

CROWN PROSECUTION SERVICE INSPECTORATE

INSPECTION OF CPS DORSET

EXECUTIVE SUMMARY

Introduction

1. This is the first report of the Crown Prosecution Service Inspectorate in the new 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 lead by a Chief Crown Prosecutor who enjoys substantial autonomy.
2. The inspection was carried out during a period of extensive change for the CPS both nationally and in Dorset. Initiatives to reduce delays in the criminal justice system were being introduced to give effect to the recommendations contained within the Review of Delays in the criminal justice system (the Narey report). The Area's reorganisation into functional units, rather than geographical ones, to take forward the recommendations of the review of the CPS (the Glidewell Report), was in a transitional stage.
3. The Inspectorate is adapting to the revised structure of the CPS, and has revised its own role in preparation for the Government's decision to place the Inspectorate on an independent statutory basis (the Crown Prosecution Service Inspectorate Bill is currently before Parliament). This report focuses mainly on the quality of casework decision-making and casework handling, but also extends to all matters which go to support the casework process. The Inspectorate examines all aspects of Area performance, and has reported on a number of management and operational issues.

Main findings of the Inspectorate

4. CPS Dorset has made significant progress with its partners in the criminal justice system in Dorset to work constructively with each other in response to the overarching aim set by the Government for the criminal justice system. The CCP and other members of staff undertake a high level of positive communication with other agencies and organisations in Dorset to create the necessary understanding and culture for this high level of co-operation.
5. Inspectors were pleased to find that there was a determination to achieve the Government's target of dealing with persistent young offenders within 71 days of arrest, and national figures showed that Dorset was third fastest in the country, just outside the target. Since the report was written the latest full year's figures have been published and show Dorset to be second fastest in the country, within 1 day of achieving the target.
6. Overall, the standard of casework was good. In some respects the Area performance was very good, with low levels of judge ordered and judge directed acquittals in the Crown

Court, and similarly low levels of cases dismissed as no case to answer or discharged at committal proceedings in the magistrates' courts.

7. On the other hand, inspectors found a small number of cases across the board which were handled uncertainly. Wrong or premature decisions were sometimes made, and, in spite of the relatively low discontinuance rate, some cases had been dropped which should have been prosecuted. Inspectors were pleased to note that where matters came to light, remedial action had been taken, but this was sometimes too late.
8. The report contains recommendations to tackle this situation. It proposes that some redirection of management time and effort could be achieved so that with increased personal advocacy and targeted monitoring, the CCP and Prosecution Team Leaders can check more decisions and casework handling as cases progress. Where possible this should be as an integral part of their progress, rather than as a result of complaints or monitoring after the event. So far as prosecutors and caseworkers are concerned, inspectors think that a concerted effort should be made to ensure that there is continuity of casework decision-making, handling and presentation where this is feasible. This will help reduce the duplication of effort which was found. Inspectors hope that it will increase job satisfaction for caseworkers if they receive a regular allocation of cases to handle and manage, including their own attendance at court to instruct counsel.
9. Progression of changes already underway will, inspectors have no doubt, soon pay dividends. In particular, these relate to the efficiency savings that will be gained from the Narey initiatives. They also include the improvements to casework quality that will flow from raising the level of casework involvement of the CCP; the transfer of straightforward casework from Crown Prosecutors to designated caseworkers to allow prosecutors to play a greater role in the Crown Court and in other more serious casework; and the transfer of some management and administration tasks from PTLs to managers so that PTLs can play a more direct role in relation to casework, advocacy and securing improvements in the timeliness and quality of casework.
10. These changes need to be carried forward urgently and linked to close consultation with staff. This will build on the good work and goodwill of staff, and maintain and improve the quality of casework which has been perceived by some others to have slipped rather than improved during this transitional stage.

Specific findings

11. Advice – some attention was required to achieve consistent quality and timely provision of pre-charge advice.
12. Review – there was good effort to reduce delays and in the vast majority of cases the standard of decision-making was sound. High priority was given to “fast track” cases and youth crime. Nevertheless, there was some uncertainty of decision-making in relation to both the prosecution and discontinuance of cases which indicated the quality of review was capable of improvement.
13. Case Preparation – the provision of advance information to the defence is now very timely; the disclosure of unused material is being dealt with satisfactorily for the most part, but greater attention needs to be paid to minor cases. In more serious cases prosecutors should examine more material for themselves and ensure that they follow-up

any indications provided by police, or which are apparent to them from their own experience, that material might have an adverse affect upon the case, or assist the defence. Case preparation in the magistrates' courts, and committal preparation and subsequent handling in the Crown Court, both need attention to improve the readiness of cases for trial.

14. Advocacy – overall the standard is satisfactory, and in some cases very good, in both the magistrates' court and the Crown Court. The presentation of trials will be enhanced by the continuity of case ownership and higher standards of preparation which the inspectors proposed above.
15. Management and operational issues – the Area Management Team is cohesive and works well with other criminal justice agencies to improve the effectiveness and efficiency of casework and to reduce delay. Managers communicate well with staff in certain respects, but need to ensure that they communicate more effectively with staff about the important changes that impact upon their work and positions. Action needs to be taken about certain aspects of structure and organisation and case management. Sickness has played a significant part in the ability of the Area to handle its cases effectively during the last year, and this has a particular impact in a small Area. Agents have been used quite frequently and this is something which will need careful management in the coming year. The Area receives generally good service from counsel and agents, though the level of return of briefs in the Crown Court is significant and the Area should ensure that this is not allowed to impact adversely upon the presentation of cases. The Area works well with others in relation to the treatment of victims and witnesses. Area managers and staff aspire to high levels of witness care, and inspectors hope that the two instances they observed of the standards not being met were isolated examples. The Area accommodation is well placed, but needs some attention. There is a relatively low ethnic minority population in Dorset and the makeup of staff is a reflection of this. Nevertheless, the Area is alert to issues of racial awareness and equality. The Area performance indicators were for the most part accurate, but some greater staff awareness and training is needed to ensure full accuracy. Complaints are investigated properly and responded to openly, and this reflects the general character of the Area.

Commendations and identification of good practice

16. The Inspectorate commended six aspects of the Area's work in relation to particular initiatives or good practice. These included its handling of persistent young offenders; the provision of legal seminars; the use of record sheets and folders for unused material; some features of its system for tracking custody time limits; some aspects of internal communication; and its external communication with its partners within the criminal justice system.