

***HM CROWN PROSECUTION SERVICE
INSPECTORATE***

PRESS RELEASE

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CPS AVON AND SOMERSET

Her Majesty's Crown Prosecution Service Inspectorate has today published its report of the inspection of CPS Avon and Somerset.

Inspectors found that the Area had a very positive approach to the numerous national initiatives to modernise the CPS and the criminal justice system as a whole. This needs to be matched with a similar focus on some more basic and routine aspects of performance where there is significant scope for improvement.

Overall the quality of casework was variable. The quality of advice to police was generally good. Serious cases were handled well, but there was room for improvement in dealing with casework in general and sensitive cases (e.g. domestic violence, racially aggravated and child abuse) in particular. Inspectors found a larger proportion of decisions to discontinue cases did not comply with the tests within the Code for Crown Prosecutors than the average in other inspections. There were also a comparatively high number of adverse cases where the outcome had been foreseeable but no remedial action was taken. Formal assurance systems and casework standards have recently been introduced to address a number of aspects of performance. Avon and Somerset has not met Government targets for dealing with persistent young offenders (PYOs) although the time from arrest to sentence has been halved from its

original high starting point. The responsibility for achieving this target does not rest with the CPS alone, but is shared with the police and courts.

The Area enjoys positive relationships with other criminal justice agencies and Area senior managers have a high profile in inter-agency matters. They have been proactive in working with other criminal justice agencies. A criminal justice co-ordinator post has been established jointly to assist in collating cross-agency data and statistics for use in improving joint performance.

The Area has significantly raised the level of information provided to victims and has achieved good working relations with Victim Support and the Witness Service. The Area has worked hard to communicate with minority ethnic community groups.

Stephen Wooler, HM Chief Inspector of HMCPSI, said:

“This inspection has identified both strengths and weaknesses. CPS Avon & Somerset has a very positive approach to driving forward change and seeking improvement. I hope it will be able to build on the findings of this report to deliver a consistently high standard of service.”

Specific findings by the Inspectorate include:

* National initiatives where CPS Avon & Somerset have been in the vanguard have included:

- restructuring along the lines of the 1999 Review of the CPS (the Glidewell Report) so that work is undertaken in functional rather than geographically based units with CPS staff and police being co-located;
- a pilot scheme along the lines recommended by the Auld Review under which most cases are referred to the CPS for advice before charge; and
- increasing the use of CPS lawyers to prosecute cases in the Crown Court.

- * The quality of advice given to police was good although timeliness needed to be addressed.
- * The quality of initial review was variable and lawyers' decisions and their reasoning were not always recorded appropriately. The arrangements for submission of papers to the CPS was a contributory factor in relation to cases at some magistrate's courts because they were only available to lawyers on the morning of the first hearing.
- * Continuing review was not consistently evidenced on the files and its effectiveness was reduced by late file submissions by police and some instances of late file allocation in the CPS.
- * The Area has a discontinuance rate of 8.2%, which is well below the national average. Some cases were discontinued inappropriately, whereas some others should have been stopped sooner or problems identified sooner.
- * Delays in the youth justice system locally required effective joint action by all agencies. The average time for dealing with PYOs for the quarter ending March 2002 was 91 days for the Area and 67 nationally. The achievement of the government target of halving the time taken from arrest to sentence nationally from 142 to 71 days is therefore some way away.
- * Inspectors considered that child abuse cases required greater case management. Systems for recording and monitoring domestic violence and racially aggravated offences were not effective, resulting in some inaccurate returns to CPS headquarters.
- * Case management systems varied between the two offices. The Area would benefit from identifying and adopting good practice across the offices.
- * The Area's compliance with its duties in relation to the disclosure of unused material to the defence is comparable to that across the CPS. Work has been done

in identifying weaknesses and training needs and the Area will want to take this forward with the police.

- * Particularly serious cases sent to the Crown Court were handled well, but improvements are required in the quality of instructions to counsel and the accuracy of indictments.
- * The overall standard of advocacy was good. The Area's 14 Higher Courts' Advocates (crown prosecutors with rights of audience in the higher courts), last year conducted the highest number of Crown Court appearances of all CPS Areas.
- * The Area has achieved co-location with the police in criminal justice units in Bristol and Taunton. Co-located trials units are also planned. Outstanding issues regarding file movements and joint administration need to be resolved to achieve benefits in efficiency.
- * The Area has a comprehensive Equality and Diversity Action Plan, in accordance with national guidance. There is regular engagement with local community groups, particularly in Bristol.
- * At both strategic and operational levels, relationships with Victim Support and the Witness Service were positive. CPS lawyers and caseworkers were praised by other agencies for their level of witness care. The Area has established a Case Information Unit as part of a national initiative involving direct communication with witnesses.

The Executive Summary of the report is attached.

Inspectors commended four aspects of the Area's performance and made 28 recommendations designed to help the Area to address problems and weaknesses. Some suggestions were made about other aspects that require attention in due course.

Responding to the report, Chief Crown Prosecutor, David Archer, said:

“I am pleased that this Report recognises the energy and enthusiasm to deliver change in CPS Avon & Somerset, particular improving our services to victims and witnesses. We have many positive achievements to celebrate including high overall conviction rates, good standards of advocacy including Crown Prosecutors in the Crown Court, close working relationships with police and good performance in relation to particularly serious cases sent to the Crown Court. However, three years into our change programme, we still have much to improve. This Report will be an excellent guide to assist us to bring up the standard of all of our casework up to the best. Delivery of improved IT, taking over responsibility for charging and learning the lessons from the successful street crime initiative will all help us to improve the standards of casework delivery over the coming years. CPS Avon and Somerset is already very successful at delivering positive outcomes, we need to ensure that we are equally successful at each stage of the casework process.”

Notes to Editors

1. This is the latest report of Her Majesty’s Crown Prosecution Service Inspectorate in the cycle of inspections based on the 42 Area structure adopted by the CPS on April 1 1999. The CPS is a national service, but operates on a decentralised basis with each Area led by a Chief Crown Prosecutor who enjoys substantial autonomy.
2. CPS Avon and Somerset has offices in Bristol and Taunton. The offices cover 10 magistrates’ courts and two Crown Court centres.
3. CPS Avon and Somerset employs the equivalent of 141.5 full time staff.

4. In the year to March 2002 the Area handled 29,125 defendants in the magistrates' courts and 2,593 defendants in the Crown Court. In addition, pre-charge advice was given to the police in 599 cases.
5. Before visiting the Area, the team of inspectors examined a total of 259 cases. The team visited the Area for two weeks in May 2002. The inspectors interviewed staff at all levels. The team also spoke to representatives of other criminal justice agencies. Observations were made of advocates at magistrates' courts and Crown Court, including CPS lawyers, agents and counsel. The team was assisted during the on-site phase by two lay inspectors who looked at the handling of complaints and the treatment of victims and witnesses.
6. The review of the criminal justice system conducted by Lord Justice Auld recommended that the CPS should assume responsibility for charging, and for providing enhanced legal guidance and advice to police. CPS Avon and Somerset was selected as one of the national pilot sites. After an initial low take up, the use of the scheme has increased substantially and will be extended further.
7. Her Majesty's Crown Prosecution Service Inspectorate was established as a statutory body by the Crown Prosecution Service Inspectorate Act 2000, which came into effect on 1 October 2000. The Inspectorate had previously been a unit within the CPS headquarters. The Chief Inspector is appointed by and reports to the Attorney General.
8. For further information, please contact either Jane Gould at HMCPSI (tel: 020 7210 1165) or Tracy Easton at CPS Avon and Somerset (tel: 0117 930 2872).