

***HM CROWN PROSECUTION SERVICE
INSPECTORATE***

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CPS DEVON AND CORNWALL

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

The inspection found that the quality of casework and decision-making was good. Sensitive cases, particularly domestic violence and child abuse were handled well, and the Area has consistently bettered the Government target for the time taken to deal with persistent young offenders (PYOs). The Area has a realistic approach in analysing adverse cases outcome, which had enabled it to learn from experience and improve its standard of decision-making.

The Area's handling of serious cases is also good, and includes effective systems for processing indictable only cases (the most serious category) in the Crown Court. Recently implemented legislation means that these now pass direct to the Crown Court after only a formal hearing in the magistrates' courts. There have been improvements in the compliance with the prosecution's obligation of disclosure. However, inspectors found a lack of case ownership in magistrates' court cases, and improvements are necessary regarding initial and continuing review, the selection of appropriate charges and the quality of review endorsements (the recording on file of decisions and actions taken).

The Area enjoys positive relationships with other criminal justice agencies. It is participating fully in a variety of new initiatives, and seeks both to be at the forefront of these changes, and to be seen as driving them forward. A determined effort is needed to drive forward the recommendations of the 1998 Review of the CPS (The Glidewell Report) through the co-location of police and CPS staff, to secure efficient magistrates' courts listing whilst avoiding localised backlogs of trials, and to reduce the cracked, ineffective and late vacated trial rate. These present challenges and opportunities for the Area to demonstrate its ability to promote changes proactively, to the benefit of the Area and the criminal justice system locally.

Stephen Wooler, HM Chief Inspector of HMCPSI, said:

“The level of achievement we found in CPS Devon and Cornwall is commendable, particularly against a background of demanding change at both national and local level. There are some weaknesses which need to be addressed. Provided this is done, the public in Devon and Cornwall can be confident that alleged offenders will be fairly but firmly prosecuted.”

Specific findings by the Inspectorate include:

- The quality of advice given to police was satisfactory and the timeliness was good. Advice was provided very quickly when identified by police as urgent or particularly sensitive.
- The quality of initial review was sound, and the standard of recording of decisions (and the reasons for this) was comparatively good. Case ownership needed to be strengthened and supported by more consistent allocation of cases from the start.
- The Area has a discontinuance rate of 12.2%, which is slightly lower than the national average, although there were significant variations between the offices.
- The Area has a slightly higher rate of judge ordered acquittals and judge directed acquittals than the national averages. The Area has adopted a realistic approach to analysing and learning from these adverse outcomes.

- Youth justice was given a high priority. The average times for dealing with PYOs for the quarter ending March 2002 were 64 days for the Area and 67 nationally. The Area has consistently exceeded the national target.
- Sensitive cases are dealt with well, particularly domestic violence and child abuse cases. The Area has effective relationships with specialist police units, which is reflected in the quality of casework. Area managers had provided guidance on handling racially aggravated offences and had demonstrated a willingness to engage with the local community to clarify decisions.
- Inspectors noted an improvement in the Area's compliance with the prosecution obligation of disclosure, principally as a result of the Area's internal pre-inspection audit.
- Different case management systems operate at each office, and some weaknesses were identified in aspects of case preparation.
- Inspectors found that the standard of case preparation was generally good in the Crown Court.
- The general standard of advocacy and case presentation was good in both the magistrates' courts and the Crown Court.
- The overall management of the Area is effective. Some aspects of management required a more proactive approach, including effective strategic planning, and progress to full co-location with police.
- Good relationships exist with partners in the criminal justice system. In the magistrates' court, further work is required to tackle issues relating to court listing and the proposed further rationalisation of courts.
- The Area has developed an Equality and Diversity Action Plan, in accordance with national guidance. The Area is also represented on a number of inter-agency

meetings and senior managers have undertaken a number of community liaison commitments.

- On an operational level, relationships with Victim Support and the Witness Service were positive. Inspectors found a need to prioritise some aspects of witness care.

The Executive Summary of the report is attached.

Inspectors commended 15 aspects of the Area's performance and made 21 recommendations designed to help the Area to address problems and weaknesses. Some suggestions were made about other aspects that required attention in due course.

Responding to the report, Chief Crown Prosecutor, Andrew Cresswell, said:

“I am very pleased that the efforts of staff at all levels within CPS Devon and Cornwall have been rewarded by such a positive Inspectorate Report. We intend to continue to provide a high quality prosecuting service for the public of Devon and Cornwall and the Isles of Scilly; and to make further progress, assisted by the report's recommendations.”

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 Devon and Cornwall has offices in Exeter, Plymouth and Truro. The offices cover 15 magistrates' courts and four Crown Courts.
3. CPS Devon and Cornwall employs the equivalent of 107 full time staff.
4. In the year 2001 the Area handled 25,359 defendants in the magistrates' courts and 2,219 defendants in the Crown Court. In addition, pre-charge advice was given to the police in 1,121 cases.

5. Before visiting the Area, the team of inspectors examined a total of 249 cases. The team visited the Area for three weeks in February and March 2002. The inspectors interviewed staff of all levels. The team also spoke to representatives of other criminal justice agencies. Observations were made on advocates at magistrates' courts and Crown Court, including CPS lawyers, agents and counsel. The team was assisted during the on-site phase by a lay inspector who looked at the handling of complaints, and the treatment of victims and witnesses.
6. Her Majesty's Crown Prosecution Service Inspectorate was established by the Crown Prosecution Act 2000, which came into effect on 1 October 2000 as a statutory body. The Inspectorate had, previously, been a unit within the CPS headquarters. The Chief Inspector is appointed by and reports to the Attorney General.
7. For further information, please contact either Jane Gould at HMCPSI (tel: 020 7210 1165) or Chris Hoyte at CPS Devon and Cornwall (tel: 01392 288011).