

HMCP*S* Inspectorate

The inspection of the Revenue and Customs Prosecutions Office

HM Crown Prosecution Service Inspectorate (HMCP*S*I) has today published its report on the inspection of the Revenue and Customs Prosecutions Office (RCPO).

RCPO is currently the specialist prosecution authority for Her Majesty's Revenue and Customs (HMRC), and for some cases investigated by the Serious and Organised Crime Agency (SOCA). As our inspection was concluding, the Attorney General announced that RCPO and the CPS would be combined to form a new public prosecution service. It is anticipated that the merger will take place during 2009-10, with further consolidation in 2010-11.

RCPO has made good progress since HMCP*S*I's last inspection in 2006. It has restored confidence in HMRC prosecutions and has taken steps to improve its performance. In particular, it has improved its governance and underpinning policies, reduced its expenditure on counsel fees (although this is partially attributable to a drop in caseload) and has developed its prosecution manual into a web-based tool.

Main findings:

- The quality of decision-making is very good at all stages: the evidential and public interest tests of the Code for Crown Prosecutors were applied correctly in every case examined.
- The provision of advice is not always timely and managers need to ensure that effective monitoring systems are applied consistently across the divisions.
- The standard of post-charge case preparation is generally good and prosecutors and case managers are proactive in progressing cases.
- Overall, prosecutors are complying well with their duties in relation to disclosure of unused material. However, disclosure is not made as promptly as it should be.
- Complex and specialist casework is handled well.
- The quality of advocates is good, both in-house and those instructed by RCPO. A great deal of work has been done to develop the selection procedures for Crown Court advocates, although the process for deciding on nomination when specific counsel is requested needs to be reviewed.
- The organisation has strengthened its procurement processes and there is greater ownership of resources as a result of the new delegated budgeting process.
- The level of staffing has increased considerably, despite a declining caseload. Potential overstaffing has been identified, and further development of RCPO's workforce planning processes is required.
- There are a number of weaknesses with the performance indicators currently used, and the process for producing them is largely manual, time-consuming and prone to error.

- The key change project (Helios), to replace the current case management system (SOLAR), needs to be reviewed urgently in light of the proposal to combine with the CPS.
- There is committed leadership within the organisation, and senior managers are viewed as visible and approachable.
- The level of communication is generally good, although there is scope for further development and greater consistency across divisions.

Inspectors identified five strengths in RCPO's performance and three aspects of good practice. RCPO will need to concentrate on addressing ten recommendations and 12 aspects for improvement in order to strengthen its performance.

Stephen Wooler CB, HM Chief Inspector of HM Crown Prosecution Service Inspectorate said:

"I am pleased to be able to confirm the continuing good progress and strong development of the Revenue and Customs Prosecutions Office since the last inspection. It has restored confidence in relation to a particularly difficult and specialist aspect of prosecution work. It will be important for the success of the combined prosecutions service that its strengths and specialist skills are retained and used effectively."

This press release should be read in conjunction with the report itself and the executive summary which is integral to it and also available separately.

Embargoed copies of the report and executive summary are available on the Inspectorate's website at www.hmcpsi.gov.uk/.

For further information, please contact Andreas Harding on 020 7210 1143 or 07901 856 348.

Notes for editors

- 1 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.
- 2 This inspection included detailed scrutiny of finalised case files and some current cases were observed at court.
- 3 RCPO is one of the Law Officers' Departments, and was established under sections 34-42, Commissioners for Revenue and Customs Act 2005.
- 4 RCPO is a specialist and independent government department responsible for carrying out criminal prosecutions for HM Revenue and Customs (HMRC) and the Serious and Organised Crime Agency (SOCA).
- 5 The merger with the CPS was announced on 2 April 2009 as part of the Attorney General's strategic review.
- 6 RCPO has five casework divisions and as at 31 March 2009 employed the equivalent of 335.7 full-time staff.
- 7 For the year ended 31 March 2009, RCPO received 1081 new cases, and seized £21.9m of criminal assets through confiscation orders.