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Press Release

Her Majesty's Crown Prosecution Service Inspectorate: Follow up inspection review of the performance of the former Areas of CPS Gwent and CPS South Wales

Significant improvement found by inspectors

Her Majesty's Crown Prosecution Service Inspectorate (HMCPSI) has today published its report of the follow-up inspection of the former Crown Prosecution Service (CPS) Areas of Gwent and South Wales, since merged into CPS Cymru-Wales.

Inspections in 2009 and 2010 rated both Areas as poor, and significant concerns and risks were identified but after a return visit in autumn last year, inspectors found significant improvements in performance.

However, focus needs to be maintained and concentrated effort given to translate this into better case outcomes for the new CPS Cymru-Wales Area. The Area needs to improve on the timeliness and standard of casework to reduce the high cracked trial rate and improve case outcomes.

HM Chief Inspector, Michael Fuller QPM, said *"In 2010 our concerns included inconsistent and ineffective leadership, and poor communication with staff. The focus across the whole Area is now one of improving quality. I am pleased to note that our reports were used as a catalyst for change."*

Summary of main inspection findings:

- Since 2010-11 the rolling year to date performance in South Wales shows improvement in the magistrates' courts but a decline in the Crown Court. Achieving consistently improving outcomes for users remains a challenge for the new Area to meet.
- Performance in Gwent had steadily improved since the inspection, with performance for the full year 2010-11 being better than the national average for all key measures and there have been notable improvements in outcomes relating to violence against women.
- Significant improvements were noted in relation to partnership working, in particular with the police and HMCTS.
- A performance regime and a culture that holds staff and managers to account has been established. This is starting to be effective in tackling poor performance.
- There is a shared Area vision of improving quality, delivering a good service and improving outcomes for users. There is evidence that the Area is moving in the right direction, but there are still a number of challenges, including a need to establish a better understanding of performance expectations, consistent standards across all casework.

In the former CPS Gwent out of 17 recommendations three have been achieved, seven have been substantially progressed and limited progress made in relation to five. In only one recommendation has no progress been made.

In the former CPS South Wales 15 recommendations were made; four have been achieved, and four have had substantial progress and six limited progress made against them. One recommendation was no longer applicable given the area restructure. Table of the progress made against the recommendations and aspects for improvement detailed in the original inspection reports is given below.

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. The Chief Inspector is appointed by, and reports to, the Attorney General.
2. HMCPSI went to the former CPS Areas of Gwent and South Wales and visited all offices and units there between 31 October and 10 November 2011. The former CPS areas of Gwent and South Wales were subsumed within the new CPS Cymru-Wales Area in April 2011 as part of the national restructure. This has resulted in alterations to the Area's management team and structures. Due to the changes in the structure of Wales this follow-up inspection allowed HMCPSI to assess progress in both former Areas at the same time.
3. The 2010 reports can be found on the HMCPSI website www.hmcpsi.gov.uk.
4. An advanced, embargoed copy of the former CPS Gwent and South Wales inspection report is available on request and will be published on the HMCPSI website. www.hmcpsi.gov.uk.

SOUTH WALES		
Priority Recommendations		Position as at November 2011
1	<p>The Area needs to:</p> <ul style="list-style-type: none"> ensure, in introducing the modernised charging arrangements, that all case reviews at the pre-charge decision-making stage are in accordance with the Code; ensure that greater consistency is achieved in the quality of its charging advice; and ensure that robust arrangements are put in place to monitor the quality of work being undertaken. 	Limited Progress
2	OBM processes should be streamlined and consistent across the Area. The Area must ensure that prosecutors complete summary trial reviews expeditiously.	Limited Progress
3	<p>The Area needs to:</p> <ul style="list-style-type: none"> ensure sufficient resources are allocated to progress its most serious casework effectively; achieve greater consistency in the standard of its review work in Crown Court cases; and ensure that prosecutors have sufficient time to complete Crown Court reviews effectively. 	Limited Progress
4	The Area needs to take active steps to reduce the discharged committals rate so that performance is in line with, or better than, the national average.	Substantial Progress
5	<p>The Area needs to:</p> <ul style="list-style-type: none"> ensure that legal decision-making for disclosure is sound, properly reasoned and recorded; and use the disclosure reports prepared by the Area disclosure champion to manage individual performance. 	Substantial Progress
6	<p>The Area needs to engage more effectively with staff across the Area so that it:</p> <ul style="list-style-type: none"> delivers key messages and priorities clearly and transparently; and adopts an ethos of inclusivity so that all staff feel they have the opportunity to contribute towards change; 	Substantial Progress
7	<p>The Area needs to:</p> <ul style="list-style-type: none"> communicate clear expectations about the standards expected of its lawyers and ensure that there are robust processes in place to tackle individual performance; and develop a culture where the giving and receiving of feedback, and responding to it, is part of everyday business. 	Achieved

Secondary Recommendations		
1	The Area needs to ensure that case progression meetings throughout the Area work in partnership to increase the proportion of trials that are effective, and reduce those which are vacated or crack, so that	Limited Progress

	performance is in line with, or better than, the national average.	
2	The Area needs to address how it instructs and deploys its Crown advocates and their relationship with Area colleagues.	Achieved
3	The Area needs to: <ul style="list-style-type: none"> • achieve greater consistency in decision-making for all serious and sensitive cases; and • put in place effective processes to monitor and manage individual performance. 	Limited Progress
4	In partnership with South Wales police, the Area should develop and implement a joint disclosure training programme to improve the timeliness and quality of police schedules and CPS legal decision-making.	Achieved
5	The Area needs to ensure custody time limits (CTL) cases are monitored robustly and that regular CTL audits are completed. Performance needs to improve so that it is in line with, or better than, the national average.	Achieved
6	The Area should ensure with the police that WCU performance is monitored, managed and assessed in accordance with No Witness No Justice (NWNJ) primary and secondary measures. Improvement programmes need to be assessed in compliance with NWNJ indicators.	Limited Progress
7	Meetings should be streamlined and duplication removed to ensure that the impetus to bring about improvement does not become diluted.	Substantial Progress
8	Project management must be robust, with realistic risk assessments made, achievable milestones identified and progress monitored and communicated.	No longer applicable
Compliance Issues		
1	Area managers must ensure that prosecutors complete tasks appropriately on CMS.	Substantial Progress
2	The Area needs to expedite adoption of the Third Party Protocol for disclosure.	Substantial Progress
3	The Area must ensure that special measures applications are properly drafted, supported by relevant information and made expeditiously, within the set timescales.	Limited Progress

GWENT		
Priority recommendations		Rating as at November 2011
1	The Area works with police partners to ensure pre-charge advice and decisions are delivered correctly and efficiently, on the right cases, in	Substantial Progress

	accordance with the Director's Guidance. Arrangements for effective joint monitoring need to be put in place.	
2	Prosecutors are retrained in their charging responsibilities, and actively managed, to ensure that decision-making improves, and that they are proactive in their case analysis and in the advice they give to the police.	Substantial Progress
3	Arrangements for the flow of information between the police and CPS are addressed by the Area as a matter of urgency, through open and constructive dialogue.	Limited Progress
4	The operation of Optimum Business Model (in the magistrates' court) is examined to ensure the necessary tasks and preparation for trial, take place in good time.	Limited Progress
5	Case progression meetings with the court are reinstated.	Limited Progress
6	The Area ensures it raises the priority of Crown Court casework and sets clear expectations and standards for lawyers to drive up the quality of decision-making and case handling. Standards should be underpinned by a sound quality assurance regime.	Limited Progress
7	The Area revisits its approach to the implementation of the advocacy strategy to ensure quality advocacy, undertaken by advocates with the right skills, and supported by sound casework.	Achieved
8	The Area takes steps to improve the quality of decision-making in all serious and sensitive cases, ensuring policies are adhered to.	Substantial Progress
9	The Area considers the establishment of advice surgeries for rape and sexual offences.	Achieved
10	Further training is provided for lawyers in dealing with third party and public interest immunity disclosure issues, and steps should be taken to agree a protocol for the disclosure of third party material with the police and social services.	Substantial Progress
11	The Area works with partners to improve processes that support victims and witnesses.	Limited Progress
12	The Area ensures that the quality of direct communication with victims (DCV) letters improves and that there are effective quality assurance processes in place.	No progress
13	The Area articulates clearly the professional standards required and develops a robust performance management regime to ensure work is undertaken professionally and to a high standard.	Substantial Progress
14	The Area works with partners and uses joint performance meetings as a means to driving up standards and improving the service it offers to the public.	Limited Progress
15	The Area reviews its current management and organisational structures, to ensure that it is best placed to deliver the outcomes expected.	Substantial Progress
16	The Area establishes a clear vision for CPS Gwent, which is effectively communicated to staff and partners.	Achieved
17	The Area develops a clear set of standards for behaviours which should be implemented consistently.	Substantial Progress
Aspect for improvement		



1	The Area needs to ensure that there is a regular feedback of learning points to individual lawyers from adverse case reports and any casework quality assurance system.	Substantial Progress
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