Crown Prosecution Service

Main Estimate 2022-23

Memorandum

1 Overview

1.1 Objectives

The Crown Prosecution Service (CPS) prosecutes criminal cases that have been investigated by the police and other law enforcement agencies in England and Wales. The CPS is a non-ministerial department and makes decisions independently of the police and government.

The CPS has a duty to ensure that the right person is prosecuted for the right offence, and to bring offenders to justice wherever possible.

The CPS:

- Decides which cases should be prosecuted – every charging decision is based on the same two-stage test in the Code for Crown Prosecutors
- Determines the appropriate charges in more serious or complex cases and advise the police during the early stages of investigations
- Prepares cases and presents them at court
- Provides information, assistance and support to victims and prosecution witnesses

Prosecutors must be fair, objective, and independent. To charge someone with a criminal offence, prosecutors must be satisfied that there is sufficient evidence to provide a realistic prospect of conviction, and that prosecution is in the public interest.

1.2 Spending controls

The CPS' net spending is broken down into a several different spending totals, for which Parliament's approval is sought.

The spending totals which Parliament votes are:

- Resource Departmental Expenditure Limit ("**Resource DEL**")- a net limit comprising of day-to-day running costs including prosecution costs, costs of confiscating proceeds of crime and capacity building in the Criminal Justice System less income received primarily from costs awarded to CPS in court and the Recovered Assets Incentivisation Scheme
- Capital Departmental Expenditure Limit ("**Capital DEL**"): - investment in capital equipment primarily for IT and Estates
- Annually Managed Expenditure ("**AME**"): - write-offs and changes in allowance for irrecoverable debts; provisions and other non-cash costs falling in AME

In addition, Parliament votes on a net cash requirement, designed to cover the elements of the above budgets which require the CPS to pay out cash in year.

1.3 Comparison of net spending totals sought

The table below shows how the net spending totals sought for the CPS compares with last year:

Net Spending total **Amounts sought this year** **(Main Estimate 2022-23)**		**Difference (+/-)** **Compared to final budget last year** **(Supplementary Estimate 2021-22)**		**Difference (+/-)** **Compared to original budget last year** **(Main Estimate 2021-22)**	
		£ m	**%**	**£m**	**%**
Resource DEL	£733.257m	£82.559m	12.7%	£57.601m	8.5%
Capital DEL	£47.330m	£41.125m	662.8%	£41.125m	662.8%

A breakdown of spending and income within the net total is shown in section 2.1.

1.4 Key drivers of spending changes since last year

The net Resource DEL has increased by £82.559m (12.7%) from last year, made up largely from the following items: -

- Increase in funding of £70m following SR21
- Budget exchange from 2021-22 to transfer funding to this financial year 2022-23 £12.000m

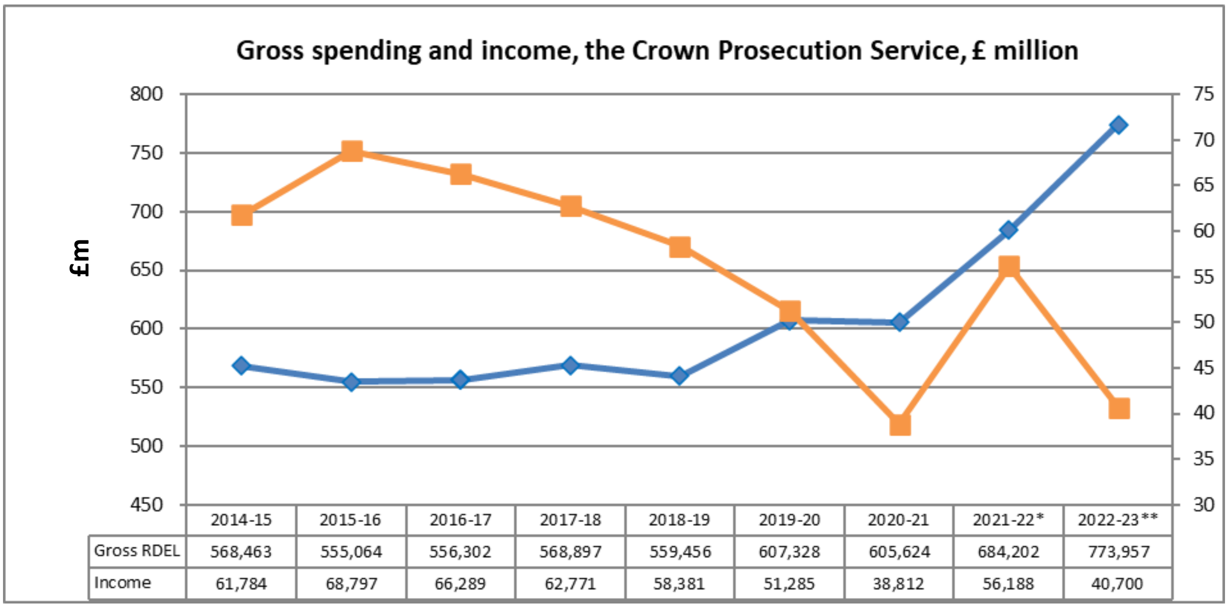
The net capital DEL budget has been increased by £41.125m. This reflects additional capital following implementation of IFRS 16.

1.5 New policies and programmes; ambit changes

No changes.

1.6 Spending and income trends

The chart below shows overall Resource DEL spending since 2014-15, plans presented in Estimates for 2022-23, and current future spending plans.



* 2021-22 accounts currently under audit

**Main Estimate figures

Increased Resource DEL in the Main Estimate for 2022-23 is detailed under section 1.4 above.

1.7 Administration costs and efficiency plans

Administration costs are set to increase by 10.7% in 2022-23 compared to last year's final budget.

Spending total **Amounts sought this year** **(Main Estimate 2022-23)**		**Difference (+/-)** **Compared to final budget last year** **(Supplementary Estimate 2021-22)**		**Difference (+/-)** **Compared to original budget last year** **(Main Estimate 2021-22)**	
		£ m	**%**	**£m**	**%**
Administration costs	£44.309m	+£4.266m	10.7%	+£3.732m	9.2%

The Crown Prosecution Service (CPS) has delivered significant savings in administrative costs over the past ten years through a structured cost reduction programme and rationalisation of its estate and back-office functions, increasing the proportion of RDEL funding that is allocated to front line activities. Whilst there has been recent investment, particularly in digital services to support (a) efficiencies in front line operations and (b) increased home working during the COVID pandemic, administrative costs still represent a small percentage of overall RDEL (6%).

1.8 Funding: Spending Review and Budgets

The increase in funding from SR21 is a welcome vote of confidence in our work, and recognition of our pivotal role in tackling the challenges facing the entire criminal justice system. It will support us to tackle the significant hurdles that we face head on – with specific investment in three main areas.

First, we have been allocated funding to allow us to respond effectively to external pressures – namely the increased prosecutorial workload which will be the result of 20,000 additional police officers, and the cross-system backlogs caused in part by COVID-19. We will use some of the funding to recruit the new frontline staff we need to meet both challenges.

Second, this investment will allow us to go further in our work to improve the way rape and serious sexual offences (RASSO) cases are dealt with – including a focus on increasing the number of RASSO specialists across the CPS and supporting us to better understand and meet victims' needs. SR21 funding will also be used to deliver Operation Soteria: an ambitious programme of work to deliver pilots examining how improved collaborative working with the police at a local level can aid case progression.

Finally, SR21 provides funding for a range of digital innovation projects examining how we can make best use of new technology to support faster and more accurate prosecutorial processes – including redaction, disclosure, and case progression.

1.9 Other funding announcements

Spending announcements made during the year not listed at Annex B relate to reallocated money within existing planned limits, rather than “new”, additional money.

2 Spending detail and income detail

2.1 Explanations of changes in spending and income

Resource DEL

The table below shows how spending plans for Resource DEL compare with last year.

		Resource DEL				
		2022-23 Main Estimate budget sought	2021-22 Supplementary Estimate budget approved	change from last year		is change significant?
Subhead		£m	£m	£m	%	see explanation, note number
A	Central Services	44.8	40.5	4.3	10.5%	
B	Legal Services	729.1	663.2	66.	10.0%	1
	Gross expenditure	**774.**	**703.7**	**70.3**	**10.0%**	
A/B	Income	-40.7	-53.	12.3	-23.2%	
A	**Net expenditure**	**733.3**	**650.7**	**82.6**	**12.7%**	

Note 1: Legal Services increase mainly reflects increased funding secured during SR21.

Capital DEL

	Capital DEL				
	2022-23 Main Estimate budget sought	*2021-22 Supplementary Estimate budget approved*	change from last year		is change significant?
Subhead	£m	£m	£m	%	see explanation, note number
B Legal Services	47.3	6.2	41.1	662.8%	2
Gross expenditure	**47.3**	**6.2**	**41.1**	**662.8%**	

Note 2: Capital Expenditure increase mainly reflects implementation of IFRS 16.

AME

	AME				
	2022-23 Main Estimate budget sought	*2021-22 Supplementary Estimate budget approved*	change from last year		is change significant?
Subhead	£m	£m	£m	%	see explanation, note number
E CPS Voted AME Charges	8.8	6.5	2.4	36.6%	3
Gross expenditure	**8.8**	**6.5**	**2.4**	**36.6%**	

Note 3: Our Resource AME remained the same as 2021-22, however our Capital AME funding has increased by £2.4m due implementation of IFRS 16.

2.2 Restructuring

The CPS does not intend to carry out any restructuring in 22/23.

2.3 Ring fenced budgets

Within the totals, the following elements are ring fenced i.e., savings in these budgets may not be used to fund pressures on other budgets.

Resource DEL

Ring fenced budgets **Amounts sought this year** **(Main Estimate 2022-23)**		**Difference (+/-)** **Compared to final budget last year** **(Supplementary Estimate 2021-22)**		**Difference (+/-)** **Compared to original budget last year** **(Main Estimate 2021-22)**	
		£ m	**%**	**£m**	**%**
Depreciation	£19.637m	£2.257m	13.0%	£2.257m	13.0%

2.4 Changes to contingent liabilities

There is no change to Contingent Liabilities.

3 Priorities and performance

3.1 How spending relates to objectives

CPS's expenditure under subheads A, B and C in the Estimate is in support of all the department's key objectives:

- Delivering high quality casework
- Improving public confidence
- Supporting the success of our people
- Developing strategic partnerships
- Improving digital capability

3.2 Measures of performance against each priority

As a non-ministerial department, the CPS is not covered by a single departmental plan. However, we do publish an annual business plan which sets out the department's focus against each of five strategic objectives: delivering high quality casework; improving public confidence; supporting the success of our people; developing strategic partnerships and improving digital capability. For each of these objectives, the CPS is continuing the work started in previous years in line with our published strategy.

Our Key Performance Priorities and means of achieving them are as follows: -

High Quality Casework

The CPS aims to use legal expertise; casework quality and collaboration across the criminal justice system to keep the public safer by ensuring:

- The right person is prosecuted for the right offence
- Cases are progressed in a timely manner
- Cases are dealt with effectively
- The quality of our casework is enhanced through partnership working

Public Confidence

The CPS aims to ensure we work with partners to serve victims and witnesses and uphold the rights of defendants in a way that is fair and understood by all communities by ensuring:

- Victims and witnesses have a fair experience interacting with us, regardless of outcome
- We understand how best to serve our diverse communities
- We are a leading voice in ensuring defendants are treated fairly by the CJS
- The public understand our value

Success of our People

The CPS aims to support the success and wellbeing of our people and enable everyone is able to thrive by ensuring:

- All parts of our workforce are diverse and inclusive

- Our people have the skills and tools they need to succeed
- Our supportive culture promotes wellbeing
- Our people lead with our values

Strategic Partnerships

The CPS aims to be a leading voice in cross-government strategies and international cooperation to transform the criminal justice system by ensuring:

- We lead on futures thinking to understand cross-CJS issues
- We influence cross-CJS change through trusted relationships
- We advise Parliamentarians and Ministers on the operational implications of law and policy
- We deliver justice across borders through effective international collaboration

Digital Capability

The CPS aims to invest in digital capability to help us adapt to the rapidly changing nature of crime and improve the way justice is done by ensuing:

- We have confidence in the security of our systems
- We use data to drive change
- We innovate, including with emerging technology
- We are proactive in investing in our digital capability

4. Other information

4.1 Additional specific information required by the select committee

No additional information has been requested by the Select Committee

5. Accounting Officer Approval

This memorandum has been prepared according to the requirements and guidance set out by HM Treasury and the House of Commons Scrutiny Unit, available on the Scrutiny Unit website.

The information in this memorandum has been approved by the additional Accounting Officer, Rebecca Lawrence and Steve Buckingham, Chief Finance Officer.

Rebecca Lawrence

Additional Accounting Officer

Crown Prosecution Service