

MAKING A DIFFERENCE

PUBLIC SECTOR TEAM
REGULATORY IMPACT UNIT

Reducing Red Tape and Bureaucracy in the Criminal Justice System



Summary of Measures	Benefits Police CPS ¹ Courts	Target date for action
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An Incident or Encounter Involving The Police (page 9)

1. Police Incident Paperwork (section 1.1) ✓

<ul style="list-style-type: none"> The Police Forms Editorial Board will be established to promote the adoption of simplified forms. Revised forms will be disseminated to forces 	<p>From June 2003</p>
<ul style="list-style-type: none"> The Police Editorial Board will remain committed to continually issue updated, streamlined forms and undertake other measures to achieve reductions in bureaucracy 	<p>On-going</p>
<ul style="list-style-type: none"> Police Officers will no longer be required to complete the Notification of Stolen Vehicle Form 	<p>(completed)</p>
<ul style="list-style-type: none"> A simplified version of Phoenix form will be promoted nationally by the Policing Bureaucracy Task Force 	<p>August 2003</p>
<ul style="list-style-type: none"> The three forms for investigating nuisance and malicious telephone calls will be merged to reduce duplication 	<p>August 2003</p>
<ul style="list-style-type: none"> A single Crime Report Form will be developed to reduce duplication between the three forms currently in common usage 	<p>August 2003</p>
<ul style="list-style-type: none"> The Police Forms Editorial Board will promote the use of a new form that combines the Vehicle Defect Rectification Notices and H0/RT1 forms to reduce duplication 	<p>Summer 2003</p>
<ul style="list-style-type: none"> The phased implementation of the Stop and Search form will take place following pilots of various versions to be undertaken in forces nation-wide 	<p>April 2003 onwards</p>
<ul style="list-style-type: none"> The National Missing Persons Form will be standardised and made available as a national form 	<p>May 2003</p>
<ul style="list-style-type: none"> The Road Traffic Collision report will be standardised and made available as a national form 	<p>January 2005</p>
<ul style="list-style-type: none"> The Notification of Sudden Death form is awaiting the outcome of the LUCE Report before being standardised 	<p>Spring 2004</p>
<ul style="list-style-type: none"> The Record of Premises Searched form will be standardised and made available as a national form 	<p>August 2003</p>
<ul style="list-style-type: none"> National standards will be issued for the Staff Personal Development Review/Appraisal form 	<p>April 2003 (completed)</p>

¹ Crown Prosecution Service.

Summary of Measures	Benefits			Target date for action
	Police	CPS ¹	Courts	
2. Regulation of Police Work: the Police and Criminal Evidence Act (section 1.2) ✓				
<ul style="list-style-type: none"> New PACE codes reflecting a number of the Review's recommendations will be implemented 				April 2003 (completed)
<ul style="list-style-type: none"> Work to pave the way for further changes to both PACE related legislation and the Codes of Practice is underway 				On-going
3. Fixed Penalty Notices (section 1.3) ✓ ✓ ✓				
<ul style="list-style-type: none"> The fixed penalty system will be extended for use in dealing with minor street crime. Pilots will take place in four police areas and will be completed this summer 				Summer 2003
<ul style="list-style-type: none"> An assessment of the suitability of TV licence evasion as a fixed penalty offence will be undertaken 				Summer 2003
<ul style="list-style-type: none"> A review of further offences that might be suitable for adding to the fixed penalty scheme will be undertaken 				During 2003
<ul style="list-style-type: none"> Measures in the Anti-Social Behaviour Bill currently before Parliament will seek to extend the power to issue penalty notices for specified disorder offences. Pilots for the proposed system will be undertaken 				January 2004
<ul style="list-style-type: none"> Full roll out of the system to extend the power to issue penalty notices will take place if initial pilots are successful 				Spring 2005
4. The Summons Process (section 1.4) ✓ ✓				
<ul style="list-style-type: none"> All prosecutions commenced by public prosecutors will be by charge. Documents issued by police will be without reference to the courts. Changes necessary to enable this will be included in the Criminal Justice Bill currently before Parliament 				Implementation date to be announced following approval of the CJ Bill

Preparing for Court (page 17)

5. Improving Police and CPS Interface (section 2.1) ✓ ✓				
<ul style="list-style-type: none"> The CPS and Police will establish a flexible model for joint administration. In the first instance a scoping project will be launched 				Sept 2002 onwards
6. Building Prosecution Files (section 2.2) ✓ ✓				
<ul style="list-style-type: none"> The Manual of Guidance will be revised to extend the circumstances under which case summaries are required 				February 2003 (completed)
<ul style="list-style-type: none"> The CPS will no longer need to enter names and addresses of witnesses required at court following a project to remove the duplication of the information between the Witness List for Warning and the MG 9 forms 				December 2003

Summary of Measures	Benefits Police CPS ¹ Courts	Target date for action
<ul style="list-style-type: none"> The 2002 edition of the Manual of Guidance will include an amendment to prevent the opportunity to overlook compensation to be paid by the defendant 		February 2002 (completed)
<ul style="list-style-type: none"> A newly formed Minor Processes Sub-Group will seek out good practice and design a national minor processes form to be included in the 2004 Manual of Guidance 		Autumn 2004
<ul style="list-style-type: none"> A pilot scheme for the new simplified minor processes form will take place 		Summer 2003
<ul style="list-style-type: none"> The new national minor process form will be quality assessed by the Manual of Guidance Editorial Champions at their annual seminar and then issued 		Autumn 2004
7. Statements from Hospital Doctors (section 2.3) ✓		
<ul style="list-style-type: none"> A national protocol between the Association of Chief Police Officers, CPS and the British Association of Emergency Medicine to define standards for obtaining medical statements from Accident and Emergency Departments will be circulated 		January 2002 (completed)
<ul style="list-style-type: none"> Complete implementation of the above protocol, or equivalent local service agreements, will be completed in all national police areas 		December 2003
8. Forensic Evidence (section 2.4) ✓		
<ul style="list-style-type: none"> A national protocol between Forensic Science Service and the Association of Chief Police Officers will be revised and a project team launched 		Autumn 2003
9. Scheduling Court Hearings (section 2.5) ✓ ✓ ✓		
<ul style="list-style-type: none"> An investigation into ways to solve the problems associated with listing will take place and a final report published 		October 2003
10. CPS Circulars (section 2.6) ✓		
<ul style="list-style-type: none"> CPS will undertake a broad review of their internal communications strategy 		Spring 2003
11. CPS Working Groups and Meeting Structures (section 2.7) ✓		
<ul style="list-style-type: none"> CPS will review a number of its working groups and consider their roles which will culminate in the publication of a central project list accessible via the CPS Intranet 		Spring 2003
<ul style="list-style-type: none"> Findings of the review will be discussed by the CPS Board and any changes will implemented 		Autumn 2003
12. Inspection (section 2.8) ✓ ✓ ✓		
<ul style="list-style-type: none"> A CJS Review of Inspection will be established to consider how the requirement for a 'tough new inspection regime' can be met 		June 2003

Summary of Measures	Benefits Police CPS ¹ Courts	Target date for action
13. CPS Brief for Counsel (section 2.9)	✓	
<ul style="list-style-type: none"> A new Casework Quality Assurance Scheme will be implemented nationally 		April 2003 (completed)
14. Access to Legislative Rules and Procedures (section 2.10)	✓ ✓ ✓	
<ul style="list-style-type: none"> Steps towards codification will be taken including the establishment of an electronic database of statute law allowing access to criminal law provisions in place 		Spring 2004
15. Case Preparation: Being Ready for Court (section 2.11)	✓ ✓ ✓	
<ul style="list-style-type: none"> The Case Preparation Project will consider ways to improve case preparation and management within the criminal courts 		April 2002 onwards
<ul style="list-style-type: none"> The Case Preparation Project will pilot new processes and the development of supporting enablers in seven criminal justice areas 		April 2003 onwards
<ul style="list-style-type: none"> Implementation and roll out of the pilots will be considered in tandem with proposed legislative reforms 		From April 2004
16. Exchanging Information (section 2.12)	✓ ✓ ✓	
<ul style="list-style-type: none"> Following the establishment of the CJS IT programme, a new plan will be published to enable practitioners and other partners to work together more effectively. 		July 2003
17. Storage for “SCOPE” IT System Printouts (section 2.13)	✓	
<ul style="list-style-type: none"> CPS will replace the SCOPE system through their COMPASS IT Case Management System to be rolled out in London 		May 2003 – October 2003
<ul style="list-style-type: none"> Complete roll-out the COMPASS IT Case Management System across England and Wales will follow roll-out in London 		March 2004
<ul style="list-style-type: none"> A revised list of SCOPE reports and their retention instructions will be issued to the SCOPE administrative managers at each CPS site 		April 2003 (completed)

Prosecution (page 32)

18. The Powers of Designated Caseworkers (section 3.1)

✓

- The extension of the remit of Designated Caseworkers and the role of the CPS Higher Court Advocates will be considered by a new Advocacy Strategy Group through consultation

From September 2003

- Following the above consultation, any changes approved by the Attorney General will be implemented through a rolling training programme

From February 2004

Summary of Measures	Benefits Police CPS ¹ Courts	Target date for action
19. The Production of Prisoners at Court (section 3.2)		
<ul style="list-style-type: none"> Prisoners will be able to take part in intermediate court hearings using video links to be installed in 57 local and remand prisons and 159 Magistrates Courts and Manchester Crown Court 	✓ ✓ ✓	September 2002 (completed)
<ul style="list-style-type: none"> Video links will be installed in a further 28 Crown Courts 		December 2003
<ul style="list-style-type: none"> HM Prison Service will look at guidance issued for the production of prisoners to court in criminal proceedings with a view to reissuing a unified Prison Service Order 		April 2003
<ul style="list-style-type: none"> A new generation of prisoner escort contracts will be prepared 		April 2004
20. The Disclosure of Prosecution Material to the Defence (section 3.3)		
<ul style="list-style-type: none"> Revised joint guidance for police and CPS will be issued as part of a series of measures to improve the disclosure process 	✓ ✓	December 2002 (completed)
<ul style="list-style-type: none"> Police and CPS training, based on the new guidance (above), will be implemented 		April 2003 onwards
<ul style="list-style-type: none"> Improvements in prosecution disclosure will be assisted by closer co-operation between the police and the CPS through the new charging arrangements 		From April 2003
<ul style="list-style-type: none"> Prosecution counsel will play a more active role in advising on and challenging the adequacy of the defence statement 		Implementation date to be announced following approval of the CJ Bill
<ul style="list-style-type: none"> Judiciaries will be equipped with the right case management skills to take a robust line at preliminary hearings as part of the Case Preparation Project 		See, 15. Case Preparation: Being Ready for Court (section 2.11)
<ul style="list-style-type: none"> Further measures to improve the disclosure process will be included in the Criminal Justice Bill currently being considered by Parliament 		Implementation date to be announced following approval of the CJ Bill
21. Guilty Pleas (section 3.4)		
<ul style="list-style-type: none"> Defendants will be provided with an entitlement to ask the judge for an indication of the maximum sentence, following a guilty plea 	✓ ✓ ✓	December 2003
<ul style="list-style-type: none"> New arrangements in the CJ Bill currently before Parliament will determine whether defendants can ask in a summary trial if a custodial sentence is likely 		April 2005
22. Protecting Vulnerable or Intimidated Witnesses (section 3.5)		
<ul style="list-style-type: none"> Police, CPS and courts will receive guidance and training so that risk assessments are done earlier on in the process to identify eligible witnesses 	✓	Autumn 2003
<ul style="list-style-type: none"> Police and CPS will hold an early special measures meeting to identify vulnerable or intimidated witnesses and then apply for a Special Measures Direction Hearing 		July 2002 onwards

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<ul style="list-style-type: none"> CPS and police will pilot a case management approach to witness care and lessons will be disseminated 		Autumn 2003 onwards
<ul style="list-style-type: none"> A research project to evaluate the effectiveness of special measures and associated provisions introduced by the Youth Justice and Criminal Evidence Act will be commissioned. A report based on findings will be published. 		April 2004
23. Penalties for Wasting Court Time (section 3.6) ✓		
<ul style="list-style-type: none"> The Case Preparation Project will seek to introduce an improved performance management framework for all parties involved in criminal cases 		See, 15. Case Preparation: Being Ready for Court (section 2.11)
24. Paying Prosecution Counsel (section 3.7) ✓		
<ul style="list-style-type: none"> CPS will set up a user group of operational staff involved in processing claims from the Prosecution Counsel. Three initial meetings have been scheduled 		July, October and February 2002 (completed)
<ul style="list-style-type: none"> The above user group of operational staff will continue to meet initially every three months to oversee the implementation of the scheme 		Ongoing
<ul style="list-style-type: none"> The Graduated Fee Scheme will be reviewed to see if it can be usefully simplified. A new CPS accounts system will then be implemented in two phases 		October 2003 and April 2004
25. Recovering Defence Costs (section 3.8) ✓		
<ul style="list-style-type: none"> The system of recovering defence costs will be reviewed by the Lord Chancellor's Department 		April 2003 onwards
<ul style="list-style-type: none"> Following the above review, a report will be submitted to the Lord Chancellor and guidance issued to all courts 		Spring 2003 (completed)
<ul style="list-style-type: none"> The Lord Chancellor's Department will look at ways to ensure that judges consider Recovery of Defence Cost Orders in all appropriate cases 		Summer 2003
Post Verdict Processes (page 42)		
26. Crown Court Orders (section 4.1) ✓		
<ul style="list-style-type: none"> The Court Service will review all Crown Court order forms to reduce and simplify them and also to introduce user friendly guidance. The most commonly used forms will be re-issued 		December 2003
<ul style="list-style-type: none"> The pilot programme for XHIBIT (Exchanging Hearing Information by Information Technology) will be extended to Snaresbrook Crown Court following pilots at other courts 		June 2003
<ul style="list-style-type: none"> A further programme to enable court staff to complete and update the most commonly used court order forms using technology available with XHIBIT will be completed 		June 2003

Summary of Measures	Benefits Police CPS ¹ Courts	Target date for action
27. Enforcement of Magistrates' Courts Warrants (section 4.2)		✓
<ul style="list-style-type: none"> The Lord Chancellors' Department will establish a Criminal Enforcement Policy Advisory Group (CEPAG) to improve performance in fine enforcement and develop a programme of work to build on achievements already made 		July 2002 (completed)
<ul style="list-style-type: none"> The Lord Chancellor's department will agree protocols with other government agencies for information sharing schemes 		Summer 2004
<ul style="list-style-type: none"> The Police Information Technology Organisation will approve in principle to the establishment of a national policy to allow Magistrates' Courts access to information held by police for enforcement purposes. 		May 2002 (completed)
<ul style="list-style-type: none"> Further work to consider security and IT issues to identify information access solutions will be undertaken by a Police National Computer working group 		During 2003
<ul style="list-style-type: none"> CEPAG will work closely with the Magistrates' Courts to take forward work leading to the implementation of the transfer of warrant execution project 		Ongoing
<ul style="list-style-type: none"> The Association of Justices Chief Executives will establish its own Enforcement Forum 		Summer 2002 (ongoing)
<ul style="list-style-type: none"> A trial to allow courts to bid for additional resources will be undertaken and increased funds will be made available through the netting of fines 		April 2002 – April 2004
28. Prisoners with Outstanding Fines (section 4.3)		✓
<ul style="list-style-type: none"> Form 986 will be revised and re-designed for issue to all prison establishments with comprehensive instructions for its completion, following approval by the Operational Policy Group 		May 2003
29. Performance Monitoring and Management Information (section 4.4)		✓ ✓ ✓
<ul style="list-style-type: none"> A new National Criminal Justice Board, responsible for overall criminal justice system delivery, will be established and supported by 42 local Criminal Justice Boards 		April 2003 onwards
<ul style="list-style-type: none"> Local Criminal Justice Boards will be supported through the recruitment of 42 Performance Officers and the development of a Management Information System 		April 2003
<ul style="list-style-type: none"> A cross organisational targets initiative to encourage joint working will be introduced for a number of criminal justice system-wide targets 		April 2003 onward
<ul style="list-style-type: none"> Local Criminal Justice Boards will restrict their work to shared CJS targets to reduce problems associated with mismatched accountabilities for delivery 		2003-2004

Summary of Measures	Benefits Police CPS ¹ Courts	Target date for action
30. Expenditure within Magistrates' Courts Committees (section 4.5)	✓	
<ul style="list-style-type: none"> Magistrates' courts will have more freedom and flexibility to manage their own building projects through a system that requires less interaction with the Court Service 		April 2002 (completed)
31. Improving Implementation of New Policy Initiatives (section 4.6)	✓ ✓ ✓	
<ul style="list-style-type: none"> The Policy Effects Framework will be implemented by all Home Office stakeholders concerned with drafting and implementing new policy decisions 		Ongoing

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<http://www.cabinet-office.gov.uk/regulation/PublicSector/reports.htm>

Alternatively, contact the Public Sector Team for a copy of the report on CD ROM or for any further information at:

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