

Press Notice

22 October 2013

**Her Majesty's Crown Prosecution Service Inspectorate  
Follow up inspection of youth offender casework thematic review**

**CPS contributing effectively to youth justice system**

The way the CPS runs cases involving under-18s shows improvement, inspectors have found in a follow-up check.

HMCSI inspectors sampled 130 youth case files, including serious sexual offences and robbery and looked at progress made against six priority and three other recommendations from 2011.

The follow up report found substantial progress had been made in:

- reinforcing to prosecutors that guidance on out of court disposals should be consistently applied
- improving the charging decision record in cases when courts make a 'grave crime determination' to decide if the case was so serious it should go from the Youth Court to a Crown Court with higher sentencing powers. Charging decisions which referred correctly to all of the criteria needed had risen from 26.6 to 49.2%. However, some charging decisions still displayed a 'worrying lack of understanding'

However, of concern is the number of cases where there was no digital record (11.9%) of court hearings and limited progress made on the recommendation that all prosecutors have a basic understanding of Youth Court law and procedure.

HM Chief Inspector, Michael Fuller QPM, said:

"The principal aim of the youth justice system is to prevent offending by children and young persons. The 2011 review found that the CPS contribution to this aim was encouraging and this follow up does not alter that.

"I am encouraged that substantial progress has been made in the recording of aspects of the charging decision which relate to youths, but the overall quality of the record still requires further improvement."

Further inspection findings:

- Inspectors were concerned at the proportion of police charged cases which should have initially been dealt with by pre-court disposal (a caution or a conditional caution). Whilst the correct outcome was eventually achieved, there was often unnecessary delay caused by late review by the CPS, failures to promptly notify the police to administer a pre-court disposal and delays in it being administered.
- There was also concern that there were three police charged cases in the sample where either a caution or conditional caution was subsequently administered without apparent reference to the CPS.
- Providing appropriate grave crime determination guidance to the prosecutor at court in respect of rape and other serious sexual assault cases was much better than for cases overall in the follow up file sample. In 80% of the relevant cases the charging advice referred to the relevant factors.

ends

**Notes to editors:**

1. Media enquiries: 020 7271 2484 or [russell.hayes@attorneygeneral.gsi.gov.uk](mailto:russell.hayes@attorneygeneral.gsi.gov.uk)
2. The full follow up and the 2011 report are available at on the HMCPSI website: [www.hmcpsi.gov.uk](http://www.hmcpsi.gov.uk).
3. The original thematic review of youth offender casework was conducted in July 2011 and published in November 2011.
4. This follow up inspection included an examination of 130 files involving youth offenders including cases where they had been jointly charged with adults. It also draws on the relevant findings from a further 380 files involving youth offenders which were examined as part of the HMCPSI 2012-13 annual casework examination programme.
5. A caution or conditional caution are now the only two formal pre-court disposals for youths
6. In the period between the review and this follow up inspection there have been significant revisions to Youth Court law and procedure and substantial changes to the types of pre-court disposals available for youths. This did not affect the recommendations.
7. 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.