

PRESS RELEASE

Embargoed until 00:01 Hrs

Tuesday 27 November 2007



HM CPSI overall performance assessment of CPS Devon and Cornwall

HM Crown Prosecution Service Inspectorate (HM CPSI) has today published the overall performance assessment (OPA) of CPS Devon and Cornwall (the Area).

The OPA process provides a benchmark for each CPS Area's performance in 13 key aspects of work, each of which is assessed as being 'Excellent', 'Good', 'Fair' or 'Poor'. The Area is then assessed on its overall performance in the light of these markings.

The overall performance assessment of CPS Devon and Cornwall was Good.

The table below provides a breakdown of the assessed level of performance against the 13 aspects and provides a comparison with the 2005 exercise:

Critical aspects	Assessment level		
	OPA 2005	OPA 2007	Direction of travel
Pre-charge decision-making	Poor	Good	Improved
Ensuring successful outcomes in the magistrates' courts	Fair	Fair	Stable
Ensuring successful outcomes in the Crown Court	Good	Good	Stable
The service to victims and witnesses	Good	Good	Stable
Leadership	Fair	Good	Improved
Overall critical assessment level		Good	
Progressing cases at court	Good	Fair	Declined
Sensitive cases and hate crime	Good	Good	Stable
Disclosure	Fair	Good	Improved
Custody time limits	Good	Fair	Declined
Delivering change	Poor	Good	Improved
Managing resources	Poor	Fair	Improved
Managing performance to improve	Fair	Fair	Improved¹
Securing community confidence	Good	Fair	Declined
OVERALL ASSESSMENT	Poor	GOOD	

1 Although remaining within the Fair rating, this aspect has improved.

Some aspects have been categorised as critical; this is due to the significant impact that they have on the overall performance of a CPS Area and the service it delivers to the public.

CPS Devon and Cornwall's overall performance has improved significantly since the last OPA; improving in six aspects - including two critical ones - declining in three, and remaining stable in the other five. Management of resources and its capacity to deliver change both show particular improvement since the last OPA, when they were both assessed as 'Poor'.

In 2006-07 the Area had a higher proportion of successful outcomes (convictions) in the magistrates' courts and the Crown Court than found nationally.

Inspectors found that the quality of prosecutors' decision-making at the pre-charge stage² was good, although in some instances the issues which resulted in the case being discontinued should have been identified earlier. Performance in respect of other aspects of the scheme is good, with face-to-face advice now being given by prosecutors in almost all cases.

Undertaking of the prosecution's duty of disclosure to the defence of unused material is good, although some continuing disclosure was not timely.

Sensitive cases and hate crimes are handled well, and there has been a substantial improvement in the proportion of successful outcomes, including domestic violence cases.

The proportion of effective trials (ie contested cases which proceed on the day fixed for trial) is much better than that found nationally in both the magistrates' and the Crown Court. However, the timeliness of other aspects of case progression in the magistrates' courts needed to be improved. In too many cases the prosecution had not undertaken the necessary action by the time of the pre-trial review. Additionally, the Area needs to work with its criminal justice partners to speed up the processing of persistent young offenders so that the Government target of 71 days from arrest to sentence can be met.

The service to victims and witnesses remains good, with targets usually being met for the Direct Communication with Victims scheme, under which the CPS writes to a victim explaining the reasons for a charge being dropped or substantially changed.

The Area needed to ensure its systems for managing custody time limits were secure.

The Area's focus in 2006-07 on improving its core business and delivering a major restructure to enable it to work more closely and effectively with the police resulted in there being less overall focus on community engagement than at the time of the last OPA.

Stephen Wooler CB, HM Chief Inspector, said:

"Area managers and staff have worked hard over the last two years to address the weaknesses apparent at the time of the last overall performance assessment. Our assessment that this is now a good Area reflects that work. Although the Area has sustained conviction rates in both the magistrates' courts and the Crown Court which are higher than the national average, the preparation of magistrates' courts cases has not shown the same rate of improvement. Nonetheless I am confident that the Area will strive to strengthen further the quality of its service to the communities of Devon and Cornwall."

2 A statutory scheme under which the CPS has assumed responsibility for the initial decision whether to charge (previously a police responsibility) the more serious and contested cases.

The Inspectorate is visiting all 42 CPS Areas over a six month period in order to provide a benchmark from which future work can be informed. A summative report will be published in early 2008 which will set out on a comparative basis the assessments for all the Areas. The outcomes of these assessments will be used to determine where best to focus Inspectorate resources in order to promote improvement within the CPS and the criminal justice system as a whole. It is also hoped that the Areas, and CPS Headquarters, will use this information to address issues at local and national level where this is necessary.

This Press Release should be read in conjunction with the Report itself (which contains an integral summary) and is available on our website at www.hmcpsi.gov.uk.

For further information, please contact Andreas Harding, HMCPSI Communications Manager, on 020 7210 1143 or 07901 856 346.

Notes to Editors

HMCPSI was established as an independent statutory body on 1 October 2000 by the Crown Prosecution Service Inspectorate Act 2000. The Chief Inspector is appointed by, and reports to, the Attorney General.

The OPA report is based on judgements that have been made by HMCPSI using a combination of absolute and comparative assessments of performance. These came from national data, CPS self-assessment, HMCPSI findings and by measurement under the criteria and indicators of good performance set out in the OPA framework. The exercise will include visits to all 42 CPS Areas over a six month period, between June–December 2007. Each Area is rated ‘Excellent’, ‘Good’, ‘Fair’ or ‘Poor’.

The Inspectorate uses an assessment model which is designed to give pre-eminence to the ratings for ‘critical’ aspects of work as drivers for the final overall performance level. Assessments for the critical aspects are overlaid by ratings in relation to the other defining ones, in order to arrive at the OPA. This assessment model is included in the framework and is available to all Areas.

This exercise is not a full inspection and differs from traditional inspection activity. While it is designed to set out comprehensively the positive aspects of performance and those requiring improvement, it intentionally avoids being a detailed analysis of the processes underpinning performance. However, it is designed to provide a benchmark from which future work can be informed.

CPS Devon and Cornwall serves the area covered by the Devon and Cornwall Constabulary. Its main office is based at Exeter. In the year ended March 2007 it employed 118.5 full-time equivalent staff, and handled 21,065 cases before the magistrates’ courts and 1,511 in the Crown Court. Advice was given to the police in 4,066 cases which did not result in proceedings.

This Press Release and the Report in relation to CPS Devon and Cornwall are part of a block of ten reports published today. HMCPSI will publish two further tranches of reports covering the remaining 20 Areas.