



## Her Majesty's Crown Prosecution Service Inspectorate Follow-up inspection of CPS Surrey

### **CPS Surrey makes limited progress**

HM Crown Prosecution Service Inspectorate (HMCPISI) has today published its follow-up inspection report on CPS Surrey, carried out in June 2010.

HM Chief Inspector, Michael Fuller QPM, said:

*"CPS Surrey needs to do more to address the recommendations of our inspection made in 2009. Senior managers are now dedicating themselves to addressing remaining weaknesses. Progress will be evaluated at a further follow-up inspection in April 2011."*

Summary of follow-up inspection findings:

- The Area had made substantial progress in implementing three out of 11 recommendations made in the 2009 inspection. The handling of fatal road traffic cases, analysis of failed Crown Court cases, and direct communication with victims have all improved.
- Limited progress was made in a further five recommendations but the Area had not yet been able to demonstrate that tangible progress had been made in the remaining three. The main points are: case progression systems are not robust especially in magistrates' court cases; legal decision-making needs to be monitored more closely, in order to improve; and the disclosure of unused material remains weak.
- The Area has made variable progress in addressing the 14 aspects for improvement that were also identified in 2009. In particular, the cost of instructing counsel from the independent bar is significantly higher than the national average.
- One of the two strengths that were identified during the 2009 inspection has been maintained. A table of the assessment of progress against recommendations and aspects for improvement can be found at annex A.

This press release should be read in conjunction with the report itself.

## Notes to editors

1. HM Crown Prosecution Service Inspectorate is an independent statutory body established by the Crown Prosecution Service Inspectorate Act 2000, which came into force on 1 October 2000. The Chief Inspector is appointed by, and reports to, the Attorney General.
2. CPS Surrey was the subject of a full Area effectiveness inspection in 2009. The inspection rated performance as fair. A follow-up inspection took place in June 2010.
3. The purpose of the follow-up visit was to assess the progress made against the recommendations and aspects for improvement contained in the 2009 report. We also evaluated whether the strengths in performance remained.
4. The inspection team comprised a legal and business management inspector.
5. CPS Surrey is one of 42 CPS Areas, each of which has a chief crown prosecutor, and serves the area covered by Surrey Police.

## Annex A

### Progress against recommendations

	Recommendation	Position as at June 2010
1	Improve MG3 quality and monitor regularly	Limited progress
2	Supervise legal work in the optimum business model	Not progressed
3	Devise and support strategy to boost performance in asset recovery	Limited progress
4	Strengthen analysis of adverse outcomes in Crown Court cases	Substantial progress
5	Ensure compliance with CPS policy in handling road traffic fatality cases	Substantial progress
6	Prosecutors to view all child witness video interviews and record their assessment	Limited progress
7	Improve performance in the disclosure of unused material	Not progressed
8	Ensure compliance with CPS direct communication with victims scheme	Substantial progress
9	Ensure robust and targeted casework quality assurance takes place	Not progressed
10	Train and develop staff to support them in their new roles in combined unit structure	Limited progress
11	Improve communications between management and staff and address low morale amongst lawyers	Limited progress

## Progress against aspects for improvement

	Aspect for improvement	Position as at June 2010
1	The optimum business model folder system for magistrates' courts cases should be implemented	Achieved
2	A system should be developed to improve case progression and ensure compliance with court directions	Not progressed. The Area was still failing to comply with Crown Court directions and had yet to implement any system
3	Adequate cover must be provided for cases heard at Kingston Crown Court and if necessary the Area Strategy Board should negotiate a service level agreement with CPS London for court cover	No longer applicable
4	Advocates should complete court endorsements as soon as practicable and they should be clear, legible and completed on the appropriate part of the file jacket	Limited progress. Magistrates' court endorsements were improved but Crown Court endorsements were often not easily accessible or clear
5	There is a need to: <ul style="list-style-type: none"> <li>fully define the role and responsibilities of the specialist crime champions/co-ordinators</li> <li>allocate time to them to monitor sensitive and hate crime cases, and analyse unsuccessful outcomes</li> </ul>	Substantial progress. A list of specialists was available but there was little evidence of clear roles being disseminated or of their participation in performance analysis
6	Steps should be taken to agree a protocol with Surrey Social Services for the disclosure of third party material	Achieved
7	Managers should remind all relevant staff that custody time limit expiry dates apply to each charge. Endorsements on the file should indicate which expiry date applies to which charge. Applications to extend custody time limits should comprehensively set out the reasons why such an extension is justified	Substantial progress
8	Prosecutors should ensure they request police to seek a victim personal statement if one is not present in appropriate cases	Not progressed
9	When feedback is given to staff it should be handled in the most appropriate and constructive manner	Limited progress. We were shown some examples of written feedback that were constructive but some staff continued to feel that managers were too remote or detached
10	There needs to be greater clarity over the role (if any) of the local prosecution team performance management meetings	Limited progress. These meetings had become more structured but their frequency had diminished during 2010 creating the risk of drift

11	Controls on prosecution costs should be reviewed <sup>[1]</sup>	Not progressed. See main report text
12	The business plan should set out how priorities will be achieved and the timescales for completion, and progress against priorities should be reviewed regularly and remedial action implemented where required	Limited progress. The 2009-10 plan had not been adequately reviewed but the 2010-11 plan is more targeted and benefited from some staff involvement
13	The risk register should be reviewed regularly and the scope of risks expanded to include those involving staff engagement and change management issues and interdependencies between projects	Not progressed
14	The community engagement strategy should be developed to consult with the local community and broaden the base of community groups the Area engages with	Substantial progress

### Strengths

	Strengths	Position as at June 2010
1	Over the last 12 months the Area rape co-ordinator has been proactive in engaging other agencies and implementing new initiatives to address the low conviction rate for rape offences	Not maintained
2	The management of sickness absence has been very effective	Maintained

### Footnotes

[1] The Area should undertake an investigation to determine the causes of the very high unit costs for Crown Court cases in Surrey and, once identified, work to reduce unit costs to a level in line with other CPS Areas.