

Embargoed until 00:01 Hrs 27 March 2012

Press Release

Her Majesty's Crown Prosecution Service Inspectorate: Thematic review of the CPS Core Quality Standards Monitoring Scheme

New CPS quality assurance system helping to drive improvement

Her Majesty's Crown Prosecution Service Inspectorate (HMCPsi) has today published its thematic review of the CPS Core Quality Standards monitoring scheme (CQSM) which is intended to measure compliance with the Core Quality standards, thereby assessing the standard of CPS casework.

Introduced in 2010 after input from the Inspectorate, the scheme requires CPS units to review a sample of case files each month against 34 questions, including those on the standard of decision-making and case progression. The information is then used, with validation measures, as part of the CPS performance management regime.

Much has been done in a relatively short space of time, and against a background of reducing resources, to roll out the scheme and to guide managers in its application and role in performance management. CQSM is capable of giving the CPS a high level picture of casework quality, and the early indications are that it is helping to drive improvement.

However, inspectors looked at 861 cases and found a clear need for greater rigour and consistency in the quality of managers' assessments, especially in cases where there was a failure to comply with the Code for Crown Prosecutors, the test all cases must pass to proceed at key stages. The number of Code test failures and lack of appropriate action on them is a significant matter of concern; 7% of the sample were wrongly prosecuted or discontinued, but this was not always picked up. In contrast the standard of assessment in cases involving violence against women (other than rape) was a real strength.

HM Chief Inspector, Michael Fuller QPM, said *"Overall standards can only improve if the CPS uses a robust assessment process. Early indications are that the new scheme is bringing about a much needed focus on quality."*

Summary of main inspection findings:

- The introduction of CQSM is a significant step forward for the CPS in its performance management; CQSM is more credible and effective than the previous quality assurance scheme.
- There is significant scope to improve robustness and consistency. In our file sample, CPS reviewers painted a picture of casework that was over 10% better than it should have been. More recent cases show signs of improvement.
- The assessment of how well the CPS applied the Code for Crown Prosecutors is a cause for concern, with 7% of cases being wrongly prosecuted or discontinued. CPS reviewers

recognised the failure in only 25% of the relevant cases.

- The standard of casework in cases of violence against women (other than rape) within the file sample, and the robustness of CPS reviewers' assessments of these cases, indicate a real willingness to improve.
- The average cost of CQSM, on an estimate of time taken, is about £72 per case, less than 0.5% of the CPS's budget. The average cost of prosecuting a case is £731, so used effectively, CQSM could pay significant dividends.
- Some of the 34 questions asked are of little value, and others are of insufficient depth to allow managers to identify what the real issues are and where remedial action is required. This is under review by the CPS following our early feedback to them.

The Inspectorate has made six recommendations in order to assist the CPS in driving improvement in the scheme and its application, and identified six aspects for improvement and a strength. These are set out in the Annex below.

Notes to editors

1. An advanced, embargoed copy of the report of the Thematic Review of the CPS Core Quality Monitoring Scheme is available on request and will be published on the HMCPSI website. www.hmcp.si.gov.uk.
2. HMCPSI is an independent statutory body established by the Crown Prosecution Service Inspectorate Act 2000, which came into force on 1 October 2000. The Chief Inspector is appointed by, and reports to, the Attorney General.
3. HMCPSI examined a sample of cases from 26 units across the CPS, including at least one from each of the 13 Areas. The files were those that had been subject to CQSM assessment by CPS managers between January and May 2011. We also took a sample of charging decisions from the out-of-hours service, CPS Direct, and a further 96 files from four units selected for onsite activity. In the latter, the CQSM assessments dated from August to October 2011. In total, 861 cases were examined, which represents about 10% of the self-assessments carried out by the CPS in the same timeframe, and 5% of the national annual assessments by the CPS.

Annex

| Thematic review of the CPS Core Quality Standards Monitoring Scheme | |
|--|--|
| Recommendations | |
| 1 | By 31 March 2013, the CPS should achieve more effective communication between champions and between Areas, and raise the profile of the National Governance Panel so that good practice can be promoted and shared more readily. |
| 2 | That: <ol style="list-style-type: none"> Questions 33 and 34 are removed, and that the CPS puts another method in place to ensure that judicial expectations and the needs of partner agencies (and thus Core Quality Standard 9) are met. Question 1 is removed (save for use by specialist units). Additional questions are introduced to give a more detailed picture of case progression and compliance with the Code for Crown Prosecutors. The guidance given to Areas is reviewed to recognise the impact that T3 will have in the near future. |
| 3 | The CQSM process should include an element of peer review by re-review. |
| 4 | The CPS urgently needs to strengthen those parts of CQSM that demonstrate least robustness. This means reduction of the proportion of unreasonable answers to self-assessment questions from 10% to 7% by 31 March 2013. |
| 5 | The CPS should consider the risks and implications involved in failure on Code test decisions, and improve the monitoring of the robustness of Area compliance on questions 2, 11, 12 and 13. The CPS should ensure by 31 st March 2013 that they have improved their focus on the proportion of Code test failures generally, and, within CQSM, increased the identification of those failures from 25% to at least 95%. This is not a target nor do we set an acceptable level of failure; it is set with a view to further improvement in subsequent years. |
| 6 | The CPS must develop the CQSM scheme in 2012-13 to ensure that it has in place a process by which it can judge its own work effectively on a national level. |
| Aspects for improvement | |
| 1 | By 31 March 2013, the CPS should further develop the CQSM process to maximise its capability to drive improvement without creating disincentives to robust and realistic assessment. |
| 2 | The CPS should consider ways to improve the effectiveness of comments and other methods used to draw out lessons learned. |
| 3 | There is scope for the CPS to improve the recording of the defendant's ethnicity. |
| 4 | Some Areas would benefit from clearer definitions of the case categories. |
| 5 | The proportion of live cases should be reduced or removed altogether save for in Complex Casework Units and specialist divisions. If any live cases remain in the sample, the CPS needs to ensure by 31 March 2013 that live and finalised cases are equally robustly assessed. |
| 6 | There is scope to clarify or improve the guidance for CPS reviewers for those questions that appear to be causing more difficulty. |
| Strength | |
| 1 | In the files examined, the standard of casework in cases of violence against women (other than rape) was closer to the sample average than for any other type of sensitive casework. The robustness of assessment within the CQSM scheme was also closer to the average, and indicates a focus on improvement for this category of hate crime which is commendable. |