

FILE MANAGEMENT AND ORGANISATION: AN AUDIT OF CPS PERFORMANCE IN THE QUALITY AND EFFECTIVENESS OF FILE ENDORSEMENTS AND THE ADMINISTRATION OF CASE FILES

HM Crown Prosecution Service Inspectorate (HMCPISI) has today published its report of an audit of Crown Prosecution Service (CPS) performance in the quality and effectiveness of file endorsements and the administration of case files. It constitutes part of an ongoing series of scrutinies focusing on matters which are fundamental to the effectiveness of CPS casework handling. The proper recording of decisions and actions taken are crucial to efficient case administration.

The audit's main conclusion is that the majority of CPS case files are not maintained in a satisfactory manner. Decisions and actions taken are frequently not recorded; the lack of information and poor organisation frequently made it difficult, or impossible, for staff handling a case to ascertain what had happened previously; and it could also be difficult to locate documentation when needed.

The aspects of file management where improvement is needed include:

- Ensuring that the outcomes of all court hearings are recorded on the file. The results of at least one court hearing was missing from the file in 11% of magistrates' courts' cases and 18% of Crown Court cases.
- Clear recording of work undertaken between court hearings, which was problematic in a significant number of cases examined. For example, it was often not clear from files whether any action had been taken in respect of correspondence received.
- Defendants' bail status was not recorded at each hearing in 36% of cases in both the magistrates' courts and the Crown Court.
- The need for follow-up work after court hearings was not recorded or highlighted as necessary in 16% of magistrates' courts and 35% of Crown Court files. In some cases this led to essential action not being taken and the case having to be adjourned at the next hearing.
- In a small number of files, cases had been incorrectly finalised on the case management system (CMS) due to misleading or inaccurate endorsement of the result at court.

An aspect of performance which showed improvement was the legibility of review endorsements setting out the reasons for prosecution decisions. This was largely due to the use of CMS into which the information is typed.

Factors contributing to the weaknesses identified include:

- a lack of clear and uniform guidance relating to the requirements and standards for recording actions and decisions on files;

- the absence of any national requirement for the monitoring of file management, leading to inconsistency and action being determined by the inclination of individual managers at local level; and
- the absence of any standard design for file covers or uniform approach to where information and documentation should be located.

Some of the difficulties also flowed from the operation within the CPS of a split file system. CMS is utilised for key activities but the information must be copied onto the paper file in order to be available to the prosecutor at court. This situation is not wholly satisfactory.

Stephen Wooler CB, HM Chief Inspector of HMCPSI, said:

“Good housekeeping in relation to case files is an essential prerequisite of effective prosecutions. Information and documents must be accessible to those requiring them – especially at court.

It is also essential that prosecutors improve the standard of recording actions and decisions so that staff working on files will be able to ascertain the current position and take necessary actions.

The weaknesses found by this review often cause difficulty for the CPS in progressing cases expeditiously, particularly through the magistrates’ courts.”

This Press Release should be read in conjunction with the Report itself.

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

Notes to Editors

- 1 File endorsements form an integral and vital part of the effective prosecution of cases. The standard expected by the CPS is covered in a range of internal manuals, training material and guidance. Some CPS Areas have drafted their own additional guidance or standards in relation to this. Since January 2005 there has been no national scheme under which the quality of file endorsements is required to be evaluated by Areas.
- 2 The purpose of this audit was to follow-up concerns regarding variable performance in relation to file endorsements and management which have arisen out of much of the work carried out by HMCPSI over many years.
- 3 The results are based on the examination of 240 files supplied by the 12 Areas chosen to take part. The file sample was taken from September–October 2007. Both the paper and electronic files were examined to gain the most comprehensive view of the information held on the case.

- 4 The review took place between September 2007-January 2008 and the team included two HMCPSI auditors.

- 5 HMCPSI was established as an independent statutory body on 1 October 2000 by the Crown Prosecution Service Inspectorate Act 2000, having previously been part of CPS Headquarters. The Chief Inspector is appointed by, and reports to, the Attorney General.