

A DAY IN THE LIFE...

... of a Senior Crown Prosecutor

The Crown Prosecution Service is changing. Ken Macdonald QC is Director of Public Prosecutions, and under his leadership, the service is becoming more integrated – a prosecuting authority from the beginning to the end of the prosecution process. Several reform programmes are under way, including ‘Statutory Charging’. In our regular feature about Justice sector workers, we speak to Brian Simpson from the CPS about his work, and the impact of the reforms.

Brian Simpson is a Senior Crown Prosecutor, based in West Yorkshire. In a nutshell, his role is to prosecute criminal offences in England and Wales.

There are two main elements to this. Much of his time is spent working out of Huddersfield police station. Almost all Crown Prosecution Units in West Yorkshire are based in police stations. His job is to provide a statutory charging service to the police, which involves advising the police on cases before they bring charges. They are specifically looking at:

- whether charges should be brought
- what the charges should be
- what further evidence is needed before charges can or should be brought

The statutory charging initiative came about as a result of the Criminal Justice Act 2003, and West Yorkshire is already ahead of the game as one of the 15 CPS areas already participating. The rest of England and Wales is set to follow suit shortly. **Brian says:**

“There’s been a mixed reaction to statutory charging, with many people seeing it as a success, while others are unsure. But the figures speak for themselves. The rate of cases being dropped has fallen dramatically since it was introduced.”

Senior Crown Prosecutors work from nine to five when performing their statutory charging function. They are



supported by CPS Direct colleagues who provide an out-of-hours telephone service that allows prosecutors to work from their own home to provide the police with charging advice through the night and at weekends.

Brian and the other Senior Crown Prosecutors have a good working relationship with the police. However, inevitably, Brian sometimes has to give them disappointing news about a particular case. **Brian says:**

“It’s quite a challenge, but the point is to remain professional at all times.”

The second element of Brian’s role is of course to present cases to court. He might be rostered to do statutory charging for a week, then spend a week in court.

“I like the variety of my job. If I spent 100% of my time in the police station, I’d go stir crazy, and if I spent all my time in court I wouldn’t like that either. The mix is just right for me.”

“It’s also great as I follow the process from beginning to end – from building a case to taking it to court. I get a lot of professional satisfaction from that.”

There are two levels of court in England and Wales – Magistrates Court and Crown Court. Historically, solicitors only have rights of audience in the Magistrates Court, whereas barristers can attend both. Again, this is changing as a result of government policy. More Senior Crown

Prosecutors are being encouraged to attend Crown Court, a privilege which is obtained by taking a further qualification – the Higher Courts Advocate.

Brian is taking his qualification later this year, following an internal CPS course and the Law Society's permission, and is looking forward to the challenges Crown Court will present.

“It will lead to more challenging work as the more serious crimes are dealt with at Crown Court level.”

So what does a typical day in the life of Brian Simpson look like?

“It's really hard to say to be honest. Every day differs. A typical week might be easier to describe.”

Brian had spent the week prior to our conversation working with Huddersfield Police on statutory charging. This week he'll be:

- preparing cases for Crown Court
- appearing in overnight remand court, working on contested bail applications
- in video link court (when someone is in custody during proceedings they don't always have to attend court – it's all done by video link)
- prosecuting in trial court
- advising the police on some difficult child sexual abuse cases

Brian qualified as a lawyer as a mature student in his early thirties. Prior to that he'd spent many years as a youth worker.

“I've always been interested in serving the public and the community.”

He did a three-year law degree at Sheffield University, followed by a one-year postgraduate course in York.

To fully qualify as a solicitor, Brian then did a two-year training contract, working under close supervision as a lawyer for a small firm in Rochdale. He concentrated on legal-aid work, then spent a further four years in private practice. It was during this time that he developed his knowledge and experience of criminal cases.

Joining the Crown Prosecution Service in 1999 was partly a practical decision.

“At the time, jobs in private practices weren't as secure as in the public sector. I looked into the CPS as an option, and the prospect seemed very attractive. I've never regretted the decision to join CPS.”

He started out on the first rung of the ladder as a Crown Prosecutor. Even then, he would review and advise on police cases, four years before the Criminal Justice Act and the introduction of statutory charging.

Another element of Brian's current role is training both lawyers and police officers in the statutory charging scheme. He thoroughly enjoys delivering the training, saying:

“It allows me to take professional pride in the fact that statistics have improved. More and more cases are being successfully taken to court as a result of this work.”

Brian clearly takes pride in his work and derives satisfaction from it. But does the stress of such a key role ever take its toll on him?

“You do worry about decisions you've taken, because the stakes are so high. And not everyone is suited to this line of work. You have to be tenacious, methodical and confident. IT and communications skills are becoming increasingly important, and there's a lot of paperwork. But when you get good results, you get a real sense of satisfaction. I love it.”

Skills for Justice is working closely with the Crown Prosecution Service to identify areas in which we can support them.

