

Subject: For info - Cases referred to CPS complex casework unit

Dear Attorney,

In your box on Monday you received a submission and report regarding HMCPs inspection of the CPS's complex casework unit. In the comments returned you asked for additional information about the protocol used to refer cases to this unit, please find that information below.

STARTS

Referral of Cases to the Area Complex Casework Units

Complex casework to be dealt with in Area Complex Casework Units (CCU) will be mainly from Level 1 and Level 2 crimes with broadly defined characteristics of complexity that distinguish them from non-complex crime. The cases will normally bear one or more of the following characteristics:

- Substantial and complex fraud.
- Large scale human trafficking.
- Serious drug related offences involving substantial importation, manufacture or supply, particularly with an international dimension.
- Major targeted local criminals in organised or international crime.
- Major large scale public disorder offences of a political, racial or religious nature, or which cause particular local concern.
- Complex/serious cases involving professional misconduct.
- Hate related murders.
- "Mercy" killings/euthanasia. (To note 'suicide pacts' should be handled as a defence to murder, rather than a possible assisted suicide.)
- High profile/multi-victim/multi-defendant murders.
- Serious/complex animal rights extremism cases especially across several police force areas.
- Complex restraint and confiscation of assets.
- Cases involving complicated PII issues.
- Complicated betting/lotteries cases.
- Sensitive, serious or complex cases of major media interest, e.g. allegations involving individuals or organisations with a high public profile. (Note: most allegations against public figures of particular power and influence are normally dealt with in the Special Crime and Counter-Terrorism Division: refer to above referral criteria).
- Corporate manslaughter involving unincorporated partnerships (all other corporate manslaughter cases are currently dealt with in the Special Crime and Counter-Terrorism Division).
- Cases where consideration is being given to issues of immunity and restricted use agreements under SOCPA 2005 (but not in relation to approving a letter of agreement with a co-operating defendant).
- All applications for a witness anonymity order.
- All cases involving the negotiation of jurisdiction with the USA.
- All cases in which the CPS Regional Asset Team Recovery lawyer has been involved in advising upon prosecution (Applicable Areas only. Currently: London, West Midlands, NE England, NW England and Wales (not North)).
- Cases investigated by a Counter Terrorism Unit which fall short of being terrorist offences and thus are not prosecuted by the Special Crime and Counter-Terrorism Division (Applicable Areas only; currently: London, West Midlands, Greater Manchester and West Yorkshire).
- Breach of sexual offence complainant anonymity requiring Attorney General's consent.
- Any case that raises the issue of liability under section 5(1)(a) or section 5(1)(c) of the Sexual Offences (Amendment) Act 1992, or the defence under section 5(5), or any other other unusual complexities.

- All cases involving a breach of reporting restrictions under section 39 and section 49 of the Children and Young Persons Act 1939.
- Homicide cases where the death occurs either:
 - more than 3 years after an initial injury is sustained, or
 - after a person has previously been convicted of an offence committed in the circumstances connected with the death.
- Prosecutors should refer to the legal guidance [Homicide: Murder and Manslaughter](#) elsewhere in the Legal Guidance.

There is a presumption that all cases in the Crown Court which are likely to last for 40 days or more and thus fall within the VHCC scheme will be dealt with by the CCU, RASSO or, in London, the Homicide Unit. This presumption can be overridden with the agreement of the Chief Crown Prosecutor if a VHCC case is considered to be suitable for handling by a Crown Court Unit or it has started elsewhere the CCP is content for it to remain on the original unit. In addition, cases may be referred to the CCU by agreement or at the direction of the Chief Crown Prosecutor and which are likely to feature one or more of the following:

- Unusual legal or evidential issues (including RIPA)
- Complex expert evidence or multiple experts
- Extensive confiscation issues
- Significant or multiple foreign enquires or liaison with foreign law enforcement agencies
- Protected witnesses
- Multi agency involvement
- Resident source
- Extensive undercover police operations / multiple use of sources
- Where the skills of a CCU prosecutor are deemed necessary.

(In London, all cases involving a death a referred to the Homicide Unit.)

Kind regards

[Redacted signature]

[Redacted name and contact information]