

PRESS RELEASE

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CPS KENT

Area makes significant progress

Her Majesty's Crown Prosecution Service Inspectorate has today published its report of the inspection of CPS Kent.

Inspectors found that the Area had made significant progress since the time of its last inspection. In particular it had developed an effective management structure and initiated a successful programme of community engagement. Senior management had a high profile with the other local criminal justice agencies. The Area has yet to feel the full benefit of restructuring in accordance with the recommendations of the 1998 review of the CPS (the Glidewell review), which recommended co-location of police and CPS together with more integrated working. More work needs to be done with the police to improve the quality and prioritisation of some administrative tasks, and maintain the Areas cohesiveness.

Inspectors found there was room for some improvement in the quality of decision-making in the Area's casework. Although decisions to discontinue cases were generally sound, timeliness was poor. However, sensitive cases involving road traffic fatalities and racist incidents were handled well and the Area had undertaken joint work with the police to improve the quality of evidence gathering in domestic violence cases.

Stephen Wooler, HM Chief Inspector of HMCPSI, said:

“The degree of progress since our last report is pleasing. The managers and staff in CPS Kent have together built a sound basis to take forward the many reforms being introduced in the CPS nationally as well as in the wider criminal justice system. The citizens of Kent can look forward with confidence”.

Other main findings by the Inspectorate include:

- * Appropriate pre-charge advice was given to police with a full explanation for the decision. Advice provided in cases involving road traffic fatalities was of a high standard. The Area is committed to early implementation of a national scheme to give early advice to police on charging. Such a scheme is currently operating during office hours only.
- * Overall the quality of advocacy was good. The Area deployed its designated caseworkers effectively and fell just short of its own very demanding target of court sessions for Higher Court Advocates.
- * Witness care was good in both the magistrates’ courts and the Crown Court. Victims and witnesses who required the extra protection afforded by special measures were identified, although late notification by the police affected the timeliness of the relevant applications to court. There were good working relationships with the witness service, which should improve with the provision of witness service facilities at the Maidstone trials unit.
- * The Area had a number of committals discharged because the prosecution were not ready and the court refused an adjournment. Either there was late submission of the full file by the police, or the file lacked essential evidence.
- * Instructions to counsel need to be improved significantly. Detailed evaluation of the strengths and weaknesses of the prosecution case should be added.

- * The magistrates' courts ineffective trial rate was better than the national average. However the late discontinuance of cases was contributing to the cracked trial rate. The Crown Court effective trial rate was better than the national average but this was to a significant extent the result of a low cracked trial rate. The Crown Court had recently introduced a Certificate of Readiness scheme to assist in reducing the level of underlying ineffective trials¹.
- * The Area's performance in the time taken to deal with persistent young offenders (PYO'S) slipped to 76 days in the quarter ending September 2003 against the national target of 71 days and a national average of 66 days.
- * The Area collected a wide range of performance data and produced detailed performance reports. A significant amount of management time was devoted to this activity, but inspectors found that not all managers used it sufficiently often to truly reap commensurate benefit.
- * The Area had done much to improve management of staff. Action plans were disseminated widely and staff knew the Area's vision. Shortly after the inspection the Area held a focus day for staff to discuss possible changes to the Area's structure. Work is still necessary to ensure the effectiveness of the communication of some key messages and the raising of morale, which remained low in some parts of the Area.
- * The provision of training was good. The Area produced a training plan that effectively drew together national initiatives and individual training needs.
- * Female, ethnic minority and disabled staff were well represented amongst staff. The Area had responded positively to some recent equality and diversity issues.

¹ A cracked trial occurs when either the defendant pleads guilty, or the case is dropped, on the day of trial. An ineffective trial is one which is adjourned, for whatever reason, to another day. The common feature is that in each case the court will have set aside time for a contested hearing and witnesses will have been warned. Cracked and ineffective trials are a source of inefficiency and wasted time for witnesses.

- * The Area was conscious of its responsibility in financial management and appropriate controls of the budget were in place however over recording of certain categories of cases (traffic offences) had resulted in over funding.
- * The Area engages well with other criminal justices agencies although some partnerships could be improved at an operational level. Communication between the police and prosecutors in the co-located CJUs was good.
- * The Area is well respected within the local community and was viewed as an open and receptive organisation. It played an active role in community liaison meetings, in particular, the Folkestone Asylum Seekers Forum, and had plans to develop its links further with that community. Relationships with the local Racial Equality Councils were very good, and this was leading to increased confidence in the quality of casework decision-making.

Chief Crown Prosecutor for CPS Kent, said in response to the report:

“I'm pleased that the Inspectors have found that significant progress has been made since the time of our last inspection. Whilst we recognise that there is need for improvement in some elements of our casework, we have ensured that plans to address these are already in place and we are confident that these will soon yield results.

I believe that CPS Kent is well placed to take forward the challenging programme of reform being introduced into the CPS and more widely within the Criminal Justice System. I know that my staff and my colleagues in other Criminal Justice agencies are fully committed to making this happen and I look forward to working with them to ensure that we respond positively to these challenges.”

The Executive Summary of the report is attached.

Notes to Editors

1. In November 2002 HMCPSI commenced its second programme of Area inspections of the CPS. The aim is to visit all 42 CPS Areas in England and Wales twice over a four-year period. During that period each Area will receive at least one full inspection; the second may either be full or intermediate depending on the circumstances.
2. CPS Kent services the Area covered by the Kent Constabulary.
3. CPS Kent employed at the time of the inspection the equivalent of 145.8 full time staff.
4. At the time of the inspection the Area handled 37,543 cases in the magistrates' courts and 2,784 cases in the Crown Court. In addition, pre-charge advice was given to the police in 1,591 cases.
5. The Area was the subject of inspection in 2000. The report was published in February 2001.
6. The team visited the Area for two weeks in November and December 2003. The inspection looked at a sample of files and management information. The inspectors interviewed staff at all levels. The team also spoke to representatives of other criminal justice agencies. Observations were made of advocates at magistrates' courts and the Crown Court, including CPS lawyers, agents and counsel. The team was assisted during the on-site phase by a lay inspector who looked at the handling of complaints and the treatment of victims and witnesses.
7. The reference in the press release to the Glidewell concept is a reference to proposals for integrated working by police and CPS set out in the report of the Review of the Crown Prosecution Service by Sir Iain Glidewell which was published in June 1998.
8. Her Majesty's Crown Prosecution Service Inspectorate was established as a statutory body by the Crown Prosecution Service Inspectorate Act 2000, which came into effect on 1 October 2000. The Inspectorate had previously been a unit within the CPS headquarters. The Chief Inspector is appointed by and reports to the Attorney General.
9. For further information, please contact either Jane Gould at HMCPSI (tel: 020 7210 1165; e-mail Jane.Gould@cps.gsi.gov.uk) or Victoria McEwan at CPS Kent (tel: 01622 655 314; e-mail: Victoria.McEwan@cps.gsi.gov.co.uk).