



**BACKGROUND TO THE CONTRACTING
BODIES**

ELECTRONIC PREPARATION AND PRESENTATION OF EVIDENCE (EPPE)

REFERENCE PR 12/2016

ATTACHMENT 12

Background to the Contracting Bodies

Crown Prosecution Service (CPS)

The CPS is the principle prosecuting authority for England and Wales, acting independently in criminal cases investigated by the Police and other investigators including Her Majesty's Revenue & Customs and the Department of Work and Pensions. The CPS is headed by the Director of Public Prosecutions (DPP) and is one of the law officers' departments. The Director is superintended by the Attorney General who is accountable to Parliament for the Service. The Chief Executive of the CPS is responsible for the day to day running of CPS business.

The CPS was set up in accordance with the Prosecution of Offences Act 1985 to prosecute criminal cases investigated by the Police in England and Wales. In undertaking this role, the CPS:

- Advises and assists the Police during the early stages of investigations;
- Decides on the appropriate charge, in all but minor cases;
- Keeps all cases under continuous review and decides which cases should be prosecuted;
- Prepares cases for court and will either conduct advocacy in court, using an in-house lawyer resource, or instruct a self-employed advocate, generally from the criminal bar; and
- Provides information and assistance to victims and prosecution witnesses.

Although the CPS is a national organisation, it has a strong focus on local delivery. The CPS comprises thirteen (13) geographical Areas across England and Wales, and CPS Direct, which provides a twenty four (24) hour service of advice on prosecution charges to the police and other investigators. The largest of those Areas, CPS London, covers both the Metropolitan and City of London Police forces. Each Area is headed by a Chief Crown Prosecutor, the most senior lawyer in the Area 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, who has responsibility for the administration of the area. There are also three (3) central casework divisions that handle the most serious, complex or sensitive prosecutions covering specialist fraud, special crime and counter terrorism and organised crime.

The CPS employs approximately six thousand, two hundred people (6,200), including two thousand, two hundred (2,200) Crown prosecutors and three thousand, six hundred (3,600) paralegals/administrators, and prosecutes approximately six hundred thousand (600,000) people each year in magistrates' courts and about one hundred thousand (100,000) people in the Crown Court.

The CPS website (www.cps.gov.uk) provides further information about the organisation, including the CPS Annual Report.

National Crime Agency (NCA)

The National Crime Agency, headed by Director General Keith Bristow, leads UK law enforcement's fight against serious and organised crime. Its job is to disrupt and bring to justice those serious and organised criminals who present the highest risk to the UK. NCA officers may be designated with one or more of powers and privileges of a constable, powers

of a customs officer, and powers of an immigration officer (triple warranted). The NCA, like the CPS, is subject to scrutiny by Parliament, primarily by the Home Affairs Committee, the Public Accounts Committee and by the Scottish Parliament.

The NCA website (www.nationalcrimeagency.gov.uk/about-us) provides further information including their annual report.

Serious Fraud Office (SFO)

The Serious Fraud Office is an independent government department that investigates and prosecutes serious or complex fraud, and corruption. They are part of the UK criminal justice system with jurisdiction in England, Wales and Northern Ireland but not in Scotland, the Isle of Man or the Channel Islands.

Their expert forensic accountants, professional investigators and lawyers investigate and prosecute the most serious or complex instances of fraud and corruption.

They use their special legislative powers to obtain the evidence needed to build successful cases and bring criminals to justice and so help maintain confidence in the UK's business and financial institutions.

The Director of the SFO is appointed by and accountable to the Attorney General (Mr Jeremy Wright MP) who is responsible to Parliament for the SFO and the other Law Officers' Departments:

- Crown Prosecution Service;
- Treasury Solicitor's Office;
- the Department of the Director of Public Prosecutions for Northern Ireland;
- HM Crown Prosecution Service Inspectorate.

In July 2009 the then Attorney General (Baroness Scotland) published a protocol which set out clearly the relationship of the Attorney General with the prosecuting authorities she superintended. This was produced in collaboration with the directors of the Crown Prosecution Service, the Serious Fraud Office, and the Revenue and the then Customs Prosecutions Office (RCPO).

The SFO website (www.sfo.gov.uk) provides further information including their annual report.

Competition and Markets Authority (CMA)

The Competition Markets Authority works to promote competition for the benefit of consumers, both within and outside the UK. The CMA is an independent non-ministerial department that employs around seven hundred (700) people, with the majority of these being based in London. However there are representatives in Scotland, Wales and Northern Ireland.

Their main responsibilities are listed below:

- investigating mergers which could restrict competition;
- conducting market studies and investigations in markets where there may be competition and consumer problems;
- investigating where there may be breaches of UK or EU prohibitions against anti-competitive agreements and abuses of dominant positions;

- bringing criminal proceedings against individuals who commit the cartel offence;
- enforcing consumer protection legislation to tackle practices and market conditions that make it difficult for consumers to exercise choice;
- co-operating with sector regulators and encouraging them to use their competition powers;
- considering regulatory references and appeals;

The CMA website (<https://www.gov.uk/government/organisations/competition-and-markets-authority>) provides further information including their annual report.

Government Legal Department (GLD)

The Government Legal Department is a non-ministerial department responsible to the Attorney General.

GLD provides legal services to departments of central Government and to other publicly funded bodies in England and Wales and collects Bona Vacantia on behalf of the Crown.

The Head of the department and accounting officer is Her Majesty's Procurator General and Treasury Solicitor who is also the Chief Executive and is supported in this role by the Board.

GLD is going through a period of significant change as it develops a comprehensive shared legal service for government. It is currently one of the largest legal organisations in the UK and will eventually consist of around one thousand, eight hundred (1,800) staff based in more than twenty (20) locations. The GLD current head-quarters are located at One Kemble Street, London, WC2B 4TS.