



## Introduction by the Chief Crown Prosecutor

CPS Warwickshire is responsible for all police-instituted prosecutions (except certain minor offences) in the county of Warwickshire.

This year we dealt with over 10,000 cases referred to us by the police. Warwickshire Police sent us the majority of these cases but we also received cases from the British Transport Police and the West Midlands Police. The results of these cases are shown in the charts on pages six and seven.

Lawyers and caseworkers from CPS Warwickshire prosecuted in over 1,000 magistrates' courts and nearly 300 Crown Courts. The majority of these courts have been held in Warwickshire – Nuneaton, Rugby, Warwick, Leamington Spa and Stratford-upon-Avon — but we have also prosecuted in the West Midlands police area.

To carry out this work we have 14 Crown Prosecutors (solicitors and barristers) and 19 caseworkers and administrative staff. Our agents (solicitors and barristers in private practice) have assisted us in prosecuting some cases in court.

While we are independent of the police, the nature of our work requires us to work closely with police officers. Every day a team of lawyers and caseworkers works in a police station with police staff preparing cases for the next day's courts.

The Criminal Justice Act 2003, when it is in force, will transfer the responsibility for determining

whether a person should be charged from the police to the Crown Prosecution Service. From October 2004 we piloted these provisions in Leamington Spa and Rugby with a Crown Prosecutor attending the police station to assist the police with these decisions. In the first six months of this scheme at Leamington Spa we dealt with 850 cases. It is anticipated that provisions of the Criminal Justice Act 2003 transferring the responsibility for charging from the police to the CPS will come into effect in Warwickshire this year.

The hard work and dedication of the staff in CPS Warwickshire has again produced some excellent results:

- One of the quickest in dealing with the work in the country;
- One of the lowest discontinuance rates (the percentage of cases sent to us by the police which, for one reason or another, we have not prosecuted) in the country;
- One of the highest conviction rates and lowest acquittal rates in the country.

The Crown Prosecution Service does not work in isolation. There are a number of agencies that together make up the Criminal Justice System in Warwickshire:

- Warwickshire Police;
- The CPS (Warwickshire);
- Warwickshire Magistrates' Courts Service;
- The Court Service (Crown Courts);



- The National Probation Service (Warwickshire);
- The Warwickshire Youth Offending Team;
- The Prison Service.

In Warwickshire these agencies have a long record of working together to ensure that the whole system works efficiently. However the Government determined that each one of the 42 criminal justice areas in England and Wales should have a Local Criminal Justice Board.

The Warwickshire Criminal Justice Board was set up in April 2003. A great deal of my time was taken up as chair of the Board working with my colleagues:

- John Burbeck, Chief Constable;
- Liz Stafford, Chief Officer of Probation;
- Vivienne McGhee, Justices' Chief Executive;
- Richard Perry, Courts Service Group Manager;
- Lori Chilton, Prison Service;
- Diane Johnson, Head of

Warwickshire Youth Offending Team.

The Board's task is to deliver a joined-up criminal justice system in which the public has confidence, victims and witnesses are cared for, offenders are brought to justice and the rights of defendants are respected.

Warwickshire Criminal Justice Board was set a number of targets by the Government:

- To increase the number of offences brought to justice (convicted, cautioned or offences taken into consideration) by 5%;
- To bring 55 persistent offender offences to justice per month (October to March);
- To deal with persistent young offenders, from arrest to conclusion, in an average of 71 days or less;
- To achieve 20% or less ineffective trials (trials that do not go ahead for one reason or another) in both the Crown Court and the magistrates' court;
- To reduce the number of warrants not executed within three months.



**Mark Lynn**  
**Chief Crown Prosecutor**

## Performance

The Warwickshire Criminal Justice Board's first year has been a great success and all targets were met and in many cases substantially exceeded

Offences Brought to Justice — we achieved over 11% against the target of 5%.

- CPS Warwickshire again, for the fourth year in succession, had the highest conviction rate in the country;
- We achieved the target on persistent offenders and were one of the best performers in the country;
- We achieved the target for persistent young offenders;
- We achieved the target for ineffective trials both in the Crown Court and in the magistrates' court again being one of the best performers in the country in the magistrates' court.
- We substantially reduced the number of warrants, for defendants who failed to attend courts, which were not executed within three months;
- Warwickshire Magistrates' Court Service was one of the most effective in ensuring enforcement of financial penalties.

Offences Brought to Justice Performance



## Innovation and projects

The Local Criminal Justice Board continued the unique and innovative project to create Justice Centres. The object of this project is to “join-up” the criminal justice system by housing all the agencies in one building enabling them to work together more effectively. Substantial government funding was obtained to implement this project.

It is intended to create two Justice Centres, one in Nuneaton and one in Leamington Spa together with a mini centre in Rugby.

The Solicitor General, Harriet Harman QC, MP, attended last May to start the excavations for the centre in Nuneaton. This building is scheduled to be completed in November 2004 with the courts operational in that building from December 2004.

An artist's impression of the building in Nuneaton is shown above, right.

The Justice Centre in Leamington Spa is scheduled for completion at the end of 2008

Another innovative and unique project was the establishment of the Victim and Witness Information Partnership (VIP).

This project brings together staff from the Crown Prosecution Service, Warwickshire Police the National Probation Service, the Warwickshire Youth Offending



Service and Victim Support to provide “a one-stop shop” for services to victims and witnesses. Victims are informed as soon as someone is charged with an offence and kept informed and supported throughout the progress of the case.



Baroness Scotland formally opened the VIP centre in Leamington Spa in February 2004.

The Criminal Justice IT organisation (CJIT) worked closely with us on the VIP project to provide the IT infrastructure for the VIP staff to be

able to work across the agencies.

The criminal justice agencies in Warwickshire are committed to the introduction of the national strategic IT systems and working with CJIT to link those systems via the Exchange.

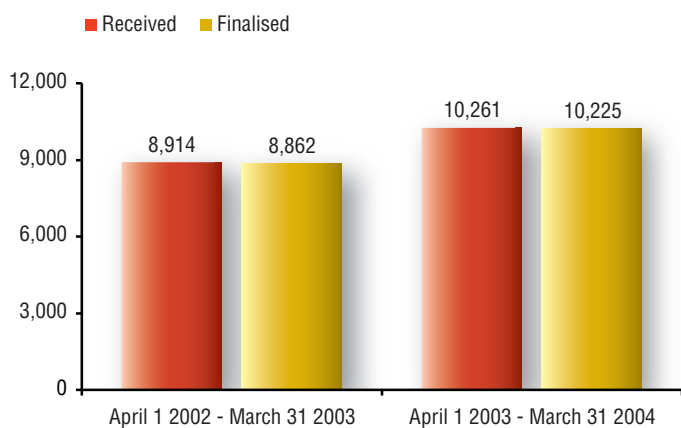
In June CPS Warwickshire was equipped with the COMPASS case management system. Warwickshire Police extended their use of the NSPIS case management and custody system.



During the course of the year we worked with CJIT to implement the secure e-mail system and now all the criminal justice agencies in Warwickshire are linked by secure e-mail.

# Performance in the Magistrates' Courts

**Chart 1 Caseload (receipts and finalisations)**

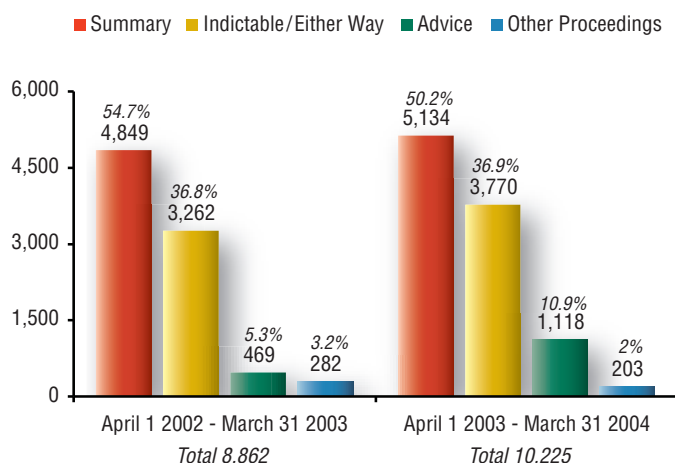


All prosecutions start in the magistrates' courts, which involve offences such as minor motoring matters ranging to assault and theft. The more serious cases will be heard in the Crown Court once they have been through the magistrates' court process.

**Chart 1** shows as received the number of defendants whose cases the Area received from the police and the number of defendants whose cases were finalised between 1 April 2002-31 March 2003 and in the previous year.

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.

**Chart 2 Case Categories**



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

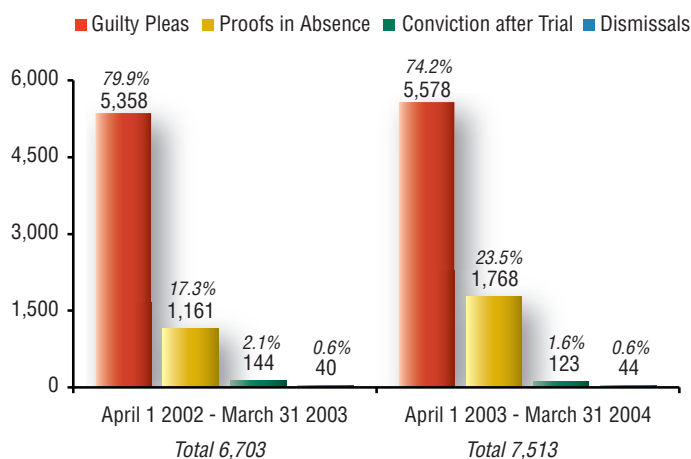
**Summary Only** – cases that can only be tried in the magistrates' courts.

**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' 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.

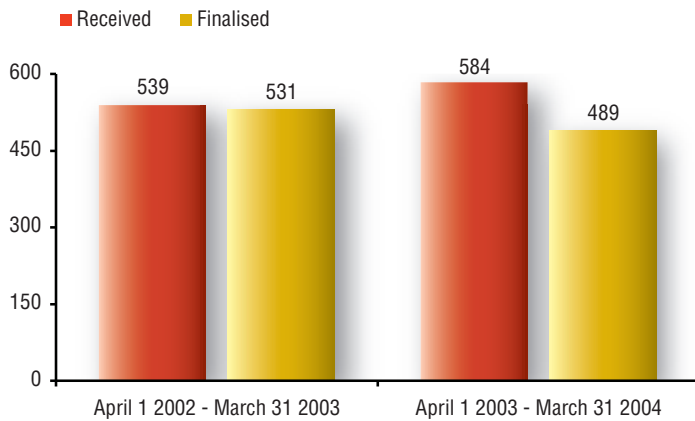
**Chart 3 Case Results**



**Chart 3** shows the disposal of those cases which were heard in the magistrates' court, not including those which were discontinued or committed to the Crown Court.

# Performance in the Crown Court

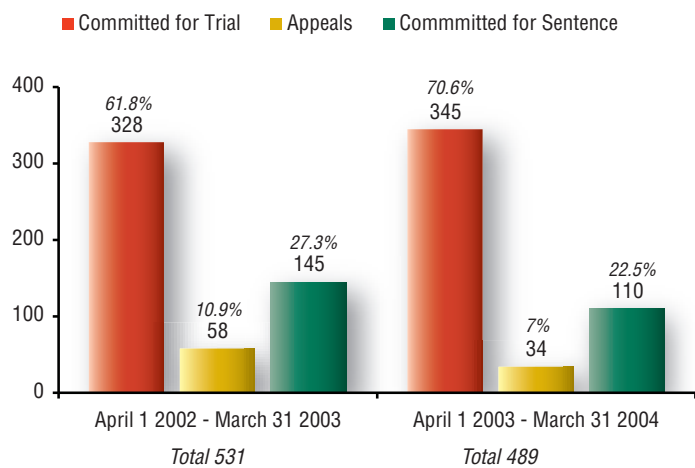
**Chart 4 Caseload (receipts and finalisations)**



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 as received the number of defendants who came before the Crown Court and the number whose Crown Court case dealt with by the Area between 1 April 2002-31 March 2003 and in the previous year.

**Chart 5 Case Categories**



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

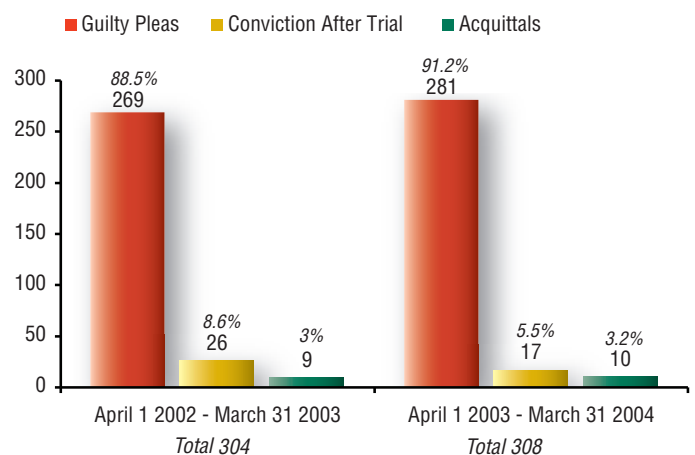
**Committal for trial** – indictable only and some either way cases are sent from the magistrates’ courts for trial to the Crown Court. Since January 2001, indictable only offences have been sent to the Crown Court under section 51, Crime and Disorder Act 1998 which, in most cases, means that committal 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.

**Chart 6** shows the disposal of those cases which were committed to the Crown Court not including those which were discontinued.

**Chart 6 Case Results**



# CPS Warwickshire

## About the CPS

The Crown Prosecution Service is headed by the Director of Public Prosecutions, Ken Macdonald QC. The Director is superintended by the Attorney General who is accountable to Parliament for the Service. The Chief Executive is Richard Foster, who is responsible for human resources, finance, business information systems, criminal justice policy and business development, allowing the Director to concentrate on prosecution and legal issues.

The CPS has 42 Areas across England and Wales, matching police force boundaries (CPS London covers the Metropolitan and City of London forces).

Each Area is headed by a Chief Crown Prosecutor who is responsible for the delivery of a high quality prosecution service to his or her local community.

Each Chief Crown Prosecutor is supported by an Area Business Manager, and their respective roles mirror, at a local level, the division of responsibilities between the DPP and the Chief Executive.

### Our Aim

The CPS works in partnership with the Police, Courts, the Home Office and the Department for Constitutional Affairs and other agencies throughout the criminal justice system to reduce crime and the fear of crime and their social and economic costs; to dispense justice fairly and efficiently and to promote confidence in the rule of law.

The CPS' overall aim, which

reflects the Government's priorities for the criminal justice system, is to:

Deliver a high quality prosecution service that brings offenders to justice, helps reduce both crime and the fear of crime and thereby promote public confidence in the rule of law through the consistent, fair and independent review of cases and through their fair, thorough and firm presentation at court.

### 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.

### People

Overall the CPS has 7,600 staff with more than 95 per cent engaged in local delivery or essential support for frontline services. The CPS continues to take forward initiatives to speed up justice.

These include increasing the number of 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. We also continue to increase the number of Higher Court Advocates (HCAs). They are CPS lawyers who, having undertaken the Service's internal training, are able to exercise full rights of audience as HCAs, principally in the Crown Court.

### Workload

Annually the CPS deals with around 1.45 million cases. This includes around one million prosecutions in magistrates' courts and 80,000 prosecutions in the Crown Court and 65,000 advices to the Police.

### Resources

The 2002 Spending Review set new budgets for the CPS for the three years from 2003-04 to 2005-06. The CPS budget for 2002-03 was £453 million, an increase of £61 million from the previous year.

### Charging

Lord Justice Auld's Review of the Criminal Courts in October 2001 recommended that the CPS should take over responsibility for the decision to charge in all but minor cases. Following the evaluation of a number of charging pilot schemes that were introduced in 2002, all CPS Areas were committed to provide a Shadow Charging Scheme in conjunction with local Police partners, by December 2003. By the end of 2003, all Areas had met this target

and 231 schemes were in place. The Statutory Charging Scheme itself will have staged implementation during 2004.

### CPS Direct

In order to provide charging advice to the Police, at weekends and between the hours of 5pm and 9am, a remote telephone-based advice scheme called CPS Direct has been developed to enable lawyers to work from their own home to provide an out-of-hours service.

### Working in partnership

The CPS is taking a leading and influential role in Local Criminal Justice Boards (LCJBs). Of the 42 LCJBs, 60 per cent are chaired by Chief Crown Prosecutors and each Board has produced delivery plans for narrowing the justice gap, ineffective trials and public confidence.

### Effective trial management

The CPS is working with the Department for Constitutional Affairs on effective trial management pilots, where victims and witnesses know in reasonable time when cases will be heard and can be confident that arrangements will not be changed. Better case management and court listing arrangements will reduce the number of ineffective trials and, in doing so, reduce unnecessary witness attendance and waiting times at court.

### Criminal Justice Units and Trial Units

These are units where police and CPS staff are housed and work together. They help reduce

administrative duplication and delay; enable closer liaison and promote better working relationships between the two independent organisations.

By 31 March 2004, 92 collocated Criminal Justice Units were operating in 35 Areas, handling about 55 per cent of CPS business in magistrates' courts. There were 43 Trial Units that included a police presence, operating in 29 Areas, handling about 53 per cent of Crown Court business.

### Equality and diversity

The CPS Equality and Diversity Unit (EDU) 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. All staff take part in diversity training and the EDU holds regular national and regional seminars and conferences on a whole range of diversity issues.

It also runs a "Dignity at Work" campaign to ensure, through raised awareness, that all staff are treated with dignity at work and valued in their difference. As a Service, the CPS has already achieved its 2005 targets for employment of minority ethnic staff.

### Electronic communication

The CPS continues to develop new electronic information and media. It has an intranet service which gives staff better access to information, improved internal communications and allows the CPS to manage its information and knowledge better.

The CPS initial case management system (COMPASS), developed and

introduced in a PFI partnership with LogicaCMG, was rolled out across the 42 Areas between April and December 2003 on time and within budget.

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.

### 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:

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**London EC4M 7EX**  
**Telephone: 020 7796 8442**  
**e-mail:**  
**[publicity.branch@cps.gsi.gov.uk](mailto:publicity.branch@cps.gsi.gov.uk)**

### Dealing with complaints

Our comprehensive complaints procedure is set out in a leaflet available from Area offices, CPS Communications Branch and on our website:  
[www.cps.gov.uk](http://www.cps.gov.uk)

# CPS Warwickshire

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