

PRESS RELEASE

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CPS WEST MIDLANDS

Prosecutors responding positively to pressures

Her Majesty's Crown Prosecution Service Inspectorate has today published its Report on the inspection of CPS West Midlands.

The inspection team found that the standard of casework decision-making and outcomes were comparable in most respects to the national position. This is particularly creditable having regard to the size of the Area - CPS West Midlands is the second largest in the country - the serious cases it handles, and the difficulty it has in recruiting lawyers. It must also respond to the many national initiatives generated by modernisation programmes, both within the CPS and the criminal justice system as a whole.

In the light of this, inspectors were impressed by the success of the Area in containing the level of ineffective trials (cases listed for a contested hearing which do not go ahead on the date set) to one roughly similar to the national average in both the magistrates' courts and the Crown Court. Persistent young offenders were also dealt with expeditiously; large metropolitan areas are usually more prone to delay in these respects. However, inspectors were concerned by two aspects of performance: in the magistrates' courts a significant number of cases intended for committal were discharged because the prosecution was not ready to proceed. Delays in receiving the evidence from the police were a substantial factor in this, and the CPS will need to work with them, both to reduce this number, and to ensure that discharged committals are re-instated where appropriate. This has been a problem in the West Midlands for a considerable time. The second concern relates to a discontinuance rate (14.2%) which is higher than the national average (12.2%).

Promoting Improvement in Criminal Justice

CPS West Midlands works positively with its partners in the criminal justice system to increase the number of offences brought to justice and to raise public confidence in the criminal justice system generally. Steps taken include restructuring so that police and CPS staff are co-located, which has been much more positive and successful than in many CPS Areas, albeit it has not yet been possible to achieve this in central Birmingham. A new charging scheme (whereby prosecutors give face-to-face advice about decisions to charge offenders) has also been introduced and welcomed by the police, but again it has not been possible to adopt this comprehensively across the Area.

Internally there are many positives in relation to the management and operations of the Area. It has a number of enthusiastic managers committed to its work.

CPS West Midlands is also outward looking and makes considerable efforts to engage with the local community, including minority ethnic groups and organisations, and is actively promoting equality and diversity amongst its staff.

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

“CPS West Midlands has responded positively to both internal and external pressures. Managers and staff have worked hard to achieve a generally sound level of performance. There are, however, some issues which they must address urgently with the police – in particular the continuing level of discharged committals.”

Other main findings by the Inspectorate include:

- * There has been improvement in many aspects of casework performance since the last inspection; in particular, in compliance with the prosecution’s duty of disclosure, although it remains variable across the Area.
- * Prosecutors need to address weaknesses in cases and foreseeable difficulties more actively in order to reduce the number of adverse outcomes.

- * Casework and administrative processes are generally sound, although action to identify best practice would help.
- * The Area and its criminal justice partners have successfully introduced measures to provide witness care in parts of the West Midlands, and these now need to be established in the centre.
- * Most prosecuting advocates were generally good, as was their engagement with witnesses. The Area will want to raise its profile in the Crown Court by increased use of its own Higher Court Advocates when feasible.
- * The Area has recognised that its performance management regime needs to be strengthened.
- * The Area has effective systems of financial management. The staffing review should address the deployment of staff and value for money.
- * The time taken to deal with persistent young offenders from arrest to sentence has been consistently good for a large Area, and at the time of the inspection stood at an impressive 62 days (compared to the Government target of 71 days).
- * The Area is committed to playing a key role to achieve the aims set for the criminal justice system.

Responding to the Report, the Chief Crown Prosecutor, David Blundell, said:

“The HMCPSI Report is helpful in highlighting progress since the last Report in February 2001. The Report identifies many positive features of the Area’s work. We are improving our overall casework performance, providing pre-charge advice to the police, supporting victims and witnesses, working constructively with our criminal justice partners and contributing to improved public confidence in the criminal justice system in the West Midlands.

We accept that we need to improve some aspects of performance. We will.

Our aim is to provide a world class prosecution service to all the communities in the West Midlands.”

The Executive Summary of the Report is attached.

Notes to Editors

1. In November 2002 HMCPSP commenced its second cycle of Area inspections of the CPS, following its restructuring in 1999 as a result of the Glidewell Review. 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. Following a risk assessment, the inspection of CPS West Midlands was a full one. The Area was last reported on in February 2001.
3. Area business is divided on functional lines between magistrates' courts and Crown Court work. There are 11 Criminal Justice Units (CJUs) which are responsible for the conduct of all cases dealt with in the magistrates' courts (and some youth cases dealt with in the Crown Court). Staff are co-located with the police at the Coventry and Wolverhampton offices, as well as at Brierley Hill, Bournville Lane, Halesowen, Solihull, Walsall and West Bromwich Police Stations. The remaining three CJUs, serving Birmingham, Sutton Coldfield and Warley are located in CPS premises in Birmingham and Wolverhampton, and are not co-located with the police. There are three Trial Units (TUs), based at the Birmingham, Coventry and Wolverhampton offices, and they review and handle cases dealt with in the Crown Court.
4. At the time of the inspection CPS West Midlands employed the equivalent of 447.2 full time staff.
5. In the year to September 2003, the Area handled 87,758 cases in the magistrates' courts and 10,102 cases in the Crown Court. In addition, pre-charge advice was given to the police in 3,352 cases, which was 3.7% of its caseload.
6. Before visiting the Area, the team of inspectors examined a total of 519 case files. The team visited the Area for four weeks in December 2003 and January 2004. They interviewed CPS staff at all levels and 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 two lay inspectors who looked at the handling of complaints and treatment of victims and witnesses by the CPS.

7. 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 CPS Headquarters. The Chief Inspector is appointed by, and reports to, the Attorney General.
8. For further information, please contact either Heather Minshull at HMCPSI (tel: 020 7210 1166; e-mail: Heather.Minshull@cps.gsi.gov.uk) or Vinny Bolina at CPS West Midlands (tel: 0121 262 1531; e-mail: Vinny.Bolina@cps.gsi.gov.uk).