**INSPECTION OF THE ACTIONS OF THE CROWN PROSECUTION SERVICE IN THE CASE OF R V CALOCANE**

**SCOPING PAPER**

**Background**

R v Calocane is the case against the defendant, Valdo Calocane, for offences committed in Nottingham City Centre in the early hours of the morning of 13 June 2023. Valdo Calocane was charged with three offences of murder and three offences of attempted murder. Following consideration of psychiatric evidence, the Crown Prosecution Service (CPS) accepted the defendant’s guilty pleas to three counts of manslaughter by reason of diminished responsibility on the three original counts of murder. The defendant also pleaded guilty to three counts of attempted murder.

The defendant was sentenced to a Hospital Order under section 37 of the Mental Health Act 1983 leading to him being detained at Ashworth High security Hospital. The Judge further ordered that he be subject to the special restrictions set out in section 41 of the Mental Health Act 1983.

At the sentence hearing, the court heard from the families and friends of those who were killed by Valdo Calocane, and his victims who survived.

Following the case, concerns were raised about a number of aspects about how these devastating offences came to pass and the actions of different organisations.

On 30 January the Attorney General commissioned HMCPSI to carry out a rapid inspection of the actions of the Crown Prosecution Service in this case under section 2(1)(b) of the Crown Prosecution Service Inspectorate Act 2000. Specifically, the Attorney General indicated that the inspection should address the concerns raised by the victims’ families about the decisions on charges and the approach taken by the CPS in engaging with the families.

**The Inspection Question**

Did the CPS make appropriate decisions on charge and acceptance of pleas in this case, and did they engage appropriately with the bereaved families?

**Aims**

The aims of the inspection are as follows:

* To determine whether the right charge was selected.
* to determine whether it was appropriate for the CPS to accept the three pleas to manslaughter by reason of diminished responsibility as alternatives to the original charge of murder.
* To determine whether the CPS considered all relevant information and evidence and followed the Code for Crown Prosecutors (including any relevant policies in place) in reaching the decision to accept the pleas.
* To determine whether the CPS adhered to the requirements set out in the Code of Practice for Victims of Crime and the Bereaved Family Scheme.
* To assess the timeliness and quality of engagement with the victims’ families.

**Methodology**

This inspection focuses on a single case.

Inspectors will meet with the bereaved families at the outset of the inspection to gather evidence of the concerns raised and to outline the approach to inspection.

The inspection will engage with the victims of those who survived.

Inspectors will examine the case materials, documents and information on the CPS’s case file to gather evidence on the two strands to this inspection: the decision making around charges and acceptance of pleas, and the engagement with the victims’ families.

Inspectors will interview relevant CPS lawyers and paralegals as well as instructed counsel about their roles in these two strands.

The inspection will focus on the two strands outlined above only.

We inspect the Crown Prosecution only, and those appointed to work on their behalf. This is not a joint inspection and therefore aspects relating to police, health, or any other organisation are out of scope.

**Resources**

The inspection team will comprise three inspectors together with former First Senior treasury counsel.

**Timescales**

The table below sets out what are envisaged to be the broad timescales for the key stages of the inspection:

|  |  |
| --- | --- |
| **Activity** | **Start Date** |
| Commissioning the inspection with the CPS and setting up | 30.1.24 |
| Evidence gathering including meeting with bereaved families, file examination and interviews with CPS and counsel | 5.2.24 |
| Report Writing and quality assurance | 11.3.24 |
| Publication  | 25.3.24 |

**Publication**

The report will be published on 25 March 2024.