



Her Majesty's Crown Prosecution Service Inspectorate Audit of the handling of warrant cases by the Crown Prosecution Service

Warrant cases – CPS can improve

Her Majesty's Crown Prosecution Service Inspectorate (HMCPSI) has today published its report on the audit of warrant file handling.

HM Chief Inspector, Michael Fuller QPM, said:

"The efficient management of warrants within the criminal justice system is important to maintain confidence and ensure that the perpetrators of crime do not escape justice. The role of the CPS is in ensuring that warrant files are reviewed in line with guidance and that warrants are not issued or do not remain outstanding on cases where there is no reasonable prospect of conviction and where it is not in the public interest to proceed. The CPS must fulfil their duties in relation to warrant files and ensure that victims are informed of decisions taken not to proceed with these cases."

Summary of main inspection findings:

- In some cases files were not reviewed against the Code for Crown Prosecutors before the warrant was requested.
- Outstanding work was not always progressed after the warrant was issued to ensure that the case is ready to proceed when the warrant is executed.
- The annual review of warrant files by the CPS after one year, required by national guidance, was not being carried out. Reviews were only carried out on files referred by the police.
- Endorsements of reviews and of the application to withdraw hearings were poor.
- Victims of crime were not being informed that warrants had been issued or that decisions had been taken to withdraw the proceedings.
- Decisions to apply to withdraw warrants and/or terminate these cases were correct in the majority of files examined by an HMCPSI legal inspector.

For any queries or interviews please call Anisha Visram on 020 7210 1187 or mobile 07901 856 348.

Notes for editors

- 1 HMCPSI is an independent statutory body established by the Crown Prosecution Service Inspectorate Act 2000, which came into force on 1 October 2000. HM Chief Inspector is appointed by, and reports to, the Attorney General.
- 2 Warrants are issued by the court for the arrest of a defendant who fails to attend a hearing. A warrant is executed when the warrant is served and the defendant is bailed to attend court on another date (warrant backed for bail); when the defendant is arrested, remanded in custody and brought to court (warrant not backed for bail) or when a defendant surrenders.
- 3 The handling and management of warrants by all criminal justice agencies was identified as a concern in two previous joint inspection reports¹ and revised guidance was issued in 2008 to help identify cases where, in certain limited circumstances, it was appropriate to withdraw the warrant. This guidance

¹ A review to ascertain the circumstances in which Anthony Leon Peart, also known as Anthony Leon Joseph came to be at liberty on 29 July 2005 (Criminal Justice Joint Inspection published April 2008) and A report into the resulting and warrant withdrawal procedures used at Leeds Magistrates' Court (Criminal Justice Joint Inspection published March 2008).

defined the CPS role in deciding if an application should be made to withdraw the warrant following a review of all warrant files after one year and then annually. The CPS are responsible for keeping victims informed of all decisions taken not to proceed with these cases.

- 4 The audit team visited six CPS Areas and examined warrant files. A legal inspector examined a number of files where an application had been made to withdraw the warrant after review by the CPS to consider if the decision was correct.
- 5 The inspection team comprised auditors and a legal inspector.