

**CPS Response to HMCPsi Area Assurance Inspection of CPS North West**  
*27/02/2018*



Her Majesty's Crown Prosecution Service Inspectorate (HMCPsi) has today [27 February 2018] issued a report following its inspection on the performance of CPS North West. The Area was assessed as follows:

Success of CPS People – Good  
Continuously Improving – Good  
Casework Quality – Fair  
Public Confidence – Fair

The Inspectorate commends the Area's senior managers for their leadership, visibility and engagement with staff. This has led to improving levels of staff engagement. The Area's approach to the management of change and movement of work across teams and locations has contributed to a 'one Area' ethos.

The Area is described as having worked hard to gain influence with its criminal justice partners by demonstrating a willingness to address CJS wide and Area specific performance issues and for its commitment to partnership working.

Managers analyse performance and have plans for improvement, and progress is regularly monitored. The Area accepts that performance data needs to be shared and understood by all staff. The Area manages its resources well and is rated as excellent. However, the Area accepts more can be done to ensure a consistent approach to the management of sickness absence.

The Area has been pro-active in ensuring that there is an emphasis on continuous improvement. A number of business reviews had been instigated to focus on improving performance and increasing efficiency by identifying ways to streamline work processes.

The Area is commended for the effectiveness of its community engagement plan and its Local Scrutiny and Involvement Panels, whose external members are positive about its commitment to improving the service for victims and witnesses.

Managers need to ensure that lawyers inform the Victim Liaison Unit (VLU) immediately of all cases where a victim communication letter is required and provide an appropriately drafted paragraph explaining their decisions where necessary.

Although the Area is delivering better than average numbers of successful outcomes, particularly in domestic abuse cases, it accepts that more needs to be done to improve the quality and timeliness of reviews and case management including disclosure. The quality of police files is a cause for concern and the Area will continue to work with the police to deliver improvements.

## Inspectorate's Issues to Address and CPS Area response

1. The Area needs to further review its approach to sickness absence management to ensure consistency of approach by all managers in actively pursuing a health and wellbeing approach to sickness and use of Fit for Work Notices where appropriate.

**CPS Response:** The Chief Crown Prosecutor (CCP) and Area Business Manager (ABM) will work with staff to understand the reasons for the increased level of stress related absence and this analysis will inform the work of the recently appointed Wellbeing Champion and Mental Health Awareness and Mental Health First Aid training that is due to be delivered in March. All staff have been invited to attend this training.

The ABM will reiterate to line managers the processes in place for managing sickness absence. This will be supported by a training programme for all managers to be devised and delivered by the Human Resources Business Partner. A local tracker of actions taken to address sickness absence will be introduced to ensure there is a consistency of approach informed by successful outcomes.

2. The Area needs to ensure that staff receive regular and consistent headline data to raise awareness of the Area's performance in relation to national targets and consider increased use of the Area intranet page to give headline updates.

**CPS Response:** The Area Performance Manager will ensure key performance data is set out in posters that are prominently displayed at each site and included in each edition of 'NW Now' and 'NW Weekly', regular briefings sent by e-mail to all staff. Senior District Crown Prosecutors will ensure that performance is a standing item on the agenda at unit team meetings.

3. Legal managers must ensure lawyers comply with the Standard Operating Practice to ensure a timely and qualitative review takes place in every case.
4. The Area must ensure that reviews in magistrates' courts cases and in Crown Court cases are timely, set out a clear trial strategy and facilitate effective grip.

**CPS Response to 3 and 4:** Legal Managers will reinforce expectations around the quality and timeliness of reviews and ensure that cases are allocated and reviews completed in advance of the first hearing. The Deputy Chief Crown Prosecutors (DCCP) will review performance and address instances of non-compliance around timeliness and line managers will assess quality through IQA.

5. The Area needs to ensure in Crown Court cases that there is effective engagement with the defence prior to the first hearing in the magistrates' courts.

**CPS Response:** The DCCPs will reiterate to prosecutors the requirements for Defence Engagement, and how it should be recorded. Legal Managers will undertake a monthly dip sample of cases to ensure compliance. The DCCPs will hold a workshop with local defence representatives to identify barriers to effective engagement and identify solutions. The Chief Crown Prosecutor will use regular meetings with Resident Judges to encourage judicial support for defence engagement, through challenge to the parties at pre-trial hearings as to the level of engagement that has taken place.

6. The Area must ensure that appropriate feedback is given to the police where unused material schedules are defective, and that disclosure record sheets (DRS) provide a full record of disclosure decisions and actions.

**CPS Response:** The CCP is overseeing a review of the Area's approach to disclosure, which will result in a joint CPS/police action plan appointing disclosure leads for magistrates' court, Crown Court and RASSO teams, with corresponding leads within the three police force areas. These leads will undertake joint dip sampling of schedules and hold regular meetings focussed on content and quality issues, the outcomes of which will be monitored by the Casework Quality Group and shared with the police at chief officer level. Legal Managers will reiterate to prosecutors in one to one meetings expectations around disclosure handling (including recording decisions on the DRS) and monitor compliance through IQA checks.

7. Managers should ensure that all communications with witness under the Speaking to Witnesses at Court (STWAC) initiative are properly recorded on the appropriate form.

**CPS Response:** The Senior District Business Manager will oversee the introduction of monthly checks by Paralegal Business Managers on files where witnesses are required to attend court to ensure that records of witness communications are kept and that there is sufficient detail recorded so as to assure compliance with STWAC.

8. The Area needs to put in place an effective mechanism to ensure that witness communications placed on the case management system are referred to prosecutors promptly and appropriate action is taken.

**CPS Response:** The ABM will undertake a gap analysis of the casework standard operating practice for Magistrates' and Crown Court Units to identify areas for improvement in respect of witness care communications and task management and monitor WCU task lists to ensure timely action and appropriate handling.

9. Managers need to ensure that lawyers inform the Victim Liaison Unit (VLU) immediately of all cases where a Victim Communication Letter is required and provide an appropriately drafted paragraph where necessary.

**CPS Response:** The Area will remind prosecutors of the requirement to provide to the VLU a paragraph explaining their decision to withdraw or substantially alter charges for inclusion in victim letters. Managers will continue to undertake assurance checks on the timeliness and quality of letters, the findings of which will be analysed by the Casework Quality Group and shared with appropriate individuals.

10. The Area should ensure that lawyers fully address the views and interests of victims and give clear instructions to advocates in the charging advice regarding applications to be made.

**CPS Response:** The Area will re-issue guidance to all prosecutors in respect of addressing victim and witness needs within casework reviews and instructions to advocates. This will be further reinforced during the delivery of the national mandated VLU training and monitored through the IQA.

11. The Area should liaise with its police partners to ensure that appropriate guidance is given to police officers to ensure personal details of victims and witnesses are only endorsed on the correct part of the witness statement form.

**CPS Response:** The Area will remind police forces of their responsibility to redact sensitive personal information from material before it is supplied to the CPS. It will monitor compliance and provide details of any breaches to the relevant police force. The ABM will remind police forces of their duty to report breaches to the Information Commissioner's Office in appropriate cases. The CCP will also raise instances of non-compliance with Chief Constables at their regular meetings to ensure action is taken.

12. The Area needs to develop a mechanism to ensure that feedback from community groups is widely communicated to enable lessons to be learned and that there is improvement in service delivery for the benefit of all victims of crime.

**CPS Response:** The Area will produce a report following each Local Scrutiny and Involvement Panel (LSIP) detailing the feedback received from members, lessons learned and the changes that will be introduced as a result. This information will be shared with staff and LSIP members in a format they can share with the community they represent. The impact of the changes will be monitored and discussed at subsequent LSIP meetings to ensure the expected improvements in the service to victims are delivered.