



HM Crown Prosecution
Service Inspectorate

CPS Yorkshire and Humberside Group inspection report

Executive summary

September 2011



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Background and context

CPS Yorkshire and Humberside Group was formed in 2009 from two smaller Groups, one comprising North Yorkshire and West Yorkshire CPS Areas, and the other South Yorkshire and Humberside. As a consequence of the merger there has been some rationalisation, including the merger of two Complex Casework Units (CCUs) and the reduction from two to one Group Operation Centres. However, some aspects of the operational structure of the Group's constituent Areas remained different; this was being reviewed at the time of our inspection as a result of the new CPS structure in place from April 2011¹.

Overall inspection ratings

Her Majesty's Crown Prosecution Service Inspectorate (HMCSI) assesses the Group and Area functions against standard criteria laid out in an agreed framework for inspection which includes a scoring matrix against which individual aspects of performance are rated. Governance and the provision of pre-charge decisions are assessed at Group level, whereas casework quality and efficiency are rated at Area level. For the Yorkshire and Humberside Group functions, and the West Yorkshire and South Yorkshire Areas the assessments were as follows.

Group functions		
Governance	Good	
Pre-charge decision-making	Poor	
Area functions		
	West Yorkshire	South Yorkshire
Casework quality	Poor	Fair
Efficiency	Fair	Fair

In addition to rating the Group and Areas against the inspection framework, we have also assessed performance against the standards that the CPS has developed and set itself. These standards outline the quality of service that the public are entitled to expect from those who prosecute on their behalf. Our overall assessment is that in a number of casework standards the Group and Areas have not met the level expected.

Group functions

Whilst each Area within the Group has retained its own identity there was tangible evidence that the senior team viewed the Group as an opportunity to make the best use of resources (for example the creation of a Group Crown Advocacy Unit) and work as a whole to deliver an effective service (as evidenced by the merger of its CCUs). This was assisted by effective communication strategies. Moving work across Area boundaries to reduce pressure and equalise workloads demonstrated an innovative approach to finding solutions and meet the expectations that were set out when Group structures were first considered and planned.

¹ In the early stages of the inspection the CPS announced that the national structure was to be revised with effect from 1 April 2011. The existing Group structure (each of which contained one or more geographical Areas aligned to police force boundaries) was replaced by 13 CPS Areas, each of which is now headed by a Chief Crown Prosecutor assisted by a Deputy Chief Crown Prosecutor. The geographical boundaries of the new Areas remain unchanged from those of the previous Groups and incorporate the previous 42 Areas.

In this report we refer to the Group and Areas as they existed under the pre-1 April structure. Our findings lose nothing in value as the Areas inspected form part of the new CPS Yorkshire and Humberside Area.

There is a collegiate approach by senior managers at Group level. However there has been a tendency to focus on processing high numbers of cases at speed; this has often been to the detriment of quality in both Areas. The Group needs to change the culture to focus on quality and getting it right first time, thus avoiding duplication and rework and allowing valuable resources to be freed up to undertake more effective analytical work.

There are extensive performance management arrangements, but these need to be strengthened at the individual level to ensure an improvement in outcomes. There are some local challenges in West Yorkshire with the relationship with the police, but the creation of a Group Charging Board presents an opportunity to improve.

Very serious and complex casework is generally handled well with good outcomes, although there had been concerns about the handling of the disclosure of unused material in the South Yorkshire and Humberside CCU (now merged with the West and North Yorkshire unit). There are some challenges since the merger including a need to assess resourcing levels and whether the new merged unit was dealing with casework commensurate with the skills and experiences of its staff.

Despite good governance at Group level there is a need to improve aspects of casework handling and decision-making at the charging stage and throughout the life of a case, across both Areas. In too many cases there was a lack of considered analysis by lawyers of evidential factors. With the focus on processing high

numbers of cases at speed, moving cases on to the next stage, often at the last minute, was seen as the imperative. This meant that weak ones were not made stronger or were not discontinued until a very late stage, wasting resources and time. This was contributing in particular to the high unsuccessful outcome rate in West Yorkshire magistrates' court cases.

CPS West Yorkshire

Overall CPS West Yorkshire's performance has been assessed as below the expected standard, with the quality of casework handling in the Area in need of significant improvement. The Core Quality Standards expected by the CPS were not being met in crucial aspects, and recommendations have been made to secure performance improvement.

Although at an early stage at the time of our inspection, the Area was seeking to rationalise aspects of case preparation by centralising and integrating police and CPS case building functions. If this comes to fruition it has the potential to reduce duplication, improve file quality and overall create a more efficient and timely process.

The Area's resourcing difficulties have led to a focus on getting the casework processes right, with insufficient attention paid to the quality of decision-making. This has increased the pressure on resources by causing unnecessary work and duplication of effort. Case progression was good on only just over a quarter of cases in our file sample and over six in ten ineffective hearings could have been avoided by prompter decision-making or better case progression.

There is significant room for improvement in the handling of unused material, including the completion of audit trails of decision-making. The Area has already identified disclosure as an aspect needing work from compliance monitoring of the Core Quality Standards.

Almost all advocates assessed met or exceeded the expected standard. Stakeholders' comments on advocates were generally favourable (including the recent introduction of associate prosecutors to conduct youth court remand hearings), although crown advocate cross-examination skills could be improved.

Victims and witnesses are not being given consistently the level of service they deserve, although there are pockets of good work, mainly in seeking bail conditions or remands into custody appropriately, and in keeping witnesses informed as cases progressed.

Budgetary controls and systems are effective. There are sound systems for accurately assessing committed expenditure and thus enabling accurate forecasting. There is a strong ethos in the Area at all levels to reduce costs and deliver savings. The systems and processes for the approval of spend, including the authorisation of all expenses by the Area Finance Manager has helped raise the awareness of the importance of budgetary management and control.

CPS South Yorkshire

Performance outcomes in CPS South Yorkshire were better than the national average, although some were declining. Nevertheless, the standard and quality of casework found during the inspection showed that there was significant room for improvement; this was assessed as fair as was its efficiency. Similarly to West Yorkshire the Core

Quality Standards expected by the CPS were not being met in crucial aspects, and recommendations have been made to secure performance improvement. Assessments of casework performance, as part of Core Quality Standards Monitoring needed to be more realistic.

Partly as a consequence of the 2009 merger, CPS South Yorkshire has suffered from a lack of stability at senior manager level, with four Chief Crown Prosecutors to date since August 2007. Whilst this has had some impact on the Area's ability to make changes, more recently (in the last year) the Area senior management team has worked to address a number of performance and attendance issues with individuals, including some managers. These issues are still being resolved and the effective management of them has taken up a considerable amount of the Area leadership team's focus.

Throughout the last two years, Area managers have not been able to maintain adequate quality assurance systems to enable evidence-based learning to be disseminated to its lawyers. The absence of sustained supervision and analysis of lawyers' decision-making has contributed to the decline in some outcomes.

In our file sample the standard of decision-making in both the magistrates' court and Crown Court case progression units was frequently not of a sufficient standard or took place at too late a stage in the process. Case progression was good or better in only just over a quarter of cases examined. However the Area has a lower ineffective trial rate than the national average, but a substantially higher cracked trial rate, although the prosecution is responsible for only 10% of these cases.

Compliance with the duty of initial disclosure needs to improve, but continuing disclosure was dealt with more effectively.

CPS South Yorkshire in-house prosecutors conduct all the magistrates' court advocacy and all those assessed met the required standard. Victims and witnesses at court are kept up to date and consulted on relevant matters. Prosecutors are alert to making appropriate applications to protect victims and the public at large.

A review of ten Crown Court cases revealed a significant amount of fees paid to counsel unnecessarily. While the majority of these unnecessary payments related to poor decision-making, there were still some significant costs incurred through serving unnecessary pages of evidence and ineffective case progression on the Area's part. There has been limited analysis undertaken to identify aspects where unit costs could be lowered and there was insufficient awareness by staff of the graduated fees scheme or their role in minimising prosecution costs.

The report makes the following recommendations:

- Senior managers take action to improve casework and decision-making standards, supported by an effective system of personal performance assessment, which is used to provide feedback and secure improvement.
- As part of the post-merger implementation review the CCU should assess objectively the proportion of its caseload which is non-Blueprint work, and the Chief Crown Prosecutor should in the light of that assessment:
 - * assess whether non-Blueprint work should be transferred to other Area units;
 - * determine whether the unit is appropriately resourced; and
 - * if appropriate, redeploy unit resources.

- The Group needs to improve the standard of legal decision-making at the charging stage including the consideration and recording of reasoning, strategy, ancillary matters and information for prosecutors.
- CPS West Yorkshire and South Yorkshire Areas need to drive significant improvement in decision-making through a strengthened performance management regime.
- CPS West Yorkshire Area needs to review urgently its case progression systems and processes to ensure that the focus is on quality. Work is particularly needed to ensure full compliance with disclosure duties and the Area custody time limit standards.
- CPS West Yorkshire Area must work with the police to develop a shared and agreed joint performance management regime and framework. Immediate priorities must be established that focus on improving the service offered and establishing key measures that will allow performance at the local level to be effectively held to account.
- CPS South Yorkshire Area needs to ensure that its case progression units are effectively performance managed to ensure efficient processes and sound legal decision-making.

A full copy of the report is available on our website www.hmcpso.gov.uk.