



Her Majesty's Crown Prosecution Service Inspectorate Audit of the Crown Prosecution Service handling of Judges' Orders in the Crown Court

Meeting judges' orders – CPS case progression can improve

Her Majesty's Crown Prosecution Service Inspectorate (HMCPSI) has today published its report on the audit of the Crown Prosecution Service (CPS) handling of judges' orders in the Crown Court.

HM Chief Inspector, Michael Fuller QPM, said:

"The report highlights that the CPS has a significant challenge in complying with judge's orders. The main reason why the CPS fails to comply is that there have been no effective systems in place to monitor the date of orders. Performance would be improved by closer working and co-operation with the judiciary to ensure improved levels of compliance."

Summary of main audit findings:

- Due to poor case progression systems court orders are not an effective means of driving case progression at present. The CPS complied with only 23% of the cases in the audit with time bound orders within the time set, although in two thirds of these cases, the orders were met at a later date.
- Comprehensive monitoring of compliance with orders was not being carried out by the CPS in all the Areas visited. CPS Headquarters should assure itself that the monitoring now being implemented nationally is comprehensive and effective. There was little evidence that the court or the defence were raising non-compliance as an issue.
- There were numerous discrepancies between the record made on the plea and case management hearing (PCMH) form and the CPS file endorsement. The CPS should ensure that they have an accurate record of the orders and actions arising from the PCMH to allow effective monitoring and ensure compliance.
- Opportunities for early review of cases to ensure efficient case progression were missed. Review was often carried out some time after receipt of the upgraded papers from the police and shortly before the PCMH. Resources should be allocated at the right stage in the process to ensure effective case progression at an early stage.
- The CPS has recognised that it needs to improve compliance and is introducing changes to its internal systems to address this weakness.

For any queries or interviews please call Anisha Visram on 020 7210 1148 or mobile: 07901 856 348.

Notes to editors

- 1 HMCPSI is an independent statutory body established by the Crown Prosecution Service Inspectorate Act 2000, which came into force on 1 October 2000. HM Chief Inspector is appointed by, and reports to, the Attorney General.

- 2 In the Crown Court judges will issue orders for outstanding work to be done, often within certain timescales, at the PCMH. This hearing provides the judge with an opportunity to properly and effectively manage the case before it is listed for trial. The orders are made to ensure that essential actions are completed before the trial date and so avoid additional court hearings that cost money and adversely impact on the quality of justice.
- 3 At the PCMH both the prosecution and defence advocate complete a questionnaire to assist the judge by giving details of outstanding issues and possible legal argument or applications. Forms have been issued by the Ministry of Justice, including an orders template, for the court to confirm in writing what has been ordered. There are set timescales for service of disclosure and applications that may or may not be recorded as an order but for which a time limit will still apply. The audit looked at the use of the forms, the types of orders made and compliance with the orders.
- 4 The audit team visited six CPS Areas and examined files that progressed to trial after a PCMH. The audit team spoke to a range of staff in each Area and looked at the systems used in the units dealing with Crown Court work to progress cases to trial and deal with court orders. Court observations were also undertaken to establish how PCMHs were conducted.