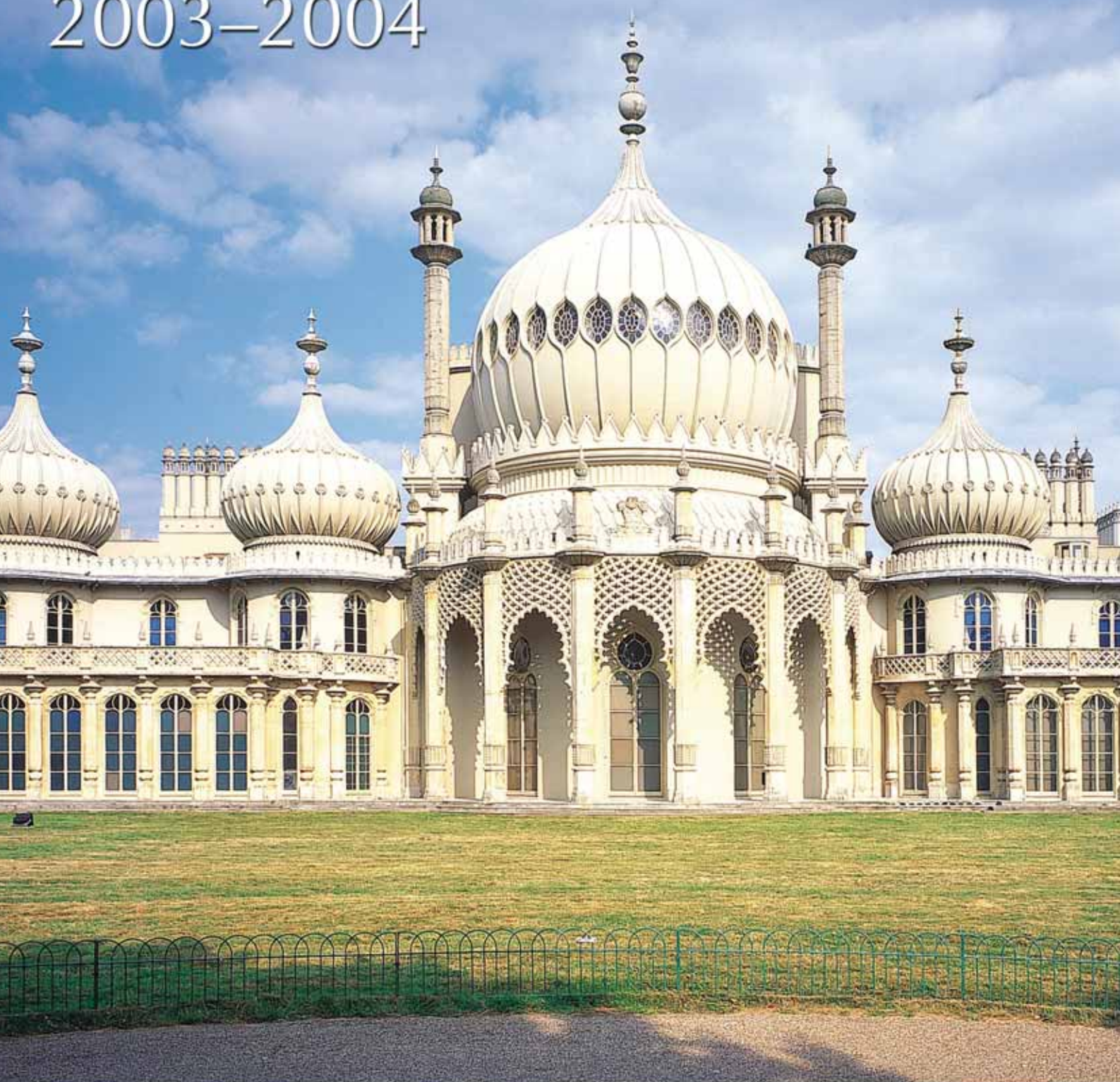


# Sussex Annual Report 2003–2004



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## Introduction by the Chief Crown Prosecutor

This has been another busy and exciting year for CPS Sussex and I would like to take this opportunity to thank all the CPS staff for their hard work over what has been a challenging year.

There have been many changes in the CPS during the year, particularly in the personnel working for the organisation. A new Director of Public Prosecutions, Ken Macdonald, was appointed in November. In Sussex my predecessor, Alison Saunders, departed as she had secured a new job with the Attorney General, and a temporary Chief Crown Prosecutor was appointed. Gary Perry, Head of the Brighton Trials Unit, filled that role and led the Area through some challenging times until I took up post.

Since my arrival in December I have been impressed with the professionalism and hard work of all Sussex staff, who have taken on board the changes including rolling out a comprehensive training programme to make sure we are able to deal with these changes. Among the many things we have been dealing with is the integration of a new computerised case tracking system, setting up a Shadow Charging Scheme and co-locating all but one of our Units onto single sites with the police.

### COMPASS

In July a new computer system, COMPASS, was introduced in Sussex. COMPASS is a computerised case management system being rolled out across the entire CPS. It takes a case from

receipt to disposal and covers every aspect in between. It is being used for registering cases, tracking them, prompting next actions, producing documents and letters, and providing management information.

It is a valuable tool which has become second nature to us all, due in large part to the staff on the Sussex implementation team, who made the transition from the old system fairly seamless. The training of all staff to ensure we got the most out of the system from day one was a major undertaking. It meant that we had to employ staff on casual contracts to backfill during the lengthy training period. As we have expanded, many of those staff have applied for and been taken on as permanent staff. This is a pleasing sign that people consider the CPS a good place to work, and having had casual contracts want to work permanently for us.

### SHADOW CHARGING SCHEME

This scheme started on 4 August in Brighton and has since come into operation throughout Sussex. What it means is that during office hours senior, experienced CPS lawyers work in the police's prisoner handling centres giving advice to the police before charges are brought against a suspect. Legislation will be coming in later to give this statutory force, but by setting up this shadow scheme now, we have already seen an increase in the number of defendants pleading guilty and a reduction in the number of cases



we drop due to insufficient evidence.

The original timetable was to have CPS lawyers advising on 75 per cent of all our contested bail cases by Easter. I am pleased to say that with the last centres in Durrington and Chichester going live in February we are now covering all six of the handling centres. This is a considerable achievement and one of which we can all be proud. Although there have been some teething problems, staff in the police and CPS have recognised the advantages of having face to face discussions prior to charge and I am pleased with the progress made so far.

### CO-LOCATION WITH THE POLICE

Apart from the Chichester office, we have completed the co-location of all our Units onto single sites with the police as recommended in the Glidewell Report. We have combined the Trial and Criminal Justice Units in Chichester into a Combined Unit under one Head, at the same time appointing the outgoing head of the Trials Unit as the project manager for the



*Sir David Calvert-Smith talks with former Sussex CCP Alison Saunders and the Chief Constable Ken Jones after officially opening Sussex's new co-located offices in Hove.*

shadow charging scheme.

The Unit Heads are:

Gary Perry	TU Brighton
Libby Clark	CJU Brighton
Nigel Creasy	Combined TU and CJU Chichester
Mark Bishop	CJU Crawley
Nigel Knight	CJU Eastbourne

In May the then Director of Public Prosecutions, Sir David Calvert-Smith, officially opened the collocated Trials Unit that had recently moved into new premises in Hove. He said that for years the different bits of the criminal justice system had guarded their own territory, but that with the establishment of these joined-up units those days were firmly over. The CPS retains its position as an independent organisation, but now works more closely with the police and other criminal justice agencies.

The day was also a joint celebration as the Sussex Criminal Justice Board was officially launched. This was done by its chairman the Chief Constable of Sussex, Ken Jones. These Boards have been established in England and Wales to join up local criminal justice agencies and create a system where they work together to achieve common aims and

objectives. The members are the Chief Crown Prosecutor, Chief Constable, Justices' Chief Executive, Group Manager Sussex Court Service, Chief Probation Officer, Head of Youth Offending Team and the Prison Governor HMP Lewes.

The Board has two overarching priorities that guide everything it does:

- Narrowing the Justice Gap — improving the delivery of justice by increasing the number of crimes for which offenders are brought to justice.
- Improving Public Confidence in the criminal justice system — including increasing that of ethnic minorities, and increasing year on year the satisfaction of victims and witnesses, while respecting the rights of defendants. We want people to feel confident that the justice system exists to support them and that it is demonstrating a united approach to reducing crime and successfully bringing more offenders to justice.

Another area where working closely with our criminal justice

partners has shown good results is the time taken in dealing with persistent young offenders. When the target for dealing with these offenders was introduced by the Government in 1999, it was taking the Sussex criminal justice system 144 days on average to process them. This was reduced to 56 days in 2003. The target is 71 days.

This has been achieved by considerable hard work by everyone. Andrew Holt, a senior lawyer based in our Eastbourne office, is our Area Coordinator for Persistent Young Offenders and his proactive work has been a major factor in reducing delay. With other youth specialists, Andrew has worked with the courts to monitor and track all these cases.

## HIGHER COURT ADVOCATES

We have increased the number of HCAs in Sussex to 13. HCAs are CPS lawyers who have undergone special training and gained the right to appear on behalf of the CPS in the higher courts, including the Crown Court and Court of Appeal. We have also increased their usage, raising our profile in the Crown Court.



*Andrew Holt joins the ranks of Sussex's HCAs.*

During the year one of our HCAs was the first to secure a conviction following a jury trial. A burglar was given a community service order after being found guilty by the jury at Lewes Crown Court. We hope to continue to increase the number

## CPS Sussex

and usage of HCAs in Sussex over the coming years.

### COMMUNITY LINKS

We are keen to strengthen our links with the community and during the year we attended court open days, explaining our role to the public and how we arrive at our decisions. We have attended careers fairs and given talks to schools, colleges and local community groups to explain the "what, where and who" of the CPS and how we impact on the community. We had stands at the Pride in Brighton & Hove Parade and the 999 Weekend in Eastbourne.

In addition we have talked to organisations such as Sompriti, the Brighton & Hove Racial Harassment Forum and the Crawley Faith Forum about our work and how we might better work with them.

The Area was reaccredited for Investors in People (IiP) during the year. We originally achieved IiP status a few years ago and the reassessment helps us in our development and continued improvement. I am pleased to say we passed with flying colours and



*Nigel Knight talks to a possible recruit during the 999 Display in Eastbourne.*

it shows that we continue to make good progress in staff relations and development.

There have been many high profile cases through the year, some of which are highlighted in this report. Most of what we do these days is about teamwork and it is so easy to take it for granted and forget to congratulate ourselves when we do well. The success in all cases reflects the hard work and professionalism of everyone.

I have thoroughly enjoyed my first few months with CPS Sussex and I look forward to building upon our successes and meeting the challenges that will be facing us over the coming years as the Government continues to drive through its changes to the criminal justice system.

**Sarah Jane Gallagher**  
Chief Crown Prosecutor

## Budget

**Our budget for 2003-2004 was just over £9 million. This is what we spent it on.**

Budget	Spend
Accommodation costs	£945,245
Prosecution costs	£3,218,469
Salary costs	£4,616,147
General administrative expenses	£444,280
Capital	£35,576
<b>Total</b>	<b>£9,259,717</b>

# CASEWORK

## R v Dena Thompson

The defendant was found guilty in December at the Old Bailey of the murder of her husband, Julian Webb,



sometime between 2 June 1994 and 2 July 1994. The case was prosecuted by the Brighton Trials Unit. Thompson claimed that her husband committed suicide while depressed, but the evidence showed that she poisoned him by feeding him a cocktail of drugs.

Police investigated the death at the time and, although there were inconsistencies in her story, the police later closed the investigation. There was also an inquest, which came back with an open verdict. At the time it was believed Mr Webb had died from an overdose.

Among the inconsistencies was the fact that her previous marriage in 1984 was still extant at the time of her marriage to Mr Webb in 1991. Police launched an investigation on another matter involving the defendant and uncovered some other evidence that led them to reinvestigate the death of Mr Webb. His body was exhumed and a post mortem carried out. The expert concluded that Mr Webb had died of an acute overdose of Dothiepin exacerbated at the time by an overdose of aspirin. Dena

Thompson was then charged with his murder.

Prosecution counsel wrote to the CPS congratulating the team who worked with him for their “support and assistance in this unique case. We had an excellent team of people working together for a very worthwhile cause. We can all take pride in a job very well done”.

## R v Kamel Kadri

This case was prosecuted by the Chichester Trials Unit.

The defendant was driving a car, which hit nine-year-old Callum Oakford, who



subsequently died of his injuries. There was no evidence to suggest that Kadri was driving dangerously or without due care and attention. He was, however, driving without insurance and he failed to stop or report the accident.

He pleaded guilty to charges of failing to stop after the accident, failing to report the accident and to three driving document offences. Kadri was at the time an illegal immigrant, having falsified a passport. He pleaded guilty to this offence as well, and was sentenced to 22 months in prison in total for all the offences. This is broken down into 16 months for a false passport, three months each for

failing to report an accident and for failing to stop after an accident.

Kadri was also disqualified from driving for two years and had his licence endorsed. There was no separate penalty for no test certificate, no licence and no insurance.

The circumstances of this case and the sentences available caused a public outcry on the need for changes to the law so that a court can sentence a defendant based on the outcome of the crime rather than solely what the defendant is charged with. The most appropriate charges that Kadri could be prosecuted for were failing to stop after an accident and failure to report an accident, based on the evidence available. A maximum of six months imprisonment can be imposed for this type of offence, irrespective of the number.

## R v Graham Coutts

This was the highest profile case dealt with by Sussex during the year.



It involved the murder of Brighton teacher Jane Longhurst at the hands of her best friend's partner, Graham Coutts.

He was found guilty at Lewes Crown Court in February and the Judge said he was to be jailed for a

## CPS Sussex

minimum of 30 years.

Judge Richard Brown praised in open court the whole team who worked on the case saying that from the outset it was potentially a very difficult and sensitive matter to deal with. "I can only say that I have the greatest admiration for the quality of the police investigation. I have also no doubt that they were well advised throughout by the Brighton branch of the CPS."

He concluded that: "All officers involved in this investigation should be congratulated and commended for the individual

parts they played in ensuring a just conclusion was brought to this tragic case."

There was wide national interest in the case and at its conclusion Gary Perry, Head of the Sussex Crown Court Unit, told the media that Coutts' conviction was "not something to rejoice in" as a much loved member of the community died at his hands.

He commended his team of senior prosecutor, Lisa Ramsarran and caseworker, Shirley Davey, for their hard work. "I'm glad that we were able to fulfil our role in what was a

great team effort in removing this dangerous and evil man from society. Although we did not have access to substantial forensic evidence, material retrieved from his computer about his sexual fantasies and also testimony from his former girlfriends about his sexual history was vital.

"We were able to build a strong case based on these and CCTV footage of his actions while he had the body. We had to deal with an enormous amount of evidence including nearly 1,600 pages of witness statements."

## Performance targets 2003-4

All CPS Areas agree targets at the beginning of each year. This is what we achieved:

Objective	Performance standard	Performance target	Performance achieved
To reduce the percentage of defendants whose case results in an adverse outcome in the Magistrates' Court by 6%	21 defendants per 100	21%	21.68 %
To reduce the percentage of defendants whose case results in an adverse outcome in the Crown Court by 7%	21 defendants per 100	21%	27.47 %
To increase by 5% the number of offences committed by persistent offenders which are brought to justice	1300 offences	1300 offences committed by Persistent Offenders to be successfully brought to justice	1209 offences committed by Persistent Offenders were successfully brought to justice
To reply to complaints within 10 days of receipt	Reply to be sent within 10 days of receipt of a complaint	97%	90%
Persistent Young Offenders' time from arrest to sentence to be 71 days or less	Date from arrest to sentence to be 71 days or less	71 days	56 days
To reply to MPs' correspondence within 15 days in 80% of cases	Reply to be sent within 15 days of receipt of letter	80%	95%

# Area Business Manager's Report

I take great pride in writing my section for the Sussex Area Annual Report. This gives me an ideal vehicle in which to congratulate and publicly recognise our staff for their achievements over the last 12 months during considerable change. I am always conscious of everyone's commitment, but it is sometimes only when you prepare for a report such as this, listing all that has been accomplished in your head, that the sheer magnitude of how far we have come, and how much we have achieved in such a short space of time, really starts to hit home.

The implementation of a new IT Case Management System, COMPASS, has seen the way everybody works change. People should be in no doubt as to how much of an upheaval this has been for all. Understandably there was anxiety about how COMPASS would change things, how people would cope, and what it would mean for individuals. However, the adoption rate within Sussex was tremendous. Despite initial teething problems CPS Sussex staff worked through, finding what is fondly termed 'work-arounds'; to ensure the core business was maintained at a high level.

The work completed by the Local Implementation Team (LIT) for COMPASS would not have been apparent to many people, however, as a member of this team I can tell you first hand that the rollout would never have been possible without all the work they did. There were copious reports that needed completion, reading and divulging, nearly always to tight deadlines. The team members made great personal sacrifices, giving up their own free time whilst

holding down the day job.

The original LIT members were:

Nigel Creasy (Chair)  
 Karen Rusbridger  
 Valerie Wood  
 Gail Purdy  
 Simon Allen  
 Alex Booker  
 Angela Milnes  
 Peter Taylor  
 Janet Edwards  
 Iain Everett

Andrea Berry, Steve Boyd, Jason Parvin and Christine Williamson later joined the LIT.

In her Report the CCP wrote about the Shadow Charging Scheme but I would like to add my thanks to all staff for making it a success. Soon after starting the scheme we were directed by Headquarters to provide cover in at least 75% of the charging centres. With support from Sussex Police our staff again adapted to this new way of working admirably. Undoubtedly this new initiative has placed added strain on our resources, but as such an important development the commitment shown by all, especially our senior lawyers, has been outstanding.

Co-location with our police colleagues continued during 2003-4 and I am aware that everybody, especially the Unit Heads and Business Managers, have sought to identify improved ways of working with the police. They now share the same buildings, if not the same rooms in Brighton's Trial Unit, and Brighton, Crawley and Eastbourne Criminal Justice Units. As the Glidewell plans set a couple of years ago have now bedded-in, the benefits and cost savings



associated with co-location have become apparent to all.

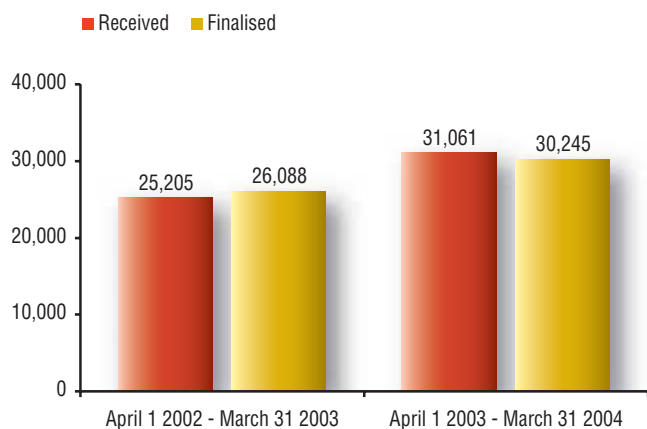
Sussex received an increase in funding in 2003-4. This funding was used initially to increase our lawyer numbers slightly, and to support admin for the implementation of COMPASS by recruiting casual staff for the summer. Latterly the additional resources were directed towards increasing the agent funding and to recruit more lawyers. I am pleased to report our expenditure for the financial year finally came in slightly under budget.

In a world full of change, change itself is one constant. However I believe with each change we have seen the service has taken a step forward, and with that in mind I remain confident CPS Sussex is better placed than ever to deliver the three Public Sector Agreements of Narrowing the Justice Gap, Increasing Public Confidence and providing Value for Money.

**Iain Everett**

# Performance in the Magistrates' Courts

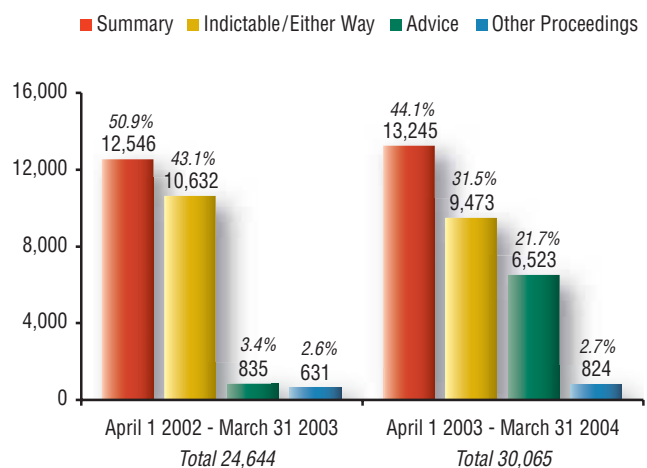
**Chart 1 Caseload (receipts and finalisations)**



All prosecutions start in the magistrates' courts, which include offences ranging from minor motoring matters 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 2003—March 2004 against the number for the period April 2002—March 2003.

**Chart 2 Case categories**



**Chart 2** illustrates the type of cases finalised in April 2003—March 2004 compared with the same period in 2002—2003:

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

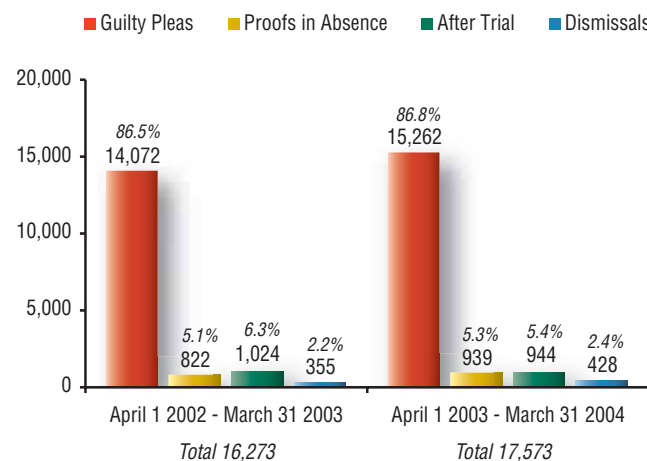
**Indictable/Either Way** — Indictable only offences (the most serious cases such as murder, rape and robbery) must be tried in the Crown Court, but either way offences (such as theft) may be tried in either the magistrates' court or in the Crown Court.

**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.

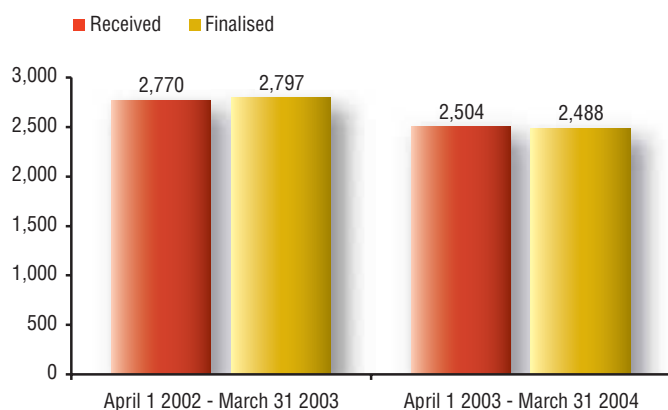
**Chart 3** shows a breakdown of the number of defendants proceeding to a hearing, which resulted in a conviction.

**Chart 3 Case results**



# Performance in the Crown Court

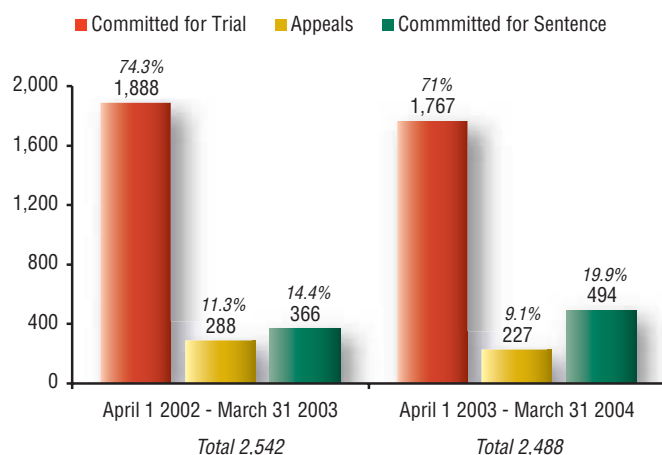
Chart 4 Caseload (receipts and finalisations)



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 2003—March 2004 against the same period in 2002—2003.

Chart 5 Case categories



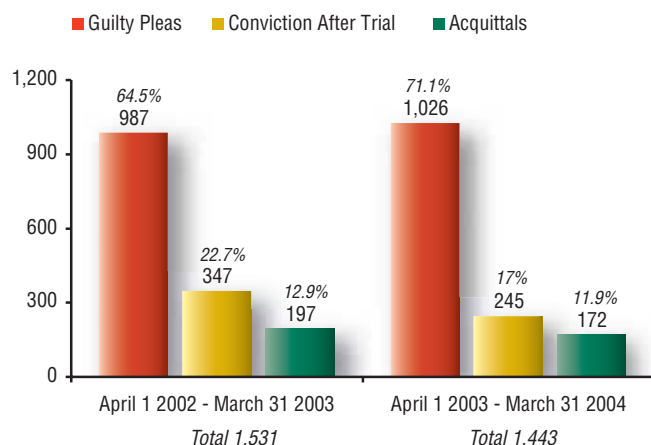
**Chart 5** shows case categories finalised in April 2003—March 2004 compared with the same period in 2002—2003:

**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 who 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



## ABOUT THE CPS

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 initial case management system (COMPASS), developed and introduced in a PFI partnership with LogicaCMG, was rolled out across the 42 Areas between April and December 2003 on time and within budget.

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:

CPS Communications Branch  
50 Ludgate Hill  
London EC4M 7EX  
Telephone: 020 7796 8442  
e-mail:  
[publicity.branch@cps.gsi.gov.uk](mailto:publicity.branch@cps.gsi.gov.uk)

## 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>





# CPS Sussex Area

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City Gate, 185 Dyke Road, Hove, East Sussex BN3 1TL

Tel: 01273 765600

IF YOU HAVE ANY QUESTIONS OR COMPLAINTS OR WOULD LIKE ANY FREE PUBLICATIONS ABOUT THE CPS PLEASE CONTACT THE CHIEF CROWN PROSECUTOR AT THE ABOVE ADDRESS

[www.cps.gov.uk](http://www.cps.gov.uk)  
CPS is now recruiting online

key	
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	Other Area Offices
	Crown Court
	Magistrates' courts



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