

HM CROWN PROSECUTION SERVICE INSPECTORATE

INSPECTION OF CPS SUFFOLK

EXECUTIVE SUMMARY

Introduction

1. This is the report of Her Majesty's Crown Prosecution Service Inspectorate about CPS Suffolk. The CPS is a national service, but operates on a decentralised basis with each of its 42 Areas led by a Chief Crown Prosecutor (CCP) who enjoys substantial autonomy.
2. The inspection was carried out during a period of extensive change for the CPS both nationally and in Suffolk. Initiatives to reduce delays in the criminal justice system have been introduced to give effect to the recommendations contained within the Review of Delays in the criminal justice system (the Narey report). The Area's move towards functional units, rather than geographical ones, to take forward the recommendations of the review of the CPS (the Glidewell Report), has been undertaken in preparation for the move into co-located Criminal Justice Units and a Trial Unit. However, no such units have yet been established.
3. The 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.
4. Suffolk has magistrates' courts at five locations in the county. The Area handled 12,510 defendants in the magistrates' courts and 1,355 in the Crown Court in the year ending 30 June 2000. Overall the caseload is slightly weighted to less serious offences when compared with the national pattern, but it has a similar proportion of indictable only cases in the Crown Court compared to the national average.

Main findings of the Inspectorate

5. Inspectors found much to commend in Suffolk, both in terms of its casework performance, and in the efforts made to consolidate its position in the local criminal justice system. The Area has attained many of its targets, and has continued to exceed the national objectives set in relation to service delivery. Inspectors particularly noted that the Area had taken forward many of the issues raised and recommendations made in the last inspection report (1998). There have been many improvements since then, particularly in relation to speeding up youth justice, and the Area has introduced effective monitoring systems for custody time limits and performance indicators. It also has a positive approach to self-assessment.

6. The Area benefits from a good proportion of experienced members of staff, who have great familiarity with the current systems. Overall there was a positive working attitude and basic systems were both well managed and well executed.
7. Generally the quality of decision-making and advice given to the police is good. The levels of judge ordered and judge directed acquittals in the Crown Court and adverse cases in the magistrates' courts, are low in comparison to the national average and inspectors found in most of those cases that the tests under the Code for Crown Prosecutors had been properly applied, albeit some cases had foreseeable problems but no remedial action was taken.
8. There needs to be a greater emphasis on Crown Court cases, including raising the standard of instructions to counsel; more active compliance with the prosecution's duties of disclosure; more positive reviews and handling of sensitive cases; and a degree of additional rigour to the continuing review process, which should accompany the case ownership which the Area espouses.
9. The new arrangements for the setting up of co-located criminal justice units have progressed and the Area now needs to produce a detailed project plan. Inspectors considered it important that the plan should provide a clear indication to staff and external agencies about the final structure for CJUs and when implementation was likely. Issues about resourcing and overcoming travelling difficulties in relation to the major magistrates' court at Lowestoft will need to be addressed. Continuing effective two-way communication with staff will be particularly important during this transitional phase.
10. The financial controls in the Area are good with frequent monitoring of expenditure and commitments, albeit there was a small overspend on running costs last year. Area managers are aware of the challenges to be faced in relation to the control of expenditure in the second half of the year. Inspectors were pleased to find good case management plans in use in the Area's major cases.
11. The Area has taken a positive approach to flexible working, but care needs to be taken to ensure that arrangements for the staff working part-time supports both the fair distribution of work and the operational needs of the Area in covering its Crown Court cases. The Area has also performed better than the national average in relation to overarching government aims to reduce the level of sickness of staff.
12. The Area is making good use of its current information technology and uses its case tracking system effectively as a management tool.
13. The Area's discontinuance rate was commendably lower than the national average for the year ending 30 June 2000. The Area had done well working with other agencies to reduce the time taken to deal with persistent young offenders from arrest to sentence down to 79 days for the quarter ending 30 June 2000 but this had deteriorated in the quarter ending September 2000 to 101 days compared to a national average of 95 days.

Inspectors considered that careful analysis of the latest figures should be undertaken to pinpoint any problems and inform a renewed drive to secure consistent improvement.

14. Inspectors identified weaknesses in the Area's undertaking of its duties of disclosure of unused material, and the Area had already proposed to tackle this jointly with police through renewed training. Inspectors urged a more rigorous approach to the handling of unused material, particularly in relation to the application of the statutory tests by prosecutors and the making of informed decisions about disclosure.
15. The report contains 19 recommendations and 9 suggestions designed to help the Area improve aspects of its performance.

Specific findings

16. Advice - the quality of advice to police is satisfactory and the timeliness of advice is particularly good. Oral and informal advice is recorded meticulously.
17. Review - the quality of decision-making was generally good. There was a commendably low rate of discontinuance, and this did not appear to have adversely affected the rate of adverse cases (that is, contested cases which do not run through to a conclusion of a verdict by magistrates or a jury). The Chief Crown Prosecutor and the unit heads are actively engaged in casework and this has had a beneficial effect as an integral form of monitoring. Inspectors were concerned by the relatively high proportion of discontinued and adverse cases which were attributable to identification issues and a recommendation had been made which will, if followed, result in scrutiny of such outcomes and agreement of a protocol with and police to address these difficulties.
18. Case preparation - summary trials are generally well prepared, but in the Crown Court the standard of instructions to counsel was found to be unacceptable in the majority of the files examined. The need for improvements in relation to the disclosure of unused material has already been referred to. The monitoring of custody time limits has been tightened up considerably. The provision of case information to the Probation Service needs to be checked in conjunction with them to ensure that the overall standards of justice are maintained.
19. Advocacy - overall the standard of advocacy in both magistrates' courts and the Crown Court is satisfactory. In cases observed involving designated caseworkers and Crown Prosecutors, inspectors found examples of good preparation and accomplished presentation. Care needs to be taken to ensure that CPS higher courts advocates build on their training and develop their experience.
20. Management and operational issues:
 - The Area is generally very soundly managed, with an emphasis on sound planning and the setting of stretching performance targets.

- There is a difficult transitional period involving the movement to criminal justice units and a trials unit. The production of a detailed project plan and careful and sensitive change management is needed. Good communications will be needed to ensure positive two-way communication during these uncertain times.
- Financial management is sound, and after a small overspend last year the Area is taking positive action to address issues this year.
- The Area takes great care over the recording of its performance indicators and case outcomes in accordance with the CPS guidance. The Area also makes good use of its IT operating system as a management tool.
- The Area has a relatively low minority ethnic population overall, but is taking effective steps to address diversity issues and to reach out positively to community groups, in particular minority ethnic groups in the area, to raise awareness and understanding of the role of the CPS.
- Complaints are investigated properly, and responded to in a timely fashion. A more clearly set out escalation path for unresolved issues would be helpful. Inspectors considered that the maintenance of a more comprehensive log would help the Area to learn more from experience, and that in some cases a more open acceptance of responsibilities and focussing on the issues that could be attained.

Commendations and identification of good practice

21. Inspectors commended a number of aspects of the Area's work each including:

On taking forward many of the issues raised and recommendations made in our last inspection report (paragraph 1.15)

Its use of SCOPE as an effective monitoring tool (paragraph 2.7)

The efficient system of recording informal advice and for its implementation in practice (paragraph 2.16)

The progress made to 30 June 2000 in reducing the time taken to deal with persistent young offenders (paragraph 3.57)

Agreeing a protocol with the local authority in relation to child protection matters and third party material (paragraph 4.25)

Summary trial preparation including the use of a checklist and a SCOPE printout as a prompt to check all action has been taken on a file before the trial date (paragraph 4.26)

Employing systems to monitor CTLs based on good practice guidelines (paragraph 4.60)

Efficient and prompt response to correspondence and telephone calls from defence solicitors (paragraph 4.64)

Its positive approach to self-assessment and improvement and initiative in using the Business Excellence Model as a tool to assess its performance (paragraph 6.8)

Its pro-active approach to training and the identification of individuals to take key roles (paragraph 6.34)

The development of a system for managing annual leave in a co-ordinated fashion (paragraph 6.43).

22. A particular initiative identified as good practice was the agreement with the magistrates' and Crown Court that youth justice be expedited by the immediate listing of plea and direction hearing on the first available date after committal through direct liaison between the youth court and Crown Court.
23. The full text of the report may be obtained from the Combined Administration Unit at HMCPS Inspectorate (telephone: 0207 210 1197).

HMCPS Inspectorate
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