

***HM CROWN PROSECUTION SERVICE
INSPECTORATE***

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CPS LINCOLNSHIRE

Her Majesty's Crown Prosecution Service Inspectorate has today published the report of its inspection of CPS Lincolnshire. The inspectors found that there had been progress in a number of respects since a critical report in early 1998. But some aspects of its casework and management require further development.

Whilst the quality of casework decision-making was generally sound, there were examples of poor or premature decision-making (ie. further inquiries should have been made before a decision was taken). Although these represented only a small minority of the Area's caseload, their occurrence is too significant to be overlooked and suggests that, on occasions, prosecutors need to carry out a more detailed analysis of the evidence and keep cases under continual review. Against this, the report commends the effort from management and staff to develop a culture within the Area where continuous improvement of performance is seen as important.

CPS Lincolnshire has a core of experience prosecutors and the overall standard of advocacy is sound.

Inspectors also praised the efforts of senior managers in raising the profile of the Crown Prosecution Service and in making significant progress in building up relationships with other criminal justice agencies.

Stephen Wooler, HM Chief Inspector of the Crown Prosecution Service, said:

“It is clear that the management and staff of CPS Lincolnshire have devoted considerable effort to taking forward locally the reforms which have been introduced into the criminal justice system generally and into the CPS nationally. The progress made since our last report in 1998 shows how effective that effort has been. It is to the credit of all that the overall casework performance has remained sound against a background of such intense change. Although the inspectors found some weaknesses, I am confident that CPS Lincolnshire should be able to build on our recommendations to overcome them. An important step in achieving that will be the establishment of more structured arrangements at local level for monitoring the consistency and quality of performance.”

The report describes how CPS Lincolnshire in common with other CPS Areas has in the last three years experienced a significant amount of change as a result of implementing the recommendations in two recent reports. The Narey Report has required the CPS to work in partnership with the police and the courts in implementing a series of initiatives designed to progress cases more swiftly through the system. The Glidewell Report has resulted in a major internal restructuring of the CPS into 42 Areas, each enjoying substantial autonomy; the report also recommended more radical restructuring with work being handled on a functional rather than geographical basis.

CPS Lincolnshire has therefore established a Trial Unit (TU) which handles Crown Court cases and a Criminal Justice Unit (CJU) which deals with cases in the magistrates' court. The CJU was split into three offices at Lincoln, Grantham and Skegness. The establishment of the Skegness office, where CPS staff are co-located with police staff, proved to be particularly challenging for both services. In spite of the amount of planning that took place before this joint office was opened, inspectors felt that the CPS had underestimated what was involved. The creation of a single file system was posing particular operational difficulties and the lack of an on-site CPS manager for that location was not helping the CPS side of operations. These problems had been acknowledged and the Area was addressing them. However, the inspectors

recommended that the Area should review the current working and accommodation arrangements at Skegness with a view to agreeing a way forward with the police.

Other findings in the report included:

- The overall standard of advocacy in both the magistrates' court and the Crown Court was satisfactory and all advocates seen by the inspectors were competent. The Area has two Designated Caseworkers (DCWs) (non-lawyers who have had special training and present straightforward cases in the magistrates' courts) who have the confidence of court users. There are also two Higher Court Advocates (HCAs) (CPS lawyers who are permitted to exercise rights of audience in the Crown Court), although only one currently exercises those rights. It is hoped that when resources permit, the use of HCAs in the Crown Court will be increased.
- The Area is headed by committed and energetic managers who have made considerable progress particularly in respect of liaison with key external agencies. However, it was felt that internal communication within the Area could be improved. Inspectors recommend the development of a communications strategy and identified the need to improve long term planning. The communication strategy should take a formal system of feeding back casework issues to staff.
- There was a general lack of case readiness by the prosecution at the Pre-trial review hearing (PTR) which, it was felt, contributed to a significant number of summary trials not taking place. Work needs to be done by the Area (in conjunction with the courts) to examine why there are so many ineffective PTRs and trials.
- The high level of cracked and ineffective trials was also an issue in the Crown Court and inspectors recommended that the Area conduct an analysis of such cases to see if lessons can be learnt to reduce the number in each category.
- Inspectors also had some reservations over the vigour with which cases were prepared for committal to the Crown Court. In addition, it was felt that

instructions to Counsel could be improved. The caseload suggested that the Trial Unit would benefit from a larger complement of lawyers.

- CPS Lincolnshire is one of the few CPS Areas which has achieved the complete accuracy in operating the custody time limit regime which is of vital importance.

Specific recommendations of the Inspectorate included:

- The Area should address file management and in particular, correspondence handling as a matter of priority. This should include systems for handling documents, action dating and monitoring by managers with training being given to relevant staff. The handling of correspondence was a matter of concern to many local practitioners.
- The Area should work with other agencies to draw up an action plan to implement a county-wide agreed strategy to reduce delays in cases involving persistent young offenders.
- The introduction of monitoring of the quality of instructions to Counsel, ensuring that they include adequate analysis of the issues and instructions on the acceptability of pleas.
- The Area should seek to improve the effectiveness and profile of joint performance management to improve the quality and timeliness of files within the Area and across relevant agencies.

The Inspectorate also commended the following as areas of good practice

- providing the police in advice cases with information regarding the identity of the reviewing lawyer, and clearly showing the target reply date on the file.
- the arrangements for the monitoring of custody time limits.

- the efforts by both management and staff in developing a culture where continuous improvement is seen as important.
- the policy of linking bids for additional resources to increased efficiency.

Responding to the report, the Chief Crown Prosecutor for Lincolnshire, Alison Kerr, said.

“We were very encouraged that the Inspectorate had seen an improvement in the structure and performance of the Area since their last inspection. Their praise for the progress made in raising the profile of CPS Lincolnshire and improving relationships with other criminal justice agencies is particularly encouraging. They have, however, highlighted a number of areas where we need to make further improvement, particularly the quality of initial and continuing review of cases, the way in which we deal with victims and witnesses and communication. Work has already begun to address the recommendations and suggestions of the Inspectorate. The Report provides us with a helpful framework upon which we can build for the future. We would like to endorse the comments of Stephen Wooler HM Chief Inspector of the Crown Prosecution Service.”

Notes to Editors

1. This is the latest report of Her Majesty’s Crown Prosecution Service Inspectorate in the cycle of Inspections based on the 42 Area structure adopted by the CPS on 1 April 1999. The CPS is a national service, but operates on a decentralised basis with each Area led by a Chief Crown Prosecutor who enjoys substantial autonomy.
2. CPS Lincolnshire has offices at Lincoln, Grantham and Skegness. On the 18 February 2001 it employed the equivalent of 41.9 full time staff: the Chief Crown Prosecutor; 15.6 other prosecutors; the Area Business Manager; two Designated Caseworkers; 4.7 caseworkers and 17.6 administrative staff.
3. In the year ending 31 December 2000, the Area dealt with 14,958 defendants in the magistrates’ courts and 950 defendants in the Crown Court. It provided advice to the police before charge in another 327 cases.

4. Within that period the Area also dealt with an unusually large number of serious and complex cases.
5. The Inspectorate visited the Area during February and March 2001. The inspectors examined 260 cases covering a range of casework finalised between September and November 2000. Inspectors interviewed staff at all levels and spoke to representatives of other criminal justice agencies in the Area. Inspectors also observed the performance of advocates in the magistrates' courts and the Crown Court.
6. Her Majesty's Crown Prosecution Service Inspectorate was established by The Crown Prosecution Service Inspectorate Act 2000, which came into effect on 1 October 2000, as a statutory body. The Inspectorate had previously been a unit within the CPS headquarters. The Chief Inspector is appointed by and reports to the Attorney General.
7. For further information please contact either Jo Crossley at HMCPS Inspectorate (tel: 020 7210 1179), the HMCPSI Central Administrative Unit (tel: 020 7210 1197), or Rachel Kirk at CPS Lincolnshire (tel: 01522 585903).