

CPS Response to HMCPSI Area Assurance
Inspection of CPS East Midlands



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29/11/2016

Her Majesty's Crown Prosecution Service Inspectorate (HMCPST) has today issued a report [29 November 2016] following its inspection of the performance of CPS East Midlands. The Area was assessed in relation to the Success of CPS People, and was rated as 'Good'. In relation to Casework Quality, Public Confidence, and Continuously Improving the Area was rated as 'Fair'.

We are pleased to note the Inspectorate's findings that there is strong leadership within CPS East Midlands with a very high level of staff engagement. Crown Court performance and conviction rates for rape cases were significantly better than the national average.

We welcome the Inspectorate's acknowledgement that there are strong relationships with stakeholders and that the Area is well represented at a number of joint agency meetings focusing on improving CJS-wide efficiency and performance. We will continue to work with the police to deliver quality police files and our partner agencies to further embed Transforming Summary Justice in the Magistrates' Courts and Better Case Management in the Crown Court.

We note the Inspectorate's comments in relation to financial planning. We recognise the need to provide value for money and will address these issues to further improve our performance in respect of resource management.

Six of the ten issues identified by the Inspectorate (detailed below) relate to the quality of casework and include the standard and timeliness of how we communicate with victims. Our response to these issues below demonstrates our commitment to improving performance and the service which we provide to victims and witnesses.

Inspectorate's Issues to Address

The CPS provides its responses below to each of the issues:

1. The Area should evaluate the effectiveness of and the benefits gained from its internal staff communication and engagement processes.
CPS Response: We will hold a series of staff focus groups to establish the effectiveness of the current internal communication and engagement strategy. We will consider all of the views expressed by our people and use their feedback to inform a revised strategy.
2. The importance of constructive defence engagement should be emphasised with clear instruction given that reviews must include engagement with the defence where the defence representatives are identified.
CPS Response: We will provide additional guidance to all our prosecutors on the duty of direct engagement with the defence and undertake regular quality assurance checks. The Area's senior management team will monitor compliance to ensure that any systemic issues are identified.
3. Area legal managers should ensure that in all cases charged under the threshold test there is a full Code test review recorded on the file.
CPS Response: We will conduct a review of threshold test cases to ensure that prosecutors fully record their Code test decisions. Compliance will be monitored by the Area's senior management team.

4. Managers must ensure that hearing record sheets are entered promptly and accurately onto the case management system to enable hearing outcomes to be updated on time.
CPS Response: We will implement a daily monitoring system for the completion and return of hearing record sheets; providing further training where necessary and additional resource to ensure that these tasks are completed. Compliance will be regularly reviewed by the Area's senior management team.
5. Training should be delivered to ensure that all prosecutors are properly equipped to deal with disclosure.
CPS Response: We will undertake a skills gap analysis for all prosecutors in relation to the disclosure of unused material and the application of national guidance. We will develop a comprehensive disclosure training strategy to address the skills gaps identified for delivery in early 2017.
6. A review should be undertaken to assess the effectiveness of the current arrangements for the provision of non-electronic material for review before court and at court for the use of all parties.
CPS Response: We will complete a review to establish the effectiveness of recent changes made to the system for handling non-electronic material and ascertain whether further improvements can be made.
7. The process for bundling cases in the magistrates' courts needs to be reviewed and in particular the stage at which the work is done to ensure that the documents bundled reflect the work of the reviewing lawyer.
CPS Response: We will complete daily checks of bundling stages in accordance with standard operating practices to identify non-compliance, and re-issue guidance where knowledge gaps are identified.
8. Training is required on the Victim Communication and Liaison (VCL) process for all relevant staff.
CPS Response: We are committed to addressing the issues identified to further improve the quality of our communications and service to victims. We will conduct a comprehensive review of all victim communication and liaison, including the resourcing and management of the Victim Liaison Unit. A detailed plan will be developed to address the findings of the review, and delivery against the plan will be monitored by the Area's senior management team.
9. An effective mechanism should be put in place to ensure that VCL communications are timely, of a high standard and sent in all appropriate cases.
CPS Response: As part of the Area's review of victim communications we will assess timeliness and quality. In addition we will request the Area Community Involvement Panel to assess the quality of letters and provide feedback.
10. The community engagement strategy should include details of how the benefits of community engagement can be measured with respect to casework quality.
CPS Response: The Area has recently implemented a new process for disseminating learning from community engagement activity to all staff to improve the quality of casework. The effectiveness of this new process, and compliance with it, will be monitored by the Area's senior management team.