

PRESS RELEASE

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A FOLLOW-UP REVIEW OF CPS CASEWORK WITH A MINORITY ETHNIC DIMENSION

Improved response by prosecutors to racially aggravated crime

The Crown Prosecution Service has made real progress in its handling of cases arising from racist incidents. That is the overall finding of a report published today by HM Crown Prosecution Service Inspectorate. The report is a follow-up to the Thematic Review of Casework Having a Minority Ethnic Dimension which was published in May 2002.

In the 2002 review, Inspectors were able to provide only qualified assurances about the quality of the handling of cases arising from racist incidents and also in relation to those involving minority ethnic defendants. Prosecutors were found to be taking important decisions without considering relevant information or having sufficient awareness of the wider context.

In today's report, Inspectors point to encouraging improvements. An impressive training initiative has been implemented within the CPS to address issues raised by the original review. They found that prosecutors and caseworkers are now better equipped to handle cases arising from racist incidents with understanding, awareness and sensitivity. The Service has provided clearer and more detailed policy guidance so that racist crime is handled within a framework of clear criteria and expectations.

As a consequence of these moves, the overall quality of case handling is improving. There is now greater consideration of important background information. The reasons for decisions are, generally, better evidenced on CPS files so that they can be explained properly to victims. Fewer cases are now being discontinued inappropriately.

These improvements are reinforced by use of the new case management system which should ensure that cases are properly monitored, while overall commitment amongst CPS staff towards the scheme appears to be increasing.

The report also found that the CPS has made substantial progress in establishing and developing links with local minority ethnic communities. This is mutually beneficial and the CPS is increasingly perceived as a more transparent and accountable organisation.

Inspectors tempered this praise with some concerns. Despite the reduction in cases inappropriately discontinued, there are still a significant number of racially aggravated cases which do proceed, but with the charges inappropriately reduced. Inspectors also criticised undue reliance at court on agents to handle cases which would be better done by trained and experienced prosecutors. The report points out that the quality of the experience of victims attending court can suffer, creating a negative impression of the CPS that can spread quickly within minority ethnic communities, damaging confidence.

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

“The positive response by the CPS to our report and the real improvement to many aspects of the handling of racially aggravated cases are both pleasing. Confidence in the CPS has increased as a result of better communication and better case handling which encourages the reporting of racist crime to the police. It will be important for the Service to continue to build on what has been achieved since 2002.”

As with the original report, the work of HMCPSI was subject to a validation exercise conducted by the Society Of Black Lawyers. Representatives of the Society considered the report in draft and endorsed it.

Responding to the report, the Director of Public Prosecutions, Ken Macdonald QC, said,

“Racist and religiously aggravated crimes are particularly serious. They represent an attack upon our diverse society and on the right of individuals and communities to feel safe. In recent years we have placed a high priority on improving the way that we deal with crimes based on hate and prejudice. We have worked with black and minority ethnic communities to put new policies and training in place and these are having a positive impact on the way that prosecutors handle cases and make decisions about them. This follow-up report is very helpful, endorsing the significant achievements of the CPS in the intervening two years and helping us focus on those areas where we can make further improvements. We will be actively addressing all the issues the report raises.”

A fuller outline of the report is contained in the attached Executive Summary.

Notes to Editors

1. The total number of cases having a minority ethnic dimension examined for the review was 556. That was made up of 292 cases arising from racist incidents and 264 where the defendant was from a minority ethnic group.
2. The files were taken from eight CPS Areas, namely, Kent, Leicestershire, London, Merseyside, South Wales, South Yorkshire, West Midlands and West Yorkshire.
3. The data obtained from those cases was compared with 2,036 cases involving white defendants which had been examined during the course of the second cycle of inspections. This included the seven Areas outside London and a limited file sample arising from the London re-inspection.
4. The follow-up review commenced in July 2003 with evidence gathered by interviews and from questionnaires from CPS staff, representatives of criminal justice agencies, community and special interest groups.
5. The Society of Black Lawyers nominated three of its members to undertake the validation exercise.
6. HMCPSI is an independent statutory body, which was established on 1 October 2000 when the Crown Prosecution Service Inspectorate Act 2000 came into effect.
7. The Chief Inspector is appointed by, and reports to, the Attorney General. HMCPSI has offices in London and York.
8. An Executive Summary of the report accompanies this Press Release. For further information please contact Anisha Visram, HMCPSI (tel: 020 7210 1187, e-mail: Anisha.Visram@cps.gsi.gov.uk) or Anne Collins, CPS Press Office (tel: 020 7710 6091, e-mail: Anne.Collins@cps.gsi.gov.uk).