across our estate, and upgraded the means of remote access to CPS systems to enable more than 90% of our staff to work remotely each quarter.
- Provided more than 3,000 modern laptop devices to staff, and improved the deployment process.
- Piloted a new charging model with five police forces, with evaluation due to be completed this year.

### What impact it had

Objective	2015-16	2016-17	2017-18	2018-19
Sustain availability of core business infrastructure	-	99.96%	99.98%	99.94%
Increase share of agencies sending multimedia evidence via shared systems	-	-	12.5%	50%
More timely charging decisions	-	-	-	25.9 days

Where performance is not shown for previous years the data is not available.

## Public confidence

### What we are trying to achieve

Our decisions will be open and transparent, and the public will trust that we are fair and deliver justice

### What we did

- Contributed to the cross-Government Victims Strategy; continued to work with the Ministry of Justice and Home Office to revise the Victims' Code to improve the support and care offered to victims throughout their journey; and worked to improve the quality of information and service that victims and witnesses receive.
- As part of the new Inclusion and Community Engagement Strategy, all CPS Areas carried out stakeholder and community mapping to ensure they can effectively engage with their local communities. Areas have also started 'Community Conversations' where Chief Crown Prosecutors meet with local communities to develop partnership initiatives tackling local issues and increasing understanding of the CPS.
- Contributed to Government priorities such as tackling modern slavery and domestic abuse. We held a joint UK-French conference on modern slavery, aimed at increasing joint working, resolving common challenges and sharing successful approaches.
- Demonstrated our work to the public through the BBC Two series The Prosecutors, which covered cases involving modern slavery, a 1986 murder, and 'Prisons, Drugs and Drones'.
- Worked with partners across Government in planning for the United Kingdom's exit from the European Union.
- Gave oral evidence to Parliamentary committees nine times, providing expert insights about the operational impacts of law and policy.
- Produced an information pack for Parliamentarians on responding to intimidating behaviour - helping them to recognise conduct that may potentially be a criminal offence, and explaining the decision-making process when an allegation is made.

### What impact it had

Objective	2015-16	2016-17	2017-18	2018-19
Reduce unsuccessful outcomes owing to witness issues	27.8%	28.8%	27.2%	25.9%
Improve on public confidence figure in Crime Survey for England and Wales (CSEW)*	58%	60%	60%	62%
Ensure timeliness of communication with victims meets Victims' Charter standards	-	-	86.5%	85.5%

\*CSEW carried out April-March each year, published in the summer. Most recent figure is based on CSEW carried out April 2017-March 2018, published in summer 2018.

Where performance is not shown for previous years the data is not available.

## Financial management commentary

### Introduction

We have continued to manage our resources in a way that has enabled us to meet all of our Parliamentary control totals for the year. The CPS' net funding, as voted by Parliament for 2018-2019, was £528 million. The table below shows performance against our 2018-19 control totals as agreed by Parliament in the 2018-19 Supplementary Estimate. Further breakdown of these figures is shown in the Statement of Parliamentary Supply and the related notes on pages 60 to 62

### Payment to suppliers and witness expenses

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 2018-19 the CPS settled 93% of undisputed invoices and staff and witness expense claims within 10 days of receipt (2017-18, 94%). The CPS paid £Nil (2017-18, £49) in interest due under the Late Payment of Commercial Debts (Interest) Act 1998.

### Outturn against 2018-19 financial control totals

	Estimate £000	Outturn £000	Variance £000
Resource DEL (excluding depreciation)	503,580	495,843	7,737
Depreciation	8,774	5,232	3,542
<b>Resource DEL</b>	<b>512,354</b>	<b>501,075</b>	<b>11,279</b>
Of which administration	30,250	28,630	1,620
<b>Resource AME</b>	<b>6,050</b>	<b>2,928</b>	<b>3,122</b>
<b>Capital</b>	<b>9,600</b>	<b>8,547</b>	<b>1,053</b>

## Significant variances between Estimate and outturn

The only significant variances between Estimate and outturn were as follows (£000):

### Resource Departmental Expenditure Limit:

Estimate £512,354, Outturn £501,075.

Prosecution costs for the year were lower than expected, due to reduced caseload volumes. This also contributed to slower recruitment than planned, resulting in lower staff costs. Additionally, accommodation costs were lower than planned, mainly due to dilapidations costs for vacated properties being much lower than expected. The cost of civil cases against the CPS was also lower than expected. These factors were partially offset by increased expenditure on information technology, as some projects were advanced to deliver earlier benefits.

### Resource Annually Managed Expenditure:

Estimate £6,050, Outturn £2,928.

Annually Managed Expenditure (AME) is uncertain in nature and difficult to predict. The CPS recognises an allowance for expected losses relating to cost awards income, which scores against the AME budget. The overall AME budget was increased to over £6 million in the Supplementary Estimate to provide sufficient cover for this, and the actual charge to AME arising from the movement in the loss allowance was £5 million. However, charges to AME arising from movements in provisions resulted in a net reduction in outturn. In particular, there was a significant reduction in the provision for dilapidations due to a change in estimation methodology to split the provision between putting right initial works and ongoing wear and tear.

### Capital Departmental Expenditure Limit:

Estimate £9,600, Outturn £8,547.

Lower than expected Capital spend was primarily due to planned software purchases being procured under 'software as a service' arrangements, and thereby being treated as an annual Resource cost.

### Net Cash Requirement:

Estimate £532,180, Outturn £524,555.

There was an overall decrease, rather than the planned increase, in the value of provisions. Additionally, depreciation was lower than expected because of Capital spend occurring later in the year than originally planned.

## 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 annual casework statistics in this report comprise defendants dealt with by the 14 CPS Areas and specialised casework handled by the Central Casework Divisions, which include those proceedings previously conducted by the Department for Environment, Food and Rural Affairs (Defra), the Department for Work and Pensions (DWP), the Department of Health and Social Care (DHSC) and the former Revenue and Customs Prosecution Office.

### Chart 1: Magistrates' courts: caseload

Chart 1 shows the number of cases dealt with by the CPS in 2018-19 and in the two preceding years.

	2016-17	2017-18	2018-19
Pre-charge decisions	274,554	273,723	248,427
Charged	198,478	187,545	162,717
No prosecution	55,882	51,242	50,729
Administratively finalised	17,118	32,142	32,612
Out of court disposals	2,677	2,488	2,052
Prosecuted by CPS	499,816	453,071	425,098
Other proceedings	663	393	188



<b>Pre-charge decisions:</b>	In around 37% of all prosecutions, 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.
<b>Charged:</b>	The prosecutor is satisfied there is enough evidence to provide a "realistic prospect of conviction" against each suspect and that the prosecution is in the public interest.
<b>No prosecution:</b>	A decision to take no further action for either evidential or public interest reasons.
<b>Administratively finalised:</b>	Cases are finalised administratively where an early investigative advice has been sought by the police or, where there is insufficient evidence to bring a charge at first referral, the police have been asked to complete an action plan and no further evidence is forthcoming. These cases may be reopened if, at a later date, new material is provided to the prosecution enabling a charging decision to be made.
<b>Out of court disposals:</b>	A simple caution, conditional caution, reprimand, final warning or TIC (taken into consideration) issued by the CPS at pre-charge stage.
<b>Prosecuted by the CPS:</b>	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.
<b>Other proceedings:</b>	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. Figures in the present report have been produced in accordance with the revised rules.

## 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:

<b>Summary:</b>	Cases which can be tried only in the magistrates' courts.
<b>Indictable only/either way:</b>	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.

	2016-17	%	2017-18	%	2018-19	%
Summary	226,817	39.1	206,416	39.2	196,437	40.0
Indictable only/either way	353,863	60.9	320,449	60.8	294,230	60.0
<b>Total</b>	<b>580,680</b>		<b>526,865</b>		<b>490,667</b>	

The above figures include cases committed or sent for trial in the Crown Court as well as prosecutions 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.

<b>Prosecutions dropped:</b>	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.
<b>Warrants etc:</b>	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.
<b>Discharges:</b>	Committal proceedings in which the defendant is discharged.
<b>Dismissals no - case to answer:</b>	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.
<b>Dismissals after trial:</b>	Cases in which the defendant pleads not guilty and proceedings are dismissed by the magistrates after hearing the defence case - a not guilty verdict.
<b>Guilty pleas:</b>	Where the defendant pleads guilty.
<b>Convictions after trial:</b>	Cases in which the defendant pleads not guilty but is convicted after the evidence is heard.
<b>Proofs in absence:</b>	These are mostly minor motoring matters which are heard by the court in the absence of the defendant.

	2016-17	%	2017-18	%	2018-19	%
Prosecutions Dropped (including bind overs)	47,521	9.5	42,406	9.4	42,078	9.9
Warrants etc.	9,805	2.0	10,754	2.4	10,990	2.6
Discharges	6	0.0	11	0.0	4	0.0
Dismissals no case to answer	1,527	0.3	1,201	0.3	874	0.2
Dismissals after trial	17,242	3.4	14,388	3.2	12,489	2.9
Guilty pleas	390,344	78.1	353,580	78.0	330,526	77.7
Convictions after trial	28,424	5.7	25,572	5.6	22,765	5.4
Proofs in absence	4,947	1.0	5,159	1.1	5,372	1.3
<b>Total</b>	<b>499,816</b>		<b>453,071</b>		<b>425,098</b>	

The rate of prosecutions dropped rose to 9.9% in the three year period ending March 2019.

During 2018-19, a total of 6,194 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:

	2016-17	2017-18	2018-19
Committals for trial	80,885	73,819	65,600

## Chart 5: Crown Court caseload

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

<b>Prosecuted by the CPS:</b>	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.
<b>Appeals:</b>	Defendants tried in magistrates' courts or at the Crown Court may appeal to the Crown Court or Higher Appeal Courts (respectively) against their conviction and/or sentence.
<b>Committals for sentence:</b>	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.

	2016-17	2017-18	2018-19
Prosecuted by the CPS	88,205	80,090	69,713
Appeals	16,441	15,049	14,460
Committals for sentence	19,809	20,279	20,774

The number of defendants prosecuted decreased by 13.0% during 2018-19.

The central Casework Divisions handled 6,407 appeals against conviction and/or sentence or extradition.

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. Figures in the present report have been produced in accordance with the revised rules.

## Chart 6: Crown Court: source of committals for trial

<b>Magistrates' direction:</b>	These are either way proceedings which the magistrates thought were serious enough to call for trial in the Crown Court.
<b>Defendants' elections:</b>	These are either way proceedings in which the defendant chose Crown Court trial.
<b>Indictable only:</b>	These are more serious cases which can only be tried in the Crown Court.

	2016-17	%	2017-18	%	2018-19	%
Magistrates' directions:	52,615	59.9	45,074	56.5	38,966	56.1
Defendants' elections:	1,042	1.2	1,976	2.5	1,845	2.7
Indictable only:	34,181	38.9	32,675	41.0	28,588	41.2
<b>Total:</b>	<b>87,838</b>		<b>79,725</b>		<b>69,399</b>	

## Chart 7: Crown Court: case outcomes

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

<b>Prosecutions dropped:</b>	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.
<b>Warrants etc:</b>	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.
<b>Judge directed acquittals:</b>	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.
<b>Acquittals after trial:</b>	When the defendant pleads not guilty and, following a trial, is acquitted by the jury.
<b>Guilty pleas:</b>	Where the defendant pleads guilty.
<b>Convictions after trial:</b>	Cases in which the defendant pleads not guilty but, following a trial, is convicted by the jury.

	2016-17	%	2017-18	%	2018-19	%
Prosecutions dropped (including bind overs)	10,225	11.6	8,778	11.0	8,264	11.8
Warrants etc	1,205	1.4	1,119	1.4	999	1.4
Judge directed acquittals	652	0.7	512	0.6	399	0.6
Acquittals after trial	6,509	7.4	5,665	7.1	4,377	6.3
Guilty pleas	61,808	70.1	56,771	70.9	49,206	70.6
Convictions after trial	7,806	8.8	7,245	9.0	6,468	9.3
<b>Total</b>	<b>88,205</b>		<b>80,090</b>		<b>69,713</b>	

During 2018-19, a total of 2,353 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 2018-19 was 27.1% compared with 27.3% in 2017-18.

# Sustainability

## Strategy

Sustainability recognises that the three 'pillars' of the economy, society and the environment are interconnected. It is a long-term, integrated approach, to achieving quality of life improvements while respecting the need to live within environmental limits. This is reflected in the way we make our policies, run our buildings and buy our goods and services.

## Objectives

The CPS actively seeks to understand and mitigate its sustainability impacts associated with delivering its core organisational responsibilities.

The CPS' sustainability objectives are to:

- Deliver on the Greening Government Commitments<sup>1</sup> (GGC) for reducing energy, water, paper and other resource use, reducing travel and managing waste.
- Assess and manage social and environmental impacts and opportunities in policy development and decision making.
- Embed compliance with the Government Buying Standards in departmental and centralised procurement contracts.

## Scope

The scope of this report is the CPS' performance, for the financial year 2018-19, against the Greening Government Commitments 2016-20 from a 2009-10 baseline. All figures below relate to the Law Officers' Departments including the CPS, and it is not possible to break the data down any further.

All 2018-19 data is for a 12-month period from January 2018 to December 2018. The CPS agreed a new 60% greenhouse gas emission target from 1 April 2018 to the end of the 2016-20 reporting period. The performance data reported on reflects the 2016-18 position.

## Data quality

The Ministry of Justice Estates Sustainability Team is responsible for reporting and managing sustainability in the CPS. The data is gathered and validated by their data providers and verified by the Estates Sustainability Team and Building Research Establishment on behalf of Defra. All 2017-18 environmental data has been revised to include actual outturn.

The CPS is unable to report data from locations where property owners are not obliged to provide it. Some data will be estimated. All data is UK only. The data below shows our present position for the financial year 2018-19 against a 2009-10 baseline (unless otherwise stated). Environmental data is estimated for a

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<sup>1</sup> <https://www.gov.uk/government/publications/greening-government-commitments-2016-to-2020/greening-government-commitments-2016-to-2020>

12-month period from January 2018 to December 2018. 2017-18 non-financial indicators have been restated to include actual environmental performance for the 2017-18 financial year.<sup>2</sup>

The greenhouse gas conversion factors used can be found in the government environmental impact reporting requirements for business.<sup>3</sup>

## GGC headline performance

**Table 1: Overall GGC performance 2018-19**

Overall GGC Performance		
Requirement by 2019-20	2018-19 performance	Achievement against target
Reduce greenhouse gas (GHG) emissions by 47%	-67%	●
Reduce domestic business flights by 30%	-52%	●
Continue to reduce total waste produced beyond 23%	-62%	●
Reduce paper use by 50%	-88%	●
Continue to reduce water consumption beyond 45%	-64%	●

## Greenhouse gases

### Greenhouse gases and financial costs 2018-19

**Table 2: Greenhouse gas performance 2018-19**

Greenhouse Gas (GHG) emissions		2009-10	2014-15	2015-16	2016-17	2017-18 <sup>4</sup>	2018-19
Non-financial indicators (tonnes CO <sub>2</sub> e)	Scope 1 & 2	9,483	4,599	4,263	3,090	4,076	4,342
	Scope 3	2,582	2,207	1,897	852	854	898
	<b>Total emissions<sup>5</sup></b>	<b>12,065</b>	<b>6,806</b>	<b>6,160</b>	<b>3,942</b>	<b>4,930</b>	<b>5,240</b>
Non-financial indicators (MWh)	Electricity	14,682	8,031	7,844	5,412	6,057	8,841
	Gas	11,364	3,061	3,115	3,579	4,721	3,611
	<b>Total energy consumption</b>	<b>26,046</b>	<b>11,092</b>	<b>10,959</b>	<b>8,991</b>	<b>10,778</b>	<b>12,452</b>

<sup>2</sup> In accordance with annual reporting conventions across other UK Government departments, the Department's non-financial indicators are compiled using data from the final quarter of the previous reporting year plus the first three quarters of the current reporting year.

<sup>3</sup> <https://www.gov.uk/government/collections/government-conversion-factors-for-company-reporting>

<sup>4</sup> The environmental data for 2017-18 has been restated to show the full year up to March 2018.

<sup>5</sup> Definitions for Scope 1-3 emissions can be found at [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/69282/pb13309-ghg-guidance-0909011.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/69282/pb13309-ghg-guidance-0909011.pdf)

Greenhouse Gas (GHG) emissions		2009-10	2014-15	2015-16	2016-17	2017-18 <sup>4</sup>	2018-19
Financial indicators (£000)	Expenditure on Energy	2,328	1,145	1,145	1,099	1,088	970
	CRC licence expenditure	-	1	1	1	1	1
	Expenditure on official business travel	5,661	4,437	4,367	4,330	4,697	3,075
	<b>Total expenditure on energy and business travel</b>	<b>7,989</b>	<b>5,583</b>	<b>5,513</b>	<b>5,430</b>	<b>5,786</b>	<b>4,046</b>

The CPS has reduced its carbon emissions by 67% compared to its 2009-10 baseline. The energy and water information above is where the CPS pays utility bills direct to the supplier. Emissions for Scope 3 relate

to recorded business travel including staff-owned cars and hire cars, air and train travel. The expenditure data shows all the recorded expenditure on business travel.

## Energy expenditure

**Table 3: Energy expenditure 2018-19**

Energy expenditure	2009-10	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19
£000	2,328	1,551	1,457	1,552	1,145	1,145	1,099	1,088	970

The CPS has achieved savings of £1.4 million on its total energy expenditure since 2009-10 due to improvements

in building management, estate consolidation and lease breaks.

## Domestic flights

**Table 4: Domestic flights 2018-19**

Domestic air travel	2009-10	2014-15	2015-16	2016-17	2017-18 <sup>6</sup>	2018-19
Number of flights	568	336	344	228	229	114

The CPS makes use of a centrally sourced travel contract which provides details of a range of travel options, and the travel

and subsistence manual informs staff that alternative methods of travel should be considered before booking a flight.

<sup>6</sup> The environmental data for 2017-18 has been restated to show the full year up to March 2018.



## Waste

**Table 5: Waste and financial costs 2018-19**

Waste			2009-10	2014-15	2015-16	2016-17	2017-18 <sup>7</sup>	2018-19
	<b>Total waste</b>		<b>2,892</b>	<b>2,467</b>	<b>2,174</b>	<b>1,381</b>	<b>865</b>	<b>992</b>
Non-financial indicators (tonnes)	Non-hazardous waste	Landfill	210	76	58	75	30	31
		Reused/Recycled	2,682	2,391	2,116	1306	835	961
Financial indicators (£000)	Paper procured		680	475	364	223	132	112

The CPS has reduced its total office waste by 62% since 2009-10. Landfill is only 3%.

The CPS has moved its headquarters to 102 Petty France where there has been a reduction in consumer single-use plastic.

## Water

**Table 6: Water consumption and costs 2018-19**

		Water consumption	2009-10	2014-15	2015-16	2016-17	2017-18	2018-19
Non-financial indicators (m <sup>3</sup> )	Whole estate		51,907	22,414	19,232	12,307	22,133	24,635
Financial indicators (£000) <sup>8</sup>	Water supply and sewage costs		166	105	104	57	65	67

The CPS has reduced its water use by 64% since 2009-10 baseline. This has been achieved through a changing estate and installing efficient taps.

<sup>7</sup> The environmental data for 2017-18 has been restated to show the full year up to March 2018.

<sup>8</sup> Whereas the non-financial data relates to the metered supply in m3, the financial data costs includes metered and unmetered supplies.

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**Other sustainability commitments**

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<b>Sustainable procurement</b>	We have an in-house procurement team who ensure extensive sustainability clauses are embedded within the Department's facilities management and ICT contract. New contracts require that suppliers meet the Government Buying Standards. New procurement staff are provided with training on sustainable procurement.
<b>Climate change adaption</b>	Climate resilient designs are incorporated in retrofit projects and new builds. In addition, robust business continuity plans are in place to manage occurrences of extreme weather events.
<b>Policy making and rural proofing</b>	The Department is committed to mainstreaming sustainable development in the policy making process. A checklist of specific impact tests now forms part of the policy impact assessment guide, giving greater assurance that due consideration will be given to impacts often seen as peripheral, such as sustainability and rural proofing.
<b>Biodiversity and natural environment</b>	We have implemented a national behaviour awareness campaign which includes a national Biodiversity Day to raise awareness and a National BioBlitz to gather information for protected species and habitats.
<b>Procurement of food and catering</b>	Food provided in our catering outlets is local and in season, where possible, to minimise energy used in food production, transport and storage. We buy food from farming systems that minimise harm to the environment, such as produce certified by LEAF (Linking Environment and Farming), the Soil Association or the Marine Stewardship Council. We also offer fairly traded and ethically sourced products. We are reducing the amount of foods of animal origin (meat, dairy products and eggs) eaten, as livestock farming is one of the most significant contributors to climate change, and ensure that meat, dairy products and eggs are produced to high environmental and animal welfare standards. We are also reducing the amount of palm oil used and ensure that what is used is sustainably sourced.
<b>Sustainable construction</b>	The Department is committed to the BREEAM standard of 'excellence' for new builds and 'very good' for refurbishments over the value of £0.5 million.

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## Other information

### Complaints to the Parliamentary Ombudsman

The CPS only falls within the remit of the Parliamentary and Health Service Ombudsman when a complaint received by the Ombudsman relates to the Code of Practice for Victims of Crime (the Victims' Code).

The Victims' Code places a statutory obligation on criminal justice agencies to meet the standard of service to victims of crime set out in the code.

Since 3 April 2006, the Parliamentary Ombudsman has had a statutory responsibility to consider complaints, referred by Members of Parliament (MPs), from those who complain that a body has not met its obligations under the Victims' Code. The obligations the Victims' Code places on the agencies concerned include that:

- they provide victims, or their relatives, with information about the crime, including about arrests, prosecutions and court decisions;
- they provide information about eligibility for compensation under the Criminal Injuries Compensation Scheme;
- victims be told about Victim Support and either be referred on to them or offered their service;
- bereaved relatives be assigned a family liaison police officer; and

- victims of an offender who receives a sentence of 12 months or more after being convicted of a sexual or violent offence have the opportunity to make representations about what licence conditions or supervision requirements the offender should be subject to on release from prison.

Where a victim of crime in England and Wales believes a criminal justice agency, including the CPS, has failed to provide the service set out in the Victims' Code, they should first put their complaint directly to the agency concerned. If their complaint is not addressed to their satisfaction by the agency, they may then contact an MP and ask them to refer the complaint to the Ombudsman.

Once a complaint is received by the Ombudsman it undergoes an assessment process which determines whether or not the Ombudsman should investigate it.

In 2018-19 the Ombudsman completed one investigation, which was not upheld.

### Reporting cycle

The CPS' 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.

A Supplementary Estimate can be presented if necessary during the year as the means for seeking Parliament's approval for 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 and laid before Parliament as a House of Commons paper each year. This includes information on the Department's performance against key performance indicators. The financial statements and indicated sections of the annual report are audited.

Copies may be accessed at [www.cps.gov.uk](http://www.cps.gov.uk).

## Auditors

These Accounts have been audited by the National Audit Office on behalf of the Comptroller and Auditor General at a notional cost of £100,000 (see Note 3 on page 82). No other external audit services were commissioned by the CPS.



**Max Hill QC**

Director of Public Prosecutions

19 June 2019



# 4

## Accountability report

# Non-Executive Board Members' Report

## Membership

The CPS Board (Board) underwent considerable change in 2018-19. In member terms, Alison Saunders stepped down as Director of Public Prosecutions (DPP) and as Chair of the Board at the end of October, and the Board welcomed Max Hill QC as the new DPP. The Board also saw the departure of two long standing members, Alison Porter who was a member of the Nominations and Governance Committee (NGC), and the Chair of the Audit and Risk Assurance

Committee (ARAC), Jeremy Newman. We are very grateful for the contributions they made to the governance of the CPS over their tenure.

Following a comprehensive recruitment exercise, Caroline Wayman joined the Board and NGC in October 2018 and Simon Jeffreys joined the Board and was also appointed as Chair of the Audit and Risk Assurance Committee in December 2018. As new Board members, they benefitted from a comprehensive induction programme which recognised the breadth of the organisation's delivery.



"The Non-Executive Board members participated in the governance review and welcomed its recommendations. The new structure should strengthen governance by the Board and therefore organisational decision making. On a personal level, I look forward to chairing the CPS Board from April and to playing a more central role in the governance of the CPS as Lead Non-Executive Board Member." - **Monica Burch**

"Having joined the Board and been appointed Chair of the Audit and Risk Assurance Committee in the second half of the year I valued the opportunity to explore every aspect of the CPS from the outset. During the induction process I met with a range of policy experts and stakeholders and visited courts and Area offices to understand the organisation's day-to-day operations. I look forward to working closely with colleagues across the CPS in the coming year." - **Simon Jeffreys**



"It has been great to learn about colleagues' strategic aspirations for the CPS in the future. The Board is playing an important role in shaping a new organisational strategy that will see the Service through the next five years. I have really valued the opportunity to be involved in the early planning for CPS 2025 as that important work begins to take shape and look forward to helping develop it further during the next year." - **Caroline Wayman**

"With my experience in human rights and equality work I was pleased to take part in the Board's discussion on reviewing and updating the CPS' equality and diversity objectives for the next three years. This is vital work, and I'm glad to work with an organisation that prioritises diversity and inclusion." - **Mark Hammond**



## Core business

Over the year, the Board fulfilled its five principal roles as set out in the Cabinet Office's Corporate Governance for Central Government Departments: Code of Good Practice. These included:

### Strategic Clarity

This is the third year that CPS 2020 has provided the strategic direction for the department. The Board has continually reviewed the progress of the plan via the quarterly reporting on key metrics. The Board was particularly pleased to see the proportion of recorded sentence uplifts for hate crime convictions increase to 73.4%, and the achievement of a number of other key targets including proceeds of crime recovery, and the increased number of guilty pleas at first hearing in the Crown Court.

The Board has also closely monitored the delivery of the National Disclosure Improvement Plan. This was implemented last year following the discontinuation of two cases due to the late disclosure of material. The Board was pleased to see that 97% of the planned actions were delivered in 2018-19 with 3% now scheduled to be completed in 2019-20.

As we approach our final year of the CPS 2020 plan, the Board has begun to look towards the next stage of strategic planning. Caroline Wayman has become the Non-Executive Board Member (NEBM) sponsor for the development of CPS 2025, working alongside the Strategic Policy Team, to create a new organisational strategy that will see the Service through the next five years.

### Commercial Sense

This year the Board has overseen the movement of London-based CPS staff into one central hub at Petty France. This decision was made in light of pressure to reduce the public estate in central London.

The move itself was successfully managed and has been welcomed by members of staff. It has also provided a valuable opportunity to allow the CPS to further engage with other Whitehall departments and maximise office space, thereby reducing the associated costs.

The department has continued to drive digital development to maximise efficiency, create resilience and reduce costs, for example through the launch of Modern CMS and Egress, and the continued application of pressure to increase the numbers of police forces sharing all information with us digitally.

### Talented People

The Department's Employee Engagement Index has remained at 61% in the 2018 Civil Service People Survey, which in light of a challenging year for the Service is an extremely positive result. This outcome reflects the high level of engagement with staff and the Board is pleased to see that the new DPP has increased staff engagement through visits and daily calls with different members of staff.

The CPS continues to lead the way in inclusion in employment across government departments. This is evidenced by both workforce representation, declaration figures and a range of externally validated benchmark measures, including featuring on the Business in the Community Top Employer for Race list.

This year we were pleased to see that the CPS was again recognised as one of the top 10 employers by the charity Working Families.

It is this flexibility and inclusivity which will ensure that the organisation can continue to attract talented people in the years to come.



## Results Focus

The Board reviews performance nationally, and by Area, on a quarterly basis, including giving scrutiny to progress against a balanced set of key measures contained in the Departmental business plan.

National Area performance remains on an upward trajectory over the course of the financial year against a set of key performance targets, despite a challenging year. The organisation has delivered improvements in each quarter this year. Performance has also continued to improve in the London North and London South Areas, which illustrates the dedication and hard work by all in those Areas, and validates the Board's decision to split the London Area in two.

## Management Information

The Board is provided with suitable and reliable management information, which allows it to fully consider both Area and corporate performance. The Board uses this to identify areas for improvement and make recommendations for the support necessary to drive further improvements.

The Board continued to be supported by its committees. The Nominations and Governance Committee, chaired by Board Member Monica Burch, looked at a range of people issues including supervising the senior pay review strategy and reviewing the department's talent management and social mobility work. The Committee has also overseen recruitment at the most senior level, with the Chair of the Committee sitting on the panel for both the DPP and the Chair of the Audit and Risk Assurance Committee. Monica Burch also sat on the recruitment panel for the Chief Executive in May 2019.

The Audit and Risk Assurance Committee scrutinised the Department's internal control arrangements, and alongside its usual duties the Committee has completed focused reviews of strategic risks relating to legal decision-making,

public confidence, the UK's upcoming exit from the European Union, cyber security and recruitment. The Committee has also engaged with CPS Areas to consider how risks are managed locally. In particular the Committee heard from CPS North West and South East. This year the Committee has also closely overseen the implementation of controls to comply with the General Data Protection Regulations. The Committee has also overseen financial performance and reporting by the Service, paying particular attention to the application of accounting standards and material judgements like the treatment of significant leases and related dilapidations accruals.

## Looking forward

In preparation for the change in membership and Chair, the Board oversaw a review of the governance of the CPS. In particular, we agreed to appoint a Lead Non-Executive Board Member (LNEBM), who will support the DPP by chairing the Board from April 2019. Monica Burch was successfully appointed as LNEBM with effect from 1 April 2019. The membership of the Board and its committees will also be revised to ensure their roles are clear and to avoid duplication of activity, and this will be reported on next year.

This year the superintendence relationship between the Law Officers and the CPS was strengthened by the signing of the CPS/AGO Framework Agreement. The Agreement also established a Ministerial Strategic Board, which met for the first time in March 2019. The LNEBM will sit on this Board alongside the DPP and Chief Executive. The LNEBM looks forward to reporting on its progress next year.

### Monica Burch

Non-Executive Board Member  
June 2019

## Corporate governance report

### Directors' report

The Directors' report provides information on the senior leadership of the CPS, including membership of the key

governance bodies. It additionally reports on information security, including personal data related incidents that have been reported to the Information Commissioner's Office (ICO).

### Membership of boards and committees

Members	Meetings		
	CPS Board	Audit and Risk Assurance Committee	Nominations and Governance Committee
<b>April 2018 - March 2019</b>			
<b>Non-Executive Board Members</b>			
Caroline Wayman Non-Executive Board Member Started 1 June 2018	3/5	-	3/3
Simon Jeffreys Non-Executive Board Member Started 3 December 2018	1/2	1/1 CHAIR	-
Mark Hammond Non-Executive Board Member	6/6	4/4	-
Monica Burch Non-Executive Board Member	6/6	-	3/3 CHAIR
Alison Porter Non-Executive Board Member Left 3 December 2018	5/5	-	2/2
Jeremy Newman Non-Executive Board Member Left 3 December 2018	5/5	3/3 CHAIR	-
<b>Independent ARAC Members</b>			
Jennifer Rowe Non-Executive ARAC Member	-	4/4	-
Marta Phillips Non-Executive ARAC Member	-	4/4	-
<b>Executive Group</b>			
Alison Saunders Director Of Public Prosecutions Left 31 October 2018	4/4 CHAIR	-	2/2
Max Hill Director of Public Prosecutions Started 1 November 2018	2/2 CHAIR	-	1/1
Lesley Longstone Chief Executive Left 31 May 2018	-	1/1	-
Paul Staff Chief Executive Director of Corporate Services	6/6	4/4	3/3

April 2018 - March 2019		Meetings	
Members	CPS Board	Audit and Risk Assurance Committee	Nominations and Governance Committee
Gregor McGill Director of Legal Services	3/6	-	-
Jean Ashton Director of Business Services	6/6	-	-
Susan Hemming Director of Legal Services Started 1 August 2018	3/3	-	-

## Security

The CPS reviewed its security landscape in July ahead of its submission of the Departmental Security Health Check (DSHC) to the Cabinet Office. The report considers the Department's compliance with all elements of protective security including governance, physical, personnel, information, cyber, business continuity and disaster recovery. The 2018 DSHC was formally reviewed by the Cabinet Office and the feedback provided a comparison of performance as against other government departments. On both cyber and non-cyber categories the CPS was able to meet and/or go above the government agreed standards in a number of key areas.

### Cyber security

During the year, the CPS has seen the delivery of major new cloud-based solutions, which has notably altered the CPS cyber security environment and has required significant reworking of the way appropriate cyber security is ensured. New services have included Office365, now fully deployed across the CPS, and the use of various cloud data hosting environments such that only a small proportion of data is now held on-premises.

There has also been significant work with CPS procurement teams to onboard security elements of key new ICT contracts covering devices and core services, including firewalls, remote access and data storage. Contract security schedules have been developed to include Security

Management Plans, Security Incident Plans and the establishment of approved security working practices with new suppliers.

Working with police colleagues, we have enabled services such as Egress, evidence.com and box.com as online means for data transfer including service of evidence. This had led to a significant reduction in the volume of discs containing evidential material being physically transferred between offices and the defence community.

### Business continuity

The CPS contributed to cross government continuity exercises and worked closely with the Attorney General's Office to ensure current planning and resilience is commensurate with emerging threats and risks.

### General Data Protection Regulation (GDPR)

On 25 May 2018, the Data Protection Act 2018 (DPA 2018) came into force alongside the General Data Protection Regulation (GDPR). This new legislation strengthens data subjects' rights and places more stringent conditions on organisations in terms of efficient data management. The effectiveness of the CPS' preparations for the implementation of DPA 2018 has been assessed by the Government Internal Audit Agency; their overall assessment of 'moderate' (second highest) recognised the good work that had been undertaken.

All information breaches must now be reported to the Information Commissioner's Office (ICO) within 72 hours of the organisation becoming aware of the breach. The awareness training delivered by the Data Protection Compliance Unit, as part of the preparations for DPA 2018, emphasised the importance of this new requirement. Whilst it reduces the time available to investigate a breach and has - as a result - increased the number of referrals to the ICO (from 18 in the year 2017-18 to 44 for 2018-19), our ability to consistently meet this deadline reflects a clear understanding of our obligations.

### **Information assurance and compliance**

The Security and Information Assurance Division (SIAD) continues to provide specialist advice and assistance to the business. During 2018-19 the Division provided an increased amount of bespoke training alongside generic sessions as part of its ongoing education and awareness campaigns. The annual Responsible for Information mandatory e-learning for all staff was concluded in January 2019.

The CPS compliance rate statistics for both Freedom of Information Act (FOI) requests and Right of Access Requests (ROAR) are as follows:

**FOIs** April 2018 to March 2019: 96.5%

**ROARs** May 2018 to March 2019: 58.0%

The compliance rate for ROARs is measured from May 2018, as this is when GDPR came into effect.

### **Significant office move of CPS London and CPS Headquarters**

The CPS completed a move of both Headquarters staff and CPS London Area staff over a number of months during 2018 to its new premises at 102 Petty France. This was a significant move as it involved 25% of the CPS workforce, including its core corporate services functions and its central casework divisions. The associated risk of data loss was identified and managed, ensuring that information security was maintained during the move.

## Personal data-related incidents

A summary of protected personal data - related incidents formally reported to the Information Commissioner's Office (ICO) in 2018-19 is set out below.

### Personal data incidents reported to the ICO in 2018-19:

Date of incident (month)	Nature of incident	Nature of data involved	Number of people potentially affected	
April to June 2018	8 unauthorised disclosures	Media Disc Case information	7	Departmental Security Unit notified and breaches reported to ICO  All breaches closed by ICO - no regulatory action taken.
July to September 2018	15 unauthorised disclosures	ABE Disc Media Disc Case information	48	Departmental Security Unit notified and breaches reported to ICO  Three breaches being considered by ICO at 31 March 2019  Twelve breaches closed by ICO - no regulatory action taken.
October to December 2018	10 unauthorised disclosures	USB Stick Case information	16	Departmental Security Unit notified and breaches reported to ICO  One breach being considered by ICO at 31 March 2019  Nine breaches closed by ICO - no regulatory action taken.
January to March 2019	11 unauthorised disclosures	Case information	47	Departmental Security Unit notified and breaches reported to ICO  Seven breaches being considered by ICO at 31 March 2019.  Four breaches closed by ICO - no regulatory action taken.

A summary of personal data incidents in 2018-19 is set out below.

### Total personal data incidents in 2018-19:

Category	Total reported	Explanatory note
Loss of electronic media and paper documents from secured government premises	172	140 incidents excluded as the data loss was very minor and was eventually recovered; or reported but caused by non-CPS staff.
Loss of electronic media and paper documents from outside secured government premises	53	37 incidents excluded as the data loss was very minor and was eventually recovered; or reported but caused by non-CPS staff.
Unauthorised disclosure	1,378	1,263 incidents excluded from the total as the data loss was very minor or retained within the criminal justice profession who are bound to professional standards of data protection.
Lost laptops/tablets/BlackBerrys	27	21 incidents excluded as the devices were eventually recovered. All devices were encrypted to the government standard; therefore no CPS data has been compromised.

## Statement of Accounting Officer's responsibilities

Under the Government Resources and Accounts Act 2000, HM Treasury has directed the CPS to prepare, for each financial year, 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 CPS and of its income and expenditure, Statement of Financial Position 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;
- prepare the accounts on a going concern basis; and
- confirm that the Annual Report and Accounts as a whole is fair, balanced and understandable and take personal responsibility for the Annual Report and Accounts and the judgements required for determining that it is fair, balanced and understandable.

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.

This appointment does not detract from the Director of Public Prosecutions' overall responsibility as Accounting Officer for the Department's accounts. 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.

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 CPS' assets, are set out in *Managing Public Money* published by HM Treasury.

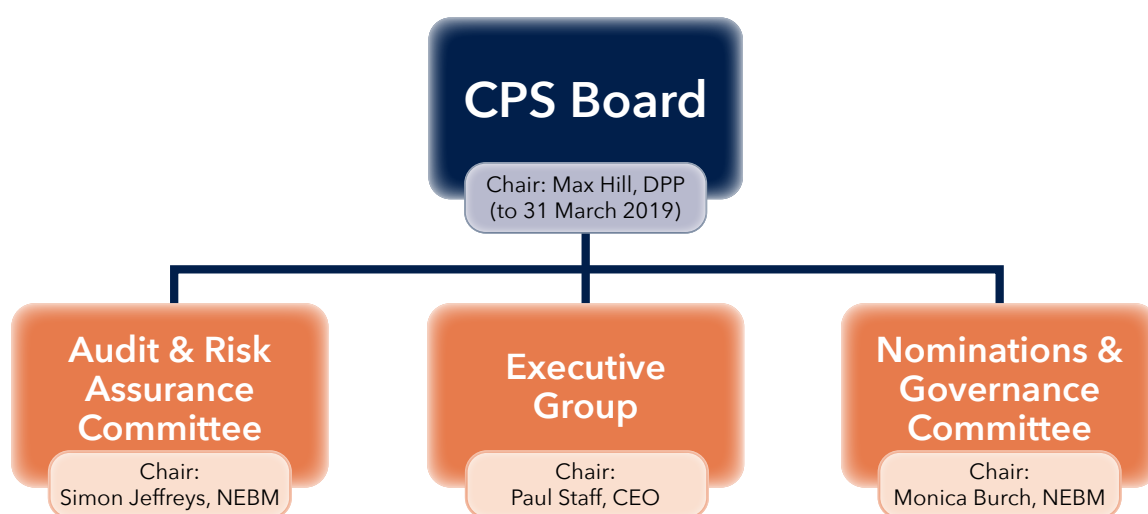
The Accounting Officer confirms that he has taken all the steps that he ought to have taken to make himself aware of any relevant audit information and to establish that the CPS' auditors are aware of that information. So far as he is aware, there is no relevant audit information of which the auditors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

## Governance statement

This Governance Statement sets out the Crown Prosecution Service's governance, risk and assurance management and internal control framework and how, during 2018-19, we managed the significant risks to the achievement of our strategic objectives. We ensure that robust governance arrangements are in place to

promote high performance and safeguard probity and regularity. The CPS is a government department that is not subject to the protocol on enhanced departmental boards but has sought to comply as far as possible with the practices set out in Cabinet Office's and HM Treasury's Corporate Governance Code of Good Practice. Details of attendance at the CPS' boards and committees is given in the Directors' report on page 38.

## Governance framework



### The CPS Board

The Board provides oversight and governance for the CPS and is responsible for the delivery of the organisation's aims and objectives and the wider contribution it makes to the criminal justice system (CJS). It plays a key role in ensuring that the CPS is equipped to provide a professional, efficient and high quality service.

The Board was chaired in 2018-19 by the Director of Public Prosecutions (DPP), who acts independently at all times, under the superintendence of the Attorney General, who is accountable to Parliament for the work of the CPS. From April 2019, Monica Burch has been appointed as the Lead Non-Executive Board Member and will chair the Board.

The Board sets and communicates the direction, strategic objectives, priorities and risk appetite of the organisation. It monitors and drives performance and makes strategic decisions about operational, resource, communications and other administrative matters. Board members meet formally with other senior managers, both corporately and in their directorates, to steer and lead on strategically important areas of work.

This year the Board has considered a number of key issues, including the development and implementation of the National Disclosure Improvement Plan. The CPS Board also focused on HR matters, including learning and development and workforce planning.



The CPS Board has also considered a review of the organisation's governance structure. The review made a number of recommendations, including a restructure of both the CPS Board and Executive Group. These recommendations were agreed by the CPS Board and will be implemented in 2019-20.

### **Audit and Risk Assurance Committee (ARAC)**

The Audit and Risk Assurance Committee (ARAC) advises the Accounting Officers on financial and risk management and assurance arrangements in the CPS. It also reviews the comprehensiveness and reliability of assurances provided by the Government Internal Audit Agency (GIAA), the National Audit Office (NAO) and the executive management team. The committee also gives scrutiny to the CPS' risk management process and the effectiveness of the assurance framework. A 'moderate' annual internal audit opinion was awarded for 2018-19.

A recurring theme for the ARAC this year was recruitment and the issues and delays that can be faced when recruiting new members of staff. In light of this the committee requested that the HR Director present to the committee the risks surrounding this and details of efforts to improve the recruitment process. Following the presentation the committee were content that there was sufficient mitigation in place.

Alongside their regular work the committee also received assurance on cyber security and the CPS' preparatory work for the United Kingdom's upcoming exit from the European Union.

### **Executive Group (EG)**

The Executive Group comprises the most senior members of headquarters staff. It takes the strategic direction of the Board and delivers supporting plans and guidance to the business. It is responsible for refining and delivering CPS strategy

and for collective delivery of the strategic objectives and efficiencies supporting the operational delivery of the business. It gives regular scrutiny to the financial management of the business.

### **Nominations and Governance Committee (NGC)**

The Nominations and Governance Committee (NGC) advises 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 corporate governance arrangements.

It has specific decision-making responsibility in respect of the remuneration of CPS senior management. This year the committee has also been involved in and overseen all senior recruitment and appointments including the DPP, a new Non-Executive Board Member and the Chief Executive. Alongside their usual business, NGC also focused on social mobility within the Service.

### **Risk management and risk profile**

The CPS has continued to maintain a structured approach to risk management that is based on Cabinet Office and HM Treasury best practice guidance. Everyone in the CPS has responsibility for risk management, and we have taken steps in the past year to highlight the benefits of an Enterprise Risk Management approach to further complement our existing methods.

There are seven corporate/strategic risks and each one has an owner who is a member of the Executive Group.

We continued to conduct an in-depth evaluation of each of our seven corporate risks, in terms of alignment with strategic



objectives, tolerance and ranking, and appropriateness of associated mitigating action.

This arrangement has worked well throughout 2018-19 and ARAC regularly assessed the position by inviting a risk

owner to their meeting to discuss the specific risk in terms of its relevance, ranking and effectiveness of mitigation. Risks are also formally reported to ARAC on a quarterly basis. Strategic risks and associated mitigating actions in 2018-19 were:

Risk	Mitigating actions
<p><b>Casework quality:</b> The risk that inadequate legal decision-making affects the quality and timeliness of our casework outcomes. This includes ensuring that the CPS always meets its disclosure obligations.</p>	<ul style="list-style-type: none"> <li>• Reacting to emerging issues such as the impact of increased amount of material and encryption on meeting our disclosure obligations through the joint police and CPS national disclosure improvement plan.</li> <li>• Reviewing live and finalised cases across a range of thematic strands, to assess compliance with process, policy and legal decision making quality in order to highlight aspects requiring improvement, and to identify and promote best practice.</li> <li>• Her Majesty's Crown Prosecution Service Inspectorate (HMCPPI), an independent body, inspects the work carried out by the Crown Prosecution Service. Their inspections include an assessment of the quality of prosecution decisions and legal processes.</li> <li>• The Victims' Right to Review scheme enables victims to seek a review of a CPS decision not to bring charges or to terminate all proceedings.</li> </ul>
<p><b>Capacity and capability to deliver an effective service:</b> The risk that the CPS will not have the right numbers of people in the right roles with the necessary skills and knowledge to be able to deliver services in an effective manner. The CPS needs to ensure that it remains able to attract and retain staff with the requisite skills and experience for the volume and offence types that it is required to prosecute.</p>	<ul style="list-style-type: none"> <li>• Implementation of a department-wide National Resource Model that provides a zero based budgeting approach to resource modelling. This forecasts the number of people required, by location, to accommodate the projected volume and mix of cases.</li> <li>• Migration of resource modelling onto a business intelligence software package, enhancing our ability to conduct scenario planning, ensuring that we are better able to react to changes in the volume and/or type of case received.</li> <li>• Investment in the learning and development of our people, looking at the skills we will require in the future. Development of our long-term capability plans, modernising our professional learning and providing improved leadership training.</li> <li>• Making our processes more efficient and effective for customers and our people alike.</li> </ul>
<p><b>Security:</b> The CPS' data and infrastructure does not become compromised or damaged. The CPS is responsible for the security and safekeeping of sensitive data including evidence in cases. The CPS has also ensured readiness to meet its obligations under the new General Data Protection Regulation (GDPR) law.</p>	<ul style="list-style-type: none"> <li>• Ensuring that our systems are robust and fit for purpose, securing our data and information systems from the threat of malicious or criminal intent, and accidental breach.</li> <li>• Continuous review of our cyber security resilience to provide confidence in our ability to address cyber risk. Our review assesses, amongst other things, risk scenarios, vulnerability and root causes of cyber risk.</li> <li>• Further development of our digital systems to ensure that data is stored and shared in a secure manner, such as enabling the secure digital transfer of data in order to reduce the reliance on the physical transfer of data through secondary storage media such as DVDs.</li> <li>• National awareness-raising programme of events, meetings, presentations and promotional material on GDPR compliance.</li> <li>• Implementation of a new change management process to promote <i>Privacy by Design</i>.</li> </ul>
<p><b>Catastrophic loss of buildings and services:</b> Unplanned events could have a devastating effect on the CPS. This includes its ability to continue to operate in the event of natural disasters, such as flooding or widespread travel disruption.</p>	<ul style="list-style-type: none"> <li>• Building increased IT resilience in our major systems through improved infrastructure and utilising the benefits of cloud technology.</li> <li>• Updating our business continuity operating plans and implementing further improvements to our disaster recovery plans based on business continuity exercises undertaken during the year.</li> </ul>

Risk	Mitigating actions
<p><b>Digitisation:</b> Ensuring that we transform our business environment quickly enough to align with major reforms in the wider criminal justice system. The CPS needs to ensure that it will be able and appropriately resourced to operate effectively following the introduction of the Common Platform and Court Reform initiatives.</p>	<ul style="list-style-type: none"> <li>• Collaborating with agencies across the CJS, working together to develop the Common Platform (CP), which will bring together all information about a case in a single, shared, digital case management system.</li> <li>• The CPS change unit work closely with counterparts at MoJ to ensure the impacts to the CPS of other reforms are fully considered.</li> <li>• Investment in our IT infrastructure to equip staff with the right tools and skills to meet the future demands set for them in carrying out their roles.</li> <li>• We continue to digitise and modernise the way we work in order to support a flexible workforce, delivering swifter justice, with fewer hearings and more effective trials.</li> </ul>
<p><b>External perception/loss of public trust:</b> The risk of the CPS losing public confidence in the service it provides. The CPS needs to provide the public with a better understanding of the often complex work it undertakes in order to ensure they do not lose confidence in the criminal justice system.</p>	<ul style="list-style-type: none"> <li>• The CPS works to ensure fair media treatment of our work and use social media to create campaigns that explain what we do.</li> <li>• Working with and learning from local communities in order to build confidence in the criminal justice system and our ability to deliver justice fairly, effectively and independently.</li> <li>• Focusing on refining the service we provide to victims and witnesses, including enhanced training materials to improve our communication with victims.</li> <li>• Ensuring that complaints are dealt with promptly and thoroughly through a robust complaints management system.</li> <li>• Promoting a culture where the CPS is open, and where we listen, explain our decisions and learn from our successes and mistakes.</li> </ul>
<p><b>EU exit negotiations:</b> The risk that the CPS fails to prepare for changes following the United Kingdom's exit from the European Union (EU). Much of the CPS' casework - particularly serious and organised crime - has an international dimension. There could be victims, witnesses, suspects or evidence overseas and it is important that the CPS can continue to work collaboratively and effectively with its European partners.</p>	<p>The CPS has:</p> <ul style="list-style-type: none"> <li>• Identified operational activities most likely to be impacted as a consequence of the UK's exit from the EU.</li> <li>• Developed contingency plans to minimise the impact on operational activities in the event of the UK leaving the EU (either under the terms of the Withdrawal Agreement or in the event of "no deal").</li> <li>• Worked closely with other criminal justice stakeholders across the UK to understand each other's positions and ensure cross-cutting issues are addressed.</li> <li>• Supported the work of the Home Office and Department for Exiting the European Union in connection with the EU negotiations in relation to the Withdrawal Agreement and proposals for a Future UK-EU Security Partnership.</li> <li>• Engaged with EU27 partners to understand their positions regarding casework issues, including in the event of a "no deal" exit.</li> </ul> <p>The CPS continues to engage with UK and EU partners on these issues, and contingency plans are being kept under review as the situation develops.</p>

## Her Majesty's Crown Prosecution Service Inspectorate

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

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

During 2018-19 HMCPISI conducted the following inspections:

CPS Area*	Categories				Report published
	The Success of CPS People	Continuously Improving	High Quality Casework	Public Confidence	
	<b>Outcome of assessment</b>				
Mersey Cheshire	Good	Excellent	Fair	Good	Apr 2018
London North	Good	Good	Fair	Fair	Oct 2018
London South	Excellent	Good	Fair	Fair	Oct 2018

\* Inspecting specific geographic areas of the CPS through an Area Assurance Programme that looks at a range of management and casework activity.

The inspectorate in July 2018 completed its composite report of the findings from the Area Assurance Programme inspections through 2016-18 which consisted of ten CPS Areas.

In October 2018 inspectors from HMCPISI worked with their counterparts from HM Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) to analyse the handling of disability hate crime cases by the police and the CPS.

In November 2018 the inspectorate reported its sole themed inspection on communications between the CPS' Victim Liaison Units and the public.

In January and February 2019, the inspectorate completed inspections of International Justice and organised Crime Division (IJOCD) and the Special Crime and Counter Terrorism Division (SCCTD) respectively. The scope of the inspection to determine effectiveness included Governance and leadership, continuity, risk and knowledge management, performance improvement with resource management and stakeholder management with public confidence. The

inspectorate concluded positive reports with few recommendations for both Centralised Casework Divisions (CCDs).

Copies of HMCPISI reports (all of the above) are available on their website [www.justiceinspectorates.gov.uk](http://www.justiceinspectorates.gov.uk). The CPS takes account of HMCPISI's findings and seeks to ensure that its recommendations are implemented as appropriate.

### Commercial arrangements

The Department has centralised all of its procurement activity and it leverages Crown Commercial Service deals where a suitable framework exists. The CPS does not operate any complex commercial models such as joint ventures or outcome based commissioning and therefore the scope of the CPS' commercial arrangements are considered low risk.

### Review of effectiveness

The Accounting Officer has responsibility for reviewing the effectiveness of the system of internal control in the CPS. His review is informed by the work of Internal Audit and members of the Executive Group, which has 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.

Max Hill assumed the role of Accounting Officer of the CPS on his appointment as the new Director of Public Prosecutions. As part of his induction, he was briefed on his responsibilities as Accounting Officer. Continuity during this transition period was also maintained by the Additional Accounting Officer, Paul Staff, who approved the briefing material and ensured the new Accounting Officer was made aware of ongoing issues and current controls.

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.
- An effective assurance framework that gains assurance around six key management categories covering CPS.
- HM Crown Prosecution Service Inspectorate, which provides an independent review of business efficiency and effectiveness. The Chief Inspector attends our Audit and Risk Assurance Committee meetings.
- The Information Assurance Maturity Model (IAMM) and Major Supplier Third Party Assurance assessments.
- The work of external auditors, in forming an opinion on the financial statements.
- The work of Internal Audit provides an independent and objective opinion on the adequacy of processes on

risk, control, governance and finance systems. They use a four point scale in assessing the level of assurance:

<b>Substantial</b>	The framework of governance, risk management and control is adequate and effective.
<b>Moderate</b>	Some improvements are required to enhance the adequacy and effectiveness of the framework of governance, risk management and control.
<b>Limited</b>	There are significant weaknesses in the framework of governance, risk management and control such that it could be or could become inadequate and ineffective.
<b>Unsatisfactory</b>	There are fundamental weaknesses in the framework of governance, risk management and control such that it is inadequate and ineffective or is likely to fail.

### Assurance Audits

In 2018-19 Internal Audit assessed the overall level of assurance in the CPS as a whole to be **'moderate'**. This reflects that some improvements were identified to further enhance the adequacy and effectiveness of the framework of governance, risk management and control.

The following table represents the high level outcomes achieved, which areas were under audit and when the reports were finalised.

AREA OF INSPECTION	OUTCOME FROM REVIEW OF EFFECTIVENESS	DATE REPORT FINALISED
London restructure	<b>SUBSTANTIAL</b>	Apr 2018
Management information	<b>SUBSTANTIAL</b>	Apr 2018
Cyber security	<b>MODERATE</b>	Apr 2018
Disclosure of unused material	<b>MODERATE</b>	Oct 2018
Workforce planning and recruitment	<b>SUBSTANTIAL</b>	Nov 2018
Paralegal roles	<b>MODERATE</b>	Feb 2019
General data protection regulations	<b>MODERATE</b>	Feb 2019
Learning and development	<b>SUBSTANTIAL</b>	Feb 2019
Payroll	<b>SUBSTANTIAL</b>	Mar 2019

Based on the above, it is concluded that there were no significant weaknesses in the CPS' governance and control framework that affected achievement of its strategic objectives in 2018-19.

## Remuneration and staff report

The Remuneration and staff report provides information on the CPS' remuneration policy and amounts paid to the senior management team. It also provides information on other staff related matters, such as fair pay, overall staff numbers and costs, and Civil Service Pensions.

### 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 appointments may be made otherwise.

Except as noted below, the officials covered by this report hold appointments which are open-ended. Early termination, other than for misconduct, would result in the individual receiving compensation as set out in the Civil Service Compensation Scheme.

Further information about the work of the Civil Service Commission can be found at [www.civilservicecommission.org.uk](http://www.civilservicecommission.org.uk)

The previous DPP, Alison Saunders, was appointed for a period of five years from 1 November 2013 to 31 October 2018. Her successor and current DPP, Max Hill, has been appointed for a period of five years from 1 November 2018 to 31 October 2023.

### Non-Executive Board Members

All the Non-executive Directors have fixed term contracts as follows:

<b>Alison Porter</b>	3 December 2012 to 2 December 2015, renewed 3 December 2015 to 2 December 2018
<b>Jeremy Newman</b>	3 December 2012 to 2 December 2015, renewed 3 December 2015 to 2 December 2018
<b>Monica Burch</b>	26 June 2017 to 27 June 2020
<b>Mark Hammond</b>	3 July 2017 to 2 July 2020
<b>Caroline Wayman</b>	1 June 2018 to 31 May 2021
<b>Simon Jeffreys</b>	3 December 2018 to 2 December 2021

Our two Non-Executive ARAC Members have the following fixed term contracts:

<b>Jennifer Rowe</b>	4 August 2015 to 3 August 2018, renewed 14 February 2018 to 2 August 2021
<b>Marta Phillips</b>	4 August 2015 to 3 August 2018, renewed 13 February 2018 to 2 August 2021

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 Board Members for early termination of their contract.

## Remuneration policy

The remuneration of CPS senior management (i.e. Senior Civil Servants and Senior Legal Managers) is set according to guidance provided by the Cabinet Office, with reference to recommendations made by the Review Body on Senior Salaries. The Review Body provides independent advice to the Prime Minister and the Lord Chancellor, among others, on the remuneration of holders of judicial office, senior civil servants and other such public appointments as may be specified. The Review Body may, if requested, also advise the Prime Minister 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 to have regard to the following considerations:

- The need to recruit, retain, motivate and, where relevant, promote suitably able and qualified people to exercise their different responsibilities.
- Regional/local variations in labour markets and their effects on the recruitment, retention and, where relevant, promotion 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.
- The government's inflation target.

Further information about the Review Body can be found at <https://www.gov.uk/government/organisations/review-body-on-senior-salaries/about>

The Nominations and Governance Committee (NGC) acts as the remuneration committee for the CPS senior management team. In 2018-19 this committee was made up of the following:

Monica Burch, Non-Executive Board Member (Chair from June 2017), Alison Porter, Non-Executive Board Member, Alison Saunders, Director of Public Prosecutions (until October 2018), Paul Staff, Chief Executive Officer.

The Committee is tasked with considering the relative contributions of the Department's senior employees, paying due regard to completed performance reports, consistency and scope of objectives and the impact of external factors. It will then decide individual awards in line with Cabinet Office guidance.

The pay settlement for the Senior Civil Service (SCS) adhered to government policy which limited consolidated pay increases to an average of **1%** of the SCS pay bill. Additionally, a Performance Related Pay (PRP) scheme operated, also compliant with Cabinet Office policy. A budget of **3.3%** of the total SCS pay bill was available to be paid to the top **25%** of the SCS cadre who were eligible for consideration for a PRP award. The actual distribution of PRP payments was **2.7%** of the SCS pay bill.

## Remuneration (including salary) and pension entitlements

The following sections provide details of the remuneration and pension interests of the most senior management (i.e. Board members) of the CPS.

### Remuneration (salary, benefits in kind, and pensions) (Audited)

	2018-19					2017-18				
	Salary	Bonus payments	Benefits in kind	Pension benefits <sup>1</sup>	Total	Salary	Bonus payments	Benefits in kind	Pension benefits <sup>1</sup>	Total
	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000
<b>Max Hill</b> Director of Public Prosecutions (from 1 November 2018)	85-90 (fye 210-215)	-	-	34	120-125	N/A	N/A	N/A	N/A	N/A
<b>Alison Saunders</b> Director of Public Prosecutions (to 31 October 2018)	120-125 (fye 210-215)	-	-	3	125-130	205-210	-	-	3	205-210
<b>Paul Staff</b> Chief Executive (from 1 June 2018) Director of Corporate Services (to 31 May 2018)	125-130	-	-	-	125-130	115-120	-	-	-	115-120
<b>Lesley Longstone</b> Chief Executive (4 December 2017 to 31 May 2018)	20-25 (fye 140-145)	-	-	10	30-35	45-50 (fye 140-145)	-	-	18	65-70
<b>Nick Folland</b> Chief Executive (to 31 October 2017)	N/A	N/A	N/A	N/A	N/A	140-145 <sup>2</sup> (fye 150-155)	-	-	35	175-180
<b>Jean Ashton</b> Director of Business Services	100-105	10-15	19.2	32	160-165	95-100	10-15	21.6	25	155-160
<b>Gregor McGill</b> Director of Legal Services	120-125	-	-	10	130-135	120-125	-	-	4	120-125
<b>Sue Hemming</b> Director of Legal Services (from 1 August 2018)	80-85 (fye 120-125)	-	-	111	190-195	N/A	N/A	N/A	N/A	N/A
<b>Mark Hammond</b> Non-executive Board Member (from 3 July 2017)	10-15	-	1.6	-	10-15	5-10 (fye 10-15)	-	0.4	-	10-15
<b>Monica Burch</b> Non-executive Board Member (from 26 June 2017)	10-15	-	-	-	10-15	5-10 (fye 10-15)	-	-	-	5-10
<b>Caroline Wayman</b> Non-executive Board Member (from 1 June 2018)	10-15 (fye 10-15)	-	-	-	10-15	N/A	N/A	N/A	N/A	N/A
<b>Simon Jeffreys</b> Non-executive Board Member (from 3 December 2018)	0-5 (fye 10-15)	-	-	-	0-5	N/A	N/A	N/A	N/A	N/A
<b>Alison Porter</b> Non-executive Board Member (to 2 December 2018)	5-10 (fye 10-15)	-	0.3	-	5-10	10-15	-	0.9	-	10-15
<b>Jeremy Newman</b> Non-executive Board Member (to 2 December 2018)	5-10 (fye 10-15)	-	0.4	-	5-10	10-15	-	0.4	-	10-15
<b>Derek Manuel</b> Non-executive Board Member (to 5 July 2017)	N/A	N/A	N/A	N/A	N/A	0-5 (fye 10-15)	-	-	-	0-5
<b>Alan Jenkins</b> Non-executive Board Member (to 5 July 2017)	N/A	N/A	N/A	N/A	N/A	0-5 (fye 10-15)	-	-	-	0-5

fye = full year equivalent salary

<sup>1</sup> The Pensions Benefits figure does not represent a cash payment, but is a calculation, provided by the pension administrator, of the estimated value of pension benefits accrued during the year under the scheme. It is calculated as the real increase in pension multiplied by 20, plus the real increase in any lump sum, less the contributions made by the individual. The real increases exclude increases due to inflation or any increase or decrease due to a transfer of pension rights.

<sup>2</sup> Includes payment in lieu of notice.



## 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. Where

expenses are 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.

## Bonuses

Bonuses are based on performance levels attained and are made as part of the appraisal process. Bonuses are reported in the year in which they become payable to the individual. Unless otherwise indicated, the bonuses reported in 2018-19 relate to performance in 2017-18 and the comparative bonuses reported for 2017-18 relate to performance in 2016-17.

## Pension benefits (Audited)

Official	Accrued pension at pension age as at 31 March 2019 and related lump sum £000	Real increase in pension and related lump sum at pension age £000	CETV at 31 March 2019 £000	CETV at 31 March 2018 (or date of joining Board if later) £000	Real increase in CETV £000
<b>Max Hill</b> Director of Public Prosecutions (from 1 November 2018)	pension 0-5	pension 0-2.5	27	-	20
<b>Alison Saunders</b> Director of Public Prosecutions (to 31 October 2018)	pension 85-90 lump sum 265-270	pension 0-2.5 lump sum 0-2.5	1,956	1,948	3
<b>Lesley Longstone</b> Chief Executive (to 31 May 2018)	pension 55-60 lump sum 155-160	pension 0-2.5 lump sum 0-2.5	1,098	1,086	5
<b>Jean Ashton</b> Director of Business Services	pension 45-50 lump sum 140-145	pension 0-2.5 lump sum 5-7.5	1,099	966	32
<b>Gregor McGill</b> Director of Legal Services	pension 50-55 lump sum 155-160	pension 0-2.5 lump sum 0-2.5	1,161	1,044	9
<b>Sue Hemming</b> Director of Legal Services (from 1 August 2018)	pension 45-50 lump sum 125-130	pension 5-7.5 lump sum 7.5-10	971	789	87

Paul Staff chose not to be covered by the Civil Service pension arrangements during the reporting year. No pension contributions were made on his behalf to other pension providers.

## Cash Equivalent Transfer Values (CETV)

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

The figures include the value of any pension benefit in another scheme or arrangement which the 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.

## 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 2018-19 was £210-215k (2017-18: £205-210k). This was 6.3 times (2017-18: 6.3) the median remuneration of the workforce, which was £33,821 (2017-18: £32,958).

In 2018-19, no (2017-18: no) employee received remuneration in excess of the highest-paid director. Remuneration ranged from £18k to £210-£215k (2017-18: £17k to £205-£210k).

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.

## Civil Service pensions

Pension benefits are provided through the Civil Service pension arrangements. From 1 April 2015 a new pension scheme for civil servants was introduced - the Civil Servants and Others Pension Scheme or alpha, which provides benefits on a career average basis with a normal pension age equal to the member's State Pension Age (or 65 if higher). From that date all newly appointed civil servants and the majority of those already in service joined alpha. Prior to that date, civil servants participated in the Principal Civil Service Pension Scheme (PCSPS). The PCSPS has four sections: three providing benefits on a final salary basis (classic, premium or classic plus) with a normal pension age of 60; and one providing benefits on a whole career basis (nuvos) with a normal pension age of 65.

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, nuvos and alpha are increased annually in line with Pensions Increase legislation. Existing members of the PCSPS who were within 10 years of their normal pension age on 1 April 2012 remained in the PCSPS after 1 April 2015. Those who were between 10 years and 13 years and 5 months from their normal pension age on 1 April 2012 will switch into alpha sometime between 1 June 2015 and 1 February 2022. All members who switch to alpha have their PCSPS benefits 'banked', with those with earlier benefits in one of the final salary sections of the PCSPS having those benefits based on their final salary when they leave alpha. (The pension figures quoted for officials show pension earned in PCSPS or alpha - as appropriate. Where the official has benefits in both the PCSPS and alpha the figure quoted is the combined value of their benefits in the two schemes.) 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 salary-related and range between 4.6% and 8.05% of pensionable earnings for members of classic, premium, classic plus, nuvos and alpha. 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 their pensionable earnings during their period of scheme membership. At the end of the scheme year (31 March) the member's earned

pension account is credited with 2.3% of their pensionable earnings in that scheme year and the accrued pension is uprated in line with Pensions Increase legislation. Benefits in alpha build up in a similar way to nuvos, except that the accrual rate is 2.32%. 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 8% and 14.75% (depending on the age of the member) into a stakeholder pension product chosen by the employee from a panel of 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 0.5% 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, 65 for members of nuvos, and the higher of 65 or State Pension Age for members of alpha. (The pension figures quoted for officials show pension earned in PCSPS or alpha - as appropriate. Where the official has benefits in both the PCSPS and alpha the figure quoted is the combined value of their benefits in the two schemes, but note that part of that pension may be payable from different ages.)

Further details about the Civil Service pension arrangements can be found at the website [www.civilservicepensionscheme.org.uk](http://www.civilservicepensionscheme.org.uk).

## Reporting of Civil Service and other compensation schemes - exit packages (Audited)

The figures shown in the table below are for 2018-19. Figures shown in brackets are for the prior year, 2017-18.

Exit package cost band	Number of compulsory redundancies	Number of other departures agreed	Total number of exit packages by cost band
< £10,000	- (-)	1 (1)	1 (1)
£10,000 - £25,000	- (-)	5 (4)	5 (4)
£25,000 - £50,000	- (-)	13 (9)	13 (9)
£50,000 - £100,000	- (-)	18 (8)	18 (8)
£100,000 - £150,000	- (-)	2 (1)	2 (1)
£150,000 - £200,000	- (-)	- (-)	- (-)
Total number of exit packages	- (-)	39 (23)	39 (23)
Total cost 2018-19 (£'000)	-	<b>2,248</b>	<b>2,248</b>
Total cost 2017-18 (£'000)	-	1,200	1,200

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 CPS has agreed early retirements, the additional costs are met by the CPS 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.

## Staff costs, staff numbers and composition as at 31 March 2019

### Number of Senior Civil Service staff (or equivalent) by band (Audited)

ONS Grade	Grade breakdown	Total headcount	Total FTE
SCS	G1 Perm Sec	1	1.0
	SCS1	10	9.6
	SCS2	3	3.0
	SCS3	1	1.0
	SLM1	41	41.0
	SLM2	21	20.5
	SLM3	1	1.0
SCS Total		78	77.1

### Staff composition table (Audited)

ONS Grade	Female		Male		Grand total	
	HC	FTE	HC	FTE	HC	FTE
SCS	43	43.0	35	34.1	78	77.1
Other	3,921	3,499.6	2,026	1,975.3	5,947	5,474.9
<b>Grand total</b>	<b>3,964</b>	<b>3,542.6</b>	<b>2,061</b>	<b>2,009.4</b>	<b>6,025</b>	<b>5,552.0</b>

### Average number of persons employed and staff costs for 2018-19 (Audited)

	Average number of full-time equivalent staff during the year	
	2018-19	2017-18
Permanently employed staff	5,395	5,378
Others	289	310
Total	5,684	5,688

	2018-19	2018-19	2018-19	2017-18
	£000	£000	£000	£000
	Permanently employed staff	Others	Total	Total
Wages and salaries	231,575	6,893	238,468	232,325
Social security costs	25,601	1	25,602	24,817
Other pension costs	47,700	-	47,700	46,552
<b>Subtotal</b>	<b>304,876</b>	<b>6,894</b>	<b>311,770</b>	<b>303,694</b>
Less recoveries in respect of outward secondments	(983)	-	(983)	(1,022)
<b>Total net costs</b>	<b>303,893</b>	<b>6,894</b>	<b>310,787</b>	<b>302,672</b>

Further details of staff costs can be found in Note 3 to the Accounts on page 82.

The Principal Civil Service Pension Scheme (PCSPS) and the Civil Servants and Other Pensions Scheme (CSOPS) – known as ‘alpha’ – are unfunded multi-employer defined benefit schemes in which the Crown Prosecution Service is unable to identify its share of the underlying assets and liabilities. The scheme actuary valued the PCSPS as at 31 March 2012. Details can be found in the resource accounts of the Cabinet Office: Civil Superannuation ([www.civilservicepensionscheme.org.uk/about-us/resource-accounts](http://www.civilservicepensionscheme.org.uk/about-us/resource-accounts)).

For 2018-19, employers’ contributions of £47,476,539 were payable to the PCSPS (2017-18: £46,326,966) at one of four rates in the range 20.0% to 24.5% of pensionable earnings, 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 2018-19 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 £226,496 (2017-18: £215,052) were paid to one or more of the panel of three appointed stakeholder pension providers. Employer contributions are age-related and ranged from 8% to 14.75% of pensionable earnings. Employers also match employee contributions up to 3% of pensionable earnings. In addition, employer contributions of £9,343, 0.5% of pensionable pay (2017-18: £8,747, 0.5%) 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 £26,682 (2017-18: £20,755). Contributions prepaid at that date were £Nil (2017-18: £Nil).

9 individuals (2017-18: 10) retired early on ill-health grounds; the total additional accrued pension liabilities in the year amounted to £150,776 (2017-18: £52,950).

## Staff policies

The CPS has been awarded the Disability Confident standard, which has replaced the Two Ticks accreditation. All government departments are expected to attain this.

To reach this standard the CPS has had to demonstrate that we have the right policies and procedures in place that provide a fully inclusive and accessible recruitment process – including:

- Identifying and addressing any barriers that may prevent or deter disabled people from applying for jobs, including where you advertise, the words you use and how people can apply.
- Offering an interview to disabled people who meet the minimum criteria for the job.
- Flexibility when assessing people so disabled job applicants have the best opportunity to demonstrate that they can do the job.
- Proactively offering and making reasonable adjustments as required.
- Providing an environment that is inclusive and accessible for staff, clients and customers.

As a Disability Confident employer we will ensure all employees have sufficient disability equality awareness, taking into account their role.

These undertakings do not override the need for selection on merit through fair and open competition. It is essential that applicants who would be selected for interview on the basis of additional sift criteria are not displaced by disabled candidates who meet the minimum criteria. The numbers invited for interview

must therefore be increased by the inclusion of those disabled candidates.

Under the Trade Union (Facility Time Publication Requirements) Regulations 2017 (SI 2017 no. 328), the CPS is required to publish information about employees acting as trade union representatives. During the 2018-19 financial year, 71 employees (107 in 2017-18) acted as relevant union officials with pre-approved facility time. Of these, 8 spent 0% of their time on trade union facility time and 63 (107 in 2017-18) spent between 1-50% of their time on trade union facility time. The total cost of facility time was £290,987, (£271,209 in 2017-18) which is 0.09% (0.09% in 2017-18) of the total pay bill of £311,770,000. (£303,694,000 in 2017-18) The time spent on paid trade union activities as a percentage of total paid facility time hours was 0% (0% in 2017-18).

## Other staff information

### Expenditure on temporary staff

	2018-19 £000	2017-18 £000
Expenditure on temporary staff	6,664	6,282

### Expenditure on consultancy

There was no spend on consultancy.

### Off payroll engagements

There were no off-payroll engagements in 2018-19.

### Sickness absence

There has been a decrease in Average Working Days Lost (AWDL) from 7.4 to 6.7 (as at quarter 4 2018-19), against a Civil Service average of 6.9 days.

# Parliamentary accountability and audit report

## Statement of Parliamentary Supply

### Summary of Resource and Capital outturn 2018-19

£000	SoPS Note	2018-19						2018-19	2017-18
		Estimate			Outturn			Voted outturn compared with Estimate: saving/(excess)	Outturn
		Voted	Non-Voted	Total	Voted	Non-Voted	Total	Total	
<b>Departmental Expenditure Limit</b>									
- Resource	1(a)	512,354	-	512,354	501,075	-	501,075	11,279	506,126
- Capital	1(b)	9,600	-	9,600	8,547	-	8,547	1,053	6,209
<b>Annually Managed Expenditure</b>									
- Resource	1(a)	6,050	-	6,050	2,928	-	2,928	3,122	9,768
- Capital		-	-	-	-	-	-	-	-
<b>Total Budget</b>		<b>528,004</b>	<b>-</b>	<b>528,004</b>	<b>512,550</b>	<b>-</b>	<b>512,550</b>	<b>15,454</b>	<b>522,103</b>
<b>Non-Budget</b>									
- Resource		-	-	-	-	-	-	-	-
<b>Total</b>		<b>528,004</b>	<b>-</b>	<b>528,004</b>	<b>512,550</b>	<b>-</b>	<b>512,550</b>	<b>15,454</b>	<b>522,103</b>
Total Resource	1(a)	518,404	-	518,404	504,003	-	504,003	14,401	515,894
Total Capital	1(b)	9,600	-	9,600	8,547	-	8,547	1,053	6,209
<b>Total</b>		<b>528,004</b>	<b>-</b>	<b>528,004</b>	<b>512,550</b>	<b>-</b>	<b>512,550</b>	<b>15,454</b>	<b>522,103</b>

#### Net cash requirement 2018-19

£000	SoPS Note	2018-19	2018-19	2017-18
		Estimate	Outturn	Outturn compared with Estimate: saving/(excess)
	3	532,180	524,555	7,625
				497,794

#### Administration costs 2018-19

	2018-19 Estimate	2018-19 Outturn	2017-18 Outturn
1(a)	30,250	28,630	30,796

Figures in the areas outlined in bold are voted totals or other totals subject to Parliamentary control. In addition, although not a separate voted limit, any breach of the administration budget will also result in an excess vote.

Significant variances between Estimate and outturn are explained in the Financial Management Commentary on page 19.



## Notes to statement of Parliamentary Supply

### SoPS 1 Net outturn

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

							2018-19 £000	2017-18 £000	
Outturn							Estimate	Outturn	
Administration			Programme					Net total compared to Estimate	
Gross	Income	Net	Gross	Income	Net	Total	Net total		Total

Spending in Departmental Expenditure Limit

Voted:

A. Administration costs in headquarters and on central services

29,396	(766)	28,630	-	-	-	28,630	30,250	1,620	30,796
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B. Crown prosecutions and legal services

-	-	-	530,060	(57,615)	472,445	472,445	482,104	9,659	475,330
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Subtotal

29,396	(766)	28,630	530,060	(57,615)	472,445	501,075	512,354	11,279	506,126
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Annually Managed Expenditure

Voted:

C. CPS Voted AME charge

-	-	-	2,928	-	2,928	2,928	6,050	3,122	9,768
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**Total**

<b>29,396</b>	<b>(766)</b>	<b>28,630</b>	<b>532,988</b>	<b>(57,615)</b>	<b>475,373</b>	<b>504,003</b>	<b>518,404</b>	<b>14,401</b>	<b>515,894</b>
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1(b). Analysis of net capital outturn by section

					2018-19 £000	2017-18 £000
Outturn			Estimate		Outturn	
Gross	Income	Net	Net total	Net total compared to Estimate	Net	

Spending in Departmental Expenditure Limit

Voted:

B. Crown prosecutions and legal services

8,547	-	8,547	9,600	1,053	6,209
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**Total**

<b>8,547</b>	<b>-</b>	<b>8,547</b>	<b>9,600</b>	<b>1,053</b>	<b>6,209</b>
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## SoPS 2 Reconciliation of net resource outturn to net expenditure

There are no differences between net resource outturn in the Statement of Parliamentary Supply and net expenditure in the Statement of Comprehensive Net Expenditure.

## SoPS 3 Reconciliation of net resource outturn to net cash requirement

	SoPS Note	Estimate £000	Outturn £000	Net total outturn compared with Estimate: saving/ (excess) £000
<b>Resource outturn</b>	1(a)	518,404	504,003	14,401
<b>Capital outturn</b>	1(b)	9,600	8,547	1,053
<b>Accruals to cash adjustments:</b>				
<i>Adjustments to remove non-cash items:</i>				
Depreciation and amortisation		(8,774)	(5,250)	(3,524)
New provisions and adjustments to previous provisions		(2,250)	1,607	(3,857)
Other non-cash items		(3,800)	(5,100)	1,300
<i>Adjustments to reflect movements in working balances:</i>				
Increase/(decrease) in receivables		3,000	14,068	(11,068)
(Increase)/decrease in payables		16,000	6,196	9,804
Use of provisions		-	327	(327)
Transfer of provisions to accruals		-	157	(157)
<b>Net cash requirement</b>		<b>532,180</b>	<b>524,555</b>	<b>7,625</b>

## Other accountability information

### Losses and special payments

The following sections are subject to audit

	Number of cases	2018-19 £000	Number of cases	2017-18 £000
<b>Losses statement</b>				
Total losses	3,632	1,106	4,035	1,126
<b>Special payments</b>				
Total special payments	60	1,340	48	243
<b>Special payments</b>	<b>3,692</b>	<b>2,447</b>	<b>4,083</b>	<b>1,369</b>

### Administrative write-offs

Included in losses are administrative write-offs. Administrative write offs are cases relating to costs awarded to the CPS which the magistrates' courts are responsible for collecting. Between 1 April 2018 and 31 March 2019 the magistrates' courts wrote off 3,609 (2017-18: 3,952) cases with a value of £727,000 (2017-18: £733,000) under their delegated powers.

A further £15,000 worth of cases were written off in 2018-19. It is not possible to quantify the number of cases which these write-offs relate to.

There was no individual write-off over £300,000.

### Special payments

There was one case over £300,000 in 2018-19. This was in relation to a civil case against the CPS.

From 2017-18, disclosure of special payments and categories of losses involving payments has been made on the basis of actual payments made, in order to improve transparency and understandability.

This may differ from corresponding expenditure reported in the financial statements, which is recognised on an accruals basis.

However, to avoid double counting, cash payments made in 2018-19 that have been reported in previous years on an accruals basis have been excluded from the figures above. These payments comprised of a special payment of £990,000.

### Remote contingent liabilities

The CPS has no contingent liabilities to be disclosed under the Parliamentary reporting requirements.

### Fees and charges

There has been no material fees and charges income for the year requiring disclosure in accordance with Managing Public Money.

### Max Hill QC

Director of Public Prosecutions

19 June 2019

# THE CERTIFICATE AND REPORT OF THE COMPTROLLER AND AUDITOR GENERAL TO THE HOUSES OF PARLIAMENT

## Opinion on financial statements

I certify that I have audited the financial statements of the Crown Prosecution Service for the year ended 31 March 2019 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, including the significant accounting policies. These financial statements have been prepared under the accounting policies set out within them.

I have also audited the Statement of Parliamentary Supply and the related notes, and the information in the Accountability Report that is described in that report as having been audited.

In my opinion:

- the financial statements give a true and fair view of the state of the Department's affairs as at 31 March 2019 and of the Department's net expenditure 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 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 2019 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.

## Basis of opinions

I conducted my audit in accordance with International Standards on Auditing (ISAs) (UK) and Practice Note 10 'Audit of Financial Statements of Public Sector Entities in the United Kingdom'. My responsibilities under those standards are further described in the Auditor's responsibilities for the audit of the financial statements section of my certificate. Those standards require me and my staff to comply with the Financial Reporting Council's Revised Ethical Standard 2016. I am independent of the Crown Prosecution Service in accordance with the ethical requirements that are relevant to my audit and the financial statements in the UK. My staff and I have fulfilled our other ethical responsibilities in accordance with these requirements. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

## Conclusions relating to going concern

I am required to conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Crown Prosecution Service's ability to continue as a going concern for a period of at least twelve months from the date of approval of the financial statements. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the entity to cease to continue as a going concern. I have nothing to report in these respects.

## Responsibilities of the Accounting Officer for the financial statements

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.

## Auditor's responsibilities for the audit of the financial statements

My responsibility is to audit, certify and report on the financial statements in accordance with the Government Resources and Accounts Act 2000.

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. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with ISAs (UK), I exercise professional judgment and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Crown Prosecution Service's internal control.

- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the consolidated financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

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.

## Other Information

The Accounting Officer is responsible for the other information. The other information comprises information included in the Foreword, Performance Report and Accountability Report, but does not include the parts of the Accountability Report described in that report as having been audited, the financial statements and my auditor's report thereon. My opinion on the financial statements does not cover the other information and I do not express any form of assurance conclusion thereon. In connection with my audit of the financial statements, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or my knowledge obtained in the audit or otherwise appears to be materially misstated. If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact. I have nothing to report in this regard.

## Opinion on other matters

In my opinion:

- the parts of the Accountability Report to be audited have been properly prepared in accordance with HM Treasury directions made under the Government Resources and Accounts Act 2000;
- in the light of the knowledge and understanding of the environment obtained in the course of the audit, I have not identified any material misstatements in the Performance Report or the Accountability Report; and
- the information given in the Performance Report and Accountability Report 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 returns adequate for my audit have not been received from branches not visited by my staff; or
- the financial statements and the parts of the Accountability 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.

**Gareth Davies**  
**Comptroller and Auditor General**

**1 July 2019**

National Audit Office  
157-197 Buckingham Palace Road  
Victoria  
London  
SW1W 9SP

# 5

## Financial Statements



## Statement of Comprehensive Net Expenditure for the year ended 31 March 2019

	Note	2018-19 £000	2017-18 £000
Revenue from contracts with customers	4	(1,384)	(1,450)
Other operating income	4	(56,997)	(61,321)
<b>Total operating income</b>		<b>(58,381)</b>	<b>(62,771)</b>
Staff costs	3	311,770	303,694
Prosecution costs	3	141,542	143,462
Purchase of goods and services	3	88,504	93,381
Depreciation and impairment charges	3	5,250	3,499
Provision expense	3	(1,467)	2,022
Other operating expenditure	3	16,924	32,875
<b>Total operating expenditure</b>		<b>562,523</b>	<b>578,933</b>
<b>Net operating expenditure</b>		<b>504,142</b>	<b>516,162</b>
Finance expense	3	(139)	(268)
<b>Net expenditure for the year</b>		<b>504,003</b>	<b>515,894</b>
<b>Other comprehensive net expenditure</b>			
Items that will not be reclassified to net operating costs:			
- Net (gain)/loss on revaluation of property, plant and equipment	5	(138)	(245)
- Net (gain)/loss on revaluation of intangible assets	6	(20)	-
<b>Comprehensive net expenditure for the year</b>		<b>503,845</b>	<b>515,649</b>

# Statement of Financial Position

## as at 31 March 2019

	Note	£000	2018-19 £000	£000	2017-18 £000
<b>Non-current assets:</b>					
Property, plant and equipment	5	15,674		14,115	
Intangible assets	6	2,518		622	
Trade and other receivables	8	355		113	
<b>Total non-current assets</b>			<b>18,547</b>		<b>14,850</b>
<b>Current assets:</b>					
Trade and other receivables	8	54,570		45,744	
Cash and cash equivalents	9	1,766		26,950	
<b>Total current assets</b>			<b>56,336</b>		<b>72,694</b>
<b>Total assets</b>			<b>74,883</b>		<b>87,544</b>
<b>Current liabilities</b>					
Trade and other payables	10	(69,222)		(100,345)	
Provisions	11	(2,277)		(1,774)	
<b>Total current liabilities</b>			<b>(71,499)</b>		<b>(102,119)</b>
<b>Total assets less current liabilities</b>			<b>3,384</b>		<b>(14,575)</b>
<b>Non-current liabilities</b>					
Provisions	11	(4,352)		(6,946)	
Trade and other payables	10	(284)		(541)	
<b>Total non-current liabilities</b>			<b>(4,636)</b>		<b>(7,487)</b>
<b>Total assets less total liabilities</b>			<b>(1,252)</b>		<b>(22,062)</b>
<b>Taxpayers' equity and other reserves:</b>					
General fund			(3,815)		(24,604)
Revaluation reserve			2,563		2,542
<b>Total equity</b>			<b>(1,252)</b>		<b>(22,062)</b>

**Max Hill QC**  
Director of Public Prosecutions  
19 June 2019

# Statement of Cash Flows

## for the year ended 31 March 2019

	Note	2018-19 £000	2017-18 £000
<b>Cash flows from operating activities</b>			
Net operating expenditure		(504,142)	(516,162)
Adjustments for non-cash transactions	3	8,883	21,503
(Increase)/decrease in trade and other receivables	8	(14,068)	(6,651)
Increase/(decrease) in trade and other payables	10	(7,078)	13,475
Use of provisions	11	(327)	(3,870)
Transfer of provisions to accruals	11	(157)	-
<b>Net cash outflow from operating activities</b>		<b>(516,889)</b>	<b>(491,705)</b>
<b>Cash flows from investing activities</b>			
Purchase of non-financial assets	5.1	(7,665)	(6,505)
Proceeds of disposal of non-financial assets	5.1	-	416
<b>Net cash outflow from investing activities</b>		<b>(7,665)</b>	<b>(6,089)</b>
<b>Cash flows from financing activities</b>			
From the Consolidated Fund (Supply) – current year		499,371	510,332
Finance expense	3	(1)	-
<b>Net financing</b>		<b>499,370</b>	<b>510,332</b>
<b>Net increase/(decrease) in cash and cash equivalents in the period before adjustment for receipts and payments to the Consolidated Fund</b>		<b>(25,184)</b>	<b>12,538</b>
Payments of amounts due to the Consolidated Fund		-	-
<b>Net increase/(decrease) in cash and cash equivalents in the period after adjustment for receipts and payments to the Consolidated Fund</b>		<b>(25,184)</b>	<b>12,538</b>
<b>Cash and cash equivalents at the beginning of the period</b>	9	<b>26,950</b>	<b>14,412</b>
<b>Cash and cash equivalents at the end of the period</b>	9	<b>1,766</b>	<b>26,950</b>

## Statement of Changes in Taxpayers' Equity for the year ended 31 March 2019

	Note	General Fund £000	Revaluation Reserve £000	Taxpayers' Equity £000
<b>Balance at 1 April 2017</b>		<b>(6,730)</b>	<b>2,427</b>	<b>(4,303)</b>
Net Parliamentary Funding - drawn down		510,332	-	510,332
Net Parliamentary Funding - deemed		14,412	-	14,412
Supply adjustment		(26,950)	-	(26,950)
Comprehensive net expenditure for the year	SoCNE	(515,894)	245	(515,649)
Non-cash charges - auditor's remuneration	3	96	-	96
Transfers between reserves		130	(130)	-
<b>Balance at 31 March 2018</b>		<b>(24,604)</b>	<b>2,542</b>	<b>(22,062)</b>
Net Parliamentary Funding - drawn down		499,371	-	499,371
Net Parliamentary Funding - deemed		26,950	-	26,950
Supply adjustment		(1,766)	-	(1,766)
Comprehensive net expenditure for the year	SoCNE	(504,003)	158	(503,845)
Non-cash charges - auditor's remuneration	3	100	-	100
Transfers between reserves		137	(137)	-
<b>Balance at 31 March 2019</b>		<b>(3,815)</b>	<b>2,563</b>	<b>(1,252)</b>

# Notes to Departmental Accounts

## 1. Statement of accounting policies

### *Basis of preparation*

The financial statements have been prepared on a going concern basis and in accordance with International Financial Reporting Standards (IFRS) as adapted and interpreted by the Financial Reporting Manual (FRoM) issued by HM Treasury. Where the FRoM 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.

### 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 have a cost equal to or greater than £2,000 are capitalised, including leasehold improvements. Where significant purchases of individual assets that are separately beneath the capitalisation threshold arise in connection with a single project, they are treated as a grouped asset. On initial recognition, assets are measured at cost, including any costs such as installation directly attributable to bringing them into working condition. Subsequently, assets that are held for their service potential and are in use are measured at current value in existing use, which is interpreted as market value for existing use.

Costs of bought-in services incurred in preparation for the implementation of ICT 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.

Property, plant and equipment, other than land and buildings, is revalued at current 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 current value in existing use using professional valuations, in accordance with guidance set out in the FRoM, every five years. In the intervening years land and buildings are restated at current value in existing use by the use of published indices appropriate to the type of land or building.

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.

### *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. Subsequently, intangible non-current assets are measured at current value in existing use where an active market exists, otherwise at the lower of amortised replacement cost and value in use. All expenditure on intangible non-current assets that are capable of being used for a period that exceeds one year and individually have a cost equal to or greater than £2,000 is capitalised.

## **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	50 to 95 years
Furniture and fittings	4 to 10 years
Information technology	3 to 4 years

Leasehold improvements are written off over the shortest 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 CPS, 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 assets are amortised on a straight line basis over their estimated useful lives. Impairment losses are charged in the same way as those arising on property, plant and equipment.

## **1.4 Leases**

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 in Note 13, "Commitments under Leases", are not discounted.

The CPS sub-leases properties to other tenants, including other government departments. Rentals received are recognised as revenue.

## 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 and Liabilities

Financial assets consist of trade receivables and other current assets such as cash at bank and in hand. Financial liabilities consist of trade payables and other current liabilities. In accordance with IFRS 9 - Financial Instruments, financial assets and liabilities are initially recognised at fair value, which is determined by reference to the underlying contract giving rise to the debt or liability. Subsequently, they are measured at amortised cost using the effective interest method, less any impairment.

## 1.7 Allowance for Impairment of Receivables

The CPS 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 CPS 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 CPS recognises a loss allowance equal to lifetime expected credit losses. The allowance provided against costs awards receivable is based on a financial model utilising historical data relating to the total costs awarded in court and the amount of cash actually received.

In accordance with IFRS 9 - Financial Instruments, the CPS assesses expected credit losses on its financial assets. If material, the CPS recognises a loss allowance for impairment of trade and other receivables. Assessment of expected credit losses includes an analysis of historic rates of default and amounts lost in the event of default, which are used to estimate the likelihood of such losses occurring in future.

As required by the FReM, the CPS adopts the simplified approach for impairment of trade receivables, contract assets and lease receivables and does not recognise loss allowances for stage 1 and stage 2 impairments of receivables with other central government departments (including their executive agencies).

## 1.8 Operating Income

Operating income is income that relates directly to the operating activities of the CPS. Operating income is stated net of VAT.

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, which are responsible for the collection of these costs. Income is recognised based on the date when the court awards costs.

Under the Proceeds of Crime Act's 'Asset Recovery Incentivisation Scheme', which is managed by the Home Office, the CPS is allocated a proportion of the total value of assets recovered in the year. For confiscation orders, receipts are shared between the Home Office and investigation, prosecution and enforcement agencies, with the CPS being entitled to an 18.75% share of total receipts. Income is recognised when the Home Office receives recovered amounts and confirms how these will be allocated to eligible bodies, which is the point at which it becomes probable that economic benefits will flow to the CPS and at which these can be measured reliably.

Where relevant, the CPS recognises revenue from contracts with customers. This includes income in respect of seconded staff and provision of legal and other services.

### **1.9 Government Grants**

The CPS benefits from government funding for apprenticeship training, financed by the Apprenticeship Levy. Under the terms of the Government's apprenticeship arrangements, the CPS has an account holding funds based on its levy payments, which it can access to pay for apprenticeship training. When these funds are drawn down, the CPS recognises government grant income along with a corresponding training expense. As payments are made directly from the apprenticeship account to approved training providers, the income and expense recognised are non-cash in nature.

The CPS may also be eligible to receive cash incentive payments where it employs apprentices aged between 16 and 18 years. Such payments are recognised as government grant income.

Other amounts that the CPS receives from government bodies, where these are not in payment for services delivered, are recognised as government grant income in the same periods as the related expenses.

Government grant income is presented on a gross basis, separate from related expenses.

### **1.10 Expenditure**

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 when pre-determined stages in the case are reached and expenditure is recognised on an accruals basis at the completion of each stage.

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'. Payment is made on completion of all work on a case. The scheme calculates 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. Where actual counsel fees for trials completed at the financial year end can be ascertained, they have been accrued for on this basis; in all other cases the CPS accrues an estimate of such counsel fees outstanding. For trials partially completed at the financial year end, it is not possible to ascertain the precise value owed for counsel fees until some considerable time later. The CPS therefore accrues an estimate of the fees likely to have been incurred.

### **1.11 Short Term Employee Benefits**

Salaries, wages and employment related benefits are recognised in the period in which the service is received from employees. Annual leave earned but not taken by the year end is recognised on an accruals basis in the financial statements. Non-consolidated performance pay is recognised when it becomes payable to the individual.

### **1.12 Pensions**

Past and present employees are covered by the provisions of the Principal Civil Service Pension Scheme (PCSPS) and the Civil Servant and Other Pension Scheme (CSOPS). These schemes are unfunded, defined benefit schemes covering all civil servants. The



schemes are not designed in a way that would enable employers to identify their share of the underlying scheme assets and liabilities, and they are therefore accounted for as though they were defined contribution schemes.

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 Civil Service Pensions schemes of amounts calculated on an accruing basis. Liability for payment of future benefits is a charge on the Civil Service Pensions schemes. For Civil Service defined contribution schemes, the CPS recognises the contributions payable for the year.

### **1.13 Provisions**

The CPS 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 nominal rates set by HM Treasury. As at 31 March 2019, the discount rates for general provisions were 0.76% (2017-18: -2.42% real) for cash flows between 0 and 5 years, 1.14% (2017-18: -1.85% real) for cash flows between 5 and 10 years, 1.99% (2017-18: -1.56% real) for cash flows between 10 and 40 years, and 1.99% (2017-18: -1.56% real) for cash flows exceeding 40 years. The estimated cash flows are adjusted for inflation using OBR CPI.

Up to 2017-18, HM Treasury set rates on a real basis, which did not require cash flows to be separately adjusted for inflation. HM Treasury have advised that the change from real to nominal rates is a change in accounting estimate.

### **1.14 Contingent Liabilities and Contingent Assets**

A contingent liability is disclosed in the financial statements unless the possibility of a payment is remote. Where the time value of money is material, contingent liabilities are stated at discounted amounts. Where remote liabilities are required to be reported to Parliament, these are noted separately in the Parliamentary accountability and audit report.

A contingent asset is only disclosed if an inflow of economic benefits is considered probable.

### **1.15 Value Added Tax**

Most of the activities of the CPS 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.

### **1.16 New or amended standards issued but not yet effective and not adopted early**

#### *IFRS 16 Leases*

IFRS 16 is applicable for reporting periods beginning from 1 January 2019. However, HM Treasury has delayed full adoption of IFRS 16 into the FReM by one year. The CPS

does not meet the criteria set out in the 2019-20 FReM for early adoption, and therefore expects to apply IFRS 16 from 1 April 2020.

The new standard will remove the distinction between operating and finance leases for lessees and will require assets and liabilities to be recognised in the Statement of Financial Position for all leases with a term of more than 12 months, unless the underlying asset is of low value.

Currently, the CPS recognises expenditure on operating leases (rental of land and buildings) as expenditure in the year to which the rental costs relate. Future commitments under operating leases were around £137 million in 2018-19, which would be expected to be recognised as a lease liability, with corresponding right of use assets, on adoption of IFRS 16.

The CPS currently has no finance leases. It earns less than £1.4 million in revenue from sub-leases.

#### *IFRS 17 Insurance Contracts*

IFRS 17 sets out requirements for the recognition and measurement of contracts and associated revenue where an entity accepts insurance risk from another party. The CPS has not entered into insurance contracts and therefore does not expect to be affected by the new standard.

The standard, including the date from which it is expected to be applicable, is subject to further review by HM Treasury.

### **1.17 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 Scheme (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 payment of fees at the conclusion of the case, 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.

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 Areas 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.

Additionally, the CPS estimates an accrual for trials that are not completed at the financial year end. Since the data required to accurately assess counsel fees for these trials is not available until some considerable time after the year end, the CPS uses

data from the previous financial year end to estimate the amount of fees likely to have been incurred. This estimate is based on the assumption that allotted trial days occur immediately before the final hearing date, and that the level of activity is consistent from one year to the next.

The carrying amount of the GFS accrual at 31 March 2019 was £11.800 million (31 March 2018: £10.628 million).

#### *Allowance for impairment of receivables - Costs Awards*

The CPS receives awards of costs made against convicted defendants at the discretion of the judge or magistrates. The 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 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. Additionally, the CPS recognises an allowance for impairment of the outstanding receivables to reflect the fact that a proportion of these will not be recovered. This impairment is based on historical information on rates of collection and relies on the assumption that similar rates will apply in future.

The impairment methodology assumes that all receivable amounts that are not forecast to be received in the future based on historical rates of collection will ultimately be irrecoverable. The forecast cash flows are discounted using the HM Treasury rate for financial instruments of 3.7%.

The carrying amount of the allowance for impairment of costs award receivables at 31 March 2019 was £44.9 million (31 March 2018: £39.9 million).

#### *Dilapidations*

The CPS has entered into a number of rental agreements for the properties it occupies. Most of these agreements include clauses requiring the CPS, at the end of the rental period, to return the property to the landlord in its original state or to pay the landlord the cost of any necessary work to achieve this ("dilapidations"). The CPS therefore provides for the cost of removing any modifications it makes and repairing any damage or wear occurring during its tenancy.

The CPS has changed its methodology for estimating the dilapidations provision in 2018-19. The previous methodology used historic data for properties vacated previously to estimate an average cost of dilapidations per square metre occupied. This was then applied to currently occupied properties to estimate the costs for which the CPS would be liable by the end of the lease, and a provision for these costs was recognised at the start of the lease. The new methodology separates these costs into an amount relating to initial works at the start of the lease and an annual amount for wear and tear over the term of the lease. The provision therefore increases steadily over the term of the lease. The model is updated each year to reflect changes in occupancy and actual costs incurred.

The CPS considers this change to be correction of an error in measuring the provision. The value of the provision previously reported at 31 March 2018 was £6.921 million. Had the new methodology been applied, this would have been £5.224 million. This is

not considered a material difference, and the prior year figures have therefore not been restated.

The estimates produced rely on the assumption that properties occupied by the CPS are similar and will be subject to similar liabilities for dilapidations. Where a property is expected to give rise to exceptional costs, it is removed from the model and any liability is estimated separately. Actual costs arising from such properties are not fed back into the model, so as not to distort estimated costs for other properties.

The carrying amount of the dilapidations provision at 31 March 2019 was £5.522 million.

### **1.18. Initial application of IFRS 9**

The CPS has applied IFRS 9 - Financial Instruments from 1 April 2018. Note 7 outlines the financial instruments held by class.

All financial instruments held by CPS on 31 March 2018 comprised payables and receivables, which were classified as loans and receivables and other financial liabilities under IAS 39, and were measured at amortised cost. Under the measurement criteria set out in IFRS 9, all of these financial instruments continue to be measured at amortised cost. All receivables are held for purpose of collecting contractual cash flows, which comprise solely payments of principal and interest. Where receivables are impaired for expected credit losses, the existing methodology continues to be applicable under IFRS 9. There are therefore no changes in carrying amounts on the basis of changes in measurement category or changes in measurement attribute on transition to IFRS 9.

### **1.19. Initial application of IFRS 15**

The CPS has applied IFRS 15 - Revenue from Contracts with Customers from 1 April 2018. Note 4 outlines the revenue streams identified as being within the scope of the standard.

No differences have been identified for any of these revenue streams in the timing of revenue recognition or in the amount of revenue or expenditure recognised. The application of IFRS 15 has resulted in some minor presentational differences in revenue and receivables, which are immaterial. This includes reclassification of accrued income balances as contract assets, where the associated revenue is within the scope of IFRS 15.

## 2. Statement of Operating Costs by Operating Segment

The CPS is organised for management purposes into operational Areas and a number of corporate units. For financial reporting purposes, the segment reporting format is determined based on the way in which financial information is presented to the senior decision makers (the Chief Executive and the Board) for monitoring performance and allocating resources.

The following table presents the operating expenditure by reportable operating segment. Income is primarily managed centrally so is reported as a single segment. Although many of the operating units are regionally defined, this does not represent a geographical analysis of expenditure because some regional expenditure is managed and reported by centralised units which operate on a national basis.

Operating segment	2018-19 £000	2017-18 Re-presented £000
Cymru-Wales	20,005	19,775
East of England	19,293	18,959
East Midlands	26,185	25,070
Mersey-Cheshire	16,127	15,988
North East	17,654	17,170
North West	30,142	30,896
South East	22,624	22,835
South West	16,931	16,675
Thames & Chiltern	20,891	20,734
Wessex	15,657	14,793
West Midlands	34,653	35,605
Yorkshire & Humberside	29,848	30,779
London North	41,684	40,802
London South	37,481	38,860
National units	85,120	81,531
HQ*	42,036	33,241
Centrally managed ICT costs*	51,101	38,319
Centrally managed Estates costs	21,633	41,782
Other centrally managed costs*	13,319	34,851
<b>Total expenditure</b>	<b>562,384</b>	<b>578,665</b>
Income	(58,381)	(62,771)
<b>Net expenditure</b>	<b>504,003</b>	<b>515,894</b>

\*In 2018-19 the CPS changed the way it reported on HQ and other centrally managed costs. The affected 2017-18 figures have been re-presented to reflect the 2018-19 reporting structure.

### 3. Expenditure

	Note	2018-19 £000	2018-19 £000	2017-18 £000	2017-18 £000
<b>Staff costs<sup>1</sup></b>					
Wages and salaries		238,468		232,325	
Social security costs		25,602		24,817	
Other pension costs		47,700		46,552	
			<b>311,770</b>		<b>303,694</b>
<b>Prosecution costs</b>					
Advocate fees		124,149		124,233	
Expert witness fees		4,998		5,139	
Non-expert witness expenses		3,619		4,115	
Interpreters, translators and intermediaries		2,099		2,604	
Other prosecution costs		6,677		7,371	
			<b>141,542</b>		<b>143,462</b>
<b>Purchase of goods and services</b>					
Rentals under operating leases		14,060		16,770	
Accommodation and associated costs		8,172		25,119	
Information technology		51,336		36,258	
Professional charges and consultancy		4,547		4,364	
Postage and carriage		3,238		3,694	
Printing and stationery		2,087		2,256	
Communications		1,942		2,034	
Training		3,022		2,790	
<i>Non-cash costs</i>					
External auditor's remuneration <sup>2</sup>		100		96	
			<b>88,504</b>		<b>93,381</b>
<b>Depreciation and impairment charges (non-cash)</b>					
Depreciation	5	3,904		3,371	
Amortisation	6	915		13	
Impairments and reversals	5.3	431		115	
			<b>5,250</b>		<b>3,499</b>
<b>Provision expense (non-cash)</b>					
Provided in year	11	1,082		2,135	
Unrequired provisions written back	11	(2,413)		(113)	
Change in discount rate	11	(136)		-	
			<b>(1,467)</b>		<b>2,022</b>
<b>Other operating expenditure</b>					
Travel and subsistence		8,476		7,624	
Civil awards against the CPS		(3,617)		5,424	

	Note	2018-19 £000	2018-19 £000	2017-18 £000	2017-18 £000
Costs awarded to the CPS written off/ (written back)	8.1	(385)		(4,149)	
Other expenditure		7,450		7,942	
<i>Non-cash costs</i>					
Change in bad debt provision	8.1	5,000		16,034	
			<b>16,924</b>		<b>32,875</b>
<b>Total operating expenditure</b>			<b>562,523</b>		<b>578,933</b>
<b>Finance expense</b>					
Interest charges			1	-	
<i>Non-cash costs</i>					
Borrowing costs on provisions	11	(140)		(268)	
			(139)		(268)
<b>Total expenditure</b>			<b>562,384</b>		<b>578,665</b>
<i>Total non-cash operating expenditure</i>			8,883		21,651

- 1 Further analysis of staff costs is located in the Staff Report on page 57.
- 2 There has been no auditor's remuneration for non-audit work. The audit fee comprises £100k for the audit of the CPS' 2018-19 accounts. The audit fee for 2017-18 comprised £96k for the audit of the 2017-18 accounts.

## 4. Income

	2018-19 £000	2018-19 £000	2017-18 £000	2017-18 £000
<b>Revenue from contracts with customers</b>				
Secondment income	983		1,022	
Other revenue from contracts with customers	401		428	
		<b>1,384</b>		<b>1,450</b>
<b>Other operating income</b>				
Costs awarded to the CPS	30,901		35,454	
Asset Recovery Incentivisation Scheme	19,157		17,005	
Government grant income	4,414		4,837	
Rental receivable from other government departments	1,039		2,166	
Rental receivable from external tenants	316		370	
Other income	1,170		1,341	
<i>Non-cash income</i>				
Profit on disposal of property, plant and equipment and intangible assets	-		148	
		<b>56,997</b>		<b>61,321</b>
		<b>58,381</b>		<b>62,771</b>

For 2018-19, revenue has been presented in accordance with the implementation of IFRS 15 (Revenue from Contracts with Customers). 2017-18 income has been recategorised on the same basis for comparability.

In 2017-18 £7,628k was reported as Secondment and other income. In the above note, this category of income has been re-presented as: Secondment income £1,022k, Other revenue from contracts with customers £428k, Government grant income £4,837k and Other income £1,341k.



## 5. Property, plant and equipment

2018-19	Land £000	Buildings £000	Leasehold Improvements £000	Furniture and Fittings £000	Information Technology £000	Assets Under Construction £000	Total £000
<b>Cost or valuation</b>							
At 1 April 2018	1,141	2,007	2,788	11,079	12,515	33	29,563
Additions	-	-	2,695	473	2,160	428	5,756
Disposals	-	-	(588)	(4,179)	(18)	-	(4,785)
Reclassifications	-	-	-	-	33	(33)	-
Impairments	-	-	-	(1,970)	(173)	-	(2,143)
Revaluation	30	53	53	(29)	38	-	145
<b>At 31 March 2019</b>	<b>1,171</b>	<b>2,060</b>	<b>4,948</b>	<b>5,374</b>	<b>14,555</b>	<b>428</b>	<b>28,536</b>
<b>Depreciation</b>							
At 1 April 2018	-	247	2,202	9,679	3,320	-	15,448
Charged in year	-	32	361	482	3,029	-	3,904
Disposals	-	-	(588)	(4,179)	(18)	-	(4,785)
Impairments	-	-	-	(1,615)	(97)	-	(1,712)
Revaluation	-	7	16	(45)	29	-	7
<b>At 31 March 2019</b>	<b>-</b>	<b>286</b>	<b>1,991</b>	<b>4,322</b>	<b>6,263</b>	<b>-</b>	<b>12,862</b>
<b>Carrying amount at 31 March 2018</b>	<b>1,141</b>	<b>1,760</b>	<b>586</b>	<b>1,400</b>	<b>9,195</b>	<b>33</b>	<b>14,115</b>
<b>Carrying amount at 31 March 2019</b>	<b>1,171</b>	<b>1,774</b>	<b>2,957</b>	<b>1,052</b>	<b>8,292</b>	<b>428</b>	<b>15,674</b>
<b>Asset financing:</b>							
Owned	1,171	1,774	2,957	1,052	8,292	428	15,674
<b>Carrying amount at 31 March 2019</b>	<b>1,171</b>	<b>1,774</b>	<b>2,957</b>	<b>1,052</b>	<b>8,292</b>	<b>428</b>	<b>15,674</b>

## 5. Property, plant and equipment (continued)

2017-18	Land £000	Buildings £000	Leasehold Improvements £000	Furniture and Fittings £000	Information Technology £000	Assets Under Construction £000	Total £000
<b>Cost or valuation</b>							
At 1 April 2017	1,104	1,941	3,149	12,532	7,208	-	25,934
Additions	-	-	441	212	5,156	33	5,842
Disposals	-	-	(545)	(1,283)	(4)	-	(1,832)
Impairments	-	-	(312)	(427)	-	-	(739)
Revaluation	37	66	55	45	155	-	358
<b>At 31 March 2018</b>	<b>1,141</b>	<b>2,007</b>	<b>2,788</b>	<b>11,079</b>	<b>12,515</b>	<b>33</b>	<b>29,563</b>
<b>Depreciation</b>							
At 1 April 2017	-	207	2,827	10,430	956	-	14,420
Charged in year	-	32	163	829	2,347	-	3,371
Disposals	-	-	(545)	(1,283)	(4)	-	(1,832)
Impairments	-	-	(291)	(333)	-	-	(624)
Revaluation	-	8	48	36	21	-	113
<b>At 31 March 2018</b>	<b>-</b>	<b>247</b>	<b>2,202</b>	<b>9,679</b>	<b>3,320</b>	<b>-</b>	<b>15,448</b>
<b>Carrying amount at 31 March 2017</b>	<b>1,104</b>	<b>1,734</b>	<b>322</b>	<b>2,102</b>	<b>6,252</b>	<b>-</b>	<b>11,514</b>
<b>Carrying amount at 31 March 2018</b>	<b>1,141</b>	<b>1,760</b>	<b>586</b>	<b>1,400</b>	<b>9,195</b>	<b>33</b>	<b>14,115</b>
<b>Asset financing:</b>							
Owned	1,141	1,760	586	1,400	9,195	33	14,115
<b>Carrying amount at 31 March 2018</b>	<b>1,141</b>	<b>1,760</b>	<b>586</b>	<b>1,400</b>	<b>9,195</b>	<b>33</b>	<b>14,115</b>

Freehold land and buildings were valued at 31 December 2014 at £3,255,000 on the basis of existing use value by an independent firm of Chartered Surveyors, Cushman & Wakefield (formerly known as DTZ). Between professional valuations, carrying values are adjusted by the application of indices.

### 5.1. Reconciliation of additions and disposals to cash flows from investing activities shown in the Statement of Cash Flows

	Note	2018-19 £000	2017-18 £000
Additions of property, plant and equipment	5	5,756	5,842
Additions of intangible assets	6	2,791	635
Movement in capital payables		(12)	(81)
Movement in capital accruals		(870)	109
<b>Purchase of non-financial assets</b>		<b>7,665</b>	<b>6,505</b>
Disposals of assets held for sale	5.2	-	268
Add: Profit on disposal	4	-	148
<b>Proceeds of disposal of non-financial assets</b>		<b>-</b>	<b>416</b>
<b>Net cash outflow from investing activities</b>		<b>7,665</b>	<b>6,089</b>

## 6. Intangible assets

Intangible assets comprise Case Management System (CMS) software.

Intangible assets are stated at cost less accumulated amortisation.

	2018-19 £000	2017-18 £000
Net book value 1 April	622	-
Additions	2,791	635
Amortisation charged in year	(915)	(13)
Revaluation	20	-
<b>Net book value 31 March</b>	<b>2,518</b>	<b>622</b>
<b>Asset financing</b>		
Owned	2,518	622
<b>Carrying amount at 31 March</b>	<b>2,518</b>	<b>622</b>

## 7. Financial Instruments

As the cash requirements of the CPS are met through the Estimates process, financial instruments play a more limited role in creating and managing risk than would apply to a non-public sector body of a similar size. The majority of financial instruments relate to contracts for non-financial items in line with the CPS's expected purchase and usage requirements and the CPS is therefore exposed to little credit, liquidity or market risk.

	Note	2018-19 £000	2017-18 £000
<b>Financial assets measured at amortised cost</b>			
Trade receivables	8	2,348	2,194
Contract assets	8	338	-
Other financial assets	8	417	450
Cash and cash equivalents	9	1,766	26,950
		<b>4,869</b>	<b>29,594</b>
<b>Financial liabilities measured at amortised cost</b>			
Trade payables and accruals	10	51,493	61,021
		<b>51,493</b>	<b>61,021</b>

## 8. Trade and other receivables

	2018-19 £000	2017-18 £000
<b>Amounts falling due within one year:</b>		
Trade receivables	2,348	2,194
<b>Trade receivables</b>	<b>2,348</b>	<b>2,194</b>
<b>Contract assets</b>	<b>338</b>	-
Deposits and advances	417	450
<b>Other financial assets</b>	<b>417</b>	<b>450</b>
Cost awards receivable	64,693	61,207
Accrued cost awards	7,758	9,372
Allowance for impairment of cost awards receivables	(44,900)	(39,900)
<b>Cost awards net receivable</b>	<b>27,551</b>	<b>30,679</b>
VAT	4,335	1,300
Prepayments	4,047	5,850
Other accrued income	15,377	5,138
Other receivables	157	133
<b>Other receivables</b>	<b>23,916</b>	<b>12,421</b>
<b>Total current receivables</b>	<b>54,570</b>	<b>45,744</b>
<b>Amounts falling due after more than one year:</b>		
Prepayments	355	113
<b>Other receivables</b>	<b>355</b>	<b>113</b>
<b>Total non-current receivables</b>	<b>355</b>	<b>113</b>
	<b>54,925</b>	<b>45,857</b>

## 8.1. Reconciliation of movement in cost awards net receivable

	Note	2018-19 £000	2017-18 £000
Cost awards net receivable at 1 April	8	30,679	39,854
Costs awarded in year	4	30,901	35,454
Cash received		(29,414)	(32,744)
Bad debts (written off)/written back	3	385	4,149
Movement in allowance for impairment of cost awards receivable	8	(5,000)	(16,034)
<b>Cost awards net receivable at 31 March</b>	<b>8</b>	<b>27,551</b>	<b>30,679</b>

The allowance for impairment is based on a forecast of future cash flows, using historic receipts data, discounted at the HM Treasury rate of 3.7% for financial instruments.

## 9. Cash and cash equivalents

	2018-19 £000	2017-18 £000
Balance at 1 April	26,950	14,412
Net change in cash and cash equivalent balances	(25,184)	12,538
<b>Balance at 31 March</b>	<b>1,766</b>	<b>26,950</b>

The following balances at 31 March were held at:

Government Banking Service	1,761	26,945
Commercial banks and cash in hand	5	5
<b>Balance at 31 March</b>	<b>1,766</b>	<b>26,950</b>

### 9.1. Reconciliation of liabilities arising from financing activities

	2017-18 £000	Cash flows £000	Non-cash changes £000	2018-19 £000
Supply	26,950	(25,184)	-	1,766
<b>Total liabilities from financing activities</b>	<b>26,950</b>	<b>(25,184)</b>	<b>-</b>	<b>1,766</b>

**10. Trade and other payables**

	2018-19 £000	2017-18 £000
<b>Amounts falling due within one year:</b>		
Trade payables	5,919	6,379
Accruals	45,290	54,101
<b>Trade payables and accruals</b>	<b>51,209</b>	<b>60,480</b>
<b>Deferred Income</b>	<b>713</b>	<b>839</b>
Other taxation and social security	8,685	6,190
Other payables	6,849	5,886
Amounts issued from the Consolidated Fund for supply but not spent at year end	1,766	26,950
<b>Other payables</b>	<b>17,300</b>	<b>39,026</b>
<b>Total current payables</b>	<b>69,222</b>	<b>100,345</b>
<b>Amounts falling due after more than one year:</b>		
Accruals	284	541
<b>Trade payables and accruals</b>	<b>284</b>	<b>541</b>
<b>Total non-current payables</b>	<b>284</b>	<b>541</b>
	<b>69,506</b>	<b>100,886</b>

## 11. Provisions for liabilities and charges

2018-19	Early departure costs £000	Dilapidations £000	Other £000	Total £000
Balance at 1 April 2018	311	6,921	1,488	8,720
Provided in the year	2	610	470	1,082
Provisions not required written back	(10)	(1,530)	(873)	(2,413)
Provisions utilised in the year	(249)	(46)	(32)	(327)
Provisions transferred to accruals	-	(157)	-	(157)
Borrowing costs (unwinding of discount)	-	(140)	-	(140)
Change in discount rate	-	(136)	-	(136)
<b>Balance at 31 March 2019</b>	<b>54</b>	<b>5,522</b>	<b>1,053</b>	<b>6,629</b>

### Analysis of expected timing of discounted flows 2018-19

	Early departure costs £000	Dilapidations £000	Other £000	Total £000
Not later than one year	53	1,171	1,053	2,277
Later than one year and not later than five years	1	3,804	-	3,805
Later than five years	-	547	-	547
<b>Balance at 31 March 2019</b>	<b>54</b>	<b>5,522</b>	<b>1,053</b>	<b>6,629</b>

2017-18	Early departure costs £000	Dilapidations £000	Other £000	Total £000
Balance at 1 April 2017	795	9,595	446	10,836
Provided in the year	3	705	1,427	2,135
Provisions not required written back	(5)	(105)	(3)	(113)
Provisions utilised in the year	(482)	(3,006)	(382)	(3,870)
Borrowing costs (unwinding of discount)	-	(268)	-	(268)
<b>Balance at 31 March 2018</b>	<b>311</b>	<b>6,921</b>	<b>1,488</b>	<b>8,720</b>

### Analysis of expected timing of discounted flows 2017-18

	Early departure costs £000	Dilapidations £000	Other £000	Total £000
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Not later than one year	259	27	1,488	1,774
Later than one year and not later than five years	52	6,159	-	6,211
Later than five years	-	735	-	735
<b>Balance at 31 March 2018</b>	<b>311</b>	<b>6,921</b>	<b>1,488</b>	<b>8,720</b>

### Early departure costs

The CPS meets the additional costs beyond the normal PCSPS benefits in respect of employees who retired early and who left the CPS before December 2010 when other arrangements were introduced by central government. The CPS provides for the full cost of the future estimated payments.

### Dilapidations

The dilapidations provision relates to dilapidation claims served by landlords at the expiry of a lease on a property occupied by the CPS. 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.

### Other provisions

Other provisions comprise outstanding compensation claims for personal injury, employment tribunal and civil legal claims. 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.

Legal claims which may succeed but are less likely to do so or cannot be estimated are disclosed as contingent liabilities in Note 12.

## 12. Contingent assets and liabilities

As at 31 March 2019 the CPS was involved in 9 personal injury claims, 14 employment tribunal cases and 1 other legal proceeding in addition to those for which a provision has been made (note 11). Of these, 6 personal injury claims may result in settlements totalling £1,163,775 and 4 employment tribunal cases may result in settlements totalling £84,400.

It is not possible to estimate the value of the remaining contingent liabilities.

### 13. Commitments under leases

#### *Operating Leases*

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

	2018-19 £000	2017-18 £000
<b>Land and Buildings</b>		
Not later than one year	18,637	22,237
Later than one year and not later than five years	59,735	59,116
Later than five years	58,827	71,113
	<b>137,199</b>	<b>152,466</b>

### 14. Other financial commitments

The CPS has entered into non-cancellable contracts (which are not leases, PFI contracts or other service concession arrangements), predominantly for ICT services and software.

The payments to which the CPS are committed are as follows:

	2018-19 £000	2017-18 £000
Not later than one year	3,883	12,886
Later than one year and not later than five years	293	953
Later than five years	-	-
	<b>4,176</b>	<b>13,839</b>

### 15. Related-party transactions

The CPS has close working relationships with all agencies within the criminal justice system and particularly with HM Courts and Tribunals Service (HMCTS), their ultimate controlling party being the Ministry of Justice. HMCTS is regarded as a related party with which the CPS has had material transactions, being mainly cost awards collected by HMCTS acting as an agent for the CPS (see Note 4) less amounts written off (or written back) (see Note 3).

In addition the CPS has had material transactions with a number of other government departments.

No Board Member, key manager or other related party has undertaken any material transactions with the CPS during the year. Remuneration paid to Board Members is disclosed in the Remuneration and staff report.

#### **16. 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.

It was announced on 3 June 2019 that Rebecca Lawrence has been appointed as the next Chief Executive of the CPS, and will take up her post in September 2019. She will take over from interim Chief Executive, Paul Staff, who will be retiring.

# 6

## Annexes

# Annex A – Regulatory reporting

## Total departmental spending 2012-13 to 2019-20

	2012-13 Outturn	2013-14 Outturn	2014-15 Outturn	2015-16 Outturn	2016-17 Outturn	2017-18 Outturn	2018-19 Outturn	£000 2019-20 Plans
<b>Resource DEL</b>								
Administration Costs in HQ and on Central Services	32,308	30,428	30,057	31,563	30,774	30,796	28,630	34,162
Crown Prosecutions and Legal Services	524,594	516,479	476,622	454,704	459,239	475,330	472,445	507,098
<b>Total Resource DEL</b>	<b>556,902</b>	<b>546,907</b>	<b>506,679</b>	<b>486,267</b>	<b>490,013</b>	<b>506,126</b>	<b>501,075</b>	<b>501,075</b>
<i>Of which:</i>								
Staff costs	367,009	349,849	318,060	293,758	297,541	302,596	311,770	318,711
Purchase of goods and services	223,556	233,924	228,813	238,361	239,633	245,997	229,622	256,889
Income from sales of goods and services	(65,533)	(64,075)	(61,784)	(68,797)	(66,289)	(62,771)	(58,381)	64,000
Rentals	26,839	24,215	19,255	18,030	16,909	16,857	14,060	20,433
Depreciation <sup>1</sup>	4,935	2,898	2,239	4,819	2,123	3,351	3,904	9,131
Other resource	96	96	96	96	96	96	100	96
<b>Resource AME</b>								
CPS voted AME charges	4,092	5,360	1,789	1,822	1,223	9,768	2,928	2,950
<b>Total Resource AME</b>	<b>4,092</b>	<b>5,360</b>	<b>1,789</b>	<b>1,822</b>	<b>1,223</b>	<b>9,768</b>	<b>2,928</b>	<b>2,950</b>
<i>Of which:</i>								
Staff costs	(634)	-	-	-	-	-	-	-
Take up of provisions	3,316	2,941	2,310	1,931	393	(3,818)	1,754	(850)
Release of provision	(3,048)	(1,718)	(4,565)	(3,373)	(2,378)	(3,870)	(327)	-
Other resource	4,458	4,137	4,044	3,264	3,208	17,456	1,501	3,800
<b>Total Resource Budget</b>	<b>560,994</b>	<b>552,267</b>	<b>508,468</b>	<b>488,089</b>	<b>491,236</b>	<b>515,894</b>	<b>504,003</b>	<b>544,210</b>
<b>Capital DEL</b>								
Crown Prosecutions and Legal Services	(595)	(672)	46	90	7,364	6,209	8,547	2,800
<b>Total Capital DEL</b>	<b>(595)</b>	<b>(672)</b>	<b>46</b>	<b>90</b>	<b>7,364</b>	<b>6,209</b>	<b>8,547</b>	<b>2,800</b>
<i>Of which:</i>								
Purchase of assets	(595)	(672)	46	90	7,364	6,209	8,547	2,800
<b>Capital AME</b>								
<i>Of which:</i>								
<b>Total Capital Budget</b>	<b>(595)</b>	<b>(672)</b>	<b>46</b>	<b>90</b>	<b>7,364</b>	<b>6,209</b>	<b>8,547</b>	<b>2,800</b>
<b>Total departmental spending<sup>3</sup></b>	<b>555,464</b>	<b>548,697</b>	<b>506,275</b>	<b>483,360</b>	<b>496,477</b>	<b>518,752</b>	<b>508,646</b>	<b>537,879</b>
<i>Of which:</i>								
Total DEL	551,372	543,337	504,486	481,538	495,254	508,984	505,718	534,929
Total AME	4,092	5,360	1,789	1,822	1,223	9,768	2,928	2,950

<sup>1</sup> Includes impairments

<sup>2</sup> 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

<sup>3</sup> 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.

## Administrative budget 2012-13 to 2019-20

	2012-13 Outturn	2013-14 Outturn	2014-15 Outturn	2015-16 Outturn	2016-17 Outturn	2017-18 Outturn	2018-19 Outturn	2019-20 Plans
<b>Resource DEL</b>								
Administration Costs in HQ and on Central Services	32,308	30,428	30,057	31,563	30,774	30,796	28,630	34,162
<b>Total administration budget</b>	<b>32,308</b>	<b>30,428</b>	<b>30,057</b>	<b>31,563</b>	<b>30,774</b>	<b>30,796</b>	<b>28,630</b>	<b>34,162</b>
<i>Of which:</i>								
Staff costs	19,065	18,151	18,797	19,617	19,399	19,118	17,766	25,212
Purchase of goods and services	13,588	10,504	10,255	11,148	10,582	11,191	9,826	7,412
Income from sales of goods and services	(441)	-	(276)	(1,026)	(1,015)	(705)	(766)	(1,000)
Rentals	-	1,170	1,185	1,728	1,712	1,096	1,704	2,442
Other resource	96	603	96	96	96	96	100	96

## Annex B – Glossary

<b>ABM</b>	Area Business Manager	<b>GFS</b>	Graduated Fees Scheme
<b>AGO</b>	Attorney General's Office	<b>GGC</b>	Greening Government Commitment
<b>AME</b>	Annually Managed Expenditure	<b>GDPR</b>	General Data Protection Regulation 2018
<b>AMR</b>	Automatic Meter Readers	<b>HMCPSI</b>	Her Majesty's Crown Prosecution Service Inspectorate
<b>AP</b>	Associate Prosecutor	<b>HMCTS</b>	Her Majesty's Courts and Tribunals Service
<b>APR</b>	Area Performance Report	<b>HMRC</b>	Her Majesty's Revenue and Customs
<b>ARAC</b>	Audit and Risk Assurance Committee	<b>HMT</b>	Her Majesty's Treasury
<b>AWDL</b>	Average Working Days Lost	<b>HQ</b>	Headquarters
<b>BCM</b>	Better Case Management	<b>IAMM</b>	International Assurance Maturity Model
<b>BDF</b>	Business Disability Forum	<b>IAS</b>	International Accounting Standards
<b>BAME</b>	Black, Asian and Minority Ethnic	<b>ICT</b>	Information and Communications Technology
<b>CCP</b>	Chief Crown Prosecutor	<b>IICSA</b>	Independent Inquiry into Child Sexual Abuse
<b>CETV</b>	Cash Equivalent Transfer Value	<b>IFRIC</b>	International Financial Reporting Interpretations Committee
<b>CJS</b>	Criminal Justice System	<b>IFRS</b>	International Financial Reporting Standards
<b>CJSEP</b>	Criminal Justice System Efficiency Programme	<b>ILA</b>	Individual Learning Account
<b>CMS</b>	Case Management System	<b>IPD</b>	Investment Property Databank
<b>CPS</b>	Crown Prosecution Service	<b>IPD</b>	Investment Property Databank
<b>CQS</b>	Casework Quality Standards	<b>IQA</b>	Individual Quality Assessments
<b>CSOPS</b>	Civil Servant and Other Pension Scheme	<b>LDP</b>	Legal Development Programme
<b>DCS</b>	Digital Case System	<b>LNEBM</b>	Lead Non-Executive Board Member
<b>DDA</b>	Disability Discrimination Act	<b>LOD</b>	Law Officers' Departments
<b>DEFRA</b>	Department for Environment, Food and Rural Affairs	<b>MDP</b>	Management Development Programme
<b>DEL</b>	Departmental Expenditure Limit	<b>MoJ</b>	Ministry of Justice
<b>DHSC</b>	Department of Health and Social Care	<b>NAO</b>	National Audit Office
<b>DMDs</b>	Disclosure Management Documents	<b>NDIP</b>	National Disclosure Improvement Plan
<b>DPP</b>	Director of Public Prosecutions	<b>NEBM</b>	Non-Executive Board Member
<b>DSHC</b>	Departmental Security Health Check	<b>NGC</b>	Nominations and Governance Committee
<b>DWP</b>	Department of Work and Pensions	<b>PCSPS</b>	Principal Civil Service Pension Scheme
<b>EEL</b>	Employee Engagement Index	<b>PRP</b>	Performance Related Pay
<b>EG</b>	Executive Group	<b>RaSSO</b>	Rape and Serious Sexual Offence
<b>ESA</b>	European System of Accounts	<b>REM</b>	Resource and Efficiency Measures
<b>EU</b>	European Union	<b>ROAR</b>	Right of Access Requests
<b>FReM</b>	Financial Reporting Manual	<b>SCS</b>	Senior Civil Servant
<b>FOI</b>	Freedom of Information Act Requests		
<b>FTE</b>	Full Time Equivalent		
<b>GBS</b>	Government Buying Standards		

<b>SIRO</b>	Senior Information Risk Owner	<b>SSRB</b>	Senior Salary Review Body
<b>SLA</b>	Service Level Agreement	<b>TSfJ</b>	Tools and Skills for the Job
<b>SLM</b>	Senior Legal Manager	<b>TSJ</b>	Transforming Summary Justice
<b>SoCNE</b>	Statement of Comprehensive Net Expenditure	<b>VAT</b>	Value Added Tax
<b>SoFP</b>	Statement of Financial Position	<b>VAWG</b>	Violence Against Women and Girls
<b>SOP</b>	Standard Operating Procedure/Policies	<b>VHCC</b>	Very High Cost Cases
<b>SoPS</b>	Statement of Parliamentary Supply	<b>VLU</b>	Victim Liaison Unit
<b>SPF</b>	Security Policy Framework	<b>VRR</b>	Victims' Right to Review

## Terms Explained

**Consolidated Fund** - The central fund into which taxation and other Government receipts are paid and from which Government spending is funded.

**Estimate** - The means by which the Government seeks authority from Parliament for its own spending each year.

**Non-voted** - Spending controls that are not voted on by Parliament.

**Voted** - Spending controls that are voted on by Parliament.





## **About the Crown Prosecution Service**

The CPS is responsible for prosecuting most cases heard in the criminal courts in England and Wales. It is led by the Director of Public Prosecutions and acts independently on criminal cases investigated by the police and other agencies. The CPS is responsible for deciding the appropriate charge in more serious or complex cases and provides information, assistance and support to victims and witnesses.

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