

***HM CROWN PROSECUTION SERVICE
INSPECTORATE***

PRESS RELEASE

EMBARGOED UNTIL 00.01 hrs MONDAY 11 DECEMBER 2000

11 December 2000

64/00

CPS LANCASHIRE

Her Majesty's Crown Prosecution Service Inspectorate has today published its report of the inspection of CPS Lancashire. The team of inspectors found that some areas of work reflected good results when compared to national averages and that the vast majority of casework decisions made were correct. They commented, however, that there was a need for decisions in some areas of casework handling to be more robust and independent from police opinion. Inspectors commended the Area on several of their administrative and monitoring systems but made recommendations about the need to review the Area communications strategy and to have appropriate consultation with staff.

Stephen Wooler, Chief Inspector of HMCPSI, said:

“This report shows that CPS Lancashire has both strengths and weaknesses. The good results achieved in the context of casework are commendable given the pressures faced by staff and the extent of the change programme within the CPS as a whole including Lancashire. Provided the weaknesses identified by the inspectors are addressed, it has a sound basis from which to offer the public a fully effective and efficient prosecution service in the future. Prosecutions decisions must be seen to be taken on a properly independent

basis. There is a need for managers and staff to work more closely to ensure the success of the reforms flowing from the Glidewell Report.”

The inspectors found that the Area staff were generally well thought of by others in the local criminal justice system and that despite the levels of pressure that they were working under substantial efforts were being made to achieve results above the national averages.

The inspectors found that the vast majority of casework decisions made were correct, however some aspects required management attention. Lawyers sometimes allowed the police to influence them over decision making and on occasion allowed cases to drift rather than take immediate positive action where issues had been identified. Substantial efforts were being made in relation to committal preparation and the quality of instructions to counsel was significantly better than seen in other parts of the country. Inspectors were concerned about the time it is taking for CPS Lancashire to establish its own identity to which each Branch could feel allegiance. There has been an extensive period of change in CPS Lancashire and the Area was still in a transitional stage waiting to take forward the Glidewell recommendations. The Burnley Branch in particular has been involved in national initiatives including “sent” cases under the Crime and Disorder Act (ie without either committal or transfer procedures), statutory time limits for youth cases and youth referrals. The Area has had to operate within tight financial constraints and with staff disruptions. This together with an unsatisfactory communication strategy within the Area has created high levels of uncertainty and some lack of trust in management. It is essential that levels of communication within the organisation be reinforced.

Specific findings by the Inspectorate include:

- The quality of advice given to the police before charge is generally good and indeed some is excellent. The timeliness of providing advice is 13.3 days, which is better than the average of 19.7 days recorded for Area inspections so far, however there needs to be systems in place to capture oral advice given.

- The level of discontinuance of magistrates' cases at 15.8% is significantly higher than the national average of 12.3%. It is possible that misrecording of case outcomes may explain some of the difference. There is an over reliance on police opinion, which sometimes leads to late decisions to alter charges or drop cases.
- CPS Lancashire does seem to be dealing with the issue of disclosure better than many other Areas, however there seems to be a tendency on the part of the police and the CPS to blame each other for failing to understand the system. This should resolve itself when new national guidelines are issued.
- The standard of advocacy observed was generally good. 22 out of 25 CPS lawyers observed fully met the required competence standard, with five being above average and three very good. However, three performed less well and appeared ill-prepared. The DCW's (designated caseworkers) were praised for their advocacy but were not being fully utilised.
- There is a high level of sickness in the Area and extremely low staff morale, this would appear to be as a result of the handling of vacancy management. Inspectors were concerned that some staff were struggling to cope with day to day tasks as a result.

Responding to the report Chief Crown Prosecutor, Dickie Dickenson, said:

“It is very much to the credit of staff throughout CPS Lancashire that the overall quality of casework identified by the Inspectorate is good. This has been achieved despite the difficult resource issues which the Area has had to cope with. There is clearly a sound base upon which to build in the future. I believe that implementation of the helpful recommendations of the Inspectorate, coupled with an anticipated improvement in the financial position next year, will enable the Area to address current problems and to move forward successfully.”

Notes to Editors:

1. This is the latest report of Her Majesty's Crown Prosecution Service Inspectorate in the cycle of inspections based on the 42 Area structure adopted by the CPS on April 1 1999. The CPS is a national service, but operates on a decentralised basis with each Area led by a Chief Crown Prosecutor who enjoys substantial autonomy.
2. CPS Lancashire as an Area comprises three Branches. Preston Branch covers courts at Chorley, Preston, South Ribble (Leyland) and Ormskirk. Burnley Branch covers courts at Blackburn, Darwen & Ribble Valley (Blackburn), Burnley, Pendle & Rossendale (Burnley, Reedley & Rawtenstall) and Hyndburn (Accrington). Fylde Branch is based at Blackpool and has a sub-office at Lancaster and covers courts at Blackpool & Fylde (Blackpool), Lancaster and Wyre (Fleetwood).
3. CPS Lancashire employs the equivalent of 179 full time staff; this figure includes a number of part-time staff.
4. In the year ending June 2000 the Area handled approximately 69,000 cases in the magistrates' courts of which 47.9% were summary motoring offences. 4162 crown court cases were handled during the same period and advice was given to the police before charge in a further 1532 cases.
5. Before visiting the area the team of inspectors examined a total of 522 cases drawn from all three Branches. The team visited the area for a total of three weeks during July and August. The inspectors interviewed staff of all levels from each of the three Branches. The team also spoke to representatives of other criminal justice agencies in the Area. Observations were made on 41 advocates at magistrates and crown courts, these included CPS lawyers, agents and counsel. The team was also assisted during the on-site phases by a lay inspector who looked at the public interest side of casework decisions, the handling of complaints and the treatment of victims and witnesses.
6. Her Majesty's Crown Prosecution Service Inspectorate was established by the Crown Prosecution Act 2000, which came into effect on 1 October, as a statutory body. The Inspectorate had, previously, been a unit within the CPS headquarters. The Chief Inspector is appointed by and reports to the Attorney General.
7. For further information, please contact either Jan Wilson at HMCPS Inspectorate (tel: 01904 545488) or Glynn Rankin at CPS Lancashire (tel: 01772 208141).