

### **Appendix 3: CPS information and consultation**

**From:** Trolley Mark [<mailto:Mark.Trolley@cps.gsi.gov.uk>]

**Sent:** 16 June 2017 10:49

**To:** Victoria Purtil <[victoria.purtill@cilexregulation.org.uk](mailto:victoria.purtill@cilexregulation.org.uk)>

**Subject:** RE: Associate Prosecutor PCF 2018 consultation

Dear Victoria

I have had confirmation from our Director of Finance that he is content with option 1 a 15% increase to £253.00 for the PCF 2018.

So I can confirm that the CPS would like to pursue option 1.

Please let me know if you require anything further from me?

Kind regards,

Mark

**Mark Trolley** | Senior Court Business Advisor | Operations Directorate | CPS  
Headquarters | Tel: 0203 357 0137 | Mob: 07855475595

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16 May 2017

Dear Mark

Following our meeting of 20 April 2017, I am now writing to seek the views of the CPS on the Practice Certificate Fee (PCF) for Associate Prosecutors (APs) proposed by CILEx and CILEx Regulation for 2018. I would be grateful if you could consider the two fee options below and let me have your views by **30 June 2017** so that I can report to our Board.

The PCF has to be approved by the Legal Services Board, our over-arching regulator, and we are required to consult with stakeholders and include their views in our submission to the LSB, where we are proposing an increase to the PCF.

The PCF comprises three elements;

1. Regulatory costs, this is the direct cost of regulation being the net cost calculated in the 2017 CILEx Regulation working budget.
2. Permitted purposes; and
3. Levies set by the LSB and Office for Legal Complaints.

We explained when we met in 2016 that CILEx has in the past set PCFs below the level of the full cost of regulation and permitted purposes. In effect, CILEx as the representative body and approved regulator has been subsidising the cost of regulation. When we consulted with you last year, we presented CILEx's proposal to restructure the PCF charged to Associate Prosecutors, which would enable full cost recovery to be achieved over a 3 year period. This proposal constitutes the second year of the 3 year phased approach to full cost recovery.

Adjusted criteria are used for the AP calculation, compared with those for Fellowship. CILEx accepts that taking an approach based on APs as a proportion of authorised persons as a whole in the main areas of activity affecting them (membership, corporate affairs and central services) would not give a fair reflection of the AP-focused activity carried out by CILEx. APs have proved to be a very low regulatory risk. To ensure consistency within the PCF, CILEx finance uses the same basis to calculate the cost of regulating Associate Prosecutors as it does standard Fellows.

Not all of the CILEx permitted purposes applies to APs hence a separate permitted purpose calculation is incorporated in to the working schedule. Permitted purposes which do apply include maintenance of the membership register, recording CPD and dealing with payments. These have been taken into account in calculating the full regulatory cost. Not all CILEx Permitted Purposes or direct regulatory costs are included in the calculation. For example, costs relating to CILEx Regulation's role as an entity regulator are excluded.

Attached is the schedule which shows the figures used.

The current PCF for Associate Prosecutors is £220. We propose the following two options for the 2018 PCF for Associate Prosecutors:

- 1) A 15% increase to £253.00 which represents a further step towards the full regulatory costs
- 2) A 25% increase to £276.32 which would represent the full regulatory costs

If you would like to discuss the proposal or need any further information regarding them, do not hesitate to contact me or colleagues copied above.

I look forward to hearing from you by 30 June.

Kind regards  
Vicky

Vicky Purtill  
Director of Authorisation and Supervision