



HMCPSI

HM Crown Prosecution
Service Inspectorate

Area Inspection Programme

**A follow-up inspection of the
quality of the magistrates' courts
and Crown Court casework in
the 14 Crown Prosecution
Service Areas in England and
Wales**

January 2025

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Who we are

HMCPSPi inspects prosecution services, providing evidence to make the prosecution process better and more accountable.

We have a statutory duty to inspect the work of the Crown Prosecution Service and Serious Fraud Office. By special arrangement, we also share our expertise with other prosecution services in the UK and overseas.

We are independent of the organisations we inspect, and our methods of gathering evidence and reporting are open and transparent. We do not judge or enforce; we inform prosecution services' strategies and activities by presenting evidence of good practice and issues to address. Independent inspections like these help to maintain trust in the prosecution process.

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1. Chief Inspector's foreword

Chief Inspector's foreword

An effective and efficient Crown Prosecution Service (CPS) that provides high-quality casework is crucial to the justice system. HMCPsi assesses and reports on the quality of the casework and in particular legal decision making made by the CPS, a role that is unique to us as the inspectorate of the CPS. It is essential that good legal decisions are made to ensure that the right person is prosecuted for the right offence(s) and that cases are properly and effectively progressed.

For 25 years we have reported on the performance of CPS geographic Areas; Areas that since the creation of the CPS in 1986 have served the public locally in the community. Historically, our Area inspections found that CPS Areas were generally well managed, Area leadership was good, stakeholder relations were well established and effective, and finances and performance were well managed and controlled. However, we regularly reported that the standard of casework quality, the core of the CPS's role, required improvement.

Our latest programme of Area inspection, which we commenced in 2021, focused entirely on the quality of legal decision making in the 14 CPS geographical Areas. We developed a programme of Area inspection which allowed us to score the quality of legal decision making. We termed this as the 'added value' that the CPS brought to its legal decisions, and we also rated whether the Area had 'grip' of its casework. We published the 14 Area baseline phase reports setting out scores for each geographical Area in 2021-22. We brought together the findings of this baseline in a composite inspection report published in 2023.

In this report, a cycle of follow-up to the baseline, we set out our findings of the 14 Area inspections to assess if the quality of legal decision making has improved since baseline. We have again expressed our assessment of casework quality as a score of added value and grip for each Area and identified whether Areas have improved, declined or remained at the same level since the baseline assessment.

Most CPS Areas have improved the standard of legal quality between the baseline assessment and the follow-up inspection. The improvement in many Areas is marginal, but given the context of the last two years it is impressive to see any improvement at all.

The public rightly expect that the CPS should be delivering a high-quality service. The role of HMCPSI is to provide independently assessed evidence to allow those we inspect to be held to account. However, the context of the current situation in the criminal justice system cannot be ignored. Crown Court caseloads per prosecutor have increased since our baseline assessment, undertaken when the pressure of the pandemic was at its height, to levels never seen before. Trial delays are substantial; many Crown Court trials are being listed up to 24 months, if not longer, since the initial offence. Securing prosecution counsel has become more challenging as the independent bar has reduced in size since the pandemic. This is some of the context which must be acknowledged when assessing the results of the follow-up inspections.

Whilst it is impressive, given the context, to see improvements between baseline and the follow-up inspections, the extent of the geographic variation of performance is something that is of concern.

The CPS is a single organisation prosecuting cases across England and Wales; defendants, victims, witnesses and the public expect to receive the same level of service irrespective of their location and it is incumbent on the CPS to address this disparity. The findings of our inspections highlight which Areas are performing the best and through this identification the CPS will be able to consider what may be driving performance in those better performing or most improved Areas. To help identify the drivers of improvement, HMCPSI will also use the findings from this follow-up inspection to undertake a targeted, risk-based approach to inspection of two CPS geographical Areas to identify good practice, aspects for improvement and to assist those who superintend the CPS in 2025.

Anthony Rogers
HM Chief Inspector

2. Summary

Background

2.1. In 2021 we embarked upon our Area Inspection Programme (AIP) which was designed to have a minimum of two cycles of inspection: a baseline and a follow-up. This report sets out our findings from the second, follow-up phase of that programme.

2.2. The focus of AIP was casework quality, assessing whether the Crown Prosecution Service (CPS) Areas added value to the prosecution through good, proactive prosecution decision-making and whether the Area had gripped the management of cases.

2.3. In this follow-up inspection we examined casework quality using the same approach as in the baseline phase, to assess progress against the baseline scores for added value and grip.

Over four years on from the start of the pandemic, there are still factors that are having an impact on the CPS

2.4. In this round of inspections, we did not assess rape and serious sexual offences (RASSO) casework because the continued rise in the Crown Court backlog was such that it was not possible for us to identify a meaningful sample of cases that had commenced and proceeded to trial and sentence since our baseline inspection.

2.5. Given the importance of high-quality casework in RASSO cases, we have included a specific thematic inspection of the prosecution of rape cases in our 2024-25 business plan.

Context

2.6. Our baseline reports for each of the 14 Areas set out the context within which each Area was operating, given that we reported when the pandemic was still having a significant impact. Although we are now over four years on from the start of the pandemic, there are still factors impacting on the CPS, not least the continuing increase in the Crown Court backlog.

2.7. The pressure on the criminal justice system continues to increase. Caseloads for prosecutors and operational delivery staff across the whole of the CPS are at the highest ever levels. Trial backlogs and delays mean that the pressures for CPS lawyers and operational delivery staff are significantly increased. Keeping victims engaged,

dealing with the requirement to continually review cases, and the increased numbers of defendants on remand also add pressure. The time and resource that must be dedicated to ensuring these cases remain under continuing review, monitoring the cases and preparing applications to extend custody time limits with finite resource, takes time away from other legal decision making and case progression.

2.8. The CPS were invited to provide a statement about the national context for the period in which we conducted this follow-up phase, which can be found at chapter three.

The follow-up stage

2.9. The aims of this follow-up inspection were:

- to re-assess the casework quality following the baseline assessment
- to compare the casework quality from this inspection to the baseline, identify where improvements have been made and/or performance deteriorated and thereby identify a direction of travel
- to provide sufficient evidence to enable HMCPSP to implement a targeted risk-based inspection approach to CPS Areas in the future by identifying those CPS Areas where casework quality has been assessed as declining or improving.

2.10. Our findings in this follow-up are based upon a case file examination of 30 magistrates' courts cases and 30 Crown Court cases in each Area, a total of 840 finalised cases. These were all cases commenced in the Areas since publication of their baseline report.

2.11. In addition, to reflect more recent improvement in the light of recent focussed activity around case analysis and strategy, we examined ten live magistrates' courts and ten live Crown Court cases for each Area (30 Crown Court cases for CPS East of England¹) focussed on the quality of case analysis and strategy at the pre-charge stage; a further 300 cases. We have not reported on these cases separately but specifically included them in our overall sample to reflect the ongoing work the CPS has put into improving their case analysis and strategy when they are reviewing cases.

¹ We carried out the East of England as a pilot to test the follow-up methodology. Following evaluation, we reduced the volume of live cases we assessed for the remaining 13 Areas.

2.12. In total, we examined 1,140 cases over a period of ten months from December 2023 to September 2024.

2.13. In this report, we compared the baseline and follow-up scores for added value and grip, together with casework themes both nationally and for each Area. We indicate the direction of travel showing whether performance in relation to each has improved or declined. If any performance had improved or reduced by less than 1 percentage point then the direction of travel is shown as remaining static.

2.14. There has been a marginal improvement in three out of the four key scores we assessed: added value in magistrates' court and Crown Court casework, and grip in magistrates' courts casework. The grip of Crown Court casework has marginally declined. The latter is perhaps understandable given the continued increase in Crown Court caseloads.

Table 1: Comparison of added value and grip scores

	Baseline	Follow-up	Direction of travel
Magistrates' courts			
Added value	63.3%	65.5%	▲
Grip	65.9%	68.8%	▲
Crown Court			
Added value	63.5%	66.2%	▲
Grip	75.6%	73.3%	▼

2.15. Our findings for the follow-up were very similar to those of the baseline phase.

2.16. Code compliance at both pre and post-charge remained a strength across all casework types. Selection of charges was also still good. This means that the CPS is prosecuting the right person for the right offence(s).

2.17. The elements we assessed of the CPS's service to victims remained good and we saw evidence of appropriate special measures being applied to support victims and witnesses to give their best

evidence at trial and the right orders being sought at the conclusion of cases to protect them.

2.18. In assessing the rest of the casework quality findings in this follow-up phase, we identified two clear themes:

- case analysis and strategy still require considerable improvement for Areas to meet the CPS's own standards,
- there is **considerable geographical variation** in performance across different aspects of casework.

2.19. After the findings highlighted in the baseline reports, the CPS developed a programme of training and awareness, raising focus on improving the skills and capability of legal staff to improve case analysis and strategy. In July 2023 the CPS launched a year of case strategy, a 12-month programme incorporating ten case strategy principles. This programme outlined the responsibilities of a prosecutor in creating a case strategy to improve the quality of reviews and build strong cases.

2.20. Findings between the baseline assessment and this follow-up show that there has been some marginal improvement – see table 2 below. As the results of our assessment show, more still needs to be done, but given the context of substantial increases in caseloads in the Crown Court units, to see any degree of improvement is heartening.

Table 2: Quality of reviews pre-and post-charge

	Baseline	Follow-up	Direction of travel
Magistrates' courts			
Pre-charge	47.0%	48.7%	▲
Post-charge	58.6%	57.9%	▶
Crown Court			
Pre-charge	45.5%	47.1%	▲
Post-charge	57.0%	59.9%	▲

2.21. As well as marginal changes in the assessment of the quality of cases analysis, there was a stark geographical variation in performance.

2.22. The CPS is an organisation covering England and Wales with standard operating practices and a single set of legal guidance and policies that provides a consistent framework for legal decision making and case management. Defendants, victims and witnesses, as well as those working within the criminal justice system and the wider public, rightly expect the CPS to deliver consistent and high-quality casework to the same standard for cases wherever they occur. It is therefore concerning that our findings for this follow-up inspection once again highlight the wide geographical variation in performance and thus standards.

2.23. We set out performance charts for each Area at chapter five. The CPS may want to consider whether there are any aspects of performance in those better performing Areas that can be used to drive up national performance, addressing issues leading to such disparity.

2.24. This inspection was led by legal inspector, Andrew Hodgson. He was assisted by senior legal inspector, Colin Darroch and legal inspectors Daniel Caan, Jonathan Ellis, Gavin Hernandez, Joanne Milner, Eleanor Reyland and Leanne Townsend as well as five other inspectors who have since left HMCPSI and six associates. The inspection was supervised by Lisa Morris, Deputy Chief Inspector.

3. The national context – a statement provided by the Crown Prosecution Service

The national context

3.1. As part of our methodology, we invited the Crown Prosecution Service (CPS) to provide us with a statement to provide its view of the context of current issues that may impact the delivery of quality casework.

3.2. We have not tested the CPS statement which is replicated in full below.

The CPS's self-assessment of context

Since the release of the first tranche of HMCPSI Area Inspection reports in October 2021, the CPS has continued to operate in an environment with a range of challenges. These include a significant backlog of cases caused by factors including the pandemic aftermath, industrial action from the Criminal Bar Association and fiscal constraints impacting our overall budget allocation.

We understand the crucial importance of timeliness in case progression, and we have collaborated with police forces to introduce a new and improved charging model to help improve the timeliness of charging decisions. We have also rolled out the National Operating Model for prosecuting adult rape, ensuring a consistent approach based on best practice and experience of /what works, and we have taken steps to improve how we communicate with and support victims.

In response to HMCPSI reports, we have committed to become more efficient and decisive in the way in which we build our case strategies. We have established a framework based on ten principles which have been used to engage staff with targeted resources and learning to build confidence and consistency across the organisation.

Our operational delivery plans needed to ensure we were as effective as possible. We have therefore pursued process improvements by automating and digitising to cut down inefficiencies, aiming to improve file quality and streamline operations. This is further supported by our ongoing continuous improvement initiative which involves a wholesale examination of our standard operating procedures.

One of the key parts of our people focus has been to retain our skilled workforce, prepare our newer employees for our future needs through

continued professional development and put in place a range of strategies to grow our legal capacity.

Caseloads

Since the first HMCPSI Area Inspection programme reports in October 2021, our caseloads have increased by 15.5%. At the end of June 2024, we had a total caseload of 169,663 which is a rise from nearly 146,833 at the end of Q2 2021.

The number of cases where the defendant is in custody and subject to custody time limits has been increasing since mid-2022 and at the end of June 2024 it stood at just below 11,000 cases, which is an increase of 3,360 cases compared to the pre pandemic level.

In light of these challenges, the CPS has implemented a range of responses and strategies to ensure ongoing effective service delivery. Through continuous improvement, the CPS are also looking to streamline processes and remove duplication, helping to focus on delivering a high-quality service to the public.

Charging

The January 2024 interim report into the Joint case building by the police and Crown Prosecution Service referenced the relationships between the police and CPS being mature and open, with a shared sense of purpose at a strategic level to improve file building and deliver successful outcomes for victims, witnesses, and the public.

From Q2 2021-22, there has been a 17.1% increase in the quarterly number of pre-charge decision referrals from the police (from 48,178 to 56,423 in Q1 2024-25). By the conclusion of 2023, the pre-charge decision workload reached an all-time high.

The CPS operates as a demand-driven service for the police and other investigative bodies, and the timeliness of charging decisions relies greatly on the standard of referrals it obtains. Policing compliance with the Director's Guidance version six (DG6) is how the CPS assesses the quality of files it receives from the police. In January 2023, police compliance nationally with the quality criteria was at 60%, dropping slightly to 58.9% by June 2024. This figure varied across police forces and by June 2024, police force compliance ranged from 27.2% through to 81.8%. In 41.0% of cases, prosecutors needed to ask the police for more information to make a charge or decide on No Further Action. The

cumulative impact of increased referrals and issues related to file quality has put pressure on meeting the Service Level Agreement.

Court Caseloads

The criminal justice system continues to be severely challenged by backlogs as a result of the pandemic and strike action by the Criminal Bar Association, particularly in the Crown Court.

Due to pandemic restrictions, the February 2020 pre-Covid baseline for live CPS cases was 109,469 which by September 2020 had increased by 80%. Prior to the Bar action, the CPS, in collaborating with CJ partners, was able to significantly reduce the caseload by March 2022 to around 136,828, which is still 32% above the baseline. However, by June 2024, the number stood at 169,663.

To address the increased caseload there has been an increase in sitting days, although meeting this heightened demand is an ongoing challenge with fewer people choosing criminal law as a profession and a decline in overall capacity at the criminal Bar.

While substantial progress has been observed in magistrates' courts, the Crown Court caseload remains high. The post-pandemic low for the CPS live Crown Court caseload was 67,716 in March 2022, it currently sits at 81,923 considerably higher than the February 2020 pre-pandemic baseline of 43,401 cases.

Despite this, the CPS continues to deliver all core functions effectively due to proactive investments in digital infrastructure, robust leadership, and a national approach to managing regional differences in caseloads.

In February 2024, a joint inspection report on the impact of recruitment and retention on the criminal justice system highlighted the establishment of the Central Prosecution Team (CPT) in September 2022 as a positive development. Positioned alongside CPS Direct, the team provides assistance in regions of elevated demand and undertakes pre-charge decisions, thus managing spikes in workload. Comprising 12 senior crown prosecutors, the CPT reviews approximately 200 cases weekly and has assessed over 6,000 cases. The scope of the team now extends to certain Crown Court cases, and prosecutors are deployed remotely to Areas under greatest strain. We will be doubling the size of the CPT this Autumn

The CPS has also introduced a new operating model for both the Crown and magistrates' courts work that focusses the Director's Charging Guidance (Version 6) at pre-charge stage. This includes the robust completion of the BCM form, to support early service of as much of the prosecution evidence as possible in the IDPC on cases in which the FCT have been applied; as well as early disclosure of unused material / schedules after the sending hearing.

Our People

The joint efficiency spotlight report, on the impact of recruitment and retention on the criminal justice system of February 2024, recognised that the CPS has been through a recent, significant period of workforce growth and that it has a clear, strategic approach to 'recruitment, induction, succession planning, development and retention of staff including prosecutors.'

Workforce

While our caseloads have remained high, labour market challenges have also continued, including fewer people choosing criminal law as a profession. There is a shortage of sought-after criminal practice legal skills across England and Wales, and an increased need for specialist skills including legal leadership. The CPS has continued our 'growing our own' approach for legal roles which helps to reduce reliance on the external market whilst offering a progressive, clear, and achievable career path for our people.

This has included maintaining a previously increased Legal Trainee intake and development for lawyers to support progression into Senior Crown Prosecutor roles. The service has developed a workforce planning approach for senior roles, introducing curated development around legal management, and extending the leading with confidence talent management programme to prosecutors, to strengthen the legal leadership pipeline.

For context, the CPS has increased in size by 13% from September 2021 to June 2024 (804 full time equivalent posts), including 8.4% frontline growth and 4,503 vacancies filled. A feature of this growth phase is the successful expansion of our RASSO workforce which has increased by 70%.

Training Initiatives

Whilst training is not the main driver of cultural or performance change, it has an important role to play as a lever and in supporting these elements.

Since the original report from HMCPSI, the Lawyer Induction Programme (LIP) continues to be delivered to all new starters on average 4-6 weeks after arrival. Our Central Legal Training team continued to deliver all mandatory courses during the period including specialisms such as RASSO, Youth, and identified topics such as disclosure.

The team introduced a number of podcasts to enable learning at the points of need and includes topics such as custody time limits, disclosure, and RASSO topics. Over the last year new courses supporting RASSO and domestic abuse have launched, supporting all lawyers.

Improving casework quality and operating procedures

Case Strategy

The outcomes of the first phase of the HMCPSI Area inspection Programme have supported our own view that while our legal decision-making is sound, there is a need to enhance our approach to case analysis and strategy.

Having a well-defined case strategy is crucial, and over the past year, we have delivered a targeted initiative aimed at improving skills and capabilities in this aspect of our work. Guided by ten core principles, this initiative has been tailored to assist prosecutors in articulating a carefully planned route to a just outcome, thereby increasing efficiency, and improving the way we are delivering justice.

Our action plan for the programme prioritises strengthening our standards and training; improving collaboration with investigative agencies; defining clear responsibilities regarding case strategy; and ensuring that our digital progress aligns with the case strategy aims. These steps underpin our efforts to drive an improved culture around case strategy.

Violence against women and girls and RASSO

In July 2023, the CPS launched the new National Operating Model for prosecuting cases of adult rape. This includes joint agreements with policing on early advice, revised and refreshed training, guidance on

‘suspect-centric’ approaches, specialist case progression resources, dedicated communications channels for specialist Independent Sexual Violence Advisors (ISVAs) and consistency in our approach to instructing advocates to present cases in court.

We have also continued to work on improving victim services and taken action to improve the standard of our communications with all victims, including a thorough review of our Victim Communication and Liaison Scheme letters. We have taken specific action to improve the service we offer to victims of rape and serious sexual offences, including the recruitment of new dedicated Victim Liaison Officers in our RASSO units who will provide a consistent point of contact for victims within the CPS.

Continuous Improvement

The CPS has recently embarked on a new initiative aimed at redesigning the CPS prosecution end to end process. This entails a thorough analysis of the existing system to fully understand the present challenges and limitations, as well as interdependencies. This process will help CPS develop a comprehensive evidence-based understanding of the overall challenge.

The work will include mapping the current 'as is' prosecution process to determine the extent of process re-design necessary, in addition to pinpointing elements which would deliver the greatest benefits. Consequently, this may lead to a redesign of the holistic or part of the prosecution end to end process, with prioritisation given to activities that promise business benefits and additional value.

4. Added Value and Grip

Added value and grip

4.1. To assess the quality of Crown Prosecution Service (CPS) casework, the baseline inspections and this follow-up programme of inspection assessed cases against two key measures; whether the Area had added value to the prosecution through good, proactive prosecution decision-making and whether the Area had gripped case management. In setting these measures prior to the baseline phase, we considered all the aspects that contribute to casework quality, including decision making and case progression, and categorised them as added value or grip.

What is added value?

4.2. We defined added value as the difference made by prosecutors through good, proactive prosecution decision-making. The list below sets out the themes we assess as adding value²:

- the decision to charge and with what offence
- decisions about admissibility and credibility of evidence
- choosing, and clearly and correctly drafting indictments in cases to be heard at the Crown Court
- good quality reviews including, at all stages, a cogent and clear analysis of the case
- appropriate handling and decision-making around unused material throughout the case
- effective consideration and decision-making around victim and prosecution witness issues, including seeking appropriate orders to protect the victim, witnesses and the public
- robust and fair decisions about custody and bail
- appropriate use of applications to strengthen the prosecution case, such as evidence of bad character of the defendant or hearsay evidence³.

² A full set of the questions can be found in annex B.

³ A statement not made in oral evidence that is evidence of any matter stated s114(1) Criminal Justice Act 2003.

What is grip?

4.3. We define grip as the effectiveness and efficiency of case progression or management of cases by Area. Effective grip ensures that cases have been progressed at each relevant stage, whether required processes had been adhered to, and whether any timescales or deadlines had been met.

4.4. The themes included in our assessment of grip were⁴:

- timeliness of reviews, including timeliness of any decisions to discontinue cases
- effective preparation for first hearing
- compliance with court orders
- appropriate and timely handling of correspondence from the police, court and defence
- timely and effective handling of correspondence with victims and witnesses
- clear audit trails of all aspects of casework on the CPS case management system.

National performance

Magistrates' courts – added value

4.5. In this follow-up inspection, the national average for the CPS added value score in magistrates' courts casework was 65.5%. This is a marginal improvement of 2.2 percentage points against the baseline average of 63.3%.

4.6. Since the baseline inspection, the CPS has focussed on improving the quality of its casework, particularly case analysis and strategy. It is therefore positive to see an improvement between the baseline assessment and this inspection.

4.7. Performance across the 14 Areas is set out in chart 1 below. As is clearly illustrated, there remains significant variation between different CPS Areas. The scores range between 70.9% in the strongest

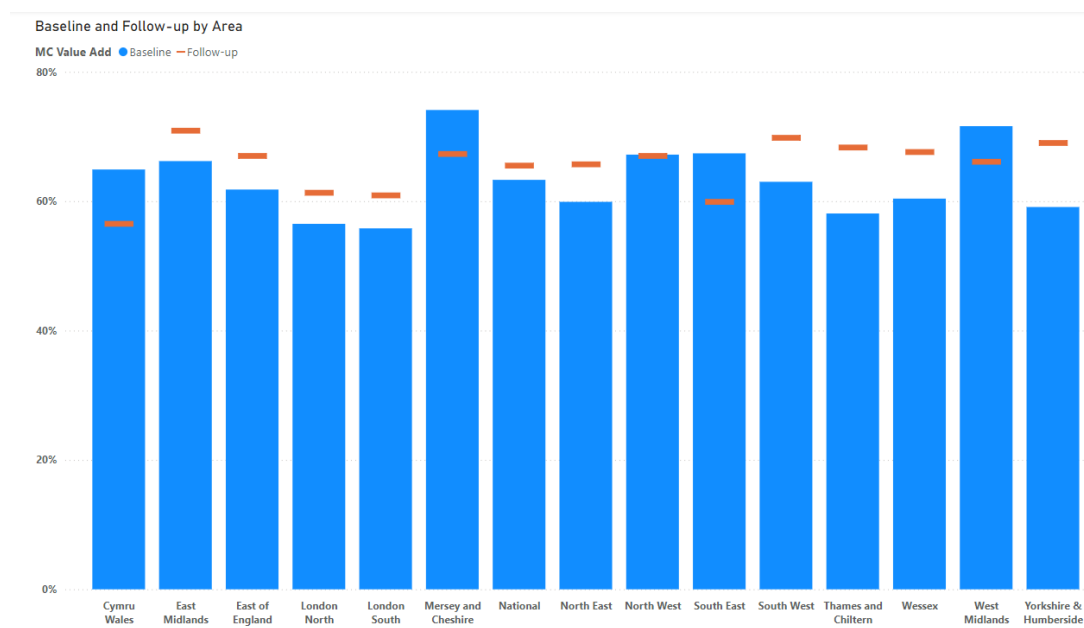
⁴ A full set of the questions can be found in annex B

performing Area to 56.5% in the weakest performing Area, a difference of 14.4 percentage points. Even though there is a wide variation between the strongest and weakest performing Area, there has been a slight improvement since the baseline inspection when the difference was 18.3 percentage points.

There remains significant variation between different CPS Areas

4.8. Even in the strongest performing Area there is more to be done with three out of ten cases needing to improve to meet the CPS's own casework quality standards and expectations. In the weakest performing Area the improvement required is much greater, with improvement needed in nearly half of its casework.

Chart 1: Added value in magistrates' courts casework



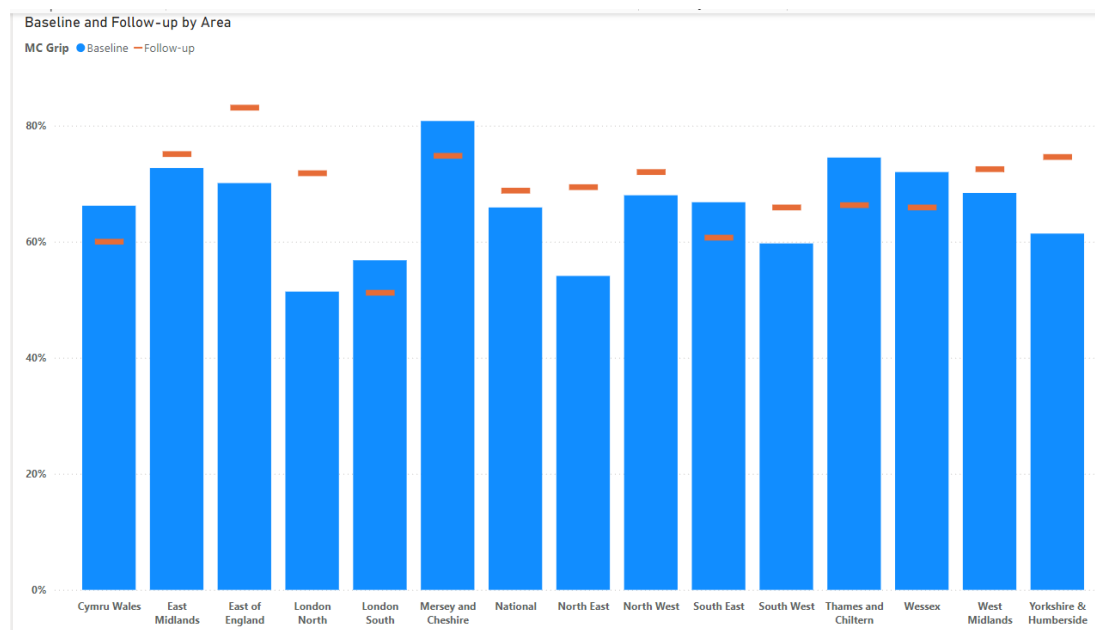
Magistrates' courts – grip

4.9. The national average for grip score in magistrates' courts casework in this follow-up inspection was 68.8%. This is a marginal improvement of 2.9 percentage points against the baseline score (65.9%).

4.10. Again, there is a significant variation of performance between Areas. As chart 2 below shows, the range is between 83.1% in the strongest performing Area to 51.2% in the weakest performing Area, a difference of 31.9 percentage points. This is a significant gap between the performance of the Areas, which has slightly widened since the baseline assessment when the range was 29.4 percentage points.

4.11. Even in the strongest performing Area, more could be done to better grip its casework to fully meet the CPS's own standards and expectations. However, given the context of the pressures in the criminal justice system, a grip score of over 80% is an impressive result. In the weakest performing Area, the improvement required is much greater, with better grip required in just under half of its casework.

Chart 2: Grip in magistrates' courts casework



Crown Court – added value

4.12. In this follow-up inspection, the national average for the CPS added value score in Crown Court casework was 66.2%. This is a marginal improvement of 2.7 percentage points against the national average at the time of the baseline, when it was assessed at 63.5%.

4.13. Given the pressures faced in Crown Court units, this is an impressive achievement. The positive direction of travel since the baseline inspection demonstrates the work that the CPS has been undertaking to improve the quality of its casework.

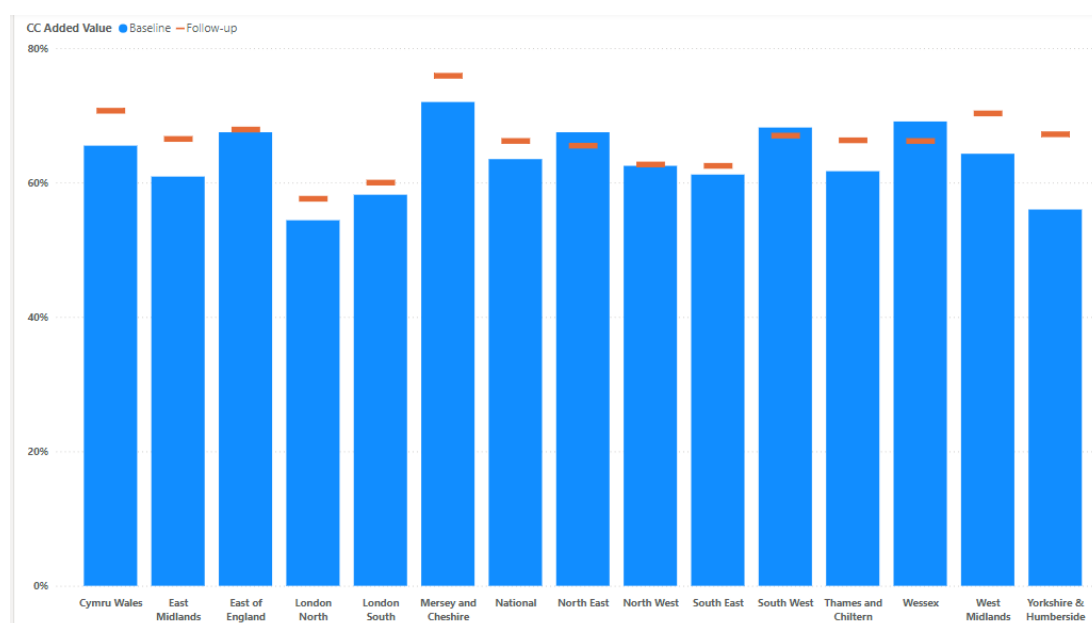
11 out of 14 Areas have improved on their added value scores since baseline for Crown Court casework

4.14. Performance across the 14 Areas is set out in chart 3 below. It is encouraging to note that 11 out of 14 Areas have improved on their added value scores since baseline for Crown Court casework.

4.15. Chart 3 also illustrates that whilst 11 Areas show improvement since baseline, there is significant geographical variation between Areas. Indeed, we found a greater degree of variance between the CPS Areas in Crown Court casework than in the magistrates' courts casework. The range stretches between 75.9% in the strongest performing Area to 57.6% in the weakest performing Area, a difference of 18.3 percentage points. While it is good to see that most Areas have improved the measure of value added, the variance has slightly increased since the baseline inspection (17.6 percentage points).

4.16. Even in the strongest performing Area there is more to be done, with just under a quarter of its casework needing to improve to meet the CPS's own casework quality standards and expectations. In the weakest performing Area, the improvement required is much greater, as it is needed in over half of its casework.

Chart 3: Added value in Crown Court casework



Crown Court – an assessment of grip

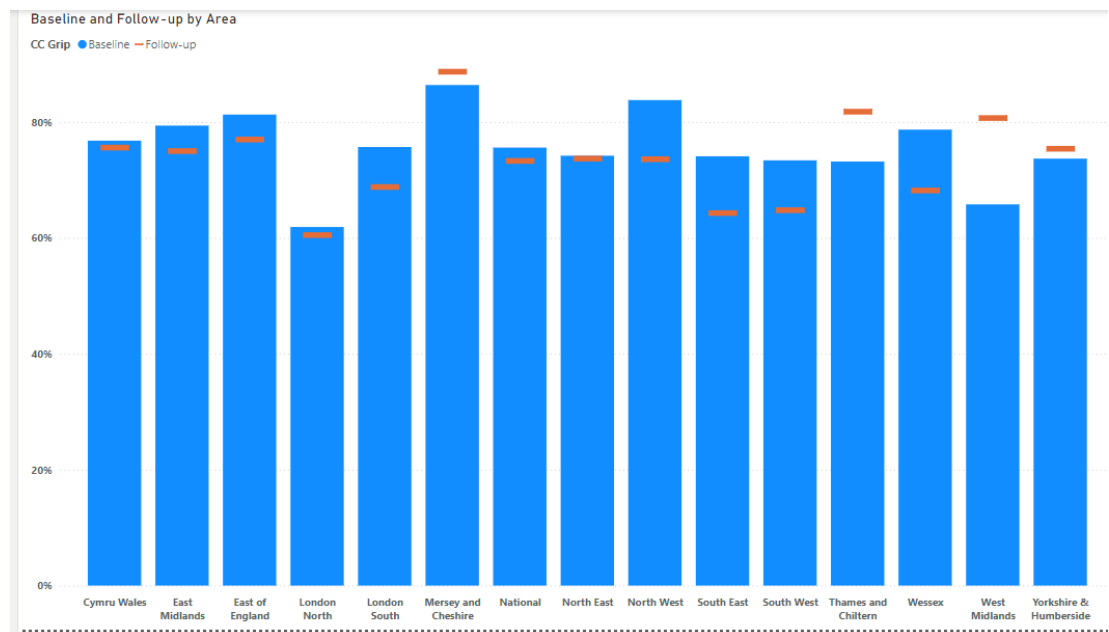
4.17. The national average of grip in the Crown Court casework was 73.3%. This shows a marginal decline of 2.3 percentage points against the baseline assessment of 75.6%.

4.18. Performance across the 14 Areas is set out in chart 4 below. Once again, there is significant variation in performance between Areas. The scores range between 88.7% in the strongest performing Area to 60.5% in the weakest performing Area, a difference of 28.2 percentage points.

The variation in the follow-up is slightly wider than the 24.5 percentage points range in the baseline inspection.

4.19. As with grip in the magistrates' courts units, there are one or two Areas where performance is strong, which is impressive given the pressures of increased caseloads since the baseline. However, in the weakest performing Area, the improvement required is much greater, where about four in ten cases are below the expected standard. In ten of the CPS Areas, performance has deteriorated from the baseline to the follow-up inspection, which is likely to be a consequence of increased pressures and caseloads being held on Crown Court units.

Chart 4: Grip in Crown Court casework



5. Area performance charts

CPS Cymru/Wales

Added value and grip

Added value				
Magistrates' courts	64.9%	56.5%	▼	-8.4pp
Crown Court	65.5%	70.7%	▲	+5.2pp
Grip				
Magistrates' courts	66.2%	60.0%	▼	-6.2pp
Crown Court	76.8%	75.6%	▼	-1.2pp



Casework themes

Theme	Magistrates' courts				Crown Court			
Pre-charge								
Code compliance	100%	97.3%	▼	-2.7pp	91.7%	100%	▲	+8.3pp
Charge selection	89.6%	88.5%	▼	-1.1pp	84.7%	91.1%	▲	+6.4pp
Case analysis	43.9%	33.1%	▼	-10.8pp	38.9%	50.0%	▲	+11.1pp
Post-charge								
Code compliance	100%	100%	▶	0pp	95.0%	100%	▲	+5.0pp
Case analysis	58.0%	54.7%	▼	-3.3pp	60.0%	70.2%	▲	+10.2pp
Victims and Witnesses								
Victim and Witness issues	70.8%	56.3%	▼	-14.5pp	74.1%	75.5%	▲	+1.4pp
Other aspects								
Disclosure compliance	65.9%	51.4%	▼	-14.5pp	70.7%	71.0%	▲	+0.3pp
PTPH preparation	n/a	n/a	n/a	n/a	71.2%	63.9%	▼	-7.3pp

CPS East Midlands

Added value and grip

Added value				
Magistrates' courts	66.2%	70.9%	▲	+4.7pp
Crown Court	60.9%	66.5%	▲	+5.6pp
Grip				
Magistrates' courts	72.7%	75.1%	▲	+3.4pp
Crown Court	79.4%	75.0%	▼	-4.4pp



Casework themes

Theme	Magistrates' courts				Crown Court			
Pre-charge								
Code compliance	96.2%	100.0%	▲	+3.8pp	85.3%	94.6%	▲	+9.3pp
Charge selection	94.0%	98.3%	▲	+4.3pp	75.9%	91.7%	▲	+15.8pp
Case analysis	49.3%	55.5%	▲	+6.2pp	44.3%	47.2%	▲	+2.9pp
Post-charge								
Code compliance	96.7%	96.7%	▶	0pp	87.5%	96.7%	▲	+9.2pp
Case analysis	64.5%	68.8%	▲	+4.3pp	56.8%	61.6%	▲	+4.8pp
Victims and Witnesses								
Victim and Witness issues	70.5%	75.6%	▲	+5.1pp	69.2%	66.0%	▼	-3.2pp
Other aspects								
Disclosure compliance	65.6%	65.3%	▶	-0.3pp	66.7%	62.9%	▼	-3.8pp
PTPH preparation	n/a	n/a	n/a	n/a	80.6%	73.2%	▼	-7.4pp

CPS East of England

Added value and grip

Added value				
Magistrates' courts	61.8%	67.0%	▲	+5.2pp
Crown Court	67.5%	67.9%	▶	+0.4pp
Grip				
Magistrates' courts	70.1%	83.1%	▲	+13.0pp
Crown Court	81.3%	77.0%	▼	-4.3pp



Casework themes

Theme	Magistrates' courts				Crown Court			
Pre-charge								
Code compliance	92.6%	97.1%	▲	+4.5pp	94.1%	100%	▲	+5.9pp
Charge selection	79.6%	89.6%	▲	+10.0pp	82.4%	88.5%	▲	+6.1pp
Case analysis	42.6%	47.1%	▲	+4.5pp	51.9%	50.2%	▼	-1.7pp
Post-charge								
Code compliance	96.7%	96.7%	▶	0 pp	95.0%	100.0%	▲	+5.0pp
Case analysis	60.3%	64.9%	▲	+4.6 pp	56.0%	58.1%	▲	+2.1pp
Victims and Witnesses								
Victim and Witness issues	70.0%	70.7%	▶	+0.7 pp	78.0%	78.5%	▶	+0.5pp
Other aspects								
Disclosure compliance	55.7%	67.9%	▲	+12.2 pp	74.7%	68.5%	▼	-6.2pp
PTPH preparation	n/a	n/a	n/a	n/a	63.8%	65.4%	▲	+1.6pp

CPS London North

Added value and grip

Added value				
Magistrates' courts	56.5%	61.3%	▲	+4.8pp
Crown Court	54.4%	57.6%	▲	+3.2pp
Grip				
Magistrates' courts	51.4%	71.8%	▲	+20.4pp
Crown Court	61.9%	60.5%	▼	-1.4pp



Casework themes

Theme	Magistrates' courts				Crown Court			
Pre-charge								
Code compliance	95.5%	94.6%	▶	-0.9pp	91.2%	89.2%	▼	-2.0pp
Charge selection	90.5%	94.0%	▲	+3.5pp	76.6%	91.7%	▲	+15.1pp
Case analysis	38.6%	38.6%	▶	0pp	44.8%	40.7%	▼	-4.1pp
Post-charge								
Code compliance	90.0%	90.0%	▶	0pp	92.5%	90.0%	▼	-2.5pp
Case analysis	48.8%	59.4%	▲	+10.6pp	43.7%	50.4%	▲	+6.7pp
Victims and Witnesses								
Victim and Witness issues	68.3%	72.6%	▲	+4.3pp	61.3%	55.8%	▼	-5.5pp
Other aspects								
Disclosure compliance	35.5%	60.7%	▲	+25.2pp	50.0%	59.9%	▲	+9.9pp
PTPH preparation	n/a	n/a	n/a	n/a	50.5%	47.4%	▼	-3.1pp

CPS London South

Added value and grip

Added value				
Magistrates' courts	55.8%	60.9%	▲	+5.1pp
Crown Court	58.2%	60.0%	▲	+1.8pp
Grip				
Magistrates' courts	56.8%	51.2%	▼	-5.6pp
Crown Court	75.7%	68.8%	▼	-6.9pp



Casework themes

Theme	Magistrates' courts				Crown Court			
Pre-charge								
Code compliance	92.3%	97.4%	▲	+5.1pp	81.8%	100.0%	▲	+18.2pp
Charge selection	91.7%	94.4%	▲	+2.7pp	88.9%	98.1%	▲	+9.2pp
Case analysis	33.9%	38.7%	▲	+4.8pp	44.8%	37.1%	▼	-7.7pp
Post-charge								
Code compliance	93.3%	96.7%	▲	+3.4pp	85.0%	96.7%	▲	+11.7pp
Case analysis	42.7%	53.8%	▲	+11.1pp	48.4%	50.0%	▲	+1.6pp
Victims and Witnesses								
Victim and Witness issues	65.7%	75.6%	▲	+9.9pp	67.0%	77.4%	▲	+10.4pp
Other aspects								
Disclosure compliance	55.8%	47.8%	▼	-8.0pp	63.9%	64.9%	▲	+1.0pp
PTPH preparation	n/a	n/a	n/a	n/a	54.2%	49.7%	▼	-4.5pp

CPS Mersey-Cheshire

Added value and grip

Added value				
Magistrates' courts	74.1%	67.3%	▼	-6.8pp
Crown Court	72.0%	75.9%	▲	+3.9pp
Grip				
Magistrates' courts	80.8%	74.8%	▼	-6.0pp
Crown Court	86.4%	88.7%	▲	+2.3pp



Casework themes

Theme	Magistrates' courts				Crown Court			
Pre-charge								
Code compliance	96.2%	100.0%	▲	+3.8pp	100.0%	100.0%	▶	0pp
Charge selection	94.0%	86.7%	▼	+7.3pp	83.8%	91.7%	▲	+7.9pp
Case analysis	66.3%	53.9%	▼	+12.4pp	55.9%	65.0%	▲	+9.1pp
Post-charge								
Code compliance	96.7%	100.0%	▲	+3.3pp	100.0%	100.0%	▶	0pp
Case analysis	71.2%	57.9%	▼	-13.3pp	72.3%	65.2%	▼	-7.1pp
Victims and Witnesses								
Victim and Witness issues	83.3%	71.4%	▼	-11.9pp	83.0%	80.9%	▼	-2.1pp
Other aspects								
Disclosure compliance	64.0%	62.1%	▼	-1.9pp	74.8%	76.6%	▲	+1.8pp
PTPH preparation	n/a	n/a	n/a	n/a	82.5%	83.8%	▲	+1.3pp

CPS North East

Added value and grip

Added value				
Magistrates' courts	59.9%	65.7%	▲	+5.8pp
Crown Court	67.5%	65.5%	▼	-2.0pp
Grip				
Magistrates' courts	54.1%	69.4%	▲	+15.3pp
Crown Court	74.2%	73.7%	▶	-0.5pp



Casework themes

Theme	Magistrates' courts				Crown Court			
Pre-charge								
Code compliance	83.3%	94.1%	▲	+10.8pp	97.1%	97.4%	▶	+0.3pp
Charge selection	77.1%	97.7%	▲	+20.6pp	86.8%	94.6%	▲	+7.8pp
Case analysis	49.6%	52.9%	▲	+3.3pp	47.6%	49.7%	▲	+2.1pp
Post-charge								
Code compliance	90.0%	96.4%	▲	+6.4pp	97.5%	93.5%	▼	-4.0pp
Case analysis	55.4%	52.8%	▼	-2.6pp	64.8%	57.4%	▼	-7.4pp
Victims and Witnesses								
Victim and Witness issues	67.2%	72.0%	▲	+4.8pp	68.3%	62.9%	▼	-5.4pp
Other aspects								
Disclosure compliance	46.0%	69.2%	▲	+23.2pp	71.7%	70.5%	▼	-1.2pp
PTPH preparation	n/a	n/a	n/a	n/a	62.2%	61.8%	▶	-0.4pp

CPS North West

Added value and grip

Added value				
Magistrates' courts	67.2%	67.0%	▶	-0.2pp
Crown Court	62.5%	62.7%	▶	+0.2pp
Grip				
Magistrates' courts	68.0%	72.0%	▲	+4.0pp
Crown Court	83.8%	73.6%	▼	-10.2pp



Casework themes

Theme	Magistrates' courts				Crown Court			
Pre-charge								
Code compliance	92.0%	100.0%	▲	+8.0pp	88.2%	91.2%	▲	+3.0pp
Charge selection	89.1%	93.1%	▲	+4.0pp	86.7%	85.7%	▼	-1.0pp
Case analysis	55.4%	49.7%	▼	-5.7pp	47.0%	54.6%	▲	+7.6pp
Post-charge								
Code compliance	86.7%	100.0%	▲	+13.3pp	85.0%	90.0%	▲	+5.0pp
Case analysis	65.1%	65.8%	▶	+0.7pp	55.8%	55.6%	▶	-0.2pp
Victims and Witnesses								
Victim and Witness issues	68.8%	72.1%	▲	+3.3pp	70.7%	74.3%	▲	+3.6pp
Other aspects								
Disclosure compliance	63.9%	61.5%	▼	-2.4pp	65.9%	62.5%	▼	-3.4pp
PTPH preparation	n/a	n/a	n/a	n/a	80.9%	64.5%	▼	-6.4pp

CPS South East

Added value and grip

Added value				
Magistrates' courts	67.4%	59.9%	▼	-7.5pp
Crown Court	61.2%	62.5%	▲	+1.3pp
Grip				
Magistrates' courts	66.8%	60.7%	▼	-6.1pp
Crown Court	74.1%	64.3%	▼	-9.8pp



Casework themes

Theme	Magistrates' courts				Crown Court			
Pre-charge								
Code compliance	100.0%	97.4%	▼	-2.6pp	88.6%	94.4%	▲	+5.8pp
Charge selection	85.2%	91.1%	▲	+5.9pp	82.9%	96.0%	▲	+13.1pp
Case analysis	51.0%	46.0%	▼	-5.0pp	47.2%	37.2%	▼	-10.0pp
Post-charge								
Code compliance	96.7%	96.7%	▶	0pp	90.0%	93.3%	▲	+3.3pp
Case analysis	60.8%	46.8%	▼	-14.0pp	51.6%	61.2%	▲	+9.6pp
Victims and Witnesses								
Victim and Witness issues	76.0%	61.1%	▼	-14.9pp	74.0%	65.2%	▼	-8.8pp
Other aspects								
Disclosure compliance	62.9%	50.5%	▼	-12.4pp	64.5%	59.2%	▼	-5.3pp
PTPH preparation	n/a	n/a	n/a	n/a	72.8%	63.9%	▼	-8.9pp

CPS South West

Added value and grip

Added value				
Magistrates' courts	63.0%	69.8%	▲	+6.8pp
Crown Court	68.2%	67.0%	▼	-1.2pp
Grip				
Magistrates' courts	59.7%	65.9%	▲	+6.2pp
Crown Court	73.4%	64.8%	▼	-8.6pp



Casework themes

Theme	Magistrates' courts				Crown Court			
Pre-charge								
Code compliance	100.0%	97.4%	▼	-2.6pp	90.6%	97.2%	▲	+6.6pp
Charge selection	86.0%	87.9%	▲	+1.9pp	91.4%	90.4%	▼	-1.0pp
Case analysis	48.5%	56.7%	▲	+1.9pp	48.6%	50.6%	▲	+2.0pp
Post-charge								
Code compliance	96.7%	100.0%	▲	+3.3pp	95.0%	100.0%	▲	+5.0pp
Case analysis	56.9%	57.8%	▶	+0.9pp	61.4%	59.4%	▼	-2.0pp
Victims and Witnesses								
Victim and Witness issues	70.4%	70.5%	▶	+0.1pp	72.4%	72.0%	▶	-0.4pp
Other aspects								
Disclosure compliance	51.4%	63.0%	▲	+11.6pp	73.3%	64.0%	▼	-9.3pp
PTPH preparation	n/a	n/a	n/a	n/a	64.1%	69.1%	▲	+5.0pp

CPS Thames and Chiltern

Added value and grip

Added value				
Magistrates' courts	58.1%	68.3%	▲	+10.2pp
Crown Court	61.7%	66.3%	▲	+4.6pp
Grip				
Magistrates' courts	74.5%	66.3%	▼	-8.2pp
Crown Court	73.2%	81.8%	▲	+8.6pp



Casework themes

Theme	Magistrates' courts				Crown Court			
Pre-charge								
Code compliance	92.6%	97.4%	▲	+4.8pp	100.0%	94.9%	▼	-5.1pp
Charge selection	84.0%	100.0%	▲	+16.0pp	86.8%	90.7%	▲	+3.9pp
Case analysis	41.1%	51.3%	▲	+10.2pp	36.1%	39.3%	▲	+3.2pp
Post-charge								
Code compliance	90.0%	96.6%	▲	+6.6pp	95.0%	96.7%	▲	+1.7pp
Case analysis	51.2%	47.1%	▼	-4.1pp	62.1%	61.1%	▼	-1.0pp
Victims and Witnesses								
Victim and Witness issues	68.2%	74.7%	▲	+4.5pp	75.8%	75.6%	▶	-0.2pp
Other aspects								
Disclosure compliance	49.6%	73.0%	▲	+23.4pp	64.9%	77.7%	▲	+12.8pp
PTPH preparation	n/a	n/a	n/a	n/a	50.7%	65.9%	▲	+15.2pp

CPS Wessex

Added value and grip

Added value				
Magistrates' courts	60.4%	67.6%	▲	+7.2pp
Crown Court	69.1%	66.2%	▼	-2.9pp
Grip				
Magistrates' courts	72.0%	65.9%	▼	-6.1pp
Crown Court	78.7%	68.2%	▼	-10.5pp



Casework themes

Theme	Magistrates' courts				Crown Court			
Pre-charge								
Code compliance	92.6%	97.3%	▲	+4.7pp	97.1%	97.4%	▶	+0.3pp
Charge selection	96.0%	91.1%	▼	-4.9pp	91.2%	79.6%	▼	-11.6pp
Case analysis	37.2%	53.7%	▲	+6.5pp	47.9%	46.8%	▼	-1.1pp
Post-charge								
Code compliance	90.0%	96.6%	▲	+6.6pp	97.5%	96.7%	▶	-0.8pp
Case analysis	58.2%	54.7%	▼	-3.5pp	61.5%	63.4%	▲	+1.9pp
Victims and Witnesses								
Victim and Witness issues	68.0%	77.3%	▲	+9.3pp	70.5%	65.9%	▼	-4.6pp
Other aspects								
Disclosure compliance	51.5%	54.9%	▲	+3.4pp	72.2%	65.4%	▼	-6.8pp
PTPH preparation	n/a	n/a	n/a	n/a	63.6%	78.1%	▲	+14.5pp

CPS West Midlands

Added value and grip

Added value				
Magistrates' courts	71.6%	66.1%	▼	-5.5pp
Crown Court	64.3%	70.3%	▲	+6.0pp
Grip				
Magistrates' courts	68.4%	72.5%	▲	+4.1pp
Crown Court	65.8%	80.7%	▲	+14.9pp



Casework themes

Theme	Magistrates' courts				Crown Court			
Pre-charge								
Code compliance	100.0%	94.3%	▼	-5.7pp	91.2%	94.4%	▲	+3.2pp
Charge selection	88.5%	79.5%	▼	-9.0pp	90.3%	97.9%	▲	+7.6pp
Case analysis	59.2%	51.3%	▼	-7.9pp	50.5%	46.2%	▼	-4.3pp
Post-charge								
Code compliance	100.0%	96.6%	▼	-3.4pp	92.5%	93.3%	▶	+0.8pp
Case analysis	69.8%	65.2%	▼	-4.6pp	58.3%	67.8%	▲	+9.5pp
Victims and Witnesses								
Victim and Witness issues	72.6%	75.8%	▲	+3.2pp	77.1%	78.3%	▲	+1.2pp
Other aspects								
Disclosure compliance	59.2%	60.9%	▲	+1.7pp	59.5%	74.4%	▲	+14.9pp
PTPH preparation	n/a	n/a	n/a	n/a	59.0%	72.5%	▲	+13.5pp

CPS Yorkshire and Humberside

Added value and grip

Added value				
Magistrates' courts	59.1%	69.0%	▲	+9.9pp
Crown Court	56.0%	67.2%	▲	+11.2pp
Grip				
Magistrates' courts	61.4%	74.6%	▲	+13.2pp
Crown Court	73.7%	75.4%	▲	+1.7pp



Casework themes

Theme	Magistrates' courts				Crown Court			
Pre-charge								
Code compliance	87.5%	97.2%	▲	+9.7pp	97.1%	97.2%	▶	+0.1pp
Charge selection	90.9%	90.4%	▶	-0.5pp	84.8%	90.0%	▲	+5.2pp
Case analysis	38.9%	53.8%	▲	+14.9pp	32.7%	44.1%	▲	+11.4pp
Post-charge								
Code compliance	90.0%	96.6%	▲	+6.6pp	95.0%	93.3%	▼	-1.7pp
Case analysis	58.6%	58.1%	▶	-0.5pp	45.4%	58.6%	▲	+13.2pp
Victims and Witnesses								
Victim and Witness issues	62.8%	72.6%	▲	+9.8pp	63.1%	72.7%	▲	+9.6pp
Other aspects								
Disclosure compliance	47.1%	68.2%	▲	+21.1pp	61.5%	76.4%	▲	+14.9pp
PTPH preparation	n/a	n/a	n/a	n/a	61.2%	63.5%	▲	+2.3pp

6. Magistrates' courts casework themes

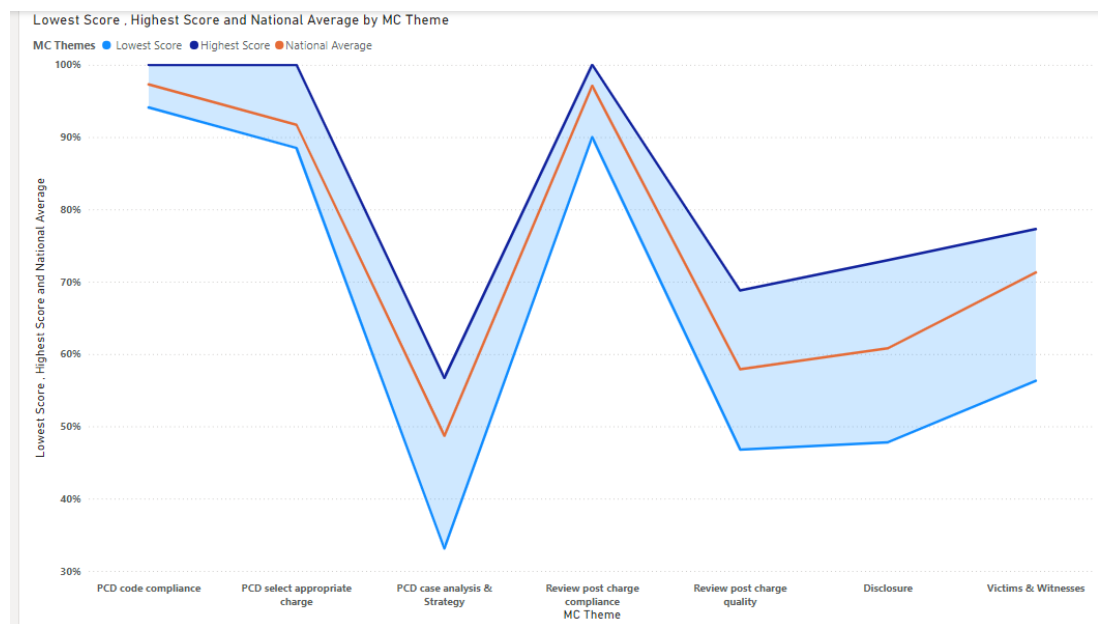
Magistrates' courts casework themes

6.1. In chapter four we outlined our findings regarding overall added value and grip. In this chapter, we set out our findings for the casework themes we evaluated. The themes were:

- pre-charge decision-making and review
- the quality of post-charge reviews and decision-making
- compliance with duties of disclosure of unused material
- victims and witnesses

6.2. Chart 5 below shows the Crown Prosecution Service (CPS) national average score and the scores of the strongest and weakest performing Areas in relation to all themes.

Chart 5: Casework themes - magistrates' courts performance



Pre-charge decisions and reviews

6.3. In order to assess the Area's decision-making at the pre-charge stage, the inspection assessment was subdivided into three sub-themes. These reflect the different aspects that contribute to effective decision-making at the pre-charge stage:

- complying with the Code for Crown Prosecutors
- selecting the most appropriate charges
- the quality of the pre-charge decision review, including analysis and case strategy.

Complying with the Code for Crown Prosecutors in pre-charge decisions

6.4. One of the fundamental requirements of a prosecutor is to ensure that they are prosecuting the right people. They do this by applying the Code for Crown Prosecutors in every decision about whether to charge or continue with a case. This requires the prosecutor to assess the material provided by the police to decide if there is sufficient evidence for a realistic prospect of conviction, and if there is, to decide whether it is in the public interest to prosecute. This is the basis of all prosecutorial decision making and consequently, the percentage of cases meeting this standard should always be high.

All Areas scored well for compliance with the Code for Crown Prosecutors at the pre-charge stage

6.5. In this follow-up inspection we assessed that nationally the CPS complied with the Code at the pre-charge stage in 97.3% of cases. This compares to 94.4% in the baseline inspection, a marginal improvement of 2.9 percentage points.

6.6. Table 3 below shows that all Areas scored well for compliance with the Code for Crown Prosecutors at the pre-charge stage with a range of 94.1% for the weakest performing Area and 100% for the strongest.

Table 3: Complying with the Code for Crown Prosecutors – magistrates' courts cases

Area	Baseline	Follow-up	Direction of travel	Percentage point variation
National	94.4%	97.3%	▲	+2.9
Cymru/Wales	100.0%	97.3%	▼	-2.7

Area inspection programme: a follow-up inspection

East Midlands	96.2%	100.0%	▲	+3.8
East of England	92.6%	97.1%	▲	+4.5
London North	95.5%	94.6%	▶	-0.9
London South	92.3%	97.4%	▲	+5.1
Mersey-Cheshire	96.2%	100.0%	▲	+3.8
North East	83.3%	94.1%	▲	+10.8
North West	92.0%	100.0%	▲	+8.0
South East	100.0%	97.4%	▼	-2.6
South West	100.0%	97.4%	▼	-2.6
Thames and Chiltern	92.6%	97.4%	▲	+4.8
Wessex	92.6%	97.3%	▲	+4.7
West Midlands	100.0%	94.3%	▼	-5.7
Yorkshire and Humberside	87.5%	97.2%	▲	+9.7

Selecting the most appropriate charges – magistrates' courts

6.7. The facts and circumstances of each case are different and there are often a number of charges that can be considered and selected by the prosecutor. Prosecutors should select charges which not only reflect the seriousness and extent of the offending, but which give the court adequate powers to sentence, impose appropriate post-conviction orders and enable the case to be presented in a clear and simple way. This sub-theme demonstrates when good prosecutorial decisions are made, and the right defendants are prosecuted for the correct offences.

6.8. Table 4 below shows that all Areas performed well for the correct selection of charges at the pre-charge stage, with a national compliance rate of 91.7%. This is a marginal improvement from 88.2% in the baseline inspection. All but four Areas showed improvement against baseline.

Table 4: Selecting the most appropriate charges – magistrates' courts cases

Area	Baseline	Follow-up	Direction of travel	Percentage point variation
National	88.2%	91.7%	▲	+3.5
Cymru/Wales	89.6%	88.5%	▼	-1.1
East Midlands	94.0%	98.3%	▲	+4.3
East of England	79.6%	89.6%	▲	+10.0
London North	90.5%	94.0%	▲	+3.5
London South	91.7%	94.4%	▲	+2.7

Mersey-Cheshire	94.0%	86.7%	▼	+7.3
North East	77.1%	97.7%	▲	+20.6
North West	89.1%	93.1%	▲	+4.0
South East	85.2%	91.1%	▲	+5.9
South West	86.0%	87.9%	▲	+1.9
Thames and Chiltern	84.0%	100.0%	▲	+16.0
Wessex	96.0%	91.1%	▼	-4.9
West Midlands	88.5%	79.5%	▼	-9.0
Yorkshire and Humberside	90.9%	90.4%	▶	-0.3

Quality of the pre-charge decision review, including analysis and case strategy – magistrates' courts

6.9. The quality of the pre-charge decision review is vital to how a case is prosecuted. A good quality review at this stage ensures that the correct decision to prosecute is made, but in addition should address all the significant issues in the case to enable the prosecution to be proactive from the first court appearance and thereby ensure that the case proceeds as efficiently as possible thereafter. Under this sub-theme we assessed the quality of the reviews undertaken by prosecutors during the pre-charge stage. This is to provide an overall view of whether the CPS has added value in the early stages of a case across a variety of different but important aspects. These include:

- case analysis and strategy,
- handling of unused material at the pre-charge stage

- consideration of appropriate ancillary orders and applications to strengthen the case (such as bad character and hearsay)
- quality of the instructions to court prosecutors to ensure that cases can progress effectively at first hearing
- quality of action plans to the police for additional work
- consideration of applications and ancillary matters designed to support victims and/or witnesses.

6.10. As well as making the correct charging decision and selecting the right charge to prosecute, a good quality pre-charge decision review is essential to facilitate the effective progression of the case through the subsequent stages of the criminal justice system. One of the most important aspects of this is a thorough analysis of the evidence and the formulation of a cogent trial strategy. Failing to express what the prosecution case is at an early stage makes it harder to secure an early guilty plea and can result in more cases having to be prepared for trial.

6.11. In our baseline assessment we found that the quality of reviews at the pre-charge stage in magistrates' courts cases was poor with limited evidence of CPS prosecutors adding value.

6.12. Since the baseline Area inspections, the CPS has rolled out a training programme and implemented other measures to improve the quality of case strategy and the analysis of evidence. This has involved senior legal managers engaging with frontline staff and legal leaders to discuss the barriers to formulating effective case strategy.

6.13. Since the baseline assessment there has been a 12-month national programme aimed at improving case strategy, outlining aspects of casework that would lead to the improvement of the quality of review and decision making. The national programme focussed on ten case strategy principles that is the responsibility of a prosecutor when developing a case strategy. The CPS developed the principles to help prosecutors understand how to build strong cases from the outset, to consistently apply the Code and to properly record legal decision making.

6.14. To ensure fairness we included ten live cases per Area within the file sample. We assessed these ten cases against a smaller question set focussed on the quality of case analysis and strategy at the pre-charge stage only. These ten cases were examined in addition to the 30 finalised magistrates' courts cases we assessed. This allowed us to

reflect within the pre-charge follow-up scores the current position and the impact of the work the CPS have put into improving their case analysis and strategy.

There was a small improvement in the quality of case analysis and strategy in magistrates' courts cases

6.15. Table below shows the combined scores from both the finalised and live cases we assessed. As can be seen, there was a marginal improvement in the quality of case analysis and strategy in magistrates' courts cases between the baseline assessment and the follow-up inspection. The national average increased by 1.7 percentage points from 47.0% in the

baseline inspection to 48.7% in the follow-up. Given the focus the CPS has placed on improving the quality of this aspect of casework, it is a modest increase for the national average.

Table 5: Quality of the pre-charge decision review – magistrates' courts cases

Area	Baseline	Follow-up	Direction of travel	Percentage point variation
National	47.0%	48.7%	▲	+1.7
Cymru/Wales	43.9%	33.1%	▼	-10.8
East Midlands	49.3%	55.5%	▲	+6.2
East of England	42.6%	47.1%	▲	+4.5
London North	38.6%	38.6%	▶	-0
London South	33.9%	38.7%	▲	+4.8
Mersey-Cheshire	66.3%	53.9%	▼	+12.4
North East	49.6%	52.9%	▲	+3.3

North West	55.4%	49.7%	▼	-5.7
South East	51.0%	46.0%	▼	-5.0
South West	48.5%	56.7%	▲	+1.9
Thames and Chiltern	41.1%	51.3%	▲	+10.2
Wessex	37.2%	53.7%	▲	+6.5
West Midlands	59.2%	51.3%	▼	-7.9
Yorkshire and Humberside	38.9%	53.8%	▲	+14.9

6.16. However, looking beneath the national average figure to the individual Area performance shows a changeable picture with five of the 14 Areas declining from their baseline assessments, eight improving and one remaining the same. This follow-up series of inspections highlights a remaining inconsistency in the approach to the quality of analysis and strategy in pre-charge reviews in the magistrates' courts casework across CPS Areas. In the weakest performing Area, we assessed only a third of cases as meeting the CPS's casework quality standards, with the highest performing Area meeting them in just over half of cases. The variance is 23.6 percentage points between the strongest and weakest performing Areas. This is a significant reduction in comparison to the variance of 32.4 percentage points we found in the baseline inspection, but even so, it shows that much work must still be done to raise the quality of case analysis and strategy, so that they are effective in adding value at early stages of a case.

6.17. Our findings are that just over half of cases we examined are not meeting the expected standard and whilst there are contextual issues, pressures and inexperience of staff, which all impact, there is more to do to improve the quality at this stage. The CPS must ensure there is greater consistency and improvement so that victims, defendants and the public receive the same high-quality service wherever they are in the country.

Post-charge decision making and reviews – magistrates’ courts

6.18. In order to assess the Area’s decision-making at the post-charge stage, the inspection assesses two sub-themes:

- complying with the Code for Crown Prosecutors
- the quality of post-charge reviews, analysis, and case strategy.

Complying with the Code for Crown Prosecutors in post-charge decisions – magistrates’ courts

6.19. As set out above, it is a fundamental requirement that a prosecutor ensures that they are prosecuting the right people for the right offence. They do this by applying the Code for Crown Prosecutors in every decision about whether to charge or continue with a case.

6.20. Table 6 below shows that in post-charge cases the CPS has marginally improved its score from the baseline assessment of 93.8% to 97.1%.

Table 6: Complying with the Code for Crown Prosecutors – magistrates’ courts cases

Area	Baseline	Follow-up	Direction of travel	Percentage point variation
National	93.8%	97.1%	▲	+3.3
Cymru/Wales	100.0%	100.0%	▶	-0
East Midlands	96.7%	96.7%	▶	-0
East of England	96.7%	96.7%	▶	-0
London North	90.0%	90.0%	▶	-0

London South	93.3%	96.7%	▲	+3.4
Mersey-Cheshire	96.7%	100.0%	▲	+3.3
North East	90.0%	96.4%	▲	+6.4
North West	86.7%	100.0%	▲	+13.3
South East	96.7%	96.7%	▶	-0
South West	96.7%	100.0%	▲	+3.3
Thames and Chiltern	90.0%	96.6%	▲	+6.6
Wessex	90.0%	96.6%	▲	+6.6
West Midlands	100.0%	96.6%	▼	-3.4
Yorkshire and Humberside	90.0%	96.6%	▲	+6.6

Quality of post-charge reviews, including analysis and case strategy – magistrates' courts

6.21. A good quality ongoing review is vital in order to keep the case on track or in some instances rectify shortcomings of a poor pre-charge review and to thereby enable the effective progress of cases through the criminal justice system.

6.22. In magistrates' courts cases, to assess the quality of post-charge reviews, we assess whether:

- there had been a proportionate initial review prior to the first hearing that included a proper case analysis and a strategy to progress the case

- any pleas accepted were appropriate, including a properly considered basis of plea
- the quality of reviews dealing with any significant developments in the case
- appropriate decisions about bail and custody have been made
- relevant applications were made effectively, in order to strengthen the prosecution case.

6.23. In our baseline assessment, we found that the quality of reviews at the post-charge stage was disappointing, with more that could be achieved by prosecutors adding value through these reviews.

6.24. Table 7 below shows that there has been no discernible improvement and that the direction of travel for the national score has remained static in the follow-up inspection. As we have mentioned previously, given the focus the CPS has placed on improving the quality of reviews and case strategy, this is disappointing.

Work remains to improve all the aspects of post-charge reviews

6.25. Looking beneath the national average figure to the individual Area performance, seven of the 14 Areas declined from their baseline assessments,

four improved and three remained the same. In the weakest performing Area we assessed 46.8% of magistrates' courts cases as meeting the CPS's casework quality standards and expectations with the highest performing meeting them in 68.8% of cases. This is a variance of 22 percentage points and whilst it is a reduction in comparison to the variance of 27.1 percentage points we found in the baseline inspection, it shows that much work must still be done to improve all aspects of magistrates' courts cases post-charge reviews.

Table 7: Quality of the post-charge decision review – magistrates' courts cases

Area	Baseline	Follow-up	Direction of travel	Percentage point variation
National	58.6%	57.9%	▶	-0.8

Area inspection programme: a follow-up inspection

Cymru/Wales	58.0%	54.7%	▼	-3.3
East Midlands	64.5%	68.8%	▲	+4.3
East of England	60.3%	64.9%	▲	+4.6
London North	48.8%	59.4%	▲	+10.6
London South	42.7%	53.8%	▲	+11.1
Mersey-Cheshire	71.2%	57.9%	▼	-13.3
North East	55.4%	52.8%	▼	-2.6
North West	65.1%	65.8%	▶	+0.7
South East	60.8%	46.8%	▼	-14.0
South West	56.9%	57.8%	▶	+0.9
Thames and Chiltern	51.2%	47.1%	▼	-4.1
Wessex	58.2%	54.7%	▼	-3.5
West Midlands	69.8%	65.2%	▼	-4.6
Yorkshire and Humberside	58.6%	58.1%	▶	-0.5

Do Areas fully comply with their duty of disclosure in magistrates' courts cases?

6.26. A crucial aspect in which the CPS can add value to the prosecution process is to comply with its disclosure obligations.

6.27. The police have a duty to record, retain and review material collected during an investigation which is relevant, but which is not being used as prosecution evidence and reveal it to the prosecutor. The prosecutor has a duty to provide the defence with copies of, or access to, all material that is capable of undermining the prosecution case and/or assisting the defendant's case.

6.28. We assessed performance across a range of different aspects pertaining to unused material, including:

- compliance with the duty of initial disclosure
- correct endorsement of the schedules
- timeliness, recording of the decisions on the disclosure record in the CPS case management system
- feeding back to the police any issues where necessary.

Decision making in respect of disclosure remains in need of improvement

6.29. Our findings showed that decision making in respect of disclosure remains in need of improvement across all 14 Areas. For the duty of disclosure, in this follow-up inspection we assessed the CPS

as scoring 60.8%. This is a modest improvement from 55.3% in the baseline assessment. However, even with this improvement, the CPS needs to improve in four out of ten cases to fully comply with its disclosure. As with the overall assessment at national level, there has been a slight improvement in overall performance, with geographical disparity between Areas reducing from 30.4 percentage points in the baseline inspection to 25.2 percentage points in this follow-up. The strongest performing Area scored 73.0% whilst the weakest scored 47.8%. It is encouraging that four Areas significantly increased their scores from the baseline inspection by over 20 percentage points.

Table 8: Quality of the compliance with the duty of disclosure – magistrates' courts cases

Area	Baseline	Follow-up	Direction of travel	Percentage point variation
National	55.3%	60.8%	▲	+5.5
Cymru/Wales	65.9%	51.4%	▼	-14.5
East Midlands	65.6%	65.3%	▶	-0.3
East of England	55.7%	67.9%	▲	+12.2
London North	35.5%	60.7%	▲	+25.2
London South	55.8%	47.8%	▼	-8.0
Mersey-Cheshire	64.0%	62.1%	▼	-1.9
North East	46.0%	69.2%	▲	+23.2
North West	63.9%	61.5%	▼	-2.4
South East	62.9%	50.5%	▼	-12.4
South West	51.4%	63.0%	▲	+11.6
Thames and Chiltern	49.6%	73.0%	▲	+23.4
Wessex	51.5%	54.9%	▲	+3.4
West Midlands	59.2%	60.9%	▲	+1.7

Yorkshire and Humberside	47.1%	68.2%	▲	+21.1
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Do Areas address victim and witness issues appropriately in magistrates' courts cases?

6.30. To assess the standard of the handling of victims and witnesses undertaken by the Area we assess the following elements at both pre-charge and post-charge stages, including:

- consideration of relevant and ancillary matters at charging to support victims and witnesses
- timely and accurate witness warning
- consideration of special measures
- addressing witness issues
- consultation with victims and witnesses
- Victim Personal Statements (VPS) (where a victim makes a statement explaining the impact of the offending behaviour on them)
- Victim Communication and Liaison Scheme (VCLS) letters explaining the reasons for deciding to drop or substantially alter a charge.

6.31. As shown in Table 9 below, our overall score for the handling of victims and witnesses was 71.3% for the follow-up inspection. This is a marginal improvement since the baseline inspection, where the assessment was 70.3%. As with the other magistrates' courts assessments there was wide geographical variation. Although 12 Areas were assessed at 70% or better, there were two Areas where performance was significantly weaker with the worst performing Area assessed as adding value in 56.3%.

6.32. There was also a variation in performance across the different aspects that contribute to this theme, with generally better performance

warning victims and witnesses to attend court, engaging with them when they were at court and seeking orders at sentence to protect victims, witnesses and the general public. However, there was poorer performance when complying with their VPS obligations and the quality of letters they write to victims when a decision is made to either drop or substantially alter a charge.

Table 9: Quality of handling of victim and witness – magistrates' courts cases

Area	Baseline	Follow-up	Direction of travel	Percentage point variation
National	70.3%	71.3%	▲	+1.0
Cymru/Wales	70.8%	56.3%	▼	-14.5
East Midlands	70.5%	75.6%	▲	+5.1
East of England	70.0%	70.7%	▶	+0.7
London North	68.3%	72.6%	▲	+4.3
London South	65.7%	75.6%	▲	+9.9
Mersey-Cheshire	83.3%	71.4%	▼	-11.9
North East	67.2%	72.0%	▲	+4.8
North West	68.8%	72.1%	▲	+3.3
South East	76.0%	61.1%	▼	-14.9
South West	70.4%	70.5%	▶	+0.1

Area inspection programme: a follow-up inspection

Thames and Chiltern	68.2%	74.7%	▲	+4.5
Wessex	68.0%	77.3%	▲	+9.3
West Midlands	72.6%	75.8%	▲	+3.2
Yorkshire and Humberside	62.8%	72.6%	▲	+9.8

7. Crown Court casework themes

Crown Court casework themes

7.1. In chapter four, we outlined our findings regarding overall added value and grip in Crown Court casework. In this chapter, we set out our findings for the casework themes we evaluated. The themes were:

- pre-charge decision-making and review
- the quality of post-charge reviews and decision-making
- preparation for the plea and trial preparation hearing in the Crown Court
- compliance with duties of disclosure of unused material
- victims and witnesses.

7.2. Chart six below shows the Crown Prosecution Service (CPS) national average score and the scores of the strongest and weakest performing Areas in relation to all Crown Court added value themes.

Chart 6: Casework themes – Crown Court performance



Pre-charge decisions and reviews – Crown Court

7.3. Similar to magistrates' courts casework, in order to assess the Area's decision-making at the pre-charge stage, the inspection assessment was subdivided into three sub-themes. These reflect the different aspects that contribute to effective decision-making at the pre-charge stage:

- complying with the Code for Crown Prosecutors
- selecting the most appropriate charges
- the quality of the pre-charge decision review, including analysis and case strategy.

Complying with the Code for Crown Prosecutors in pre-charge decisions – Crown Court

7.4. We have described in chapter six how one of the fundamental requirements of a prosecutor is to ensure they are prosecuting the right people by the correct application of the Code for Crown Prosecutors in every decision about whether to charge or continue with a case.

7.5. Table 10 below shows that in this follow-up inspection, we assessed how the CPS nationally complied with the Code at the pre-charge stage in 96.5% of cases. This reflects a marginal improvement from the baseline where we assessed 92.5% of cases complying with the Code. This is a positive improvement as ensuring the right person is prosecuted is the foundation for all prosecution cases.

7.6. Most CPS Areas scored well for compliance with the Code for Crown Prosecutors at the pre-charge stage; the range of scores is 89.2% to 100%.

Table 10: Complying with the Code for Crown Prosecutors – Crown Court cases

Area	Baseline	Follow-up	Direction of travel	Percentage point variation
National	92.5%	96.5%	▲	+4.0

Area inspection programme: a follow-up inspection

Cymru/Wales	91.7%	100.0%	▲	+8.3
East Midlands	85.3%	94.6%	▲	+9.3
East of England	94.1%	100.0%	▲	+5.9
London North	91.2%	89.2%	▼	-2.0
London South	81.8%	100.0%	▲	+18.2
Mersey-Cheshire	100.0%	100.0%	▶	0
North East	97.1%	97.4%	▶	+0.3
North West	88.2%	91.2%	▲	+3.0
South East	88.6%	94.4%	▲	+5.8
South West	90.6%	97.2%	▲	+6.6
Thames and Chiltern	100.0%	94.9%	▼	-5.1
Wessex	97.1%	97.4%	▶	+0.3
West Midlands	91.2%	94.4%	▲	+3.2
Yorkshire and Humberside	97.1%	97.2%	▶	+0.1

Selecting the most appropriate charges - Crown Court

7.7. As outlined previously, prosecutors should select charges which not only reflect the seriousness and extent of the offending, but which give the court adequate powers to sentence, impose appropriate post-conviction orders and enable the case to be presented in a clear and simple way. Table 11 below shows strong performance by the CPS when selecting the charges to be prosecuted on cases. This confirms that good prosecutorial decisions are made, and the right defendants are prosecuted for the correct offences.

Good prosecutorial decisions are made, and the right defendants are prosecuted for the correct offences

7.8. All Areas fully met the standard for the correct selection of charges at the pre-charge stage, with a national compliance rate of 91.3%. This is an improvement from 85.2% in the baseline inspection. The lowest individual Area rate was 79.6%.

Table 11: Selecting the most appropriate charges – Crown Court cases

Area	Baseline	Follow-up	Direction of travel	Percentage point variation
National	85.2%	91.3%	▲	+6.1
Cymru/Wales	84.7%	91.1%	▲	+6.4
East Midlands	75.9%	91.7%	▲	+15.8
East of England	82.4%	88.5%	▲	+6.1
London North	76.6%	91.7%	▲	+15.1
London South	88.9%	98.1%	▲	+9.2

Mersey-Cheshire	83.8%	91.7%	▲	+7.9
North East	86.8%	94.6%	▲	+7.8
North West	86.7%	85.7%	▼	-1.0
South East	82.9%	96.0%	▲	+13.1
South West	91.4%	90.4%	▼	-1.0
Thames and Chiltern	86.8%	90.7%	▲	+3.9
Wessex	91.2%	79.6%	▼	-11.6
West Midlands	90.3%	97.9%	▲	+7.6
Yorkshire and Humberside	84.8%	90.0%	▲	+5.2

Quality of the pre-charge decision review, including analysis and case strategy – Crown Court

7.9. The quality of the pre-charge decision review is vital to how a case is prosecuted. A good quality review at this stage ensures that the correct decision to prosecute is made, but in addition should address all the significant issues in the case to enable the prosecution to be proactive from the first court appearance and thereby ensure that the case proceeds as efficiently as possible thereafter. Under this sub-theme we assessed the quality of the reviews undertaken by prosecutors during the pre-charge stage. This is to provide an overall view of whether the CPS has added value in the early stages of a case across a variety of different but important aspects. These include:

- case analysis and strategy
- handling of unused material at the pre-charge stage

- consideration of appropriate ancillary orders and applications to strengthen the case (such as bad character and hearsay)
- quality of the instructions to court prosecutors to ensure that cases can progress effectively at first hearing
- quality of action plans to the police for additional work
- consideration of applications and ancillary matters designed to support victims and/or witnesses.

7.10. As well as making the correct charging decision and selecting the right charge to prosecute, a good quality pre-charge decision review is essential in order to facilitate the effective progression of the case through the subsequent stages of the criminal justice system. One of the most important aspects of this is a thorough analysis of the evidence and the formulation of a cogent trial strategy. Failing to express what the prosecution case is at an early stage makes it harder to secure an early guilty plea and can result in more cases having to be prepared for trial.

7.11. Similar to the magistrates' courts casework, in our baseline assessment we found that the quality of reviews at the pre-charge stage was poor with limited evidence of CPS prosecutors adding value.

7.12. Therefore, in this follow-up inspection in addition to the 30 finalised Crown Court cases, we examined an additional ten live Crown Court cases for each Area (30 cases for East of England) against a smaller question set focussed on the quality of case analysis and strategy at the pre-charge stage only.

7.13. This allowed us to reflect, within the pre-charge follow-up scores, the current position and the impact of the work the CPS have put into improving their case analysis and strategy.

7.14. Table 12 below shows the outcome of our assessment of the quality of Crown Court pre-charge reviews. As can be seen, there was a marginal improvement in the quality of case analysis and strategy in Crown Court cases between the baseline assessment and the follow-up inspection. The national average increased by 1.6 percentage points from 45.5% in the baseline inspection to 47.1% in the follow-up.

We found a lack of consistency in approach to the quality of pre-charge reviews in the Areas

7.15. However, we found that there was still a wide geographical variance in performance with eight of the 14 Areas improving from their baseline assessments and six declining. In addition, we found a lack of consistency in approach to the quality of pre-charge reviews in the Areas.

In the weakest performing Area, we assessed 37.1% of cases as meeting the CPS's casework quality standards and expectations with the highest performing Area meeting them in 65.0% of cases. This variance of 27.9 percentage points is a marginal increase in the baseline inspection where the range was 23.2 percentage points.

7.16. This is of particular concern, although there are contextual issues, pressures and inexperience that all impact on this. Nevertheless, given that nationally more than half of Crown Court cases are not meeting the expected standard, there is more to do to improve the quality at this stage, both overall and to ensure there is greater consistency so that victims, defendants and the public, wherever they are, receive the same high-quality service.

Table 12: Quality of the pre-charge decision review – Crown Court cases

Area	Baseline	Follow-up	Direction of travel	Percentage point variation
National	45.5%	47.1%	▲	+1.6
Cymru/Wales	38.9%	50.0%	▲	+11.1
East Midlands	44.3%	47.2%	▲	+2.9
East of England	51.9%	50.2%	▼	-1.7
London North	44.8%	40.7%	▼	-4.1

London South	44.8%	37.1%	▼	-7.7
Mersey-Cheshire	55.9%	65.0%	▲	+9.1
North East	47.6%	49.7%	▲	+2.1
North West	47.0%	54.6%	▲	+7.6
South East	47.2%	37.2%	▼	-10.0
South West	48.6%	50.6%	▲	+2.0
Thames and Chiltern	36.1%	39.3%	▲	+3.2
Wessex	47.9%	46.8%	▼	-1.1
West Midlands	50.5%	46.2%	▼	-4.3
Yorkshire and Humberside	32.7%	44.1%	▲	+11.4

Post-charge decision making and reviews – Crown Court

7.17. To assess the CPS's decision-making at the post-charge stage, we split the inspection assessment into two sub-themes. These reflect the different aspects that contribute to effective decision-making at the post-charge stage:

- complying with the Code for Crown Prosecutors
- the quality of post-charge reviews, analysis, and case strategy.

Complying with the Code for Crown Prosecutors in post-charge decisions – Crown Court

7.18. As set out above, it is a fundamental requirement that a prosecutor ensures they are prosecuting the right people for the right offence. They do this by applying the Code for Crown Prosecutors in every decision about whether to charge or continue with a case.

7.19. Table 13 below shows that in post-charge cases the CPS has marginally improved its score from the baseline assessment of 93% to a current rating of 95.7%.

Table 13: Complying with the Code for Crown Prosecutors - Crown Court cases

Area	Baseline	Follow-up	Direction of travel	Percentage point variation
National	93.0%	95.7%	▲	+2.7
Cymru/Wales	95.0%	100.0%	▲	+5.0
East Midlands	87.5%	96.7%	▲	+9.2
East of England	95.0%	100.0%	▲	+5.0
London North	92.5%	90.0%	▼	-2.5
London South	85.0%	96.7%	▲	+11.7
Mersey-Cheshire	100.0%	100.0%	▶	0
North East	97.5%	93.5%	▼	-4.0
North West	85.0%	90.0%	▲	+5.0

South East	90.0%	93.3%	▲	+3.3
South West	95.0%	100.0%	▲	+5.0
Thames and Chiltern	95.0%	96.7%	▲	+1.7
Wessex	97.5%	96.7%	▶	-0.8
West Midlands	92.5%	93.3%	▶	+0.8
Yorkshire and Humberside	95.0%	93.3%	▼	-1.7

Quality of post-charge reviews, analysis, and case strategy – Crown Court

7.20. As we have previously outlined, a good quality ongoing review is vital to keep the case on track and to thereby enable the effective progress of cases through the criminal justice system.

7.21. In Crown Court cases, to assess the quality of post-charge reviews, we assess whether there had been a proportionate initial review prior to the first hearing, any pleas accepted were appropriate, the quality of reviews dealing with any significant developments in the case, decisions about bail and custody and relevant applications to strengthen the prosecution case.

7.22. In our baseline assessment we found that the quality of reviews in Crown Court cases at the post-charge stage was disappointing. In this follow-up inspection, Table 14 below shows the quality of post-charge reviews to be of marginally better quality than in the baseline inspection, with nine Areas improving on their previous performance. Again, there was significant geographic disparity between the strongest performing Area scoring 70.2% and the weakest scoring 50%. This is a variance of 20.2 percentage points and a reduction in comparison to the variance of 28.6 percentage points we found in the baseline inspection. Our findings indicate that much work remains to improve all the aspects of post-

charge. Even the best performing Area still needs to improve the quality of post-charge reviews in three out of ten cases.

Table 14: Quality of the post-charge decision review – Crown court cases

Area	Baseline	Follow-up	Direction of travel	Percentage point variation
National	57.0%	59.9%	▲	+2.9
Cymru/Wales	60.0%	70.2%	▲	+10.2
East Midlands	56.8%	61.6%	▲	+4.8
East of England	56.0%	58.1%	▲	+2.1
London North	43.7%	50.4%	▲	+6.7
London South	48.4%	50.0%	▲	+1.6
Mersey-Cheshire	72.3%	65.2%	▼	-7.1
North East	64.8%	57.4%	▼	-7.4
North West	55.8%	55.6%	▶	-0.2
South East	51.6%	61.2%	▲	+9.6
South West	61.4%	59.4%	▼	-2.0
Thames and Chiltern	62.1%	61.1%	▼	-1.0

Wessex	61.5%	63.4%	▲	+1.9
West Midlands	58.3%	67.8%	▲	+9.5
Yorkshire and Humberside	45.4%	58.6%	▲	+13.2

Preparation for the plea and trial preparation hearing in the Crown Court

7.23. In contested Crown Court cases, a number of orders to manage the case will be made at the first hearing in the Crown Court. This is called the Plea and Trial Preparation Hearing (PTPH). It is important that prosecutors prepare cases thoroughly for this hearing as it will dictate how the case progresses through to trial.

7.24. As part of this preparation there are several key tasks the prosecution is required to complete to ensure it progresses efficiently through the rest of the court process. These include:

- filling in the PTPH form for use by the Judge presiding at the hearing
- carrying out direct engagement with the defence
- drafting the indictment
- making sure the relevant material is uploaded to the Crown Court Digital Case System before the hearing
- making sure an advocate is instructed in advance of the hearing, so that they have time to prepare.

The quality of preparation for the PTPH is not at the level expected

7.25. Table 15 below shows that the quality of preparation for the PTPH is not at the level expected, and we found little to indicate any improvement since the baseline inspection.

7.26. Nationally, performance has stayed the same scoring 66.0% in the follow-up, as compared to 65.9% in the baseline.

7.27. Again, there was significant disparity between the strongest Area scoring 83.8% for this casework theme and the weakest scoring 47.4%. This is a variance of 36.4 percentage points and is an increase in comparison to the variance of 30.4 percentage points we found in the baseline inspection. This is concerning as the PTPH is a crucial stage of the case in the Crown Court and if it is not prepared for correctly, it can mean the PTPH is ineffective and the issues in the case are not identified at the earliest opportunity so they can be managed appropriately as cases proceed to trial.

Table 15: Quality of preparation for the PTPH – Crown Court cases

Area	Baseline	Follow-up	Direction of travel	Percentage point variation
National	65.9%	66.0%	▶	+0.1
Cymru/Wales	71.2%	63.9%	▼	-7.3
East Midlands	80.6%	73.2%	▼	-7.4
East of England	63.8%	65.4%	▲	+1.6
London North	50.5%	47.4%	▼	-3.1
London South	54.2%	49.7%	▼	-4.5
Mersey-Cheshire	82.5%	83.8%	▲	+1.3
North East	62.2%	61.8%	▶	+0.4
North West	80.9%	64.5%	▼	-6.4

South East	72.8%	63.9%	▼	-8.9
South West	64.1%	69.1%	▲	+5.0
Thames and Chiltern	50.7%	65.9%	▲	+15.2
Wessex	63.6%	78.1%	▲	+14.5
West Midlands	59.0%	72.5%	▲	+13.5
Yorkshire and Humberside	61.2%	63.5%	▲	+2.3

Do Areas fully comply with their duty of disclosure in Crown Court cases?

7.28. A crucial aspect in which the CPS can add value to the prosecution process is to comply with its disclosure obligations.

7.29. The police have a duty to record, retain and review material collected during an investigation which is relevant but is not being used as prosecution evidence and reveal it to the prosecutor. The prosecutor has a duty to provide the defence with copies of, or access to, all material that is capable of undermining the prosecution case and/or assisting the defendant's case.

7.30. To make our assessment we consider a range of different aspects. These include:

- compliance with the duty of initial disclosure
- compliance with the duty of continuing disclosure
- handling of defence statements
- handling of sensitive and third-party material
- the correct endorsement of the schedules

- timeliness, recording of the decisions on the disclosure record in the CPS case management system
- completing Disclosure Management Documents
- feeding back to the police where necessary.

7.31. Table 16 below shows that the CPS scored a national average of 68.2% in the follow-up inspection for the disclosure theme in its Crown Court casework. This is a marginal improvement over the baseline inspection when the CPS scored an average of 66.7%.

7.32. However, performance across the Areas was mixed, with six Areas improving on their performance against the baseline inspection, seven Areas declining and one staying the same. The strongest performing Area scored 77.7% whilst the weakest scored 59.2%. The follow-up inspection shows a slight improvement in the range of scores from the baseline, reducing from 24.8 percentage points to 18.5 percentage points.

The standard of continuing disclosure was much stronger

7.33. In particular, we found that decisions around the initial disclosure of unused material remained poor. This finding is similar to what we saw in the baseline inspection. Again, as with the baseline

inspection, the standard of continuing disclosure was much stronger. The handling of defence statements was inconsistent and the completion of Disclosure Management Documents, which has been mandatory in all Crown Court cases since January 2021, requires significant improvement.

Table 16: Quality of the compliance with the duty of disclosure – Crown Court cases

Area	Baseline	Follow-up	Direction of travel	Percentage point variation
National	66.7%	68.2%	▲	+1.5
Cymru/Wales	70.7%	71.0%	▶	+0.3

Area inspection programme: a follow-up inspection

East Midlands	66.7%	62.9%	▼	-3.8
East of England	74.7%	68.5%	▼	-6.2
London North	50.0%	59.9%	▲	+9.9
London South	63.9%	64.9%	▲	+1.0
Mersey-Cheshire	74.8%	76.6%	▲	+1.8
North East	71.7%	70.5%	▼	-1.2
North West	65.9%	62.5%	▼	-3.4
South East	64.5%	59.2%	▼	-5.3
South West	73.3%	64.0%	▼	-9.3
Thames and Chiltern	64.9%	77.7%	▲	+12.8
Wessex	72.2%	65.4%	▼	-6.8
West Midlands	59.5%	74.4%	▲	+14.9
Yorkshire and Humberside	61.5%	76.4%	▲	+14.9

Do Areas address victim and witness issues appropriately in Crown Court cases?

7.34. We assessed a range of aspects related to victims and witnesses to assess the standard of the handling of victim and witnesses undertaken by the Area.

7.35. As shown in Table 17 below, our overall score for the handling of victims and witnesses in Crown Court cases was 71.2%. This is very similar to the baseline assessment of 71.5%.

7.36. We found a variance in performance across the Areas, with the range of scores increasing from 21.7 percentage points in the baseline to 25.1 percentage points in this inspection. The strongest performing Area scored 80.9% and the weakest 55.8%.

7.37. There was also a variation in performance across the different aspects that contribute to this theme. We saw better performance of the CPS warning victims and witnesses to attend court, engaging with them when they were at court and seeking orders at sentence to protect victims, witnesses and the general public. However, there was poorer performance when complying with their obligations in relation to Victim Personal Statements and the quality of letters sent to victims when a decision is made to either drop or substantially alter a charge.

7.38. This significant variation in performance between Areas and across different aspects is disappointing in an organisation aiming to provide a consistently good service to victims and witnesses.

Table 17: Quality of handling of victim and witness – Crown Court cases

Area	Baseline	Follow-up	Direction of travel	Percentage point variation
National	71.5%	71.2%	▶	-0.3
Cymru/Wales	74.1%	75.5%	▲	+1.4

Area inspection programme: a follow-up inspection

East Midlands	69.2%	66.0%	▼	-3.2
East of England	78.0%	78.5%	▶	+0.5
London North	61.3%	55.8%	▼	-5.5
London South	67.0%	77.4%	▲	+10.4
Mersey-Cheshire	83.0%	80.9%	▼	-2.1
North East	68.3%	62.9%	▼	-5.4
North West	70.7%	74.3%	▲	+3.6
South East	74.0%	65.2%	▼	-8.8
South West	72.4%	72.0%	▶	-0.4
Thames and Chiltern	75.8%	75.6%	▶	-0.2
Wessex	70.5%	65.9%	▼	-4.6
West Midlands	77.1%	78.3%	▲	+1.2
Yorkshire and Humberside	63.1%	72.7%	▲	+9.6

Annex A

Inspection Framework

Area Inspection Programme Framework 2023-24

Casework quality for magistrates' courts and Crown Court casework will be scored. A report will be prepared detailing the scores for casework themes and comparing them against the Area's baseline assessment scores.

Quality casework

Does the Area deliver excellence in prosecution by making sure the right person is prosecuted for the right offence, cases are progressed in a timely manner and cases are dealt with effectively?

Magistrates' courts casework

- The Area exercises sound judgement and adds value in its pre-charge decision-making in magistrates' courts cases.
- The Area's reviews and other magistrates' courts casework decisions are timely and of good quality.
- The Area fully complies with its duty of disclosure throughout its magistrates' courts casework.
- The Area addresses victim and witness issues appropriately throughout its magistrates' courts casework.
- The Area progresses its magistrates' courts casework effectively and efficiently.
- The Area exercises sound judgement and adds value in its magistrates' courts casework.
- The Area has a clear grip of its magistrates' courts casework.

Crown Court casework

- The Area exercises sound judgement and adds value in its pre-charge decision-making in Crown Court cases.
- The Area's reviews and other Crown Court casework decisions are timely and of good quality.
- The Area fully complies with its duty of disclosure throughout its Crown Court casework.

- The Area addresses victim and witness issues appropriately throughout its Crown Court casework.
- The Area prepares its Crown Court cases effectively for the Plea and Trial Preparation Hearing in the Crown Court to make sure progress is made.
- The Area progresses its Crown Court casework effectively and efficiently.
- The Area exercises sound judgement and adds value in its Crown Court casework.
- The Area has a clear grip of its Crown Court casework.

Evidence will be drawn from:

- Follow-up file examination of finalised cases
- Live file examination (assessing questions 1,4 and 5 only)
- Self-assessment document completed by CPS Headquarters
- Meeting with Area CCP

B – Comparison of casework quality from this follow-up inspection to the baseline assessment.

1. Has performance in any areas of casework quality improved since the baseline assessment?
2. Has performance in any areas of casework quality failed to improve since the baseline assessment?
3. What is the direction of travel in respect of performance since the baseline assessment?
4. What factors or measures may have impacted and/or contributed to the improvements, deterioration and the direction of travel since the baseline assessment?

Evidence will be drawn from:

- Follow-up file examination of finalised cases
- Live file examination (assessing questions 1,4 and 5 only)
- Self-assessment document completed by CPS Headquarters

Area Inspection Programme: a follow-up inspection

- Meeting with Area CCP

Annex B

Casework themes

No.	Question	Casework theme	Included in added value or grip?
1	The CPS decision to charge was compliant with the Code test.	Pre-charge: Code compliance	Added value
2	The CPS decision to charge was timely.	Not applicable (NA)	Grip
3	The most appropriate charges were selected on the information available to the prosecutor at the time.	Pre-charge: Selection of appropriate charges	Added value
4	The CPS MG3 included proper case analysis and case strategy.	Pre-charge	Added value
5	The CPS MG3 dealt appropriately with unused material.	Pre-charge	Added value
6	The CPS MG3 referred to relevant applications and ancillary matters.	Pre-charge	Added value
7	There were appropriate instructions and guidance to the court prosecutor contained in either the MG3 or the PET/PTPH form created with the MG3.	Pre-charge	NA
8	The action plan was proportionate and met a satisfactory standard.	Pre-charge	Added value
9	The police file submission complied with the National File Standard for the type of case.	NA	NA
10	The police file submission was timely.	NA	NA
11	The CPS used the NFQ assessment tool in the review document to identify and feed back to the police on any failings in the file submission.	NA	NA
12	All review decisions post-charge applied the Code correctly.	Post-charge: Code compliance	Added value
13	The case received a proportionate initial or post- sending review including a proper case analysis and case strategy.	Post-charge: Case strategy	Added value
14	The initial or post-sending review was carried out in a timely manner.	NA	Grip

No.	Question	Casework theme	Included in added value or grip?
15	Any decision to discontinue was made and put into effect in a timely manner.	NA	Grip
16	Any pleas accepted were appropriate, with a clear basis of plea.	Post-charge: Case strategy	Added value
17	Steps were taken to achieve best evidence by making appropriate applications for special measures (including drafting where a written application was required).	Victims and witnesses	Added value
18	In CC cases, there was a high-quality review to coincide with the service of the prosecution case and initial disclosure (at stage 1 set at PTPH).	Post-charge: Case strategy (CC only)	Added value
19	In all cases (MC, CC), any reviews addressing significant developments that represented a major change in case strategy (and additional to those reviews considered in Qs 13 and 18) were of high quality and dealt appropriately with the significant development(s) in the case.	Post-charge: Case strategy	Added value
20	The CPS made appropriate and timely decisions about custody and bail throughout the life of the case.	Post-charge: Case strategy	Added value
21	The prosecutor prepared the case effectively to ensure progress at court at the first hearing(s) – which in the MC is the NGAP hearing for bail cases and the second hearing in custody cases, and in the CC the PTPH – to include as a minimum any acceptable pleas or no acceptable pleas, and completed the PET/PTPH forms.	Preparation for PTPH	Grip
22	Any hard media was shared via Egress with all parties before the NGAP hearing or PTPH.	NA	Grip
23	In CC cases, a properly drafted indictment was prepared.	Preparation for PTPH	Added value
24	In CC cases, the draft indictment and key evidence was served in a timely manner for the PTPH.	Preparation for PTPH	Grip

No.	Question	Casework theme	Included in added value or grip?
25	In CC cases, a clear instruction to advocate document was prepared.	NA ⁵	No
26	In CC cases, the advocate was instructed at least seven days before the PTPH.	Preparation for PTPH	No
27	In CC cases, the duty of direct engagement was carried out.	Preparation for PTPH	No
28	In CC cases the DDE was uploaded to DCS.	Preparation for PTPH	No
29	In CC cases and the youth court where counsel is instructed, if there was no advice on evidence covering all necessary issues, this was chased.	NA	Grip
31	There was timely compliance with court directions or Judges' Orders.	NA	Grip
32	Appropriate applications (eg BCE, hearsay) were used effectively to strengthen the prosecution case.	Post-charge: Case strategy	Added value
33	Steps were taken to secure best evidence by correct and timely warning of witnesses.	Victims and witnesses	No
34	Steps were taken to secure best evidence by addressing correspondence from the WCU and any witness issues in a timely manner with effective actions.	Victims and witnesses	Grip
35	New material received from the police was reviewed appropriately and sufficiently promptly with timely and effective actions taken in response.	NA	Grip
36	Correspondence from the court and defence was reviewed appropriately and sufficiently promptly with timely and effective actions taken in response.	NA	Grip
37	Requests to the police for additional material or editing of material were timely, and were escalated where appropriate.	NA	Grip

⁵ We are not able to differentiate between crown advocates and Counsel in many casefiles.

No.	Question	Casework theme	Included in added value or grip?
38	There was a clear audit trail on CMS of key events, decisions and actions, with correct labelling of documents and appropriate use of notes.	NA	Grip
39	In relevant cases, a DMD was completed.	Disclosure	No
40	The DMD was completed accurately and fully in accordance with the guidance.	Disclosure	Added value (RASSO only)
41	The police complied with their disclosure obligations.	NA	NA
42	The prosecutor complied with the duty of initial disclosure, including the correct endorsement of the schedules (but not including timeliness of disclosure).	Disclosure	Added value
43	If Q42 is PM or NM, the most significant failing was:	NA	No
44	The prosecution complied with its duty of initial disclosure in a timely manner.	Disclosure	No
45	The prosecutor complied with the duty of continuing disclosure (but not including timeliness of disclosure).	Disclosure	Added value
46	If Q44 is PM or NM, the most significant failing was:	NA	No
47	The prosecution complied with its duty of continuing disclosure in a timely manner.	Disclosure	No
48	Sensitive unused material was dealt with appropriately.	Disclosure	Added value
49	Third-party material was dealt with appropriately.	Disclosure	Added value
50	In CC cases, late defence statements were chased.	Disclosure	No
51	Inadequate defence statements were challenged.	Disclosure	Added value
52	The defence statement was reviewed by the prosecutor and direction given to the police about further reasonable lines of enquiry.	Disclosure	Added value

No.	Question	Casework theme	Included in added value or grip?
53	The disclosure record on Modern CMS was properly completed with actions and decisions taken on disclosure.	Disclosure	No
54	The CPS fed back to the police where there were failings in the police service regarding disclosure.	Disclosure	No
55	The prosecutor consulted victims and witnesses where appropriate (includes STWAC).	Victims and witnesses	No
56	The victim's wishes regarding VPS were complied with.	Victims and witnesses	No
57	The prosecution sought appropriate orders to protect the victim, witnesses and the public.	Victims and witnesses	Added value
58	There was a timely VCL letter when required.	Victims and witnesses	No
59	The VCL letter was of a high standard.	Victims and witnesses	Added value
60	The CPS MG3 actively considered relevant applications and ancillary matters designed to support victims and/or witnesses.	Pre-charge Victims and witnesses	Added value

Annex C

Scoring methodology

The scores in this inspection are derived solely from our examination of the casework quality of Area files.

We based our evaluation of casework quality on two key measures: added value and grip. We define added value as the Crown Prosecution Service (CPS) making good, proactive prosecution decisions by applying its legal expertise to each case, and grip as the CPS proactively progressing its cases efficiently and effectively.

We used our file examination data to give scores for added value and grip, which are set out as percentages. They were obtained by taking the questions that feed into each aspect⁶ and allocating:

- two points for each case that was assessed as fully meeting the expected standard
- one point for each case assessed as partially meeting the expected standard
- no points for cases assessed as not meeting the expected standard.

We then expressed the total points awarded as a percentage of the maximum possible points. Not applicable answers were excluded.

To help evaluate added value and grip, we also scored the five casework themes and sub-themes in each of the two casework types (magistrates' courts cases and Crown Court cases):

- pre-charge decisions and reviews
 - compliance with the Code at pre-charge
 - selection of charge(s)
 - case analysis and strategy.
- post-charge decisions and reviews
 - compliance with the Code post-charge
 - case analysis and strategy.
- preparation for the Plea and Trial Preparation Hearing in the Crown Court

⁶ See annex B for which questions contributed to each of the casework themes.

- disclosure
- victims and witnesses.

The scores for these themes were obtained by taking the answers for the questions that feed into the theme. We allocated:

- two points for each case that was assessed as fully meeting the expected standard
- one point for each case assessed as partially meeting the standard
- no points for cases assessed as not meeting the standard.

We then expressed the total points awarded as a percentage of the maximum possible points. Not applicable answers were excluded.

A worked example

Relevant questions

For the victims and witnesses aspect of casework in the magistrates' courts, we took the answers from the following nine questions:

- Q17: Steps were taken to achieve best evidence by making appropriate applications for special measures (including drafting where a written application is required).
- Q33: Steps were taken to secure best evidence by correct and timely warning of witnesses.
- Q34: Steps were taken to secure best evidence by addressing correspondence from the WCU and any witness issues in a timely manner with effective actions.
- Q55: The prosecutor consulted victims and witnesses where appropriate (includes STWAC).
- Q56: The victim's wishes regarding VPS were complied with.
- Q57: The prosecution sought appropriate orders to protect the victim, witnesses and the public.
- Q58: There was a timely VCL letter when required.
- Q59: The VCL letter was of a high standard.

- Q60: The CPS MG3 actively considered relevant applications and ancillary matters designed to support victims and/or witnesses.

File examination results

This data is fictitious and used only to demonstrate the scoring mechanism. For the 30 magistrates' courts files, we scored the relevant questions as set out in the table below.

Table: Worked example scores

Question	Answer	All cases
Q17: Steps were taken to achieve best evidence by making appropriate applications for special measures.	Fully meeting	13
	Partially meeting	7
	Not meeting	5
	Not applicable	5
Q33: Steps were taken to secure best evidence by correct and timely warning of witnesses.	Fully meeting	23
	Partially meeting	5
	Not meeting	1
	Not applicable	1
Q34: Steps were taken to secure best evidence by addressing correspondence from the WCU and any witness issues in a timely manner with effective actions.	Fully meeting	8
	Partially meeting	10
	Not meeting	9
	Not applicable	3
Q55: The prosecutor consulted victims and witnesses where appropriate (includes STWAC).	Fully meeting	3
	Partially meeting	4
	Not meeting	3
	Not applicable	20
Q56: The victim's wishes regarding VPS were complied with.	Fully meeting	17
	Partially meeting	3
	Not meeting	4
	Not applicable	6
Q57: The prosecution sought appropriate orders to protect the victim, witnesses, and the public.	Fully meeting	16
	Partially meeting	5
	Not meeting	4
	Not applicable	5
Q58: There was a timely VCL letter when required.	Fully meeting	5
	Partially meeting	4
	Not meeting	4
	Not applicable	17

Question	Answer	All cases
Q59: The VCL letter was of a high standard.	Fully meeting	3
	Partially meeting	3
	Not meeting	3
	Not applicable	21
Q60: The CPS MG3 actively considered relevant applications and ancillary matters designed to support victims and/or witnesses.	Fully meeting	11
	Partially meeting	7
	Not meeting	5
	Not applicable	7
Total for all above questions	Fully meeting	99
	Partially meeting	48
	Not meeting	38
	Not applicable	85

Excluding the not applicable answers leaves 185 answers. The maximum score possible would therefore be 370 points (185 answers × 2 points per answer) if all answers were “fully meeting the standard”.

The score for this fictitious Area is calculated as follows:

- Two points for each case assessed as fully meeting the expected standard = 198 points
- One point for each case assessed as partially meeting the standard = 48 points
- Total (198 + 48) = 246 points
- Expressed as a percentage of 370 available points, this gives the score as 66.5%.

Annex D

National data tables

Question	Answer	Magistrates Court	Crown Court
01. The CPS decision to charge was compliant with the Code Test	Fully meeting the standard	97.3%	96.5%
	Not meeting the standard	2.7%	3.5%
02. The CPS decision to charge was timely	Fully meeting the standard	67.9%	62.3%
	Partially meeting the standard	23.8%	27.3%
	Not meeting the standard	8.4%	10.3%
03. The most appropriate charges were selected on the information available to the prosecutor at the time	Fully meeting the standard	87.4%	85.0%
	Partially meeting the standard	8.6%	12.5%
	Not meeting the standard	4.0%	2.5%
04. The CPS MG3 included proper case analysis and case strategy	Fully meeting the standard	21.6%	18.4%
	Partially meeting the standard	47.0%	48.4%
	Not meeting the standard	31.4%	33.1%
05. The CPS MG3 dealt appropriately with unused material	Fully meeting the standard	23.5%	25.3%
	Partially meeting the standard	46.5%	37.0%
	Not meeting the standard	30.0%	37.7%
06. The CPS MG3 referred to relevant applications and ancillary matters	Fully meeting the standard	35.8%	38.7%
	Partially meeting the standard	29.6%	26.3%

Question	Answer	Magistrates Court	Crown Court
	Not meeting the standard	34.6%	35.0%
07. There were appropriate instructions and guidance to the court prosecutor contained in either the MG3 or the PET/PTPH form created with the MG3	Fully meeting the standard	12.3%	18.3%
	Partially meeting the standard	61.5%	54.6%
	Not meeting the standard	26.2%	27.1%
08. The action plan was proportionate and met a satisfactory standard	Fully meeting the standard	35.7%	34.0%
	Partially meeting the standard	38.0%	38.1%
	Not meeting the standard	26.4%	27.9%
09. The police file submission complied with National File Standards for the type of case	Fully meeting the standard	56.4%	43.4%
	Not meeting the standard	43.6%	56.6%
10. Police file submission was timely	Fully meeting the standard	85.9%	83.4%
	Not meeting the standard	14.1%	16.6%
11. The CPS used the NFQ Assessment tool in the review document to identify and feed back to the police on any failings in the file submission	Fully meeting the standard	34.8%	39.0%
	Partially meeting the standard	25.4%	25.5%
	Not meeting the standard	39.8%	35.6%
12. All review decisions after charge applied the Code correctly	Fully meeting the standard	97.1%	95.7%
	Not meeting the standard	2.9%	4.3%

Question	Answer	Magistrates Court	Crown Court
13. The case received a proportionate initial or post sending review including a proper case analysis and case strategy	Fully meeting the standard	17.1%	32.7%
	Partially meeting the standard	19.9%	37.8%
	Not meeting the standard	63.0%	29.5%
14. The initial or post-sending review was carried out in a timely manner	Fully meeting the standard	62.6%	55.7%
	Partially meeting the standard	22.0%	37.2%
	Not meeting the standard	15.4%	7.1%
15. Any decision to discontinue was made and put into effect in a timely manner	Fully meeting the standard	67.5%	67.2%
	Partially meeting the standard	14.3%	19.5%
	Not meeting the standard	18.3%	13.2%
16. Any pleas accepted were appropriate, with a clear basis of plea	Fully meeting the standard	66.7%	67.5%
	Partially meeting the standard	23.8%	24.6%
	Not meeting the standard	9.5%	7.9%
17. Steps were taken to achieve best evidence by making appropriate applications for special measures (including drafting where a written application is required)	Fully meeting the standard	56.0%	50.9%
	Partially meeting the standard	30.9%	33.6%
	Not meeting the standard	13.0%	15.4%

Question	Answer	Magistrates Court	Crown Court
18. In CC (including RASSO cases before the CC) cases, there was a high-quality review to coincide with the service of the prosecution case and initial disclosure (at stage 1 set at PTPH).	Fully meeting the standard	NA	22.3%
	Partially meeting the standard	NA	30.2%
	Not meeting the standard	NA	47.4%
19. In all cases (MC, CC and RASSO) any reviews addressing significant developments which represent a major change in case strategy (and which are additional to those reviews considered in Qs 13 and 18) were of high quality and dealt appropriately with the significant development(s) in the case.	Fully meeting the standard	42.8%	36.6%
	Partially meeting the standard	26.6%	22.6%
	Not meeting the standard	30.6%	40.9%
20. The CPS made appropriate and timely decisions about custody and bail throughout the life of the case	Fully meeting the standard	85.9%	81.2%
	Partially meeting the standard	8.7%	16.7%
	Not meeting the standard	5.4%	2.1%
21. The prosecutor prepared the case effectively to ensure progress at court at the first hearing(s), which in the MC is the NGAP hearing for bail cases and the second hearing in custody cases and in the CC the PTPH, to include as a minimum any acceptable pleas or that there are no acceptable pleas, completion of PET/PTPH forms	Fully meeting the standard	30.3%	41.2%
	Partially meeting the standard	36.3%	38.3%
	Not meeting the standard	33.3%	20.5%

Question	Answer	Magistrates Court	Crown Court
22. Any hard media was shared via Egress with all parties prior to the NGAP hearing or PTPH	Fully meeting the standard	63.3%	77.2%
	Partially meeting the standard	7.7%	8.8%
	Not meeting the standard	29.0%	14.0%
23. In CC (including RASSO cases before the CC) cases, a properly drafted indictment was prepared	Fully meeting the standard	NA	76.5%
	Partially meeting the standard	NA	14.4%
	Not meeting the standard	NA	9.0%
24. In CC (including RASSO cases before the CC) cases, the draft indictment and key evidence was served in a timely manner for PTPH	Fully meeting the standard	NA	63.5%
	Partially meeting the standard	NA	23.0%
	Not meeting the standard	NA	13.5%
25. In CC and RASSO cases a clear instruction to advocate document was prepared	Fully meeting the standard	NA	22.8%
	Partially meeting the standard	NA	40.4%
	Not meeting the standard	NA	36.9%
26. In CC (including RASSO cases before the CC) cases the advocate was instructed at least 7 days before PTPH	Fully meeting the standard	NA	40.1%
	Partially meeting the standard	NA	28.7%
	Not meeting the standard	NA	31.2%

Question	Answer	Magistrates Court	Crown Court
27. In CC (including RASSO cases before the CC) cases the duty of direct engagement was carried out	Fully meeting the standard	NA	51.9%
	Partially meeting the standard	NA	14.1%
	Not meeting the standard	NA	34.1%
28. In CC (including RASSO cases before the CC) the DDE was uploaded to CCDCS	Fully meeting the standard	NA	61.0%
	Partially meeting the standard	NA	1.7%
	Not meeting the standard	NA	37.3%
29. In CC (including RASSO cases before the CC and the youth court where counsel is instructed) cases if there was no advice on evidence covering all necessary issues this was chased	Fully meeting the standard	NA	20.7%
	Partially meeting the standard	NA	2.6%
	Not meeting the standard	NA	76.7%
31. There was timely compliance with court directions or Judges' Orders	Fully meeting the standard	43.2%	62.7%
	Partially meeting the standard	19.9%	24.9%
	Not meeting the standard	36.9%	12.3%
32. Appropriate applications (e.g. BCE, hearsay) were used effectively to strengthen the prosecution case	Fully meeting the standard	18.9%	38.6%
	Partially meeting the standard	22.2%	34.4%
	Not meeting the standard	58.9%	27.0%

Question	Answer	Magistrates Court	Crown Court
33. Steps were taken to secure best evidence by correct and timely warning of witnesses	Fully meeting the standard	88.1%	85.8%
	Partially meeting the standard	9.6%	11.3%
	Not meeting the standard	2.3%	3.0%
34. Steps were taken to secure best evidence by addressing correspondence from the WCU and any witness issues in a timely manner with effective actions	Fully meeting the standard	60.8%	70.5%
	Partially meeting the standard	20.6%	17.4%
	Not meeting the standard	18.5%	12.0%
35. New material received from the police was reviewed appropriately and sufficiently promptly with timely and effective actions taken in response	Fully meeting the standard	56.5%	77.3%
	Partially meeting the standard	21.3%	17.5%
	Not meeting the standard	22.2%	5.2%
36. Correspondence from the court and defence was reviewed appropriately and sufficiently promptly with timely and effective actions undertaken in response	Fully meeting the standard	57.2%	76.8%
	Partially meeting the standard	26.8%	15.6%
	Not meeting the standard	16.0%	7.6%
37. Requests to the police for additional material or editing of material were timely and escalated where appropriate	Fully meeting the standard	43.6%	63.0%
	Partially meeting the standard	31.2%	25.5%
	Not meeting the standard	25.2%	11.5%

Question	Answer	Magistrates Court	Crown Court
38. There was a clear audit trail on CMS of key events, decisions and actions, with correct labelling of documents and appropriate use of notes	Fully meeting the standard	79.3%	66.4%
	Partially meeting the standard	16.6%	24.8%
	Not meeting the standard	4.1%	8.8%
39. In relevant cases a DMD was completed	Fully meeting the standard	NA	47.5%
	Partially meeting the standard	NA	21.0%
	Not meeting the standard	NA	31.5%
40. The DMD was completed accurately and fully in accordance with the guidance	Fully meeting the standard	NA	55.5%
	Partially meeting the standard	NA	28.8%
	Not meeting the standard	NA	15.7%
41. The police complied with their disclosure obligations	Fully meeting the standard	43.1%	34.3%
	Partially meeting the standard	43.1%	46.5%
	Not meeting the standard	13.8%	19.2%
42. The prosecutor complied with the duty of initial disclosure, including the correct endorsement of the schedules (but not including timeliness of disclosure)	Fully meeting the standard	32.4%	31.3%
	Partially meeting the standard	40.6%	43.7%
	Not meeting the standard	27.0%	25.1%

Question	Answer	Magistrates Court	Crown Court
43. If PM or NM, the most significant failing was	Did not carry out initial disclosure at all	3.3%	2.2%
	Did not endorse any decisions on a non-blank MG6D	1.7%	1.9%
	Did not endorse any decisions on the MG6C	2.5%	2.2%
	Did not identify reasonable lines of enquiry	2.5%	5.6%
	Failed to endorse or sign a blank MG6D	6.6%	7.5%
	Failed to identify that other obvious items of unused material were not scheduled	14.5%	14.2%
	Failed to identify that RP material was either not scheduled or not provided	6.6%	4.1%
	Other	8.7%	12.0%
	Said DUM was not disclosable	25.6%	27.0%
	Said NDUM was disclosable	4.1%	8.6%
	Set out the wrong test for disclosure (e.g. courtesy disclosure)	0.8%	0.4%
	Used the wrong endorsements (D	23.1%	14.2%

Question	Answer	Magistrates Court	Crown Court
44. The prosecution complied with its duty of initial disclosure in a timely manner	Fully meeting the standard	50.1%	89.6%
	Partially meeting the standard	21.2%	4.9%
	Not meeting the standard	28.6%	5.5%
45. The prosecutor complied with the duty of continuous disclosure, (but not including timeliness of disclosure).	Fully meeting the standard	11.1%	65.1%
	Partially meeting the standard	11.1%	17.3%
	Not meeting the standard	77.8%	17.6%
46. If PM or NM, the most significant failing was	Did not carry out continuous disclosure at all	50.0%	12.8%
	Did not endorse any decisions on newly revealed items	12.5%	6.4%
	Did not identify reasonable lines of enquiry	0.0%	8.3%
	Failed to identify that other obvious items of unused material were not scheduled	0.0%	11.9%
	Failed to identify that RP material was either not scheduled or not provided	0.0%	2.8%
	Other	0.0%	14.7%

Question	Answer	Magistrates Court	Crown Court
	Said DUM was not disclosable	25.0%	28.4%
	Said NDUM was disclosable	0.0%	10.1%
	Set out the wrong test for disclosure (e.g. courtesy disclosure)	12.5%	1.8%
	Used the wrong endorsements (D,CND etc)	0.0%	2.8%
47. The prosecution complied with its duty of continuous disclosure in a timely manner	Fully meeting the standard	33.3%	71.4%
	Partially meeting the standard	0.0%	17.5%
	Not meeting the standard	66.7%	11.0%
48. Sensitive unused material was dealt with appropriately	Fully meeting the standard	42.9%	50.0%
	Partially meeting the standard	8.6%	17.6%
	Not meeting the standard	48.6%	32.4%
49. Third party material was dealt with appropriately	Fully meeting the standard	50.0%	70.4%
	Partially meeting the standard	12.5%	11.1%
	Not meeting the standard	37.5%	18.5%

Question	Answer	Magistrates Court	Crown Court
50. In CC (including RASSO cases before the CC) cases, late defence statements were chased	Fully meeting the standard	NA	66.2%
	Partially meeting the standard	NA	11.8%
	Not meeting the standard	NA	22.1%
51. Inadequate defence statements were challenged	Fully meeting the standard	NA	48.0%
	Partially meeting the standard	NA	12.0%
	Not meeting the standard	NA	40.0%
52. The defence statement was reviewed by the prosecutor and direction given to the police about further reasonable lines of enquiry	Fully meeting the standard	33.3%	50.5%
	Partially meeting the standard	22.2%	40.1%
	Not meeting the standard	44.4%	9.5%
53. The disclosure record on modern CMS was properly completed with actions and decisions taken on disclosure	Fully meeting the standard	73.7%	49.3%
	Partially meeting the standard	20.0%	36.9%
	Not meeting the standard	6.3%	13.8%
54. The CPS fed back to the police where there were failings in the police service regarding disclosure	Fully meeting the standard	25.0%	32.7%
	Partially meeting the standard	31.1%	33.8%
	Not meeting the standard	43.9%	33.5%

Question	Answer	Magistrates Court	Crown Court
55. The prosecutor consulted victims and witnesses where appropriate (includes STWAC)	Fully meeting the standard	67.3%	59.6%
	Partially meeting the standard	18.1%	20.4%
	Not meeting the standard	14.6%	20.00
56. The victim's wishes regarding VPS were complied with	Fully meeting the standard	48.0%	51.2%
	Partially meeting the standard	26.2%	30.4%
	Not meeting the standard	25.8%	18.4%
57. The prosecution sought appropriate orders on sentencing to protect the victim, witnesses and the public	Fully meeting the standard	77.3%	77.4%
	Partially meeting the standard	9.1%	9.0%
	Not meeting the standard	13.6%	13.7%
58. There was a timely VCL when required	Fully meeting the standard	48.5%	39.8%
	Partially meeting the standard	11.7%	9.8%
	Not meeting the standard	39.8%	50.4%
59. The VCL was of a high standard	Fully meeting the standard	40.2%	54.3%
	Partially meeting the standard	29.3%	28.3%
	Not meeting the standard	30.4%	17.4%

Question	Answer	Magistrates Court	Crown Court
60. The CPS MG3 actively considered relevant applications and ancillary matters to support victims and witnesses.	Fully meeting the standard	36.7%	36.5%
	Partially meeting the standard	40.3%	30.7%
	Not meeting the standard	23.0%	32.8%

Annex E

Glossary

Achieving Best Evidence (ABE) – the police video-recording the account of the victim or a witness rather than taking a written statement from them. The recording is played at trial instead of the victim or witness giving evidence if permission is granted by the court; this is one of a range of special measures (see below). The recording is known as an ‘achieving best evidence’ recording, or “an ABE”, after the guidance of the same name from the Ministry of Justice on interviewing victims and witnesses and using special measures.

Agent - a lawyer from outside the CPS who is employed when required to prosecute cases at court on behalf of the CPS. They cannot make decisions about cases under the Code for Crown Prosecutors and must take instructions from the CPS.

Ancillary Orders - as well as imposing a sentence, the judge or magistrates may also impose orders on a defendant, such as a compensation order requiring a defendant to pay a sum of money to the victim. These are known as ‘ancillary orders.’

Area Business Manager (ABM) – the most senior non-legal manager at CPS Area level. They are responsible for the business aspects in an Area, such as managing the budget, and work with the Chief Crown Prosecutor (see below) to run the Area effectively and efficiently.

Area Champion – a CPS lawyer with specialist knowledge or expertise in a legal area, such as disclosure. They act as a source of information and support for colleagues and deliver training.

Associate Prosecutor (AP) – a non-lawyer employed by the CPS who conducts uncontested (guilty plea) cases at the magistrates’ court on behalf of the prosecution. With additional training, APs can undertake contested (not guilty) hearings.

Attorney General (AG) - the main legal advisor to the Government and superintends the Crown Prosecution Service.

Bad character/bad character application – evidence of previous bad behaviour, including convictions for earlier criminal offences. Normally, bad character cannot be included as part of the evidence in a criminal trial. To be allowed, either the prosecution and defence must agree it can be used, or an application must be made to the court, based on specific reasons set out by law.

Barrister/Counsel – a lawyer with the necessary qualifications to appear in the Crown Court and other criminal courts, who is paid by the CPS to

prosecute cases at court, or by the representative of someone accused of a crime to defend them.

Basis of Plea – sets out the basis upon which a defendant pleads guilty to an offence.

Better Case Management (BCM) - the national process for case management in the Crown Court to improve the way cases are processed through the system, for the benefit of all concerned in the criminal justice system.

Case Management System (CMS) – the IT system used by the CPS for case management.

Casework Quality Standards (CQS) - issued by the Director of Public Prosecutions. They set out the benchmarks of quality that the CPS strives to deliver in prosecuting crime on behalf of the public. They include the CPS's responsibilities to victims, witnesses and communities, legal decision-making and the preparation and presentation of cases.

Charging decision - a decision by the CPS (or the police in certain circumstances) whether there is sufficient evidence and it is in the public interest to charge a suspect with a particular offence. The process is governed by the Director's Guidance on Charging.

Chief Crown Prosecutor (CCP) – each of the 14 CPS Areas has a CCP who, with the Area Business Manager (see above), runs the Area. The CCP is responsible for the legal aspects in the Area, such as the quality of legal decision-making, case progression, and working with stakeholders, communities, and the public to deliver quality casework.

Cloud Video Platform (CVP) - a video communication system that enables court hearings to be carried out remotely and securely.

Code for Crown Prosecutors (the Code) - a public document, issued by the Director of Public Prosecutions, that sets out the general principles CPS lawyers should follow when they make decisions on cases. Cases should proceed only if there is sufficient evidence against a defendant to provide a realistic prospect of conviction and it is in the public interest to prosecute.

Common Platform - a digital case management system which allows all parties involved in criminal cases to access case information.

Complex Casework Units (CCUs) – are responsible for some of the most serious and complicated casework the CPS prosecutes, such as large-scale international cases.

Contested case - where a defendant pleads not guilty or declines to enter any plea at all, and the case proceeds to trial.

Court Order/Direction - an instruction from the court requiring the prosecution or defence to carry out an action (such as sending a particular document or some information to the other party or the court) in preparation for trial.

CPS Direct (CPSD) – a service operated by CPS lawyers which provides charging decisions. It deals with many priority cases and much of its work is out of hours, enabling the CPS to provide a charging decision 24 hours a day, 365 days a year.

Cracked trial - a case which ends on the day of trial either because of a guilty plea by the defendant or because the prosecution decides to stop the case.

Criminal Procedure Rules (CPR) – rules about criminal procedure which give criminal courts powers to manage effectively criminal cases waiting to be heard. The main aim of the CPR is to progress cases fairly and quickly.

Crown Advocate (CA) - a lawyer employed by the CPS who is qualified to appear in the Crown Court.

Crown Court – the court which deals with graver allegations of criminal offences, such as murder, rape, and serious assaults. Some allegations can be heard at either the Crown Court or the magistrates court (see ‘either-way offence’ below).

Crown Prosecutor (CP) – a lawyer employed by the CPS whose role includes reviewing and preparing cases for court and prosecuting cases at the magistrates’ court. CPs can progress to become senior crown prosecutors – see below.

Custody Time Limit (CTL) - the length of time that a defendant can be kept in custody awaiting trial. It can be extended by the court in certain circumstances.

Custody Time Limit failure – a CTL failure occurs when the court refuses to extend a CTL on the grounds that the prosecution has not acted with the necessary due diligence and expedition, or when no valid application is made to extend the CTL before its expiry date.

Defendant – someone accused of and charged with a criminal offence.

Defence Statement (DS) - A written statement setting out the nature of the accused's defence. Service of the defence statement is part of the process of preparing for trial and is meant to help the prosecution understand the defence case better so they can decide if there is any more unused material than ought to be disclosed (see 'disclosure' above).

Deputy Chief Crown Prosecutor (DCCP) – second-in-command after the Chief Crown Prosecutor (see above) for legal aspects of managing the Area.

Digital Case System (DCS) - a digital/computerised system for storing and managing cases in the Crown Court, to which the defence, prosecution, court staff and the Judge all have access.

Direct Defence Engagement Logs (DDE) – written record of discussions with the defence about a case. The prosecution and defence are obliged by the Criminal Procedure Rules to engage and identify the issues for trial so that court time is not wasted hearing live evidence about matters that can be agreed.

Director's Guidance on Charging – issued by the Director of Public Prosecutions in relation to charging decisions (see above). It sets out guidance for the police and CPS about how to prepare a file so that it is ready for charging, who can make the charging decision, and what factors should influence the decision. It also sets out the requirements for a suspect whom the police will ask the court to keep in custody to be charged before all the evidence is available, which is called the threshold test. The latest edition (the sixth, also called 'DG6') came into effect on 31 December 2020.

Director of Public Prosecutions (DPP) – the head of the CPS with responsibility for its staff and the prosecutions it undertakes every year. In certain cases the personal consent of the DPP is required for prosecutions to proceed.

Disclosure/Unused Material - the police have a duty to record, retain and review material collected during an investigation which is relevant but is not being used as prosecution evidence and reveal it to the prosecutor. The prosecutor has a duty to provide the defence with copies of, or access to, all material that is capable of undermining the prosecution case and/or assisting the defendant's case.

Disclosure Management Document (DMD) – used for rape and other Crown Court cases, the DMD sets out the approach of the police and

CPS to the disclosure of unused material in a case. It may, for example, explain the parameters used by the police to search data held on a mobile phone or other digital device (such as the dates used, or key words) or what action the police are and are not taking in relation to possible avenues of investigation. The DMD is shared with the defence and court so that everyone is aware of the approach being taken. This enables the defence to make representations if they do not agree with that approach (for example, if they think different search terms should be used). It also helps ensure that disclosure is undertaken efficiently and fairly.

Disclosure Record Sheet (DRS) - sets out the chronology of all disclosure actions and decisions, and the reasons for those decisions. It is an internal CPS document that is not shared with the defence or court.

Discontinuance - where the prosecution stops the case because there is not sufficient evidence to carry on, or it is not in the public interest to do so.

District Crown Prosecutor (DCP) – a lawyer who leads and manages the day to day activities of prosecutors and advocates.

Domestic Abuse (DA) – any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members, regardless of gender or sexuality.

Effective trial - where a case proceeds to a full trial on the date that it is meant to.

Either-Way offence – an offence that can be prosecuted in the magistrates' courts or the Crown Court. The prosecution makes representations to the court on where the case should be heard. The magistrates or a District Judge (who sits alone in the magistrates' court) can decide the allegation is serious enough that it must go to the Crown Court. If they decide it can be heard in the magistrates' court, the defendant can choose to have the case sent to the Crown Court, where it will be heard by a jury. If the defendant agrees. The trial will be heard in the magistrates' court.

Full Code Test (FCT) – This a decision where the prosecutor applies the Code for Crown Prosecutors. A prosecution must only start or continue when the case has passed both stages of the Full Code Test: the evidential stage, followed by the public interest stage. The Full Code Test should be applied when all outstanding reasonable lines of inquiry have been pursued, or prior to the investigation being completed, if the

prosecutor is satisfied that any further evidence or material is unlikely to affect the application of the Full Code Test, whether in favour of or against a prosecution.

Graduated Fee Scheme (GFS) – The scheme by which lawyers are paid for Crown Court cases. For Counsel appearing on behalf of defendants who qualify for assistance (called ‘Legal Aid’), the GFS is set and managed by the Legal Aid Agency. For Counsel appearing for the prosecution, the rates are determined by the CPS GFS, and the CPS pays Counsel.

Guilty Anticipated Plea (GAP) - where the defendant is expected to admit the offence at court, based on an assessment of the available evidence and any admissions made during interview.

Hate crime – The law recognises offences as hate crime any offence where the defendant has been motivated by or demonstrated hostility towards the victim based on what the defendant thinks is their race, disability, gender identity or sexual orientation. Targeting older people is not (at the time of writing) recognised in law as a hate crime, but the CPS monitors crimes against older people in a similar way.

Hearing Record Sheet (HRS) - a CPS electronic record of what has happened in the case during the course of a court hearing, and any actions that need to be carried out afterwards.

Her Majesty’s Courts and Tribunal Services (HMCTS) – is responsible for the administration of criminal, civil and family courts and tribunals in England and Wales.

Honour Based Violence (HBV) – can be described as a collection of practices which are used to control behaviour within families or other social groups to protect perceived cultural and religious beliefs and/or honour. It can take the form of domestic abuse and/or sexual violence.

Inclusion and Community Engagement Strategy – sets out the CPS commitment to promoting fairness, equality, diversity and inclusion across the criminal justice system by engaging with community groups and those at risk of exclusion.

Independent Bar - the collective name for barristers who practice law on a self- employed basis.

Indictable-only offence – an offence triable only in the Crown Court.

Indictment - the document that contains the charge or charges faced by the defendant at trial in the Crown Court.

Individual Learning Account (ILA) – CPS employees can access an allowance of £350 per person, per year, for professional development.

Individual Quality Assessment (IQA) – an assessment of a piece of work done by a CPS member of staff, usually a prosecutor, but some Areas also carry out IQAs for some operational delivery staff. The assessment will be carried out by a manager, and feedback on the assessment given to the member of staff. Areas also use IQAs to identify improvement and training needs across a team or the whole Area.

Ineffective trial - a case that does not proceed to trial on the date that it is meant to. This can be owing to a variety of possible reasons, including non-attendance of witnesses, non-compliance with a court order by the prosecution or defence, or lack of court time.

Initial Details of the Prosecution Case (IDPC) – the material to be provided before the first hearing at the magistrates' court to enable the defendant and the court to take an informed view on plea, where the case should be heard, case management and sentencing. The IDPC must include a summary of the circumstances of the offence and the defendant's charge sheet. Where the defendant is expected to plead not guilty, key statements and exhibits (such as CCTV evidence) must be included.

Intermediary – a professional who facilitates communication between, on the one hand, a victim or witness, and on the other hand, the police, prosecution, defence, and/or the court. Their role is to ensure that the witness understands what they are being asked, can give an answer, and can have that answer understood. To do this, they will assess what is needed, provide a detailed report on how to achieve that, and aid the witness in court. An intermediary may be available at trial, subject to the court agreeing it is appropriate, for defence or prosecution witnesses who are eligible for special measures on the grounds of age or incapacity, or for a vulnerable defendant

Key Stakeholders – the organisations and people with whom the CPS engages, such as the police, courts, the judiciary, and victim and witness services.

Local Criminal Justice Boards (LCJBs) – are made up of representatives of the CPS, police, HMCTS and others. LCJBs were originally set up in all 43 Force areas by central government and received central funding. They now operate as a voluntary partnership in most counties in England. The Boards' purpose is to work in partnership to improve the efficiency and effectiveness of the criminal justice system and to improve the experience of the victims and witnesses.

Local Scrutiny Involvement Panels (LSIPs) – are made up of representatives of the local community and voluntary sector, especially those representing minority, marginalised or at-risk groups. They meet regularly with their local CPS Area to discuss issues of local concern and provide feedback on the service the Area provides, with a view to improving the delivery of justice at a local level and to better supporting victims and witnesses.

MG3 – one of a number of template forms contained in a manual of guidance for the police and CPS on putting together prosecution files. The Manual of Guidance Form 3, or MG3, is where the police set out a summary of the evidence and other information when asking the CPS to decide whether a suspect should be charged with a criminal offence, and the CPS then record their decision.

National File Standard (NFS) - a national system that sets out how the police should prepare criminal case files. It allows investigators to build only as much of the file as is needed at any given stage – whether that is for advice from the CPS, the first appearance at court or the trial. The latest version was published in December 2020.

Newton Hearing – a hearing in criminal proceedings required when a defendant pleads guilty to an offence but there is disagreement with the prosecution as to the facts of the offence.

Not Guilty Anticipated Plea (NGAP) - where the defendant is expected to plead not guilty at court, based on an assessment of the available evidence and any defence(s) put forward during interview.

Offer No Evidence (ONE) - where the prosecution stops the case, after the defendant has pleaded not guilty, by offering no evidence. A finding of 'not guilty' is then recorded by the court.

Paralegal Officer (PO) – provides support and casework assistance to CPS lawyers and attends court to take notes of hearings and assist advocates.

Percentage Point (pp) - a percentage point or percent point is the unit for the arithmetic difference between two percentages.

Personal Development Review (PDR) – twice yearly review of a CPS employee's performance against a set of objectives specific to their role.

Plea and Trial Preparation Hearing (PTPH) - the first hearing at the Crown Court after the case has been sent from the magistrates' court. The defendant is expected to enter a plea to the offence(s) with which s/he has been charged. If the defendant pleads guilty, the court may be

able to sentence them immediately, but if not, or if the defendant has pleaded not guilty, the court will set the next hearing date, and for trials, will also set out a timetable for management of the case.

Postal Requisition – a legal document notifying a person that they are to be prosecuted for a criminal offence, and are required to attend the magistrates' court to answer the allegation

Rape and Serious Sexual Offences (RASSO) units– these are allegations of rape and other serious sexual offences perpetrated against men, women or children. In the CPS, the prosecution of RASSO cases is undertaken separately from other cases, in RASSO units or teams.

Restraining Order (RO) - a type of court order made as part of the sentencing procedure to protect the person(s) named in it from harassment or conduct that will put them in fear of violence. They are often made in cases involving domestic abuse, harassment, stalking or sexual assault. The order is intended to be preventative and protective and usually includes restrictions on contact by the defendant towards the victim; it may also include an exclusion zone around the victim's home or workplace. A restraining order can also be made after a defendant has been acquitted if the court thinks it is necessary to protect the person from harassment.

Review - the process whereby a CPS prosecutor determines that a case received from the police satisfies, or continues to satisfy, the legal test for prosecution in the Code for Crown Prosecutors. This is one of the most important functions of the CPS.

Section 28 Youth Justice and Criminal Evidence Act 1999 – provides the option to pre-record the cross-examination evidence in advance of a trial for vulnerable victims and witnesses.

Senior Crown Prosecutor (SCP) – a lawyer employed by the CPS with the necessary skills and experience to progress to a more senior legal role that includes the functions set out above for crown prosecutors but also includes advising the police on charge. It is not a role that includes managing staff.

Sensitive material - any unused material (see disclosure/unused material above) which it would not be in the public interest to disclose during the criminal proceedings. If it meets the test for disclosure, the prosecution must either stop the case or apply to the court for an order allowing them to withhold the sensitive material.

Speaking to Witnesses at Court initiative (STWAC) – the prosecutor should speak to witnesses at or before court to ensure that they are

properly assisted and know what to expect before they give their evidence.

Special Measures Applications (SMA) - the Youth Justice and Criminal Evidence Act 1999 provides for a range of special measures to enable vulnerable or intimidated witnesses in a criminal trial to give their most accurate and complete account of what happened. Measures include giving evidence via a live TV link to the court, giving evidence from behind screens in the courtroom and the use of intermediaries. A special measures application is made to the court within set time limits and can be made by the prosecution or defence.

Standard Operating Practices (SOPs) – the CPS has a range of standard operating practices which set out how to complete a particular task or action and cover legal and business aspects of the running of the CPS. They are standard across the organisation and seek to apply consistency to business practices and key steps needed in all prosecutions. Examples include: how to register a new charging request from the police on the case management system; how to record charging advice; how to prepare for the first hearing; and how to deal with incoming communications.

Summary offence – an offence that is normally dealt with in the magistrates' court. In certain circumstances, and when there is a connected case that will be heard by the Crown Court, it may deal with a summary offence as well.

Third party material – material held by someone other than the investigator and/or prosecutor, such as medical or school records, or documents held by Social Services departments.

Threshold Test (TT) – see Director's Guidance on Charging, above.

Transforming Summary Justice (TSJ) - an initiative led by HMCTS and involving the CPS and the police, designed to deliver justice in summary cases in the most efficient way by reducing the number of court hearings and the volume of case papers. The process involves designating bail cases coming into the magistrates' courts for their first hearing as guilty-anticipated plea (GAP) cases or not guilty-anticipated plea (NGAP) cases. GAP and NGAP are explained above. GAP and NGAP cases are listed in separate courtrooms, so that each can be dealt with more efficiently.

Uncontested case – where a defendant pleads guilty and the case proceeds to sentence.

Unsuccessful Outcome – a prosecution which does not result in a conviction is recorded in CPS data as an unsuccessful outcome. If the

outcome is unsuccessful because the prosecution has been dropped (discontinued, withdrawn or no evidence offered) or the court has ordered that it cannot proceed, it is also known as an adverse outcome. Acquittals are not adverse outcomes.

Victim Communication and Liaison scheme (VCL) - a CPS scheme to inform victims of crime of a decision to stop or alter substantially any of the charges in a case. Vulnerable or intimidated victims must be notified within one working day and all other victims within five working days. In certain cases, victims will be offered a meeting to explain the decision and/or the right to ask for the decision to be reviewed.

Victim Liaison Unit (VLU) – the VLU is the team of CPS staff in an Area. It is responsible for communication with victims under the victim communication and liaison (see above), the Victims' Right to Review (see below), and for responding to complaints, and overseeing the service to bereaved families.

Victim Personal Statement (VPS) - gives victims the opportunity of explaining to the court how a crime has affected them. If a defendant is found guilty, the court will take the VPS into account, along with all the other evidence, when deciding on an appropriate sentence.

Victim's Code – sets out a victim's rights and the minimum standards of service that organisations must provide to victims of crime. Its aim is to improve victims' experience of the criminal justice system by providing them with the support and information they need. It was published in October 2013 and last updated on 21 April 2021.

Victims' Right to Review (VRR) – this scheme provides victims of crime with a specifically designed process to exercise the right to review certain CPS decisions not to start a prosecution or to stop a prosecution. If a new decision is required, it may be appropriate to institute or reinstitute criminal proceedings. The right to request a review of a decision not to prosecute under the VRR scheme applies to decisions that have the effect of being final made by every Crown Prosecutor, regardless of their grade or position in the organisation. It is important to note that the "right" referred to in the context of the VRR scheme is the right to request a review of a final decision. It is not a guarantee that proceedings will be instituted or reinstituted.

Violence Against Women and Girls (VAWG) and VAWG Strategy (VAWGS) – violence against women and girls (VAWG) includes boys and men as victims but reflects the gendered nature of the majority of VAWG offending. It covers a wide range of criminal conduct, including domestic abuse, controlling and coercive behaviour, sexual offences, harassment,

forced marriage, so-called honour-based violence (HBV above), and slavery and trafficking. The aim of the Government's VAWG strategy is to increase support for victims and survivors, increase the number of perpetrators brought to justice, and reduce the prevalence of violence against women and girls in the long term.

Vulnerable and/or intimidated witnesses – those witnesses who require particular help to give evidence in court such as children, victims of sexual offences and the most serious crimes, persistently targeted victims, and those with communication difficulties.

Witness Care Unit (WCU) - a unit responsible for managing the care of victims and prosecution witnesses from when a case is charged to the conclusion of the case. It is staffed by witness care officers and other support workers whose role is to keep witnesses informed of the progress of their case. Almost all WCUs are police-staffed and managed teams.

Witness Summons – a legal document compelling a reluctant or unwilling witness to attend court.

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