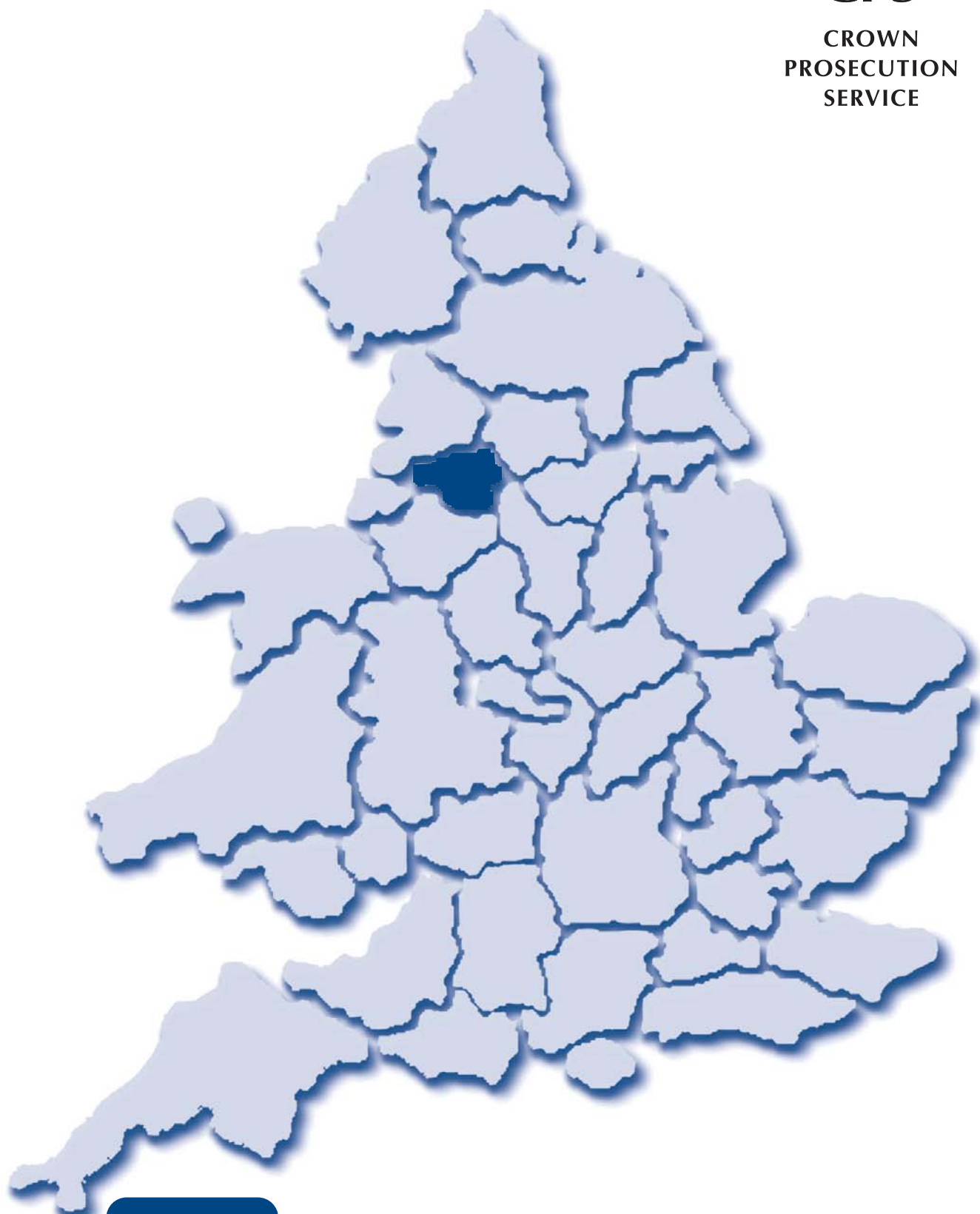




CROWN
PROSECUTION
SERVICE



Greater Manchester

Annual Report | 2001-2002

Introduction by the Chief Crown Prosecutor



A year has gone by since I last reported upon the performance of Greater Manchester CPS. Each succeeding year since 1987, I have found it more and more difficult to find something new to say. This is largely the fault of our staff who keep coming up with the same high level of performance

year after year. We are fortunate to have a dedicated, professional and loyal staff, some of whom have been with us for 25 years or more. I am pleased to report that increased resources have allowed us to recruit additional lawyers and caseworkers and that we have good reason to believe that they are well capable of upholding the high standard of professionalism which we have come to expect.

I am pleased to report that this level of professionalism is reflected, once again, in our performance figures. They not only do credit to our staff, but also help to improve the performance figures for the Crown Prosecution Service of which we are a part.

We do not, of course, work in isolation. Together with our colleagues in other parts of the criminal justice system in Greater Manchester, we are striving to improve still further the quality of justice in Greater Manchester. I believe we are succeeding.

Together with our partners, we have succeeded in meeting the Government's commitment to bring down the number of days taken to bring persistent young offenders to justice. Between December 2000 and December 2001, we reduced the number of days involved from 103 to 63.

While the fair and robust prosecution of offenders is our business, we are also doing what we can to improve the lot of our victims and witnesses to many of whom the prosecution process must seem distant, unfeeling and even intimidating. To this end, we are starting to write to our victims reporting and explaining the decisions we take. We are also offering, in certain circumstances, face to face

meetings with victims and witnesses. We are also introducing new measures to try to familiarise the most vulnerable of those who give evidence with the court process. We will also, I hope, be able to improve the way in which certain witnesses are permitted to give their evidence, making the giving of evidence less of an ordeal. We are also working very closely with the Witness Service to ensure that they are able to continue to fulfil their vital role.

We have, over the last few years, come to the recognition that we need to take an even more proactive role in diversity issues. I am pleased to report that our recruiting process over the last year has brought the profile of our staff closer to that of the community which we serve. While I am still not satisfied that we are doing as much as we need to explain our role to some parts of the community, I am satisfied that we are getting there.

I am pleased to be able to report that the Crown Prosecution Service, having been slower off the blocks than some others in the IT field, has now fully embraced IT to the extent that all our staff now have a computer on their desk and have been trained to use it. It is a tribute to our training programme that even I can now send and receive e-mail.

I can report that we were this year inspected by the CPS Inspectorate. We were pleased to note the high regard in which our prosecution of offenders was held. I would like to pay tribute here to our staff for such a satisfactory outcome. The Inspector did note a number of issues which he felt required attention if the present level of performance was to be maintained and we are addressing these.

Finally, I take this opportunity of paying tribute not only to our staff who have performed so effectively for yet another year but also to our friends and colleagues in the criminal justice agencies in Greater Manchester who have, I truly believe, built on and improved yet again the quality of criminal justice in Greater Manchester.

Tony Taylor

Tony Taylor
Chief Crown Prosecutor



INVESTOR IN PEOPLE

Moss Side gang jailed

Following a difficult police investigation, five members of a Moss Side gang were jailed after being arrested by armed Greater Manchester Police (GMP) officers.

Weapons including a sub-machine gun were seized when officers raided the hide-out where the gang were planning a kidnapping. The five were arrested at a terraced house in Ruskin Avenue, Moss Side, last year under Operation *Eagle*, GMP's crackdown following a spate of shootings in the area.

The senior investigation officer praised the Crown Prosecution Service, and in

particular Senior Crown Prosecutor Karen Brooks, for its hard work in presenting "this difficult and complex case" in court.

Sentencing the men at Manchester Crown Court, Judge Michael Henshell said that since the 1990's, there had been a steady and terrifying increase in the carrying of guns in the city, with 81 shooting incidents and eight murders in 1999 alone. Sentences ranging from two and a half to nine years were imposed.

Forensic examination showed that two of the weapons recovered from the gang had been used in incidents last year, one just seven days before the raid.

13 years for sex attacker

Between August 1999 and February 2001, a series of sexual assaults took place in the Greater Manchester Area. The assaults involved rape, attempted rape and an indecent assault. All featured acts of serious depravity and involved the use of violence, threats of violence and, in one case, the suggestion that the attacker was armed with a knife.

In each case, the police were able to obtain a good description of the offender. In addition, the offender had left traces of bodily fluids that provided material suitable for DNA examination. In each case the offender's DNA was recovered and showed that the attacks were the work of one man.

The investigating officers approached the CPS for advice in relation to the release of an identikit picture to the local media. Advice to publish was given by a Special Casework Lawyer on the Salford Branch and the resultant publicity led to the arrest of Mahout Dadia. His DNA profile matched that of the offender and he was charged.

Operation Waddington

In August 1998, the Greater Manchester Drugs Squad started a long term investigation into the large scale acquisition and distribution of heroin, cocaine and crack cocaine onto the streets of Bolton. The operation was code named "Waddington".

Mark France, a Senior Lawyer with the Bolton team, aided by two experienced caseworkers, Rachael Bickerstaffe and Kathy Latchford assumed responsibility for the conduct and

management of the case from the start of the enquiry until the prosecution case was finalised by way of conviction and sentence of the principal conspirators to supply at the Liverpool Crown Court during February 2002.

During the course of the trial the main player was murdered at his home address and another main player absconded after he had been convicted and sentenced in his absence. Sentences ranging from seven and a half years to 22years' imprisonment were imposed upon the offenders.

CPS staff commended

In November 2001, William Hughes, Director General of the NCS, presented commendations to two lawyers and two caseworkers from CPS Greater Manchester Area.

Peter Edmondson, Senior Crown Prosecutor, and Robin Lynch, Caseworker, were honoured for their work on a drugs trafficking case.

Targeting lorries operating legitimately in Europe, a gang smuggled cannabis obtained in southern Spain, across France and through the channel tunnel to Manchester.

The NCS undercover operation led to three court cases. The main prosecution took place in 1999 against 10 defendants. The value of the drugs involved was £8.4 million. At one stage the ring-leader escaped from police, fled to France and had to be extradited. Sentences of up to nine years' imprisonment were imposed on conviction.

John Lord, Special Casework Lawyer, and Norman Reed, Senior Caseworker, handled a case involving a gang member turned "supergrass" who gave NCS officers details of 30 armed robberies carried out in



LtoR: Tony Taylor, Chief Crown Prosecutor, Peter Edmondson, Robin Lynch, Norman Reed and John Lord.

the north of England.

After a seven-week trial at Manchester Crown Court, four of the gang were convicted of conspiracy and jailed, with the leader receiving 22 years' imprisonment.

Death of PC Alison Armitage

On 5 March 2001, Thomas Whaley was seen by two plain clothes officers in the driver's seat of a vehicle he had stolen the previous day. One of the officers ran to the driver's door and attempted to open it.

On seeing this, Whaley started to reverse the vehicle without looking properly behind him. The vehicle came into contact with 29-year-old Police Constable Alison Armitage dragging her under the car, causing her fatal injuries.

On 19 November 2001, Whaley pleaded guilty to an offence of Manslaughter on the basis of gross negligence. He was sentenced to eight

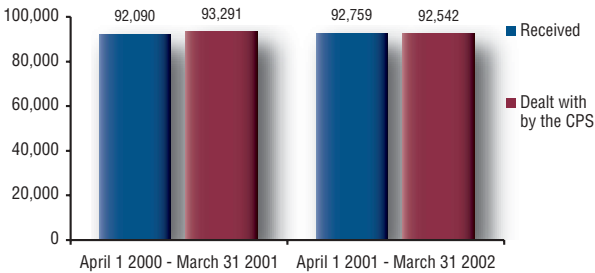
years' imprisonment for this offence and disqualified from driving for a period of 10 years. Because of the evidential and legal difficulties surrounding the case, Robert Davies, who is in charge at Oldham/Hyde, was involved in discussions with the police pre-charge and this close co-operation with the police continued throughout the duration of the case.

The Service also ensured that members of the bereaved family were consulted when key decisions were made concerning the conduct of the case. This process was greatly assisted by the invaluable contribution made by Henry Globe QC, Senior Prosecuting Counsel, who personally spoke to the family in conference.

Performance in the Crown Court and Magistrates' Courts

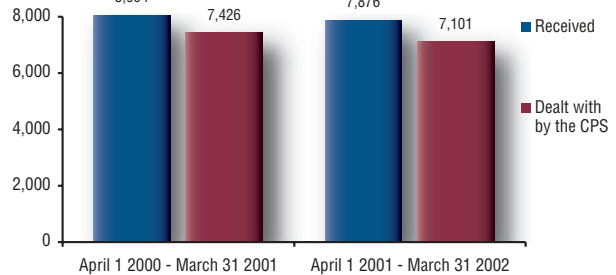
All prosecutions start in the magistrates' courts. These include offences ranging from minor motoring matters to assaults and theft. Usually the more serious cases proceed to the Crown Court. Some cases can only be tried in the Crown Court. Other cases go to the Crown Court either because the defendant 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.

Caseload in the Magistrates' Court



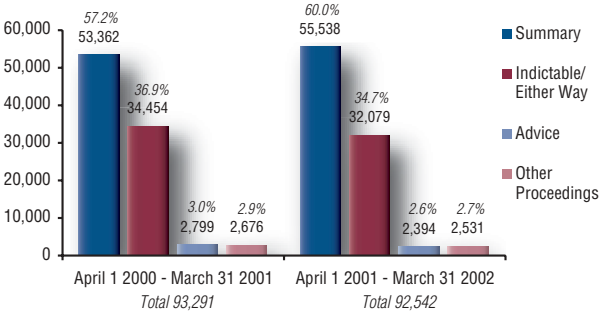
The chart shows as received the number of defendants whose cases the Area received from the police and the number of defendants whose cases were finalised in each of the last two years. Our caseload depends on the number of cases the police send to us. Several factors affect this, such as the level of arrest and the number of people the police caution.

Caseload in the Crown Court



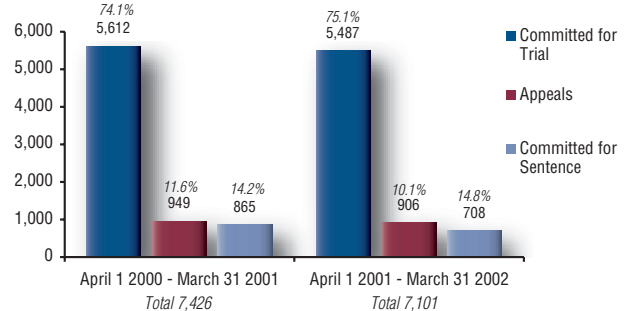
The chart shows as received the number of defendants who came before the Crown Court and the number whose case was dealt with there.

Magistrates' Court Case Categories



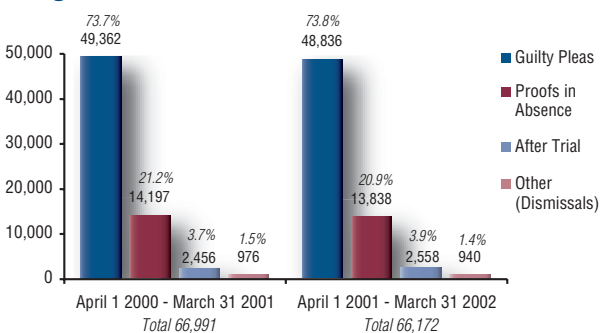
This shows the different types of work dealt with in the Area. They are:
Summary – cases which can only be tried in the magistrates' courts.
Indictable/Either Way – Indictable only offences (such as robbery) must be tried in the Crown Court, but either way offences (such as theft) may be tried in either the magistrates' courts or in the Crown Court.
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.

Crown Court Case Categories

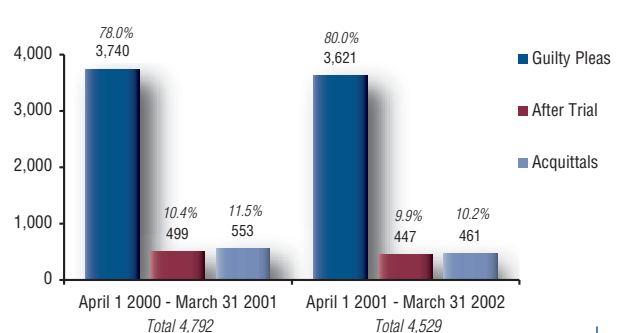


Committed for trial – Indictable only and some either way cases are sent from the magistrates' courts for trial to the Crown Court. Since January 2001, indictable only offences have been sent to the Crown Court under section 51, Crime and Disorder Act 1998 which, in most cases, means that committal proceedings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

Magistrates' Court Case Results



Crown Court Case Results



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.

CPS Greater Manchester Area

Chief Crown Prosecutor: Tony Taylor
Area Business Manager: Kevin Fox
Area Press and Publicity Officer: Chris Humberstone
PO Box 237, 8th Floor, Sunlight House, Quay Street, Manchester M60 3PS
Tel: 0161 827 4700 Fax: 0161 827 4930
www.cps.gov.uk

Any questions or complaints should be addressed to the Chief Crown Prosecutor

Free publications* about the CPS can be obtained from the Area Press and Publicity Officer at the above address

*For example: *The Code for Crown Prosecutors*
Publicity leaflets on the Crown Prosecution Service



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