

Our commitment to you

I am pleased to introduce the 2005-2006 Annual Report for CPS Cumbria. This year has brought about a number of significant changes for the Area — not least the change of Chief Crown Prosecutor.



One of the main responsibilities for the CPS is advocacy both in the Magistrates' and Crown Court. Prosecuting lawyers attend 20 Magistrates' Courts per day in Cumbria and their attendance at Crown Court is increasing.

We have been working hard to fulfil our commitment to serving the Cumbria public and ensuring that victims and witnesses of crime are at the heart of the Criminal Justice System. To do this, we work along side our Criminal Justice Partners striving for a system that is efficient, fair and robust. In particular we work with the Police to ensure that the decisions to charge defendants are right from the outset.

We are committed to engaging with and listening to all the Communities that we serve so that the decisions are made in the interest of the Public.

Claire Lindley
Chief Crown Prosecutor, CPS Cumbria

The local contact is:
Andrew Calvert, Communications Officer,
Crown Prosecution Service, Area Secretariat
1st Floor, Stocklund House, Castle Street,
Carlisle CA3 8SY

Domestic safety for you

1 in 4 women will experience domestic violence at some time in their lives.

2 women are killed every week by a current or former partner.

Violence against women and children is a crime —

Domestic violence
Rape and sexual assaults
Forced marriage
Honour crimes
Child abuse
Elder abuse
Human trafficking
Prostitution
Female genital mutilation

Next year we will part of a new exciting project whereby a Specialist Domestic Violence Court will be set up in Cumbria to support victims of such crime.

Freephone 24-hour National Domestic Violence Helpline: 0808 2000 247
Perpetrators' phonenumber RESPECT: 0845 122 8609



Prosecuting hate crime for you

We regard a racist or religiously-motivated incident as:

Any incident which is perceived to be racist or religiously motivated by the victim or any other person.

An offence is racially or religiously aggravated if:

- at the time of committing the offence, or immediately before or after doing so, the offender demonstrates towards the victim of the offence hostility based on the victim's membership (or presumed membership) of a racial or religious group; or
- the offence is motivated (wholly or partly) by hostility towards members of a racial or religious group based on their membership of that group.

Certain offences, including assault, harassment, criminal damage and public order offences, can be prosecuted specifically as racially or religiously-aggravated offences.

With any other offence where there is evidence of racial or religious aggravation, the defendant faces a harsher sentence than if he or she were found guilty of a non-racial or religious crime.

Helping you to feel safe

We regard a homophobic incident as:

Any incident which is perceived to be homophobic or transphobic by the victim or by any other person [including the perpetrator].

We regard homophobic crimes as particularly serious because they undermine people's right to feel safe about, and be safe in, their sexual orientation.

Such crimes are based on prejudice, discrimination and hate, and they have no place in an open and democratic society.

We regard the homophobic element of any crime as a serious aggravating feature. We are determined to play our part in reducing crime by bringing offenders to justice.

CPS Cumbria is committed to prosecuting cases of hate crime vigorously and successfully. We have dedicated specialists in each of our offices who consider each case carefully and liaise with local interest and support groups.

Area information

The County of Cumbria is one of the most beautiful in the Country and is a great place in which to live. CPS Cumbria has five separate offices based in Kendal, Workington, Carlisle and Barrow.



In December 2005 we were given statutory responsibility to make decisions about which defendants should be charged with a criminal offence and what the appropriate charge should be. Previously this decision was made by the Police. This means that we have CPS Staff working in police stations on a daily basis to reduce unsuccessful prosecutions and ensure that the defendants are prosecuted for the right offence.

We work closely with Cumbria Constabulary forming part of the prosecution team — working together to bring offenders to justice.

Everyone who works for CPS Cumbria has a valued role and their contribution, innovation and enthusiasm will be recognised in order that performance is achieved to the best of their individual ability. We are committed to creating a working environment where everyone takes pride in their work.

The Crown Prosecution Service in Cumbria and

YOU

...working with our community



Grasmere.



What the CPS does for you

The Crown Prosecution Service was set up in 1986 to prosecute criminal cases investigated by the police in England and Wales. In undertaking this role, the CPS:

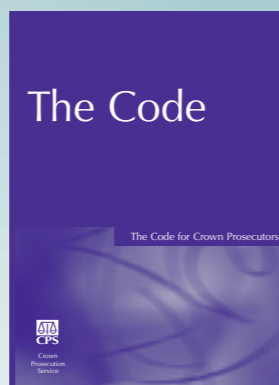
- advises the police on cases for possible prosecution
- reviews cases submitted by the police for prosecution
- where the decision is to prosecute, determines the charge in all but minor cases
- prepares cases for court; and
- presents those cases at court

Each year we handle around 21,744 cases in the magistrates' court cases and 1,016 in the Crown Court. In 2005-06, our average conviction rate was 98% in the magistrates' court and 88% in the Crown Court.

Next year, CPS Cumbria plans to increase our lawyer advocacy in the Crown Court. At the moment Crown Court Trials are conducted by prosecutors instructed by the CPS but in the future it is anticipated that CPS Prosecutors will have conduct of the case themselves from the point of charge through to trial.

Justice for you

The *Code for Crown Prosecutors* is a public document, issued by the **Director of Public Prosecutions** that sets out the general principles Crown Prosecutors should follow when they make decisions on cases.



Is there enough evidence against the defendant?

When deciding whether there is enough evidence to prosecute, Crown Prosecutors must consider whether evidence can be used in court and is reliable. Crown Prosecutors must be satisfied there is enough evidence to provide a "realistic prospect of conviction" against each defendant.

Is it in the public interest for the CPS to bring the case to court?

A prosecution will usually take place unless the public interest factors against prosecution clearly outweigh those in favour of prosecution.

Keeping you informed

No Witness No Justice

At the heart of No Witness No Justice are the Witness Care Units, which now provide an enhanced level of service to all victims and witnesses in England and Wales in cases where a charge has been brought. This includes completing needs assessments, to identify childcare or accessibility issues for example, and organising pre-court familiarisation visits.

Victims' Code

The Code of Practice for Victims of Crime came into full effect on 3 April 2006.

The Code of Practice will give victims rights to minimum standards of service from the criminal justice system for the first time. This includes notifying vulnerable or intimidated victims within one working day if there is insufficient evidence to charge a defendant, and within five working days for all other victims, as well as identifying any special measures that may be appropriate.

The CPS is committed to its obligations under the code, which formalises many of the good things it is already doing.

Supporting you

We like to listen to and respond to our Community. Throughout the year there have been Community initiatives particularly concentrating upon hate crimes such as Domestic Violence.

An example of this is the recently published CPS poster campaign about domestic violence which gives an insight into how seriously the Police, the Prosecution and the Courts view such crimes.

We work closely with both the Witness Service and Victim Support along with other voluntary agencies who give advice and support to victims of crime.

This year has seen the introduction of a Witness Care Unit which is a Multi-Agency Unit set up in December 2005. Its role is to give victims of crime the guidance, support and information that they need during the criminal proceedings.

We work together with Public Authorities, Black and Minority Ethnic Groups and Voluntary Support Groups and are proud to report that the Cumbria Criminal Justice System has the highest level of public confidence in the country.

Working for you

There are approximately 70 members of staff in CPS Cumbria comprising a mix of Lawyers, Designated Caseworkers, Crown Court Caseworkers and Administrative staff. The roles are many and varied, and working within the CPS is an exciting and challenging role.

We open our doors to law students and school work experience students so that they can have an insight into the Criminal Justice System.

This year we have recruited a number of staff who are based in our Witness Care Unit, communicating with victims and witnesses on a daily basis.

The conviction rate in Cumbria remains high at 93% which demonstrates the effectiveness of multi agency working.

I would like to take this opportunity to thank staff for their commitment and loyalty that they have shown throughout the year which has helped to maintain the high performance of the Criminal Justice System within this Area.



Working together for you

The Chief Crown Prosecutor is an integral member of the Local Criminal Justice Board (LCJB). This board comprises the Chief Officers of the key agencies in the Criminal Justice System namely the Crown Prosecution Service, the Police, the Probation, the Youth Offending Service, HM Prison and the Department of Constitutional Affairs. Currently it is chaired by the Chief Probation Officer Mr Mike Maiden. The Board has three main targets which relate to improving the confidence of the public, bringing more offenders to justice and reducing the number of trials which are ineffective.

By working closely together we can concentrate on joint targets and ensure that new initiatives and new changes within our organisations are consistent with the desire to meet those targets and are of mutual benefit to all CJS Agencies.

The Communications Officer for the Local Justice Board is:
Mike Holmes, Cumbria Constabulary,
Police Headquarters, Carleton Hall, Penrith
Cumbria CA10 2AU

