Crown Prosecution Service

Supplementary Estimate 2020-21

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;
- determines the appropriate charges in more serious or complex cases, and advises the police during the early stages of investigations;
- prepares cases and presents them at court; and
- 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** **(Supplementary Estimate 2020-21)**		**Difference (+/-)** **Compared to original budget last year** **(Main Estimate 2020-21)**		**Difference (+/-)** **Compared to final outturn last year** **(Outturn 2019-20)**	
		£ m	**%**	**£m**	**%**
Resource DEL	£613.899m	-£17.457m	-2.8%	+£57.856m	10.4%
Capital DEL	£2.8m	£0m	0.0%	+£2.595m	1265.9%

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

1.4 Key drivers of spending changes since original budget this year

The net Resource DEL has decreased by £17.457m (-2.8%) from the original budget, made up of the following items:-

- Budget exchange reflecting the delay in cases heard in court during the early months of the Covid-19 pandemic which will now be heard in 2021-22 (£12.000m)
- Funding received from FCDO as part of the financial year 20/21 Conflict Security and Stability Fund allocations to CPS totalling £0.151m.
- Funding received from FCDO for Gulf posts £0.272m
- Budget Surrender of (£3.000m) for Non-Cash Depreciation.
- Budget transfer to MoJ related to Common Platform Charges (£0.328m)
- Budget transfer to AGO to support their IT Services (£0.534m)
- Budget transfer to MoJ relating to the counter-terror step-up programme in prisons (£0.018m)

The net capital DEL budget remains unchanged.

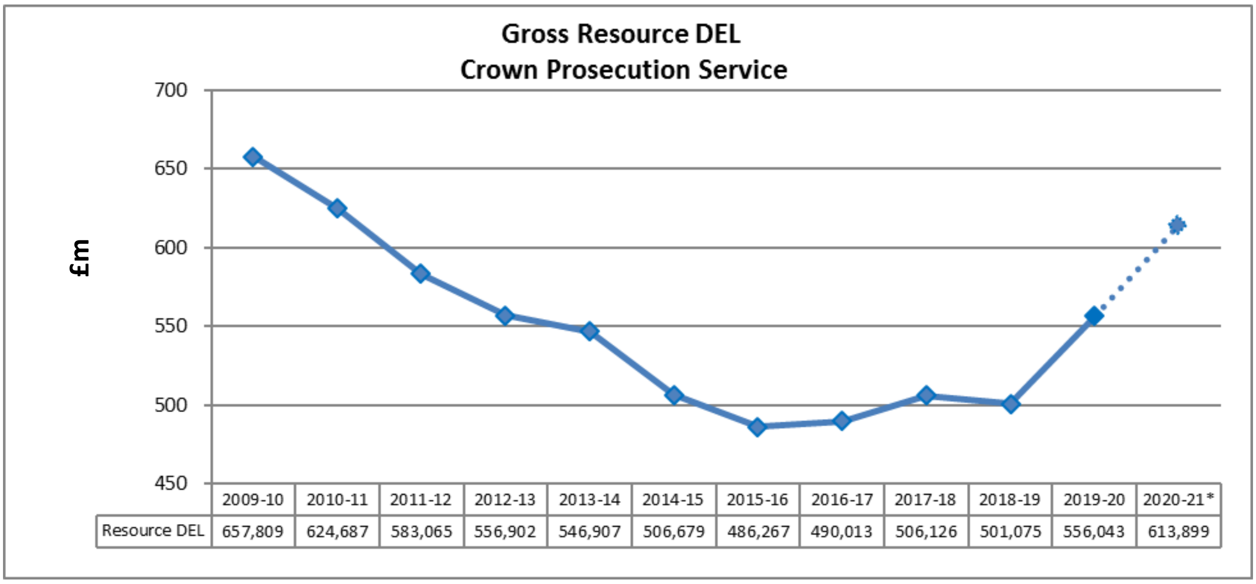
AME has been increased by £2.000m. This reflects additional non-cash AME to allow for the potential for our bad debt allowance to increase because of Covid-19.

1.5 New policies and programmes; ambit changes

The CPS has updated its Ambit to include reference to our Governmental response to the coronavirus Covid-19 pandemic.

1.6 Spending and income trends

The chart below shows overall Resource DEL spending since 2009-10, plans presented in Estimates for 2020-21, and current future spending plans.



*Estimate figures

Increased Resource DEL in the Supplementary Estimate for 2020-21 is detailed under section 1.4 above.

1.7 Administration costs and efficiency plans

Administration costs sought have reduced since the Main Estimate.

Spending total **Amounts sought this year** **(Supplementary Estimate 2020-21)**		**Difference (+/-)** **Compared to orginal budget last year** **(Main Estimates 2020-21)**		**Difference (+/-)** **Compared to final outturn last year** **(Outturn 2019-20)**	
		£ m	**%**	**£m**	**%**
Administration costs	£36.628m	-£0.534m	-1.44%	+£6.925m	23.31%

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%).

- There is a budget transfer to AGO relating to shared IT Services (£0.534m)

1.8 Funding: Spending Review and Budgets

The CPS obtains its net funding requirement from HM Treasury through the Estimates. During 20/21, additional funding has been received which will enable the CPS to respond effectively to the expected increase in caseload resulting from the recruitment of 20,000 new police officers; better meet disclosure obligations; work with investigators to pursue all reasonable lines of inquiry; and to deliver a review to external counsel fees. The CPS also receives income from a number of sources primarily from Costs awarded to CPS in court and the Recovered Assets Incentivisation Scheme.

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

2.1 Explanations of changes in spending

Resource DEL

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

		Resource DEL				
		2020-21 Supplementary Estimate budget sought	2020-21 Main Estimate budget sought	change from last year		is change significant?
Subhead		£m	£m	£m	%	see explanation, note number
A	Central Services	38.162	38.162	0	0.000%	
B	Legal Services	642.590	657.664	-15.074	-2.292%	1
	Gross expenditure	**680.752**	**695.826**	**-15.074**	**-2.166%**	
A/B	Income	-64.470	-64.470	0.000	0.000%	
A	**Net expenditure**	**616.282**	**631.356**	**-15.074**	**-2.388%**	

Note 1: Legal Services decrease mainly reflects £12.000m budget exchange due to the court case backlog caused by the ongoing Covid-19 pandemic.

Capital DEL

		Capital DEL				
		2020-21 Supplementary Estimate budget sought	*2020-21 Main Estimate budget sought*	change from last year		is change significant?
Subhead		£m	£m	£m	%	see explanation, note number
B	Legal Services	2.800	2.800	0.000	0.000%	
	Gross expenditure	**2.800**	**2.800**	**0.000**	**0.000%**	

AME

	AME				
	2020-21 Supplementary Estimate budget sought	*2020-21 Main Estimate budget sought*	change from last year		is change significant?
Subhead	£m	£m	£m	%	see explanation, note number
E CPS Voted AME Charges	7.950	5.950	2.000	33.613%	2
Gross expenditure	**7.950**	**5.950**	**2.000**	**33.613%**	

2.2 Restructuring

The CPS does not intend to carry out any restructuring in 20/21.

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** **(Supplementary Estimates 2020-21)**		**Difference (+/-)** **Compared to original budget last year** **(Main Estimate 2020-21)**		**Difference (+/-)** **Compared to final outturn last year** **(Outturn 2019-20)**	
		£ m	**%**	**£m**	**%**
Depreciation	£6.131m	-£3.0m	-32.9%	+£0.946m	18.2%

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 all of 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 on behalf of the additional Accounting Officer, Rebecca Lawrence, as well as Christopher Sharp, Finance Director.

Rebecca Lawrence

Additional accounting Officer

Crown Prosecution Service