



CPS Response to HMCPsi Area Assurance Inspection of CPS South West

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 South West. 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 – 'Fair'

Public Confidence:

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

The management of rape and serious sexual offences cases has been commended in the report. Inspectors also acknowledge the Area's strong performance in both the magistrates' court and Crown Court, where outcomes are better than the national average.

The Inspectorate recognises that the Area's approach to supporting and protecting victims is good and applications for special measures and other protective orders for victims and witnesses to ensure they gave the best possible evidence were made appropriately.

The Area accepts the need to work more closely with its police forces to improve the service it receives from them, particularly in relation to the quality of police files. To that end it will work with the police to review existing joint action plans and to reinvigorate joint reviews. It also recognises that it needs to improve the quality and timeliness of some of its decision making together with aspects of its casework preparation to avoid delays and unnecessary work. In addition the Area is committed to improving its communication with victims and witnesses in the future.

Inspectorate's Issues to Address and CPS Area response

The Inspectorate identified the following eleven issues:

1. The Area needs to improve the quality of charging decisions made by Area prosecutors.

CPS Response: In January 2019 training was delivered to magistrates' court charging lawyers and further training will be delivered by the Chief Crown Prosecutor (CCP) and Deputy Chief Crown Prosecutor (DCCP) in June 2019. Legal Managers will continue to assess the quality of decisions and provide feedback to individual prosecutors.

2. The Area needs to ensure that it identifies and gives feedback to the police on non-compliance with file quality requirements in magistrates' court cases.

CPS Response: File quality is a police responsibility although the Area accepts it has a significant role in providing feedback to them. Guidance to prosecutors on the national file quality system has been reissued to ensure compliance. Managers will continue to dip sample the assessments and work with individual prosecutors to improve compliance. In addition the Area will work with all police forces to review existing joint improvement plans.

3. The Area needs to improve its recording of disclosure activity, ensuring that a full and complete record of all disclosure decisions and actions is maintained on the case management system on all relevant cases.

CPS Response: The Area will reissue instructions to prosecutors. Progress will be monitored by managers who will continue to complete monthly quality assurance checks utilising the existing Individual Quality Assessment process. In addition managers will undertake quarterly themed quality assurance reviews focussed on the disclosure of unused material commencing in June 2019. Performance will be reported to the Area Casework Quality Committee to ensure improvement takes place and ongoing issues identified and addressed.

4. The Area needs to work with agents to ensure that timely and complete hearing record sheets are submitted in all cases.

CPS Response: Managers will engage with existing agents who fail to provide a timely and complete hearing record sheet each day and will address issues directly with those agents. In addition this requirement will be emphasised to any new agents instructed by the Area.

5. The Area needs to work with police forces to ensure police correctly identify the likely plea.

CPS Response: The correct identification of a likely plea is a police responsibility, however the Area has worked with the police to improve the guidance provided by forces to police officers. The accuracy of the indicated plea will be monitored and feedback will be provided using the national file quality system.

6. The Area needs to ensure that, once a case is accepted at the triage stage, charging advice to the police is provided in a timely way. In any cases where an action plan is set for the police, it should be effectively monitored.

CPS Response: The Area has introduced daily monitoring of cases submitted for a pre charge decision by operational business managers, weekly monitoring by the senior management team and an escalation procedure to deal with cases that are not progressed within the target timescale. The CCP will chair a monthly performance meeting to consider outstanding cases and ensure progression in accordance with the national standard.

7. The Area needs to ensure that prosecutors record consideration of applications and ancillary matters on the Manual of Guidance Form 3.

CPS Response: Please see response to Issue 1. This issue will be addressed as part of the training to be provided to all prosecutors and compliance will be assessed through individual quality assessments.

8. The Area needs to ensure that it identifies and provides feedback on non-compliance with file quality requirements to the police in Crown Court cases.

CPS Response: Please see response to Issue 2.

9. The Area needs to review its systems for the identification and timeliness of victim letters in order to improve performance.

CPS Response: The DCCP and Area Business Manager are leading a review focusing on how to improve performance that will be completed in June 2019.

10. The Area needs to ensure that all managers are familiar with procedures for referral of cases under the Victims' Right to Review scheme and local resolution of complaints.

CPS Response: The Area has reissued guidance to all managers. In January 2019, the Area arranged for the Independent Assessor of Complaints to provide feedback to managers on the content of complaint letters and the correct handling of complaints procedure. The quality of our responses will be monitored during the first 6 months of 2019-20 to assess the impact on performance.

11. The Area needs to improve its performance with regard to identification of the need to apply for special measures at the earliest stage in relevant cases.

CPS Response: Training will be delivered to all prosecutors in June 2019. This will reinforce the need for all prosecutors to identify special measures applications at the first review and for advocates to make such applications orally in the first hearing at court whenever appropriate. Progress will be monitored by managers who will complete monthly quality assurance checks utilising the existing Individual Quality Assessment process.