



Her Majesty's Crown Prosecution Service Inspectorate: Follow-up of the review of the performance of CPS London

CPS London has addressed serious concerns but more progress still required

Her Majesty's Crown Prosecution Service Inspectorate (HMCPPI) has today published its report of the follow-up inspection of the Crown Prosecution Service (CPS) London Area. HMCPPI visited six CPS London units and examined a total of 105 files, including 15 allegations of rape. The report follows on from an Inspection Review, published in March 2010 which identified serious concerns and outlined 14 recommendations.

The inspection team were pleased to find that CPS London had achieved eight of the 14 recommendations, made substantial progress in three and limited progress in one. The remaining two recommendations were no longer applicable.

Since the March 2010 Review the inspection team found the structure of the Area has changed considerably: units have been co-joined to increase viability and economies of scale coupled with a reduction in some management posts; the size of the London Operations Centre has been substantially reduced with staff returned to the 'front line'. The team also welcomed the Area's proposed plan to extend the role of its Rape and Serious Sexual Offences Unit from solely giving advice on charging to providing start to finish management of cases involving rape and sexual assault.

More progress is still required to ensure casework is prepared and managed to a universally high standard. Improving outcomes for users also remains a challenge although some units were showing sustained increases in performance. The CPS London senior management team has worked hard to instil a performance management culture, but the team found that the biggest challenge facing the Area remained the ability of managers to drive up performance at the individual level.

HM Chief Inspector, Michael Fuller QPM, said:

"Over the last 18 months the new CPS London senior management team has made substantial progress in implementing the recommendations of the previous report, which identified serious failings in the operation of the Area. The Area's proposals for restructuring give it an excellent opportunity to address casework quality issues and it will be essential that the senior management team keep up the momentum of these improvements to ensure the Area can deliver the outcomes the public expects."

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Notes to editors

1 A summary of the report's key findings:

- A performance management culture is being embedded and standards and competences set, although there is still a wide range of performance across the units.
- Well performing units had established effective systems and processes, were flexible in their use of resources to deal with peaks and troughs, monitored 'output' closely, were taking remedial action where necessary and had managers who displayed the necessary competences, including actively managing work flows.
- The standard of charging advice needs to improve, as does the level of compliance with the prosecution's duties of disclosure regime and the drafting of applications, for example to use bad character evidence requires more care and attention.
- An annex outlining progress against recommendations follows below.

2 HMCPSI is an independent statutory body established by the Crown Prosecution Service Inspectorate Act 2000, which came into force on 1 October 2000. The Chief Inspector is appointed by, and reports to, the Attorney General.

3 HMCPSI went to six CPS units and the Operations Centre between 7 November and 2 December, the units visited were: Ealing; Enfield and Haringey; Hackney; Hammersmith/Fulham and Kensington/Chelsea; Lewisham and Bromley; and Westminster.

4 The March 2010 Review can be found on the HMCPSI website www.hmcpsi.gov.uk.

5 An advanced, embargoed copy of the CPS London follow-up inspection report is available on request and will be published on the HMCPSI website.

Annex A: Progress against recommendations

Recommendation	Progress
<p>1 The senior management team should ensure that cases are prepared and managed to a universally high standard with strong and well founded cases presented to the court, with particular reference to:</p> <ul style="list-style-type: none"> • the early identification of key issues in the case; • proactive management of case building; • timely applications for special measures, the adducing of hearsay and bad character evidence; • full compliance with the duty of disclosure; and • proper continuity of case handling including the instructions to the trial advocate. 	Limited progress
<p>2 The senior management team should review its overall approach to allocating and managing its people resources, to ensure optimal use is made of these. This needs to include:</p> <ul style="list-style-type: none"> • reviewing CPS London’s advocacy strategy in the light of resourcing tensions, the performance issues that need to be addressed and potential future budget cuts, to ensure a more pragmatic approach; • reviewing the resource deployment and productivity of the central operations departments with a view to redeploying any excess capacity to the front line; • continued work with HM Courts Service¹ on listing to ensure the most cost-effective deployment of crown prosecutors and associate prosecutors; • reviewing the additional resource requirements of the change projects in place and take action to address these; and • refining the borough resources model as the organisation redefines its priorities and reviews its Delivery Action Plan in the light of this. 	Achieved
<p>3 The senior management team will need to ensure that review dates are incorporated into all flexible working agreements which continue after the forthcoming review and any new requests are considered carefully against business needs.</p>	Achieved
<p>4 The senior management team should:</p> <ul style="list-style-type: none"> • review the Area’s advocacy strategy to assess if the Area is achieving value for money in having a dedicated Central Advocacy Unit at a time of increasing budget constraints. (This is also in the context of its aim to achieve 100% in-house magistrates’ courts cover, and the recent moves to try and divert resources back to the front line as part of the resources model); • review how advocacy work should be divided between the Central Advocacy Unit and local advocacy units, and the referral process of cases to the Central Advocacy Unit; and • in conjunction with CPS Headquarters consider the use of separate cost codes for local advocacy units to allow for greater accuracy and transparency of actual salary costs against savings achieved. 	Achieved
<p>5 The senior management team should, as a matter of urgency, allocate resources to clear the backlog in the payment of counsel’s fees. The payment process should then be reviewed with the aim of implementing a more effective control structure to ensure that backlogs do not occur.</p>	Substantial progress
<p>6 The senior management team will need to ensure that prior to any revised financial delegation, District staff have sufficient training in their new roles and responsibilities, have sufficient support staff to handle the increased volume of work, and are adequately supported by the centre.</p>	Substantial progress
<p>7 The senior management team should evaluate the new management structures to assess whether the weaknesses identified in the 2008 senior management review have been overcome and where not, take any further steps and revisions that are necessary to refine the new governance arrangements.</p>	Achieved
<p>8 The senior management team should refine and communicate to the front line its revised approach to the borough community prosecutor co-ordinator role and its rationale for this to ensure clarity and avoid misunderstanding.</p>	No longer applicable

¹ Now HM Courts and Tribunals Service.

Recommendation	Progress
<p>9 In developing the roles and responsibilities of the new and reduced change team, the senior management team needs to ensure that there is:</p> <ul style="list-style-type: none"> • a clear focus on overall programme management with strong links between CPS managed and Local Criminal Justice Board managed projects; • a shift of focus to the evaluation and benefits realisation project phase and the revision and refinement of projects in the light of these; and • awareness of timescales so that ongoing projects are not adversely affected by too swift a withdrawal of support through a reduction in the change team. 	Achieved
<p>10 District business plans should be implemented across all Districts, aligned to the overall Area Delivery Action Plan as well as incorporating local priorities. A highlight report should be devised for the Board to provide a more effective update for Board meetings.</p>	No longer applicable
<p>11 The senior management team should introduce risk registers at District level, linked to District business plans, which would increase awareness of risk within the organisation and encourage engagement of local managers in risk management. Also, there should be a more effective linkage adopted between the Area Delivery Action Plan actions and the countermeasures to mitigate risks listed within the risk register.</p>	Achieved
<p>12 The senior management team should review its arrangements for advocacy monitoring to ensure that all advocates, including external advocates, are covered.</p>	Achieved
<p>13 The senior management team should review performance management arrangements at borough level with the aim of developing a clear focus on analysis and improvement activity and as part of this reconsider the allocation of user licences for performance management tools. The new approach should be underpinned by appropriate performance management training and ensuring that boroughs are adequately resourced.</p>	Substantial progress
<p>14 The senior management team will need to assess the future requirements of the performance reporting arrangements at the various levels in light of the changing governance arrangements and imminent reduction in the size of the Central Performance Team.</p>	Achieved