

HM CROWN PROSECUTION SERVICE INSPECTORATE

INSPECTION OF CPS CAMBRIDGESHIRE

EXECUTIVE SUMMARY

Introduction

1. This is the report of Her Majesty's Crown Prosecution Service Inspectorate in relation to CPS Cambridgeshire. It is part of a new cycle of inspection based on the 42 Area structure adopted by the CPS on 1 April 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. The inspection was carried out during a period of extensive change for the CPS both nationally and in Cambridgeshire. Initiatives to reduce delays in the criminal justice system have been introduced to give effect to the recommendations contained within the Review of Delays in the criminal justice system (the Narey report). The Area's reorganisation into functional units, rather than geographical ones, to take forward the recommendations of the review of the CPS (the Glidewell Report), has been undertaken in preparation for the move into Criminal Justice Units and a Trial Unit.
3. The report focuses mainly on the quality of casework decision-making and casework handling, but also extends to all matters which go to support the casework process. The Inspectorate examines all aspects of Area performance, and has reported on a number of management and operational issues.
4. Cambridgeshire is a fairly sizeable county and there are five magistrates' courts distributed around the county. The Area handled 17,490 defendants in the magistrates' courts and 1,411 in the Crown Court in the year ending 30 June 2000. Overall the caseload is weighted to less serious offences when compared with the national pattern, but it has a similar proportion of indictable only cases in the Crown Court compared to the national average.

Main findings of the Inspectorate

Organisation and priorities

5. The Chief Crown Prosecutor has excellent working relationships with most people in other criminal justice agencies and the CPS has been the driving force in many of the inter agency meetings designed to help all the agencies work together to improve the criminal justice system in Cambridgeshire.
6. The management of the Area is sound and external relationships are generally very good. Nevertheless, inspectors found that there was still some work to do in trying to drive forward a number of initiatives with the police on a countywide basis. A renewed impetus in relation to joint performance management is required in order to improve standards of police files.

7. The inspectors commended the Area in relation to a number of aspects of its handling of cases, in particular allocating lawyers to cases involving serious offences at an early stage to facilitate the provision of advice to police and consistency through the case; the low discontinuance rate achieved and the “second opinion” system generally used before a case is dropped; as well as some aspects of the system for monitoring custody time limits cases and the provision of clear desk top guidance for file handling.
8. In addition the Area has performed strongly in terms of attaining targets which support some of the key objectives of the CPS. The Area has also performed better than the national average in relation to overarching government aims to reduce the level of sickness of staff and to reduce delays in prosecuting young offenders.
9. Nevertheless, the Area remains in a difficult transitional and demanding phase. Whilst many case outcomes in the Crown Court are good, there are weaknesses in some aspects of operations in the Crown Court which are causing problems and delay. The low standard of briefs to counsel and some weaknesses in the preparation of cases for trial were noted and inspectors called for a shift in Area priorities to address these Crown Court issues more effectively. In addition the Area is not discharging its duties of disclosure to an appropriate standard.
10. The new arrangements for the setting up of the criminal justice units have proved problematic. The difficulty in balancing the needs of some CPS staff and the needs of other criminal justices agencies have led to protracted negotiations which have culminated in a compromise solution. There is the potential for some practical problems and the inspectors believe that the development of the criminal justice units and the trials unit will need to be kept under careful review.
11. During this difficult phase when changes are to be implemented there are continuing concerns amongst staff, particularly caseworkers. Final negotiations were underway to agree the new structures, and inspectors hoped that this would relieve some of the anxiety felt by staff. The Area Management Team already uses a variety of methods of communication to ensure information gets to and is taken in by staff, but it is particularly important that managers make extra efforts to communicate with staff during the planning and implementation phases and to encourage positive two-way communication.
12. The financial controls in the Area are good with frequent monitoring of expenditure and commitments. Area managers are aware of the challenges to be faced in relation to the control of agent’s fees and travel and subsistence expenditure in the second half of the year.
13. The Area has taken a positive approach to flexible working, but care needs to be taken to ensure that arrangements for the number of staff working part time supports both the fair distribution of work and the operational needs of the Area in covering its magistrates’ courts and Crown Court cases.
14. Inspectors made suggestions as to improved use of the Area’s current information technology and case tracking system as a management tool. Additionally urgent steps were needed to ensure the finalisation of cases in the Area’s Performance Indicator recording system.

15. Generally the quality of decision-making and advice given to the police is good. The levels of judge ordered and judge directed acquittals in the Crown Court and adverse cases in the magistrates' courts, are low in comparison to the national average and inspectors found in those cases that the tests under the Code for Crown Prosecutors had been properly applied.
16. Nevertheless, it appeared that a growing number of cases were not being prepared thoroughly for Crown Court trial and that problems were occurring on the day of trial at court. The inspectors recognised that the Area faced particular problems in that a significant number of cases were the subject of movement, sometimes at very short notice, outside the county. In any event the major cases are always heard at the Crown Court sitting at Norwich and Northampton.
17. The Area's discontinuance rate was commendably low in the year ending 30 June 2000, and indeed would probably have been even lower if some incorrect recording of these cases were eliminated. The Area had done well to reduce the time taken to deal with persistent young offenders from arrest to sentence down to 74 days for the quarter ending 30 March 2000 compared to a national average of 96 days. Inspectors considered that the appointment of a specialist co-ordinator and some enhanced identification and flagging of files should enable the Area to improve upon this.
18. Area managers had identified weaknesses in the Area's undertaking of its duties of disclosure of unused material, and propose to tackle this jointly with police through renewed training. Inspectors have urged a more rigorous approach to the handling of unused material, particularly in relation to the discharge of the duties of disclosure by prosecutors and the recording of their decisions and the reasons for them.
19. The report contains 23 recommendations and 12 suggestions designed to help the Area improve aspects of its performance.

Specific findings

20. Advice - improvements in the quality of advice have been effected since the last inspection of Cambridgeshire. However, the timeliness of advice was not good and arrangements for monitoring both the quality and timeliness of advice need strengthening.
21. Review - the quality of decision-making was generally good. There was a commendably low rate of discontinuance, and this did not appear to have adversely affected either the conviction or acquittal rates, nor the rate of adverse cases (that is, contested cases which do not run through to a conclusion of a verdict by magistrates or a jury). The Chief Crown Prosecutor and the Prosecution Team Leaders are actively engaged in casework and this no doubt has had a beneficial effect as an integral form of monitoring. Inspectors were concerned by the relatively high proportion of adverse cases which were attributable to the non-appearance of witnesses. Recommendations had been made which will, if followed, result in inter-agency scrutiny of such outcomes with a view to identifying any underlying trends or causes.

22 Case preparation - summary trials are generally well prepared. In the Crown Court, whilst decision-making was good, the standard of preparation of instructions to counsel, the drafting of indictments, and the resolution of disclosure issues were found not to be so good. Weaknesses relating to witness warning and disclosure are said to be causing delay and adjournments. The need for improvements in relation to the disclosure of unused material has already been referred to. Some tightening up in relation to the monitoring of custody time limits and the provision of case information to the Probation Service is required to ensure that the overall standards of justice are maintained.

23 Advocacy - overall the standard of advocacy in both magistrates' courts and the Crown Court is satisfactory and in the cases observed involving designated caseworkers, Crown Prosecutors and counsel, inspectors found examples of good preparation and accomplished presentation. Care needs to be taken to ensure that experienced advocates appear in the youth courts.

24 Management and operational issues:

- The Area is generally soundly managed, but there have been concerns and compromises over the plans in relation to changes following the implementation of the Glidewell recommendations.
- There is a difficult transitional period involving the movement to criminal justice units and a trials unit. Careful and sensitive change management is needed because of concerns of staff. This places a premium on communication and extra effort is demanded on the part of management to ensure a positive two-way communication during these uncertain times.
- Financial management is sound, but whilst potential problems in relation to the expenditure on agents and travel and subsistence have been noted, positive action will be needed to address these.
- The Area needs to take greater care over the recording of its performance indicators and case outcomes in accordance with the CPS guidance. The Area also needs to make greater use of its IT operating system as a management tool.
- The Area has a relatively low ethnic minority population overall, but this is mostly centred in the Peterborough area where the local percentage is both significant and well established. It is only relatively recently that the Area has begun to address diversity issues. Whilst a detailed plan on equality and diversity issues was not in place at the time of the initial visit, inspectors were pleased to find that a comprehensive action plan has since been produced and forms an integral part of the final business plan. Inspectors recommended that the Area communicated forthcoming vacancies widely to include members of ethnic minorities within the appropriate locality, and reached out positively to community groups, in particular minority ethnic groups in the Peterborough area, to raise awareness and understanding of the role of the CPS.
- Complaints are investigated properly, and generally responded to openly and in a timely fashion. Inspectors considered that the maintenance of a more comprehensive log would help the Area to learn more from experience.

Commendations and identification of good practice

25. Inspectors commended a number of aspects of the Area's work which are referred to above. Particular initiatives identified as good practice included the development of a protocol with the local authority about the sharing of information in child protection enquiries, the use of a shared diary system using the IT network, and agreement of a protocol with other agencies for the care of victims of rape and serious sexual assaults.
26. The full text of the report may be obtained from the Corporate Services Group at HMCPS Inspectorate (Telephone 0207 210 1197).

HMCPS Inspectorate
November 2000