

Surrey

Annual Report
2003–2004



Report • Surrey Annual Report 2003-2004 • Surrey Annual Report
2003-2004 • **Surrey Annual Report 2003-2004** • Surrey Annual
Report 2003-2004 • Surrey Annual Report 2003-2004 • Surrey
Annual Report 2003-2004 • Surrey Annual Report 2003-2004 • Su
Report • Surrey Annual Report 2003-2004 • Surrey Annual Report

Introduction by the Chief Crown Prosecutor

The reporting year 2003-04 has again been one of considerable change both in the work we do, the new work we have started to do, but also in this year, where some staff are now physically located around the county.

At the very beginning of the year, CPS Surrey had just completed its work as the Service's vanguard pilot site for the COMPASS Case Management System. This coincided with the national implementation of this truly 21st Century IT-based system. So this changed the way in which all staff did our work.

At the same time the Area was also heavily involved with Surrey Police in the development of the Glidewell plans for co-location of CPS and police staff. In June the Area presented a bid to the Capital Modernisation Fund for over £500,000 to allow for co-location of the Combined Trials Unit in Guildford and also the Combined Criminal Justice Unit at Reigate. (The other two co-location sites at Staines and Guildford Police Stations were also jointly planned with police partners but were funded by the police. This ensured that in the spirit of true partnership both the CPS and the police provided equal financial contributions to the Glidewell Programme).

At this time the Area realised the potential benefits of COMPASS to the collocation programme and developed some fairly ambitious plans to use COMPASS to achieve not only CPS/police co-located administrative Units but ones which are fully integrated. Staines was chosen as the "Pathfinder" site,

with the Combined Criminal Justice Unit commencing operation at the end of September 2003 and formally opened by the Parliamentary Under-Secretary of State for the Department for Constitutional Affairs, Christopher Leslie MP, in November 2003.

There is a theme of overlapping initiatives during this year and this is seen again when in July the Area produced plans to introduce Shadow Charging arrangements. Initially the Area planned to introduce Shadow Charging at the Staines Pathfinder site with a view to developing the Area blueprint both for CPS/police integrated working arrangements and Shadow Charging.

However, by early September these plans changed quite considerably when the decision was taken to introduce Shadow Charging at all the Charging centres, (Guildford, Woking, Staines and Reigate), as soon as possible.

In early October 2003 the CPS and the police produced plans for the implementation of Shadow Charging across the whole county, commencing at the end of December, and following a series of training sessions for police officers, administrative staff and Crown Prosecutors. Although the Shadow Charging initiative was only three months old at the end of this reporting period it has become clear that the improvements it brings are fully welcomed by police and CPS staff and will greatly benefit both the criminal justice system and the communities it serves.

In the latter half of the year, CPS and police staff worked hard in the planning of the Combined Trials



Unit's systems and processes which would bring greater efficiency to the listing and hearing of cases dealt with in the Crown Court.

Once again the Area used finances successfully obtained through the bidding process to the Government's Capital Modernisation Fund (CMF). Following a tendering process, contractors undertook the works programme at the CPS' Guildford Offices during February and March 2004. This involved substantial works to enable the Area Secretariat to move elsewhere within the building and allow sufficient space to house a dozen police personnel to work alongside the CPS Trials Unit Staff who are responsible for all Surrey's prosecutions in the Crown Court. This project was achieved to time and budget permitting the new Combined Trials Unit to begin operating in early April 2004.

Sandie Hebblethwaite

Sandie Hebblethwaite
Chief Crown Prosecutor

Operation Midas

Between December 2000 and June 2001 a number of thefts of computer and electronic equipment took place from a number of UK locations either while the goods were on lorries in transit, or from where they were stored within business premises and warehouses. The total value of these goods exceeded £7 million and included the proceeds of an armed robbery of 9,500 Nokia mobile phones.

An undercover police operation took place where arrangements were made to sell a number of pieces of equipment from the thefts. Two individuals, Rajinder Sahota and Nicholas Beagley, were identified as being major players in this enterprise. Surveillance operations were undertaken at an address in Slough which was being used as a distribution point for the stolen property, and evidence was gathered which showed that others were involved in the conspiracy.

A further breakthrough came at the end of June 2001 following the robbery at Hawk Logistics near Heathrow. Undercover police officers arranged to purchase a large quantity of stolen mobile

phones from Sahota and his associates. The negotiations took place at the Hilton Hotel, Northampton, where an initial purchase of phones was made and arrangements made for a larger purchase.

Once in possession of the mobile phones, a number of arrests took place, including Rajinder Sahota, near the hotel. In addition large quantities of mobile phones were recovered from the Loughborough area.

During July 2001 the defendants appeared before magistrates at Reigate and also at Staines where they were sent to the Crown Court under Section 51 procedures in respect of conspiracy to handle stolen goods.

During the course of Preliminary Hearings at the Crown Court, a significant number of defence applications were made, including High Court Bail Applications, applications for dismissal under the Section 51 procedure and applications regarding custody time limits.

The trial was set for September 2002 at Reading Crown Court. Following legal submissions by the

defence over the admissibility of the police undercover evidence the trial was set to commence. Five of the 15 defendants pleaded guilty. The trial lasted nearly four months and resulted in five further convictions. At the conclusion of the trial the outcome was that 10 primary offenders either pleaded guilty or were convicted of conspiracies to handle stolen goods.

At the beginning of the period of this Area Annual Report, His Honour Judge Playford sentenced the 10 defendants to a total of 57 years and three months' imprisonment. Sahota was sentenced to 10 years' imprisonment, Beagley to seven years, down to the lesser conspirators who received three-and-a-half years' imprisonment. Subsequently the defence lodged a notice of appeal relating to issues on and surrounding the admissibility of expert evidence. This concerned expert lip readers watching CCTV tapes of covert police surveillance and attributing text/speech to persons on the tape. The judgement of the Court of Appeal concluded that the evidence could be admitted and the appeal failed.



Staines Police Station.

Casework

R v Ashley Fry **(Robbery)**

Using a handgun, the defendant, Fry, robbed a woman of her Audi A3 motorcar, drove it to Unwins off-licence in Windlesham, and again, using the gun, robbed the manager of £130.

Early the following morning Fry again used the gun to rob a newsagents in Woking of £1,350. In the following few days he robbed two more newsagents of £1,800 and £1,770 respectively, attempted to rob employees of a hotel, and robbed an employee of Budgens Supermarket in Guildford and Coral Reef in Bracknell when the police caught him and found he was in possession of the handgun and clothing which matched the description given by witnesses.

Subsequently he made admissions of guilt in police interviews, stating that he had used the money to pay for hotel costs and to feed his personal drug habit. Excluding the car, the total value of the robberies exceeded £11,000.

He pleaded guilty at Guildford Crown Court to a total of 19 counts of robbery and possession of firearm offences and was sentenced to six years and six months' imprisonment.

R v Injai (Murder)

The victim was the ex-wife of the defendant, Injai. Previously she had had problems with Injai, which culminated in him pleading guilty to a charge of common assault and causing criminal damage to her property. As a result, she had taken out a restraining order on him but they met every other week to permit him access to their 18-month-old son. These meetings normally occurred at a garage as it was a public place and was known to be covered by CCTV cameras.

A few days before her murder, the defendant contacted the victim and changed the date and venue of the meeting. He also told his workmates that he was quitting his job. When asked why, he told them to read about it in the newspapers.

On the day in question, the victim took their son to the defendant's bedsit home where he attacked her, stabbing her repeatedly with a knife and strangled her. He then placed her body on his bed and covered her with a duvet.

He had to change his son's clothes as they had the victim's blood on them. He then left his home with his son and during that afternoon contacted some of the victim's friends to ask them to take care of his son, stating that he didn't know where the victim was.

During the evening the friends became concerned for the victim's well-being and their suspicions grew. Eventually the police were contacted and they forced entry to the defendant's home where the victim was found.

At the Crown Court Injai admitted manslaughter but denied murder on grounds of provocation. Following a trial that lasted just over a week the jury convicted him of murder after completing their deliberation in just over an hour. Injai was sentenced to life imprisonment.

R v Kyle Bester (Rape)

The offence occurred in 2001 when the victim left a Guildford nightclub. She had little recollection of the events that followed, but experienced mental flashbacks of being in the defendant's car, then at a house, then the defendant raping her violently, and finally being in the defendant's car again and being dropped off outside the College of Law in Guildford.

She reported the incident to the police in the early hours of that morning. Nearly two years later the defendant was arrested for a driving offence where he provided a DNA sample which matched the

DNA obtained from the rape victim. The defendant was arrested, charged with rape and after a trial at Guildford Crown Court, convicted and sentenced to five years' imprisonment.



***Guildford
Crown Court***

R v Bettle (Possession of drugs with intent to supply)

Major drug dealer foiled and £443,000 of ill-gotten gains confiscated

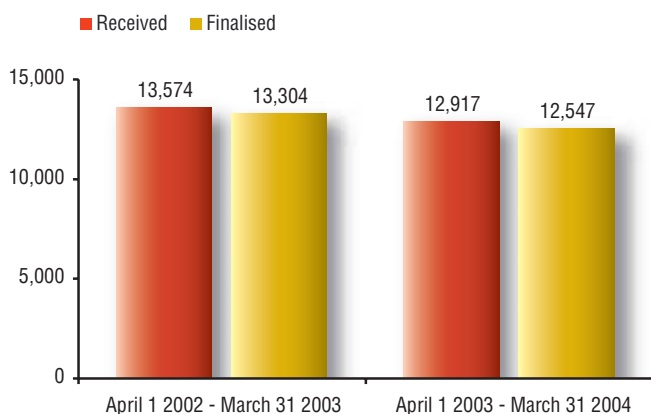
In October 2002 the defendant was seen to drive his prestige sports car erratically before becoming involved in a minor collision. When the police arrived the defendant reversed into the police car. Thankfully nobody was hurt. He was arrested and cocaine, pills and scales found inside his car.

Subsequently a search of the defendant's home in Camberley revealed a cache of items hidden between fence panels, which included a kilo of cocaine, £183,000 in cash and a large quantity of ecstasy tablets.

The defendant appeared before Guildford Crown Court in March 2004 on four charges of possession of drugs with intent to supply. He was sentenced to 10 years' imprisonment. The £183,000 found at his home was forfeited and subsequently a confiscation order under the provisions of the Proceeds of Crime Act 2002 in the sum of £260,000 was made. (In total £443,000 was seized through the work of the prosecution team).

Performance in the magistrates' courts

Chart 1 Caseload (receipts and finalisations)



All prosecutions start in the magistrates' courts, which include offences ranging from minor motoring matters to assault and theft. The more serious cases will be heard in the Crown Court once they have been through the magistrates' court process.

Chart 1 shows the number of defendants received and finalised in the Area for the period April 2003-March 2004 against the number for the period April 2002-March 2003.

Chart 2 illustrates the type of cases finalised in April 2003-March 2004 compared with the same period in 2002-2003:

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

Indictable/Either Way – Indictable only offences (the most serious cases such as murder, rape and robbery) must be tried in the Crown Court, but either way offences (such as theft) may be tried in either the magistrates' court 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.

The increase in the proportion of advices that we have dealt with has been a direct result of the charging pilot. For further information please see **Chart 4**.

Chart 2 Case Categories

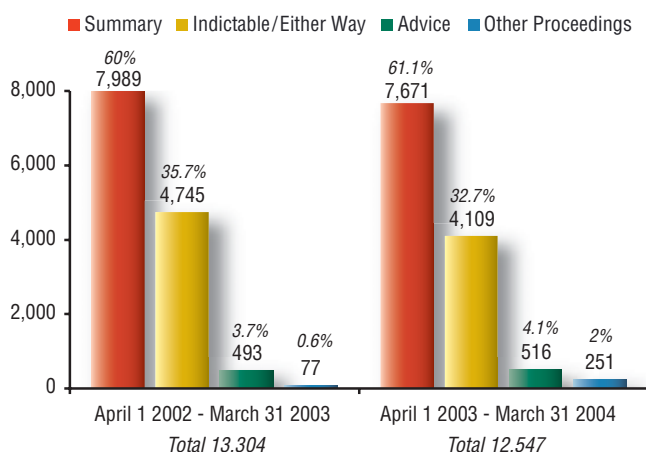
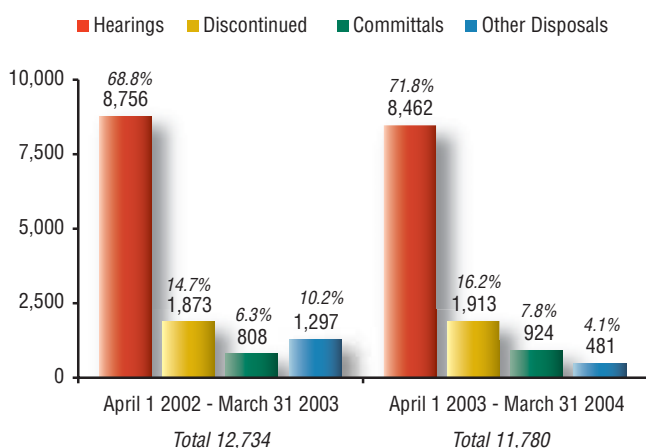


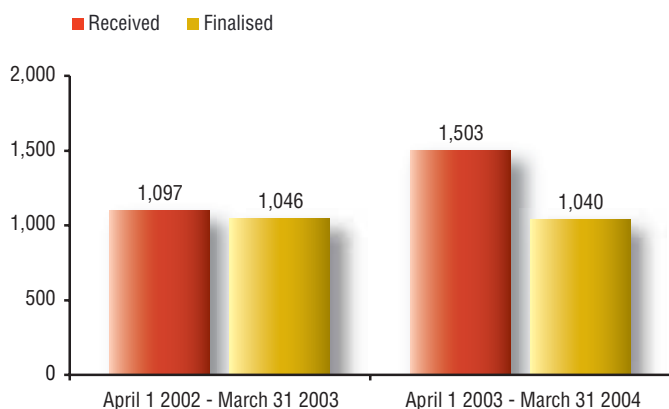
Chart 3 shows the number of cases prosecuted and their outcome. This clearly illustrates our increased workload.

Chart 3 Case Results



Performance in the Crown Court

Chart 4 Caseload (receipts and finalisations)



A number of cases can only be tried in the Crown Court. Other cases are heard at the Crown Court either because the defendant chooses to be tried there, by electing to go to Crown Court; or when the magistrates decline jurisdiction due to the offences being so serious that they need to be heard as a Crown Court trial or are committed for sentence. Should the defendant plead not guilty, the case proceeds as a trial before a Judge and Jury.

Chart 4 shows the comparison of receipts and finalisations for the period April 2003–March 2004 against the same period in 2002–2003.

Chart 5 Case Categories

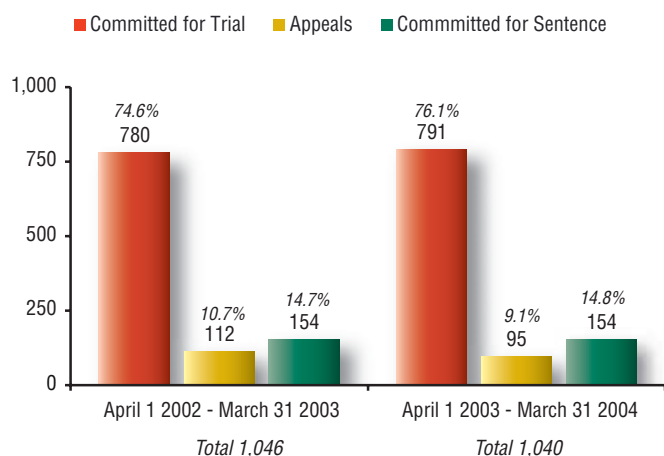


Chart 5 shows case categories finalised in April 2003–March 2004 compared with the same period in 2002–2003:

Committal for trial – Indictable only and some Either Way cases are sent from the magistrates’ court.

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

Committed for sentence – Defendants who are tried and convicted in the magistrates’ court, however, the magistrates decide that the punishment required is greater than their sentencing powers allow, therefore the case is sentenced before a Judge in the Crown Court.

Chart 6 Case Results

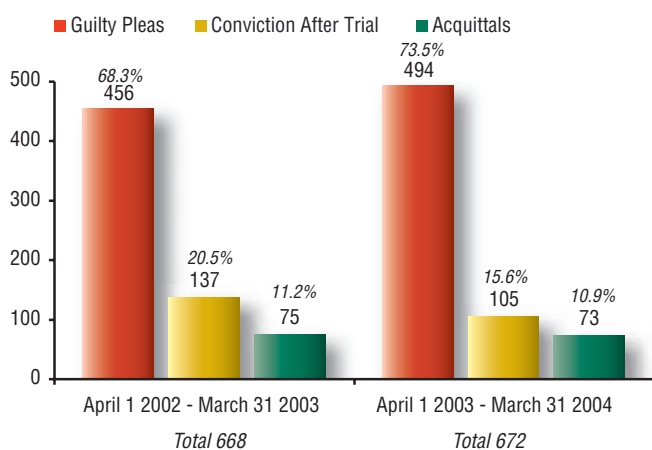


Chart 6 shows the outcome of cases which proceeded to trial. These are divided into guilty pleas, convictions after full trial and acquittals.

CPS Surrey

Chief Crown Prosecutor Sandie Hebblethwaite
Saxon House
Three Onslow Street
Guildford
Surrey GU1 4YA
Tel: 01483 468200

www.cps.gov.uk

CPS is now recruiting online

ANY QUESTIONS OR COMPLAINTS SHOULD BE ADDRESSED
TO THE CHIEF CROWN PROSECUTOR



Produced by Communications Branch,
CPS Headquarters, 50 Ludgate Hill, London EC4M 7EX
(020) 7796 8442

Printed by Blackburns of Bolton Ltd (01204) 532121