

CPS Response to the thematic inspection report in relation to the Handling of Defence Correspondence

13/08/2019

HMCPSP have today [13 August 2019] published a report into the work of the CPS, in relation to the Handling of Defence Correspondence.



The CPS welcomes this report and is pleased that the inspectorate recognises the good work it is undertaking to improve defence correspondence handling. We recognise the importance early engagement plays and will continue to work with defence representatives to improve this.

Through their evidence gathering and data analysis Inspectors have found that CPS performance is better than generally perceived. They also noted that guidance issued concerning correspondence management is clear. It was also established that the recently circulated Correspondence Toolkit was having a positive impact and recognition was given to the continued improvements the CPS is making to its Case Management System to assist with digital correspondence handling.

The report acknowledges that defence engagement both nationally and locally is challenging and we accept this is an issue that will require continued focus.

We are keen to further improve how we handle correspondence of all types and will continue to work with our partners across the criminal justice system to maximise engagement opportunities and improve our processes.

Inspectorate's recommendations for CPS

1. Area Business Managers in all CPS Areas should ensure that staff are clear on the timescales for dealing with and responding to correspondence and whether this includes the dealing with and responding with the request.

CPS Response: All Area Business Managers (ABMs) will recirculate correspondence handling instructions in August 2019 with instructions to ensure that these expectations are understood by all staff.

2. CPS Headquarters to develop a set of general principles and produce some general guidance setting out the types of defence correspondence that paralegal staff can deal with.

CPS Response: Headquarters will work with CPS Areas and Casework Divisions to build upon the existing Correspondence Toolkit, developing principles and guidance for paralegal staff on what types of correspondence and action they should be dealing with by October 2019.

3. Whilst recognising that the CPS cannot require the defence to work with them in developing a national strategy dealing with the issue of defence engagement we nevertheless recommend that such a strategy would be of benefit to both and that the CPS (Headquarters) should

consider how best it can work with the defence to produce one. Once developed the CPS should provide any resultant best practice and guidance to Areas.

CPS Response: In the autumn the National Defence Engagement Forum will consider this issue and explore what options might be pursued. In the meantime, CPS Areas will be asked to use local defence engagement fora to generate ideas to help inform this debate.

Inspectorate's issues to address for the CPS

1. CPS Headquarters should ensure that all Areas are aware of the issue and are monitoring junk folders, whilst exploring solutions at a national level.

CPS Response: CPS Headquarters will remind Areas to regularly monitor what is being redirected to junk folders whilst technical solutions are considered. After the technical consideration has concluded, further national guidance will be published by the end of November 2019.

2. CPS Areas should work with the defence and HMCTS to ensure the effective use of DCS.

CPS Response: The Digital Case System (DCS) is an HMCTS system. However, CPS Areas will continue to work with criminal justice partner agencies to ensure that the DCS is used effectively, specifically so that duplication is avoided.

3. The CPS should reinforce guidance to remind lawyers of the link between manual reminder tasks and dealing with correspondence, to ensure that only necessary tasks remain on the case management system.

CPS Response: Prosecutors will be reminded of the current guidance concerning the creation and monitoring of tasks by September 2019.

4. CPS Headquarters to review the use of the direct engagement log and communicate clear guidance to CPS Areas to ensure all legal staff understand the expectation of how frequently the log should be completed.

CPS Response: CPS Headquarters will reissue current guidance in August 2019 and will require ABMs to provide assurance that it has been seen, understood and actioned by the end of September 2019.