

HM CROWN PROSECUTION SERVICE INSPECTORATE

INSPECTION OF CPS SUFFOLK (REPORT 3/03)

EXECUTIVE SUMMARY

Introduction

1. This is the report of HM Crown Prosecution Service Inspectorate about CPS Suffolk. The CPS is a national service, but operates on a decentralised basis with each of its 42 Areas being led by a Chief Crown Prosecutor (CCP) who enjoys substantial autonomy. The inspection was an intermediate rather than a full inspection. Following a risk assessment, inspectors focused primarily on the Area's work in the Crown Court and its overall handling of cases involving persistent young offenders (PYOs). Magistrates' court work was examined in less detail, unless a particular issue arose during the course of the inspection itself.

The Area

2. At the time of this inspection, CPS Suffolk had one office based in Ipswich, although it moved to new premises within the town in February 2003. Additionally, its Criminal Justice Unit (CJU) moved at the same time, to co-location with the police, based at Bury St. Edmunds, Lowestoft and Ipswich Police Stations, although some CJU staff will remain at the CPS office. It covers five magistrates' courts and two Crown Court centres. The Area was previously reported on in October 2000.
3. At the time of the current inspection it employed the equivalent of 65.1 full time staff. In the year ending September 2002, the Area dealt with 13,646 cases in the magistrates' courts and 937 cases in the Crown Court. In addition, pre-charge advice was given to the police in 841 cases, which was 5.6% of the Area's caseload compared with a national average of 3.8%.

Main findings of the Inspectorate

4. The quality of initial review, review at the summary trial stage, and committal review is a particular strength of CPS Suffolk, and reflects the quality of casework decision-making. There remains, however, a need for better file endorsement of the reasoning behind casework decisions. Cases generally proceed on the right charges, and where applicable, in compliance with appropriate charging standards, but inspectors found a need for indictments to be checked more carefully for errors before being sent to the Crown Court.
5. Serious and sensitive casework is handled well, although inspectors had some concerns about the application of the disclosure regime to sensitive unused material. At the time of the last inspection, inspectors had concerns about some aspects of the handling of racially aggravated cases. In this inspection all the racially aggravated cases examined were handled correctly.

6. There was a significant improvement in the quality of decision-making in relation to the primary disclosure of unused material, although there was a lack of evidence to indicate that sensitive material had been considered by reviewing lawyers.
7. The Area has a very high cracked trial rate in the magistrates' courts and local initiatives to improve the effectiveness of pre-trial reviews, and the high rate of bind overs on the day of trial, need to be maintained.
8. Area performance in the processing PYOs had slipped, and was above the national CJS target of 71 days for the quarter ending September 2002. More recent performance data indicates that the position has improved significantly, but there remains a need to focus on this important aspect of casework, for which the target is only likely to be met through effective joined-up working by the criminal justice agencies.
9. The standard of CPS advocates is good, although at the time of our inspection the Area had no procedures for formal monitoring of this aspect of performance. These were in the process of being implemented following consultation with local chambers.
10. The standard of witness care was good, and prosecutors were alert to those cases where special measures for the protection of vulnerable and intimidated witnesses could be invoked when they were giving evidence. This aspect of casework was handled well.
11. The effectiveness of the operation of the Direct Communication with Victims (DCV) scheme is patchy, although timeliness is good. However, inspectors were not satisfied that letters were being sent in all relevant cases. Additionally, the quality of some letters could be improved significantly.
12. Communication is considered to be a strength, and most staff were happy with training and development opportunities. The level of co-operation between the CJU and Trial Unit (TU) was good. There was a high volume of performance data available, and significant effort had been made to engage with the community.
13. Relationships with other agencies were generally positive, although there was a need to improve the effectiveness of some groups in delivering higher performance levels.
14. There were, however, three aspects of performance, which inspectors considered required urgent attention.
15. The current management structure will struggle to cope, particularly with major initiatives due to be implemented soon. The absence of the CCP for half of each week, while fulfilling his duties as a director of the CPS Compass IT project, has had an impact on the Area, both for staff and other CJS partners.
16. There were still a number of important outstanding issues relating to co-location, which required urgent attention, including training the police in their new roles and uncertainty about the roles and responsibilities of some current CJU administrative staff under the new structure.

17. The third main concern of inspectors was an indication that some staff perceived that they were not treated with appropriate dignity and respect. Senior managers had responded positively to this perception and the CCP had reminded staff of the guidance and procedures laid out in the CPS 'Dignity at Work' standard. However, further action may still be required to improve the situation.

Specific findings

Casework

18. Overall the quality and timeliness of the Area's casework was good, in particular the standard of committal preparation. The legibility of some review endorsements needed to improve, and more detailed endorsements of decisions made at pre-trial review was required. The standard of instructions to counsel was also in need of improvement. Case preparation was generally prompt, although at the time of the inspection there were some backlogs in summary trial preparation. The Area operates an effective system of file ownership in respect both of out of court work, and, so far as practicable, in respect of court hearings.
19. Area performance in respect of the disclosure of unused material had improved, although decisions in relation to the handling of sensitive material needed to be evidenced. There was also a need to devise robust systems for the handling of unused material, in advance of the move to co-location, when it will be stored on CPS, as opposed to police, premises.
20. The Area is good at complying with orders made at the plea and directions hearing.
21. The Area had significant involvement in the setting up of the Suffolk Multi-Agency Forum Against Racial Harassment, one of the functions of which is to undertake, where appropriate, a peer review of the handling of racist incident cases across the relevant agencies. This was an innovative development, and reflected the general involvement of the Area in issues of race equality.
22. Performance by the CJS Area in relation to the time taken to deal with PYOs had slipped in recent months. The overall target of 71 days from arrest to sentence was not met in the quarters ending June and September 2002. Additionally, the target was not met in the magistrates' court for the quarter ending September 2002. Performance data for the months of October and November 2002 indicates that the target is again now being met. All the necessary mechanisms which should ensure good PYO performance are in place, and the Area has been alert to the recent slippage in performance and initiated remedial action. The CPS, together with the other agencies, will wish to ensure these mechanisms are used to maintain the focus on PYO cases.
23. Reviewing lawyers were alert to the provisions relating to special measures for the protection of witnesses while giving evidence. They were quick to point out to the police when the measures were potentially available, and ensured that the appropriate information was available to make an informed decision.

Advocacy and quality of service delivery at court

24. All advocates observed were competent in all respects, with some being above average. The deployment of Higher Court Advocates (HCAs) is very effective, covering the whole range of Crown Court casework. The Area looks set to meet its challenging target this year for HCA sessions.
25. The standard of witness care by in-house prosecutors at court was good, but could be improved by some agents. In particular, there was good consultation with witnesses about the acceptability of pleas, and prosecutors sought to explain to them the reasons why the case had to be adjourned. Caseworkers were good at keeping witnesses informed of events at court and were willing to discuss issues with them when a case concluded.

Direct Communication with Victims

26. Overall, there was a need to improve the effectiveness of the DCV initiative. Whilst timeliness is good, letters are not being sent in all appropriate cases. The quality of the letters sent to victims can be improved.

Performance management

27. The Area performance against CPS targets compared favourably to national averages in most categories. A significant amount of performance data was collected, much of which was made available to staff, although analysis could occasionally be more robust.

People management and results

28. Many aspects of people management were handled well and this was reflected in the findings of the staff survey. A high percentage of staff were happy with communication from managers, and most feedback on training was also positive. Inspectors followed up on the feedback from the staff survey with regard to perceptions that behaviour was not always appropriate. Area managers have responded positively to this issue, but more may need to be done to bring the matter to a satisfactory conclusion.

Management of financial resources

29. Appropriate controls and systems were in place to ensure that the Area stayed within budget, and there was compliance with CPS guidelines on financial management. The Area has good systems for monitoring and processing payments using the new Graduated Fees Scheme.

Leadership and governance

30. There had been progress on a number of issues since our last inspection. The use of the Business Excellence Model had expanded, the functional split into a TU and CJU had been fully implemented, and co-location with police was imminent.

31. There remained, however, some issues of concern, including:
- * the state of readiness, together with a lack of clarity with regard to the roles, responsibilities and processes, for the new co-located units (mainly CJU related); and
 - * the strain on the management structure, exacerbated by the extensive nature of the CCP's involvement with the Compass IT project.

Partnership and resources

32. Partnerships with other agencies are well developed and relationships are cordial, although there is work to be done in making some of the inter-agency groups more effective, primarily with police and the magistrates' courts.
33. The overall use of resources is satisfactory with good financial controls and use of technology. Staff were looking forward to an improved working environment in the new premises.

Recommendations

34. Inspectors made the following three recommendations:
1. That Unit Heads undertake a qualitative assessment of DCV letters, in particular whether the use of standard paragraphs is appropriate.
 2. That the CCP continues the effort to change the behaviours, which give rise to staff dissatisfaction.
 3. That the CCP review the management structure and responsibilities to ensure that managers have a realistic prospect of delivering Area strategies and objectives.

The full text of the report may be obtained from the Corporate Services Group at HMCPS Inspectorate (telephone 020 7210 1197), and is also available at www.hmepsi.gov.uk.

HMCPS Inspectorate
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