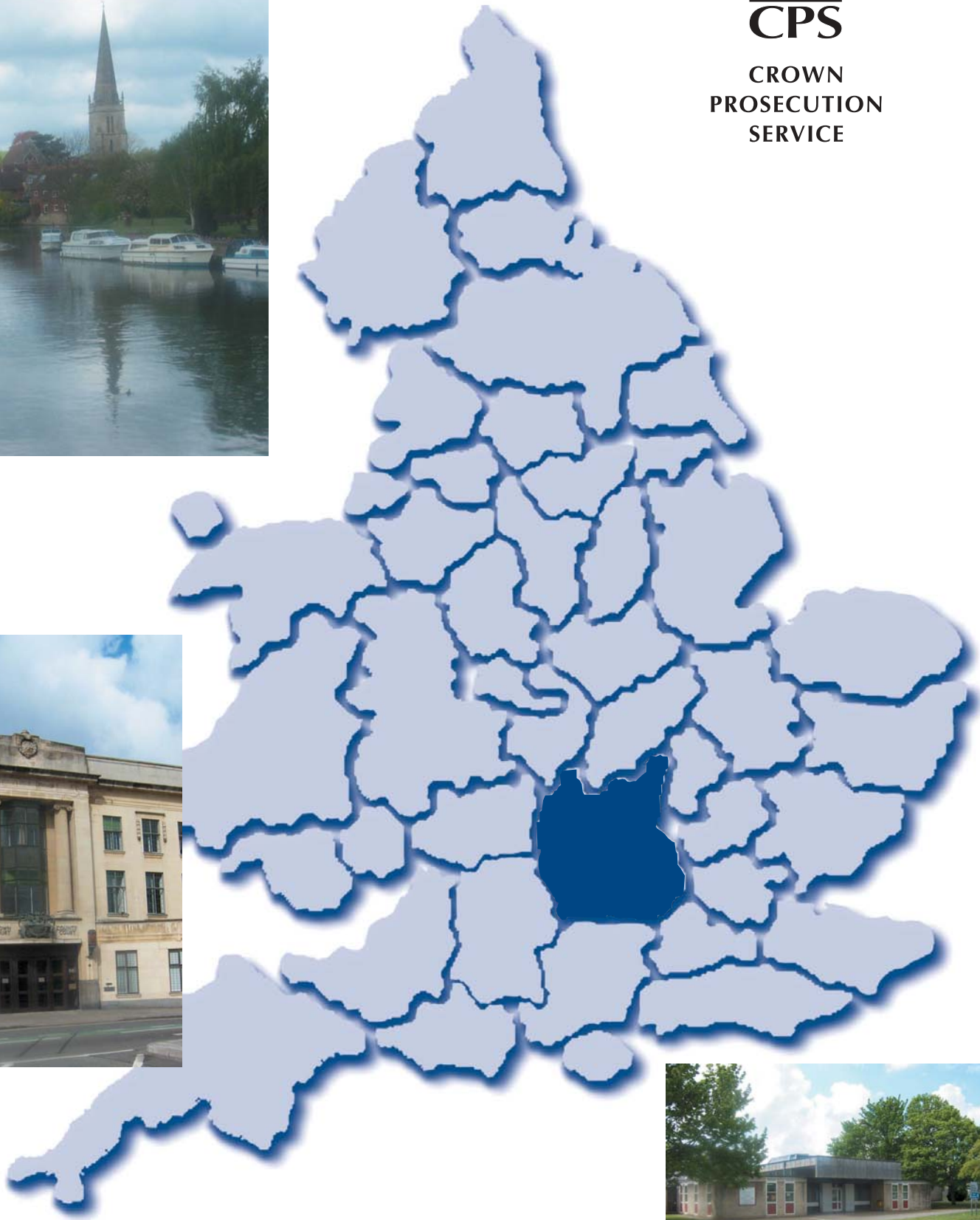




CROWN
PROSECUTION
SERVICE



CPS Thames Valley

Annual Report | 2001-2002

Introduction by the Chief Crown Prosecutor

In my foreword last year, I expressed the hope that the Area would be able to use extra resources to recruit additional staff and thus better achieve the level of service that we would all like. With these extra staff members, and the settling down of a new senior management team, the Area has started to make significant progress towards the improved service that we in the Crown Prosecution Service (CPS) want to deliver to the people of Thames Valley.

Some of our achievements were reflected in the report of Her Majesty's Crown Prosecution Service Inspectorate on the CPS Thames Valley Area which was published in February 2002.

The report, while offering a fair reflection of CPS Thames Valley at the time of the inspection, did also highlight further areas for improvement in the service. I am pleased to confirm that we are addressing these areas, having already made significant progress in some.

As we progress into the year ahead, we at CPS Thames Valley, in line with CPS Areas throughout the country, will be implementing the Direct Communications with Victims initiative. This initiative commenced rollout in the Area in April 2002. It is anticipated that this initiative will bring us into contact with victims and witnesses to a far greater extent than ever before, promoting public confidence in the work of the CPS.

Having hosted a Criminal Justice System (CJS) partnership seminar attended by representatives from various CJS agencies in the Area, we will continue to work with our partners in the CJS and actively seek their views about joint initiatives that we can all work on together.

Already, a tangible example of how these initiatives have worked during the past year has been the great improvement in the time taken to deal with Persistent Young Offender (PYO) cases, measured in days from arrest to sentencing. The Government had set a target of 71 days for such cases. In conjunction with our CJS partners, we in Thames Valley have reached that target, achieving an average of 69 days across 152 cases in the final quarter of 2001.

As we celebrate these achievements in Thames Valley, would like to thank all staff for their continued support and commitment to the Criminal Justice System in Thames Valley, and join them in anticipating new successes in the year ahead.

Simon Clements

Simon Clements
Chief Crown Prosecutor



LEFT: Simon Clements, Chief Crown Prosecutor, Thames Valley. RIGHT: Graham Choldcroft, Area Business Manager.

The Area

Under the leadership of Chief Crown Prosecutor, Simon Clements, and Area Business Manager, Graham Choldcroft, the Crown Prosecution Service (CPS) in the Thames Valley Area serves three counties that make up the region, being Berkshire, Oxfordshire and Buckinghamshire. The CPS has a site in each of these three counties.

The Berkshire Branch in Reading is the busiest of the three sites, working to the Reading Crown Court Centre and to Magistrates' Courts in Reading, Newbury, Bracknell, Slough and Maidenhead.

Based in Aylesbury, the Buckinghamshire Branch works to the Aylesbury Crown Court and serves Magistrates' Courts Centres at Milton Keynes, High Wycombe and Aylesbury.

The Oxfordshire Branch is the smallest of the three sites, based in Abingdon. This office works to a combined Crown and County Court Centre in Oxford, as well as serving Magistrates' Courts in Oxford, Didcot, Bicester, Thame, Banbury, Wantage and Witney.

The Area Headquarters of CPS Thames Valley are also housed at the Abingdon site.

The Organisation

CPS Thames Valley has a staff compliment of approximately 155 people, 55 of whom are Lawyers, with Designated Caseworkers, Caseworkers and administration staff making up the rest.

The Area is organised into Criminal Justice and Trials Units.

The Criminal Justice Units deal with cases heard in magistrates' courts, while the Trials Unit handles Crown Court cases.

Mr Ed Beltrami heads the Trials Unit for the Area, with Trials Unit Team Leaders in each office, being Mr David Robinson at Reading, Miss Sue Davies at Abingdon, and Mrs Helen Draycott at Aylesbury.

About CPS Thames Valley

The Criminal Justice Units are headed by Mrs Deborah Garrett at Reading, Mr Ravi Sidhu at Abingdon, and Mr Nigel Ogborne at Aylesbury.

Casework

A widely varied spectrum of cases is handled by CPS Thames Valley, from motoring and petty offences to serious murder cases and intriguing cases such as the Enigma case and the matter of the trainee magistrate convicted of making incendiary devices. With considerable rural coverage, CPS Thames Valley has also dealt with cases of illegal hare coursing.

Concluded during this year, the case of *R. v. Nicholas Kay* was intriguing in that there was never any body of the deceased in evidence. Nicholas Kay was prosecuted over the death of his wife who had disappeared several years ago. The whereabouts of Mrs Kay's body remains a mystery, yet a successful prosecution was brought before Reading Crown Court.

Topical due to the release of the movie of the same name around the same time, the "Enigma" case attracted considerable interest. A surviving version of the Enigma WWII decoding machine disappeared from Bletchley Park in Buckinghamshire. A successful prosecution relating to this machine was brought by the Buckinghamshire branch of the CPS.

In a case which combined the real-life drama of romantic interest with the intrigue of mysterious explosive devices, an Oxfordshire trainee magistrate was convicted at Oxford Crown Court of making incendiary devices after successful prosecution by CPS Thames Valley.

In another case which attracted public interest, parts of the wreckage of a helicopter which had crashed were assembled in the courtroom at Oxford Crown Court.

From the urban concentration of Reading, Maidenhead and Slough, to the rural reaches of Berkshire, Oxfordshire and Buckinghamshire, CPS Thames Valley has a range of ongoing interesting and diverse casework.

Technological Advances

The past year has seen the successful installation of the CPS IT network, Connect 42, across the Thames Valley Area.

Electronic communications and more efficient administration has been enabled by this initiative, and remain under ongoing assessment and review.

HMCPSP Report

CPS Thames Valley was the subject of inspection by Her Majesty's Crown Prosecution Service Inspectorate (HMCPSP) during the past year.

A praiseworthy and sound report was published by HMCPSP in February 2002, detailing several recommendations which have already been implemented or advanced in the Area.

Striving for Excellence

In pursuance of the Area Vision to make Thames Valley the finest CPS Area in the country, CPS Thames Valley is an enthusiastic subscriber to the Business Excellence Model of the European Foundation for Quality Management (EFQM) and the British Quality Foundation (BQF).

Requiring constant self-assessment and review and targeted attention to identified areas for improvement, the excellence model provides a coherent business model for advancement to excellence.

This journey to excellence has been embraced by CPS staff in Thames Valley as they go about their business of serving the public as productive members of the Criminal Justice System.

Several CPS Thames Valley staff members have been trained as assessors for purposes of the excellence model, not only to promote their own self-assessment skills in applying the model within the CPS, however also to enable them to act as assessors in award applications to the BQF.

It is the intention of CPS Thames Valley to apply for status as a Beacon Site in advancement of the excellence model.



VIP Visits

CPS Thames Valley was visited by several notable dignitaries during the past year.

Several Members of Parliament with constituencies in the CPS Thames Valley Area have visited the CPS offices in Reading, Abingdon and Aylesbury.

During January 2002, the High Sheriff of Oxfordshire was hosted during a visit to the Abingdon site.

The Attorney General, Lord Goldsmith QC, visited the Buckinghamshire branch on 1 February 2002.



TOP RIGHT: Visiting CPS Thames Valley: Mr Andrew Smith, MP and Lady McIntock, High Sheriff of Oxfordshire, accompanied by Sarah Page and Ed Beltrami of CPS Abingdon.

RIGHT: The Attorney General, Lord Goldsmith QC (front centre), pictured with Thames Valley Chief Crown Prosecutor, Simon Clements (right), and Nigel Ogborne (left) and Helen Draycott of CPS Aylesbury.



Area Business Manager, Graham Choldcroft, congratulates Sarah MacKay on receiving the Thames Valley Police Award.

Award to Oxfordshire Designated Caseworker, Sarah MacKay, as a first for CPS Thames Valley. Mrs MacKay was presented with her award by then Chief Constable of Thames Valley Police, Sir Charles Pollard, in November 2001.

CPS Thames Valley — “Serving People, Serving Justice”

In mitigation of the CPS Thames Valley doctrine of “serving people, serving justice”, CPS Thames Valley has acknowledged the need to recognise the contributions of both CPS staff as well as external parties to fulfilment of the aims of CPS Thames Valley.

To this end, CPS Thames Valley will be implementing the “Serving People, Serving Justice” and “Innovations” awards during the coming year, the latter being specifically earmarked to recognise CPS staff, whilst the former may be awarded to external parties, be they members of the public or other CJS agency staff, for any noteworthy contributions to CPS achievements.

CJS Partnerships

To promote better working relationships between Criminal Justice System (CJS) agencies in the Thames Valley Area, the CPS has previously hosted a CJS Partnership seminar attended by representatives from the various agencies.

Another such event was hosted by the CPS at the Thames Valley Police training facility at Sulhamstead, Berkshire in February 2002. Tangible plans of action were suggested, evolved and taken away to be implemented as outcomes from workshop groups at the event, all to the purpose of promoting efficiency and service by the CJS in Thames Valley.

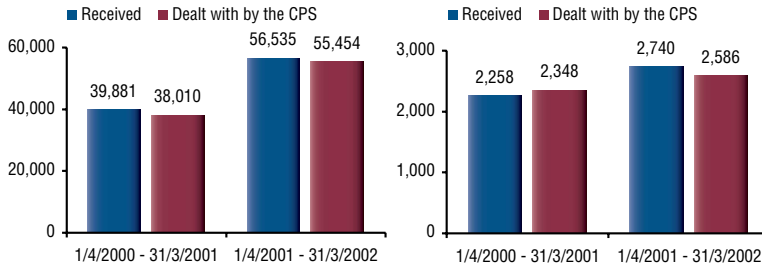


Recognition

External recognition for the dedicated service of CPS staff was evidenced by presentation of a Thames Valley Police

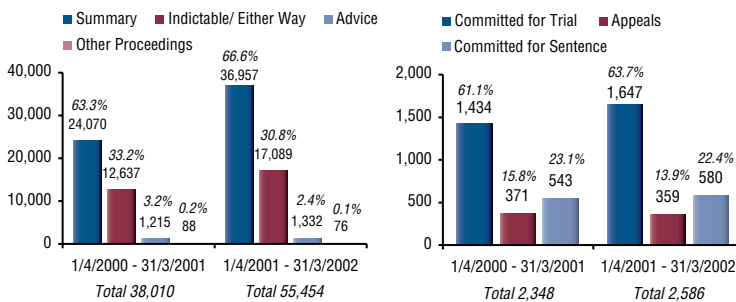
Performance in the Crown Court and Magistrates' Court

Caseload



The left chart shows as received the number of defendants whose cases the Area received from the police and the number of defendants whose cases were finalised in each of the last two years. Our caseload depends on the number of cases the police send to us. Several factors affect this, such as the level of arrest and the number of people the police caution. The right chart shows as received the number of defendants who came before the Crown Court and the number whose case was dealt with there.

Case Categories



Left: magistrates' court, Right: Crown Court

Summary only – Cases which can only be tried in the magistrates' courts.

Indictable/Either Way – Indictable only offences (such as robbery) must be tried in the Crown Court, but either way offences (such as theft) may be tried in either the magistrates' courts or in the Crown Court.

Cases for Advice – Cases in which the police ask for our advice about whether proceedings should be started.

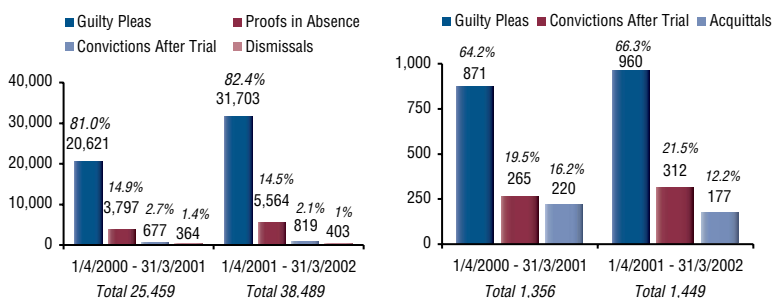
Other Proceedings – Non-criminal matters, such as forfeiture under the Obscene Publications Acts.

Committed for trial – Indictable only and some either way cases are sent from the magistrates' courts for trial to the Crown Court. Since January 2001, indictable only offences have been sent to the Crown Court under section 51, Crime and Disorder Act 1998 which, in most cases, means that committal proceedings are not held.

Appeals – Defendants may appeal to the Crown Court against the conviction and/or sentence that they received in the magistrates' court.

Committed for sentence – Some defendants tried and convicted in the magistrates' courts are committed for sentence to the Crown Court because the magistrates decide that greater punishment is required than they have the power to impose.

Case Results



Left: magistrates' court, Right: Crown Court

All prosecutions start in the magistrates' courts. These include offences ranging from minor motoring matters to assaults and theft. Usually the more serious cases proceed to the Crown Court.

Some cases can only be tried in the Crown Court. Other cases go to the Crown Court either because the defendant chooses to be tried there or because the magistrates decide they are serious enough to need Crown Court trial. If a defendant pleads not guilty, the case will be tried before a judge and jury.

There has been an increase in the number of cases we have dealt with in the magistrates' courts and the Crown Court this year.

The CPS aims to contribute to the reduction both of crime and the fear of crime and to increase public confidence in the criminal justice system by fair and independent review of cases and by firm, fair and effective prosecution at Court.

The CPS remains committed to dealing with prosecution cases in a timely and efficient manner in partnership with other agencies. Part of our performance is measured by the proportion of cases where national time guidelines are met for key processes. In Thames Valley the CPS has:

- Met the guidelines for sending committal papers to the defence. We have continued to exceed the national target of 78%, and exceeded our Area target of 83%. This speeds up the process for transferring more serious cases to the Crown Court.
- Met the guidelines for delivery of briefs to Counsel for part of the year. The national target is 82% our Area target is 72%. Our performance over the whole year was 71%. The Trials Unit Head has worked with the TU Leaders to establish systems to improve performance further for next year. This enable advocates to prosecute Crown Court cases more effectively.
- Met the guidelines for replying to complaints in 91.7% of cases, against an Area target of 87%, national target of 93%. We have exceeded our Area target and are close to meeting the national target, our performance is continually improving
- We did not meet the guidelines for replying to MPs correspondence in all cases. We have been working with our partners to provide replies that cover all aspects of the reply rather than simply the CPS point of view. This has involved consultation with the police and in some cases the Courts before providing a substantive reply.
- Our performance in relation to dealing with PYOs has consistently improved and has exceeded the Government national targets.

The CPS is also committed to ensuring that charges proceeded with are appropriate to the evidence and the seriousness of the offending by the consistent, fair and independent review of cases in accordance with the Code for Crown Prosecutors.

Performance is measured by the proportion of cases that fail in court, which are due to failures in the review process. This is a relatively new CPS target requiring regular checks on the reasons for cases being dismissed on a submission in court of no case to answer or resulting from a non-jury acquittal. In Thames Valley the CPS has clarified the definition to ensure correct measurement of this target. The TU Leaders and CJU Heads analyse the reports to ensure that lessons are learnt across the Area so that we improve the way in which we handle casework.

We are conscious that in delivering national performance targets we are reliant on the experience and commitment of our staff. We have carried out a considerable amount of local training on a number of issues to support improvement in relation to performance against targets. We also ensure that at our local induction training we include information in respect of performance indicators and targets.

About the Crown Prosecution Service

The Code for Crown Prosecutors

The CPS prosecutes all cases in accordance with the *Code for Crown Prosecutors*. The Code is of fundamental importance to the core business of the CPS as it provides guidance to prosecutors on the general principles to be applied in all prosecution decisions, and acts as a public statement of policy allowing everyone to see and understand the basis upon which these decisions are made.

A revised *Code for Crown Prosecutors* was published in 2000 in order to reflect important developments in legislation, criminal procedure and the CPS' own structure. As part of that revision process, an extensive programme of public consultation was carried out and almost every aspect of the Code commented upon. New features of the Code include a reference to our position and obligations under the Human Rights act 1998, clarification of the relationship between victims and public interest and a paragraph on youths to reflect new procedures for reprimands and final warnings.

The Auld Review

Lord Justice Auld's Criminal Courts Review was published in October 2001. It recommends an overhaul of the criminal courts with a unified criminal court in three divisions and a single administration to replace the existing and separate Crown and magistrates' courts structures.

Another proposal is that the CPS rather than the police should decide charges in all but minor, routine offences, or where a holding charge is needed. The change should help improve the quality of files and lead to earlier decisions on when to charge and what charges should be brought. The Home Secretary has agreed that the procedure be piloted for six months in five CPS Areas in advance of the Government's decision regarding the Auld recommendations.

About the Crown Prosecution Service: The Facts

The CPS is responsible for prosecuting people in England and Wales charged by the police with a criminal offence.

Nationally we prosecute more than 1.4 million cases every year and our annual planned expenditure for 2001-02 was £416.3 million. This included £30.4 million from the new criminal justice reserve, to speed up the reform of the Service.

Currently we:

- Advise the police on possible prosecutions.
- Review prosecutions started by the police to ensure the right defendants are prosecuted on the right charges.
- Prepare cases for court.
- Prosecute cases at magistrates' courts and instruct counsel to prosecute in the Crown Court and higher courts. Some CPS lawyers are now qualified to appear in the Crown Court in certain cases.
- Liaise with other agencies and other Government Departments to achieve improvements in the criminal justice system.
- The CPS is headed by Sir David Calvert-Smith QC, Director of Public Prosecutions; the Chief Executive is Richard Foster, who took up post in January 2002.
- The CPS employs around 7,100 staff and has an Equal Opportunities Policy. Parts of the Service have achieved the Investor in People standard while others are pursuing accreditation.
- A Diversity Unit was set up in October 1999. The Unit's remit is to turn the CPS Equality Statement into a reality. The aim is to ensure that the CPS does not discriminate in either its employment practice or its prosecutions. A Steering Group has been set up to oversee the Service's commitment to change following reports by barrister Sylvia Denman and also the Commission for Racial Equality that highlighted discrimination against ethnic minority staff in the CPS. It is chaired by Attorney General Lord Goldsmith.
- The Attorney General's Race Advisory Group includes representatives from external organisations. It examines and comments on proposals by the CPS to improve equal opportunities in response to the Denman and CRE report recommendations. There is commitment from the top of the CPS to having a Service which is fair and has proper approaches to diversity.
- The CPS continues to develop new electronic information and media. It has an intranet service with an internal website, CPS Online. CPS Online gives staff better access to information, improved internal communications and allows the CPS to manage its information and knowledge better.
- The CPS' internet website is at <http://www.cps.gov.uk> and is available in English and Welsh. It provides a considerable amount of information about our business, staff and structures.

- The CPS, and its criminal justice partners, are working together to help realise the Government's pledge to halve the time it takes to deal with persistent young offenders in youth courts and in Crown Court.
- The CPS is taking forward initiatives to speed up justice proposed by Martin Narey in his Review of Delay in the Criminal Justice System. These include new designated caseworkers — specially trained CPS staff, who are not lawyers, review and present in the magistrates' courts a limited range of cases involving straightforward guilty pleas.
- CPS Areas are working in partnership with police forces to establish joint and co-located criminal justice units to reduce duplication and delay in bringing cases to court. They are also establishing Trials Units (TUs) to deal with the preparation and presentation of the more serious cases at Crown Court. Most TUs will be located in CPS premises, but some are planned for Crown Court centres.
- The CPS has 42 Areas corresponding to the 43 police forces in England and Wales (London Area covers both City of London and Metropolitan Police Forces). Each Area has a Chief Crown Prosecutor (CCP) who is responsible for prosecutions. In London the CCP is supported by Assistant Chief Crown Prosecutors. Area Business Managers are responsible for the efficient running of the Area.
- The CPS Vision and Strategy is "to be a prosecuting authority of stature, providing the best possible service to society. We want to be a professional organisation which values all its people, performs to a high standard, inspires public confidence, and works in partnership".

Where we fit in the criminal justice system

- The Law Officers: The Attorney General is assisted by the Solicitor General. The Attorney General has final responsibility for enforcing criminal law and superintends the Director of Public Prosecutions.
- The police: Police forces investigate crime and arrest or detain suspected offenders. Once a suspect is held they decide whether to caution them, take no further action, issue a fixed penalty notice — in the case of motoring offences — or charge them and send the papers to prosecuting authorities, mainly the CPS.
- The Lord Chancellor's Department: The Lord Chancellor is head of the judiciary and responsible for the administration of the court system in England and Wales. This includes the magistrates' courts.
- The Court Service: Responsible for the High Court and administration of the Crown Court and County Courts in England and Wales.
- The Home Office: Responsible for matters relating to law and order.
- The Prison Service: The Service is responsible for keeping

in custody people on remand awaiting trial and those sentenced to imprisonment by the courts.

- The National Probation Service: The Service provides courts with advice and information on offenders to help sentencing decisions and implements community orders made by the courts.
- There are other prosecuting authorities. They include: the Department of Trade and Industry; the Serious Fraud Office; HM Customs and Excise; the Health and Safety Executive; the Department of Social Security; the Inland Revenue; the Department of Food and Rural Affairs; the Intervention Board; the Bank of England; the Army; the Royal Air Force and Royal Navy prosecuting authorities; the Maritime and Coastguard Agency; and the Occupational Pensions Regulatory Authority.

Leaflets and publications

The CPS publishes a range of leaflets and publications about its work that are available free of charge to members of the public.

Leaflets currently available include: a description of the work of the CPS (*Introduction*); the people who work for the Service (*People*); information about careers with the CPS (*Careers*); the *Code for Crown Prosecutors* (the Code) — and an abbreviated version of the Code (*Prosecutions*); the CPS policy on dealing with Domestic Violence and advice for vulnerable witnesses attending court (*Witnesses*); and a leaflet on how to make a complaint (*Complaints*). Most publications are available in alternative formats and in other languages.

For more information, contact the CPS Communications Branch, 50 Ludgate Hill, London EC4M 7EX; telephone: 020 7796 8442.

Dealing with complaints

Our comprehensive complaints procedure is set out in a leaflet available from Area offices and on our website: <http://www.cps.gov.uk>

If you have a complaint about our handling of a case you should write to the CPS office which originally dealt with it. Please include as much information as possible such as the defendant's name, the court where the case was heard, and any hearing dates and reference numbers you may have.

If you are not satisfied with replies you receive you should contact the CPS Area's Chief Crown Prosecutor. They will look into the complaint.

If you are still not satisfied you can write to the **Customer Service Unit Manager, 50 Ludgate Hill, London, EC4M 7EX.**

Complaints that cannot be resolved locally are referred through this Unit to the Director of Public Prosecutions or the Chief Executive.

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