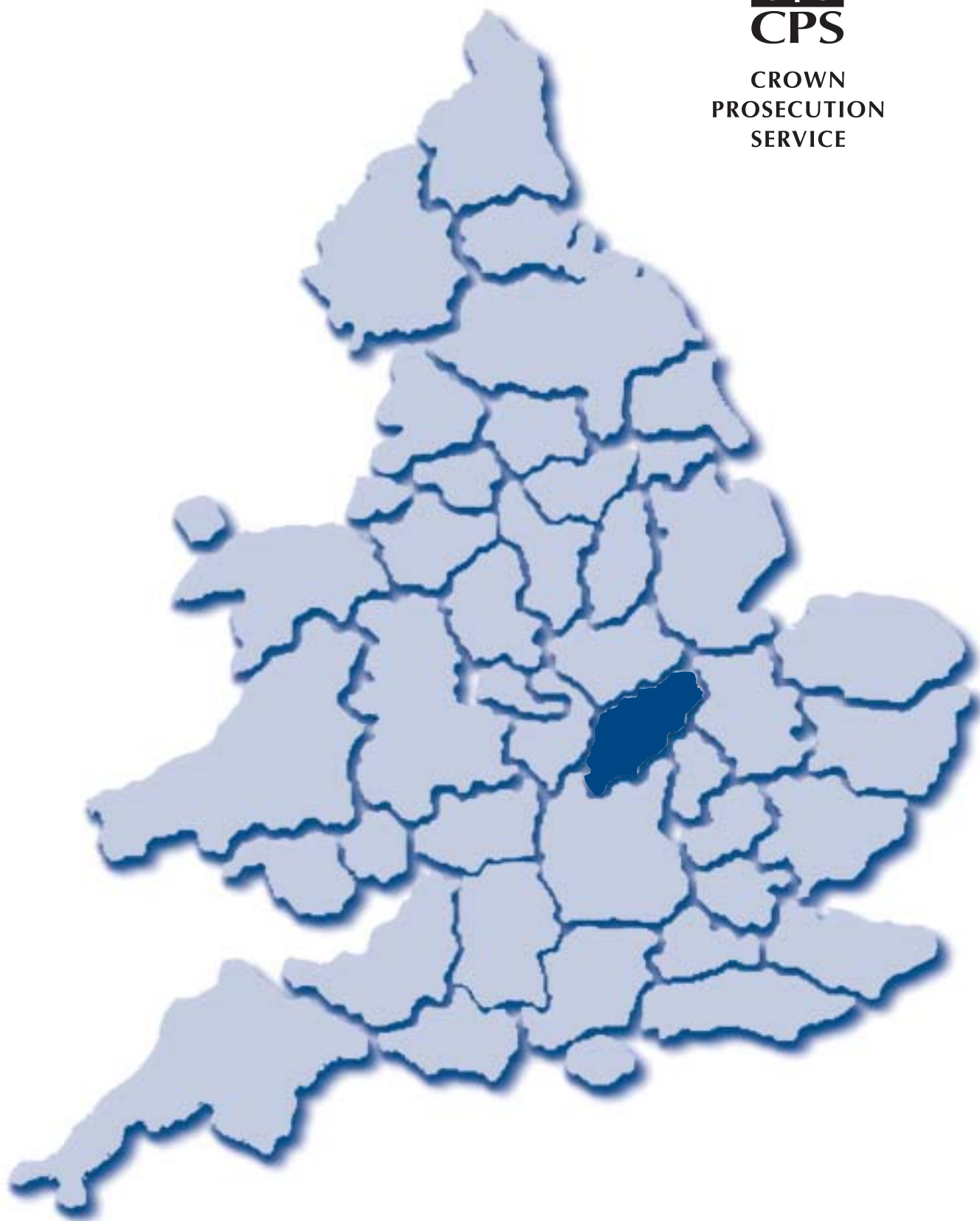




CROWN  
PROSECUTION  
SERVICE



# Northamptonshire

Annual Report | 2001-2002

# Introduction by the Chief Crown Prosecutor

**W**elcome to this year's Annual Report. We have been extremely busy over the course of 2001 and 2002, working on behalf of the people of Northamptonshire to provide a premium prosecution service for the local area. This report highlights what CPS Northamptonshire has been doing over the last year, and provides information about just some of our achievements and plans for the future

The better treatment of victims and witnesses is a priority for the Crown Prosecution Service. Over the last year there have been significant changes and improvements in the way that CPS Northamptonshire communicates and deals with these key individuals who play such a crucial part in prosecution process. New legislation to help protect vulnerable and intimidated witnesses was introduced this year, along with the Direct Communication with Victims initiative which is a response to the needs of the public. CPS lawyers now communicate directly with victims to explain the reason why charges are dropped or substantially altered.

This year further progress has been made not only as a CPS Area, but also as an organisation which plays a crucial part in the criminal justice system. We have not been working on our own but closely with our partner agencies such as the Police, the Courts and Victim Support.

One major example is the co-location of CPS and police staff in the Criminal Justice Unit (CJU) which has been operational since October 2001. The Crown Prosecution Service remains independent from the police in its decision-making, but the two organisations are inter-dependent when it comes to gathering evidence and the information necessary to prosecute cases. The CJU has enabled a closer working relationship between CPS Northamptonshire and Northamptonshire Police, which not only puts us in a much better position to improve the effectiveness and timeliness of prosecutions in Northamptonshire, but also to meet the new and exciting challenges we face as a result of the Government's white paper "Justice For All".

Northamptonshire is a pilot Area for promoting confidence in the criminal justice system and for advocating a joined-up criminal justice system. CPS Northamptonshire has been working hard to raise awareness of our particular role and expertise in bringing criminals to justice.

The recent appointment of our Communications Manager is intended to make our organisation more accessible to the general public and to raise our profile. I have always aimed to provide a more open and accountable service in Northamptonshire. This appointment signals our commitment to being a service that the local population can know about, have access to and take pride in.

Over the last 12 months, CPS Northamptonshire has taken part in community events, such as the criminal justice system "Talking Justice Together" road shows this summer,

*Colin  
Chapman*



but has hosted an "engaging our community" event at Sixfields Community Stadium in April. This was a resounding success and was a chance for our staff not only to meet members of the public but also to take back the views and concerns of our local community. CPS Northamptonshire is committed to working with local community groups and is planning future events as I write this report.

Lastly, but most importantly, I would like to thank each and every member of my staff for their continued hard work and dedication. CPS Northamptonshire staff work together as an enthusiastic and devoted team who prosecute cases, firmly but fairly, on behalf of the people of Northamptonshire. Our Annual Business Report is available to read, but if you have any questions, concerns or ideas on how we might improve our service to the public, please write to me at the address on the back cover of this report.

A handwritten signature in black ink, appearing to read "Colin Chapman". The signature is fluid and cursive.

**Colin Chapman  
Chief Crown Prosecutor**



*The Director and Chief Executive with the Area Management Team on a visit to CPS Northamptonshire.*

# About CPS Northamptonshire

## Vision Statement

Our vision, which we have called "PRIDE" is to be a local prosecution service that our community can be proud of, achieving justice for the people of Northamptonshire.

We aim to be:

- Professional, proud and confident staff
- Recognised and highly respected by everyone in the local criminal justice system and the community, particularly victims and witnesses
- Individuals who are informed, involved and valued
- Doing high quality work
- Excellent and open organisation working in partnership with others and having positive influence in the criminal justice system

## Criminal Justice Unit (CJU)

This Unit, based at Weston Favell, opened on 1 October 2001 and is responsible for handling case preparation, review and prosecution of all cases in the magistrates' courts and youth courts in the county. It is jointly managed, staffed and resourced by the police and Crown Prosecution Service and has recently celebrated its first anniversary.

The benefits of this Unit are:

- Less duplication, delay and inefficiency in the prosecution process and better use of IT systems;
- Improved communication between the police and CPS Northamptonshire at all stages of case preparation, leading to improved quality of investigation, prosecution files and decision making;
- A co-ordinated approach to handling victim and witness issues as well as defendants, defence solicitors and other agencies in the criminal justice system
- CPS Northamptonshire is able to deploy more of its resources on the more serious cases in the Crown Court.

## Direct Communication with Victims (DCV)

In this initiative, CPS lawyers are responsible for communicating direct to the victim, rather than via the police, any decision to drop or alter the charge substantially.

This is in recognition that victims are central figures in the prosecution process and it is essential that decisions are properly explained to them by the person who made those decisions.

In certain cases, including those involving death, a meeting



*The suite where lawyers will meet victims of crime, or their families.*

will the lawyer will also be offered to the victim or the family of the victim.

## Area Champions

These are members of staff who spearhead work on important issues for the Area such as: Domestic Violence, Victims and Witnesses, special measures for vulnerable and intimidated witnesses, and Hate Crimes (including racially and religiously aggravated crimes and homophobic crime). Their role includes liaison and consultation with external agencies and the community.

## Domestic Violence Policy

The Crown Prosecution Service regards domestic violence as particularly serious because there is often a continuing threat to the victim's safety and, in the worst cases, the victim's life and the lives of others (including children's) may be at risk.

A new CPS domestic violence policy was introduced in November 2001 with the aim of stopping domestic violence and bringing the perpetrators to justice. The following definition is used: "Any criminal offence arising out of physical, sexual, psychological, emotional or financial abuse by one person against a current or former partner in a close relationship, or against a current or former family member". CPS Northamptonshire works closely with Victim Support, Women's Aid and local refuges to help us improve our understanding of domestic violence and make the right casework decisions.

## Engaging our Community

We prosecute cases, firmly but fairly, on behalf of the people of Northamptonshire, therefore, we are very interested in the views and concerns of members of our community. CPS Northamptonshire is not only committed to informing the public about what we do and our role in the local criminal justice system, but also to developing

more opportunities to hear the views of local community groups, and to consult and involve local people on future initiatives. On 25 April 2002, CPS Northamptonshire hosted an event entitled "Engaging Our Community — An open discussion forum" at Sixfields Community Stadium, Northampton.

The aim of this event was to provide a local forum for discussion and exchange of views and to raise community awareness between CPS Northamptonshire representatives and members of the local diverse communities.

The day's programme included presentations by CPS guest speakers, including the Director of Public Prosecutions, themed workshops and an opportunity for representatives of community organisations to put questions to panels of CPS personnel regarding prosecution issues that affect the community. This event was very successful and there was positive feedback from both members of the community and our own staff.

## The Future

**Narrowing the Justice Gap:** The recent White Paper "Justice For All" referred to the "justice gap" between offences committed and offences brought to justice. In 2000-01, over five million crimes were recorded, but just under 20% of them resulted in an offender being brought to justice. This is the justice gap: the difference between the number

of offences recorded and the number brought to justice. The Crown Prosecution Service is awaiting instructions from the government on how criminal justice agencies will be tackling this gap. One of our major priorities in the next year will be to work with our partners in the system to address this gap and bring more offenders to justice. We have already contributed to a substantial improvement in the time taken to deal with persistent young offenders and we will now start to use this experience to ensure that all persistent offenders are dealt with effectively and quickly.

**Proceeds of Crime Act:** This Act will come into force at the beginning of 2003. It is part of the government's drive to ensure that crime does not pay by widening the scope for confiscating the proceeds of crime from offenders who are convicted of criminal offences.

**COMPASS:** This will be the leading example of IT modernisation within the Criminal Justice System and will be fully introduced to the CPS over the next two years. It will contribute to the government's aim of a joined-up Criminal Justice System (linking the CPS, Police, Courts, Prison and Probation Services) and has the potential to bring significant performance benefits to all CPS Areas. The COMPASS case management system will allow staff at CPS Northamptonshire to carry out their jobs more effectively — from administration staff to prosecutors. The first phases of the new technology will be in place in CPS Northamptonshire before the end of 2003.

## Casework 2001-2002

### *MURRAY and STOKES*

Murray was the ex-boyfriend of the victim and he convinced Stokes that they would be taking part together in one of the victim's fantasies of being kidnapped, strangled and beaten during sex. Murray was a taxi driver and he used this guise to kidnap his ex-girlfriend, whilst Stokes hid in the back of the car. She was taken an industrial estate and then to Murray's house.

Murray alleged that his ex-girlfriend was alive when the acts took place, and that it was an accident that she died during the "kinky sex game". The prosecution argued that the victim was probably already dead. Stokes left the house without having sex with the victim. The deceased's friend raised the alarm that she was missing and the police found her body in Murray's house. After trial, Murray was sentenced to life imprisonment for murder; Stokes was convicted of false imprisonment and sentenced to three years.

### *Emmanuel and Donna NYONI*

This was a joint prosecution by the Crown Prosecution Service and the Department of Social Security. The defendants set up an organisation in Zimbabwe which led people to expect work and education opportunities in Britain. They organised false documents for the illegal immigrants and once they were in the UK, exploited them and treated them like slaves.

The immigrants were forced into low paid agency employment and most of their wages were taken by the defendants, who claimed benefit throughout. The

immigrants were also housed in accommodation owned by the defendants and were forced to pay rent. Donna Nyoni was sentenced to six months' imprisonment, and Emmanuel (who was in very poor health) was sentenced to six months suspended.

### *Lynda FULLARD and Ian ELLIMAN*

On New Year's Eve 2001, Elliman and Fullard had been drinking together in Daventry and Weedon. As Elliman felt that he was over the limit he asked Fullard to drive, despite realising that she may also have been over the limit. Whilst driving Elliman and her daughter home from the New Year celebrations Fullard had an accident in which her daughter was tragically killed.

Fullard pleaded guilty to causing death by driving without due care and attention whilst twice over the legal limit of alcohol. She was sentenced to six months' imprisonment, and disqualified for five years. Elliman pleaded guilty to allowing Fullard to drive whilst she was over the limit (as was he), and was fined £500 and disqualified for 18 months.

### *Damien FOWKES*

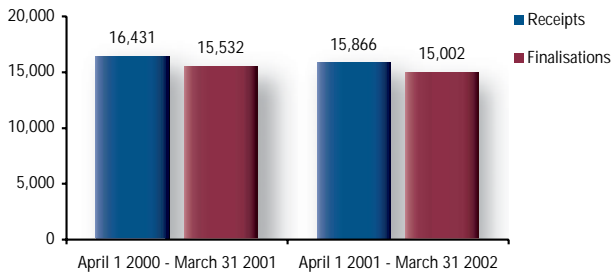
The defendant broke into a house at 6am, taking a knife from the kitchen and then going upstairs to the bedroom. A couple and their two-year old son were sleeping upstairs. The man recognised the defendant, as he had known him since they were children, and tried to reason with him regarding the demands for money, whilst the defendant threatened them with the knife. The defendant escaped with various items, including a Playstation, jewellery and money. After pleading guilty to robbery he was sentenced to life imprisonment.

# Performance in the Magistrates' Courts and the Crown Court

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.

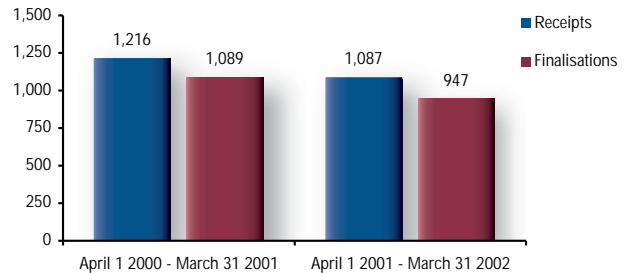
Some cases can only be tried in the Crown Court. Other cases go to the Crown Court either because the defendant chooses to be tried there or because the magistrates decide they are serious enough to need Crown Court trial. If a defendant pleads not guilty, the case will be tried before a judge and jury.

## Caseload in the Magistrates' Court



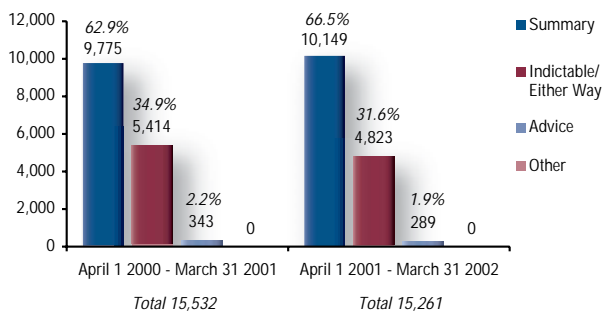
The chart shows as received the number of defendants whose cases the Area received from the police and the number of defendants whose cases were finalised in each of the last two years. Our caseload depends on the number of cases the police send to us. Several factors affect this, such as the level of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

## Caseload in the Crown Court



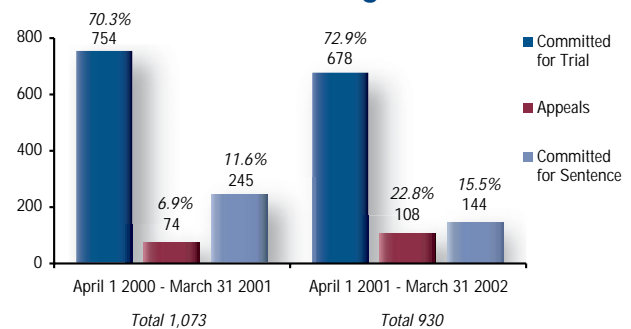
The chart shows as received the number of defendants who came before the Crown Court and the number whose Crown Court cases were dealt with by the Area between April 1 2001 and March 31 2002 and in the previous year.

## Magistrates' Court Case Categories



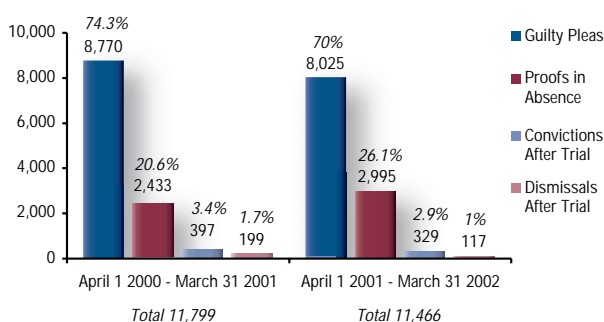
This shows the different types of work dealt with in the Area. They are:  
**Summary** – cases which can only be tried in the magistrates' courts.  
**Indictable/Either Way** – Indictable only offences (such as robbery) must be tried in the Crown Court, but either way offences (such as theft) may be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

## Crown Court Case Categories

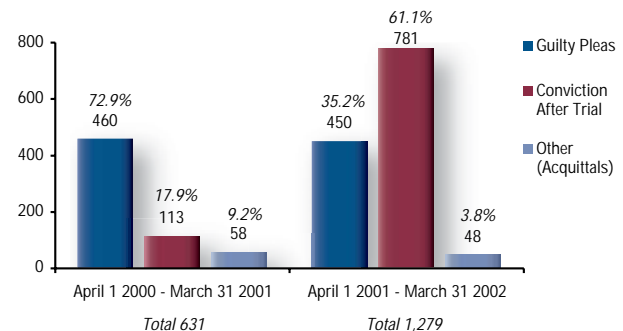


**Committed for trial** – Either way cases are sent from the magistrates' courts for trial to the Crown Court.  
**Appeals** – Defendants may appeal to the Crown Court against the conviction and/or sentence that they received in the magistrates' court.  
**Committed for sentence** – Some defendants tried 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, not lawyers, who 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 Northamptonshire Area

Colin Chapman, Chief Crown Prosecutor

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Tel: 01604 823600 Fax: 01604 823669

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

Free publications about the CPS and further copies of this report can be obtained from Clare Yau, Communications Manager, at the above address.

[www.cps.gov.uk](http://www.cps.gov.uk)



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