



## HMCPSP focussed inspection into unsuccessful outcomes in magistrates' court cases in Dorset and Northamptonshire

### CPS must address the lower than national average success rate in Dorset cases

A report by Her Majesty's Crown Prosecution Service Inspectorate (HMCPSP) has identified some of the reasons why the number of cases in the former CPS unit of Dorset not resulting in convictions was significantly above the national average.

Inspectors looked into "unsuccessful outcomes" in Magistrates' courts in the Dorset area. An unsuccessful outcome describes any case which after being charged does not result in either a guilty plea or the conviction of the accused.

### "Decisions not as robust as they should be"

Inspectors found that there appeared to be a combination of reasons why cases were not resulting in convictions, which included poor charging decisions by the police especially around motoring matters. Prosecutors were discontinuing these cases but not telling the police what was needed to secure a conviction. There was also evidence of some CPS decisions to discontinue that were not as robust as they should have been.

The report highlights poor decision making and found that although monitoring of unsuccessful outcomes is carried out by the Unit head, there is little evidence in Dorset of it being used as an aid to improving performance.

It also highlighted that some lawyers in Dorset are over cautious and rather than risk an acquittal after trial were pre-empting this by erring on the side of caution and discontinuing cases before trial.

The report made the following recommendations:

- Feedback should be provided to the police on police charge cases that are discontinued, identifying reasons for the discontinuance.
- The Area needs to ensure there is effective regular monitoring by senior management of discontinued cases and that lessons learned and trends identified are acted upon.
- The Area should consider reinstating Prosecution Team Performance Management meetings with the police.

HM Chief Inspector, Michael Fuller QPM, said:

*"This report has highlighted a number of significant issues in the CPS unit in Dorset, not least an over-cautious culture and an inadequate level of scrutiny.*

*"My inspectors remain concerned that the weak decision making of some lawyers will become diluted amongst the wider Area caseload. I hope that the CPS will act quickly on the recommendations in the report and that improvements are soon evident"*

**ends**

**Notes to editors**

1. Media enquiries: 020 7271 2440
2. Inspectors looked at the performance data for Dorset and Northamptonshire Units. Each is a part of a larger Area known as CPS Wessex and CPS East Midlands respectively.
3. Inspectors considered if the make-up of the case load in each Unit compared to the national average had significantly affected the unsuccessful outcome rate
4. The report also considered the breakdown of cases between police charged cases and CPS charged cases
5. Inspectors selected a sample of approximately 40 files from each Unit that had been finalised with finalisation codes where there was a significant variation from the national average. These files were read to try to identify why the case had been unsuccessful and what, if anything, could have been done to prevent the unsuccessful outcome
6. CPS managers in each Unit and local police representatives involved in case file preparation were interviewed on site to obtain their views
7. The full report can be found at [www.hmcpsi.gov.uk](http://www.hmcpsi.gov.uk)