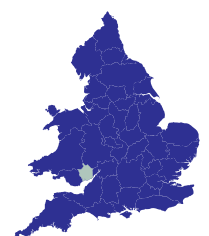
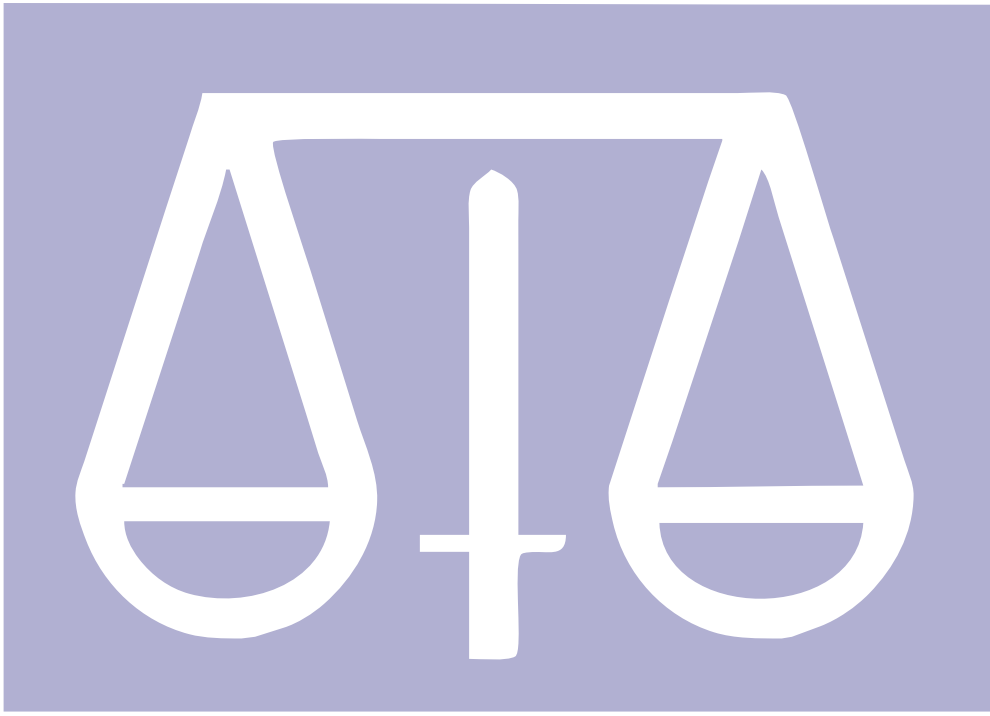


Gwent

Annual Report 2003-2004





CPS

Introduction by the Chief Crown Prosecutor

It is with pleasure that I present the fifth Crown Prosecution Service (CPS) Gwent annual report. The Area covers the five county boroughs of Blaenau Gwent, Caerphilly, Newport, Torfaen and the county of Monmouthshire.

I am directly responsible to the director of public prosecutions, Ken Macdonald QC, for the effective prosecution of all cases in the Area which have been investigated by Heddllu Gwent Police. My role is to ensure that cases are prosecuted firmly, fairly and effectively; following the Code for Crown Prosecutors, which is the authoritative guide on the decision to prosecute. I concentrate on the prosecution and legal processes, whilst the Area Business Manager manages the office processes and administration. In addition, I have an increasing role in working with criminal justice partners on the Local Criminal Justice Board.

The aim of the criminal justice system is to reduce crime and the fear of crime and to dispense justice fairly and efficiently. All CPS Areas are set challenging targets to measure success against this aim, and I am pleased to report that again the Area has surpassed the targets set.

Our aim is to be publicly recognised as a prosecution service which effectively brings offenders to justice, whilst at the same time offering a humane and sympathetic service to victims and witnesses of criminal offences. Here are some examples of how we are doing this:

Local Criminal Justice Board

The Local Criminal Justice Board (LCJB) has now been in existence for a year. It comprises leaders from the police,



CPS, Probation, and Court Service, and is chaired by Simon Boyle, the Lord Lieutenant of Gwent. The Government has set the Board challenging targets (e.g. to reduce ineffective trials, to increase the number of offences brought to justice, i.e. to conviction or criminal caution, and overall to secure public confidence in the criminal justice system.)



This year the Board has made domestic violence a priority (see further below). We have already introduced improvements into the criminal justice system to achieve its goals.

Charging

The Criminal Justice Act 2003 introduces one of the most radical shifts in criminal justice policy in the last 100 years, namely to give the Crown Prosecution Service sole responsibility for deciding whether or not to charge an individual, who has been investigated by the police, with an offence. Hitherto the police retained responsibility for charging a defendant. Gwent has prepared for this change by running a "shadow" charging scheme,

in which prosecutors advise police whether or not there is sufficient evidence to charge, and if so with what offence. We now offer 100% coverage of Gwent in this scheme, either by face-to-face contact or through telephone advice.

Victims and Witnesses

In 2003 Gwent was selected as one of the five flagship pilot sites in the whole of the country to test out better ways of dealing with victims and witnesses throughout the criminal justice process. In partnership with Heddllu Gwent Police, CPS Gwent now offers a much better service to victims and witnesses from the point of arrest of a potential defendant right through to conviction and sentence. Further details of this scheme appear on page 2.

Domestic Violence

I reported in last year's annual report on the emphasis which CPS Gwent has placed on prosecuting cases of domestic violence effectively. In 2003-2004 we took this one stage further through establishing a small team dedicated to prosecuting cases of domestic violence within the Caerphilly Borough Council area. More details of this project are set out on page 4.

Diversity

Gwent has continued its partnership with local employers and local race equality councils to ensure fairness for the diverse communities we work with and serve. In 2003-2004 we appointed one member of staff to work specifically with local minority

communities. CPS Gwent won the national CPS Equality and Diversity award for leadership in 2003-2004, against fierce national competition.

Information Technology

During 2003-2004 the CPS nationally introduced the most up-to-date prosecution IT system in the world. All Gwent staff have now been trained in this system and use it to improve the services we offer to the courts, victims and witnesses.

Victims and Witnesses

In early 2003 CPS Gwent was selected as one of the five pilot Areas across the country to introduce better systems for working with victims and witnesses in partnership with Heddli Gwent Police, to provide better services for victims and witnesses. Here are some examples of what we are now doing.

- By the point of charge Heddli Gwent Police are contacting all witnesses to see if they have any requirements to help them give evidence e.g babysitting or transport arrangements;
- Once they have given their statement, then a witness will be able to obtain assistance from the

Witness Service, should they wish;

- Once a case is finished, the police or CPS will tell the witness what happened to the defendant;
- If the defendant pleads not guilty, then the witness will be advised in good time of when the court hearing is to be;
- When the case is over, the victim will be offered continuing assistance from Victim Support.

It should come as no surprise to learn that this investment in victim and witness services has resulted in a better performance on the part of the criminal justice service as a whole. There have been many fewer ineffective trials due to witnesses failing to attend. Because they have been kept in touch with developments, victims and witnesses now have less fear of the process, and are more confident that their requirements will be met by the criminal justice system.

Domestic Violence

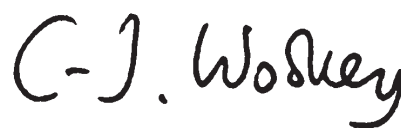
Gwent is one of two Areas in the country (Croydon is the other) in which the Government has invested money to try out new ways of combating domestic violence. This central investment has been complemented by the Local Criminal Justice Board investing around £15,000 from its own

budget in this project.

The police, Probation Service, and CPS have all designated specialised staff to work alongside each other in Caerphilly Borough Council area, to assist victims of domestic violence through the court process.

The role of the "lay advocate" (undertaken by a full time Probation Officer) is to assist victims of domestic violence when making their complaint, and to support them through the whole process.

The CPS provides a prosecutor and a caseworker who can oversee every domestic violence prosecution both from the magistrates and Crown Court. The police officer has a background in investigating violence in the home. The project was launched formerly on 20 January 2004 and I hope to be able to report on progress in the next annual report.



Chris Woolley
Chief Crown Prosecutor

Casework

Mike Baldwin

Mike Baldwin was convicted of murdering his stepdaughter, Gemma Baldwin. Gemma had gone missing in September 2002.

Some hopes of her still being alive centred around the mobile text messages which she was apparently sending to her mother after her disappearance. Mike Baldwin appeared as the supportive father, and it was only when Gwent Police began to investigate further that they revealed a history of bad feeling on his part towards Gemma. Through skilled detective work they also discovered that Mike Baldwin had paid for a shovel the day before Gemma's disappearance.

Other witnesses described hearing him row with Gemma just before her death. Gemma's body was eventually found hidden in a stream under some rocks. In interview Mike Baldwin said that they had had a quarrel at the top of the stairs, that he had struck out, and that she had died when falling to the

bottom. The jury did not believe his account and convicted him of murder.

Operation Japonica

A total of eight defendants are to be sentenced in this case of conspiracy to supply cannabis on a large scale. One of the notable features of the case is that the defendants had been targeting very young children; the local community will be greatly relieved that the conspirators have been brought to justice.

Operation Verona

The police and CPS worked closely together in the course of a lengthy investigation and prosecution of a number of men and women for conspiracy to supply amphetamine and cannabis throughout Wales.

Police surveillance lasted for 10 months before arrests took place and seizures of drugs valued at up to £3 million made. Thirteen defendants were eventually sentenced for their parts in the conspiracy.

Benjamin Johnson

In December 2003 Benjamin Johnson was sentenced to life imprisonment for offences including rape, supplying heroin and procuring a girl to become a prostitute.

Johnson preyed on young women who were vulnerable by reason of age or drug addiction and finally raped them through violence or fear of violence.

There were two complainants in this case. One of the girls was only 14 years of age when the offences occurred. Johnson introduced her to crack cocaine and heroin and then encouraged her to become a prostitute.

She was forced to give Johnson any money she obtained through prostitution. During a weekend in May 2003 Johnson raped the girl.

A similar relationship existed between Johnson and the other complainant whom he physically assaulted and raped.

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, 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' 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

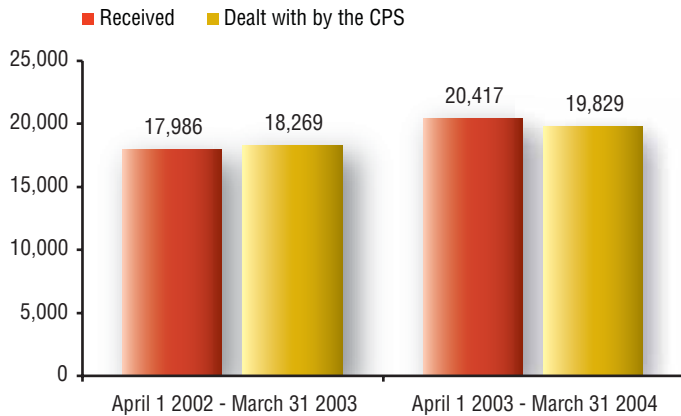
The CPS publishes a range of leaflets and publications about its work that are available free of charge to members of the public. Leaflets currently available include: a description of the work of the CPS (Introduction); the people who work for the Service (People); information about careers with the 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 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, CPS Communications Branch and on our website: <http://www.cps.gov.uk>
www.cps.gov.uk

Performance in the Magistrates' Courts

Chart 1 Caseload (receipts and finalisations)



All prosecutions start in the magistrates' courts. These include offences ranging from minor motoring matters to assaults and theft. Usually more serious cases proceed to the Crown Court.

Chart 1 shows the number of defendants whose cases the Area received from the police and the number of defendant's cases that 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.

Chart 2 Case Categories

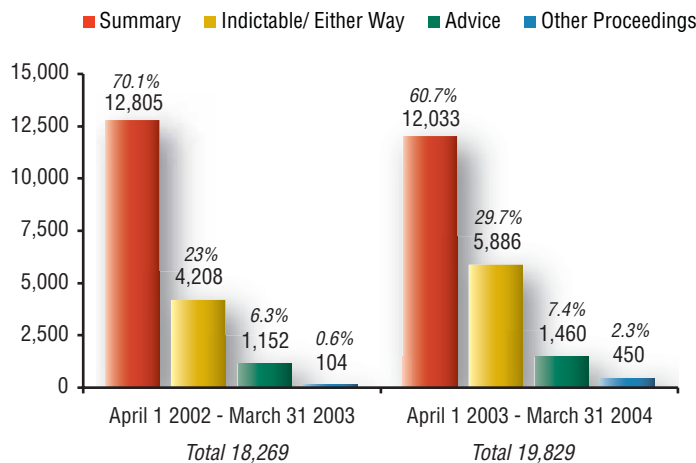


Chart 2 shows the different types of work dealt with over the last two years. They are: **Summary** – cases that can only be tried in the magistrates' courts for example motoring offences such as speeding and careless driving.

Indictable/Either Way – Indictable only offences (such as robbery & murder) 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.

Advice – these are cases where the police ask the CPS whether there is enough evidence to charge a defendant.

Other Proceedings – non-criminal matters, including driving disqualification matters.

Chart 3 Case Results

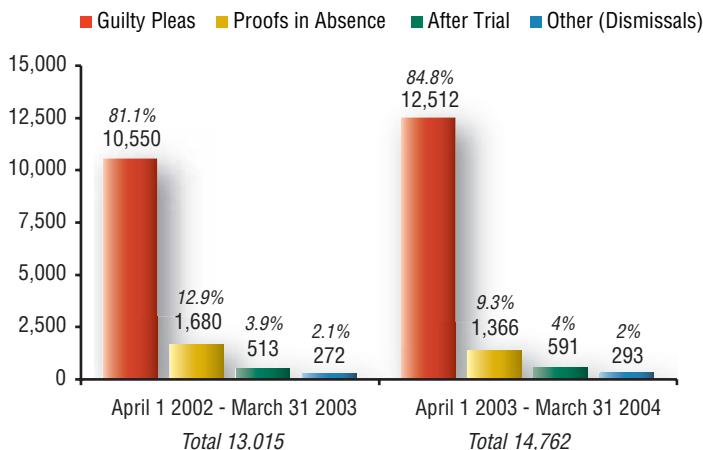
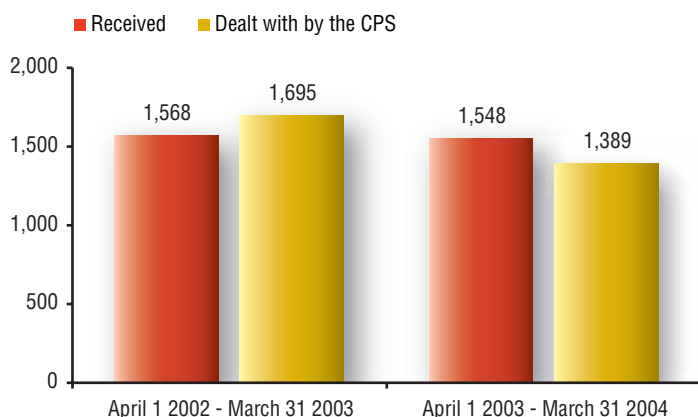


Chart 3 This shows the disposal of the cases, which were heard in the magistrates' court, not including those cases which were discontinued or committed to the Crown Court.

Performance in the Crown Court

Chart 4 Caseload (receipts and finalisations)

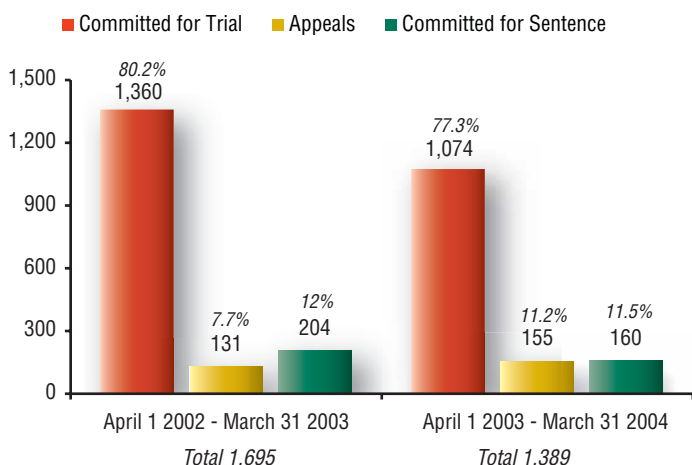


Some cases can only be tried in the Crown Court. Other cases go to the Crown Court either because the defendant chooses to be tried there or because the magistrates decide they are serious enough to need a Crown Court trial. If a defendant pleads not guilty, the case will be tried before a judge and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

Chart 4 shows the number of defendants who came before the Crown Court and the number of cases dealt with in the last two years.

Chart 5 shows the categories of cases handled at the Crown Court. They are:

Chart 5 Case Categories

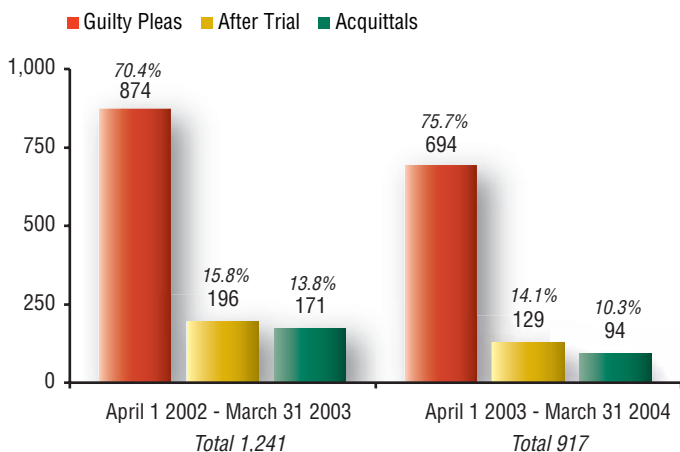


Committed for Trial – whilst the indictable only cases are now sent “sent for trial” to the Crown Court rather than committed, they now feature in this category, as do either way cases where the defendant has elected Crown Court trial or the magistrates have directed this course.

Appeals – defendants tried in the magistrates’ court may appeal to the Crown Court against their conviction and/or sentence.

Committed for Sentence – some defendants tried and convicted by the magistrates’ court are committed to the Crown Court for sentence if the magistrates decide that a greater punishment than they can impose is required.

Chart 6 Case Results



CPS Gwent

Christopher Woolley, Chief Crown Prosecutor

Chartist Tower, Upper Dock Street, Newport, Gwent NP20 1DW

Telephone: 01633 261100

Helen Phillips, Area Business Manager

Chartist Tower, Upper Dock Street, Newport, Gwent NP20 1DW

Telephone: 01633 261100

CPS is now recruiting online



Produced by Communications Branch

CPS Headquarters, 50, Ludgate Hill

London EC4M 7EX

020 7796 8442

Printed by Blackburns of Bolton Ltd

01204 532121

Front cover image of Tintern Abbey
used by kind permission of Cadw: Welsh Historic Monuments. Crown Copyright.
Designed by Brookhill Design Studio Limited, 01438 722710