

***HM CROWN PROSECUTION SERVICE
INSPECTORATE***

PRESS RELEASE

**(EMBARGOED UNTIL 00.01hrs
WEDNESDAY, 24 APRIL 2002)**

24 April 2002

03/02

CPS DYFED POWYS

Her Majesty's Crown Prosecutions Service Inspectorate has today published its report of the inspection of CPS Dyfed-Powys. The inspectors found that casework decisions were generally good, and a sound professional service was being provided to the public, particularly in the most serious and complex cases with which the Area deals. Case preparation was very efficient both in the magistrates' court and in the Crown Court. However, prosecutors need to be more thorough in recording decisions, the steps they take in relation to cases and their reasons for them.

The Area is well managed and places an emphasis on training, developing and consulting with staff; it aims towards continuous self-assessment and self-improvement. A strong management team has set a clear strategic vision for the Area, based on positive engagement with external partners and a commitment to achieving tangible improvement to internal policies and processes.

CPS Dyfed-Powys is geographically one of the largest of CPS Areas. This brings challenges in making sure that CPS representatives are present in all courts when cases are heard, particularly in the Crown Court. The great majority of the Area's cases are heard at present in Crown Courts outside the Area. One of the strategic priorities for the Area should therefore be to strengthen its presence in all the Crown Courts to which it sends its cases.

Stephen Wooler, HM Chief Inspector of HMCPSI, said:

“It is a credit to all staff in CPS Dyfed-Powys that they have achieved and maintained such a good standard of service during a period of intense change. I am confident that, in accordance with their ethos of continuous self-development, they will tackle positively the points we have identified as needing improvement.”

Specific findings by the Inspectorate include:

- Pre-charge advice to the police was generally sound, well-reasoned and well presented, and covered all relevant matters thoroughly. Some of the cases which were sent to the CPS to prosecute after police had already charged could have benefited from the provision of advice at an earlier stage. Conversely, some police requests for CPS advice were really requests for the CPS to assume responsibility for a decision the police had already correctly made on evidential grounds.
- Though the general standard of decision-making was good, the Area’s lawyers do not always perform well in recording their decisions and reason on files, which can lead to possible confusion and duplication of work when the same case is handled by a different lawyer. An internal inspection conducted by the Area several months before the Inspector’s visit had identified this weakness and taken steps to address it.
- In common with other Areas, staff have regularly to deal with sensitive cases (racially aggravated offences, domestic violence, and child abuse). They clearly identified racially aggravated cases and dealt with them appropriately, and they dealt robustly with domestic violence cases, taking particular care where complainants sought to retract their evidence. Inspectors thought that in some child abuse and sex cases there was a tendency to require a lower standard of evidence before letting the case go forward, and that lawyers should remain aware of the need to examine the quality of evidence in these, as in all cases, with care.
- The preparation of cases was very good, and commented on favourably by representatives of other agencies and by other practitioners. This is making an essential contribution to the Area’s good performance against nationally set CPS and other targets, in particular

those designed to ensure that criminal cases are dealt with expeditiously by the courts. There were however certain specific weaknesses, particularly in relation to the comprehensiveness of instructions to counsel both in cases for trial in the Crown Court, and on appeal from the magistrates' court.

- The Area is very well served by a team of experienced advocates who present the Area's cases clearly, firmly and on occasion with flair. Of the 15 lawyers that inspectors observed, 9 were judged to be above average in some respects, and 2 of those were above average in many respects. There are 5 Higher Court Advocates (CPS lawyers with special training authorised to conduct cases in the Crown Court), and there is a need to develop the range of cases they handle in the Crown Court.
- More could be done by the Area to ensure that where a case is unsuccessful, it is scrutinised to see whether there are any lessons to be learnt by CPS, or indeed by the police; and then to disseminate the results of this analysis to all parties.
- The Area Management Team needs to put in place a coherent performance management framework, so that staff are clear about what is expected of them, how their work will be evaluated, and what action will be taken if standards are exceeded or not met.

Responding to the report Simon Rowlands, Chief Crown Prosecutor for Dyfed-Powys, said:

“I am pleased that this thorough inspection process has, in a number of areas, acknowledged the professionalism and service delivered by CPS Dyfed Powys and its staff. Issues raised by the Inspectorate will be positively and effectively addressed.”

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; these Areas mirror police Areas. 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 Area Headquarters are based at the Carmarthen office, and there are sub-offices at Haverfordwest and Newtown. The Carmarthen office deals with cases from the magistrates' courts at Carmarthen, Llanelli, Ammanford, Llandovery and Ystragynlais; and also with Cardigan and Aberystwyth. The Haverfordwest sub-office deals with cases from Haverfordwest and Tenby. Both these offices send most of their Crown Court cases to Swansea Crown Court, although the Crown Court also sits occasionally at Haverfordwest and Carmarthen. The Newtown sub-office handles cases from the magistrates' courts at Brecon, Llandrindod Wells and Welshpool. Its Crown Court cases are heard in Merthyr Tydfil, Chester and Mold, and very occasionally at Welshpool.
3. CPS Dyfed Powys employs the equivalent of 54.6 staff, 23.4 of whom are lawyers; these figures include some part-time staff.
4. In the year ending 30 June 2001 the Area dealt with 12,598 defendants in the magistrates' court and 741 defendants in the Crown Court. In addition, the Area advised the police in a further 698 cases before charge. Compared to other Areas, there is a relatively low rate of election to be tried at the Crown Court in "either way" cases, and a comparatively high rate of contested Crown Court trials.
5. Before visiting the Area the team of inspectors examined a total of 226 files covering a full range of casework. They then spent a total of 14 days in the Area between the 8 October and the 2 November 2001. To carry out observations of advocacy and case presentation the inspectors visited ten magistrates' courts and two Crown Courts, and interviewed representatives of other criminal justice agencies, and other criminal practitioners. They also visited all three offices and interviewed members of staff at all levels. They were assisted 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 as an independent statutory body by the Crown Prosecution Service Inspectorate Act 2000; it had previously been a unit within CPS Headquarters. The Chief Inspector is appointed by and reports to the Attorney General.
7. For further information, please contact either the Enquiry Point at HMCPSI (tel: 020 7210 1197) or Austin Lewis at CPS Dyfed Powys (tel: 01267 242124).