

An inspection of the quality of casework in the Service Prosecuting Authority 2024

Scope

Introduction

This inspection is by invitation, as HM CPSI has no statutory remit to inspect the SPA. This inspection will examine the quality of legal decision making and casework in the SPA.

A. The Inspection question

Inspection question

Does the Service Prosecuting Authority provide an effective and efficient service delivering high-quality casework?

B. Objective

The objective of the inspection is to assess the level of service delivered by the Service Prosecuting Authority in its legal decision making and casework handling.

C. Inspection Criteria

- We will assess whether the SPA follows the correct procedure and make the correct decisions about jurisdiction.
- We will assess the effectiveness of the SPA's casework decision making at key points throughout the life of the case from the initial referral by the service police to the final disposal of the case across a representative range of cases.
- We will assess the timeliness of decision making, the timeliness and effectiveness of case preparation to progress cases effectively at court hearings.
- We will assess whether the SPA deals with victim and witness issues in its casework.
- We will assess the assurance of decision making within the SPA.
- We will assess the effectiveness of training within SPA through the lens of its impact on the quality of decision making with particular regard to the training of new prosecutors.
- We will make recommendations as to how the SPA can improve the effectiveness of its casework decision making.

D. Methodology

The inspection will involve a combination of file analysis, document review and on-site interviews. Analysis of documentation will be made off-site. The interviews will take place, where possible, in person at SPA offices at RAF Northolt during the on-site phase of the inspection.

File Examination

We will examine 40 files finalised in Q4 (January to March 2024) selected at random. 60% will be successful post-charge finalisations and 40% unsuccessful post-charge finalisations. The content of the file sample will reflect a representative spread of the types of cases prosecuted by SPA and so will contain at least 30% cases involving sexual offences, at least 29% offences against the person and 11% military offences. The remaining 30% will be a random selection of other offence types.

In addition to the 40 post-charge files, we will also:

- Dip sample 10 randomly selected cases where the case was referred back to the CO.
- Dip sample 10 randomly selected cases where the advice given was for no further action at pre-charge.
- We will review VRRs completed within Q4 (January to March 2024) up to a maximum of 10 cases to assess decision making and the quality of letters to victims.

The file analysis will allow an assessment of the quality, recording and timeliness of casework decision making throughout the life of the case across a range of cases which reflect the overall caseload of the SPA. It will allow assessments of the quality the decisions themselves, whether they are timely, whether they are appropriately recorded and communicated. It will also allow a view of the effectiveness of case handling and victim issues.

Document Examination

We will examine documents relating to casework including the SPM, relevant policies and procedures, and assurance processes. We will also examine training records and materials.

A document request will be provided.

On-site – Interviews and Focus Groups

The file analysis and document review will be evaluated before the on-site stage.

The on-site stage will involve the interviews of key personnel including:

- the Director of the Service Prosecuting Authority
- the Deputy Director of the Service Prosecuting Authority
- the lead for rape, sexual offences and domestic abuse
- the lead for training
- a focus group of managing prosecutors
- a focus group of prosecutors from teams 1 and 2 combined
- a focus group of prosecutors from teams 3 and 4 combined
- interviews with a small number of recently inducted prosecutors (from the March training cohort)
- a focus group of paralegals

Other On-site Inspection Activity

We will assess the quality of training and guidance provided to prosecutors in so far as it supports them in making effective casework decisions – we will attend parts of the bi-annual advocacy training course for new prosecutors, look at training plans, recording of completion of training and seek views of staff during interviews and focus groups.

We will assess the quality assurance processes within SPA in so far as they support effective decision making and efficient casework handling.

We will also seek to interview relevant external stakeholders to include the Judge Advocate General (HHJ Large), representative of the Military Court Service, and defence firms who regularly undertake Court Martial cases.

All the inspection team have security clearance which will permit access to all relevant information and systems.

E. Resources

The lead inspector supported by a team of 3 legal inspectors will conduct the case file examination, analyse the documents, conduct interviews with SPA staff and also external stakeholders. The interviews will be conducted for the most part in person at SPA's office at RAF Northolt or at the offices of the relevant stakeholders but may also be conducted remotely if appropriate.

F. Timetable

The inspection will commence on 7 May 2024. Preparation work to finalise the products to support the inspection will take place in March and April 2024.

2 April	Inspection formally commissioned
5 April	Question Set and accompanying guidance to be agreed with DDSPA
5 April	Document request send to SPA – 28 days to respond.
3 May	File sample finalised and allocated to inspectors
7 May	Inspection commences – document review and file examination
21 and 22 May	2-day visit by inspectors to RAF Northolt – consistency exercise and training with SPA
WC 8 July	Onsite at RAF Northolt – interviews and focus groups
WC 15 July	Onsite at RAF Northolt and with external stakeholders
19 August	Emerging Findings Note to SPA – 10 working days to consider
5 September	Emerging Findings meeting – RAF Northolt or Petty France
7 October	Draft report to SPA for comments on factual accuracy – 10 working days
31 October	Publication

G. Equality Impact Assessment

We have carried out an equality impact assessment in accordance with our methodology.