

***HM CROWN PROSECUTION SERVICE
INSPECTORATE***

PRESS RELEASE

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**HM CUSTOMS & EXCISE PROSECUTION GROUP
(MANCHESTER OFFICE)**

Her Majesty's Crown Prosecution Service Inspectorate has today published its first report about the Prosecution Group of the Solicitor to HM Customs & Excise.

The inspection related to the Manchester office.

The inspection was undertaken as a pilot. It was the first step in implementation of the recommendations of the Gower Hammond Report that the prosecution function of the Solicitor's Office should be subject to inspection. The prime purpose of the inspection was to review the quality of casework and casework processes and also to assess the progress made towards the implementation of the Gower Hammond recommendations overall.

The inspectors found that the quality of casework is generally sound. Most decision-making is good although there is still some lack of clarity about the split of responsibility between lawyers' and administrators' decisions to drop cases on public interest grounds. Case preparation is also sound with some scope for improvement in committal preparation and the quality of instructions to counsel. The inspectors found that the improvements in performance management which had occurred needed to be underpinned by the establishment of formal monitoring of casework quality.

The inspection scrutinised compliance by lawyers with the prosecution's obligation of disclosure and found compliance in over 80% of relevant cases. The inspectors were pleased to find general support throughout the Manchester office for the change programme and that significant progress had been made towards the culture change identified by the Gower Hammond Report as being necessary. The report also highlighted three matters in particular which need to be developed if the Prosecution Group is to make independent care and conduct of its cases a complete reality:

- * court appearances in cases for which the Prosecution Group is responsible must be handled by its own staff, agents or advocates instructed by the group;
- * there must be a clear understanding and acceptance throughout Customs and Excise that the final decisions in relation to both the evidential and public interest tests of the Code for Crown Prosecutors rests with the Solicitor to Customs & Excise, with accountability being to the Attorney General;
- * in relation to prosecution disclosure, the senior lawyer responsible for the conduct of any prosecution must have access to all material where disclosure is an issue.

On publishing the report, Stephen Wooler, HM Chief Inspector of HMCPSI, said:

“The good standard of decision making and generally sound quality of case preparation together with the progress towards corporate change reflects the very positive attempts by management and staff to build on the recommendations of the Gower Hammond Report. The recommendations in this report should reinforce that process. We have also identified some particularly important developments which are needed to underpin the independence of the Prosecution Group.”

David Pickup, the Solicitor to HM Customs & Excise, said in response to the report:

“I welcome the report and I am very proud of the achievements made by my staff in Manchester since the Gower Hammond Report.”

A copy of the Executive Summary is attached to this press note.

Notes to Editors

1. Customs and Excise was the subject of inquiries (in 1999 and 2000) into the handling of two prosecutions. The Butler Report, following the inquiry in 2000, made a number of recommendations. A review was set up to examine the relevant issues, and the subsequent report, the Gower Hammond Report, in direct response to the Butler Report, recommended that the Department's Solicitor's Office should retain its prosecution function, but that the Solicitor should be accountable for this function to the Attorney General.
2. The Gower Hammond Report also recommended that inspections of the prosecution function of the Solicitor's Office (undertaken by the Prosecutions Group) be carried out by HMCPSI. This inspection was undertaken as a pilot, and its findings will assist HMCPSI in determining its methodology for future inspections of the Prosecutions Group. However, its prime purpose was to review the quality of casework decision-making and casework handling (including advisory work) in the Manchester Unit. HMCPSI also considered operational and human resources issues, and assessed the progress made towards the implementation of the Gower Hammond recommendations.
3. The Unit is based in Manchester, and deals with cases arising in the Department's Northern and Central regions of England and Wales, excluding East Anglia. It is also responsible for liaising with the Director of Public Prosecutions in Northern Ireland and the Crown Office in Scotland. Prosecutions in those jurisdictions are conducted by those authorities and not by Customs and Excise themselves. The Unit Head has strategic responsibility for VAT work, which involves liaising with policy administrators, as well as other Government Departments and agencies.
4. At the time of our inspection, the Unit had the equivalent of 35.5 full time staff.
5. The Inspectorate visited the Unit in July 2002. The inspectors examined 57 cases covering a range of casework. Questionnaires were sent to a number of representatives of criminal justice agencies. Inspectors interviewed staff at all levels in the Unit, other members of the Prosecutions Group based in London and spoke to representatives of other criminal justice agencies. In addition, inspectors interviewed HM Customs and Excise staff outside of the Prosecutions Group.
6. For further information please contact either Sonia Sanson at HMCPSI Inspectorate (tel: 020 7210 1180), the Corporate Services Group at HMCPSI (tel: 020 7210 1197), or Steven Hallworth at Customs and Excise (tel: 020 7865 5095).