



## All Defence Solicitors in North West Area

Our Ref: NA  
Date: December 2011

Dear Sirs

### **“Stop Delaying Justice Initiative”**

I am sure that you are all aware that my colleague, Alison Saunders, the Chief Crown Prosecutor for London, wrote to all solicitors in London outlining the Crown Prosecution Service’s approach in relation to the judiciary’s initiative called “Stop Delaying Justice”. I wanted to write to you to tell you that I am fully supportive of this initiative which will ensure that all contested trials in the magistrates’ courts are fully case managed at the first hearing and disposed of at the second hearing. Justice has to be swift but it also has to be fair and that is why we will do all in our power to ensure that you and your clients are not prejudiced by the need for speeding up cases in the magistrates’ courts in the way that summary jurisdiction was always envisaged.

This whole initiative is being led by the Senior District Judge for England and Wales and the judiciary for the North West and by the end of December 2011 every magistrate, legal advisor and prosecutor will be trained in the requirements of the scheme. As you know, this will begin on 1 January 2012 in every magistrates’ court in the North West. The Criminal Procedure Rules have been amended appropriately in order for us to deal with these cases justly but swiftly. This is nothing new in that much of this initiative is based on the Senior Presiding Judge’s 2009 Directions in “Essential Case Management; Applying The Criminal Procedure Rules”. However, it is clear that we have not consistently been applying the principals of effective case management (and by “we”, I mean all of us in criminal justice). But now there is no excuse for us not doing so given the challenges being faced by all of us.

P.O. Box 237  
5th Floor  
Sunlight House  
Quay Street  
Manchester M60 3PS  
T. 0161 827 4700  
F. 0161 827 4932  
[www.cps.gov.uk](http://www.cps.gov.uk)



This will require significant engagement with you and your colleagues to identify the real issues in any particular case and deal with them at the first hearing rather than in a piecemeal fashion. This will include oral agreement of Section 9 and Section 10 evidence and early special measures directions.

Bureaucracy is the bane of my life and I will seek to limit its effect by asking the court, for example, to permit oral notices of hearsay and bad character and to waive the requirements for written counter-notices. The court, will in future, be deciding these applications either at the first hearing or before the commencement of the trial.

The court will also be scrutinising ours and your requirements for the attendance of witnesses. Substantial research has shown that thousands of witnesses have been warned for court when they proved unnecessary and we will not be doing that after 1 January.

There are many other details in the new initiative such as summarising the defendant's interview rather than relying upon a record of taped interview, agreeing the contents of interviews earlier, and determining the length of a trial with greater clarity in accordance with CPR 3.10 and the principles set out in R v Jisl and Tekin (2004) EWCA Crim 696.

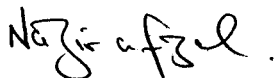
It may be that the requirements of the new scheme need reiterating at every opportunity and I am more than happy to ensure that you and your colleagues have access to any learning that develops as it rolls out, and I am also keen to do any joint training that you think may be necessary in order for us all to be ready to deliver the benefits that this scheme is intended to provide. I hope that you will let me know if there is any opportunity for such training in the coming weeks.

This initiative is driven by the court but supported by the wider criminal justice service. It is only one part of the modernisation of criminal justice that will see increased use of electronic files, the roll out of the national Early Guilty Plea Scheme programme and the Criminal Justice Efficiency Programme which includes greater use of video technology and much more streamlined and proportionate case building.

All of this is very demanding for the Crown Prosecution Service, but I recognise that it will be more demanding for the defence community. I would therefore welcome opportunities to discuss how we may overcome initial obstacles and how we can support you in delivering.

I thank you for taking the time to read this.

Yours faithfully



Nazir Afzal  
Chief Crown Prosecutor  
CPS North West