



HMCPsi

HM Crown Prosecution
Service Inspectorate

HM Crown Prosecution Service Inspectorate
7th Floor, Tower
102 Petty France
London
SW1H 9GL

WC2B 4TS

<http://www.justiceinspectors.gov.uk/hmcp/>

Thank you for your letter dated 6th January which was received by us 10th January.

You asked for the following information

References

- A. *Henriques, Richard Sir. Independent Review of the Metropolitan Police service's handling of non-sexual offence investigations alleged against persons of public prominence, AN. London (Metropolitan Police service): 2016. (Redacted, and with introduction by Met. Police 2019, and annotations).*
- B. *Harris, Jessica. Evaluation of the Protection from Harassment Act. London (Home office (Research, Development, and statistics Directorate): 2000. ISBN: 9781840824995.*
- C. *Brooks, Richard & Wallis, Nick. "Justice Lost in the Post: how the post office wrecked the lives of its workers". London (private eye). Special Report, May 2020. ISSN 0032-888X.*

FOI Requests

Please may I make the following separate requests for information per the Freedom of Information Act:

1) Ref. A is an examination of a case where a malicious liar claimed to be a victim and used his false victimhood to inflict tremendous harm and in most cases near total ruination on several wholly innocent and decent people and their families.

Please may I have the following information:

- a) *Whether HMCPsi holds a copy of this document, and if so, on what date was it acquired.*
- b) *Whether HMCPsi has acted on any of the findings of the report, and, if so which ones.*
- c) *A summary of what actions have been taken, or if none, a summary of why not.*
- d) *If not covered in (a) to (c), whether the report at Ref. A was considered in any thematic reviews or area reviews.*
- e) *If not covered in (a) to (d), how HMCPsi evaluates the fairness and effectiveness of the tests used by the CPS to decide whether to prosecute.*
- f) *A summary of information held that shows, overall, strategically, what HMCPsi has been doing to help ensure that the sort of risk identified in Ref. A never happens again.*

- 2) The same (a) to (f) as for (1), above, but in respect of Ref. B., and especially in respect of its point about “paranoid women syndrome”, and more generally in respect of prosecutors decisions and processes under the Protection from Harassment Act. – Paranoid women syndrome - respect of prosecutors decisions and processes under the Protection from Harassment Act.
- 3) The same (a) to (f) as for (1), above, but in respect for the public prosecutors and decisions by the CPS to continue private prosecutions for the matters in Ref. C., which matters as you almost certainly know concerns the prosecution of hundreds of wholly innocent sub-postmasters on the basis of false and prima facie unreliable evidence from the Fujitsu “Horizon” computer system and from senior management in the Post Office.
- 4) A copy of risk assessments of injustice cause by (a) malicious accusers & (b) false victimhood.
- 5) A summary of how HMCPSPSI evaluates the compliance of the CPS to the statutory and non-statutory guidance of which it is subject, and a list of all guidance’s (a) that apply to CPS; and (b) if a subset of (a), those for compliance with which the HMCPSPSI evaluates the CPS; (c) how many independent statisticians were consulted by HMCPSPSI in the calendar or financial year 2019 (either type of year will do), and what were the highest and lowest levels of the professional statistical qualifications among them.
- 6) A summary of information about how HMCPSPSI monitors and evaluates the CPS’ response and effectiveness for reviews of decisions not to prosecute that are made by victims of crime.
- 7) a) list of their names and a summary of each statistical technique that HMCPSPSI uses for the purposes of quality assurance of the functioning of the CPS, b) copies of internal procedures, guidance etc. for each, and a recent representative statistical analysis, real not imaginary, of each such technique, preferable that relates to one or more of the preceding questions in each case. c) A copy of the overall strategy or system of statistical quality assurance
- 8) A summary of casework risk registers, or equivalent information, and a copy of an example (model or real) for each of the following types of case:
 - a) Where the accused has a serious mental disability,
 - b) Where the accused claims to be or seemingly is the real victims (as in all cases in Ref. A)
 - c) Harassment cases,
 - d) stalking cases,
 - e) fraud cases
 - f) conspiracy to pervert justice cases,
 - g) theft cases,
 - h) *Offences Against the Person Act 1861* cases
- 9) (a) A copy of information held by HMCPSPSI about the risks of, policies and procedures for, and consequences of false allegations against innocent people. As

you know these can have a very damaging impact on the person falsely accused. (b) Information that shows whether or not HMCPsi expects the CPS and its partners to deal robustly with these cases and how they should be dealt with by the CPS. (c) The latest and best statistic about the problem of false allegations & countermeasures.

10) A summary of the risk to justice from misuse of language, such as but not only from improper use of 'victim' before when a court convicts or acquits, as described in Ref. A.

Non-FOI Question

HMCPsi's website gives a clear statement of your purpose: "The purpose of inspection is to drive improvements and build public confidence in the prosecution process. Our inspections do this by providing independently assessed evidence which... Allows others to hold the CPS... to account [and] Informs debate about how they perform." Some of the most serious and unjustifiable failures of criminal justice in England in the past 50 years, including failures of the CPS to do its duty under law and under statutory and other guidelines, are the cases reported on by Sir Richer Henriques, (Ref A) and the Fujitsu/Post Office "Horizon" cases (Ref C). As you are surely aware, from those cases resulted several suicides and the complete ruination of many lives, and tens or perhaps hundreds of millions of pounds of avoidable costs to the public purse. It may be, pending receipt of your answers to my requests for information above, that HMCPsi has in fact considered the serious failings in those hundreds of cases and done something, but it feels nonetheless odd to find no reference I to them from using the search function of your website. I am much minded to support the idea of England having an inspectorate of the CPS, but if it be not covered in your answers to my FOI requests, above, please may I ask you respectfully to explain to me why the CPS is worthwhile having at all when it seems to have done nothing about the grave failures and incompetence described in Refs. A and C. I trust it be not so, but, pending your reply, I cannot help feeling that CPS prosecution decisions are rapidly descending to banana republic levels, so I would be very grateful indeed for an answer from you.

Before writing to you, I tried searching for this information, unfortunately without success; chiefly I tried by typing key words for each of my requests to the search field on HMCPsi's website, always without success, and in addition to those key words I also tried "Carl Beech", "Yewtee", "Yew tree", and "Hydrant". If more than a few pages, please may I have the information that I request in the form of PDF files, sent to me on a CD-ROM. By all means please telephone me if I can help to clarify my request or in any other way. I am a victim of torture or inhuman or degrading treatment because the CPS has ignored Refs. A and B, and I make these requests as part of my pursuit of justice, and because of torture etc.; because of this, I believe no FOI cost limits should be applied to my request. I ask you to report my complaint of torture to the Attorney General, because so far no one in the State has heeded my complaint, which is also a denial of my human dignity. I ask for confirmation that she will be told.

For ease of reference we have answered the questions 1-3 in the table below

	A. Henriques, Richard Sir. Independent Review of the Metropolitan Police service's handling of non-sexual offence investigations alleged against persons of public prominence	B. Harris, Jessica. Evaluation of the Protection from Harassment Act. London (Home office (Research, Development, and statistics Directorate)	C. Brooks, Richard & Wallis, Nick. "Justice Lost in the Post: how the post office wrecked the lives of its workers"
a) Whether HMCPSP holds a copy of this document, and if so, on what date was it acquired.	Do not hold	Do not hold	Do not hold
b) Whether HMCPSP has acted on any of the findings of the report, and, if so which ones.	Do not hold	Do not hold	Do not hold
c) A summary of what actions have been taken, or if none, a summary of why not.	Do not hold As part of our duty to provide advice and assistance, HMCPSP's remit is to inspect the CPS and the SFO and we do not have the authority to set actions	Do not hold	Do not hold
d) If not covered in (a) to (c), whether the report at Ref. A was considered in any thematic reviews or area reviews.	Do not hold	Do not hold	Do not hold
e) If not covered in (a) to (d), how	Do not hold As part of our duty to provide advice and	Do not hold	Do not hold

<p>HMCPSTI evaluates the fairness and effectiveness of the tests used by the CPS to decide whether to prosecute</p>	<p>assistance It is not in our remit to evaluate the fairness or effectiveness of CPS's tests</p>		
<p>f) A summary of information held that shows, overall, strategically, what HMCPSTI has been doing to help ensure that the sort of risk identified in Ref. A never happens again.</p>	<p>Do not hold – As part of our duty to provide advice and assistance you may find our report “Living in fear – the police and CPS response to harassment and stalking”, which is published on our website, useful.</p>	<p>Do not hold</p>	<p>Do not hold</p>

In relation to question 4 you asked for

4) A copy of risk assessments of injustice caused by (a) malicious accusers & (b) false victimhood.

I can confirm that HMCPSTI does not hold this information. As part of our duty to provide advice and assistance I can confirm that this is not in our remit.

In relation to question 5 you asked for

5) A summary of how HMCPSTI evaluates the compliance of the CPS to the statutory and non-statutory guidance of which it is subject, and a list of all guidance's (a) that apply to CPS; and (b) if a subset of (a), those for compliance with which the HMCPSTI evaluates the CPS; (c) how many independent statisticians were consulted by HMCPSTI in the calendar or financial year 2019 (either type of year will do), and what were the highest and lowest levels of the professional statistical qualifications among them.

I can confirm that we do not hold this information.

As part of our duty to provide advice and assistance I can confirm that HMCPSI scopes each inspection individually and the methodology is explained in each of our reports which can be found on our website. I can also confirm that HMCPSI did not consult any independent statisticians in either the calendar year 2019 or the financial one.

In relation to question 6 you asked for

6) A summary of information about how HMCPSI monitors and evaluates the CPS' response and effectiveness for reviews of decisions not to prosecute that are made by victims of crime.

I can confirm that HMCPSI does not hold this information.

As part of our duty to provide advice and assistance, our published reports show how file samples are constructed.

In relation to question 7 you asked

7) a) list of their names and a summary of each statistical technique that HMCPSI uses for the purposes of quality assurance of the functioning of the CPS, b) copies of internal procedures, guidance etc. for each, and a recent representative statistical analysis, real not imaginary, of each such technique, preferable that relates to one or more of the preceding questions in each case. c) A copy of the overall strategy or system of statistical quality assurance

I can confirm that HMCPSI does not hold this information.

In relation to question 8 you asked

8) A summary of casework risk registers, or equivalent information, and a copy of an example (model or real) for each of the following types of case:

- a) Where the accused has a serious mental disability,*
- b) Where the accused claims to be or seemingly is the real victims (as in all cases in Ref. A)*
- c) Harassment cases,*
- d) stalking cases,*
- e) fraud cases*
- f) conspiracy to pervert justice cases,*
- g) theft cases,*
- h) Offences Against the Person Act 1861 cases*

I can confirm that for a) – h) HMCPSI does not hold this information

In relation to question 9 you asked

9) (a) *A copy of information held by HMCPsi about the risks of, policies and procedures for, and consequences of false allegations against innocent people. As you know these can have a very damaging impact on the person falsely accused. (b) Information that shows whether or not HMCPsi expects the CPS and its partners to deal robustly with these cases and how they should be dealt with by the CPS. (c) The latest and best statistic about the problem of false allegations & countermeasures.*

I can confirm that HMCPsi does not hold this information.

In relation to question 10 you asked for

10) *A summary of the risk to justice from misuse of language, such as but not only from improper use of 'victim' before when a court convicts or acquits, as described in Ref. A.*

I can confirm that HMCPsi does not hold this information.

In relation to your last question

Non-FOI Question

HMCPsi's website gives a clear statement of your purpose: "The purpose of inspection is to drive improvements and build public confidence in the prosecution process. Our inspections do this by providing independently assessed evidence which... Allows others to hold the CPS... to account [and] Informs debate about how they perform." Some of the most serious and unjustifiable failures of criminal justice in England in the past 50 years, including failures of the CPS to do its duty under law and under statutory and other guidelines, are the cases reported on by Sir Richer Henriques, (Ref A) and the Fujitsu/Post Office "Horizon" cases (Ref C). As you are surely aware, from those cases resulted several suicides and the complete ruination of many lives, and tens or perhaps hundreds of millions of pounds of avoidable costs to the public purse. It may be, pending receipt of your answers to my requests for information above, that HMCPsi has in fact considered the serious failings in those hundreds of cases and done something, but it feels nonetheless odd to find no reference I to them from using the search function of your website. I am much minded to support the idea of England having an inspectorate of the CPS, but if it be not covered in your answers to my FOI requests, above, please may I ask you respectfully to explain to me why the CPS is worthwhile having at all when it seems to have done nothing about the grave failures and incompetence described in Refs. A and C. I trust it be not so, but, pending your reply, I cannot help feeling that CPS prosecution decisions are rapidly descending to banana republic levels, so I would be very grateful indeed for an answer from you.

Before writing to you, I tried searching for this information, unfortunately without success; chiefly I tried by typing key words for each of my requests to the search field on HMCPsi's website, always without success, and in addition to those key words I also tried "Carl Beech", "Yewtee", "Yew tree", and "Hydrant". If more than a few pages, please may I have the information that I request in the form of PDF files, sent to me on a CD-ROM. By all means please telephone me if I can help to clarify

my request or in any other way. I am a victim of torture or inhuman or degrading treatment because the CPS has ignored Refs. A and B, and I make these requests as part of my pursuit of justice, and because of torture etc.; because of this, I believe no FOI cost limits should be applied to my request. I ask you to report my complaint of torture to the Attorney General, because so far no one in the State has heeded my complaint, which is also a denial of my human dignity. I ask for confirmation that she will be told.

I can confirm that HMCPSI does not hold any information which directly answers the questions you have posed in this section. As part of our duty to provide advice and assistance I can confirm that HMCPSI's assessments of CPS performance is set out in our reports which can be found on our website.

Also, in relation to your request to report your complaint to the Attorney General, I am afraid that HMCPSI has no remit to get involved in individual cases. The Attorney General's website will have contact details for her office.

If you are dissatisfied with any aspect of our response to your request, please send full details within two calendar months of the date of this letter and send to the below email address:

info@HMCPSI.gov.uk

You also have the right to ask the Information Commissioner to investigate any aspect of your complaint. Please note that the Information Commissioner's Office (ICO) is likely to expect the internal complaints procedures to have been exhausted before beginning an investigation.