

# Warwickshire

## Annual Report 2004–2005



## INTRODUCTION

### by the Chief Crown Prosecutor

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

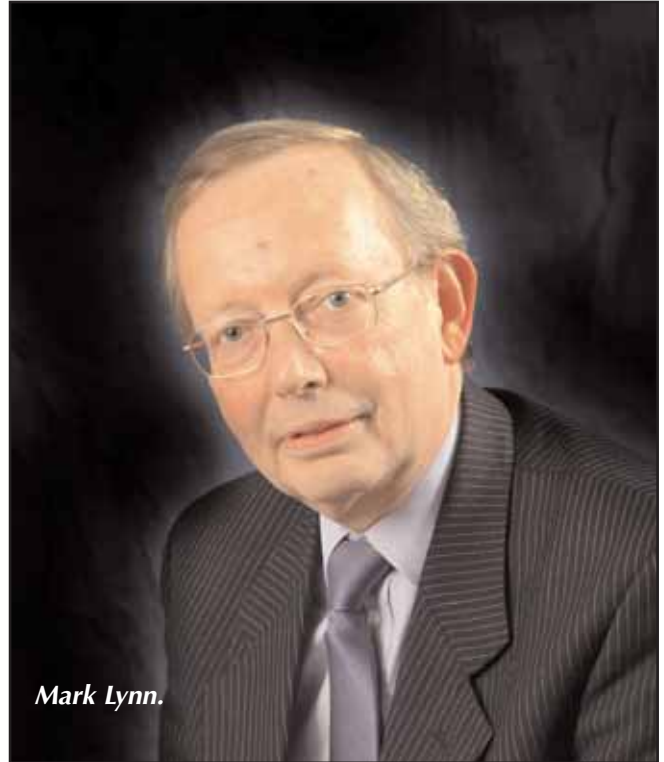
This year we dealt with over 11,000 cases referred to us by the police. The Warwickshire Police sent us the majority of these cases but we also received cases from the British Transport Police and the West Midlands Police. The number of cases referred to us by the police in the financial year 2004-5 increased by 17 per cent, compared to the financial year 2003-4.

Lawyers and caseworkers from CPS Warwickshire prosecuted in 1,200 magistrates' courts and nearly 300 Crown Courts. The majority of these courts have been held in Warwickshire – Nuneaton, Rugby, Warwick, and Leamington Spa – but we have also prosecuted in the West Midlands police area.

To carry out this work we have 13 Crown Prosecutors (solicitors and barristers), two Designated Caseworkers (who are able to prosecute some cases in the magistrates' court), and 22 caseworkers and administrative staff. Our agents (solicitors and barristers in private practice) have assisted us in prosecuting some cases in court.

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

- We achieved the lowest discontinuance rate (the percentage of cases sent to us by the police which, for one reason or another, we have not prosecuted) in the country;
- We achieved the highest conviction rates and lowest acquittal rates in the country;
- Against a backdrop of falling crime levels and contrary to the national trend, we increased both the number and percentage of convictions;
- Despite the increased number of cases dealt with in the magistrates' courts, we reduced the number of courts necessary to deal with the work by increasing the average number of defendants dealt with by each court and reducing the number of adjournments by six per cent.



*Mark Lynn.*

This year CPS Warwickshire was inspected by Her Majesty's Inspectorate for the CPS (HMCPIS) and the Chief Inspector, Stephen Wooler, said:

**“CPS Warwickshire has achieved high standards in its casework but remains determined to enhance its contribution to the criminal justice system even further through close working with its partners. This is a deservedly good report which reflects well on staff and managers alike.”**

**Mark Lynn**  
Chief Crown Prosecutor

## ABOUT CPS WARWICKSHIRE

### The Prosecution Team

Whilst we are independent of the police, the nature of our work requires us to work closely with police officers.

It is essential, if offenders are to be brought to justice, that the police and the Crown Prosecution Service work closely together as a team but appreciate the different roles that we undertake. Working with the police, we have successfully prosecuted many serious cases.



**Pictured:** Senior Crown Prosecutor Louise Pierpoint commended for her work on a serious child abuse case by Chief Superintendent David Whitehouse.

Every day, a team of lawyers and caseworkers work 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 2003 we have piloted these provisions in Leamington Spa and Rugby with a Crown Prosecutor attending the police station to assist the police with these decisions. It is anticipated that the provisions of the Criminal Justice Act 2003, transferring the responsibility for charging from the police to the Crown Prosecution Service, will come into effect in Warwickshire in 2006.

### The Warwickshire Criminal Justice Board

There are a number of agencies that together make up the 'Criminal Justice System' in Warwickshire:

- The Warwickshire Police;
- The Crown Prosecution Service (Warwickshire);
- The Warwickshire Magistrates' Courts Service;
- The Court Service (Crown Courts);
- The National Probation Service (Warwickshire);
- The Warwickshire Youth Offending Team;
- The Prison Service.

The senior officers of these Agencies sit together as the "Warwickshire Criminal Justice Board". 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.

The 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 11%;
- To deal with persistent young offenders, from arrest to conclusion, in an average of 71 days or less;
- To achieve 18% or less ineffective trials (trials that do not go ahead for one reason or another) in the Crown Court and 15% in the magistrates court;
- To reduce the number of warrants not executed within three months;
- To improve confidence in the Criminal Justice System.

## Performance

The Warwickshire Criminal Justice Board has been particularly successful and all targets were met and in many cases substantially succeeded

- ✓ Offences Brought to Justice we achieved a 22 % increase against the target of 11%.
- ✓ Warwickshire CPS again, for the 5<sup>th</sup> year in succession, had the highest conviction rate 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.
- ✓ We substantially increased the confidence of the public in the Criminal Justice System and are in 6<sup>th</sup> place overall in the country.

## Justice Centres

The 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.

Her Royal Highness, The Princess Royal, who formally opened the Justice Centre in Nuneaton in March 2005, said:

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*"This Justice Centre is the first of its type and is very unique I hope it does not remain unique for long, as Justice Centres are needed in other parts of the Country to improve services".*

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*Pictured below: The Princess Royal speaking to the Chief Crown Prosecutor, the Area Business Manager, Ian Edmondson and Senior Crown Prosecutor, Tammy Mears, at the opening of the Warwickshire Justice Centre in Nuneaton.*

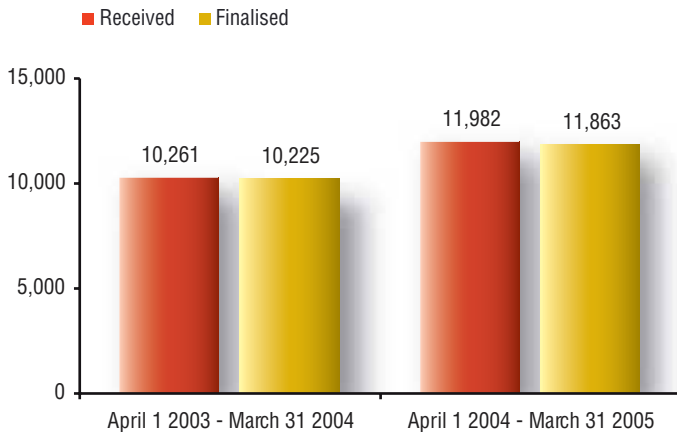


The Justice Centre in Leamington Spa is scheduled for completion in early 2009. This centre will not only, as at Nuneaton, house staff from all the criminal justice agencies and the magistrates' court but also the Crown and County Court; it will also provide a new home for the Victim and Witness Information Partnership (VIP).

VIP is another innovative and unique project that brings together staff from the Crown Prosecution Service, the 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.

# PERFORMANCE IN THE MAGISTRATES' COURTS

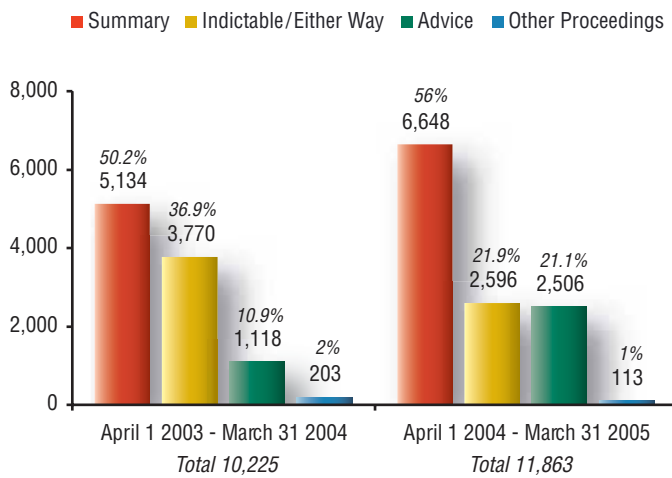
**Chart 1 Caseload (receipts and finalisations)**



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 the number of defendants received and finalised in the Area for the period April 2004 – March 2005 against the number for the period April 2003 – March 2004.

**Chart 2 Case Categories**



**Chart 2** illustrates the type of cases finalised in April 2004 – March 2005 compared with the same period in 2003 – 2004:

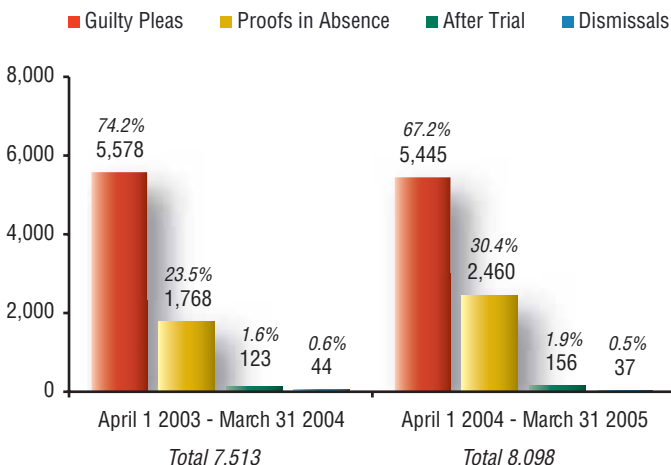
**Summary Only** – cases which can only be tried in the magistrates' courts.

**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.

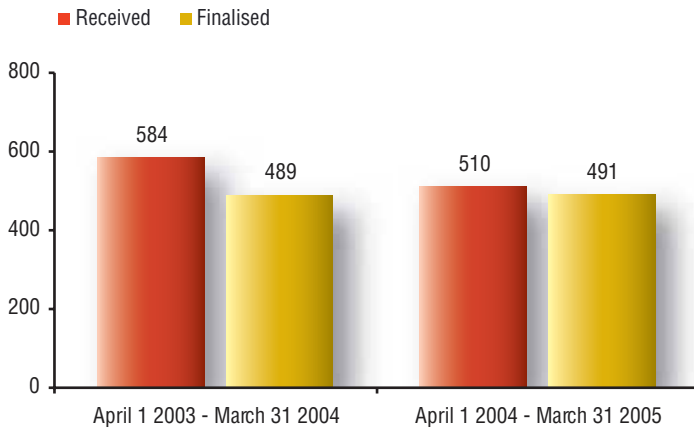
**Chart 3 Case Results**



**Chart 3** shows a breakdown of the number of defendants proceeding to a hearing, which resulted in a conviction.

# PERFORMANCE IN THE CROWN COURT

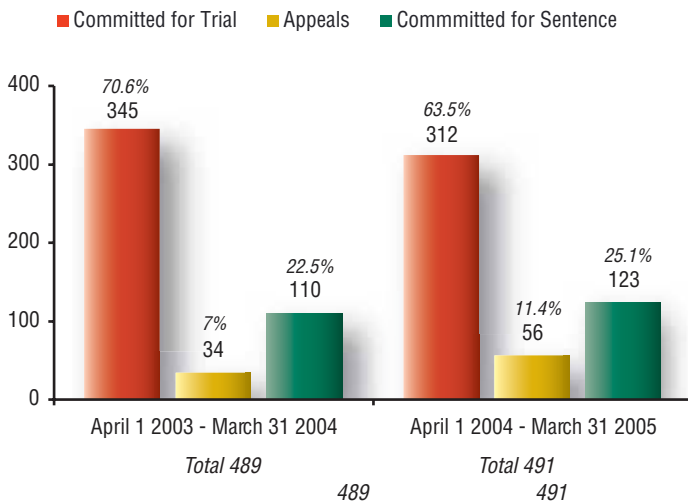
**Chart 4 Caseload (receipts and finalisations)**



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 2004–March 2005 against the same period in 2003–2004.

**Chart 5 Case Categories**



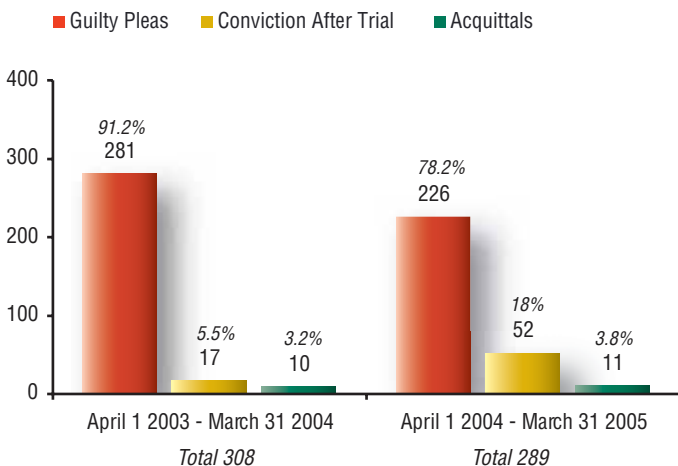
**Chart 5** shows case categories finalised in April 2004 – March 2005 compared with the same period in 2003 – 2004:

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

## About the Crown Prosecution Service

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.

The CPS was set up in 1986 under the Prosecution of Offences Act 1985 to prosecute criminal cases investigated by the police in England and Wales. In undertaking this role, the CPS:

- Reviews cases submitted by the police;
- Advises the police on any need for further evidence;
- Decides on the appropriate disposal of the case;
- Decides on the appropriate charges in all but minor cases;
- Prepares cases for court;
- Keeps cases under constant review; and
- Presents cases at court.

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.

The 43<sup>rd</sup> CPS Area is CPS Direct, which provides out-of-hours charging advice to police forces.

### Our Aim

The CPS works in partnership with 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 become:

***A world-class, independent prosecuting authority, at the heart of the criminal justice system, providing a valued public service that meets the needs of victims and communities, makes a real difference to the lives of local people and helps to build a fairer and more decent society.***

### Resources

The CPS budget for 2004-05 was £560 million.

### Workload

Annually the CPS deals with around around 1.1 million prosecutions in magistrates' courts and 95,000 prosecutions in the Crown Court.

### People

Overall the CPS has around 7,820 staff of whom 2,714 are front-line prosecutors.

### The Code for Crown Prosecutors

The *Code for Crown Prosecutors* sets out the principles which Crown Prosecutors follow when considering

cases. The key principles are that a prosecution should only be started or allowed to continue if:

- There is enough evidence to provide a realistic prospect of conviction against each defendant on each charge, and, if so
- Where a prosecution is needed in the public interest.

### Representative workforce

The CPS has exceeded the Civil Service benchmarks for employees from Black and Minority Ethnic (BME) groups, women and those with a disability.

### Website

The CPS' 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. These are available to download from the website or in hard copy.

For more information on all publications, and information on availability in other languages and alternative formats, contact the CPS Communications Branch, 50 Ludgate Hill, London EC4M 7E; telephone: 020 7796 8442; e-mail: [publicity.branch@cps.gsi.gov.uk](mailto:publicity.branch@cps.gsi.gov.uk)

# CPS Warwickshire

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CPS is now recruiting online

## key

Main Office

**C** Crown Court

**M** Magistrates' courts

