



# Crown Prosecution Service

Annual Report and Accounts 2020–21

HC 430

# Crown Prosecution Service

## Annual Report and Accounts 2020–2021

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# Contents

<b>Introduction</b>	2
<b>Performance report</b>	4
Performance overview	4
Performance analysis	14
Financial review	33
Casework statistics	38
Sustainability	43
Other information	48
<b>Accountability report</b>	51
Lead Non-Executive Board Member's Report	51
Corporate governance report	55
Remuneration and staff report	74
Parliamentary accountability and audit report	90
The Certificate and Report of the Comptroller and Auditor General to the Houses of Parliament	96
<b>Financial Statements</b>	101
Statement of Comprehensive Net Expenditure	101
Statement of Financial Position	102
Statement of Cash Flows	103
Statement of Changes in Taxpayers' Equity	104
Notes to Departmental Accounts	105
<b>Annexes</b>	131
Annex A – Regulatory reporting	131
Annex B – Glossary	133

# Introduction

## By the Director of Public Prosecutions and the Chief Executive Officer

We are pleased to present the Annual Report and Accounts for the Crown Prosecution Service (CPS) for the 2020-21 financial year.

The Coronavirus pandemic made this an incredibly difficult year, and we are very proud of the courage and perseverance shown by our colleagues, and are grateful for their vital contributions to keeping justice going in exceptionally difficult circumstances. Our people have been at the heart of our response to the pandemic – and we have prioritised staff wellbeing and inclusivity more than ever this year. Despite the challenges, our staff surveys showed our highest ever level of employee engagement – and record numbers of staff nominated their colleagues for our annual awards. This reflects the incredible attitude of our people, as praised in an HMCPSI report we received which highlighted the “real sense of staff pulling together to respond, adapt and deliver”.

Our new People Strategy reinforces our commitment to creating a workplace in which everyone can thrive and which reflects the communities we serve. We are proud to have been recognised for our inclusive and supportive workplace – most notably by the charity Working Families, who awarded the CPS a Top 10 place as Best Employer for the fourth year running.

Our sustained investment in digital capability over many years allowed the majority of our staff to move from offices to home working overnight, minimising the impact on our contribution to criminal justice. Building on this, we have started to explore new ways we can make the CPS the most flexible, inclusive and future-proof workplace possible – ensuring that everyone has the digital tools they need to do their job, regardless of location.

The introduction of remote court hearings has been a huge success this year, and highlights the strength and importance of our strategic relationships across the justice system. We worked closely with HMCTS to roll out new software, and quickly adapted our ways of working to facilitate remote court hearings and ensure justice could continue. Our partners are vital to us both at home and abroad – with our international engagement preparing us for the end of the United Kingdom’s transition period after leaving the European Union.

We continue to collaborate with police colleagues to deliver high-quality casework – working together to make sure that the right person is prosecuted for the right offence. In particular, the past year has seen the implementation of the Director’s Guidance on Charging 6th Edition, which prioritises disclosure from the very start of every case.

We have worked with partners across the criminal justice system on the crucial issue of violence against women and girls. The justice system has rightly faced a large amount of public scrutiny on how it tackles rape cases, with too few victims seeing justice in this area. We set out the steps we will take to improve outcomes for victims in our Rape and Serious Sexual Assault (RASSO) Strategy; have increased resources in our specialist RASSO units; and have been trialling new

ways of working with the police from the start of an investigation. We are determined to drive up the number of rape cases that are going to court, and will continue to focus on this in the year ahead.

On this – and across other issues of public interest – it is perhaps more crucial than ever that we continue to prioritise conversations with our communities. By listening, explaining our decision-making and responding to concerns, we can increase public confidence in our work. We maintained our community engagement at both a local and national level throughout the pandemic, running our scrutiny panels and engagement forums remotely. We heard first-hand how Coronavirus was affecting communities, as well as continuing to discuss other topical issues, to make sure we understood the challenges people were facing and how we could best respond.

We have seen significant successes in some areas, but we know we still face challenges. The increase in live caseloads since the beginning of the pandemic is continuing to put substantial pressure on our colleagues. We have been working hard to mitigate its impact, and to provide as much support as we can, but we know that the pandemic will continue to significantly influence our work for the foreseeable future. Our job from here is to continue focusing on areas of concern and to do all we can as an organisation to mitigate the impact that the last year has had on our work, our people and the communities we serve.

This is our first report and accounts reporting against CPS 2025 – our strategy published last April – which sets out the type of organisation we want to be in four years. Our strategic objectives are ambitious and stretching, and further detail about our progress is set out in the performance review section of this report.

It has been a year of huge upheaval and change in so many areas of life, and we have been deeply impressed by the incredible commitment and fortitude of our colleagues. It is thanks to their efforts that we find ourselves in this position: presenting a report to you which matches the many challenges we have faced with success in equal measure.

**Max Hill QC**

Director of Public Prosecutions

**Rebecca Lawrence**

Chief Executive Officer

# Performance report

## Performance overview

The Performance overview provides a summary of the Crown Prosecution Service (CPS) and our purpose, objectives and performance during the year. It sets out at a high level the key risks and issues we have faced and how we have managed these. Further detail can be found in the Performance Analysis on page 14.

## Who we are and what we do

The CPS is at the heart of the criminal justice system in England and Wales, working with our partners to deliver justice through independent and fair prosecutions. Our vision is to become:

**“a leading voice in transforming the criminal justice system, using our legal expertise and digital capability to make the public safer and build the confidence of our diverse communities.”**

We have more than 6,000 highly trained staff whose duty is to make sure the right person is prosecuted for the right offence, and that trials are fair so that offenders are brought to justice whenever possible. We are proud to be recognised as a leading employer, committed to supporting a diverse workforce that reflects the community we serve.

The CPS:

- decides which cases should be prosecuted – every charging decision is based on the same two-stage test in the Code for Crown Prosecutors;
- 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.

We do not investigate crime, or choose which cases to consider; our prosecutors must review every case referred to us by the police or other investigators. We provide expert legal advice early in investigations to help build strong cases, or identify where a suspect should not be charged.

We make our decisions independently of the police and of government. We must always be fair, objective and impartial to secure justice for victims, witnesses, defendants and the public.

Last year the CPS brought around 370,000 prosecutions, with five in every six cases leading to a guilty plea or verdict. However, our success is not measured by the conviction rate alone. A fair trial, properly brought, can lead to a guilty or not guilty verdict. Our job is not to seek an ever higher proportion of guilty verdicts, but to make sure that every case which satisfies the legal test set out in the Code for Crown Prosecutors goes before the courts and is prosecuted independently and fairly.

We work with criminal justice partners across borders to tackle international, organised and economic crime, and use our powers to confiscate the proceeds of crime at home and abroad.

Because we review every case sent to us, our work is extremely varied and can be complex in nature. We prosecute offences ranging from burglary and terrorism to domestic abuse and multi-million pound fraud cases. What these cases all have in common is that they can have a devastating impact on victims.

## 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.

## How we are organised

The CPS operates across England and Wales, with 14 geographical Areas prosecuting cases locally. Each Area is typically structured into magistrates' and Crown Court teams, in addition to specialist teams for rape and serious sexual offences, and complex casework. Each Area is headed by a Chief Crown Prosecutor, and works closely with local police forces and other criminal justice partners.

Nationally, we have an out-of-hours team, CPS Direct, who provide charging advice and authorisation to police forces outside of normal business hours, and three Central Casework Divisions, who deal with some of the most complex cases we prosecute.

The Central Casework Divisions are:

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

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

We also have a number of Headquarters Directorates, who provide corporate services and support to the prosecution teams.

Our staff work closely with specialist investigators from a range of organisations, including the National Crime Agency, HM Revenue & Customs and the Independent Office for Police Conduct (IOPC), as well as police forces across England and Wales.



### 14 geographical Areas and CPS Direct

Cymru-Wales  
East of England  
East Midlands  
London North  
London South  
Mersey-Cheshire  
North East  
North West  
South East  
South West  
Thames and Chiltern  
Wessex  
West Midlands  
Yorkshire and Humberside  
  
CPS Direct

### Central Casework Divisions and Proceeds of Crime

International Justice and Organised  
Crime Division  
  
Special Crime and Counter  
Terrorism Division  
  
Specialist Fraud Division  
  
Proceeds of Crime

### Headquarters Directorates

## Our strategy

This year we launched our new five-year strategy, CPS 2025. This sets out a shared vision for the organisation we want to be by 2025 and helps us focus our work where it really matters.

Within CPS 2025 we have outlined five strategic aims. These represent the organisational capabilities that will support us to fulfil our core role and have a truly positive impact, building on our progress each year. There is no hierarchy between the strategic aims; each is equally important if we are to achieve our vision. Our CPS 2025 strategic aims are as follows:

- **Our people** - Support for the success and wellbeing of our people enables everyone to thrive.
- **Digital capability** - Our investment in digital capability helps us adapt to the rapidly changing nature of crime and improve the way justice is done.
- **Strategic partnerships** - The CPS is a leading voice in cross-government strategies and international cooperation to transform the criminal justice system.
- **Casework quality** - CPS legal expertise, casework quality and collaboration across the criminal justice system keep the public safer.

- **Public confidence** - We work with partners to serve victims and witnesses and uphold the rights of defendants in a way that is fair and understood by all communities.

Under these overarching strategic aims we have outlined specific aims and outcomes, and everything we do is designed to deliver against these, to help us achieve our organisational vision: to be a leading voice in transforming the criminal justice system, using our legal expertise and digital capability to make the public safer and build the confidence of our diverse communities.

Our annual Business Plan sets out the specific steps being taken to make progress towards this shared vision. In the coming pages, after summarising the operating environment and the key challenges we faced this year, we will report on our business plan commitments made for 2020-21, and our performance against them.

## Our operating environment and key challenges

The CPS occupies a unique place in the centre of the criminal justice system. Our workload changes depending on external factors, and we must be agile in order to adapt and respond to emerging threats.

This has been a challenging year across the criminal justice system for a variety of reasons, not least the global pandemic. Whilst retaining our focus on our strategic priorities, we have also ensured that we took important steps to meet these challenges.

### COVID-19

The global pandemic has resulted in reduced court capacity and consequently a backlog of cases awaiting time in court. This has resulted in a significant increase in live workload for us, and a resultant rise in live caseload per prosecutor.

The pandemic is inevitably the single biggest challenge we face and will continue to be so for many months to come. This has had a significant impact on the CPS and the entire criminal justice system, particularly on the number of prosecutions being finalised.

However, our investment in technology over recent years enabled us to adapt rapidly to new ways of working during lockdown, meaning we were able to conduct many more remote hearings than would otherwise have been possible. We have also been fully engaged in cross-criminal justice recovery work to date. We have played a central role in making sure that essential work to deliver justice can continue, whilst doing everything possible to protect our people, our partners and the public.

In addition, we prioritised the wellbeing of our colleagues, building on new initiatives with a greater focus on social, mental and physical wellbeing as many of our people continue to work across different environments.

Our innovative response to the pandemic was praised as a 'catalyst for change' in a recent inspectorate report, yet the challenges brought by the pandemic will be with us for a long time to come. Safely reducing the backlog of court cases is vital so we can ease pressure on our staff and continue to deliver justice. We continue to work closely with partners across the criminal justice system to achieve this.

In particular, we have prioritised work with the National Police Chiefs' Council (NPCC) and the College of Policing to deliver the National Case Progression Commitment, which will reduce delays in case progression and support the timely delivery of justice. This commitment delivers a range of actions across the system to address the barriers to effective case progression.

### **Rape and serious sexual offences (RASSO)**

Rape is one of the most challenging crimes to prosecute, as well as one of the most devastating for victims.

Too few victims are seeing justice, and we are working hard to change that, looking at every aspect of how we handle these cases to close the gap between the number of crimes reported and those going before a jury.

In July 2020, we set out the steps we will take in our RASSO Strategy. This includes driving improvements in case handling across the justice system, and working more closely with our criminal justice partners from the start of investigations. We are making sure our expert prosecutors have all the tools they need to build the strongest possible cases in a world where sexual behaviours are changing, including increasing resources for our specialist RASSO units.

This year, to ensure that our legal guidance on RASSO reflects the latest expert insights, we conducted a widespread consultation with stakeholders. Informed by this, our updated guidance was published in May 2021 and highlights the impact of rape and trauma on victim behaviour, as well as consent issues in a world of changing sexual behaviour, rape myths and stereotypes and the challenges of prosecuting cases involving vulnerable witnesses and young people. The guidance also includes updated advice on disclosure and case progression in RASSO cases and a toolkit for prosecutors on tackling same sex violence and sexual violence involving a trans complainant or defendant.

In addition, alongside the NPCC we agreed a three-year Joint National Action Plan, which sets out a wide-ranging plan for greater collaboration to improve the response to cases involving rape and serious sexual assault. This focuses on ensuring both police and prosecutors are confident, capable and well-trained with the specialist knowledge, skills and insight needed to respond effectively to serious sexual offences.

We have been testing new ways of working with the police from the very start of an investigation. There are promising signs – more case referrals, more suspects charged and decisions made more quickly. We are working with government to develop pathfinders based on the different approaches we have been trialling. Once we are certain what approaches have the biggest impact, we will work with police forces to roll them out across England and Wales.

The CPS is also playing an active role in the cross-government end-to-end review into the handling of rape and serious sexual assault cases in the criminal justice system.

We recognise that there is a lot of work to do to build confidence that the criminal justice system is treating rape victims and suspects fairly. Our work to achieve this goal will continue to be a priority in the year ahead.

## Disclosure

The disclosure to the defence of material obtained during a criminal investigation that the prosecution has not used as part of its case is fundamentally important to ensuring a fair trial. Following the then Attorney General's Review of the efficiency and effectiveness of disclosure in the criminal justice system, this has rightly been a priority for the CPS and our justice partners.

Since the issue came to prominence more than two years ago, we have been clear that it would need sustained effort to drive the culture change and address long-standing, systemic challenges across the justice system. This year, along with the NPCC and the College of Policing, we implemented the second phase of the National Disclosure Improvement Plan, which focused on embedding the necessary changes.

We are confident that the management of unused material both as part of the investigation and at the post-charge stage across all crime types is in a far better place than it was at the beginning of 2018. The data we are now collecting on our performance also makes clear that our task is far from complete. Tackling these issues and improving our resilience in dealing with new technological challenges requires a sustained and long-term national response. We need to work even more closely together as investigators and prosecutors and with our criminal justice partners, including the defence.

After close collaborative working with operational colleagues from our criminal justice partners, this year we published the 6th Edition of the Director's Guidance on Charging. This provides a clear set of guidelines to prosecutors and police to ensure cases are referred to the CPS at the right time; with the right material and information so that prosecutors can make immediate charging decisions and cases pass effectively and efficiently through the justice system.

This updated guidance was published on the same day as the Attorney General's Guidelines on Disclosure 2020 and amendments to the Criminal Procedure and Investigations Act Code of Practice 2020, which combine to deliver significant changes to disclosure processes.

We continue to work closely with operational colleagues to ensure these changes are embedded, with progress to be monitored by the Joint Operational Improvement Board, which is led by leaders of the CPS, the NPCC and the College of Policing. We continue to push for improvement together so we can provide the service the public rightly expect.

## Changing caseload

The number of people prosecuted in the magistrates' and Crown Courts continued to decline in 2020-21, while the complexity in much of the casework has increased.

The pandemic and the impact that social distancing restrictions have had on the criminal justice system has contributed to this. However, falling caseloads is a long-term trend, and reflects a decrease in cases received from the police.

The Government has announced the recruitment of an additional 20,000 police officers and it is anticipated that this will lead to an increase in cases coming into the criminal justice system, once social distancing restrictions have lifted.

Additional funding in 2020-21 and 2021-22 will allow us to recruit new prosecutors, paralegal staff and caseworkers to manage this work. It will also allow investment so that we can better meet our disclosure obligations, and work with investigators to pursue all reasonable lines of inquiry.

The changing nature of crime means that the cases we deal with are increasingly complex and we have seen a proliferation of digital evidence. International, organised and economic crime present a serious threat to UK national security and economic wellbeing. The CPS works across borders with international partners to tackle terrorism, cybercrime, human trafficking, drug smuggling and serious organised crime.

### International cooperation

CPS casework has an increasingly international dimension – reflecting the changing nature of crime – with investigations, evidence, suspects, witnesses, victims or assets often located outside of the United Kingdom.

Over the past year, following the UK’s exit from the European Union, we have worked closely with the Home Office, law enforcement, HM Prisons and Probation Service, the courts and overseas partners to ensure the CPS was ready ahead of new arrangements being finalised, and to ensure their successful implementation.

We will continue to focus on using our diverse global networks, cross-border relationships and prosecutorial expertise to deliver justice in domestic cases, as well as ensuring we have the tools and capabilities we need to operate effectively with the European Union and with the rest of the world.

## Performance summary

To monitor delivery against our strategic aims outlined in CPS 2025, we identified a range of success measures. This section summarises our performance against the key measures during 2020-21.

A more detailed account of this performance is given in the Performance Analysis on page 14.

Our people are our greatest asset. The Civil Service People Survey, which looks at civil servants’ attitudes to, and experience of working in government departments, is the principal measure of staff engagement and wellbeing. This year, the CPS saw overall improvement across all the main themes of the Survey, with our Employee Engagement Index increasing to a record 70%.

The Survey groups questions into a number of themes related to employees’ experiences at work, such as ‘My Work’ or ‘My Team’. The following table summarises overall positive responses for each theme.

CPS People Survey	2020 score (change from 2019)	2020 Civil Service Benchmark
Employee Engagement Index	70% (+5%)	66%
My Work	81% (+5%)	80%
Organisational Objectives and Purpose	91% (+3%)	85%
My Manager	75% (+4%)	74%
My Team	80% (+4%)	84%



CPS People Survey	2020 score (change from 2019)	2020 Civil Service Benchmark
Learning and Development	66% (+6%)	56%
Inclusion and Fair Treatment	82% (+6%)	76%
Resources and Workload	73% (+2%)	75%
Pay and Benefits	44% (+2%)	40%
Leadership and Managing Change	59% (+12%)	58%

Source: CPS People Survey 2020 <https://www.cps.gov.uk/publication/civil-service-people-survey-2020-cps-highlights-report>

The results do also reflect the pressures that we know our people have been experiencing – with decreases in positive responses on specific questions about workloads and work-life balance. We have been focusing on ways to help ease these and we will continue to do so.

Success Measure	2020	2019
Proportion of staff who agree with “the people in my team genuinely care about my well-being”	74%	76%
Proportion of staff who agree with “I believe the actions of my Chief Crown Prosecutor, Deputy Chief Crown Prosecutor, Area Business Manager, or Head of Directorate or Division are consistent with the CPS’ values”	71%	63%

Our values sit at the core of our ethos as a public service, and over the past year we have seen a significant increase in the proportion of staff perceiving their senior managers acting consistently with the CPS values. Alongside this, last year also saw a record-breaking 1,250 nominations submitted for our annual staff awards.

These results also reflect our work to develop a diverse and inclusive place to work, with our Inclusion and Fair Treatment score rising six points to 82%. This year, we have also launched our People Strategy, as well as a strategy to improve Social Mobility in the CPS.

Diversity of our people	2020-21	Civil Service (2019)
Proportion of all staff who are female	66%	53.9%
Proportion of all staff who are declared Black, Asian, or Minority Ethnic background	21%	12.7%
Proportion of all staff who are declared disabled	14%	11.7%
Proportion of all staff who are declared lesbian, gay, bisexual or other	5%	4.9%

Source: CPS data, Civil Service Diversity and Inclusion Dashboard.

Our commitment to creating a flexible and inclusive workplace extends to ensuring that all our staff have the digital tools they need to do their job - as set out in our ambitious CPS 2025 Digital Strategy. This year, most of our colleagues moved from office to home working almost overnight, and thanks to our sustained investment in our digital capability, we were able to quickly respond to the new demands, providing the tools and support our staff needed to keep working efficiently.

In a typical 90-day period between November 2020 and February 2021, we used Microsoft Teams to host 68,562 meetings, send 4,072,440 chat messages, and video call for 15,219,191 minutes.

In addition, we worked closely with Her Majesty’s Courts and Tribunals Service (HMCTS) to help roll out software so we could attend court remotely – with the first Cloud Video Platform (CVP) hearing taking place in a criminal court on 2 April 2020. Since then, more than 100,000 hearings have been held using CVP.

Our strength in digital capability in response to the pandemic was commended by HM Crown Prosecution Service Inspectorate and the Attorney General in 2020.

We have also made significant progress working with partners on sharing work digitally to ensure our people have the tools and skills they need to operate effectively in an increasingly digital environment.

Success Measure	2020-21	2019-20
Proportion of Investigative Authorities submitting at least one type of multimedia evidence digitally	43 of 48 (90%)	24 of 48 (50%)

The impact of the pandemic has meant that the CPS has been facing around a 70% uplift in live caseload, and these pressures persist. We have taken steps throughout the past year to support colleagues and ease pressure in Areas – including simplifying Area reporting requirements to reduce preparation time and redeploying colleagues to where they are needed most.

Through our efforts to support our people, as well as the implementation of the Director’s Guidance on Charging 6th Edition, the Attorney General’s Guidelines on Disclosure 2020, the revised Criminal Procedure and Investigations Act Code of Practice (the CPIA Code), and our Future Working Programme, we have taken steps to ensure cases continue to be dealt with efficiently and are progressed in a timely manner.

In addition, we have prioritised partnership working, not least through our new strategic partnerships framework and through the Joint Operational Improvement Board, set up to ensure effective joint working in relation to disclosure, case progression and rape and serious sexual offences. These initiatives will ensure the quality of our casework is enhanced by partnership working.

Success Measure	2020-21	2019-20
Proportion of all charging decisions that are completed on time	78.6%	76.7%
Proportion of magistrates’ court cases dropped at 3 <sup>rd</sup> or subsequent hearing	25.4%	23.5%
Proportion of Judge directions that are complied with on time	94.4%	92.5%
Proportion of guilty pleas at first hearing	70.6%	73.2%

The CPS represents the public interest in the criminal justice system. It is therefore crucial that we can develop and build the public’s confidence in us. If we are to do this, we must treat everyone fairly and in a way that helps people understand the decisions we make.

The Office for National Statistics' Crime Survey has shown a steady increase in public confidence in the CPS – and this trend continued in the latest results, published in July 2020. Last year, those who were 'fairly' or 'very' confident that the CPS is effective stood at a combined total of 63% – up from 51% in 2011.

There remains work to be done, and we continue to prioritise this, not least through the development of a new feedback and complaints app and the refresh of our policies and practices in line with the revised Code of Practice for Victims of Crime.

Success Measure	2020-21	2019-20
Proportion of letters sent to victims that meet quality standards (NB. more recent data not available)		
- Complaint letters	77.2% (Q2)	66.0% (Q2)
- Victim Communication and Liaison letters	75.8% (Q2)	72.2% (Q2)
- Victim's Right to Review letters	75.4% (Q2)	71.0% (Q2)
Proportion of Community Panel members who either agree or strongly agree with "The CPS responds to our feedback"	81%	-
Proportion of Judge directions that are complied with on time	94.4%	92.5%
Proportion of the public who agree with "I am confident that the CPS is effective at prosecuting people accused of a crime (NB. 2019-20 data not available)	63%	62% (2018-19)

## Performance analysis

This section provides a more detailed analysis of how the CPS has performed against its strategic objectives during 2020-21. For each of the CPS 2025 themes, this section describes the key activities undertaken during 2020-21, and provides an assessment of our performance against this year's [business plan](#), which can be found on [cps.gov.uk](https://cps.gov.uk).

### 1. Our people

**Support for the success and wellbeing of our people enables everyone to thrive.**

Our people are our greatest asset. We are committed to being an employer of choice for the legal profession, as well as the operational delivery and other specialist professions who are all central to our mission of delivering justice through independent and fair prosecutions.

The wellbeing and safety of our people has been our top priority throughout 2020-21 – and we have developed a range of wellbeing tools for staff which reflect this commitment. These include a counselling phone line, an NHS-approved mobile app “Thrive”, webinars, online learning and one-to-one support through a network of Mental Health First Aiders. We have also made changes to our Individual Learning Allowance (ILA) so staff can now spend it on supporting their wellbeing, and launched the Coronavirus Individual Risk Indicator (CIRI) tool to help assess risk to people attending courts and offices. Throughout, decisions have been informed by conversations with our staff and departmental trade unions.

The Civil Service People Survey is the principal measure of staff engagement and wellbeing. Despite everything that 2020 threw at us, we saw overall improvement across all the main themes of the Civil Service People Survey. Our Employee Engagement Index has been increasing incrementally for several years and 2020 was the biggest one-year increase (up five percentage points from 65% to 70%, the civil service high performing benchmark). The CPS also had its highest ever response rate at 70%. The results showed a particularly large increase in confidence in leadership and managing change (up 12 percentage points from last year), and the vast majority also reported increased confidence in our shared vision for the future.

The results do though reflect the pressures that we know our people have been experiencing – with decreases in positive responses on the questions about workloads and work-life balance. We have been focusing on ways to help ease these – and we will continue to do so.

We also published our CPS 2025 People Strategy, which goes into more detail about how we will support our people in coming years. The strategy was developed based on staff Conversations held last July, along with input from our staff networks and trade union colleagues.

We will continue to deliver exceptional recruitment to attract and retain talent from a broad range of backgrounds. We have been recognised as an attractive place to work by a number of recognised external partners and pride ourselves on our diverse workforce and inclusive culture.

#### **All parts of our workforce are diverse and inclusive**

The communities we serve should see themselves reflected in us, in all our roles, from senior leaders and prosecutors to applicants and new recruits.

Being truly inclusive also means diversity of thought and valuing different perspectives. In particular, this year we launched “Towards Social Mobility”, a delivery plan which sets out our vision to increase the representation of those from low socio-economic backgrounds at all levels across the CPS.

It has a range of actions, from opening up routes into the organisation, identifying and removing any barriers to progression within the CPS and the creation of opportunities to develop talent. With a new focus on data and evidence collection to improve our understanding, this strategy will help ensure all parts of our workforce are diverse and inclusive.

This year our colleagues launched three new staff networks: the Sikh Society, the Carers’ Network and the Social Mobility Network. Hundreds of colleagues attended a range of events during the Festival of Inclusion, including a Q&A with the charity Working Families, an exploration of transgenerational trauma, and a talk on neurodiversity. A series of Race Confident webinars exploring Black history and providing advice for having challenging and engaging conversations on race were attended by more than 500 colleagues.

Our efforts to develop a diverse and inclusive place to work have also been reflected in our Civil Service People Survey results, with our Inclusion and Fair Treatment theme score rising six percentage points to 82%.

Table 1 – Success Measure: Diversity of our staff

	Gender	
	Female	Male
<b>All Staff</b>	66%	34%
<b>Grade 6/7</b>	60%	40%
<b>SCS</b>	59%	41%

	Ethnicity	
	Black, Asian and minority ethnic	White
<b>All Staff</b>	21%	79%
<b>Grade 6/7</b>	19%	81%
<b>SCS</b>	9%	91%



	Disability	
	Disabled	Not disabled
All Staff	14%	86%
Grade 6/7	13%	87%
SCS	9%	91%

	Sexual Orientation	
	Lesbian, gay, bisexual and other	Heterosexual/straight
All Staff	5%	95%
Grade 6/7	5%	95%
SCS	4%	96%

Source – Staff declarations on CPS HR system as at Q4 2020-21. Figures for Ethnicity, Disability and Sexual Orientation are expressed as a percentage of those staff who made a declaration.

### Our people have the skills and tools they need to succeed

As the world, and the nature of crime, changes around us, it is pivotal that we ensure our people across the CPS are properly equipped with the skills and tools they need to succeed.

This year we have invested in a new pilot coaching and mentoring programme within the CPS to develop an internal cadre of CPS coaches. This first year will enable 24 people to become qualified coaches over the next year, and we have also developed wider support for our people to develop their coaching skills.

We delivered our project on Prosecutor Pathways, to help create innovative career opportunities for our non-legal staff, as well as increasing apprenticeships across all professions. This will help ensure that we can train people in the skills they need and draw Crown Prosecutors from the broadest range of backgrounds, so that our legal talent is truly representative of the society we serve.

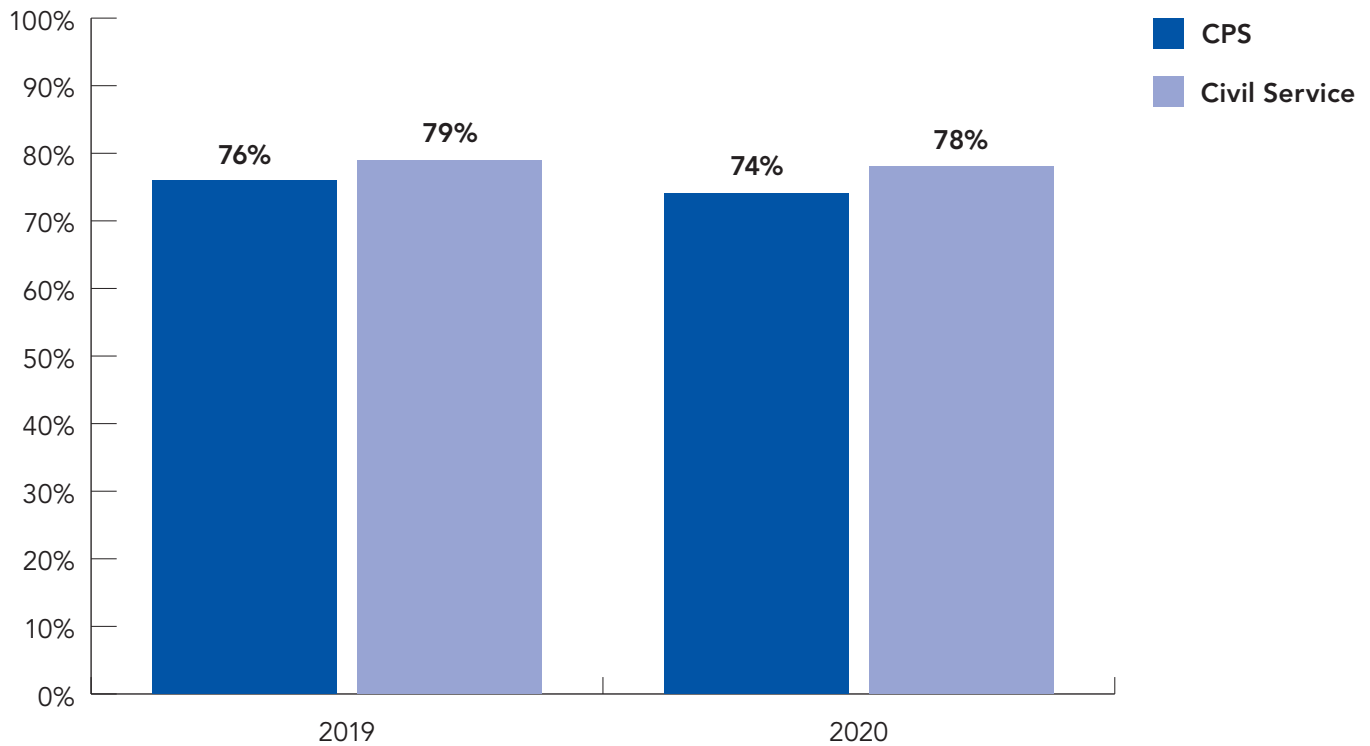
During the past year, we have held 2,000 interviews and recruited 1,400 new starters through a fully remote process. Our new online portal for new starters – which is a one-stop shop for completing mandatory forms online and finding out more about working for the CPS – has reduced the average time between a job offer and the candidate signing their contract from 35 to just 20 days.

### Our supportive culture promotes wellbeing

Success and wellbeing are equally important in allowing our people to thrive. Especially in a year like this, where our people have had many challenges to overcome, promoting physical and mental wellbeing has been a key priority for the CPS.

We have invested to ensure all our people have access to the NHS-approved wellbeing app, Thrive, which works to help build resilience against stress, anxiety and depression, as well as providing a wider series of webinars to help manage stressful situations. We have also continued the third year of our Employee Health Check programme.

Table 2 – Success Measure: % of staff who agree with “The people in my team genuinely care about my wellbeing”



Source – Civil Service People Survey.

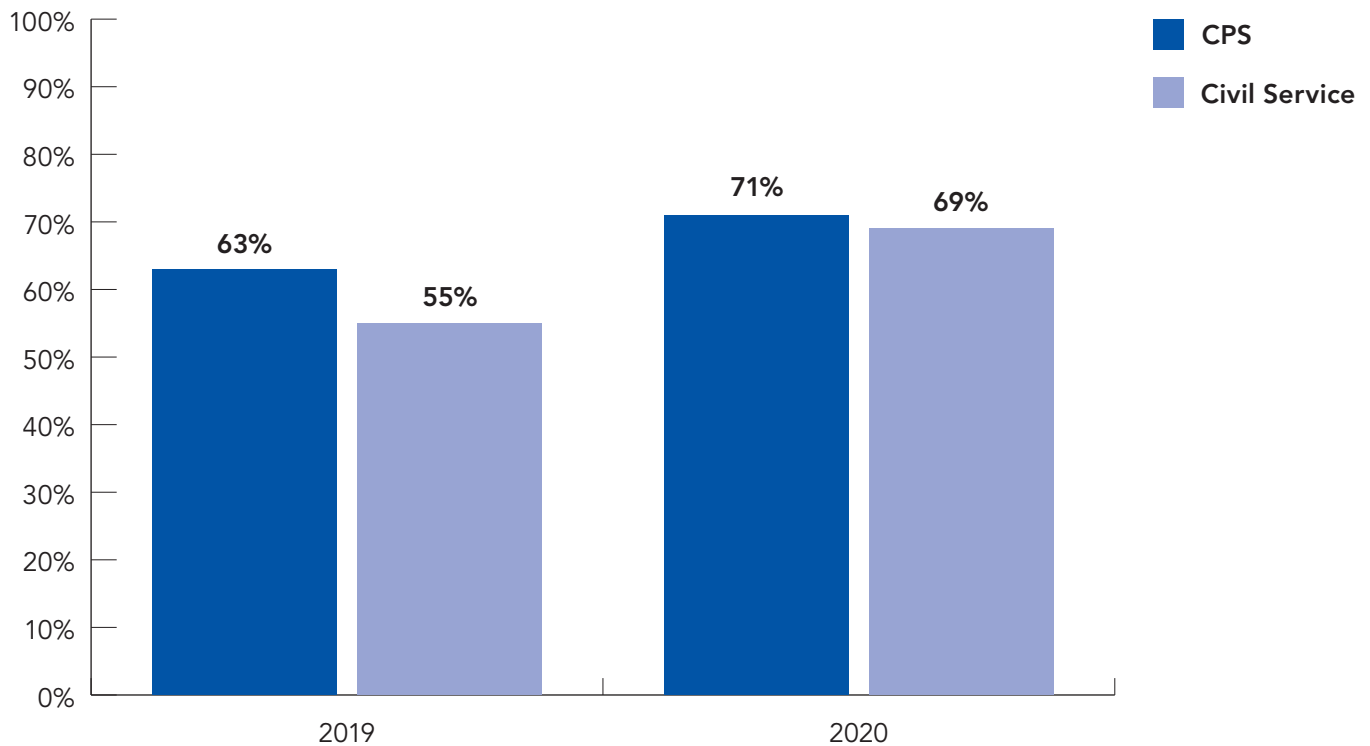
### Our people lead with our values

Our values sit at the core of our ethos as a public service. They are important to all our people, at every grade, and in every role.

To support and nurture leaders across all levels of the CPS, we launched a training programme for new and experienced managers, equipping staff across the organisation to grow their leadership skills. We also launched an aspiring managers programme, to invest in the potential of our future managers and ensure our people lead with our values.

Last year also saw a record-breaking 1,250 nominations submitted for our national annual staff awards, the CPS Awards for Excellence. A range of outstanding work was celebrated at our first ever virtual ceremony in October 2020.

Table 3 – Success Measure: % of staff who agree with “I believe the actions of my Chief Crown Prosecutor, Deputy Chief Crown Prosecutor, Area Business Manager or Head of Directorate/Division are consistent with the CPS’ values”



Source – Civil Service People Survey. The Civil Service average is benchmarked from the question: “I believe the actions of [senior managers] are consistent with [my organisation’s] values”.

## 2. Digital capability

**Our investment in digital capability helps us adapt to the rapidly changing nature of crime and improve the way justice is done.**

To be fit for the future and continuously meet the needs of our staff, partners and the public, we will continue to invest in our digital capability. This includes improving our digital tools so that our IT systems are modern, secure and reliable. It also means working closely with staff to develop their digital skills and knowledge so that they feel confident and ready for change.

We are already recognised as a leader in digital innovation within the criminal justice system and have shared our expertise with prosecution services from around the world. By taking a proactive and innovative approach to digital capability, we will be able to work effectively with our partners, adapting to the rapidly changing nature of crime and improving the way justice is done.

Coronavirus (COVID-19) has dramatically changed how we work. 2020 saw us launch our ambitious CPS 2025 Digital Strategy, and the pandemic accelerated much of what was already planned. Most of our colleagues moved from office to home working almost overnight, and we provided the tools and support everyone needed to keep working efficiently.

We benefited from our investment in Microsoft Teams, which has helped to keep our staff connected this year, regardless of their working location. In a typical 90-day period between November 2020 and February 2021, we used Microsoft Teams to host 68,562 meetings, send 4,072,440 chat messages, and video call for 15,219,191 minutes.

We have also found good homes for our decommissioned equipment, donating laptops to school children across the UK as part of the Mail Force Computers for Kids campaign, which aims to provide much needed school equipment and resources for pupils learning from home.

Thanks to our investment in robust infrastructure over the last few years, we were already in a strong position to respond quickly and effectively to enable colleagues across CPS and the justice system to continue our business and support the safety and wellbeing of our staff.

Working closely with HMCTS, we helped roll out software to enable remote court attendance. The first Cloud Video Platform (CVP) hearing took place in a criminal court on 2 April 2020, and since then, more than 100,000 hearings have been held on the platform.

Thanks to our investment and commitment to our digital business, we were commended by HMCPSI and the Attorney General for the strength of our digital response to the pandemic.

### **We have confidence in the security of our systems**

It is critical that our systems are secure and trusted by our staff and partners.

We moved the full end-to-end disclosure journey to Modern CMS (Case Management System) in February 2021, enhancing functionality and developing the resilience of our services, as well as encouraging more modern ways of working.

We have continued to invest in the security of our systems, addressing security vulnerabilities, and implementing most of the recommendations from the Operation Nevada exercise, which used mock security attacks to test for possible vulnerabilities. We are in the final stages of addressing the remaining recommendations.

As we move to the cloud and to more modern ways of working, we are continually reviewing how to keep our systems and information secure, and ensuring that as an organisation, everything we do is secure by design.

We also made great strides in improving our data protection: rolling out new training, reviewing all our national data protection policies and hosting our Big Tidy Up campaign, which saw hundreds of our people reviewing the information and data they hold.

### **We use data to drive change**

Making good decisions in an increasingly data-driven world is impossible without high-quality evidence.

We have delivered a new data cloud platform that is delivering our success measure reporting and will in time support our aim of becoming a data-driven organisation. We are in the final stages of building a new core data interface which will reduce our reliance on suppliers and enable easier access to core casework data for several of our applications. In addition, we are in the process of designing and delivering a new Management Information System.

We have also used data to mitigate operational pressures during the pandemic, for example:

- Swiftly moving from a monthly reporting regime to daily reports on certain metrics to support senior leaders and operational managers in understanding and responding dynamically to the impact of COVID-19 on the casework of the CPS;
- Supporting an easy-to-use dashboard to display tasking information to better predict resourcing requirements and respond more flexibly to the backlog of cases;
- Creating a new report, including new datasets, to identify and assist particular geographic areas that were more impacted by COVID-19;
- Implementing new data capture systems to collect new datasets that helped the CPS better understand and respond to the current situation.

As well as utilising data internally, the CPS was able to provide data, analysis and insight to support the response of the wider criminal justice system and other government departments.

### **We innovate, including with emerging technology**

It is crucial that we innovate to ensure we can adapt to the rapidly changing nature of crime and improve the way justice is done. This means embracing a variety of existing and emerging technology to quickly and flexibly solve issues.

We recognise the need to get our people closely involved in identifying positive innovations, and also to support them – particularly those who might be less comfortable with technology – in adopting such tools.

To support our response to COVID-19 and more digital ways of working, we have delivered:

- a COVID-19 chatbot to support our people with changing government advice and HR guidance;
- a new online application process for the CPS Advocate Panel members, quality assured advocates who undertake criminal prosecution advocacy for the CPS in the Crown Court and Higher Courts;
- a pre-boarding service for new employees, which has cut the onboarding process down from an average of 35 days to 20 days. We have also developed the capability to onboard new starters with all their digital equipment without requiring them to visit an office;
- a proof of concept of a video review service, which enables automatic transcription of interviews to cut down review time for lawyers;
- a virtual assistant with several skills to assist users to find information and complete tasks;
- a digital 'contact' service for our customers to allow them to contact us online, for example with complaints, for victims' right to review or with general enquiries; and
- we also have several discovery pieces of work underway looking to support staff when dealing with redaction, disclosure and in supporting victims and witnesses.

### **We are proactive in investing in our digital capability**

It is vital that colleagues have the tools and skills they need to operate effectively in an increasingly digital environment.



We have long recognised that sharing multimedia files digitally is more secure and efficient. The pandemic made it more important than ever for us to receive files remotely and we have worked closely with our police colleagues to make change happen rapidly in this sphere. In the space of a year, we have gone from around half of police forces sharing their multimedia evidence with us digitally to nearly all.

We are also working jointly with the police on building a new digital casefile which will share evidence digitally, and plan to start testing this with the police during 2021-22.

In addition to this work, we have also invested in establishing a Central Operational Training Team to ensure that consistent, high-quality training on digital processes and systems is delivered across the CPS so that all our people have the tools and skills they need to operate effectively.

Table 4 – Success Measure: Number of partners who share multimedia evidence with us on digital systems

Period	Q4 2019-20	Q1 2020-21	Q2 2020-21	Q3 2020-21	Q4 2020-21
<b>Total Forces/ Investigative Authorities</b>	48	48	48	48	48
<b>Submitting at least one type of multimedia evidence digitally</b>	24	42	42	44	43
<b>Submitting Body Worn Video digitally</b>	21	23	42	44	44
<b>Submitting Achieving Best Evidence digitally</b>	5	16	39	41	41
<b>Submitting CCTV digitally</b>	13	18	40	43	43
<b>Submitting 999 calls digitally</b>	11	18	41	42	42
<b>Submitting other types of multimedia evidence digitally</b>	8	18	23	26	26

### 3. Strategic partnerships

**The CPS is a leading voice in cross-government strategies and international cooperation to transform the criminal justice system.**

We work at the heart of the criminal justice system, and we must build effective, trusting partnerships across government, private and third sectors through which we can work together to build a criminal justice system fit for the future.

We have kept in regular contact with our partners across the justice system throughout the pandemic. Strong partnerships have helped us secure fast-track court access for our staff and have facilitated an ongoing dialogue about safety at court, listing and remote hearing technology.

We worked with the NPCC on numerous joint protocols including interim charging guidance; liaised with the judiciary to agree a temporary framework for dealing with custody time limits; and collaborated with the NPCC and solicitors' organisations to enable the remote participation of solicitors in interviews of suspects in custody.

The CPS has also undertaken to implement a strategic partnerships framework to support our CPS 2025 objectives. This is based on developing the following 'three-pillar' approach:

- **Pillar 1:** Process (establishing the core principles and aims which underpin our strategic partnerships);
- **Pillar 2:** Governance and Performance (ensuring the right mechanisms exist to ensure that national priorities are delivered at a local level); and
- **Pillar 3:** Capability (upskilling the business to develop and manage stakeholder relationships).

Cumulatively, this three-pillar approach will deliver a 'step change' in terms of how the CPS manages its key strategic relationships by providing consistency and clarity over how, why and to what end the CPS engages with its critical strategic partners.

In particular, our positive local partnerships continue to prove critical for delivering high-quality casework, as well as forming a crucial feedback mechanism about what is working, and what is not, on the front line, allowing us to develop better policy.

### **We lead on futures thinking to understand issues across the criminal justice system**

Developing futures capability is crucial to identify and address the key opportunities and threats in the future, avoiding surprises to keep the public safer. Working with colleagues across the Criminal Justice System and wider Government, we apply futures techniques, such as horizon scanning, to anticipate future opportunities and challenges, and test and implement more resilient policies. In a year shaped by the upheaval created by a global pandemic, the importance of our ability to understand potential threats and how they might shape the work of our organisation has been heightened.

Through our Horizon 2030 project we have ensured that we have a strong understanding of potential opportunities and threats which may arise. We have also undertaken several specific deep-dive projects into emerging themes which may shape our work in the next five to ten years as we recover from the impacts of the COVID-19 pandemic.

### **We influence change across the criminal justice system through trusted relationships**

In our role at the heart of the criminal justice system, we are in a unique position to understand the potential for system-wide change. By investing in and leveraging our strategic partnerships, we can serve as both critical friend and trusted partner.

When we set out RASSO 2025 – our strategy for tackling rape and serious sexual offences – we held a Parliamentary roundtable to share the content with Parliamentarians. The strategy includes our commitments to driving improvements in case handling across the justice system and working more closely with our criminal justice partners from the start of investigations.

This year, to ensure that our legal guidance on RASSO reflects the latest expert insights, we conducted a widespread consultation with stakeholders. Informed by this, our updated guidance was published in May 2021, and highlights the impact of rape and trauma on victim behaviour, as well as consent issues in a world of changing sexual behaviour, rape myths and stereotypes and the challenges of prosecuting cases involving vulnerable witnesses and young people.

In addition to this, we agreed a three-year Joint National Action Plan with the NPCC, setting out a plan for greater collaboration to improve the response to cases involving rape and serious sexual assault. The focus of this is on ensuring both police and our prosecutors are confident, capable and well-trained with the specialist knowledge, skills and insight they need in order to respond effectively to serious sexual offences.

In March 2021 we hosted a roundtable with government departments, police and criminal justice partners to launch our first Economic Crime Strategy, and begin discussions on how collectively we can work together to tackle this increasing threat.

We want the public to be confident that, even in very difficult circumstances, we will continue to work closely with criminal justice partners to tackle the economic crime threat effectively. Our Economic Crime Strategy sets out our high-level ambition to help achieve this and within it we affirm our commitment to improve criminal justice outcomes and support victims by:

- reviewing our structures and capabilities to ensure we have the right resources in the right place;
- supporting more virtual hearings for economic crime cases, to help the court service reduce the backlog in cases;
- recovering the proceeds of crime, depriving criminals of their ill-gotten gains and seeking compensation for victims where possible; and
- exploring the use of technology to support effective economic crime prosecutions.

The strategy is an important first step and sets out our ambition in how we prosecute economic crime. It is purposely high-level, allowing us the flexibility to match our level of ambition with the rest of government and law enforcement. We intend to have more detailed annual action plans which will sit under this, outlining what we want to achieve in each financial year.

Already we have held a community accountability forum on economic crime, a mechanism we use to engage with community stakeholders, victim and witness groups, the voluntary and community sector, academia, and government to inform our policy development, improve our processes, and to target our engagement with communities to build public confidence.

We will also be publishing new guidance on prosecuting money laundering and looking to work more closely with Parliamentarians, holding a Parliamentary roundtable.

As part of strengthening our relationship with the police, we launched a national NPCC/CPS forum, where we focus on immediate priorities and the longer-term strategic horizon to make sure that our work is as aligned as possible.

### **We advise Parliamentarians and Ministers on the operational implications of law and policy**

Given our role in the criminal justice system, we have an important responsibility to advise Parliamentarians and Ministers on the operational implications of law and policy proposals that impact criminal justice, making sure that any future changes assist in prosecuting cases effectively and efficiently.

Our priorities for 2020-21 include driving up proactive engagements with key Parliamentarians to explain the general role and function of the CPS, as well as to explain our policy and operational response to key issues, including RASSO and economic crime.

This work will continue to be a priority for us, and engagements are being planned and coordinated across all CPS key policy programmes. This will include Parliamentary roundtables and proactive briefings with prominent criminal justice stakeholders.

In addition, we are revitalising our approach to working across Whitehall to ensure that we have a prominent voice in terms of both legislative and policy proposals which impact on us at the earliest possible stage. This will, in part, be informed by activities including legislative horizon scanning.

### **We deliver justice across borders through effective international collaboration**

Criminality is increasingly borderless. The rise of cybercrime and organised, international criminal networks represent an increasing threat to both our national security and economic wellbeing.

From the tireless work of the EU Exit team and International Casework Leads to the collaborative effort of colleagues across Areas, directorates and divisions, we spent much of 2020-21 getting ready for the end of the EU exit transition period. The implementation of new systems and ways of working is now well underway.

We deploy a network of specialist prosecutors to countries where there is a high operational and casework nexus with the UK, both within and outside of Europe. Liaison prosecutors develop close collaborative working relationships with key stakeholders in their host country, facilitating the exchange of information and evidence pursuant to formal and informal mutual legal assistance and extradition processes. Liaison prosecutors also support domestic prosecutors to develop their understanding of the legal procedures and requirements of overseas partners to ensure effective international cooperation to progress UK casework.

## **4. Casework quality**

**CPS legal expertise, casework quality and collaboration across the criminal justice system keep the public safer.**

Casework quality is the responsibility of everyone at the CPS, no matter their grade or profession. Strong teamwork is essential to delivering justice, as it is when keeping pace with the changing nature of crime.

The impact of the pandemic has meant that we have been facing around a 70% uplift in live caseload – and workload pressures persist. We have taken steps throughout the past year to support colleagues and ease pressure in Areas – including simplifying Area reporting requirements to reduce preparation time and redeploying colleagues to where they are needed most.

Wherever necessary, our Legal Services team and colleagues in Cymru-Wales drafted and revised legal guidance in response to changes to the Coronavirus Health Protection Regulations usually within a very tight timeframe.

When new offences were created under the Coronavirus Act and Health Protection Regulations, we worked with the police to review finalised cases and make sure that the new laws were being applied consistently and appropriately.

### **The right person is prosecuted for the right offence**

Prosecuting the right person for the right offence is at the very heart of what we do, and we must continue to carefully scrutinise all our decisions.

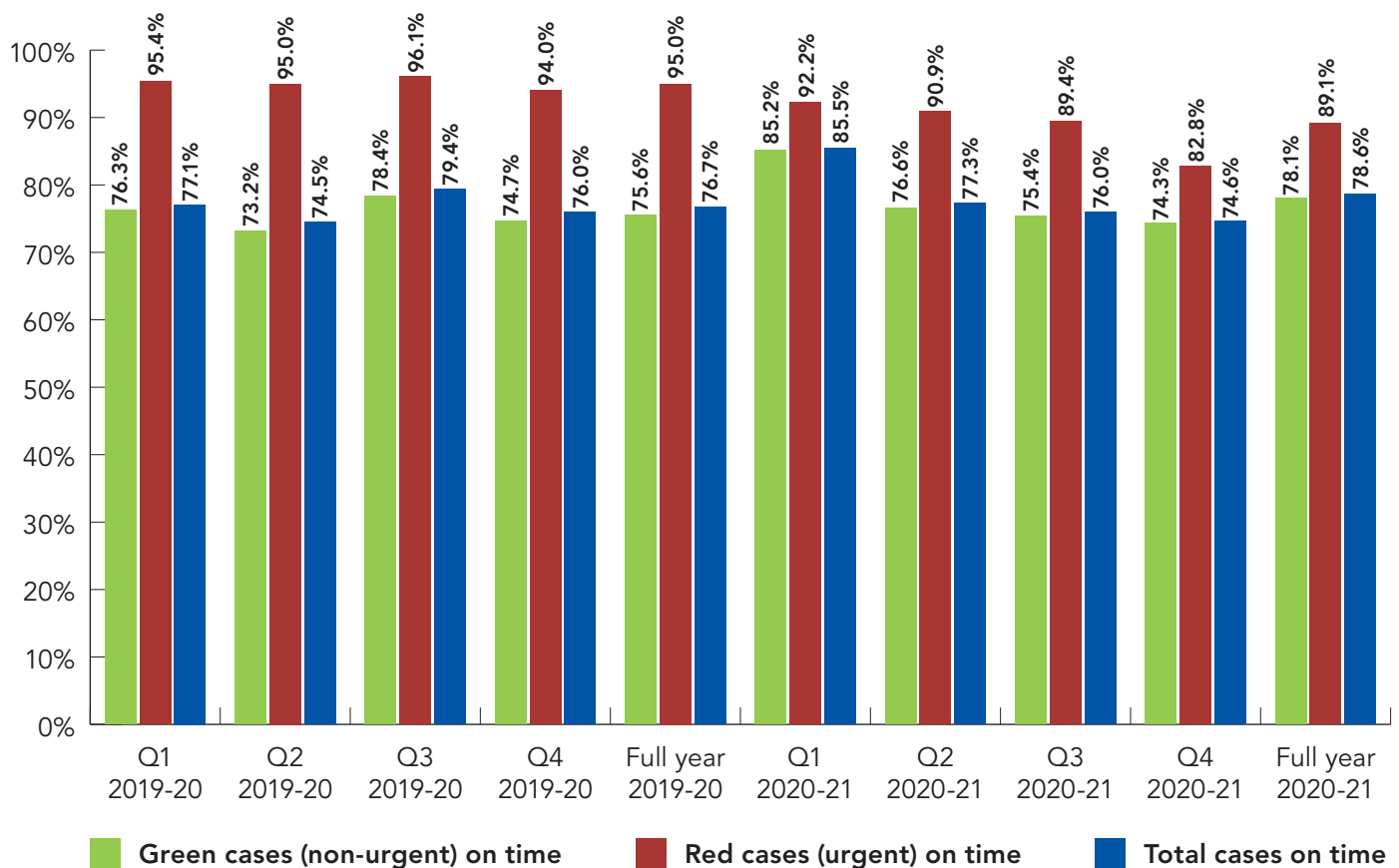
During 2020, we published guidance on decision making in ‘gang’ related offences. The guidance is intended to be a practical tool for prosecutors, taking them through the stages of a case said to be ‘gang’ related. The guidance provides a summary of the relevant principles and case law to be applied when making charging decisions in ‘gang’ related offences and when seeking to use ‘gang’ related evidence in proceedings. The publication of the guidance supports the cross-government Serious Violence Strategy which sets out actions to address serious violence.

**Cases are progressed in a timely manner**

Cases which are slow to progress through the system can have a profound effect on everyone involved, including victims, witnesses and defendants. It is an important responsibility of ours to ensure that we do what we can to speed up processes that are within our control.

The Director’s Guidance on Charging 6th Edition (DG6) came into force on 31 December 2020, alongside the Attorney General’s Guidelines on Disclosure 2020 and the revised Criminal Procedure and Investigations Act Code of Practice (the CPIA Code). Despite needing to be implemented at a challenging time, there has been a substantial effort across the organisation to work with and support the police in implementing the guidance.

Table 5 – Success Measure: % of charging decisions completed on time

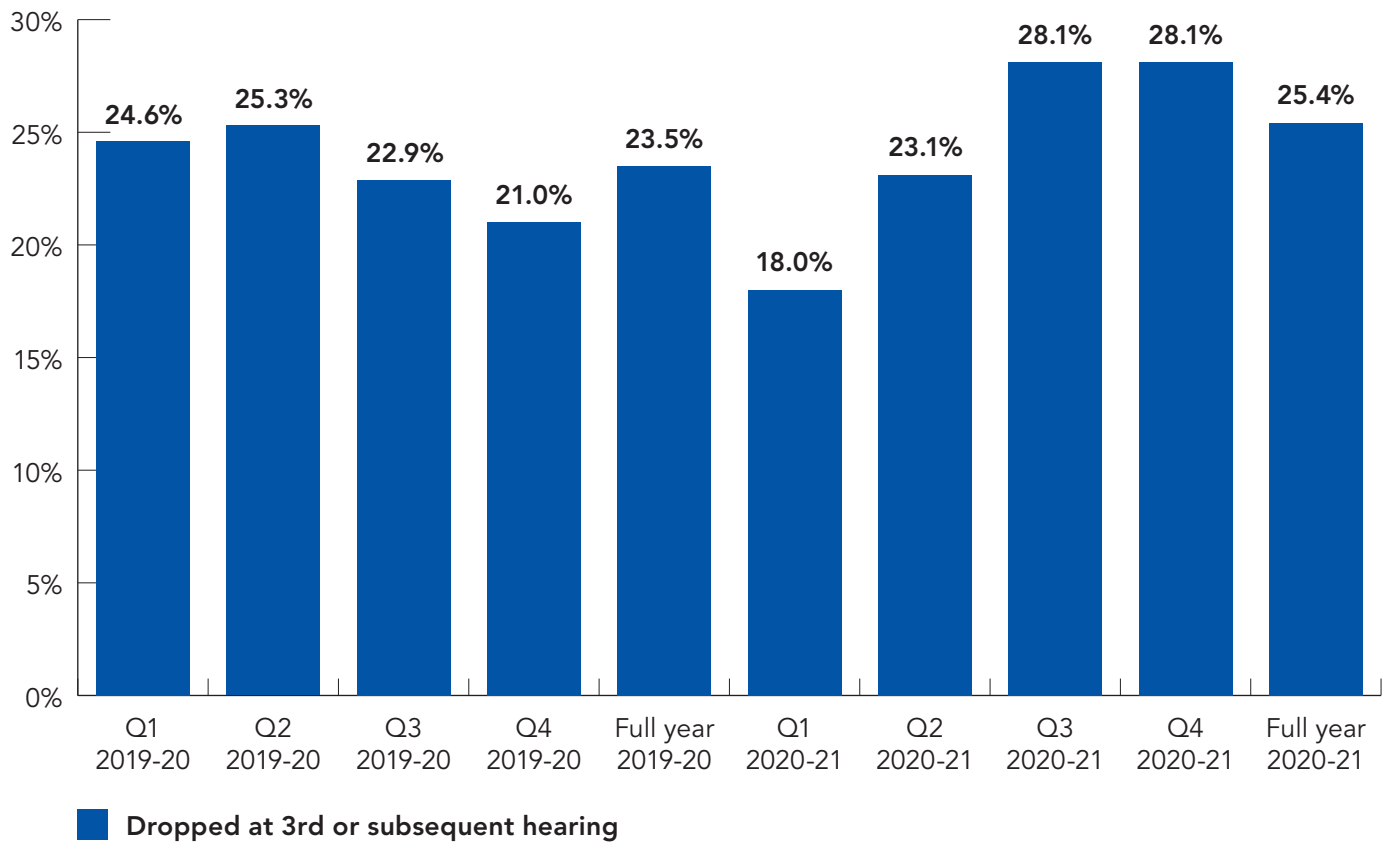


The proportion of all charging decisions completed on time has increased from 76.7% in 2019-20 to 78.6% in 2020-21. During 2020-21, however, there was a decrease in timeliness between Q1 and Q4. The variation in timeliness is indicative of the changes in case referrals experienced

as a result of the pandemic. From 1 April 2020 the CPS introduced an Interim Charging Protocol which ensured that priority continued to be given to serious cases that involved higher risk of threat or harm – this remains the focus to this day.

The CPS has a responsibility to continually review cases and take account of any change in circumstances. If the prosecutor considers that the case no longer meets the evidential or public interest test of the Code for Crown Prosecutors then it is their duty to drop the case. If a prosecution is to be dropped it is fairer and more efficient to drop it at the earliest opportunity. The following table shows the proportion of dropped cases that were not dropped until the third or subsequent hearing. Dropped cases includes those discontinued in advance of the hearing, where the CPS offered no evidence, those withdrawn at court, and cases where the defendant was bound over to keep the peace.

Table 6 – Success Measure: % of magistrates’ Court cases dropped at 3rd or subsequent hearing



The percentage of cases dropped at third or subsequent hearing saw a sharp drop in Q1 2020-21 to 18.0%. This reflects changes in listing during the period, with the introduction of social distancing measures and fewer cases being listed. The number of hearings per case has risen throughout the period as cases were increasingly triaged and case-managed before being listed for trial, resulting in more hearings before a case was dropped. This has seen an increasing percentage of cases being discontinued, as prosecution was no longer sustainable due to increased witness attrition.



### Cases are dealt with effectively

We must track and drive improvements across all aspects of case file quality. By making sure orders are complied with on time and that our casework meets quality standards we can drive efficiency across the whole system.

This year we have also spearheaded two new models of working. The case progression model, for the magistrates’ and Crown Court, was designed to offer resilience and flexibility within both existing Standard Operating Practices and within people’s job roles. The other model, looking at legal leadership, affords greater opportunity to provide non-legal administrative and business support for legal managers, giving them more time and space to concentrate on legal support activities for those they manage.

Table 7 – Success Measure: % of Judge directions that are complied with on time

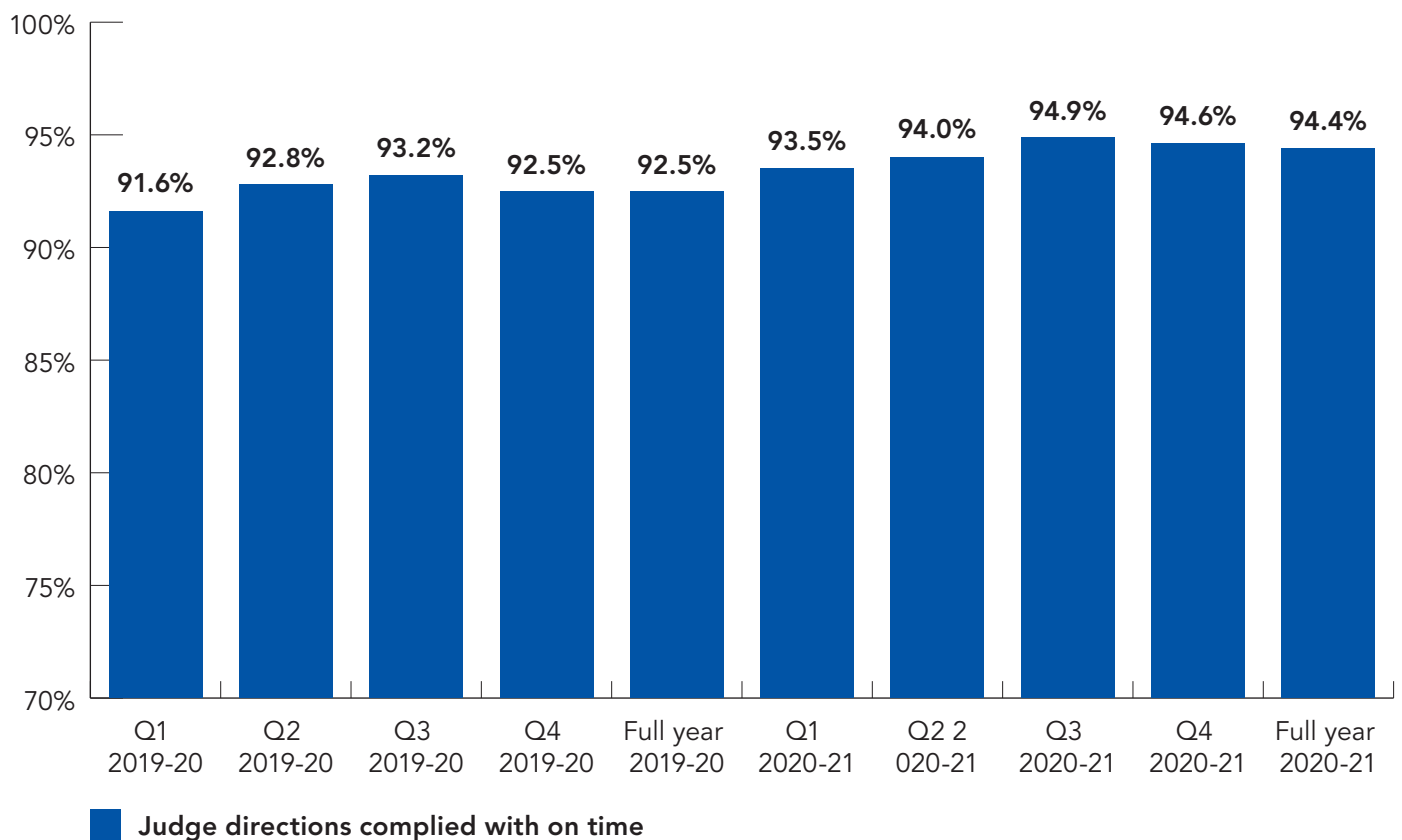
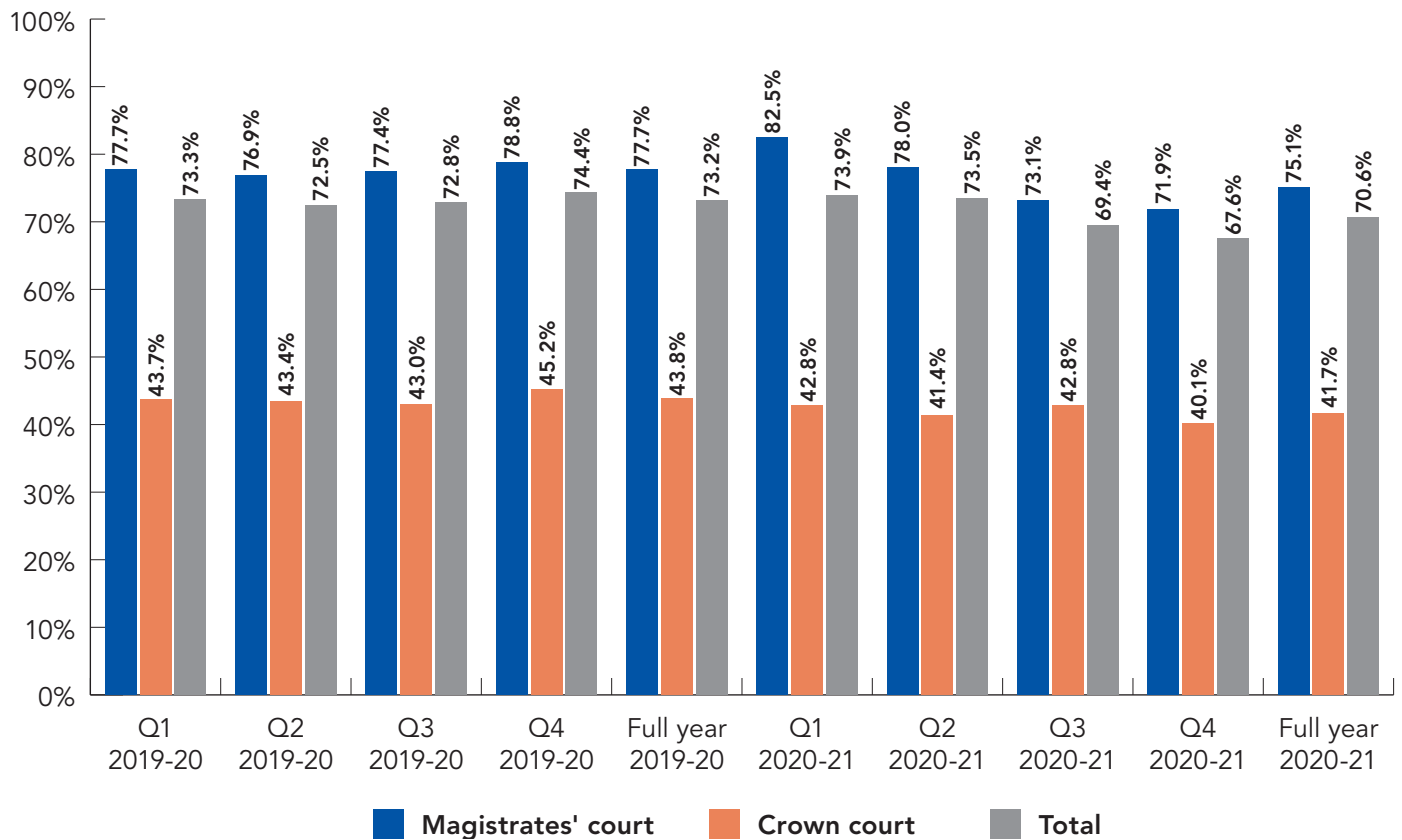


Table 8 – Success Measure: % of guilty pleas at first hearing



Guilty pleas at first hearing are expressed as a percentage of all guilty pleas.

The percentage of guilty pleas at first hearing has reduced from 73.9% in Q1 2020-21 to 67.6% in Q4. In the early period of the pandemic, the priority of listing of cases focused on overnight remands and anticipated guilty pleas so that these cases could be processed through the system quickly and not contribute to the backlog of cases. This has resulted in the case mix, on average, being more complex than pre-pandemic.

**The quality of our casework is enhanced through partnership working**

Our success lies partly in the quality of the relationships we have with our operational partners.

The Joint Operational Improvement Board (JOIB) was set up to ensure effective joint working between the CPS and the police in relation to disclosure, case progression and RASSO. Based on the principles of the National Disclosure Improvement Panel (NDIP), JOIB will build on the good work done by NDIP, expanding across other priority areas.

## 5. Public confidence

**We work with partners to serve victims and witnesses and uphold the rights of defendants in a way that is fair and understood by all communities.**

The CPS represents the public interest in the criminal justice system. It is therefore crucial that we can develop and build the public's confidence in us. To do this, we must treat everyone fairly and in a way that helps people understand the decisions we make.

The Office of National Statistics' Crime Survey shows a steady increase in public confidence in the CPS – and this trend continued in the latest results, published in July 2020. Last year, those who were 'fairly' or 'very' confident that the CPS is effective stood at a combined total of 63% – up from 51% in 2011.

We had two inspectorate reports on our response to the pandemic – one in June 2020 and one in March 2021. Both praised us for the way we managed significant changes and challenges, and no recommendations for improvement were made. Throughout the pandemic, we have highlighted successful prosecutions under the Coronavirus legislation – including against assaults on emergency workers – through a range of local and national media.

We know that building relationships with communities is pivotal to building public confidence, and we have prioritised steps to ensure diverse groups can help shape the way we work and hold us to account.

We have well-established national and local mechanisms in place for listening to community groups to help inform CPS decision-making and policy development and promote better understanding of the criminal justice system. These initiatives include the national Community Accountability Forum and Local Scrutiny Involvement Panels (LSIPs) across each of our 14 CPS Areas. These groups have been recognised as 'best practice' across government and have played an important role in feeding back issues to local staff to improve casework quality and support for victims and witnesses. Throughout the pandemic we also held local listening exercises with Black and ethnic minority communities on their experience of COVID-19 and their wider perceptions of the criminal justice system. These exercises explored some of the issues highlighted by the Black Lives Matter movement and what more the CPS can do to create a more inclusive working environment, where all our people feel valued.

We want every community to feel confident that we seek to deliver justice in every case, so a key focus for the future will be finding better ways to engage with communities who do not currently feel that way.

### **Victims and witnesses have a fair experience interacting with us, regardless of outcome**

Not all victims or witnesses will agree with every decision that we make, but this should not mean they feel that they have been treated unfairly. By listening carefully to members of the public, and providing clear explanations of our decision making, we can ensure people know that they will be treated fairly by the CPS.

The revised Code of Practice for Victims of Crime came into effect on 1 April 2021. The Victims' Code provides victims of crime with 12 rights. We have ensured that our policies and practices will capture and deliver these rights.

Our new feedback and complaints app uses straightforward language to help members of the public direct their feedback to the right place and include all the information we need first time round. For CPS colleagues, the internal side of the app makes it easy to track the progress of complaints by showing what stage they are at, at a glance. It also automates the way our activities are delivered and provides us with brand new reporting tools, which, we can use to better understand where we're doing well and how we can improve. We also launched a new standard operating procedure for complaints, which makes it clear who has responsibility for taking things forward at each stage and builds in checks to help us ensure our responses meet our quality standards, and introduced a new complaints coordinator role to build our expertise on complaints handling and provide a first-class service.

Table 9 – Success Measure: % of letters sent to victims that meet quality standards



Data for subsequent periods is not currently available, as collation of data has been suspended during the COVID-19 pandemic.

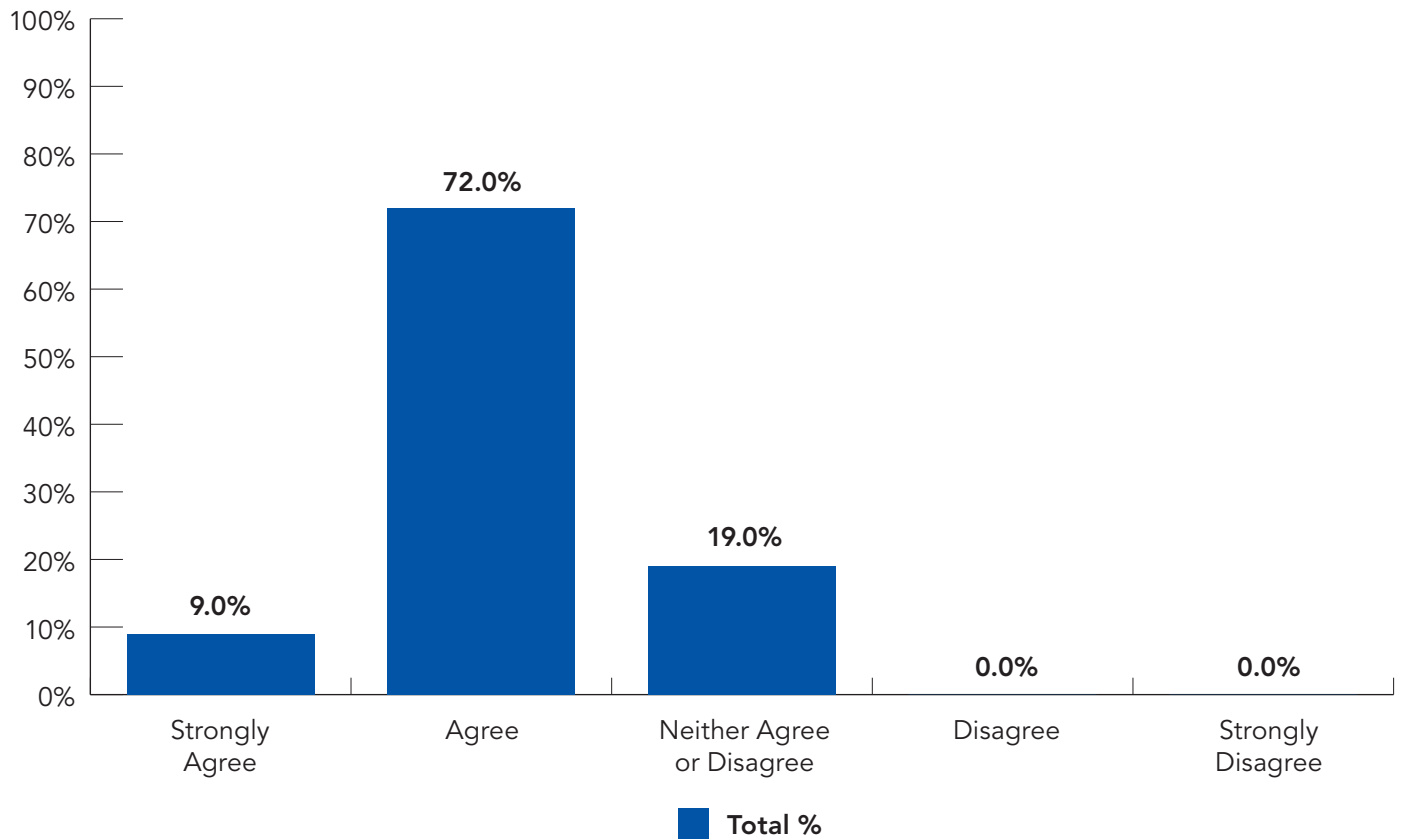
**We understand how best to serve our diverse communities**

For the public to be confident that we are fair and effective, we must be able to demonstrate that we understand the needs of local communities.

We have refreshed our Community Accountability Forums in line with CPS 2025 to make sure they address the issues most important to the communities we serve. During the past year, we held two virtual events on the impact of the pandemic on Black and minority ethnic communities,

and on victims of domestic and so-called ‘honour-based’ abuse. We also held a forum on race and the criminal justice system. Locally, we have continued to run our community conversations online throughout lockdown.

Table 10 – Success Measure: % of community panel members who agree with “The CPS responds to our feedback”



Responses recorded at panels in South East, Thames and Chiltern, and North West Areas during Q2 2020-21.

**We are a leading voice in ensuring defendants are treated fairly by the CPS**

Ensuring defendants are treated fairly is central to our role in upholding the rule of law.

We have produced aide memoires to assist prosecutors dealing with cases where the defendant may have a mental health condition or disorder. The documents focus on charging decision considerations and the processes in the Crown and magistrates’ courts, and link prosecutors directly to the relevant part in the CPS’ comprehensive mental health legal guidance. In addition to highlighting considerations through the aide memoires, we are developing training podcasts for prosecutors on mental health cases.

Through the Mental Health Single Point of Contact (SPOC) Network, we are working with prosecutors and police colleagues on how to ensure early identification and consideration of relevant information with regard to a defendant’s mental health condition or disorder. We will also work with Her Majesty’s Crown Prosecution Service Inspectorate in their forthcoming joint inspection of the progress through the criminal justice system of individuals who have mental health needs/disorders and will take forward any recommendations.

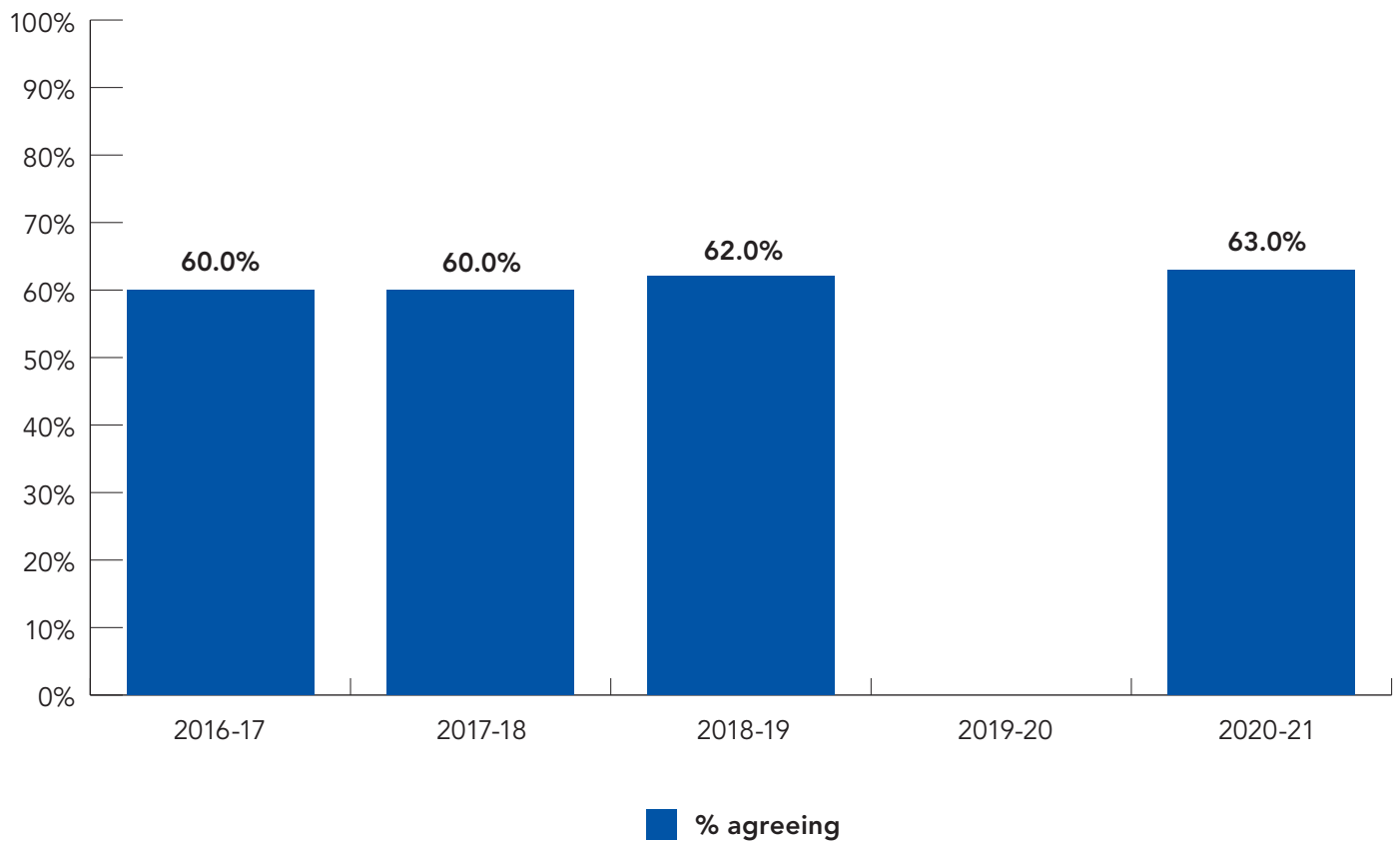
## The public understand our value

The more the public understand our role and trust the decisions we make, the more they are likely to support prosecutions as victims and witnesses.

To help support public understanding through effective communications we reviewed and redesigned our communications structure to reflect Government Communications Service best practice guidance, including strengthening our digital communications. We also designed and tested a new suite of materials to help explain the role of the CPS to the public.

Our proactive external communications demonstrated both how the CPS dealt with the unprecedented challenges of the pandemic and how we continued to make progress on other key issues. We explained how we adapted our ways of working in response to the pandemic as well as how we were dealing with coronavirus-related offending while continuing to provide our essential service. We also highlighted crucial work going on across the organisation to tackle violence against women and girls and economic crime, and the Director of Public Prosecutions discussed the importance of the independence of the CPS at a public event, with supporting communications.

Table 11 – Success Measure: % of the public who agree with “I am confident that the CPS is effective at prosecuting people accused of committing a crime”



Source – Office for National Statistics: Crime Survey for England and Wales (CSEW). Data from CSEW is not available for 2019-20, as the relevant question was removed from the survey for that year. For 2019-20, other independent research was used for this measure. This rated the CPS’ reputation, as a score from 1 to 100, at:

- 60.0 in quarter 4 of 2018
- 60.7 in quarter 4 of 2019.



# Financial review

## Introduction

The CPS receives the majority of its resources in the form of Parliamentary funding through the Estimate process. This is supplemented by income, relating predominantly to awards of costs made against convicted defendants and to the Asset Recovery Incentivisation Scheme. The CPS is accountable to Parliament for how it uses these funds and must work within the control totals that Parliament sets. The CPS' net funding for 2020-21, as voted by Parliament, was £625 million.

This Financial Review explains the budgetary framework within which the CPS operates and sets out how the CPS has performed against its control totals.

## Public sector budgeting framework

Like all government departments, the CPS is subject to spending controls set by Parliament and administered by the Treasury. Forward-looking spending plans are set through Spending Reviews, which set the level of resources available to departments over the term of the review. Specific control totals for the current financial year are then confirmed through Estimates, which are voted on by Parliament. There are two Estimate publications during the financial year: in May the Main Estimate sets the initial budgets for the year, whilst in February the Supplementary Estimate allows for adjustments to be made and confirms the final budgets against which outturn will be measured. If outturn exceeds the controls voted by Parliament, then this results in an Excess Vote.

Budgets are divided into a number of headings. Firstly, they are categorised under either **Departmental Expenditure Limits (DEL)** or **Annually Managed Expenditure (AME)**. DEL budgets are set in Spending Reviews and cover the majority of government income and spending. AME budgets apply to more volatile or demand-led areas of income and spending, as determined by Treasury. Some categories of expenditure are automatically treated as AME, including movements in provisions and some types of impairment.

All DEL and AME budgets can be further classified as either **Resource** or **Capital**. Resource budgets include most day-to-day income and spending, including delivery of public services, running costs of public sector bodies, and revenue earned. Capital budgets include investment activities, such as purchase and disposal of property, plant and equipment, intangible assets, and some financial assets. Additionally, payment of capital grants and some research and development expenditure is treated as Capital.

Resource DEL budgets are also divided into **Programme** and **Administration** budgets. Programme refers to income and spending that relates directly to delivery of departmental objectives and front-line services. All other income and spending is treated as Administration, which covers administrative functions and other overheads. In order to maximise spending on front-line services, departments are set limits on Administration spend. These limits are not voted on by Parliament, but are still treated as control totals with any breach resulting in an Excess Vote. Resource AME budgets are always treated as Programme.

Departments are also set a limit on **Net Cash Requirement**. This is the cash funding requirement arising from Resource and Capital budgets, together with planned movements in working capital. It is effectively the maximum amount of Parliamentary funding that the department can draw down, and breaching this limit results in an Excess Vote.

Control totals are set on a net basis – there are no separate controls on income and expenditure and, subject to Treasury approvals on the retention of income, additional income can be offset against additional expenditure.

A further control on spending is that budgets for depreciation and impairment of assets are treated as ring-fenced. These elements of Resource DEL budgets may not be used for other spending without Treasury approval. However, the ring-fence is not a control voted on by Parliament.

The following are further terms within the budgetary framework:

- **Non-budget** – Amounts that fall outside the budgetary framework, such as the impact of Prior Period Adjustments.
- **Non-voted** – Funding that is not voted on by Parliament, such as National Insurance funding.
- **Total DEL (TDEL)** – The total of Resource DEL and Capital DEL, less depreciation and impairment. This is a measure of overall DEL spending, adjusted to avoid double counting the impact of capital investment in current expenditure.

## Outturn against 2020-21 financial control totals

The table below shows the CPS' performance against our 2020-21 control totals, as agreed by Parliament in the Supplementary Estimate. Further detail on these figures is shown in the Statement of Outturn against Parliamentary Supply and the related notes on pages 90 to 94.

	Estimate	Outturn	Variance
	£000	£000	£000
Resource DEL (excluding depreciation)	607,768	561,792	45,976
Depreciation	6,131	5,020	1,111
<b>Resource DEL</b>	<b>613,899</b>	<b>566,812</b>	<b>47,087</b>
Of which administration	36,628	26,870	9,758
<b>Resource AME</b>	<b>7,950</b>	<b>(913)</b>	<b>8,863</b>
<b>Capital DEL</b>	<b>2,800</b>	<b>202</b>	<b>2,598</b>

There were no breaches of control totals. Significant variances between Estimate and outturn are discussed below.

## Significant variances between Estimate and outturn

At the start of the year we estimate our costs for each budget type and we monitor against these throughout the year. The impact of the COVID-19 pandemic on court capacity and the volume of hearings during 2020-21 inevitably caused variances to our estimates. Explanations for the underspends between Estimate and outturn were as follows:

**Resource DEL (£000):**

Estimate 613,899    Outturn 566,812

Resource spending (RDEL) is money that is spent on day-to-day resources and administration costs. It includes the hire of lawyer agents; prosecution costs; costs of confiscating the proceeds of crime; capacity building in the criminal justice system; support of voluntary sector organisations within the criminal justice system; and depreciation. The RDEL funding is shown net of income, including that arising from costs awarded to the CPS in court or received through the Asset Recovery Incentivisation Scheme.

The majority of our spend goes towards our internal workforce, in particular Legal and Frontline pay. Together with the cost of the highly valued work undertaken on behalf of the CPS by the external bar and spend towards supporting victims and witnesses attending court, this accounts for over 75% of CPS expenditure.

Expenditure was managed tightly during the year and the large underspend against available funding can be largely attributed to the impact of COVID-19, which resulted in reduced prosecutions and associated costs. It is recognised that many of the cases planned to be prosecuted during 2020-21 have been delayed because of the pandemic and these cases and the cost to prosecute them will now arise in future periods. We negotiated with HM Treasury to carry forward £12 million into the next financial year via the budget exchange mechanism. This will be used to manage the backlog of cases through use of the external bar and recruitment of short term resource. Our ability to fully utilise this will depend on availability of court capacity.

COVID-19 meant that the CPS had to adapt to new ways of working, with all but essential work performed by staff working remotely. Whilst there was some unplanned expenditure to enable a smooth transition to an increase in remote working, there were significant savings generated from reduced travel and subsistence costs as staff adopted new ways of working and communicating.

**Resource AME (£000):**

Estimate 7,950    Outturn (913)

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. This allowance has shown a steady increase in recent years, and the initial expectation was that the impact of COVID-19 would lead to a further increase in 2020-21, due to lower levels of payments by debtors. However, recovery of amounts due showed an improvement in the second half of the year, whilst lower levels of income earned over the year have resulted in the overall receivable and the loss allowance reducing compared with the previous year. This resulted in a credit to the AME budget.

This was partly offset by an increase in the provision for dilapidations on leased properties, arising from the transfer of the CPS' property portfolio to the Government Property Agency and the adoption of their estimates for dilapidations. However, the net result was still a large favourable variance.

**Capital DEL (£000):**

Estimate 2,800    Outturn 202

Most software purchases are now procured under ‘software as a service’ arrangements and treated as an annual Resource cost. There was no major investment in fixed assets during the year, resulting in a favourable variance in capital spend.

**Net Cash Requirement (£000):**

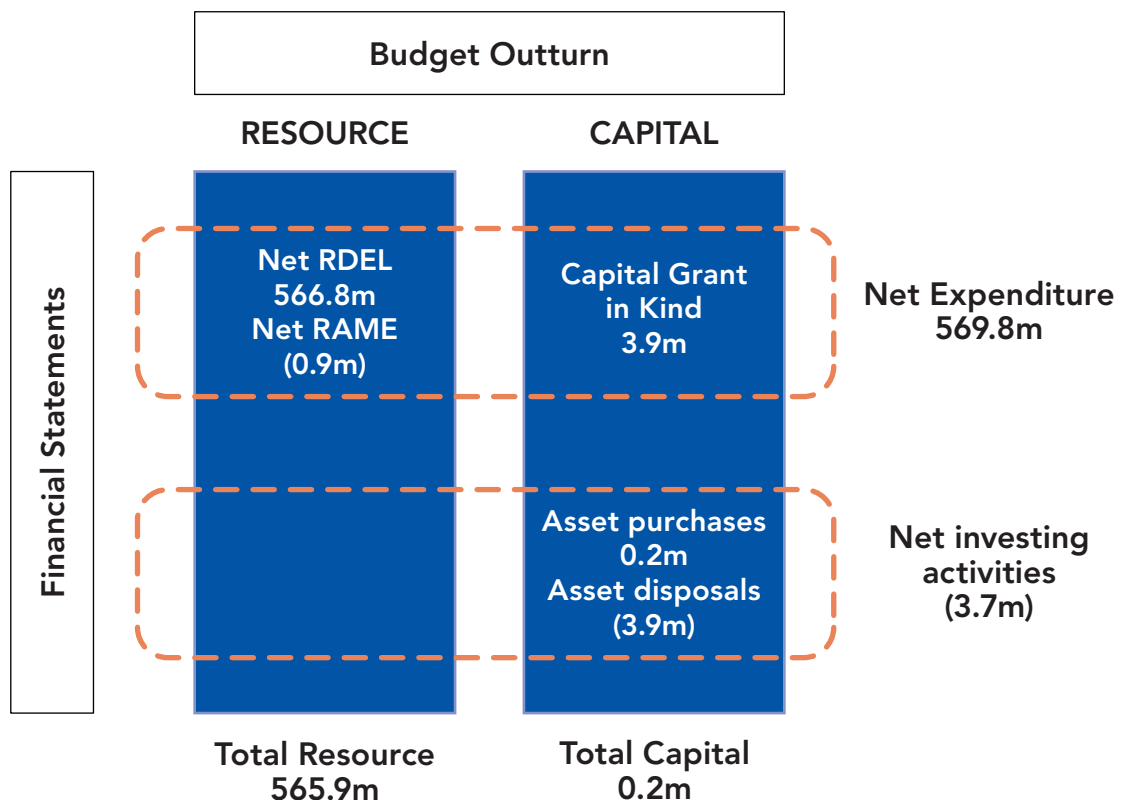
Estimate 610,568    Outturn 554,091

The net cash requirement was significantly lower than forecast, driven again by the impact of COVID-19 on the volume of prosecutions during 2020-21.

**Reconciliation of budget outturn to financial statements**

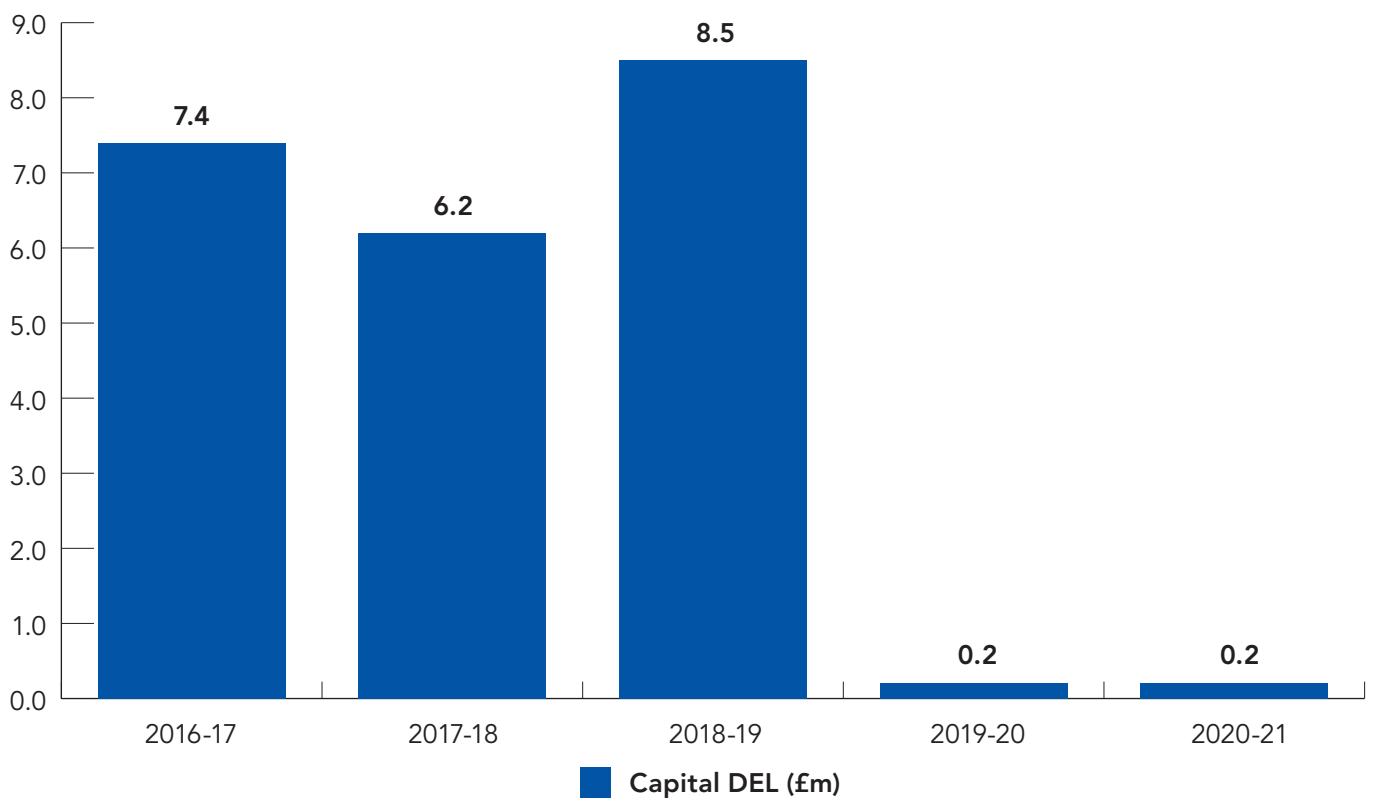
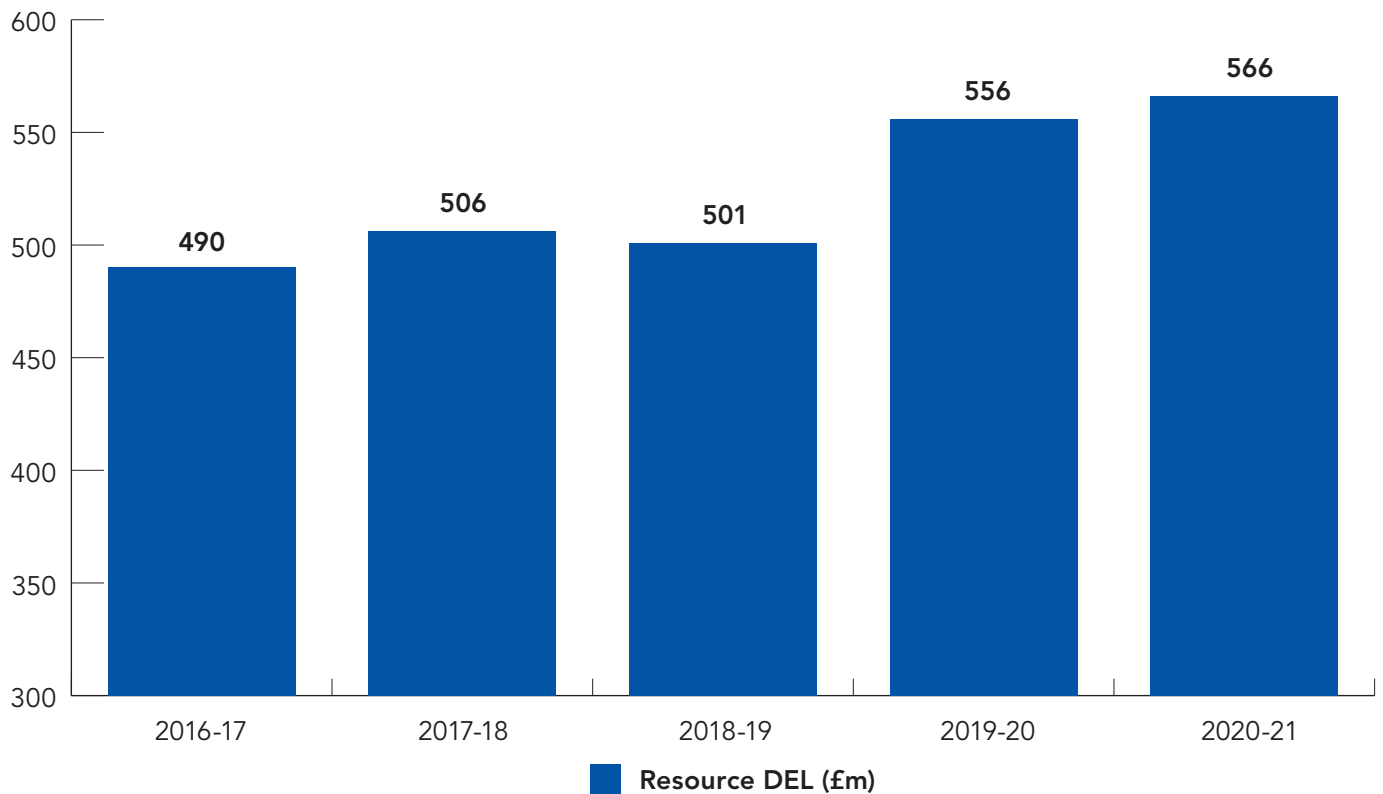
The budget headings used in Estimates are designed to support the treatment of expenditure in the UK’s national accounts, whereas the financial statements in departmental accounts are prepared in accordance with International Financial Reporting Standards (IFRS). In most cases, transactions are treated similarly in both frameworks, but there are some misalignments. For instance, the payment of capital grants to external bodies is treated as current expenditure in financial statements, but for Estimate purposes is reported against Capital budgets.

The following diagram illustrates how the CPS’ budget outturn above differs from the amounts reported in the financial statements on page 101.



## Budget outturn trend analysis

The following charts show the CPS' Resource DEL and Capital DEL outturn for the past five years.



## 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 2020-21 the CPS settled 93.8% of undisputed invoices and staff and witness expense claims within 10 days of receipt (2019-20, 93.1%). The CPS paid £nil (2019-20, £515) in interest due under the Late Payment of Commercial Debts (Interest) Act 1998.

## 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, they are counted as a defendant on each occasion. Cases involving mixed pleas of guilty to some charges while other charges proceeded to contest are treated as a single defendant case.

The annual casework statistics in this report comprise defendants dealt with by the 14 CPS Areas and the 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.

### ***Impact of the COVID-19 pandemic***

The volumes reported below for 2020-21 reflect the impact of the COVID-19 pandemic, including court closures from mid-March to the end of June 2020 and the subsequent recovery period. Caution should therefore be exercised in making comparisons with earlier annual years.



## Chart 1: Magistrates' courts: caseload

Chart 1 shows the number of cases dealt with by the CPS in 2020-21 and in the two preceding years.

Pre-charge decisions:	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.
Charged:	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.
No prosecution:	A decision to take no further action for either evidential or public interest reasons.
Administratively finalised:	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.
Out of court disposals:	A simple caution, conditional caution, reprimand, final warning or TIC (taken into consideration) issued by the CPS at pre-charge stage.
Prosecuted by the CPS:	This figure comprises all defendants charged or summonsed whose case was completed in magistrates' courts during the period, including those proceeding to a trial or guilty plea, those discontinued, and those which could not proceed. Cases committed or sent for trial in the Crown Court are not included in magistrates' caseload data. Further information on the type of finalisations is shown at chart 3.
Other proceedings:	Non-criminal matters, such as forfeiture proceedings under the Obscene Publications Acts.

	2018-19	2019-20	2020-21
Pre-charge decisions	248,427	228,259	216,091
Charged	162,717	151,118	141,111
No prosecution	50,729	48,130	46,864
Administratively finalised	32,612	26,979	25,607
Out of court disposals	2,052	1,697	2,174
Prosecuted by the CPS	425,098	389,009	319,938
Other proceedings	188	162	161

The data for the 2019-20 financial year in the table above has been updated to reflect a change in reporting convention and to align with quarterly data releases.

## 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:

Summary:	Cases which can be tried only in the magistrates' courts.					
Indictable only/either way:	Indictable only cases can be tried only in the Crown Court, but either way cases may be tried either in magistrates' courts or in the Crown Court.					
	<b>2018-19</b>	<b>%</b>	<b>2019-20</b>	<b>%</b>	<b>2020-21</b>	<b>%</b>
Summary	196,437	40.0	174,473	38.1	140,986	35.9
Indictable only/either way	294,230	60.0	283,586	61.9	251,508	64.1
Total	490,667		458,059		392,494	

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 the 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.

Warrants etc:	When the prosecution cannot proceed because the defendant has failed to appear at court and a Bench Warrant has been issued for his or her arrest; or the defendant has died; or where proceedings are adjourned indefinitely.
Discharges:	Committal proceedings in which the defendant is discharged.
Dismissals – no case to answer:	Cases in which the defendant pleads not guilty and prosecution evidence is heard, but proceedings are dismissed by the magistrates without hearing the defence case.
Dismissals after trial:	Cases in which the defendant pleads not guilty and proceedings are dismissed by the magistrates after hearing the defence case – a not guilty verdict.
Guilty pleas:	Where the defendant pleads guilty.
Prosecutions dropped:	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.
Convictions after trial:	Cases in which the defendant pleads not guilty but is convicted after the evidence is heard.
Proofs in absence:	These are mostly minor motoring matters which are heard by the court in the absence of the defendant.

	2018-19	%	2019-20	%	2020-21	%
Warrants etc.	10,990	2.6	10,524	2.7	11,514	3.6
Discharges	4	0.0	7	0.0	10	0.0
Dismissals – no case to answer	874	0.2	674	0.2	419	0.1
Dismissals after trial	12,489	2.9	10,635	2.7	5,780	1.8
Guilty pleas	330,526	77.7	305,721	78.6	253,581	79.3
Prosecutions dropped (including bind overs)	42,078	9.9	37,505	9.6	34,156	10.7
Convictions after trial	22,765	5.4	18,926	4.9	10,491	3.3
Proofs in absence	5,372	1.3	5,017	1.3	3,987	1.2
Total	425,098		389,009		319,938	

During 2020-21, a total of 2,871 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:

	2018-19	2019-20	2020-21
Committals for trial	65,600	69,088	72,601

#### Chart 5: Crown Court caseload

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

Prosecuted by the CPS:	This figure comprises all cases proceeding to trial or guilty plea in the Crown Court, together with those discontinued or dropped by the CPS after having been committed or sent for trial. The outcome of these proceedings is shown at chart 7.
Appeals:	Defendants tried in magistrates' courts or at the Crown Court may appeal to the Crown Court or Higher Appeal Courts (respectively) against their conviction and/or sentence.
Committals for sentence:	Some defendants tried and convicted by the magistrates are committed to the Crown Court for sentence, if the magistrates decide that greater punishment is needed than they can impose.

	2018-19	2019-20	2020-21
Prosecuted by the CPS	69,713	62,037	50,477
Appeals	14,460	12,755	8,640
Committals for sentence	20,774	21,565	19,299

The central Casework Divisions handled 4,435 appeals against conviction and/or sentence or extradition, which are included in the table above.

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

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

	2018-19	%	2019-20	%	2020-21	%
Magistrates' directions:	38,966	56.1	35,520	57.6	30,357	60.4
Defendants' elections:	1,845	2.7	1,922	3.1	1,846	3.7
Indictable only:	28,588	41.2	24,270	39.3	18,026	35.9
Total	69,399		61,712		50,229	

## Chart 7: Crown Court: case outcomes

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

Warrants etc:	When the prosecution cannot proceed because the defendant fails to attend court and a Bench Warrant has been issued for his or her arrest; or the defendant has died; or is found unfit to plead. If the police trace a missing defendant, then proceedings can continue.
Judge directed acquittals:	These are cases where, at the close of the prosecution case against the defendant, a successful submission of 'no case' or 'unsafe' is made on behalf of the defendant, and the judge directs an acquittal rather than allow the case to be determined by the jury.
Acquittals after trial:	When the defendant pleads not guilty and, following a trial, is acquitted by the jury.
Guilty pleas:	Where the defendant pleads guilty.
Prosecutions dropped:	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 section 51 of the 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.
Convictions after trial:	Cases in which the defendant pleads not guilty but is convicted after the evidence is heard.

	2018-19	%	2019-20	%	2020-21	%
Warrants etc.	999	1.4	887	1.4	762	1.5
Judge directed acquittals	399	0.6	293	0.5	115	0.2
Acquittals after trial	4,377	6.3	3,367	5.4	1,435	2.8
Guilty pleas	49,206	70.6	45,420	73.2	39,163	77.6
Prosecutions dropped (including bind overs)	8,264	11.8	6,924	11.2	6,648	13.2
Convictions after trial	6,468	9.3	5,146	8.3	2,354	4.7
Total	69,713		62,037		50,477	

During 2020-21, a total of 923 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 2020-21 was 22.6% compared with 25.9% in 2019-20.

# Sustainability

## Introduction

This report sets out the Sustainability Performance of the Government Property Agency (GPA) estate occupied by the CPS for 2020-21 covering key performance data on estate-based activities such as electricity, gas and water use.

Key activities in 2020-21 have included the ongoing management of the estate within the context of COVID-19 and the initial planning work related to GPA's Net Zero Programme, further details on which are provided in the next section of this report.

This is the first report provided in this format, which provides sustainability data for the CPS' GPA-managed estate during 2020-21, as well as key factors and projects related to sustainability performance during the year.

During 2021, GPA are commencing a mapping exercise of key sustainability information for the estate and will be trialling a new sustainability data and reporting process. It is GPA's ambition that this new process will provide a greater range of performance indicators, allowing its clients greater insight into trends and potential interventions to drive further sustainability improvements. It will also allow a scaling up of sustainability reporting delivery for the future GPA-onboarded estate. GPA will be engaging with clients as further information on the future reporting process is developed, with the hope of launching the new process from April 2022 onwards.

## Key developments in 2020-21

### COVID-19

During the year 2020-21 many GPA client-occupied buildings have seen reduced use and occupancy due to COVID-19. This significant change in building use means that comparison of 2020-21 performance data with previous years may be less applicable, with any increase and decrease in utility use potentially more likely to be influenced by the effect of this change of use rather than an indication of a longer term trend. 2020-21 is likely to need to be considered an outlier in any future data analysis.

### Net Zero

During 2020-21, GPA were successful in receiving funding for a new Net Zero Programme. This programme will support the Government's ambition to reach net zero carbon emissions by 2050 and delivery of a well-maintained low carbon estate that reduces energy consumption and associated carbon emissions.

Net Zero interventions are being considered in all offices where the Government has a long-term interest, bringing forward lifecycle replacement where required. Following an assessment of suitability for interventions, projects could include: installation of smart meters and upgrade of lighting to LED to reduce energy consumption; installation of photovoltaic panels; heating, ventilation and air conditioning (HVAC) efficiencies; and heat decarbonisation (moving from fossil fuels to electricity).

For projects due to commence in 2021-22, GPA have commenced liaising with the CPS, or lead building contact, to discuss potential projects, and have progressed condition surveys and due diligence to ensure the project is correctly scoped. This has included gathering information from the CPS on other related works that may be a factor in the timing and design of the Net Zero project.

## Sustainable performance of estate-based activities

### Summary

In 2020-21 the CPS saw a decrease in gas, electricity and water use.

The CPS subscribe to a number of targets including the mandatory Greening Government Commitments (GGC) for reducing energy, water, paper and other resource use, reducing travel and managing waste.

In 2020-21, the CPS met or exceeded the GGC targets for greenhouse gas (GHG) reduction, domestic flights, water use, paper use, waste arising and recycling rates. The greenhouse gas emissions target by 2020-21 for the Law Officers' Departments (LOD) was a reduction of 60%.

The GGC can be found at:

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



## Scope

The data below shows the CPS' present position for the financial year 2020-21 against a 2009-10 baseline (unless otherwise stated). Environmental data is for a 12-month reporting period from January 2020 to December 2020 and covers the LOD estate, including the CPS, Her Majesty's Crown Prosecution Service Inspectorate, the Serious Fraud Office, the Government Legal Department, and the Attorney General's Office. This report includes buildings occupied by the CPS where data was available. The report does not include data from locations where landlords do not provide information to GPA. 2019-20 non-financial indicators have been restated to include actual environmental performance for the 2019-20 financial year. In accordance with annual reporting conventions for sustainability across other UK Government departments, the CPS' non-financial indicators for the latest year are compiled using data from the final quarter of the previous financial year plus the first three quarters of the latest financial year (i.e. a full calendar year). Figures are restated to a financial year basis in the following year's report.






## Governance and data quality

The GPA was responsible for managing the CPS' property portfolio in 2020-21. However, overall responsibility for sustainability remains with the CPS' executive team. Internal data validation checks are carried out by the contractors Avieco.

In order to report the greenhouse gas emissions associated with activities, 'activity' data such as distance travelled, litres of fuel used, or tonnes of waste disposed has been converted into carbon emissions. The greenhouse gas conversion factors used in this report can be found in the Government environmental impact reporting requirements for business: <https://www.gov.uk/government/publications/greenhouse-gas-reporting-conversion-factors-2018>.

## GGC headline performance

Table 1: Summary of Greening Government Commitments performance

Overall GGC Performance 2020-21	2017-18 performance	2018-19 performance	2019-20 performance	2020-21 performance	Achievement against target
Reduce greenhouse gas (GHG) emissions by 47%	56%	67%	61%	68%	 Exceeded
Reduce domestic business flights by 30%	60%	52%	41%	62%	 Exceeded
Continue to reduce total waste produced beyond 23%	60%	62%	63%	67%	 Exceeded
Reduce paper use by 50%	81%	88%	93%	95%	 Exceeded
Continue to reduce water consumption beyond 45%	73%	64%	58%	60%	 Exceeded

All performance is reported against the CPS 2009-10 baseline.

## Greenhouse gas emissions and financial costs

The CPS has reduced its total in-scope gross greenhouse gas emissions by 68% since the 2009-10 baseline year.

Table 2: Greenhouse gas performance 2020-21

Greenhouse Gas (GHG) Emissions		2009-10	2015-16	2016-17	2017-18	2018-19	2019-20 (restated)	2020-21
Non-financial indicators (tonnes CO <sub>2</sub> e)	Total Gross Scope 1 (Direct) and Scope 2 (Energy indirect) GHG emissions*	9,483	4,263	3,090	4,076	4,014	4,051	3,329
	Total Gross Scope 3 (Official business travel) emissions	2,582	1,897	852	854	886	837	512
	<b>Total emissions – Scope 1, 2 and 3</b>	<b>12,065</b>	<b>6,160</b>	<b>3,942</b>	<b>4,930</b>	<b>4,900</b>	<b>4,888</b>	<b>3,841</b>
Non-financial indicators (MWh)	Electricity	14,682	7,844	5,412	6,057	8,931	10,261	8,600
	Gas	11,364	3,115	3,579	4,721	3,103	3,484	3,200
	<b>Total energy consumption</b>	<b>26,046</b>	<b>10,959</b>	<b>8,991</b>	<b>10,778</b>	<b>12,034</b>	<b>13,745</b>	<b>11,800</b>
Financial indicators (£000)	Expenditure on energy	2,328	1,145	1,099	1,088	757	657	357
	CRC licence expenditure	–	1	1	1	1	1	1
	Expenditure on official business travel	5,661	4,367	4,330	4,697	5,075	6,009	813
	<b>Total expenditure on energy and business travel</b>	<b>7,989</b>	<b>5,513</b>	<b>5,430</b>	<b>5,786</b>	<b>5,833</b>	<b>6,667</b>	<b>1,171</b>

Due to the nature of the CPS' estate and the data available, from 2017-18 onwards it has not been possible to split out the CPS emissions and consumption from LOD overall.

\*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)

## Domestic flights

Table 3: Domestic flights 2020-21

Domestic air travel	2009-10	2015-16	2016-17	2017-18	2018-19	2019-20 (restated)	2020-21
Number of flights	568	344	228	229	382	337	218

Due to the nature of the data available, it is not possible to split out CPS flights from LOD overall flights.

The CPS makes use of a centrally sourced travel contract which provides details of alternatives to travel, and the travel and subsistence manual informs staff that alternative methods of travel should be considered before booking a flight.

Since 2009-10, the number of flights has reduced by 62%.

## Waste minimisation and management

Table 4: Waste and financial costs 2020-21

Waste		2009-10	2015-16	2016-17	2017-18	2018-19	2019-20 (restated)	2020-21	
Non-financial indicators (tonnes)	<b>Total waste</b>	<b>2,892</b>	<b>2,174</b>	<b>1,381</b>	<b>865</b>	<b>905</b>	<b>1,242</b>	<b>966</b>	
	Non-hazardous waste	Landfill	210	58	75	30	17	5	3
		Reused/ Recycled	2,682	2,116	1,306	835	888	1,237	963
Financial indicators (£000)	Paper Procured	680	364	223	132	112	180	121	

Waste has been reduced by 67% since 2009-10, and only 0.3% of waste is currently sent to landfill.

## Water consumption

Table 5: Water consumption and costs 2020-21

Water consumption		2009-10	2015-16	2016-17	2017-18	2018-19	2019-20 (restated)	2020-21
Non-financial indicators (m <sup>3</sup> )	Whole estate	51,907	19,232	12,307	22,133	20,253	22,363	20,822
Financial indicators (£000)	Water Supply and Sewage Costs	166	104	57	65	46	58	45

Due to the nature of the CPS' estate and the data available, from 2017-18 onwards it has not been possible to split out CPS consumption from LOD overall.

Since 2009-10, water use has been reduced by 60%.

## Future Look

During 2021-22, GPA will work with the CPS to further enhance the sustainability performance of its estate. As a future data processing and reporting procedure is developed and embedded, GPA will share its ideas and early outputs with the CPS. In addition, as the Government is looking towards a new phase of the Greening Government Commitments, GPA is also looking to use its enhanced understanding of the estates performance to set up a new set of GPA sustainability Key Performance Indicators to ensure it is driving the improvements needed to deliver against Net Zero ambitions and the wider sustainability agenda.

### Other sustainability commitments

Sustainable procurement	The CPS Commercial function ensures that sustainability clauses are embedded within the CPS' contracts and meet the Government Buying Standards, both at procurement stage and also through effective contract management. Financial stability checks for gold contracts (most critical and strategic) have been introduced to further monitor supply chain sustainability, and the contracts state that suppliers must support Corporate Social Responsibility and in their purchase of goods and services provide evidence of positive environmental management. The CPS Commercial team has undergone a major re-structure over the last 12 months. There is now a dedicated Head of Policy and Governance, whose responsibility and accountability are to ensure compliance with all government initiatives and policies. A complete review of all processes and procedures, including current documentation used, is now underway. Ensuring adherence to the Greening Government Commitments and Government Buying Standards will form part of this review.
Climate change adaption	Climate resilient designs are incorporated in retrofit projects on existing office buildings where possible as part of the ongoing fit out works.
Policy making and rural proofing	The CPS is committed to mainstreaming sustainable development in the policy making process. The CPS seeks to ensure that due consideration will be given to impacts often seen as peripheral such as sustainability and rural proofing (where applicable).
Sustainable construction	The CPS is committed to the BREEAM standard of "excellence" for any new builds and "very good" for refurbishments over the value of £0.5 million.

## Other information

### Equality of service delivery

The CPS' commitment to inclusion and equality is at the heart of how we work. Our core purpose is to provide a high-quality prosecution service. Our new Inclusion and Community Engagement Strategy for 2025 will set out how we do that, with a focus on high quality casework, the success of our people, public confidence, and a commitment to continuously improving. This new strategy will support all four of these priorities.

The strategy will set out our ambition to build on the strong foundations we have established already, making sure we continue to lead the way on promoting fairness, equality, diversity and inclusion across the criminal justice system. It is important to us both as an employer and in the way we approach our responsibilities as a prosecuting authority. The two are closely linked – supporting a diverse workforce allows us to provide a better service to the public.

A key theme of the previous CPS 2020 strategy was to emphasise the strong linkages between a diverse workforce and inclusive culture, and public trust and confidence in the CPS. While we have a diverse workforce nationally, there is more we can do at all levels and in different geographical regions. We commit to creating an inclusive working environment for all our people, to ensure that we fully reflect our communities. This approach continues for CPS 2025, with the strategy being jointly led by the Directors in Strategy and Policy and HR.

Openly engaging with our community stakeholders is one particular way in which we aim to promote the work of the CPS and to listen to the concerns of those who encounter the criminal justice system. This is key to building and maintaining public confidence. We engage openly with academics, the voluntary sector and community representatives. This sort of engagement has two-way benefits, providing communities with information and knowledge to better understand the criminal justice system and how decisions to prosecute are made, and for the CPS and our partners in developing our internal policies and procedures.

For instance, throughout the pandemic we held local listening exercises with Black and ethnic minority communities on their experience of COVID-19 and their wider perceptions of the criminal justice system. These exercises explored some of the issues highlighted by the Black Lives Matter movement, as well as what more the CPS can do to create a more inclusive working environment where all our people feel valued. Last year we also hosted three national Community Accountability Forums. These covered: the disproportionate impact of COVID-19 on health and criminal justice outcomes for Black, Asian and ethnic minority communities; domestic and so-called 'honour-based' abuse; and the impact of race on the criminal justice system.

In addition, we routinely hold Local Scrutiny Involvement Panels (LSIPs) across each of our 14 CPS Areas. Attended by community representatives who reflect local concerns, these groups have played an important role in feeding back issues to local staff to improve casework quality and support for victims and witnesses.

## 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.

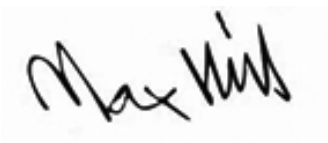
Where a victim of crime in England and Wales believes a criminal justice agency, including the CPS, has failed to provide the service set out in the Victims' Code, they should first put their complaint directly to the agency concerned. If their complaint is not addressed to their satisfaction by the 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 2020-21 three cases were accepted by the Ombudsman for consideration but no cases were accepted for investigation.

## Auditors

These Accounts have been audited by the National Audit Office on behalf of the Comptroller and Auditor General at a notional cost of £110,000 (see Note 3 on page 116). No other external audit services were commissioned by the CPS.



**Max Hill QC**

Director of Public Prosecutions

30 June 2021

# Accountability report

## Lead Non-Executive Board Member's Report

### Membership

Following significant membership changes in preceding years resulting from new appointments to the roles of Director of Public Prosecutions and Chief Executive Officer, alongside an overhaul of governance, the CPS Board membership did not undergo any change in 2020-21.

I believe we have created a robust Board, capable of providing the necessary challenge and support to guide the organisation and to continue to bring about a culture of continuous improvement.

To ensure that good governance continued during the COVID-19 pandemic, the Board held its meetings remotely this year. The Board would like to thank everyone within the CPS for the rapid steps taken to deploy the workforce remotely, for the work completed and the leadership shown by the executive team and for the flexibility and commitment of each and every member of the service. The Government recognised prosecutors as key workers, essential to the running of the justice system. The Board will continue to monitor the COVID-19 pandemic and its ramifications in 2021.

### Core Business

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

#### **Strategic Clarity**

The Board has spent time working closely with the Strategy and Policy Directorate to develop the Business Plan for 2021-22. We are confident that the 2021-22 Business Plan will put the organisation on good footing to continue to deliver the CPS 2025 strategy. The Board welcomed the plan's focus on staff wellbeing alongside mitigating the impact of the pandemic and supporting the operational frontline to deliver justice. We welcomed the plan's recognition of the importance of the work on Rape and Serious Sexual Offences (RASSO) and on supporting victims and witnesses.

This year the Board focused on the CPS response to the unprecedented COVID-19 pandemic, receiving regular updates on CPS response and recovery programme activities, in addition to two six-month strategic items. Through these strategic items the Board examined the short, medium, and long-term implications of COVID-19 on the five strategic aims of CPS 2025 and provided comment and challenge on identified actions. The Board has been impressed by the organisation's ongoing response to the pandemic whilst recognising the ongoing focus and effort needed to respond to longer term impacts.

To quote the National Black Crown Prosecution Association (NBCPA), 'Racism and discrimination have no place within the CPS or the communities that we serve', and the Board places particular importance on the work being done by the CPS in this regard both within and outside the organisation. The Board continues to be involved in the development of the Inclusion and



Community Engagement Strategy 2025, which will build on the 2018 strategy to set out both internal-facing work on equality, diversity and inclusion, and work with community stakeholders at a national and local level. The Board recognises the importance of ensuring the approach taken to engagement is informed by CPS 2025, the lived experience of CPS staff and the communities we serve.

The Board has also focused on the development of the Rape and Serious Sexual Offences 5-year strategy, RASSO 2025, which launched on 30 July 2020. RASSO 2025 reflects the strategic aims of CPS 2025 and brings together a significant programme of work, including a joint action plan with the police. The Board will continue to make RASSO a priority in 2021-22.

The Board welcomed the launch of the 2025 Economic Crime Strategy on 30 March 2021. The strategy articulates how the organisation will contribute to improving criminal justice outcomes in economic crime. The Board looks forward to receiving updates in 2021-22.

### **Commercial Sense**

The Board was content with the outcome of the 2020 Spending Round for 2021-22. The Law Officers' Departments, which includes the CPS, secured a £26.4 million cash increase in core resource funding between the 2020-21 and 2021-22 financial years. Additional funding was provided in the settlement to be spent on resource to manage the increased demand from the recruitment of additional police officers, and on additional RASSO capacity to support the Government's manifesto commitment to continue to fight crime against women and girls.

The CPS continues to seek to drive digital innovation to maximise efficiency, create resilience and reduce costs. An example of this in action was the rollout of Microsoft Teams software in early 2020, strongly endorsed by the Board, which this year allowed the service to respond to the COVID-19 pandemic by around 500 people working remotely increasing to around 5,000 overnight.

### **Talented People**

The CPS' Employee Engagement Index increased to 70% in the 2020 Civil Service People Survey, which is the highest it has been since the survey began and 4% higher than the Civil Service as a whole. All core themes in the 2020 survey saw increases, particularly in the areas of Inclusion, Learning and Development, and Leadership and Change. These outcomes reflect the supportive leadership and high level of engagement with staff throughout the pandemic period and the Board was pleased to see these increases.

The CPS continues to lead the way in inclusion in employment across government departments, yet is in no way complacent, continuing as an organisation to recognise the work and effort that is needed to ensure inclusivity. The Board recognises how vital it is that we reflect the communities the CPS serves. As a Board, we continue to consider actions we can take to improve Board diversity and inclusivity. This year Board members benefitted from being assigned reverse mentors, which has resulted in productive and enlightening discussions. The Board approved the launch of a new CPS Shadow Board intake next year and look forward to the new ideas and challenge these initiatives will bring.

This year the charity Working Families announced the CPS as its Best Practice Award winner for being Best for Mental Health and Wellbeing. The award recognised the impact of a new Wellbeing Strategy. The Board welcomed the continued prioritisation of Wellbeing throughout the organisation's response to COVID-19 and in the 2021-22 Business Plan.

We were also pleased to see that the CPS was again recognised by Working Families as one of the Top 10 employers for the fourth year running. Again, without being at all complacent, the CPS continues to be an employer of choice and this was demonstrated by the following achievements:

- CIPD People Management Award Winner for Best Talent Management Initiative 2020 for "Leading for Success"
- Awarded a place in the Top 75 of the Social Mobility Index 2020, demonstrating a commitment to social mobility in the wake of the COVID-19 pandemic
- Awarded eight Lex100 Winner medals in its 2020-21 student survey as best for Job satisfaction, Firm living up to expectations, Quality of work, Work/life balance, Confident of being kept on, Financial remuneration, Inclusiveness, and Approachability
- Rated as the most attractive employer for 2020 in the field of Law in a Universum survey of 40,528 students across 168 universities

## 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. This year the Board welcomed a quarterly highlight report on key success measures to track progress against the CPS 2025 values and the Business Plan.

## Management Information

The Board is provided with appropriate 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. The Board welcomes the realisation in the next financial year of work to streamline the performance data reporting.

## Committees

The Board continued to be supported by its committees and received regular reports from the committee chairs. I am grateful to Simon Jeffreys for his work as Chair of the Audit and Risk Assurance Committee (ARAC). ARAC continued to scrutinise the CPS' system of risk and internal control, in particular the corporate risk framework and data security.

I am also grateful to Caroline Wayman for her work as Chair of the Nominations and Governance Committee (NGC). NGC undertook thorough scrutiny of the CPS' senior executive pay and performance, and this year oversaw the proposed revision of its terms of reference.

Following the recent Board Effectiveness Evaluation report, the unprecedented COVID-19 period and a wider review of Corporate Governance, NGC proposed a revision of its terms of reference which was approved by the Board in March. It was agreed that from March 2021, the committee would be known as the Nominations, Leadership and Remuneration Committee (NLRC), would

meet four times a year and would operate under a revised terms of reference and meeting schedule. The first meeting of the NLRC, which Caroline will continue to Chair, took place in April 2021.

## Looking Forward

This year, in line with best practice, the superintendence relationship between the Law Officers and the CPS was further strengthened by a review and update of the CPS/AGO Framework Agreement. The revised Agreement will see the Ministerial Strategic Board meet more regularly at four times annually, to better align with key events in the financial year. The revised Agreement can be viewed in full on the CPS website. As Lead Non-Executive Board Member, I welcome the updates and look forward to continuing the productive relationship between the Law Officers and the CPS, which is an essential component of the governance and therefore of the standing and success of the CPS.

The response to COVID-19 will remain a significant ongoing challenge and will remain a focus for the CPS Board in 2021-22.

### **Monica Burch**

Lead Non-Executive Board Member and Chair of the Board – June 2021

# 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

April 2020 – March 2021	Meetings		
Members	CPS Board	Audit and Risk Assurance Committee	Nominations and Governance Committee
<b>Non-Executive Board Members</b>			
Caroline Wayman Non-Executive Board Member	10/10	–	3/3 CHAIR
Simon Jeffreys Non-Executive Board Member	10/10	4/4 CHAIR	–
Mark Hammond Non-Executive Board Member	10/10	4/4	–
Monica Burch Non-Executive Board Member	10/10 CHAIR	–	3/3
<b>Independent ARAC Members</b>			
Jennifer Rowe Non-Executive ARAC Member	–	4/4	–
Marta Phillips Non-Executive ARAC Member	–	4/4	–
<b>Executive Board Members</b>			
Max Hill Director Of Public Prosecutions	10/10	2	3/3
Rebecca Lawrence Chief Executive Officer Started 2 September 2019	10/10	4	3/3

The Director of Public Prosecutions and Chief Executive Officer are not formal members of the Audit and Risk Assurance Committee but attend by invitation. Details are shown for those meetings they attended.

April 2020 – March 2021	Meetings
	CPS Executive Group
Rebecca Lawrence Chief Executive Officer	11/13
Gregor McGill Director of Legal Services	12/13
Sue Hemming Director of Legal Services	13/13
Mark Gray Director of Operations, Digital and Commercial	11/13
Mark Summerfield Director of Human Resources Left 31 August 2020	5/5
Dawn Brodrick Chief People Officer Started 7 September 2020	7/7
Baljit Ubhey Director of Strategy and Policy	11/13
Chris Sharp Director of Finance and Estates	12/13
Sandra McKay Director of Communications	12/13
Max Hill QC Director of Public Prosecutions	13/13

## Security

The CPS reviewed its security profile as part of its annual completion of the Departmental Security Health Check (DSHC) – a Cabinet Office (CO) requirement – in October 2020. The DSHC considers the Department’s compliance against ‘Minimum Security Standards’ for Cyber, Incident Management, Personnel and Physical. The CPS’ performance exceeded the minimum standards in Cyber and Incident Management. In relation to the Personnel and Physical standards, our performance was judged as ‘Mostly meeting the standard’. Appropriate action is underway to meet two outstanding Personnel security requirements. With over 200 sites, many of which we share, meeting the Physical standard is more challenging. However, this is a priority for the forthcoming year.

## Cyber security

The CPS continues to react swiftly to previously unknown vulnerabilities, such as the SolarWinds vulnerability revealed in December 2020. We confirmed none of our infrastructure, nor relevant elements of our suppliers’ infrastructure, was impacted. Likewise, in relation to the Microsoft Exchange vulnerability publicised in March 2021, we ensured patches were applied immediately.

In common with practice across government, we work with relevant parties on cyber security attacks, to understand the extent of the CPS' exposure, and to ensure appropriate steps are taken. The CPS is in the process of joining the National Cyber Security Centre's 'Host Based Capability', to support wider UK Government efforts to protect against cyber-attacks.

Throughout the last year, the CPS has conducted regular and frequent phishing training exercises. Our Security Operations Centre continues to take data feeds from a number of CPS network services to detect anomalous activity. Data feeds from additional network services, such as Microsoft 365, are now being incorporated.

We continue to work with suppliers, both internal and external, to ensure new products are appropriately secure. 2020 saw the move away from BlackBerrys and the deployment of new 'secure build' Android smartphones and Windows 10 laptops.

### **Operational security**

CPS operations are underpinned by proportionate physical, personnel and information security controls; these were updated during the last year to align with the 'Cabinet Office Centre of Excellence standards' and implemented across the CPS estate. The Operational Security Team (OST) worked closely with key internal and external stakeholders to address COVID-related security risks and implemented appropriate policies to support the move to remote working.

Despite the pandemic, the OST provided an increased amount of training to locally based security staff. In addition, specific projects – including improved incident management metrics remedial action, a revised process for managing access to the corporate HR system and the transition of Vetting Aftercare to an on-line process – all enhanced the CPS' overall security provision.

### **Business continuity**

The CPS' Business Continuity capabilities and resilience were tested every day of the last year. The abrupt closure of offices and courts led to most staff moving to home-based working overnight. The Gold/Silver command structure led the CPS' response to the pandemic and contribution to the criminal justice system's recovery. The transition to digital court hearings was a major business and cultural change but through judicious planning in previous years, the CPS was able to effectively meet the challenge. The CPS' response to the pandemic was reviewed by Her Majesty's Crown Prosecution Service Inspectorate – it was judged as 'effective and sound'.

### **General Data Protection Regulation (GDPR)**

We have continued to develop our data protection processes to ensure we optimise the value of the data we hold whilst protecting the 'rights and freedoms' of all data subjects. Our Information Governance Group (IGG) continues to provide effective oversight of information management across the organisation, providing the necessary assurance to both the Executive Group and the Audit and Risk Assurance Committee. All data protection policies and guidance were reviewed by the Policy Review Board on behalf of the IGG.

We have delivered new and improved training on data protection legislation for all staff and helped develop guidance on redaction training in various formats to assist them in decision making at pace.

By assisting project teams undertaking data protection impact assessments, we have ensured all new systems comply with the Data Protection Act 2018 and helped embed a culture of 'data protection by design and default'.

### **Information assurance and compliance**

The CPS compliance rate statistics for information requests are as follows:

#### **Freedom of Information Requests (FOIs)**

April 2020 to March 2021

Received: 644

Responded within Deadline: 578

Compliance Rate: 90%

#### **Rights of Access Requests (ROARs)**

April 2020 to March 2021

Received: 467

Responded within Deadline: 283

Compliance Rate: 61%

Due to remote working, staff were initially unable to access the hard copy data needed to respond to Right of Access requests. Changes to working practices and utilising staff across the Security and Information Assurance Division, however, enabled us to partially recover this position during the year.

#### **GDPR rights requests**

Total Received: 16

Responded to within deadline: 15

Compliance rate: 94%

#### **CPS legacy case records for national interest**

To meet the CPS' obligations under the Public Records Act 1958 and 20 Year Rule transition timetable, the Records Management Team (RMT) selected and transferred 38 legacy prosecution case files and 11 additional case files for years 1993, 1992 and 1970 to The National Archives (TNA). These cases formed 749 pieces in compliance with TNA standards for permanent preservation. For year 1994, 22 cases (502 pieces) are ready for transfer, for year 1995, 35 cases are being prepared for transfer, whilst 21 case files have been selected for year 1996, all expected to be transferred by the end of the calendar year.

#### **CPS records retention schedules**

In compliance with the UK General Data Protection Regulation (GDPR)/Data Protection Act (DPA) 2018 all retention schedules have been reviewed and updated.



**Personal data-related incidents**

A summary of protected personal data-related incidents formally reported to the Information Commissioner's Office (ICO) in 2020-21 is set out below.

## Personal data incidents reported to the ICO in 2020-21:

Date of incident (month)	Nature of incident	Nature of data involved	Number of people potentially affected	
April to June 2020	1 data handling loss 10 unauthorised disclosures	Media and USB stick Case information	16	Operational Security notified and breaches reported to ICO. All breaches closed by ICO – no regulatory action taken.
July to September 2020	1 data handling loss 10 unauthorised disclosures	VRR letter Case information	23	Operational Security notified and breaches reported to ICO. 11 breaches closed by ICO – no regulatory action taken. One breach was a re-referral from 2017-18 as new information came to light but has now been closed – no regulatory action taken.
October to December 2020	5 data handling losses 7 unauthorised disclosures	Archive case files and court bundles Case information	60	Operational Security notified and breaches reported to ICO. Eight breaches closed by ICO – no regulatory action taken. Four breaches being considered by ICO as of 11 June 2021.
January to March 2021	7 data handling losses 11 unauthorised disclosures	Disc and archive case files Case information	263	Operational Security notified and breaches reported to ICO. Eight breaches closed by ICO – no regulatory action taken. 10 breaches being considered by ICO as of 11 June 2021.

A summary of personal data incidents in 2020-21 is set out below.

### Total personal data incidents in 2020-21:

Category	Total reported	Explanatory note
Loss of electronic media and paper documents from secured government premises	55	In 37 of these incidents 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	22	In 15 of these incidents the data loss was very minor and was eventually recovered; or reported but caused by non-CPS staff.
Unauthorised disclosure	1,960	In 1,674 of these incidents 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	In 24 of these incidents 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.

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 Officer 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.

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.

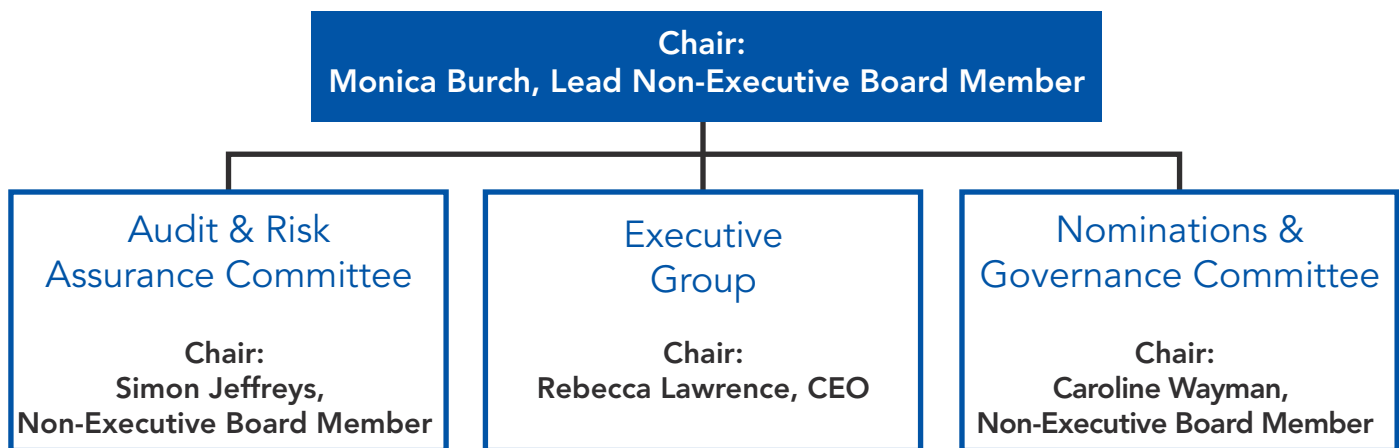
The Accounting Officer confirms that he has taken all the steps that he ought to have taken to make himself aware of any relevant audit information and to establish that the CPS' auditors are aware of that information. So far as he is aware, there is no relevant audit information of which the auditors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

The Accounting Officer confirms that the Annual Report and Accounts as a whole is fair, balanced and understandable and he takes personal responsibility for the Annual Report and Accounts and the judgements required for determining that it is fair, balanced and understandable.

## Governance statement

This Governance Statement sets out the CPS' governance, risk and assurance management and internal control framework and how, during 2020-21, 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 are given in the Directors' report on page 55.

## 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 Cabinet Office's and HM Treasury's Corporate Governance Code of Good Practice provides guidance on Board composition and remit. In response to the findings of a 2019 review of CPS governance, changes to the Board composition were made, motivated by an intention to make the Board more strategic, streamlined and independent.

Monica Burch is Lead Non-Executive Board Member and Chair of the CPS Board. Monica works closely with 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.

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.

This year the Board has considered a number of key issues, including oversight of the CPS response to the COVID-19 pandemic. The Board received regular updates on the progress of the Future Working Programme and on activities to support staff wellbeing during the pandemic.

To ensure the Board is satisfied with the quality of data it receives, the Board has worked closely with performance teams throughout the development of a new quarterly highlight report to track progress against the CPS 2025 values and the Business Plan. The Board is also closely involved in the development of work to streamline the performance data reporting, which is due to be realised in the next financial year.

Another key focus for the Board was Diversity and Inclusion, through scrutiny and guidance of the development of the Inclusion and Community Engagement Strategy.

The CPS Board successfully implemented the recommendations of the 2019-20 Board Effectiveness review. This included launching a communications strategy to better inform staff of Board activities.

### ***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 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.

The CPS Bespoke Assurance Framework continued to ensure that members of the Executive Group were accountable for their respective portfolios. The reports the Committee have received have provided assurance to the CPS Board on the effectiveness of internal controls within the CPS.

The Committee continued to receive updates on risk management process at each meeting. In addition, the Committee conducted regular deep dives on specific risks. This year, the specific risks considered included information security and the COVID-19 response.

### ***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 talent;

- scrutinising the incentive structure, and succession planning, for the Board and senior leadership of the CPS.

It has specific decision-making responsibility in respect of the remuneration of CPS senior management. This year the Committee supervised the 2020 annual senior pay review strategies for the Senior Civil Servant (SCS) and Senior Legal Manager (SLM) cadres, ensuring that the strategy was consistent and in line with Cabinet Office guidelines. The Committee has maintained oversight of senior talent management and succession planning, and the Senior Operating Model.

## **Risk management**

The early identification and effective management of risk is fundamental to the achievement of our mission, goals and strategic objectives. Our approach encompasses managing risk across all of our activities at operational, tactical and strategic levels.

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

For the CPS to meet the changing demands of the criminal justice system and fulfil our stakeholders' expectations, it is necessary that we take calculated risks within the context of a managed framework. To this end the CPS has adopted an Enterprise Risk Management methodology and philosophy designed to ensure that risks are effectively mitigated in line with the Treasury's 'Orange Book'. This is underpinned by risk management processes designed to inform business decisions; enable more effective use of resources; enhance strategic and business plans and strengthen contingency planning.

Effective governance of the process allows for escalation and reporting of risk to appropriate tiers of management including the Executive Group, Audit and Risk Assurance Committee, and the Board. Additionally, the Integrated Internal Audit programme and work of HM Crown Prosecution Service Inspectorate is informed by regular mapping to ensure adequate coverage of all key areas of risk.

The CPS adopts a very low risk appetite towards any risk likely to result in the miscarriage of justice, that would expose the CPS to significant reputational damage, or that risks a material financial loss.

### ***Roles and responsibilities***

The CPS Board has overall responsibility for our risk appetite, determining the amount and type of risk that we are willing to take to meet our strategic objectives.

The DPP and our Chief Executive Officer (as Accounting Officers) are accountable to Parliament for ensuring that all risks are managed effectively. On their behalf, the Finance and Estates Director and the Risk Management Team coordinate the deployment of risk management arrangements, ensure consistency of approach and periodically report the top risks to the Executive Group, Audit and Risk Assurance Committee and the Board.

Ownership of risk registers is assigned to relevant senior managers, and individual risks are owned by the most appropriate team or individual.

Corporate performance, including current risk and financial metrics, is reviewed on a monthly basis by the Executive Group, with a formal review of the top risks on a quarterly basis to agree the required controls and mitigating actions required to reduce risks to within tolerance levels and to consider emerging issues.

The Audit and Risk Assurance Committee, which meets quarterly, provides oversight of corporate risks, reviewing the status and the progress of mitigations identified by the risk owners.

The Board formally reviews key risks and the risk landscape is used to inform the business strategy and the audit programmes to aid management in the delivery of business objectives.

Individual risks are assessed using our Enterprise Risk Management methodology under one of 10 underlying risk themes.




### COVID-19 CPS response


Over the last year, the UK has remained under restrictions due to the COVID-19 pandemic. The threat has been managed as a live issue through our business resilience processes. However, there will be a lasting risk for many aspects of our operations. Our delivery depends on our people and ensuring their health, safety and wellbeing whilst maintaining the quality of our legal decision making and operational delivery has been the key focus throughout the financial year.



The COVID-19 pandemic brought change to all areas of life. The CPS responded swiftly and decisively at all stages to ensure that our staff, criminal justice system partners and all other participants in the criminal justice system remained as safe as possible. From March 2020 we ceased all but essential operations on-site and transitioned to remote working. In the following months we enacted a plan to ensure all our sites were COVID-secure, whilst ensuring that staff were able to work effectively from home where practical and possible to do so. The CPS worked closely with HM Courts and Tribunals Service to be able to assure our staff that the court estate was a safe working environment and we transitioned to the use of video hearings where practical and appropriate.



### Our principal risks

Risk Category	Risk Description	Key Activities to Manage Our Risk	Risk Assessment and Direction of Assurance
<p><b>Information Management</b></p> <p><b>Public Confidence</b></p>	<p><b>Data Protection:</b></p> <p>That sensitive information is not kept secure.</p> <p>The CPS is responsible for the security and safekeeping of sensitive data including evidence in cases. The CPS also has a requirement to meet its obligations under General Data Protection Regulation (GDPR) law.</p> <p>Sensitive case information relating to witnesses could be disclosed in error placing them at risk.</p>	<ul style="list-style-type: none"> <li>The overwhelming means of volume data transfer off criminal justice system networks is now via Egress rather than removable media.</li> <li>CPS has established a formal steering group that has oversight of all information governance (IG) performance and activities across the whole organisation.</li> <li>Information Governance policies reviewed and updated to address ICO recommendations.</li> <li>The procedures for granting, monitoring and restricting access to removable media are formally documented.</li> <li>Mandated Information Governance training rolled out across the organisation.</li> </ul>	<p style="text-align: center;"></p> <p>This is identified as a severe risk where CPS has a very low risk appetite.</p> <p>Further mitigating actions have been identified to bring this risk within tolerance levels.</p>



Risk Category	Risk Description	Key Activities to Manage Our Risk	Risk Assessment and Direction of Assurance
<p><b>Casework &amp; Legal Decision Making</b></p> <p><b>Public Confidence</b></p>	<p><b>Quality of Legal Decisions:</b></p> <p>That CPS Prosecutors do not consistently apply the correct criteria to determine which cases are brought to trial, and that cases are not kept under regular review to ensure a high quality of casework and legal decisions.</p> <p>Our strategy sets out that we will deliver justice through excellent, timely legal decision making, casework preparation and presentation.</p> <p>There is a risk that the CPS could prosecute a case where there is no realistic prospect of prosecution or where it is not in the public interest or that the CPS fails to charge a case and the perpetrator of a crime is not brought to justice.</p>	<ul style="list-style-type: none"> <li>• Reviews of 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>• Reaction 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 plan.</li> <li>• Her Majesty's Crown Prosecution Service Inspectorate (HMCPSI), an independent body, inspects the work carried out by the CPS. 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 style="text-align: center;"></p> <p>The CPS adopts a very low risk appetite towards any risk likely to result in the miscarriage of justice.</p> <p>The judicial review against the CPS launched by the end violence against women (EVAW) coalition on the approach to prosecuting rape cases was dismissed.</p> <p>We have worked with partners across the criminal justice system on the crucial issue of violence against women and girls, and through implementation of RASSO strategy we are determined to drive up the number of rape cases that are going to court.</p> <p>We take assurance from both internal and external (HMCPSI) assessment of our performance and consider any emerging concerns that are identified in order to ensure we maintain this risk within tolerance levels.</p>

Risk Category	Risk Description	Key Activities to Manage Our Risk	Risk Assessment and Direction of Assurance
<p><b>Security &amp; Digital Technology</b></p>	<p><b>Court Reform Programme:</b></p> <p>That delivery teams are unable to reach the required pace of technological development to deliver the ambitious cross criminal justice system plans for a shared common platform within timeframe and budget.</p> <p>Our strategy sets out that 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.</p>	<ul style="list-style-type: none"> <li>• Active participation in (and where applicable leadership of) relevant cross-justice initiatives.</li> <li>• Clear articulation of our business requirements, feeding into relevant change programmes.</li> <li>• Ensuring our workforce had the technology to work remotely during the COVID-19 pandemic.</li> </ul>	<p style="text-align: center;"></p> <p>The CPS collaborates with partners on mutually beneficial initiatives designed to improve the criminal justice system through investment in digital technology.</p> <p>Progress and available options are kept under constant review to ensure delivery, however.</p>
<p><b>Health &amp; Safety</b></p>	<p><b>COVID-19 and Staff Welfare:</b></p> <p>That the CPS does not effectively manage health and safety at work and comply with all relevant legislation.</p> <p>During the last year there has been particular focus on ensuring the new risks arising from COVID-19 have been fully mitigated against to maintain the health, safety and wellbeing of our employees.</p>	<ul style="list-style-type: none"> <li>• Development of health and safety rules and safe systems of work, expanded to encompass all guidance and legislation arising from COVID-19.</li> <li>• Steps taken to enable staff to work effectively from home where possible and practical to do so during the COVID-19 pandemic.</li> <li>• Instigation of corrective measures to eliminate any identified hazards</li> <li>• Consideration of reports and factual information provided by inspectors of the enforcing authority appointed under the Health and Safety at Work etc. Act 1974.</li> <li>• The study of any accidents, incidents and potential hazards, statistics, and patterns and locations by the Departmental Health and Safety Committee to identify unsafe and unhealthy conditions and practices together with recommendations for corrective action.</li> <li>• The Departmental Health and Safety Committee meet regularly throughout the year. It is attended by representatives from both trade unions and management.</li> </ul>	<p style="text-align: center;"></p> <p>The Health and Safety committee provides a forum to promote, initiate, develop and carry out measures to ensure the health, safety and welfare at work of all employees.</p> <p>Whilst there remains a focus on continuous improvement, the overarching risk is maintained within tolerance levels.</p>

Risk Category	Risk Description	Key Activities to Manage Our Risk	Risk Assessment and Direction of Assurance
<p><b>Security &amp; Digital Technology</b></p>	<p><b>Cyber Security:</b> That our data or infrastructure is compromised by hostile cyber activity leading to potential major disruption to core business operations.</p>	<ul style="list-style-type: none"> <li>• All ICT procurement requires that suppliers provide a security-assured service.</li> <li>• We have an advanced threat intelligence service as part of our Security Operations Centre and continue to increase pro-active monitoring.</li> <li>• We conduct regular health checks and penetration checks.</li> <li>• Growing our Cyber Security Team and liaising with the National Cyber Security Centre.</li> </ul>	<p style="text-align: center;"></p> <p>Action was taken swiftly to address notification of a vulnerability by a supplier.</p> <p>We continually review our cyber security reliance to address cyber risk and maintain all digital technology risks within tolerance levels.</p>
<p><b>Service to Victims</b></p> <p><b>Public Confidence</b></p>	<p><b>Delays in Prosecutions:</b> That delays in the criminal justice system arising from COVID-19 adversely impact the delivery of justice for victims.</p> <p>The CPS seeks to treat all victims and witnesses with respect and understanding throughout the justice process.</p> <p>The Victims' Code and Witness Charter set out what information and support victims and witnesses of crime should expect from the criminal justice agencies.</p>	<ul style="list-style-type: none"> <li>• Monitoring of the quality and timeliness of communications with victims against the Victims' Code standard.</li> <li>• Witness Care Units provide a single point of contact after the point of charge about the progress of the case, including the date of hearing.</li> <li>• Victims' Right to Review Scheme makes it easier for victims to seek a review of a CPS decision not to bring charges or to terminate proceedings.</li> <li>• Work with criminal justice partners to address current backlogs, ensuring the CPS are adequately resourced and trained to prosecute through video hearings and to meet additional demand from Nightingale Courts and increased sitting days.</li> </ul>	<p style="text-align: center;"></p> <p>Although quality and timeliness of communications with victims continues to improve it is below levels of aspiration.</p> <p>Court backlogs that have materialised during the COVID-19 pandemic have led to unacceptable delays in the delivery of justice.</p>

All risks that fall outside CPS risk tolerance are periodically reviewed by the Audit and Risk Assurance Committee to ensure effective mitigation is in place to manage these appropriately back within tolerance.

## Identifying and managing conflicts of interest

The Civil Service Management Code sets out standards of propriety expected of civil servants in respect of external interests. The CPS has a policy in place for the declaration and management of interests for all staff and adheres to the requirements of the Code. In addition to the established processes in place for managing interests, an annual audit exercise takes place which requires all staff in SCS and equivalent grades and senior employees in a Commercial role to make an annual declaration of any private, personal or financial interests, whilst staff in other grades are required to declare any interests that may give rise to a conflict or perceived conflict. Where a conflict or perceived conflict of interest arises, these will be recorded, considered, assessed, and managed by appropriate senior managers with the support of Risk and HR practitioners.

## Business appointments

In compliance with Business Appointment rules, the CPS is transparent in the advice given to individual applications for senior staff. No advice on specific business appointments was issued in 2020-21.

## Her Majesty's Crown Prosecution Service Inspectorate

Her Majesty's Crown Prosecution Service Inspectorate inspects the Crown Prosecution Service and the Serious Fraud Office. It provides independently assessed evidence to help drive improvement and build public confidence in the prosecution process.

HMCPPI 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 2020-21, HMCPPI completed the following inspections and reports:

### ***CPS response to COVID-19: 16 March to 8 May 2020***

This report looked at the CPS' response during the period of lockdown from 16 March to 8 May, when movement was extremely limited. The decisions made during this period were, in some instances, a matter of life and death. The report found that the level of service provided throughout had been effective, with digital capability being core to the continuation of the business.

Published: 30 June 2020

### ***Victim Communication and Liaison scheme: letters to victims***

This inspection looked at the effectiveness of the CPS' communication with victims of crime. It is a follow-up to an inspection report published in November 2018 on the same topic. Since then, the CPS had accepted the HMCPPI recommendations, published an action plan and started taking actions and making changes. The inspection highlighted that many of the issues identified in the 2018 report remained, with no noticeable overall improvement in letter quality. However, there have been improvements in some individual Areas since the 2018 inspection, both in terms of the timeliness and quality of letters. There were some good examples of quality letters being sent by Areas, with good explanations and good empathy. There has also been a strong desire

to achieve the best quality possible for victims, with significant local and national management time invested to drive improvements since the last inspection. However, this has not resulted in improved outcomes overall.

Published: 22 October 2020

### ***Inspection of CPS Information Management***

This inspection focused on the controls the CPS has in place to make sure that case information is managed securely and appropriately. Whilst the CPS has developed a considerable amount of policy and guidance to support information management generally, the HMCPSI findings showed that there was a lack of clarity and understanding at the operational level in relation to handling casefile material. The report found that the CPS needed to ensure that it works effectively with partners to reduce the propensity of the risk, that its internal processes and systems are effective, and that the organisational culture changes to look on data breaches as a critical failure.

Published: 12 November 2020

### ***Disclosure of unused material in the Crown Court – a follow-up***

This inspection was a follow-up to one we reported on in January 2020, looking at the CPS' handling of the disclosure of unused material in the Crown Court. The report found evidence of improvement in some aspects of performance since the January 2020 report, but also of slight deterioration in some aspects. It was identified that some of the deterioration could be attributable to differences between the file samples. The HMCPSI view however was that whilst CPS prosecutors' compliance continues to improve in respect of carrying out the process, it still has some way to go to deliver casework that could be assessed as of the appropriate quality.

Published: 1 December 2020

### ***Joint Inspection on Pre-charge bail and released under investigation: striking a balance***

Between October 2019 and February 2020, HMCPSI inspected the police and CPS responses to pre-charge bail changes and the use of released under investigation (RUI). The inspection found:

- that suspects are still faced with lengthy delays and that the changes also had unintended consequences for victims, who view them as overwhelmingly negative;
- that not enough thought was given as to how the legislative changes would affect victims;
- that RUI leaves too many victims without the reassurance and protection that bail conditions can provide;
- there was an inconsistent implementation of the changes by forces due to a lack of clear guidance;
- that investigations involving suspects released under investigation tend to take longer and are subject to less scrutiny than ones involving formal bail; and
- that victims and suspects do not understand the legislation and are not being updated about the progress of their case.

Published: 11 December 2020

***Impact of the pandemic on the criminal justice system***

This report provided a cross-system view of how the criminal justice system reacted in the immediate aftermath of the first national COVID-19 lockdown (23 March to 10 May 2020), and of how the system had managed since. The report highlighted risks and innovative practice, and focused in detail on the greatest risk facing the criminal justice system as it continues to respond to and recover from the pandemic.

Published: 19 January 2021

***Complex Casework Units***

This inspection examined the effectiveness and efficiency of CPS Complex Casework Units (CCU) in identifying and managing their casework. In general, HMCPSI found that CCUs are both effective and efficient in managing their casework.

Published: 02 March 2021

***CPS response to COVID-19: dealing with backlogs***

This report continued the HMCPSI investigation of how the organisations they inspect have responded during the global COVID-19 pandemic. HMCPSI found CPS has a strong imperative to work with others in the criminal justice system to reduce the backlog. There were many examples of effective working with the police, courts and judiciary, with all parties pulling together. Whilst there were clearly pressures in all Areas, local differences in case mix and progress towards recovery meant that pressures were falling less quickly in some Areas than others. The report found that there had been a good and clear sense of the CPS working together to deal with the consequences of the backlogs and that collectively the CPS had reacted well. However, due to the geographical differences, the report suggested it may become necessary for some Areas to give more help to those facing greater challenges.

Published: 09 March 2021

***The CPS' handling of police witness care correspondence***

This inspection examined the CPS' management of the correspondence it receives from police witness care units (WCUs). The inspection found that CPS Areas usually handle witness care correspondence efficiently and effectively. Staff checked incoming communications promptly, responding within an acceptable timeframe and fully addressed most queries. The report recommended that the CPS should encourage the four police forces that do not currently use the witness management system to adopt the system, as this improved the timeliness of handling cases.

Published: 25 March 2021

***A six-year review***

This report looked back at Kevin McGinty CBE's six-year tenure as Chief Inspector of the CPS from 1 April 2015 to 31 March 2021. It sets out findings from inspections carried out over this period and identifies cross-cutting themes. The report highlights the successes, challenges and problems that the criminal justice system has faced and still faces. It also points out both innovative practices and risks, focusing in detail on the greatest risk facing the criminal justice system as it continues to respond to and recover from the pandemic.

Published: 18 March 2021



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

### **Commercial arrangements**

A recent restructure of the Commercial function introduces a dedicated Head of Commercial along with a senior leadership team majoring in key areas such as Category Management, Contract Management, Complex Procurement and Governance & Policy. The move to a more strategic approach to commercial activities ensures engagement with our customers from strategy to completion and delivery of informed, intelligent commercial support.

The CPS Commercial Policy sets out the governance for our commercial activity, it ensures legal and ethical compliance and provides assurance to adherence to Public Contract Regulations, Cabinet Office spend controls and delegated authority limits which are structured around value and risk of the procurement or contract change involved. The policy is supported by an approval framework with gateways encompassing make/buy decisions, sourcing strategy, contract award and contract variation. Commercial involvement in finance business cases has been further strengthened with a more detailed commercial review and the necessity for commercial to complete the assessment and not the business lead. This ensures the right commercial risks are raised at business planning stage and that commercial are involved early in the process. The Commercial function are also represented on all relevant internal governance boards to provide commercial insight and oversight, thereby ensuring that compliance is maintained and the most advantageous commercial model is delivered to the CPS.

### **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.

Rebecca Lawrence acts as an Additional Accounting Officer of the CPS.

### **Assurance audits**

The CPS uses the Government Internal Audit Agency (GIAA) to provide objective insight aimed at helping achieve better outcomes and value for money for the public. In 2020-21 GIAA 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.



Internal Audit 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.

The following table represents the high-level outcomes achieved for each of the areas audited during 2020-21:

AREA OF INSPECTION	OUTCOME FROM REVIEW OF EFFECTIVENESS	DATE REPORT FINALISED
Recruitment	<b>MODERATE</b>	April 2020
Risk Management and Assurance	<b>MODERATE</b>	April 2020
Communications with Victims and Witnesses	<b>MODERATE</b>	April 2020
Staff Engagement	<b>SUBSTANTIAL</b>	October 2020
HR Governance	<b>MODERATE</b>	November 2020
Magistrates' Court – Discontinued Cases	<b>SUBSTANTIAL</b>	January 2021
Corporate Governance	<b>LIMITED</b>	March 2021
CPS Flexible Working Equipment Rollout	<b>MODERATE</b>	March 2021
CPS Witness Expenses	<b>MODERATE</b>	March 2021
IFRS16	<b>MODERATE</b>	April 2021
COVID-19 Travel – Benefits-in-kind	<b>MODERATE</b>	April 2021
Data Governance	<b>MODERATE</b>	April 2021
Lawyer Induction and Training	<b>MODERATE</b>	April 2021
Police Stakeholder Management	<b>MODERATE</b>	April 2021

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 2020-21.

## 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 <https://civilservicecommission.independent.gov.uk/>.

The Director of Public Prosecutions, 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 board members have fixed term contracts as follows:

#### Lead Non-Executive Board Member and Chair of the CPS Board

**Monica Burch** 26 June 2017 to 27 June 2020, renewed 27 June 2020 to 26 June 2023

#### Non-Executive Board Members

**Mark Hammond** 3 July 2017 to 2 July 2020, renewed 3 July 2020 to 2 July 2023

**Caroline Wayman** 1 June 2018 to 31 May 2021, renewed 1 June 2021 to 31 May 2024

**Simon Jeffreys** 3 December 2018 to 2 December 2021

#### Independent Audit and Risk Committee Members

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

**Jennifer Rowe** 4 August 2015 to 3 August 2018, renewed 14 February 2018 to 2 August 2021

**Marta Phillips** 4 August 2015 to 3 August 2018, renewed 13 February 2018 to 2 August 2021

However, Marta Phillips left the Committee on 31 January 2021 and appointment of a replacement is underway.

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 and retention of staff.
- Government policies for improving 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.
- Evidence received about wider economic considerations and the affordability of its recommendations.

Further information about the Review Body can be found at <https://www.gov.uk/government/organisations/review-body-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 2020-21 this committee was made up of the following:

Caroline Wayman, Non-Executive Board Member (Chair), Monica Burch, Lead Non-Executive Board Member, Max Hill QC, Director of Public Prosecutions and Rebecca Lawrence, Chief Executive Officer.

The Committee is tasked with considering the relative contributions of the CPS' 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 provided for a 1% consolidated pay award for eligible employees. 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 for PRP awards. The actual distribution of PRP payments was 1.94% 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 of the CPS. This is considered to be the membership of the CPS Board and the Executive Group.

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

	2020-21					2019-20				
	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	215-220	–	–	84	300-305	215-220	–	3.6	82	300-305
<b>Rebecca Lawrence</b> Chief Executive Officer (from 2 September 2019)	155-160	0-5	–	67	225-230	85-90 (fye 155-160)	–	–	33	120-125
<b>Paul Staff</b> Chief Executive Officer (to 23 August 2019)	N/A	N/A	N/A	N/A	N/A	120-125 <sup>2</sup> (fye 130-135)	5-10	–	–	130-135
<b>Jean Ashton</b> Director of Business Services (to 30 April 2020)	100-105 <sup>3</sup> (fye 105-110)	–	–	1	100-105	100-105	5-10	16.0	41	165-170
<b>Gregor McGill</b> Director of Legal Services	120-125	–	–	36	160-165	120-125	5-10	–	18	145-150
<b>Sue Hemming</b> Director of Legal Services	125-130	10-15	–	54	190-195	120-125	–	2.0	80	205-210
<b>Mark Gray</b> Director of Operations, Digital and Commercial (from 13 September 2019)	110-115	0-5	–	42	155-160	55-60 (fye 105-110)	5-10	–	22	85-90
<b>Mark Summerfield</b> Director of Human Resources (from 13 September 2019 to 31 August 2020)	175-180 <sup>4</sup> (fye 115-120)	–	–	20	195-200	60-65 (fye 110-115)	5-10	2.0	48	115-120
<b>Dawn Brodrick</b> Chief People Officer (from 7 September 2020)	80-85 (fye 140-145)	–	–	–	80-85	N/A	N/A	N/A	N/A	N/A

	2020-21					2019-20				
	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>Baljit Ubhey</b> Director of Strategy and Policy (from 30 September 2019)	130-135	-	-	56	185-190	65-70 (fye 130-135)	-	-	23	85-90
<b>Chris Sharp</b> Director of Finance and Estates (from 13 September 2019 to 30 April 2021)	95-100	-	-	40	135-140	50-55 (fye 95-100)	0-5	-	50	100-105
<b>Sandra McKay</b> Director of Communications	85-90	-	-	53	140-145	80-85	5-10	-	32	120-125
<b>Mark Hammond</b> Non-executive Board Member	10-15	-	-	-	10-15	10-15	-	1.2	-	10-15
<b>Monica Burch</b> Non-executive Board Member	20-25	-	-	-	20-25	20-25	-	-	-	20-25
<b>Simon Jeffreys</b> Non-executive Board Member	10-15	-	-	-	10-15	10-15	-	-	-	10-15
<b>Caroline Wayman</b> Non-executive Board Member	10-15	-	-	-	10-15	10-15	-	-	-	10-15

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 a £67,000 payment on voluntary exit.

<sup>3</sup> Includes a £95,000 payment on voluntary exit.

<sup>4</sup> Includes a £95,000 payment on voluntary exit and £28,344 compensation 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 CPS and thus recorded in these accounts.

## Benefits in kind

The monetary value of benefits in kind covers any benefits provided by the CPS 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 2020-21 relate to performance in 2019-20 and the comparative bonuses reported for 2019-20 relate to performance in 2018-19.

## Pension benefits (Audited)

	Accrued pension at pension age as at 31 March 2021 and related lump sum	Real increase in pension and related lump sum at pension age	CETV at 31 March 2021	CETV at 31 March 2020 (or date of joining Board if later)	Real increase in CETV
Official	£000	£000	£000	£000	£000
<b>Max Hill</b> Director of Public Prosecutions	pension 10-15	pension 5-7.5	172	96	53
<b>Rebecca Lawrence</b> Chief Executive Officer	pension 55-60 lump sum 110-115	pension 2.5-5 lump sum 0-2.5	987	908	37
<b>Jean Ashton</b> Director of Business Services (to 30 April 2020)	pension 50-55 lump sum 150-155	pension 0-2.5 lump sum 0-2.5	1,197	1,195	1
<b>Gregor McGill</b> Director of Legal Services	pension 55-60 lump sum 165-170	pension 0-2.5 lump sum 2.5-5	1,315	1,235	34
<b>Sue Hemming</b> Director of Legal Services	pension 55-60 lump sum 130-135	pension 2.5-5 lump sum 0-2.5	1,156	1,080	35
<b>Mark Gray</b> Director of Operations, Digital and Commercial	pension 30-35	pension 2.5-5	258	228	13
<b>Mark Summerfield</b> Director of Human Resources (to 31 August 2020)	pension 35-40	pension 0-2.5	609	593	12
<b>Baljit Ubhey</b> Director of Strategy and Policy	pension 55-60 lump sum 105-110	pension 2.5-5 lump sum 0-2.5	955	887	31
<b>Chris Sharp</b> Director of Finance and Estates	pension 30-35	pension 0-2.5	568	519	25
<b>Sandra McKay</b> Director of Communications	pension 30-35	pension 2.5-5	508	323	34

Dawn Brodrick chose not to be covered by the Civil Service pension arrangements during the reporting year. No pension contributions were made on their 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 (Audited)

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 CPS in the financial year 2020-21 was £215-220k (2019-20: £215-220k). This was 5.8 times (2019-20: 5.8) the median remuneration of the workforce, which was £38,000 (2019-20: £37,364).

In 2020-21, no (2019-20: no) employee received remuneration in excess of the highest-paid director. Remuneration ranged from £19k to £215-220k (2019-20: £18k to £215-£220k).

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. Because the Government plans to remove discrimination identified by the courts in the way that the 2015 pension reforms were introduced for some members, it is expected that, in due course, eligible members with relevant service between 1 April 2015 and 31 March 2022 may be entitled to different pension benefits in relation to that period (and this may affect the Cash Equivalent Transfer Values shown in this report – see below). 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 an occupational defined contribution pension arrangement which is part of the Legal & General Mastertrust. 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 2020-21. Figures shown in brackets are for the prior year, 2019-20.

Exit package cost band	Number of compulsory redundancies	Number of other departures agreed	Total number of exit packages by cost band
< £10,000	– (–)	– (2)	– (2)
£10,000 – £25,000	– (–)	2 (2)	2 (2)
£25,000 – £50,000	– (–)	3 (2)	3 (2)
£50,000 – £100,000	– (–)	7 (10)	7 (10)
£100,000 – £150,000	– (–)	– (2)	– (2)
£150,000 – £200,000	– (–)	– (–)	– (–)
Total number of exit packages	– (–)	12 (18)	12 (18)
Total cost 2020-21 (£000)	–	<b>695</b>	<b>695</b>
Total cost 2019-20 (£000)	–	1,046	1,046

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 2021

### 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	12	11.6
	SCS2	6	6.0
	SCS3	1	1.0
	SLM1	46	45.6
	SLM2	20	20.0
	SLM3	0	0.0
SCS Total		86	85.2

### Staff composition table

ONS Grade	Female		Male		Grand total	
	HC	FTE	HC	FTE	HC	FTE
SCS	51	50.6	35	34.6	86	85.2
Other	4,490	4,066.5	2,246	2,191.0	6,736	6,257.5
Grand total	4,541	4,117.1	2,281	2,225.6	6,822	6,342.7

### Average number of persons employed for 2020-21 (Audited)

	Average number of full-time equivalent staff during the year	
	2020-21	2019-20
Permanently employed staff	5,707	5,419
Others	411	325
Total	6,118	5,744

### Staff costs for 2020-21 (Audited)

	2020-21	2020-21	2020-21	2019-20
	£000	£000	£000	£000
	Permanently employed staff	Others	Total	Total
Wages and salaries	270,753	7,958	278,711	250,725
Social security costs	29,640	–	29,640	27,033
Other pension costs	69,391	–	69,391	64,024
<b>Subtotal</b>	<b>369,784</b>	<b>7,958</b>	<b>377,742</b>	<b>341,782</b>
Less recoveries in respect of outward secondments	(825)	–	(825)	(1,022)
<b>Total net costs</b>	<b>368,959</b>	<b>7,958</b>	<b>376,917</b>	<b>340,760</b>

Further details of staff costs can be found in Note 3 to the Accounts on page 116.

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 CPS is unable to identify its share of the underlying assets and liabilities. The scheme actuary valued the PCSPS as at 31 March 2016. 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 2020-21, employers’ contributions of £68,985,421 were payable to the PCSPS (2019-20: £63,664,398) at one of four rates in the range 26.6% to 30.3% of pensionable pay, based on salary bands. The Scheme Actuary reviews employer contributions usually every four years following a full scheme valuation. The contribution rates are set to meet the cost of the benefits accruing during 2020-21 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 £346,272 (2019-20: £296,274) 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% (2019-20: 8% to 14.75%) of pensionable pay. Employers also match employee contributions up to 3% of pensionable pay. In addition, employer contributions of £13,814, 0.5% (2019-20: £11,995, 0.5%) of pensionable pay were payable to the PCSPS to cover the cost of the future provision of lump sum benefits on death in service or ill health retirement of these employees.

Contributions due to the partnership pension providers at the reporting period date were £31,610 (2019-20: £30,646). Contributions prepaid at that date were £Nil (2019-20: £Nil).

9 individuals (2019-20: 2) retired early on ill-health grounds; the total additional accrued pension liabilities in the year amounted to £152,983 (2019-20: £36,981).

## Staff policies

The CPS was one of the first government departments to successfully renew its Disability Confident Leader status. This required the CPS to demonstrate that the right employment policies and procedures are in place to be fully inclusive of disabled people not just at recruitment but also in retention and development. This includes the ability to:

- Actively attract and recruit disabled people to help fill opportunities (including jobs, apprenticeships, internships, work experience);
- Provide a fully inclusive and accessible recruitment process and offer interviews to all disabled people who meet the minimum criteria for the job;
- Offer flexibility when assessing people and proactively offer and make reasonable adjustments so disabled job applicants have the best opportunity to demonstrate that they can do the job;
- Provide an environment that is inclusive and accessible for staff, clients and customers ensuring all employees have sufficient disability awareness;
- Support employees to manage their disabilities or health conditions and ensure there are no barriers to the development and progression of disabled staff;

- Ensure managers are aware of how they can support staff who experience mental or physical ill health or are absent from work;
- Value and listen to feedback from disabled staff and provide mentoring, coaching, buddying and other support networks.

The undertakings relating to recruitment do not override the Civil Service Commissioner Principles and the need for selection on merit through fair and open competition. 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. Instead the numbers invited for interview are increased by the inclusion of those disabled candidates.

## Diversity and inclusion

Being a fair, diverse and inclusive employer is important for the CPS to enable us to represent the public we serve and to support everyone in being themselves at work. We are proud that we are making good progress in this important area through recruiting and developing a diverse workforce and promoting an inclusive and supportive working environment. We have an excellent track record in attracting and retaining a strong and diverse workforce – we are above Civil Service average for women at all grades and our Black, Asian and Minority Ethnic (BAME) representation also compares favourably with the Civil Service as a whole. We have been recognised in a range of ways for our work on diversity, faith equality and inclusion, including being accredited as a Disability Confident Leader and a Top Employer for Race. In 2020, we were the only government department to be listed in the Top Ten employers for Working Families.

### Declaration

Declaration rates indicate the number of CPS employees who have chosen to provide their personal information for the characteristic indicated. For the 4<sup>th</sup> quarter of 2020-21, declaration rates are as follows:

	All staff	G6/G7	SCS
Ethnicity	88%	88%	94%
Disability	78%	82%	90%
Sexual orientation	75%	72%	84%

These figures are taken from our HR system, where declaration is voluntary except for gender and age.

### Gender

The gender makeup of the CPS has been stable for many years and the CPS has had a consistent female representation of over 66% for at least 10 years. Women are also in the majority at more senior levels, but to a lesser degree – women make up 59% of Senior Civil Service (SCS) and equivalent staff in the CPS. This is reflected across the wider Civil Service, where women make up a higher percentage of junior grades than they do of more senior grades. Women at all grades are also more likely than men to be working part time.

## Ethnicity

The CPS has worked hard to address inequalities in the organisation over the last 20 years, and is proud to be an open and diverse organisation. However, we recognise that there are still very real challenges and we are determined to continue working to ensure that everyone is able to achieve their full potential.

21% of the CPS workforce is Black, Asian or minority ethnic. This compares favourably with both the wider Civil Service, in which 13.2% of civil servants had declared as BAME as at 31 March 2020, and with the UK population, of which 14% are BAME. There is a regional variation in our BAME workforce representation and, whilst there is no immediate evidence of significant disparities between our employee profile and those of local communities, we plan to carry out a full analysis within each CPS Area. This is covered under the Inclusion Community Engagement Delivery Plan 2021/22.

## Age

44% of the CPS workforce is over the age of 55. This is not peculiar to the CPS, and reflects staff working longer due to increases in pension age. The challenge for the CPS and its line managers is to recognise and use the skills and experience of all staff to the best effect, meeting training and development needs appropriately to create a fulfilled and happy multigenerational workforce.

## Sexual orientation and gender identity

LGBTi representation across all grades is relatively constant; 5% of all staff, 5% of Grades 6 and 7, and 4% of SCS. This year, we have added the pronoun Mx to our drop-down menus on our HR systems to be used as a title for those who do not identify as being of a gender, or for people who simply do not want to be identified by gender.

## Socio-economic background

The CPS has been recognised as a Top 75 employer in the 2020 Social Mobility Employer Index, the leading authority on employer best practice. The Social Mobility Foundation's Employer Index was established to encourage organisations to become more accessible to individuals from lower socio-economic backgrounds. Questions about the Social Economic background of our employees are now included on our HR system. Better understanding the profile of our workforce will help us continue to remove any barriers to career progression and ensure our people reflect the communities we serve.

## Disability

The CPS has many conversations about diversity and inclusion. However, we can sometimes misunderstand or overlook certain disabilities and conditions – those which are not immediately apparent or cannot be seen – known as invisible disabilities. The CPS is working hard to promote a greater understanding of conditions such as neurodiversity.

78% of our staff have declared whether they have a disability or long-term health condition. Workforce disability representation is 14%, with SCS disability representation at 9%. Both are in line with the Civil Service average.

## Achievements this year

- Increased declaration for faith, disability and LGBTi.
- Increase in the number of BAME employees at SCS level.
- Rise in Staff Engagement (People Survey).
- Decrease in staff reporting Bullying and Harassment for all staff and in minority groups (People Survey).

## Challenges for the future

- We will continue to aim for 75% declaration rates across all protected characteristics.
- Areas will continue to compare their workforce data to local population data and provide plans to address any disproportionality.
- We will highlight and plan for the impact of an ageing workforce and see how employment practices can be adapted to maximise the contribution of older workers in the organisation.
- Further work will be undertaken to identify and remove any barriers for disabled and BAME employees moving into more senior roles and also to develop a positive action campaign to attract more men into junior roles.
- Further work will also be undertaken with Networks, Champions, and resourcing to increase the number of applications from disabled and LGBTi people as well as to improve engagement across all employee groups.

## Trade union facility time

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 2020-21 financial year, 64 employees (69 in 2019-20) acted as relevant union officials with pre-approved facility time. Of these, 6 (10 in 2019-20) spent 0% of their time on trade union facility time and 58 (59 in 2019-20) spent between 1-50% of their time on trade union facility time. The total cost of facility time was £351,173 (£331,993 in 2019-20), which is 0.09% (0.10% in 2019-20) of the total pay bill of £377,742,000 (£341,782,000 in 2019-20). The time spent on paid trade union activities as a percentage of total paid facility time hours was 0% (0% in 2019-20).

## Other staff information

### Staff engagement

The annual Civil Service People Survey looks at civil servants' attitudes to, and experience of working in the Civil Service.

The 2020 People Survey ran from 1 October to 3 November. A total of 319,935 people, from 106 Civil Service organisations, completed the survey giving an overall response rate of 66%.



The CPS response rate this year was 70% which showed a 2 percentage point increase on the 2019 survey (68%), and was the highest ever response rate in the CPS. Additionally, this was 4 percentage points higher than the Civil Service response rate (66%).

Employee engagement is a workplace approach designed to ensure that employees are committed to their organisation's goals and values, and are motivated to contribute to organisational success.

The Employee Engagement Index (EEI) is a key metric in measuring employee engagement. Five questions are used in the People Survey to measure employee engagement and combine these responses into a summary index score to determine where they sit on a scale of very disengaged (0%) through to very engaged (100%). This score is referred to as the Employee Engagement Index.

In 2020 the CPS EEI increased to 70%, which is the highest EEI recorded by CPS since the survey began in 2009 and a full 21 points above the lowest EEI recorded in 2011.

The wider Civil Service EEI has increased by 3 percentage points to 66% this year. For a second subsequent year, the CPS has exceeded the Civil Service EEI and has increased the gap to 4 points.

The table below provides details of the CPS response rate and EEI for the last 5 years.

	2016	2017	2018	2019	2020
CPS response rate	64%	68%	63%	68%	70%
CPS EEI	59%	61%	61%	65%	70%

### Staff turnover

The CPS applies the Cabinet Office guidance on staff turnover to calculate the rate of turnover within the Department.

For a given period, the turnover figure is calculated as the number of leavers within that period divided by the average number of staff in post over the period. Leavers include all leavers within the financial year and the average number of staff in post is calculated using quarterly staff in post data for the respective financial year.

The Cabinet Office guidance on staff turnover can be found at:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/854929/Annex A - Turnover Definition 1 2 .pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/854929/Annex_A_-_Turnover_Definition_1_2_.pdf)

The table below details the turnover percentage within the CPS for the past five financial years.

	2016-17	2017-18	2018-19	2019-20	2020-21
Staff turnover (percentage)	6.9%	7.3%	7.3%	6.0%	5.1%

### Expenditure on temporary staff

	2020-21 £000	2019-20 £000
Expenditure on temporary staff	7,494	6,987

### Expenditure on consultancy

	2020-21 £000	2019-20 £000
Expenditure on consultancy	219	64

Consultancy expenditure is reported on a resource basis using accounting data underlying the Financial Statements. This is consistent with the expenditure figures reported in Note 3.

### Off payroll engagements

Table 1: Highly paid off-payroll worker engagements as at 31 March 2021, earning £245 per day or greater

	CPS
No. of existing engagements as of 31 March 2021	10
<i>Of which...</i>	
No. that existed <1 year	7
No. that have existed between 1 and 2 years	3
No. that have existed between 2 and 3 years	0
No. that have existed between 3 and 4 years	0
No. that have existed for 4 or more years	0

Please note, the £245 threshold is set to approximate the minimum point of the pay scale for a Senior Civil Servant.

Table 2: Highly paid off-payroll workers engaged at any point during the year ended 31 March 2021, earning £245 per day or greater

	CPS
No. of temporary off-payroll workers engaged during the year ended 31 March 2021.	17
<i>Of which...</i>	
Not subject to off-payroll legislation*	0
Subject to off-payroll legislation and determined as in-scope of IR35	14
Subject to off-payroll legislation and determined as out-of-scope of IR35	3
No. of engagements reassessed for compliance or assurance purposes during the year	3
No. of engagements that saw a change to IR35 status following review	0

\*A worker that provided their services through their own limited company or another type of intermediary to the client will be subject to off-payroll legislation and the Department must undertake an assessment to determine whether that worker is in-scope of Intermediaries legislation (IR35) or out-of-scope for tax purposes.

Table 3: For any off-payroll engagements of board members, and/or, senior officials with significant financial responsibility, between 1 April 2020 and 31 March 2021

	CPS
No. of off-payroll engagements of board members and/or senior officials with significant financial responsibility during the financial year	0
Total no. of individuals on-payroll and off-payroll that have been deemed "board members and/or senior officials with significant financial responsibility" during the financial year	15

### Sickness absence

There has been a decrease in Average Working Days Lost (AWDL) from 6.9 to 5.5 (as at quarter 4 2020-21), against a Civil Service average of 7.4 days.

# Parliamentary accountability and audit report

## Statement of Outturn against Parliamentary Supply

In addition to the primary statements prepared under IFRS, the Government Financial Reporting Manual (FReM) requires the CPS to prepare a Statement of Outturn against Parliamentary Supply (SOPS) and supporting notes.

The SOPS and related notes are subject to audit, as detailed in the Certificate and Report of the Comptroller and Auditor General to the Houses of Parliament.

The SOPS is a key accountability statement that shows, in detail, how an entity has spent against its Supply Estimate. Supply is the monetary provision (for resource and capital purposes) and cash (drawn primarily from the Consolidated Fund), that Parliament gives statutory authority for entities to utilise. The Estimate details supply and is voted on by Parliament at the start of the financial year.

Should an entity exceed the limits set by their Supply Estimate, called control limits, their accounts will receive a qualified opinion.

The format of the SOPS mirrors the Supply Estimates, published on gov.uk, to enable comparability between what Parliament approves and the final outturn.

The SOPS contains a summary table, detailing performance against the control limits that Parliament have voted on, cash spent (budgets are compiled on an accruals basis and so outturn will not tie exactly to cash spent) and administration.

The supporting notes detail the following: Outturn by Estimate line, providing a more detailed breakdown (note 1); a reconciliation of outturn to net operating expenditure in the Statement of Comprehensive Net Expenditure, to tie the SOPS to the financial statements (note 2); and a reconciliation of outturn to net cash requirement (note 3).

The SOPS and Estimates are compiled against the budgeting framework, which is similar to, but different from, IFRS. An understanding of the budgeting framework and an explanation of key terms is provided on page 33, in the Financial Review section of the Performance Report. Further information on the Public Spending Framework and the reasons why budgeting rules are different to IFRS can also be found in chapter 1 of the Consolidated Budgeting Guidance, available on gov.uk.

The SOPS provides a detailed view of financial performance, in a form that is voted on and recognised by Parliament. The Financial Review, in the Performance Report, provides a summarised discussion of outturn against Estimate and functions as an introduction to the SOPS disclosures.

## Summary tables – mirrors part one of the Estimates

Summary table 2020-21, all figures presented in £000s

Type of spend	SOPS Note	Outturn			Estimate			Voted outturn vs Estimate, saving/ (excess)		Prior Year Outturn Total, 2019-20
		Voted	Non-Voted	Total	Voted	Non-Voted	Total	Voted	Total	
<b>Departmental Expenditure Limit</b>										
Resource	1.1	566,812	–	566,812	613,899	–	613,899	47,087	47,087	556,043
Capital	1.2	202	–	202	2,800	–	2,800	2,598	2,598	205
<b>Total</b>		<b>567,014</b>	<b>–</b>	<b>567,014</b>	<b>616,699</b>	<b>–</b>	<b>616,699</b>	<b>49,685</b>	<b>49,685</b>	<b>556,248</b>
<b>Annually Managed Expenditure</b>										
Resource	1.1	(913)	–	(913)	7,950	–	7,950	8,863	8,863	1,645
Capital		–	–	–	–	–	–	–	–	–
<b>Total</b>		<b>(913)</b>	<b>–</b>	<b>(913)</b>	<b>7,950</b>	<b>–</b>	<b>7,950</b>	<b>8,863</b>	<b>8,863</b>	<b>1,645</b>
<b>Total Budget</b>										
Resource		565,899	–	565,899	621,849	–	621,849	55,950	55,950	557,688
Capital		202	–	202	2,800	–	2,800	2,598	2,598	205
<b>Total Budget Expenditure</b>		<b>566,101</b>	<b>–</b>	<b>566,101</b>	<b>624,649</b>	<b>–</b>	<b>624,649</b>	<b>58,548</b>	<b>58,548</b>	<b>557,893</b>
<b>Non-Budget Expenditure</b>		<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>
<b>Total Budget and non budget</b>		<b>566,101</b>	<b>–</b>	<b>566,101</b>	<b>624,649</b>	<b>–</b>	<b>624,649</b>	<b>58,548</b>	<b>58,548</b>	<b>557,893</b>

Figures in the areas outlined in bold cover the voted control limits voted by Parliament. Refer to the Supply Estimates guidance manual, available on gov.uk, for detail on the control limits voted by Parliament.

Net cash requirement 2020-21, all figures presented in £000s

Item	SOPS Note	Outturn	Estimate	Outturn vs Estimate, saving/ (excess)	Prior Year Outturn Total, 2019-20
Net Cash requirement	3	554,088	610,568	56,480	543,273

## Administration costs 2020-21, all figures presented in £000s

Item	SOPS Note	Outturn	Estimate	Outturn vs Estimate, saving/ (excess)	Prior Year Outturn Total, 2019-20
Administration costs	1.1	26,870	36,628	9,758	29,703

Although not a separate voted limit, any breach of the administration budget will also result in an excess vote.

### Notes to the Statement of Outturn against Parliamentary Supply (£000s)

#### SOPS 1. Outturn detail, by Estimate line

#### SOPS 1.1 Analysis of net resource outturn by Estimate line

Type of spend (Resource)	Resource Outturn							Estimate			Outturn vs Estimate, saving/ (excess)	Prior Year Outturn Total, 2019-20
	Administration			Programme			Total	Total	Virements	Total inc virements		
	Gross	Income	Net	Gross	Income	Net						
<b>Spending in Departmental Expenditure Limits (DEL)</b>												
<b>Voted expenditure</b>												
A. Administration Costs in Headquarters and on Central Services	27,573	(703)	26,870	-	-	-	26,870	36,628	-	36,628	9,758	29,703
B. Crown Prosecutions and Legal Services	-	-	-	578,051	(38,109)	539,942	539,942	577,271	-	577,271	37,329	526,340
<b>Total Voted DEL</b>	<b>27,573</b>	<b>(703)</b>	<b>26,870</b>	<b>578,051</b>	<b>(38,109)</b>	<b>539,942</b>	<b>566,812</b>	<b>613,899</b>	<b>-</b>	<b>613,899</b>	<b>47,087</b>	<b>556,043</b>
<b>Total spending in DEL</b>	<b>27,573</b>	<b>(703)</b>	<b>26,870</b>	<b>578,051</b>	<b>(38,109)</b>	<b>539,942</b>	<b>566,812</b>	<b>613,899</b>	<b>-</b>	<b>613,899</b>	<b>47,087</b>	<b>556,043</b>
<b>Spending in Annually Managed Expenditure (AME)</b>												
<b>Voted expenditure</b>												
C. CPS Voted AME Charge	-	-	-	(913)	-	(913)	(913)	7,950	-	7,950	8,863	1,645
<b>Total Voted AME</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(913)</b>	<b>-</b>	<b>(913)</b>	<b>(913)</b>	<b>7,950</b>	<b>-</b>	<b>7,950</b>	<b>8,863</b>	<b>1,645</b>
<b>Total spending in AME</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(913)</b>	<b>-</b>	<b>(913)</b>	<b>(913)</b>	<b>7,950</b>	<b>-</b>	<b>7,950</b>	<b>8,863</b>	<b>1,645</b>
<b>Total resource</b>	<b>27,573</b>	<b>(703)</b>	<b>26,870</b>	<b>577,138</b>	<b>(38,109)</b>	<b>539,029</b>	<b>565,899</b>	<b>621,849</b>	<b>-</b>	<b>621,849</b>	<b>55,950</b>	<b>557,688</b>

## SOPS 1.2 Analysis of capital outturn by Estimate line

Type of spend (Capital)	Outturn			Estimate			Outturn vs Estimate, saving/ (excess)	Prior Year Outturn Total, 2019-20
	Gross	Income	Net	Total	Virements	Total inc virements		
<b>Spending in Departmental Expenditure Limits (DEL)</b>								
<b>Voted expenditure</b>								
B. Crown Prosecutions and Legal Services	4,084	(3,882)	202	2,800	-	2,800	2,598	205
<b>Total Capital</b>	<b>4,084</b>	<b>(3,882)</b>	<b>202</b>	<b>2,800</b>	<b>-</b>	<b>2,800</b>	<b>2,598</b>	<b>205</b>

The Outturn vs Estimate column is based on the total including virements. The Estimate total before virements have been made is included so that users can tie the Estimate back to the Estimates laid before Parliament.

## SOPS 2 Reconciliation of outturn to net expenditure

Item	Reference	Outturn total	Prior Year Outturn Total 2019-20
<b>Total resource outturn</b>	<b>SOPS 1.1</b>	<b>565,899</b>	<b>557,688</b>
<b>Add: Capital grants</b>		<b>3,882</b>	<b>-</b>
<b>Net Expenditure in Statement of Comprehensive Net Expenditure</b>	<b>SoCNE</b>	<b>569,781</b>	<b>557,688</b>

As noted in the introduction to the SOPS above, outturn and the Estimates are compiled against the budgeting framework, which is similar to, but different from, IFRS. Therefore, this reconciliation bridges the resource outturn to net operating expenditure, linking the SOPS to the financial statements.

Capital grants are budgeted for as CDEL but accounted for as spend on the face of the Statement of Comprehensive Net Expenditure, and therefore function as a reconciling item between Resource and net operating expenditure. £3,882m of capital grant-in-kind was made to the Government Property Agency in the form of a transfer of freehold land and buildings.



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

Item	Reference	Outturn total	Estimate	Outturn vs Estimate, saving/ (excess)
<b>Total Resource outturn</b>	SOPS 1.1	565,899	621,849	55,950
<b>Total Capital outturn</b>	SOPS 1.2	202	2,800	2,598
<i>Adjustments to remove non-cash items:</i>				
Depreciation and amortisation		(5,016)	(6,131)	(1,115)
New provisions and adjustments to previous provisions		(1,745)	(2,000)	(255)
Other non-cash items		2,290	(5,950)	(8,240)
<i>Adjustments to reflect movements in working balances:</i>				
Increase/(decrease) in receivables		(4,162)	–	4,162
(Increase)/decrease in payables		(3,633)	–	3,633
Use of provisions		235	–	(235)
Transfer of provisions to accruals		18	–	(18)
<b>Total</b>		(12,013)	(14,081)	(2,068)
<b>Net cash requirement</b>		<b>554,088</b>	<b>610,568</b>	<b>56,480</b>

As noted in the introduction to the SOPS above, outturn and the Estimates are compiled against the budgeting framework, not on a cash basis. Therefore, this reconciliation bridges the resource and capital outturn to the net cash requirement.

### Other accountability information

The following sections are subject to audit.

#### Losses and special payments

	Number of cases	2020-21 £000	Number of cases	2019-20 £000
<b>Losses</b>				
Total losses	3,249	392	4,250	762
<b>Special payments</b>				
Total special payments	55	447	79	630
<b>Total losses and special payments</b>	<b>3,304</b>	<b>839</b>	<b>4,329</b>	<b>1,392</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 2020 and 31 March 2021 the magistrates' courts wrote off 3,423 (2019-20: 4,207) cases with a value of £371,000 (2019-20: £735,000) under their delegated powers.

A further £2,000 worth of cases were written off in 2020-21. 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**

Included in the figures above for special payments is one special severance payment, which was paid in 2019-20 but not reported in that year. Retrospective approval has been sought and obtained from HM Treasury for this payment and internal control procedures have been revised. Further details in respect of this payment have not been provided to avoid the disclosure of personal information.

There were no individual cases over £300,000 in 2020-21.

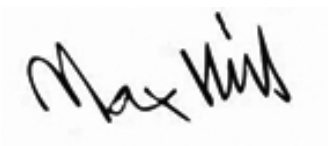
To improve transparency and understandability, disclosure of special payments and categories of losses involving payments is made on the basis of actual payments made. This may differ from corresponding expenditure reported in the financial statements, which is recognised on an accruals basis.

**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

30 June 2021

# 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 2021 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. The financial reporting framework that has been applied in their preparation is applicable law and International Accounting Standards as interpreted by HM Treasury's Government Financial Reporting Manual.

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 Crown Prosecution Service's affairs as at 31 March 2021 and of the Crown Prosecution Service's net expenditure for the year then ended; and
- 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 2021 and shows that those totals have not been exceeded; and
- the income and expenditure 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 for opinions

I conducted my audit in accordance with International Standards on Auditing (ISAs) (UK), applicable law 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 2019. I have also elected to apply the ethical standards relevant to listed entities. I am independent of the Crown Prosecution Service in accordance with the ethical requirements that are relevant to my audit of 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

In auditing the financial statements, I have concluded that the Crown Prosecution Service's use of the going concern basis of accounting in the preparation of the financial statements is appropriate.

Based on the work I have performed, I have not identified any material uncertainties relating to events or conditions that, individually or collectively, 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 when the financial statements are authorised for issue.

My responsibilities and the responsibilities of the Accounting Officer with respect to going concern are described in the relevant sections of this certificate.

The going concern basis of accounting for the Crown Prosecution Service is adopted in consideration of the requirements set out in HM Treasury's Government Reporting Manual, which require entities to adopt the going concern basis of accounting in the preparation of the financial statements where it is anticipated that the services which they provide will continue into the future.

## Other Information

The other information comprises information included in the Annual 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 certificate thereon. The Accounting Officer is responsible for the other information. My opinion on the financial statements does not cover the other information and except to the extent otherwise explicitly stated in my certificate, 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 I identify such material inconsistencies or apparent material misstatements, I am required to determine whether this gives rise to a material misstatement in the financial statements themselves. 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, based on the work undertaken in the course of the audit:

- 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; and
- the information given in the Performance and Accountability Reports for the financial year for which the financial statements are prepared is consistent with the financial statements.

## **Matters on which I report by exception**

In the light of the knowledge and understanding of the Crown Prosecution Service and its environment obtained in the course of the audit, I have not identified material misstatements in the Performance and Accountability Reports. 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
- certain disclosures of remuneration specified by HM Treasury's Government Financial Report Manual are not made; 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.

## **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 in accordance with the applicable financial reporting framework and for being satisfied that they give a true and fair view;
- internal controls as the Accounting Officer determines is necessary to enable the preparation of financial statement to be free from material misstatement, whether due to fraud or error; and
- assessing the Crown Prosecution Service's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Accounting Officer anticipates that the services provided by Crown Prosecution Service will not continue to be provided in the future.

## **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.

My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue a certificate that includes my opinion. 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.

I design procedures in line with my responsibilities, outlined above, to detect material misstatements in respect of non-compliance with laws and regulation, including fraud.

My procedures included the following:

- Inquiring of management, the head of Internal Audit and those charged with governance, including obtaining and reviewing supporting documentation relating to the Crown Prosecution Service's policies and procedures relating to:
  - identifying, evaluating and complying with laws and regulations and whether they were aware of any instances of non-compliance;
  - detecting and responding to the risks of fraud and whether they have knowledge of any actual, suspected or alleged fraud; and
  - the internal controls established to mitigate risks related to fraud or non-compliance with laws and regulations including the Crown Prosecution Service's controls relating to the Government Resources and Accounts Act 2000, Supply and Appropriation (Main Estimates) Act 2020, and Managing Public Money;
- discussing among the engagement team regarding how and where fraud might occur in the financial statements and any potential indicators of fraud. As part of this discussion, I identified potential for fraud in the following areas: revenue recognition, posting of unusual journals and estimation of accrued expenditure;
- obtaining an understanding of the Crown Prosecution Service's framework of authority as well as other legal and regulatory frameworks that the Crown Prosecution Service operates in, focusing on those laws and regulations that had a direct effect on the financial statements or that had a fundamental effect on the operations of the Crown Prosecution Service. The key laws and regulations I considered in this context included the Prosecution of Offences Act 1985, the Government Resources and Accounts Act 2000, Supply and Appropriation (Main Estimates) Act 2020, Managing Public Money, Employment Law, and tax Legislation.

In addition to the above, my procedures to respond to identified risks included the following:

- reviewing the financial statement disclosures and testing to supporting documentation to assess compliance with relevant laws and regulations discussed above;
- enquiring of management, the Audit and Risk Committee and in-house legal counsel concerning actual and potential litigation and claims and whether they had any knowledge of actual or suspected fraud;
- corroborating the results of my enquiries through my review of minutes of meetings of those charged with governance and the Board, my review of special payments and through my legal and professional expenses review;
- in addressing the risk of fraud through management override of controls, testing the appropriateness of journal entries and other adjustments; assessing whether the judgements made in making accounting estimates, including accruals, are indicative of a potential bias; and evaluating the business rationale of any significant transactions that are unusual or outside the normal course of business; and
- challenging assumptions and judgments made by management in its significant accounting policies.

I also communicated relevant identified laws and regulations and potential fraud risks to all engagement team members including internal specialists and significant component audit teams and remained alert to any indications of fraud or non-compliance with laws and regulations throughout the audit.

A further description of my responsibilities for the audit of the financial statements is located on the Financial Reporting Council's website at: [www.frc.org.uk/auditorsresponsibilities](http://www.frc.org.uk/auditorsresponsibilities). This description forms part of my certificate.

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

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.

## Report

I have no observations to make on these financial statements.

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

**5 July 2021**

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



# Financial Statements

## Statement of Comprehensive Net Expenditure for the year ended 31 March 2021

This statement summarises the expenditure and income generated and consumed on an accruals basis. It also includes other comprehensive income and expenditure, which include changes to the values of non-current assets and other financial instruments that cannot yet be recognised as income or expenditure.

	Note	2020-21 £000	2019-20 £000
Revenue from contracts with customers	4	(1,079)	(1,383)
Other operating income	4	(37,734)	(49,902)
<b>Total operating income</b>		<b>(38,813)</b>	<b>(51,285)</b>
Staff costs	3	377,742	341,782
Prosecution costs	3	112,902	142,437
Purchase of goods and services	3	105,087	104,935
Depreciation and impairment charges	3	5,016	5,185
Provision expense	3	1,853	1,348
Other operating expenditure	3	6,102	13,384
<b>Total operating expenditure</b>		<b>608,702</b>	<b>609,071</b>
<b>Net operating expenditure</b>		<b>569,889</b>	<b>557,786</b>
Finance expense	3	(108)	(98)
<b>Net expenditure for the year</b>		<b>569,781</b>	<b>557,688</b>
<b>Other comprehensive net expenditure</b>			
Items that will not be reclassified to net operating costs:			
– Net loss/(gain) on revaluation of property, plant and equipment	5	(114)	(745)
– Net loss/(gain) on revaluation of intangible assets	6	(24)	(10)
<b>Comprehensive net expenditure for the year</b>		<b>569,643</b>	<b>556,933</b>

The notes on pages 105 to 130 form part of these accounts.

## Statement of Financial Position as at 31 March 2021

This statement presents the financial position of the CPS. It comprises three main components: assets owned or controlled; liabilities owed to other bodies; and equity, the remaining value of the entity.

	Note	£000	2020-21 £000	£000	2019-20 £000
<b>Non-current assets:</b>					
Property, plant and equipment	5	4,590		12,300	
Intangible assets	6	819		1,667	
Trade and other receivables	8	322		557	
<b>Total non-current assets</b>			<b>5,731</b>		<b>14,524</b>
<b>Current assets:</b>					
Trade and other receivables	8	41,393		42,920	
Cash and cash equivalents	9	3,709		3,650	
<b>Total current assets</b>			<b>45,102</b>		<b>46,570</b>
<b>Total assets</b>			<b>50,833</b>		<b>61,094</b>
<b>Current liabilities</b>					
Trade and other payables	10	(72,380)		(68,593)	
Provisions	11	(2,559)		(1,821)	
<b>Total current liabilities</b>			<b>(74,939)</b>		<b>(70,414)</b>
<b>Total assets less current liabilities</b>			<b>(24,106)</b>		<b>(9,320)</b>
<b>Non-current liabilities</b>					
Provisions	11	(6,118)		(5,364)	
Trade and other payables	10	(23)		(118)	
<b>Total non-current liabilities</b>			<b>(6,141)</b>		<b>(5,482)</b>
<b>Total assets less total liabilities</b>			<b>(30,247)</b>		<b>(14,802)</b>
<b>Taxpayers' equity and other reserves:</b>					
General fund			(30,452)		(18,015)
Revaluation reserve			205		3,213
<b>Total equity</b>			<b>(30,247)</b>		<b>(14,802)</b>

**Max Hill QC**  
Director of Public Prosecutions  
30 June 2021

The notes on pages 105 to 130 form part of these accounts.

## Statement of Cash Flows for the year ended 31 March 2021

This statement shows the changes in cash and cash equivalents of the CPS during the reporting period. The statement shows how the CPS generates and uses cash and cash equivalents by classifying cash flows as operating, investing and financing activities. The amount of net cash flows arising from operating activities is a key indicator of service costs and the extent to which these operations are funded by way of income from the recipients of services provided by the CPS. Investing activities represent the extent to which cash inflows and outflows have been made for resources which are intended to contribute to the CPS' future public service delivery.

	Note	2020-21 £000	2019-20 £000
<b>Cash flows from operating activities</b>			
Net operating expenditure		(569,889)	(557,786)
Adjustments for non-cash transactions	3	8,461	7,743
(Increase)/decrease in trade and other receivables	8	4,162	10,348
Increase/(decrease) in trade and other payables	10	3,680	(1,435)
Use of provisions	11	(235)	(577)
Transfer of provisions to accruals	11	(18)	(116)
<b>Net cash outflow from operating activities</b>		<b>(553,839)</b>	<b>(541,823)</b>
<b>Cash flows from investing activities</b>			
Purchase of non-financial assets	5.1	(249)	(1,449)
<b>Net cash outflow from investing activities</b>		<b>(249)</b>	<b>(1,449)</b>
<b>Cash flows from financing activities</b>			
From the Consolidated Fund (Supply) – current year		554,147	545,157
Finance expense	3	–	(1)
<b>Net financing</b>		<b>554,147</b>	<b>545,156</b>
<b>Net increase/(decrease) in cash and cash equivalents in the period before adjustment for payments to the Consolidated Fund</b>		<b>59</b>	<b>1,884</b>
<b>Net increase/(decrease) in cash and cash equivalents in the period after adjustment for payments to the Consolidated Fund</b>		<b>59</b>	<b>1,884</b>
<b>Cash and cash equivalents at the beginning of the period</b>	9	<b>3,650</b>	<b>1,766</b>
<b>Cash and cash equivalents at the end of the period</b>	9	<b>3,709</b>	<b>3,650</b>

## Statement of Changes in Taxpayers' Equity for the year ended 31 March 2021

This statement shows the movement in the year on the different reserves held by the CPS, analysed into 'general fund reserves' (i.e. those reserves that reflect a contribution from the Consolidated Fund). The Revaluation Reserve reflects the change in asset values that have not been recognised as income or expenditure. The General Fund represents the total assets less liabilities of a department, to the extent that the total is not represented by other reserves and financing items.

	Note	General Fund £000	Revaluation Reserve £000	Taxpayers' Equity £000
<b>Balance at 1 April 2019</b>		<b>(3,815)</b>	<b>2,563</b>	<b>(1,252)</b>
Net Parliamentary Funding – drawn down		545,157	–	545,157
Net Parliamentary Funding – deemed		1,766	–	1,766
Supply adjustment		(3,650)	–	(3,650)
Comprehensive net expenditure for the year	SoCNE	(557,688)	755	(556,933)
Non-cash charges – auditor's remuneration	3	110	–	110
Transfers between reserves		105	(105)	–
<b>Balance at 31 March 2020</b>		<b>(18,015)</b>	<b>3,213</b>	<b>(14,802)</b>
Net Parliamentary Funding – drawn down		554,147	–	554,147
Net Parliamentary Funding – deemed		3,650	–	3,650
Supply adjustment		(3,709)	–	(3,709)
Comprehensive net expenditure for the year	SoCNE	(569,781)	138	(569,643)
Non-cash charges – auditor's remuneration	3	110	–	110
Transfers between reserves		3,146	(3,146)	–
<b>Balance at 31 March 2021</b>		<b>(30,452)</b>	<b>205</b>	<b>(30,247)</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 (FReM) issued by HM Treasury. Where the FReM permits a choice of accounting policy, the accounting policy which is judged to be the most appropriate to the particular circumstances of the Crown Prosecution Service for the purpose of giving a true and fair view has been selected. The particular policies adopted by the Crown Prosecution Service are described below. They have been applied consistently in dealing with items that are considered material to the accounts.

### **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. Going Concern**

The CPS' Statement of Financial Position shows a net liability as at 31 March 2021. However, these accounts are produced on a going concern basis in accordance with the FReM, as the CPS is a non-ministerial government department providing services that are anticipated to continue, as evidenced by the provision of future supply funding voted by Parliament.

### **1.3. Non-current Assets**

#### ***Property, plant and equipment***

Property, plant and equipment that are capable of being used for a period exceeding one year and that 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 FReM, 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.

On 29 May 2020, the CPS transferred responsibility for its property portfolio to the Government Property Agency (GPA). This included the transfer of ownership of freehold land and buildings at Portsmouth and Sheffield, which were subsequently treated as being occupied under operating leases. Following this transfer, the CPS no longer owns land and buildings.

### ***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.

## **1.4. 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.

## 1.5. 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.

## 1.6. Cash

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

## 1.7. 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.

## 1.8. 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).

## 1.9. 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.

### **1.10. 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.

### **1.11. 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'. 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.

## 1.12. 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.

## 1.13. 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.

## 1.14. 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 2021, the discount rates for general provisions were -0.02% (2019-20: 0.51%) for cash flows between 0 and 5 years, 0.18% (2019-20: 0.55%) for cash flows between 5 and 10 years, 1.99% (2019-20: 1.99%) for cash flows between 10 and 40 years, and 1.99% (2019-20: 1.99%) for cash flows exceeding 40 years. The estimated cash flows are adjusted for inflation using OBR CPI.

## 1.15. 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.

## 1.16. 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.

## 1.17. 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. Due to the ongoing COVID-19 pandemic, HM Treasury has delayed mandatory application of IFRS 16 by government departments until 1 April 2022. However, the FReM permits departments to opt to apply the standard a year earlier and the CPS has received approval for this from HM Treasury. The CPS will therefore apply IFRS 16 from 1 April 2021.

The new standard will remove the distinction between operating and finance leases for lessees and will require right of use assets and lease 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.

HM Treasury has adapted IFRS 16 to expand the definition of a contract to include intra- UK government agreements where non-performance may not be enforceable by law. This is particularly relevant where government departments rent property from other departments.

HM Treasury has withdrawn the accounting policy choice to apply IFRS 16 retrospectively to each prior reporting period presented in accordance with IAS 8. At the date of initial application, therefore, the CPS will recognise the cumulative effect of initially applying IFRS 16 as an adjustment to the opening balance of taxpayers' equity.

HM Treasury has also withdrawn the option to reassess whether a contract is, or contains, a lease at the date of initial application. The CPS will therefore initially apply IFRS 16 to any contracts previously identified as a lease, or containing a lease, under IAS 17 and will not apply IFRS 16 to any contracts not previously identified as such. The following leased assets have been identified in this way:

- a) Land and buildings – The CPS leases office accommodation throughout its estate, primarily through the Government Property Agency. Under IAS 17, these contracts are treated as operating leases. The minimum lease commitment at 31 March 2021 was £59.1 million.
- b) Vehicles – The CPS leases vehicles in some of its Areas for the purpose of transporting documents and other items. Under IAS 17, these contracts are treated as operating leases. The minimum lease commitment at 31 March 2021 was nil, reflecting that the existing contracts have expired and that the vehicles have been or will shortly be surrendered. The CPS expects to enter into new leases for a small number of vehicles during 2021-22.
- c) Multi-Function Devices (MFDs) – The CPS leases MFDs across its estate to provide printing, scanning and copying functionality. The current pricing model for the majority of these devices is on a usage driven 'per click' basis with no minimum charges. Under IAS 17, these devices are treated as operating leases with zero minimum lease rental. Additionally, some MFDs are currently outside the 'per click' model and are subject to a fixed charge. Under IAS 17, these devices are treated as operating leases. The minimum lease commitment at 31 March 2021 was £7,000. During 2021-22, the CPS will commence a new contract for the supply of MFDs, resulting in the replacement of the current machines. Where existing MFDs are expected to be in service for less than 12 months from 1 April 2021, they will be treated as short term leases under IFRS 16.

IFRS 16 does not require the recognition of assets or liabilities for leases where the underlying asset is of low value. HM Treasury has mandated the election of this option, and the CPS will therefore recognise lease payments for low value assets as an expense. The CPS has not set a specific threshold for identifying assets that are of low value, and will apply the guidance in IFRS 16 on a case by case basis. The CPS has identified small desktop printers and small franking machines as currently leased assets that are of low value.

IFRS 16 similarly does not require the recognition of assets or liabilities for leases of 12 months or less. Again, HM Treasury has mandated the election of this option, requiring short term leases to be recognised as an expense. The CPS has identified no such leases, other than leases that will have fewer than 12 months remaining on initial application of IFRS 16.

On transition, HM Treasury has mandated the option to recognise right of use assets at an amount equal to the initial lease liability, adjusted by the amount of any prepaid or accrued lease payments recognised immediately before the date of initial application.

On initial application of IFRS 16, the CPS will recognise right-of-use assets and lease liabilities for each identified lease, based on the present value of future cash flows for each lease over the applicable lease term determined in accordance with the new standard.

The CPS expects to recognise the following opening balances in 2021-22:

Operating segment	Land and buildings £000	Other £000	Total £000
<b>IAS 17 operating lease commitments at 31 March 2021 per Note 13</b>	<b>58,966</b>	<b>7</b>	<b>58,973</b>
Less leases treated as short term on initial adoption of IFRS 16	(411)	(7)	(418)
Adjustment from committed expenditure to future cashflows	(2,428)	-	(2,428)
Adjustment for different lease term assumptions under IFRS 16	10,967	-	10,967
Adjustment for discounting of future cashflows	(2,072)	-	(2,072)
<b>IFRS 16 lease liability at 1 April 2021</b>	<b>65,022</b>	<b>-</b>	<b>65,022</b>
Amounts accrued for amortised expenditure during rent free periods	(79)	-	(79)
Amounts prepaid	2,437	-	2,437
<b>Right-of-use asset value at 1 April 2021</b>	<b>67,380</b>	<b>-</b>	<b>67,380</b>

### **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 does not currently expect to be affected by the new standard.

IFRS 17 is currently applicable for reporting periods beginning from 1 January 2023.

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

#### **1.18. 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 2021 was £9.111 million (31 March 2020: £11.587 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 2021 was £43.6 million (31 March 2020: £46.0 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.

On 29 May 2020, the CPS transferred responsibility for its property portfolio to the Government Property Agency (GPA). Under this arrangement, GPA assumes responsibility for the head lease for each property occupied by the CPS and sub-leases these properties to the CPS under Terms of Occupancy Agreements (TOA). GPA is responsible for estimating the dilapidations liabilities it incurs under the head leases and recognises corresponding assets reflecting that it passes these liabilities on to the CPS. GPA has appointed a professional surveyor to provide these estimates, which are prepared separately for each property based on information taken from previous settlements and claims for similar buildings, tenders received for projects involving similar types of building work, and cost information from industry standard sources such as the Building Cost Information Service (BCIS) and other well-known price books.

From 2020-21, the CPS has adopted GPA's estimates of dilapidations liabilities for the properties it occupies, and recognises a provision accordingly. This provision is adjusted for the time value of money using the discount rates set by HM Treasury. This replaces the estimation methodology previously used by the CPS to calculate this provision, which was based on historic costs per square metre for properties vacated previously and involved separately calculating 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 CPS considers this to be a change in estimate rather than a change in accounting policy, and has therefore not restated prior year comparatives.

The carrying amount of the dilapidations provision at 31 March 2021 was £7.362 million (31 March 2020: £5.527 million).

### ***Impact of COVID-19 on allowance for impairment of Costs Awards receivables***

The COVID-19 pandemic has impacted negatively on the economy and personal incomes, raising uncertainty over the recoverability of receivables.

The CPS recognises an allowance for impairment of receivables for awards of costs on an expected losses basis. This allowance is estimated by analysing historic rates of collection and using them to predict future recoveries. Since this assumes that similar rates of recovery will continue to apply in future, the effect of COVID-19 may require this estimate to be adjusted. The need for this could arise from a higher overall level of non-payment or from payments being received later than originally expected.



Following the start of the pandemic, there has been a significant reduction in the level of income recognised for costs awards. This is primarily due to initial restrictions on the ability of courts to operate, leading to fewer cases being processed. Income for the first quarter of 2020-21 was £1.1 million, compared with £7.2 million in the first quarter of 2019-20. As restrictions have eased and courts have adopted more flexible approaches to operating, costs awards have begun to return to more normal levels. Income for the fourth quarter of 2020-21 was £6.5 million, compared with £7.4 million in the fourth quarter of 2019-20.

Similarly, the initial stages of the pandemic affected the amount of cash collected from defendants in respect of previous costs awards. This will have been due to a variety of reasons, including the ability of courts to operate effectively and collect debts, and hardship or uncertainty arising from the pandemic affecting the ability or willingness of debtors to make payments. Again, there was a downturn in cash receipts early in the financial year – £4.9 million in the first quarter of 2020-21, compared with £7.0 million in the first quarter of 2019-20 – followed by a return to more normal levels. Cash receipts for the fourth quarter of 2020-21 were £7.4 million, compared with £7.5 million in the fourth quarter of 2019-20.

As a result, the total amount receivable for costs awards has remained largely stable during 2020-21. Data for impositions and receipts during the year have been fed into the loss allowance estimation model, but have not significantly affected the calculated rates of collection. The model therefore does not predict a significantly higher rate of non-payment in the future, and the loss allowance has reduced slightly from £46.0 million in 2019-20 to £43.6 million in 2021-21.

This is consistent with the recent observation that income and cash receipts are returning to normal levels, and suggests that the most severe impacts of the pandemic have already passed and did not result in a significant change in the level of expected losses. Whilst the ongoing effects of the pandemic will continue to be monitored, the evidence indicates that the existing methodology continues to provide a reliable estimate of future losses and that no additional adjustment is necessary at this point.



## 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 Officer and the Executive Group) 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	2020-21 £000	2019-20 £000
Cymru-Wales	22,198	21,817
East of England	21,602	20,460
East Midlands	25,667	26,316
Mersey-Cheshire	18,426	18,005
North East	18,524	18,458
North West	31,895	31,905
South East	22,720	23,125
South West	17,919	17,574
Thames & Chiltern	22,570	22,959
Wessex	17,463	16,972
West Midlands	35,584	36,174
Yorkshire & Humberside	33,581	32,561
London North	41,977	45,814
London South	35,410	36,811
National units	82,188	87,168
HQ	48,215	51,317
Centrally managed ICT costs	64,942	49,400
Centrally managed Estates costs	29,146	33,690
Other centrally managed costs	18,567	18,447
<b>Total expenditure</b>	<b>608,594</b>	<b>608,973</b>
Income	(38,813)	(51,285)
<b>Net expenditure</b>	<b>569,781</b>	<b>557,688</b>

### 3. Expenditure

	Note	2020-21 £000	2020-21 £000	2019-20 £000	2019-20 £000
<b>Staff costs</b>					
Wages and salaries		278,711		250,725	
Social security costs		29,640		27,033	
Other pension costs		69,391		64,024	
			<b>377,742</b>		<b>341,782</b>
<b>Prosecution costs</b>					
Advocate fees		102,971		126,390	
Expert witness fees		3,351		4,740	
Non-expert witness expenses		977		3,027	
Interpreters, translators and intermediaries		1,262		1,883	
Other prosecution costs		4,341		6,397	
			<b>112,902</b>		<b>142,437</b>
<b>Purchase of goods and services</b>					
Rentals under operating leases		12,323		12,566	
Other lease expenditure		2		10	
Accommodation and associated costs		17,331		23,294	
Information technology		58,927		41,567	
Professional charges and consultancy		3,337		10,312	
Postage and carriage		1,582		3,120	
Printing and stationery		1,467		647	
Communications		2,138		2,463	
Training		2,950		3,909	
Other goods and services		4,920		6,937	
<i>Non-cash costs</i>					
Auditor's remuneration*		110		110	
			<b>105,087</b>		<b>104,935</b>
<b>Depreciation and impairment charges</b> <i>(non-cash)</i>					
Depreciation	5	3,228		4,344	
Amortisation	6	872		852	
Impairments and reversals	5.2	916		(11)	
			<b>5,016</b>		<b>5,185</b>
<b>Provision expense</b> <i>(non-cash)</i>					
Provided in year	11	3,484		2,497	
Unrequired provisions written back	11	(1,677)		(1,202)	
Change in discount rate	11	46		53	
			<b>1,853</b>		<b>1,348</b>

	Note	2020-21 £000	2020-21 £000	2019-20 £000	2019-20 £000
<b>Other operating expenditure</b>					
Travel and subsistence		930		8,088	
Civil awards against the CPS		12		(1,108)	
Costs awarded to the CPS written off/ (written back)		254		838	
Other expenditure		3,424		4,466	
<i>Non-cash costs</i>					
Capital grant in kind		3,882		–	
Change in bad debt provision (cost awards)		(2,400)		1,100	
			<b>6,102</b>		<b>13,384</b>
<b>Total operating expenditure</b>			<b>608,702</b>		<b>609,071</b>
<b>Finance expense</b>					
Interest charges		–		1	
<i>Non-cash costs</i>					
Borrowing costs on provisions	11	(108)		(99)	
			<b>(108)</b>		<b>(98)</b>
<b>Total expenditure</b>			<b>608,594</b>		<b>608,973</b>
<i>Total non-cash operating expenditure</i>			<i>8,461</i>		<i>7,743</i>

Further analysis of staff costs is located in the Staff Report on page 82.

\*There has been no auditor's remuneration for non-audit work. The audit fee comprises £110k for the audit of the CPS' 2020-21 accounts. The audit fee for 2019-20 comprised £110k for the audit of the 2019-20 accounts.

## 4. Income

	2020-21 £000	2020-21 £000	2019-20 £000	2019-20 £000
<b>Revenue from contracts with customers</b>				
Secondment income	825		1,022	
Other revenue from contracts with customers	254		361	
		<b>1,079</b>		<b>1,383</b>
<b>Other operating income</b>				
Costs awarded to the CPS	20,654		29,755	
Asset Recovery Incentivisation Scheme	10,985		13,058	
Government grant income	5,148		5,615	
Rental receivable from other government departments	–		190	
Other income	947		1,284	
		<b>37,734</b>		<b>49,902</b>
		<b>38,813</b>		<b>51,285</b>

## 5. Property, plant and equipment

2020-21	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 2020	1,080	2,520	3,603	4,880	15,102	–	27,185
Additions	–	–	–	222	(20)	–	202
Disposals	(1,080)	(2,520)	(175)	(334)	(206)	–	(4,315)
Reclassifications	–	–	–	(824)	824	–	–
Impairments	–	–	–	(357)	(2,352)	–	(2,709)
Revaluation	–	–	115	50	–	–	165
<b>At 31 March 2021</b>	<b>–</b>	<b>–</b>	<b>3,543</b>	<b>3,637</b>	<b>13,348</b>	<b>–</b>	<b>20,528</b>
<b>Depreciation</b>							
At 1 April 2020	–	–	951	3,998	9,936	–	14,885
Charged in year	–	4	310	144	2,770	–	3,228
Disposals	–	(4)	(38)	(185)	(206)	–	(433)
Reclassifications	–	–	–	(772)	772	–	–
Impairments	–	–	–	(357)	(1,436)	–	(1,793)
Revaluation	–	–	30	21	–	–	51
<b>At 31 March 2021</b>	<b>–</b>	<b>–</b>	<b>1,253</b>	<b>2,849</b>	<b>11,836</b>	<b>–</b>	<b>15,938</b>
<b>Carrying amount at 31 March 2020</b>	<b>1,080</b>	<b>2,520</b>	<b>2,652</b>	<b>882</b>	<b>5,166</b>	<b>–</b>	<b>12,300</b>
<b>Carrying amount at 31 March 2021</b>	<b>–</b>	<b>–</b>	<b>2,290</b>	<b>788</b>	<b>1,512</b>	<b>–</b>	<b>4,590</b>
<b>Asset financing:</b>							
Owned	–	–	2,290	788	1,512	–	4,590
<b>Carrying amount at 31 March 2021</b>	<b>–</b>	<b>–</b>	<b>2,290</b>	<b>788</b>	<b>1,512</b>	<b>–</b>	<b>4,590</b>

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

2019-20	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 2019	1,171	2,060	4,948	5,374	14,555	428	28,536
Additions	–	–	–	66	576	(428)	214
Disposals	–	–	(1,377)	(542)	(135)	–	(2,054)
Impairments	–	–	–	(6)	29	–	23
Revaluation	(91)	460	32	(12)	77	–	466
<b>At 31 March 2020</b>	<b>1,080</b>	<b>2,520</b>	<b>3,603</b>	<b>4,880</b>	<b>15,102</b>	<b>–</b>	<b>27,185</b>
<b>Depreciation</b>							
At 1 April 2019	–	286	1,991	4,322	6,263	–	12,862
Charged in year	–	32	331	227	3,754	–	4,344
Disposals	–	–	(1,377)	(542)	(135)	–	(2,054)
Impairments	–	–	–	(1)	13	–	12
Revaluation	–	(318)	6	(8)	41	–	(279)
<b>At 31 March 2020</b>	<b>–</b>	<b>–</b>	<b>951</b>	<b>3,998</b>	<b>9,936</b>	<b>–</b>	<b>14,885</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>Carrying amount at 31 March 2020</b>	<b>1,080</b>	<b>2,520</b>	<b>2,652</b>	<b>882</b>	<b>5,166</b>	<b>–</b>	<b>12,300</b>
<b>Asset financing:</b>							
Owned	1,080	2,520	2,652	882	5,166	–	12,300
<b>Carrying amount at 31 March 2020</b>	<b>1,080</b>	<b>2,520</b>	<b>2,652</b>	<b>882</b>	<b>5,166</b>	<b>–</b>	<b>12,300</b>

Freehold land and buildings were valued at 31 March 2020 at £3,600,000 on the basis of existing use value by an independent firm of Chartered Surveyors, Montague Evans LLP. Their report noted that, due to COVID-19, there is currently uncertainty in the property market that may cause capital and rental values to change rapidly in the short to medium term. Between professional valuations, carrying values are adjusted by the application of indices.

As described in Note 1.3, all freehold land and buildings were transferred to the Government Property Agency on 29 May 2020.

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

	Note	2020-21 £000	2019-20 £000
Additions of property, plant and equipment	5	202	214
Additions of intangible assets	6	–	(9)
Movement in capital payables		–	103
Movement in capital accruals		47	1,141
<b>Purchase of non-financial assets</b>		<b>249</b>	<b>1,449</b>
Disposals of property, plant and equipment	5	3,882	–
Less: Capital grant in kind	3	(3,882)	–
<b>Proceeds of disposal of non-financial assets</b>		<b>–</b>	<b>–</b>
<b>Net cash outflow from investing activities</b>		<b>249</b>	<b>1,449</b>

**5.2. Impairments**

	Note	2020-21 £000	2019-20 £000
Impairments of property, plant and equipment	5	916	(11)
<b>Total impairments</b>		<b>916</b>	<b>(11)</b>



## 6. Intangible assets

Intangible assets comprise Case Management System (CMS) software.

Intangible assets are stated at cost less accumulated amortisation. The movement in net book value is the amortisation charged in the year.

	2020-21 £000	2019-20 £000
Net book value 1 April	1,667	2,518
Additions	–	(9)
Amortisation charged in year	(872)	(852)
Revaluation	24	10
<b>Net book value 31 March</b>	<b>819</b>	<b>1,667</b>
<b>Asset financing</b>		
Owned	819	1,667
<b>Carrying amount at 31 March</b>	<b>819</b>	<b>1,667</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' expected purchase and usage requirements and the CPS is therefore exposed to little credit, liquidity or market risk.

	Note	2020-21 £000	2019-20 £000
<b>Financial assets measured at amortised cost</b>			
Trade receivables	8	543	2,075
Contract assets	8	–	3
Other financial assets	8	97	377
Cash and cash equivalents	9	3,709	3,650
		<b>4,349</b>	<b>6,105</b>
<b>Financial liabilities measured at amortised cost</b>			
Trade payables and accruals	10	48,641	51,032
		<b>48,641</b>	<b>51,032</b>

## 8. Trade and other receivables

	2020-21 £000	2019-20 £000
<b>Amounts falling due within one year:</b>		
Trade receivables	543	2,075
<b>Trade receivables</b>	<b>543</b>	<b>2,075</b>
<b>Contract assets</b>	<b>–</b>	<b>3</b>
Deposits and advances	97	377
<b>Other financial assets</b>	<b>97</b>	<b>377</b>
Cost awards receivable	61,213	64,448
Accrued cost awards	6,518	7,288
Allowance for impairment of cost awards receivables	(43,600)	(46,000)
<b>Cost awards net receivable</b>	<b>24,131</b>	<b>25,736</b>
VAT	2,569	1,906
Prepayments	7,667	4,476
Other accrued income	6,114	8,153
Other receivables	272	194
<b>Other receivables</b>	<b>16,622</b>	<b>14,729</b>
<b>Total current receivables</b>	<b>41,393</b>	<b>42,920</b>
<b>Amounts falling due after more than one year:</b>		
Prepayments	322	557
<b>Other receivables</b>	<b>322</b>	<b>557</b>
<b>Total non-current receivables</b>	<b>322</b>	<b>557</b>
	<b>41,715</b>	<b>43,477</b>

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

	Note	2020-21 £000	2019-20 £000
Cost awards net receivable at 1 April	8	25,736	27,551
Costs awarded in year	4	20,654	29,755
Cash received		(24,405)	(29,632)
Bad debts (written off)/written back	3	(254)	(838)
Movement in allowance for impairment of cost awards receivable	8	2,400	(1,100)
<b>Cost awards net receivable at 31 March</b>	<b>8</b>	<b>24,131</b>	<b>25,736</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**

	2020-21 £000	2019-20 £000
Balance at 1 April	3,650	1,766
Net change in cash and cash equivalent balances	59	1,884
<b>Balance at 31 March</b>	<b>3,709</b>	<b>3,650</b>

The following balances at 31 March were held at:		
Government Banking Service	3,709	3,650
<b>Balance at 31 March</b>	<b>3,709</b>	<b>3,650</b>

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

	2019-20 £000	Cash flows £000	Non-cash changes £000	2020-21 £000
Supply	3,650	59	–	3,709
<b>Total liabilities from financing activities</b>	<b>3,650</b>	<b>59</b>	<b>–</b>	<b>3,709</b>

## 10. Trade and other payables

	2020-21 £000	2019-20 £000
<b>Amounts falling due within one year:</b>		
Trade payables	5,807	6,320
Accruals	42,811	44,594
<b>Trade payables and accruals</b>	<b>48,618</b>	<b>50,914</b>
<b>Deferred Income</b>	<b>–</b>	<b>203</b>
Other taxation and social security	7,652	6,838
Other payables	12,401	6,988
Amounts issued from the Consolidated Fund for supply but not spent at year end	3,709	3,650
<b>Other payables</b>	<b>23,762</b>	<b>17,476</b>
<b>Total current payables</b>	<b>72,380</b>	<b>68,593</b>
<b>Amounts falling due after more than one year:</b>		
Accruals	23	118
<b>Trade payables and accruals</b>	<b>23</b>	<b>118</b>
<b>Total non-current payables</b>	<b>23</b>	<b>118</b>
	<b>72,403</b>	<b>68,711</b>

## 11. Provisions for liabilities and charges

<b>2020-21</b>	<b>Early departure costs £000</b>	<b>Dilapidations £000</b>	<b>Other £000</b>	<b>Total £000</b>
Balance at 1 April 2020	1	5,527	1,657	7,185
Provided in the year	–	2,490	994	3,484
Provisions not required written back	(1)	(592)	(1,084)	(1,677)
Provisions utilised in the year	–	–	(235)	(235)
Provisions transferred to accruals	–	–	(18)	(18)
Borrowing costs (unwinding of discount)	–	(108)	–	(108)
Change in discount rate	–	46	–	46
<b>Balance at 31 March 2021</b>	<b>–</b>	<b>7,363</b>	<b>1,314</b>	<b>8,677</b>

*Analysis of expected timing of discounted flows 2020-21*

	<b>Early departure costs £000</b>	<b>Dilapidations £000</b>	<b>Other £000</b>	<b>Total £000</b>
Not later than one year	–	1,316	1,243	2,559
Later than one year and not later than five years	–	5,122	71	5,193
Later than five years	–	925	–	925
<b>Balance at 31 March 2021</b>	<b>–</b>	<b>7,363</b>	<b>1,314</b>	<b>8,677</b>

<b>2019-20</b>	<b>Early departure costs £000</b>	<b>Dilapidations £000</b>	<b>Other £000</b>	<b>Total £000</b>
Balance at 1 April 2019	54	5,522	1,053	6,629
Provided in the year	–	1,066	1,431	2,497
Provisions not required written back	(3)	(759)	(440)	(1,202)
Provisions utilised in the year	(50)	(140)	(387)	(577)
Provisions transferred to accruals	–	(116)	–	(116)
Borrowing costs (unwinding of discount)	–	(99)	–	(99)
Change in discount rate	–	53	–	53
<b>Balance at 31 March 2020</b>	<b>1</b>	<b>5,527</b>	<b>1,657</b>	<b>7,185</b>

*Analysis of expected timing of discounted flows 2019-20*

	Early departure costs £000	Dilapidations £000	Other £000	Total £000
Not later than one year	1	163	1,657	1,821
Later than one year and not later than five years	–	5,364	–	5,364
Later than five years	–	–	–	–
<b>Balance at 31 March 2020</b>	<b>1</b>	<b>5,527</b>	<b>1,657</b>	<b>7,185</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. The provision is based on information provided by the Government Property Agency, who act as the CPS' landlord and who are responsible for settling dilapidations claims under each head lease.

### 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 CPS. 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 where 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 2021 the CPS was involved in 7 personal injury claims and 8 employment tribunal cases in addition to those for which a provision has been made (note 11). Of these, 7 personal injury claims may result in settlements totalling £665,000 and 7 employment tribunal cases may result in settlements totalling £251,000. It is not possible to estimate the value of the liability for the remaining employment tribunal case.

As at 31 March 2021 the CPS also had four additional contingent liabilities in respect of one judicial review and three civil cases which may result in settlements totalling £375,000.



## 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.

	2020-21 £000	2019-20 £000
<b>Land and Buildings</b>		
Not later than one year	10,577	12,263
Later than one year and not later than five years	28,080	33,289
Later than five years	20,309	24,099
<b>Total Land and Buildings</b>	<b>58,966</b>	<b>69,651</b>
<b>Other</b>		
Not later than one year	7	358
Later than one year and not later than five years	–	59
Later than five years	–	–
<b>Total Other</b>	<b>7</b>	<b>417</b>
<b>Total obligations under operating leases</b>	<b>58,973</b>	<b>70,068</b>

Other lease payments relate to Multi-Function Devices.

## 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 is committed are as follows:

	2020-21 £000	2019-20 £000
Not later than one year	13,969	12,706
Later than one year and not later than five years	26,381	29,119
Later than five years	18,503	25,683
	<b>58,853</b>	<b>67,508</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.

On 6 April 2021, Mark Gray became Chief Digital and Information Officer, taking on responsibility for the Security and Information Assurance Division and the Operational Process Transformation Unit in addition to his previous remit as Director of Digital and Commercial. At the same point, he ceased the temporary additional role as Director of Operations that he had been undertaking since January 2020.

On 12 April 2021, Grace Ononiwu joined the Executive Group as a third Director of Legal Services.

Steve Buckingham was appointed as Chief Finance Officer on 4 May 2021, replacing the former Director of Finance and Estates, Chris Sharp, who left the CPS on 30 April 2021.

On 18 June 2021 the Cross-Government Rape Review published its findings. Funding for the implications of the review on the CPS will be subject to future Spending Review agreement.

# Annexes

## Annex A – Regulatory reporting

### Total departmental spending 2016-17 to 2021-22

	£000					
	2016-17 OUTTURN	2017-18 OUTTURN	2018-19 OUTTURN	2019-20 OUTTURN	2020-21 OUTTURN <sup>1</sup>	2021-22 PLANS
<b>Resource DEL</b>						
Administration Costs in HQ and on Central Services	30,774	30,796	28,630	29,703	26,870	40,577
Crown Prosecutions and Legal Services	459,239	475,330	472,445	526,340	539,942	635,079
<b>Total Resource DEL</b>	<b>490,013</b>	<b>506,126</b>	<b>501,075</b>	<b>556,043</b>	<b>566,812</b>	<b>675,656</b>
<i>Of which:</i>						
Staff costs	297,541	302,596	311,770	341,782	377,742	420,673
Purchase of goods and services	239,633	245,997	229,622	234,797	205,664	267,086
Income from sales of goods and services	(66,289)	(62,771)	(58,381)	(51,285)	(38,812)	(53,000)
Rentals	16,909	16,857	14,060	12,576	12,325	17,519
Depreciation <sup>2</sup>	2,123	3,351	3,904	5,195	5,020	17,380
Other resource	96	96	100	12,978	4,873	5,998
<b>Resource AME</b>						
CPS voted AME charges	1,223	9,768	2,928	1,645	(913)	5,950
<b>Total Resource AME</b>	<b>1,223</b>	<b>9,768</b>	<b>2,928</b>	<b>1,645</b>	<b>(913)</b>	<b>5,950</b>
<i>Of which:</i>						
Staff costs	–	–	–	–	–	–
Depreciation <sup>2</sup>	–	–	–	(11)	(4)	–
Take up of provisions	393	(3,818)	1,754	1,348	1,852	1,141
Release of provision	(2,378)	(3,870)	(327)	(693)	(253)	–
Other resource	3,208	17,456	1,501	1,001	(2,508)	4,809
<b>Total Resource Budget</b>	<b>491,236</b>	<b>515,894</b>	<b>504,003</b>	<b>557,688</b>	<b>565,899</b>	<b>681,606</b>
<i>Of which:</i>						
<b>Capital DEL</b>						
Crown Prosecutions and Legal Services	7,364	6,209	8,547	205	202	6,205
<b>Total Capital DEL</b>	<b>7,364</b>	<b>6,209</b>	<b>8,547</b>	<b>205</b>	<b>202</b>	<b>6,205</b>
<i>Of which:</i>						
Purchase of assets	7,364	6,209	8,547	205	202	6,205
<b>Capital AME</b>						
Crown Prosecutions and Legal Services	–	–	–	–	–	500
<b>Total Capital AME</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>500</b>

	£000					
	2016-17 OUTTURN	2017-18 OUTTURN	2018-19 OUTTURN	2019-20 OUTTURN	2020-21 OUTTURN <sup>1</sup>	2021-22 PLANS
<i>Of which:</i>						
Dilapidations	–	–	–	–	–	500
<b>Total Capital Budget</b>	<b>7,364</b>	<b>6,209</b>	<b>8,547</b>	<b>205</b>	<b>202</b>	<b>6,705</b>
<b>Total departmental spending<sup>3</sup></b>	<b>496,477</b>	<b>518,752</b>	<b>508,646</b>	<b>552,709</b>	<b>561,085</b>	<b>670,931</b>
<i>Of which:</i>						
Total DEL	495,254	508,984	505,718	551,053	561,994	664,481
Total AME	1,223	9,768	2,928	1,656	(909)	6,450

- 1 From 2019-20, expenditure against each category is reported consistently with the equivalent categories in the Financial Statements. For this purpose, 'Prosecution costs' is included within 'Purchase of goods and services'. Previous years' expenditure has not been restated.
- 2 Includes impairments.
- 3 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 2016-17 to 2021-22

	£000					
	2016-17 OUTTURN	2017-18 OUTTURN	2018-19 OUTTURN	2019-20 OUTTURN	2020-21 OUTTURN <sup>1</sup>	2021-22 PLANS
<b>Resource DEL</b>						
Administration Costs in HQ and on Central Services	30,774	30,796	28,630	29,703	26,870	40,577
<b>Total administration budget</b>	<b>30,774</b>	<b>30,796</b>	<b>28,630</b>	<b>29,703</b>	<b>26,870</b>	<b>40,577</b>
<i>Of which:</i>						
Staff costs	19,399	19,118	17,766	19,522	20,288	30,958
Purchase of goods and services	10,582	11,191	9,826	7,731	5,473	7,139
Income from sales of goods and services	(1,015)	(705)	(766)	(598)	(704)	(500)
Rentals	1,712	1,096	1,704	1,391	1,196	1,824
Other resource	96	96	100	1,657	617	1,156

## Annex B – Glossary

AGO	Attorney General's Office
AME	Annually Managed Expenditure
ARAC	Audit and Risk Assurance Committee
CMS	Case Management System
CSOPS	Civil Servant and Other Pension Scheme
CPS	Crown Prosecution Service
DEL	Departmental Expenditure Limit
DPP	Director of Public Prosecutions
FReM	Financial Reporting Manual
GGC	Greening Government Commitment
GPA	Government Property Agency
HMCPSI	Her Majesty's Crown Prosecution Service Inspectorate
HMCTS	Her Majesty's Courts and Tribunals Service
IAS	International Accounting Standards
ICO	Information Commissioner's Department
IFRS	International Financial Reporting Standards
LOD	Law Officers' Departments
NPCC	National Police Chiefs' Council
PCSPS	Principal Civil Service Pension Scheme
RASSO	Rape and Serious Sexual Offences
SCS	Senior Civil Service

## **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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