



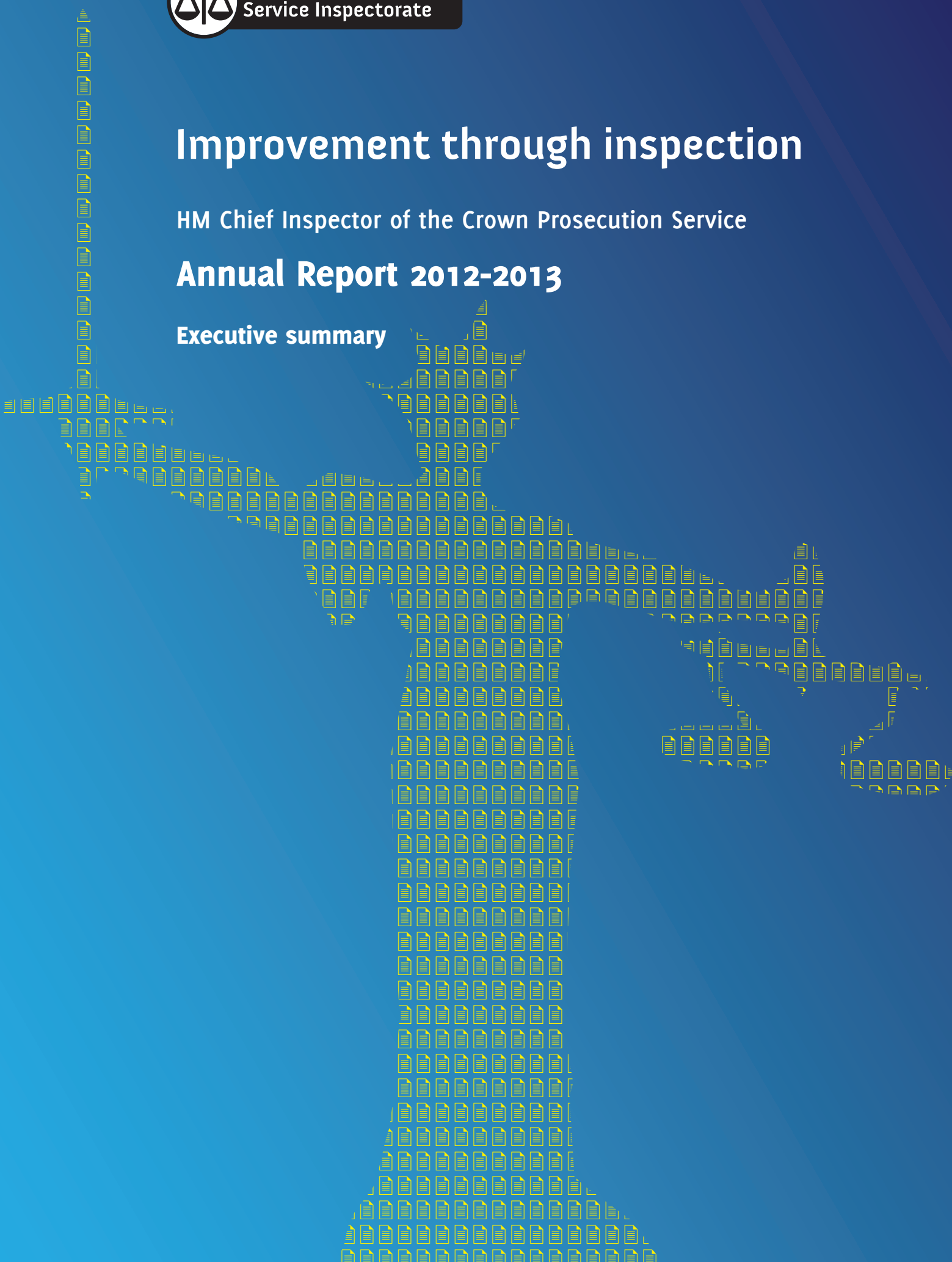
HM Crown Prosecution
Service Inspectorate

Improvement through inspection

HM Chief Inspector of the Crown Prosecution Service

Annual Report 2012-2013

Executive summary



Overview of HMCPIS 2012-13 inspection activity

This year has seen a programme of detailed scrutiny of the quality of Crown Prosecution Service (CPS) casework through an Annual Casework Examination Programme.¹ Additional inspection activity has included two full area effectiveness inspections of East of England and North East, and follow-up inspections of the former areas of Merseyside, Cheshire and Nottinghamshire. Similar follow-up work was conducted in respect of the review of CPS complaints handling.

Her Majesty's Crown Prosecution Service Inspectorate (HMCPIS) also undertook an extensive inspection, by invitation, of the Serious Fraud Office (SFO). Legislation is planned to put this inspection role on a statutory footing. The Chief Inspector continues as Chair of the Criminal Justice Chief Inspectors' Group and the commitment to cross-cutting joint inspection activity has been maintained with, amongst others, the publication of the findings of a significant inspection on the handling of disability hate crime.

The Chief Inspector also submitted his report to the Director of Public Prosecutions on the findings of the review of disclosure in the case of R v Mouncher and others (the Lynette White murder case). The prediction of the scale and complexity of this piece of work was correct and the review required significant resource.

Liaison arrangements have been embedded at a strategic level not only with the CPS but other key stakeholders, including the Senior Presiding Judge. These all assist in determining inspection priorities.

The current climate of financial constraints continues to demand a staffing strategy which maximises the value for money of Inspectorate resources. This is coupled with the continuing development of shared services particularly around aspects of communication and publication.

The Inspectorate has maintained its capacity to react quickly when asked to undertake inspection related work at short notice, including jointly with Her Majesty's Inspectorate of Constabulary on separate pieces of work looking at unnecessary bureaucracy and police file quality. Next year's programme will include demanding inspection activity in CPS London and the SFO. It will continue to provide a robust independent assessment of prosecuting authorities' performance, supporting them where necessary in making further improvements.

¹ An examination of over 2,800 cases drawn from each of the 13 CPS areas.

Overview of the 2012-13 performance of the Crown Prosecution Service

This has been another challenging year for the CPS, as it continues the roll-out of the Transforming Through Technology (T3)² programme against a demanding timetable. Electronic case presentation, through ‘tablet’ computers is now commonplace in most Magistrates’ Courts and Magistrates’ Court case progression units are moving towards full digitisation of casework processes. The move to a national daytime delivery charging service, implementation of standard operating practices and the refocusing of how the CPS delivers its casework add to these challenges. All this is taking place against a continuing background of reducing CPS budgets and resources, but also a continuing reduction in caseloads.

The three former areas (CPS Merseyside, Cheshire and Nottinghamshire) that were subject to follow-up inspection in 2012-13 to assess progress against recommendations all showed improvement. Overall they had achieved or made substantial progress in 69.0 per cent of the priority recommendations. The Inspectorate will continue to focus recommendations on those challenging strategic issues where successful implementation will lead to substantive and sustainable improvement in outcomes.

The Annual Casework Examination Programme (ACEP) findings showed that decision-making at the charging stage was improving. This is encouraging, although further improvement is needed in some aspects, for example assessing the quality of identification evidence. Inspectors also found that CPS legal managers were not always identifying correctly cases where the Code for Crown Prosecutors had not been applied correctly. However, overall the robustness of the assessment of casework quality under the CPS core quality standards monitoring scheme was getting better.

Ensuring effective and timely case preparation and progression continued to be challenging. The area effectiveness inspections of CPS East of England and CPS North East found that cases were often only being prepared a few days before the contested hearing or other next substantive stage. Even those units with effective operating procedures and robust task management felt the negative impact of insufficient resources because of abstraction to other duties. The grip on cases needed to improve, but some aspects were showing improvement, for example compliance with Crown Court directions. Inspectors noted better use of the CPS case management system to monitor compliance.

² Now referred to as the Digital Business Programme.

Inspectors also found that the SFO systems needed to be streamlined and mandated with a drive towards standardisation, and that overall the quality of casework needed to be strengthened.

Considerable time has been invested by the CPS in improving its processes for dealing with disclosure issues, and the ACEP findings showed that performance was improving. Nevertheless there remains the risk that disclosure failings can cause both reputational damage and unnecessary cost to the CPS. Inspectors also concluded that generally the SFO carries out its disclosure duties satisfactorily. However, the internal processes and guidance needed a complete overhaul, and compliance with standard processes needed to be mandated and quality assured.

The CPS advocacy strategy for 2012-16 has been developed and takes forward a number of the recommendations in the Inspectorate's previous review. However the overriding issue remains, namely that the CPS has more Crown Advocates than required for its business need. This makes it extremely difficult for areas to generate sufficient graduated fee savings for each Crown Advocate.

The CPS continues to face major challenges to the efficient and effective delivery of its service. The continued reduction in budgetary resource has required a critical look at its structure. Significant changes are planned, not least of which is the size of its estate. It is probable that the CPS will look very different by the end of the next business year. The scale of this change should not be underestimated and will need to be carefully managed to retain the support of staff, criminal justice partners and local communities.

Caseload and outcomes

The year on year decline in caseload continues, with a reduction in completed Magistrates' Court cases of 11.1 per cent in 2012-13 compared with 2011-12 and a fall of 10.5 per cent in the more resource intensive Crown Court caseload. The return to the police of charging powers in a number of case categories continues to impact on the volume of cases which require a CPS charging decision, which fell by 18.4 per cent.

The overall level of successful outcomes has held up well compared with the previous year, showing only marginal decreases in both the Magistrates' Court and the Crown Court. Improvement continues in respect of cases involving violence against women, including specifically offences of rape. Overall the proportion of successful outcomes in cases involving violence against women rose from 73.1 per cent to 74.1 per cent, and those involving specifically rape improved from 62.5 per cent to 63.2 per cent.