



CPS Response to HMCPSI Area Assurance Inspection of CPS Cymru-Wales

23 May 2019

Her Majesty's Crown Prosecution Service Inspectorate (HMCPSI) has today 23 May 2019 issued a report following an inspection of the performance of CPS Cymru-Wales. This report follows on from an earlier inspection and seeks to re-assess, on a limited basis, the Area's casework decision making and the service provided to victims and witnesses. The Area was assessed as follows:

Casework Quality – 'Good'

Public Confidence:

- Communication with victims – 'Good'
- Reflecting and protecting the views and interests of victims, witnesses and the public – 'Good'

The quality of the Area's legal decision making in Crown Court cases and ongoing case management in both the Magistrates' Court and Crown Court were acknowledged as good by the Inspectorate. It is of particular note that overall the disclosure of unused material in the Crown Court is described as being "handled well".

The Inspectorate recognised that the Area provides a good service to victims and witnesses and are alert to their needs. It acknowledges that the Area identifies when letters need to be sent to victims, keeps victims and witnesses properly informed at court and makes appropriate applications to ensure they give the best possible evidence.

Despite the Inspectorate's positive assessment, the Area accepts the need to improve the timeliness of their review and charging decisions in addition to some aspects of their casework preparation.

Inspectorate's Issues to Address and CPS Area response

The Inspectorate identified the following five issues:

1. The Area needs to ensure that the timeliness of both allocation and completion of file preparation improves, to ensure that cases are prepared properly and decisions recorded appropriately.

CPS Response: The Area will reinvigorate arrangements to improve the timeliness of file allocation and reissue guidance on standards of case preparation in the Magistrates' Court. The Deputy Chief Crown Prosecutor (DCCP) will monitor performance on a monthly basis to ensure improvement.

2. The Area must ensure that, once a case is accepted at the triage stage, charging advice to the police is provided in accordance within the appropriate target timescale.

CPS Response: The Area has introduced daily monitoring of cases submitted for a pre charge decision by operational business managers, weekly monitoring by the DCCPs and Area Business Manager and an escalation procedure to deal with cases that are not progressed within the target timescale.

3. In every case where the defendant is charged under the threshold test, the prosecutor must indicate clearly at what subsequent stage the Full Code Test is applied.

CPS Response: The Area introduced in May 2019 a weekly reporting system to ensure that all cases charged under the threshold test are followed by a timely Full Code Test review and where necessary considered by a Local Case Management Panel.

4. When considering sensitive unused material schedules, prosecutors must ensure that: the items listed thereon meet the criteria for inclusion; where they do not, they request that the police submit correctly amended non-sensitive and sensitive unused material schedules; and the police are challenged when the evidence suggests there should be items on the sensitive unused material schedule.

CPS Response: The Area reissued instructions to prosecutors in May 2019. Progress will be monitored by managers who will complete monthly quality assurance checks utilising the existing Individual Quality Assessment process and in addition in July 2019 there will be a themed quality assurance exercise focussed on the disclosure of unused material. This will be overseen by the DCCPs and repeated on a quarterly basis. Any issues identified will be escalated to the police.

5. The Area should ensure that: applications to adduce the bad character of the defendant are made in accordance with the requisite timescales; and there is a full audit trail of the decision making process.

CPS Response: The Area will issue guidance and reinforce expectations upon the timeliness and appropriate recording of decision making in relation to bad character applications. Progress will be monitored by managers who will complete monthly quality assurance checks utilising the existing Individual Quality Assessment process. A report will be prepared for the DCCPs identifying performance improvement.