

DPP: we need more cash to prosecute serious crimes



Alison Saunders: the director of public prosecutions says she is “still smiling” despite a tough 15 months in the job Times Newspapers

Published at 12:15AM, January 29 2015

The Crown Prosecution Service faces a crisis with a rise in big cases, Alison Saunders tells **Frances Gibb**

The country’s chief prosecutor needs more cash. Rape cases are up by one third compared with two years ago and that means an extra 550 trials this year, Alison Saunders, the director of public prosecutions (DPP), says.

It is not just rape: sex crimes now make up one third of all cases in the crown courts. Along with the rise in people acting for themselves, these are the big current pressures on the justice system, the lord chief justice, Lord Thomas of Cwmgiedd, told the justice committee of MPs this week.

The rise in sex cases has been fuelled by the Jimmy Savile scandal. Yet it also results from a drive by Saunders, with police, to tackle the Crown Prosecution Service's poor record on rape. Now, Saunders finds herself the victim of her own success, and at a bad time.

The CPS has made 31 per cent cuts in real terms in the past four years. Its budget is down from £705 million to £537 in 2015-16. This year it faces another cut of £30 million. It cannot, says the DPP, take further cuts — there is “no more fat”. And she needs another £25 million to £50 million to cope with a rise in heavy cases — mainly sexual violence.

It is 15 months since Saunders, 53, became DPP, the first from within the CPS itself. She came with good credentials: as chief crown prosecutor for London she brought the Stephen Lawrence killers to book and won praise for her handling of the London riots. Since, her sights have been trained on sexual violence and rape — and on what the CPS calls victims, rather than complainants.

Last week she published a consultation paper suggesting how prosecutors can help witnesses before trial, warning them of likely questions, such as on sexual history.

Yet does this, as some say, skew the court process, putting victims too much in the driving seat of what should be a state-led, not victim-driven, prosecution? “I don't think so. At the bottom of this is the right to a fair trial and I would not countenance doing anything that would prejudice that. This is about getting cases through the court system as quickly as possible, which is in the interest of defendants — and making sure the best evidence is heard by the jury.”

The DPP has also come under fire for pursuit of historic sex abuse cases, some of which have bitten the dust. Yet she has had successes — if less so in the prosecutions of journalists, prompting a rash of bad headlines last week when the latest trial failed to bring in verdicts. Saunders was not in post when those prosecutions got off the ground but she has not halted any. A spokesman said in defence of the CPS last week: “The CPS considers all cases that are referred to us by the police according to exactly the same test — the Code for Crown Prosecutors. To do otherwise would be wrong. If there is sufficient evidence and it is in the public interest to prosecute, then cases are resourced according to their requirements.”

The rise in rape trials is some vindication of her policy but will it bring more convictions? The rate of attrition remains a problem; nearly 40 per cent result in acquittals. The CPS has commissioned research as part of its joint “rape action plan” with the police on why “alleged” victims pull out. The research, by Professor Liz Kelly, specialist in sexual crime, shows the three most common reasons are: feeling disbelieved or judged (54 per cent); giving evidence in court (47 per cent); and a belief that the process will be too distressing (31 per cent). Post charge, reasons are: delays in going to trial (60 per cent); fear of giving evidence in court (42 per cent); fearing they will be disbelieved or judged (32 per cent).

“We have put a lot of things in place — teams across areas, specialist prosecutors, victim liaison units, the right to a review [of prosecution decisions] and last week

proposals to familiarise witnesses — but we thought: we need to look at why victims withdraw. Still one of the main reasons is that people think they won't be believed."

Juries are still reluctant to convict in "date" rapes — where it is one person's word against another. That natural scepticism can be countered, Saunders insists. "Part of it is to do with messages about myths and stereotypes, that you won't be judged because you happened to be on a night out and drinking in this particular bar and agreed to go home or have a drink with that particular chap. It's getting out the message that it's not acceptable to judge the woman because of that, and they won't be."

Has the first year in the £195,000 post been a challenge? "I am still smiling," she says. There have been tough prosecutorial decisions: the CPS has been accused of being overzealous, for instance, in pursuing charges of perverting the course of justice against Eleanor de Freitas over alleged false rape allegations. She killed herself after the CPS took over the private prosecution brought by the man she accused.

Saunders tends not to have sleepless nights. But with a rising caseload of complex trials and no money in the kitty, her biggest challenge is yet to come.

3 comments

livefyre 

 Tom Perry

4 people listening 

+ Follow

Post comment

Newest | Oldest | Most Recommended

Ross

3 hours ago

For a start, fraud cases should be made self-supporting: people found guilty of fraud should pay every penny of the cost of prosecution, even if it bankrupts them.

Recommend Reply

stella hollis

9 hours ago

Bureaucracies always need more money.

2  Recommend Reply

Tom Kelly

19 hours ago

Bit rich for Saunders to say she needs more resources when she wastes so much of what she has on 30 year old "she said - he said" cases. Police and prosecutors should concentrate on pursuing abuse gangs which are actively