



**HMCPSI**

HM Crown Prosecution  
Service Inspectorate

# **A follow up inspection of the recommendations made in the 2023 report: The service from the CPS to victims of domestic abuse**

**March 2025**

If you ask us, we can provide this report in Braille,  
large print or in languages other than English.

For information or for more copies of this report,  
please contact us on 020 7210 1160,  
or go to our website:  
[justiceinspectorates.gov.uk/hmcpsi](https://justiceinspectorates.gov.uk/hmcpsi)

HMCPsi Publication No. CP001:1323

## Who we are

HM Crown Prosecution Service Inspectorate 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.

# Contents

<b>1. Summary.....</b>	<b>5</b>
Context.....	6
The 2023 inspection .....	6
Methodology.....	8
Headlines .....	9
Follow-up .....	11
<b>2. Progress against the recommendations .....</b>	<b>12</b>
Recommendation one .....	13
Recommendation two.....	17
Recommendation three .....	19
Recommendation four .....	21
Recommendation five.....	24
Recommendation six.....	26
<b>Annex A.....</b>	<b>28</b>
<b>Annex B.....</b>	<b>32</b>

# 1. Summary

## Context

### The 2023 inspection

1.1. HM Crown Prosecution Service Inspectorate (HMCPSI) published a report in March 2023<sup>1</sup> on the service from the Crown Prosecution Service (CPS) to the victims of domestic abuse. We assessed how effective and efficient the CPS was in building strong cases that support and protect victims of domestic abuse. The inspection focused on cases heard in the magistrates' courts, as they account for the majority of domestic abuse casework.

1.2. The 2023 inspection found that the CPS recognised domestic abuse as a priority area of work and that staff dealing with such cases were passionate and committed to improving performance, with a strong desire to achieve the best possible outcome for victims. We found some good quality casework and good service provided to victims; there were however also aspects of CPS performance that required improvement.

1.3. We made six recommendations to address the issues we found:

- recommendation one: by March 2024, the Crown Prosecution Service (CPS) to introduce a system for domestic abuse cases that identifies any summary time limit applicable on receipt from the police at pre-charge and ensures that the case is progressed effectively and efficiently within that summary time limit.
- recommendation two: by July 2023, the Crown Prosecution Service (CPS) to implement a process where, on a domestic abuse case where the summary time limit is due to expire within eight weeks, all communications with the police including any pre-charge advice or decisions are clearly marked with the relevant summary time limit.
- recommendation three: by December 2023, the Crown Prosecution Service (CPS) to have communicated the need for prosecutors to review the risk assessment in all domestic abuse cases before completing the pre-charge decision (unless there are specific factors in the case such that the decision to charge cannot be delayed) and that where the risk assessment has been omitted in the file provided, or is referenced simply by level (standard, medium or high), the full risk assessment is requested. This approach to be embedded by March 2024.

---

<sup>1</sup> [\*The service from the CPS to victims of domestic abuse\*](#); HMCPSI; March 2023

- recommendation four: by December 2023, the Crown Prosecution Service (CPS) to embed a process to ensure that in all magistrates' courts domestic abuse cases involving a Newton hearing or trial, all up-to-date relevant information about victims including information relevant to ancillary orders is requested in a timely manner for the sentence hearing.
- recommendation five: by December 2023, the Crown Prosecution Service (CPS) to develop a consistent approach to trauma training across violence against women and girls (VAWG) casework that reflects engagement with specialist VAWG organisations, and which focuses on how understanding trauma can improve casework and the service to victims of domestic abuse.
- recommendation six: from July 2023, the Crown Prosecution Service (CPS) to ensure that a minimum of one individual quality assessment (IQA) per year is conducted on a domestic abuse case for prosecutors dealing with magistrates' courts domestic abuse cases.

**1.4.** At the time of writing, the CPS continues to act on recommendations one, three, four and five, having closed recommendations two and six.

**1.5.** Given the prevalence of domestic abuse, and in line with our inspection strategy, we decided that it was appropriate at this time to conduct a short follow-up inspection to ascertain to what extent and how successfully the recommendations made in 2023 have been implemented by the CPS.

## Methodology

**1.6.** We examined progress against each of the six recommendations. For each recommendation we make a judgement as to whether it has been achieved or not achieved, using evidence gathered in the inspection from a file examination, documents, interviews and focus groups. To assess progress against recommendations one to four, we assessed 72 cases that included at least one domestic abuse summary only offence that was subject to a statutory time limit (STL), with 36 of those cases having an STL expiring within eight weeks. We assessed a further 18 domestic abuse magistrates' courts cases where a conviction was secured following a trial or a Newton hearing and where the case was adjourned for sentence. We examined the cases against a concise questionnaire focused on the first four recommendations.

**1.7.** In the 2023 inspection, we examined files, requested documents and interviewed relevant individuals from six CPS Areas: East Midlands, South East, East of England, West Midlands, North East and Cymru-Wales.

**1.8.** In this follow-up inspection, we examined files from three of the Areas we visited in the original inspection (East Midlands, North East and Cymru-Wales) and three new Areas (London North, Thames and Chiltern and Mersey Cheshire). This enabled us to assess whether change has been made and embedded in Areas other than those included in the original inspection.

**1.9.** We conducted focus groups and interviews in four CPS Areas (East Midlands, North East, London North and Thames and Chiltern) which represented two Areas from the original inspection and two Areas which were not.

**1.10.** Document requests were made to all six Areas that formed part of this inspection. We also examined documents received from CPS Headquarters and employee guidance on STLs that was found on the CPS intranet.

**1.11.** The evidence gathered in the focus groups, interviews and upon examination of the requested documents enabled us to form our judgment as to whether recommendations five and six were achieved.

**1.12.** The inspection was led by legal inspector Eleanor Reyland and supervised by senior legal inspector Rachael Pavion.



## Headlines

**1.13.** Of the six recommendations made in 2023, we assessed three as achieved and three as not achieved.

### Recommendations one and two

- recommendation one: by March 2024, the Crown Prosecution Service (CPS) to introduce a system for domestic abuse cases that identifies any summary time limit applicable on receipt from the police at pre-charge and ensures that the case is progressed effectively and efficiently within that summary time limit
- recommendation two: by July 2023, the Crown Prosecution Service (CPS) to implement a process where, on a domestic abuse case where the summary time limit is due to expire within eight weeks, all communications with the police including any pre-charge advice or decisions are clearly marked with the relevant summary time limit.

**1.14.** We found that the CPS has produced clear guidance as to how cases subject to an STL are to be identified at the pre-charge stage, to ensure that these cases are progressed within the required timescales. However, we found that whilst operational delivery staff were mostly identifying cases subject to an STL on the case management system, the process of communicating to the police the STL, when it was due to expire within eight weeks, was not routinely being followed.

**1.15.** We therefore assessed recommendation one as **achieved** and recommendation two as **not achieved**.

### Recommendation three

- recommendation three: by December 2023, the Crown Prosecution Service (CPS) to have communicated the need for prosecutors to review the risk assessment in all domestic abuse cases before completing the pre-charge decision (unless there are specific factors in the case such that the decision to charge cannot be delayed) and that where the risk assessment has been omitted in the file provided, or is referenced simply by level (standard, medium or high), the full risk assessment is requested. This approach to be embedded by March 2024.

**1.16.** We found that the CPS had reached agreement with the police that the full risk assessments would be provided at police file submission and there was clear communication to CPS Areas that this was to be mandatory from 1 September 2024, with guidance on steps to be taken if the police did not submit

the document. This is good progress on an important aspect of domestic abuse casework. We found that the police had significantly improved their compliance with this requirement since the 2023 inspection and that where the risk assessment was not provided, the CPS was mostly following the guidance and rejecting the file at triage stage for the police to resubmit with the correct document.

**1.17.** We therefore assessed recommendation three as **achieved**.

#### **Recommendation four**

- recommendation four: by December 2023, the Crown Prosecution Service (CPS) to embed a process to ensure that in all magistrates' courts domestic abuse cases involving a Newton hearing or trial, all up-to-date relevant information about victims including information relevant to ancillary orders is requested in a timely manner for the sentence hearing.

**1.18.** We found that prosecutors conducting trials were mostly asking victims following the defendant being convicted if they wished to apply for a restraining order or, if they had previously indicated that they did want the prosecution to seek such an order, checking that the originally drafted terms were still applicable. However, we found that following conviction, victims were not usually asked if they wished to provide a victim personal statement if they had not done so previously, or if they had, if its contents needed updating.

**1.19.** We therefore assessed recommendation four as **not achieved**.

**1.20.** To reflect our findings, we are making a new recommendation specifically focused on the CPS seeking relevant information from victims by way of an up-to-date victim personal statement (VPS). This supersedes recommendation four.

#### **New Recommendation**

By December 2025, the Crown Prosecution Service (CPS) to ensure that in all magistrates' courts domestic abuse cases involving a Newton hearing or conviction after trial, an updated victim personal statement is requested in a timely manner for the sentence hearing.

#### **Recommendation five**

- recommendation five: by December 2023, the Crown Prosecution Service (CPS) to develop a consistent approach to trauma training across violence against women and girls (VAWG) casework that reflects engagement with specialist VAWG organisations, and which focuses on how understanding trauma can improve casework and the service to victims of domestic abuse.

**1.21.** We found that the CPS has developed trauma-informed training in relation to domestic abuse casework. However, this development has taken longer than initially planned and is due to begin delivery to prosecutors in March 2025.

**1.22.** We therefore assessed recommendation five as **not achieved**.

**1.23.** To reflect our findings, we are making a new recommendation specifically focused on the delivery of the training that has been developed.

New Recommendation
By December 2025, the Crown Prosecution Service (CPS) to have delivered the trauma-informed training to all prosecutors dealing with domestic abuse casework.

### Recommendation six

- recommendation six: from July 2023, the Crown Prosecution Service (CPS) to ensure that a minimum of one individual quality assessment (IQA) per year is conducted on a domestic abuse case for prosecutors dealing with magistrates' courts domestic abuse cases.

**1.24.** We found that the CPS has published clear guidance outlining that a minimum of one IQA for each prosecutor undertaking domestic abuse work should be a domestic abuse case. From the data available, we cannot confirm whether the CPS is meeting this target, but evidence gathered in focus groups and interviews confirmed that prosecutors and legal managers are aware of the requirement and indicating that the guidance was being complied with.

**1.25.** We therefore assessed recommendation six as **achieved**.

### Follow-up

**1.26.** Given our findings in respect of recommendations two, four and five and the making of two new recommendations to supersede recommendations four and five, we will carry out further follow-up activity in Spring 2026.

## **2. Progress against the recommendations**

## Recommendation one

*By March 2024, the Crown Prosecution Service (CPS) to introduce a system for domestic abuse cases that identifies any summary time limit applicable on receipt from the police at pre-charge and ensures that the case is progressed effectively and efficiently within that summary time limit.*

**2.1.** Where offences are summary only (meaning they can be heard only at the magistrates' courts), there are time limitations within which a suspect must be charged with the offence, or a summons or postal requisition<sup>2</sup> issued. These are called statutory time limits (STLs). An STL is usually six months from the commission of the offence<sup>3</sup>. However, from 28 June 2022, for offences of common assault or battery that amount to domestic abuse, proceedings may be commenced at any time within two years from the commission of the offence and within six months from when the offence was formally reported to the police.<sup>4</sup>

**2.2.** In our original inspection, we found that there was no consistent process for the police to inform the CPS of an impending STL when they submitted a file for a charging decision. There was also no provision in the CPS administrative triage of files received from the police for a check of the STL expiry date that enabled cases to be expedited.

**2.3.** Guidance for identifying and managing STLs was published on the CPS intranet on 23 August 2024. The guidance is not limited to domestic abuse cases and all cases with an STL are to follow the same process. The guidance sets out how cases that are identified by the police as being subject to an STL are to be highlighted on the CPS case management system (CMS) and how STL cases should be dealt with when the expiry date is less than eight weeks.

**2.4.** If a case is subject to an STL, the police must endorse the referral document that is sent to the CPS which confirms the case is subject to an STL and include the expiry date. The police should also email the charging team with the same information and the email should be uploaded to the case onto CMS.

---

<sup>2</sup> A written charge sent by post which details when a defendant must attend court.

<sup>3</sup> [Magistrates' Courts Act 1980](#)

<sup>4</sup> s39A [Criminal Justice Act 1988](#)

### **Police identification of STLs at pre-charge submission**

**2.5.** It is important that the police correctly identify that they are seeking charges for a summary only offence subject to an STL when they refer a case for a charging decision. If this is not done accurately, it falls on CPS operational delivery staff to identify and calculate the STL so that it can be correctly allocated to a reviewing lawyer before its expiration.

**2.6.** In 29 out of the 72 cases we assessed with an STL, the police did not identify that one or more charges sought were subject to an STL. In a further 10 cases, although it was noted that there was a charge sought subject to an STL, the police had calculated the STL incorrectly. Therefore, in over half of all files examined (39 out of 72), the police did not correctly identify the STL to the CPS<sup>5</sup>.

**2.7.** In a further 27 of the 72 cases examined, the police identified the STL, but not in accordance with the agreed guidance, as either the STL was identified in the case outline, or in an email sent to the charging team, but not both. In the final six cases we examined, the police followed the guidance as the STL was flagged in both the case outline and in an email sent to the charging team. Of note, of the six cases where the guidance was fully complied with, five of these were from one police force.

**2.8.** By not identifying STLs correctly, or not identifying them at all, the police are not providing the required information to the CPS which enables them to ensure that cases subject to an STL are allocated to and reviewed by prosecutors before the STL expires. This is a particular risk for cases where there is 28 days or less before the STL expires, because the standard timescale for a charging decision once a case is allocated to a prosecutor is 28 days.

**2.9.** We were told in our interviews and focus groups that the police were not routinely identifying that a case was subject to an STL, which is supported by the evidence from our file examination. All Areas that we spoke to have mechanisms to feed back issues of file compliance with the police, including the issue of STLs not being identified. While there had been some improvement in identification of STLs, more work remains to be done with the police to achieve greater levels of compliance.

---

<sup>5</sup> In one Area, the police did not identify any STL in all 12 cases that we examined. The STL was however identified on CMS in 8 of these, meaning that CPS operational delivery staff in that Area were identifying that an STL was required in most applicable cases, and calculating it when the police do not comply with the guidance.

**2.10.** We were also told that in some instances, the police had been identifying the wrong STL when the charge sought was one of a domestic abuse common assault or battery, where the STL is six months from the date the offence was reported to the police and the commission of the offence is within two years. One Area provided training to the police about this issue and noted an improvement in accurate calculations as a result.

**2.11.** Operational delivery staff said that they had seen an improvement in the police identifying when a case was subject to an STL. However, as shown in our file examination, this was not consistent.

**2.12.** Other issues relating to police submission of files subject to STLs were that the police, although identifying that the case was subject to an STL, were often submitting files very close to their expirations. This was a particular issue in one Area where the majority of files subject to an STL (whether domestic abuse or otherwise) had fewer than 28 days before expiry and around a third of those had fewer than ten days before expiry.

**2.13.** This creates additional pressure on the CPS, as these cases must be prioritised to ensure that they are dealt with in time, which could cause delay with other charging decisions. Furthermore, if the prosecutor is unable to authorise charges because they must make further enquiries to the police, any action plan sent to the police must be dealt with urgently before the prosecutor can undertake a further review. This increases the risk of cases not being charged because the STL has expired.

#### **CPS action following receipt of STL case**

**2.14.** When a case has been submitted by the police and they are seeking a pre-charge decision, operational delivery staff triage the file to ensure that it complies with the National File Standards (NFS) and that all required material has been submitted to enable the prosecutor to make a charging decision.

**2.15.** Upon receipt of a case with an STL, CPS operational delivery staff should check that the expiry date provided by the police is correct and enter that date in a specific format on CMS, so that the entry remains clearly visible on the case<sup>6</sup>. They should also add a note on CMS against any pre-charge tasks, indicating the STL expiry date.

---

<sup>6</sup> The format is \*\*\*STL – EXPIRY DATE 31.12.2100\*\*\*

**2.16.** In 42 of the 72 cases assessed, we found that the CPS had adequately inputted the STL onto CMS. In 28 of those 42 cases, the guidance was not fully complied with but, nonetheless, the STL was clear and identifiable and allowed the progression of the case. The most common non-compliance with the guidance was that the STL dates were not in the prescribed standard date format. In the remaining 30 cases, the CPS either did not input the STL at all, or the date was incorrect.

**2.17.** We found that the CPS was more likely to input the correct date when the police had identified the correct date on their initial file submission. The CPS inputted the correct date in 26 of the 33 cases where the police correctly identified the STL from the outset. Where the police did not identify the STL, CPS operational staff correctly identified it and inputted it on CMS around half of the time, in 15 out of 29 cases. In the final case where the CPS inputted the correct date on CMS, the police had identified an incorrect STL date.

**2.18.** All Areas that we spoke to were aware of the national guidance for identifying cases subject to an STL on CMS. In addition to the requirements set out, the four CPS Areas that we visited maintained their own STL logs which identified cases subject to an STL and enabled managers to have oversight so the cases can be easily viewed. The STL logs are shared between operational delivery staff and legal managers to ensure urgent allocation of cases to prosecutors.

**2.19.** In accordance with our recommendation, the CPS has introduced a system supported by clear guidance and expectations whereby an STL is identified upon receipt from the police at pre-charge stage. Whilst guidance was not fully complied with by Areas, the majority (42 out of 72) of cases subject to an STL (and particularly where the STL was highlighted by the police) were identified as such and Areas are taking steps to ensure that these are sufficiently progressed.

**2.20.** Given these findings, we assessed that recommendation one has been **achieved**. Having now implemented this system the CPS will want to ensure consistent application by Areas through their own internal assurance processes.



## Recommendation two

*By July 2023, the Crown Prosecution Service (CPS) to implement a process where, on a domestic abuse case where the summary time limit is due to expire within eight weeks, all communications with the police including any pre-charge advice or decisions are clearly marked with the relevant summary time limit.*

**2.21.** In our original inspection we found that, following triage and allocation of a file to a prosecutor, there was not a consistent process for the prosecutor to inform the police that the statutory time limit (STL) was close to the expiry date when charging advice was given to ensure that proceedings could be commenced prior to expiry.

**2.22.** The CPS guidance states that if the STL expiry date is less than eight weeks, an urgent flag should be raised on the prosecutor review task on the CPS case management system (CMS). In addition, operational delivery staff should inform the charging manager of the case by email, who will endorse the STL log. When allocating an STL case, operational delivery staff should email the reviewing lawyer from within CMS, informing them of the expiry date of the STL and marking it urgent where the date is within eight weeks of expiry.

**2.23.** We found the urgent flag had been raised on applicable review tasks in 14 of the 36 cases that we assessed where the STL was due to expire within eight weeks. One Area, in which the majority of STLs were referred by the police close to the expiry date, had implemented additional methods to prioritise the most urgent cases, as almost all cases would have required an urgent flag.

**2.24.** If prosecutors need to make further enquiries to the police when they are making their pre-charge decisions, they will send a case action plan which sets out their queries. These can include requests for missing evidence or other reasonable lines of enquiry for the police to address before charges can be authorised.

**2.25.** When they do this and there is an STL, the prosecutor should highlight the STL to the police so that they can ensure that any enquiries are made and that any additional information is provided to the prosecutor within timescales of the STL. When a charging decision is made, the police must ensure that, for a summary only offence, the charge is laid before the expiration of the STL. It is therefore important that the police are aware of imminent STLs so they can ensure charges are laid in time.

**2.26.** In the files we examined, we found that prosecutors did not routinely identify to the police that charges they authorised had an STL, or that they did not identify an STL in communication with the police, including identification on case action plans. In the 36 cases that we examined, we found that the STL was not communicated to the police in two thirds of them.

**2.27.** Although the police should be aware of an STL for charges they have sought, there is a risk that if prosecutors do not identify the STL in their communication to the police, they will expire during the period when further enquiries are being made or before a defendant is charged with the offences.

**2.28.** Given these findings we assessed that recommendation two is **not achieved**.

## Recommendation three

*By December 2023, the Crown Prosecution Service (CPS) to have communicated the need for prosecutors to review the risk assessment in all domestic abuse cases before completing the pre-charge decision (unless there are specific factors in the case such that the decision to charge cannot be delayed) and that where the risk assessment has been omitted in the file provided, or is referenced simply by level (standard, medium or high), the full risk assessment is requested. This approach to be embedded by March 2024.*

**2.29.** The National File Standard (NFS), contained in the sixth edition of the Director's Guidance on Charging (DG6)<sup>7</sup>, sets out the material and information that the police must send to the CPS at different stages of criminal cases. DG6 requires risk assessments<sup>8</sup> in domestic abuse cases, most commonly known as Domestic Abuse Stalking and Honour based violence risk assessment (DASH) or Domestic Abuse Risk Assessment (DARA) to be submitted at the time of making a request for a charging decision. Despite this requirement, we found in the 2023 inspection that there was poor compliance with the DASH, DARA or other risk assessments being provided and that the CPS administrative triage process for police submission routinely failed to check whether a risk assessment had been sent.

**2.30.** The risk assessment is an important part of making robust charging and review decisions that support victims. It can contain some extremely useful information that could better inform CPS decision-making, potentially referring to other offences such as harassment, stalking and controlling and coercive behaviour. It could provide additional information that would strengthen an argument for the defendant being remanded in custody or subject to bail conditions, or for a bad character application<sup>9</sup> to be made.

**2.31.** In an agreement between the CPS and the police, from 1 September 2024 it became mandatory that every domestic abuse file submitted by the police for a charging consideration should include the full risk assessment document at the point of submission to the CPS. Guidance was produced on the approach to be taken by the CPS if the full risk assessment had not been provided. In such circumstances the case is to be rejected at triage stage on

---

<sup>7</sup> [Director's Guidance on Charging, sixth edition; Crown Prosecution Service](#); December 2020

<sup>8</sup> The police should consider the risks to victims and their family members by completing a risk assessment upon notification of an incident. Completion of the assessment allows the police to reach a decision on the level of risk. This underpins immediate safety planning measures to protect the victim and any children.

<sup>9</sup> Where relevant previous convictions or behaviour of a defendant may be put before the court to show a disposition to misconduct of the defendant.

“green” charging cases, which is defined as cases where a remand in custody is not sought<sup>10</sup>, and the police must resubmit with the risk assessment included.

**2.32.** We found that in 25 out of the 36 relevant cases we assessed, the police provided the full risk assessment on the first file submission. This is a significant improvement from the original inspection where the risk assessment was provided in 84 out of 300 files assessed. This represents just over a 40% improvement from our original inspection.

**2.33.** Of the 11 cases where the risk assessment was not provided, six of those were accepted at triage stage and allocated to a prosecutor when they should have been rejected. It is of note that five of those six instances relate to one CPS Area. The remaining five cases were rejected so that the police could rectify the omission. Whilst the issue therefore appears to be contained, it highlights that the CPS guidance is not being followed consistently.

**2.34.** In our interviews and focus groups, operational delivery staff told us that they had seen an improvement with the police providing the risk assessment document in more cases, which accords with our findings in the file examination.

**2.35.** Of the 30 cases where the risk assessment was provided (either on first submission or following a triage rejection and resubmission), the prosecutor had reviewed the document before completing their pre-charge decision in 21 of them, with clear reference to the risk assessment in their analysis of the case. We found evidence of prosecutors using the risk assessment when considering trial strategy and bail conditions, as well as applications for bad character, ancillary orders and special measures.

**2.36.** We found increased compliance from the police file submission in providing the risk assessment document in the initial file submission, appropriate rejection of cases at triage stage if the document had not been provided and evidence that prosecutors were considering the risk assessment document and any impact that it may have on the case.

**2.37.** Given these findings we assessed that recommendation three has been **achieved**.

---

<sup>10</sup> [Domestic abuse case files – new process for risk assessments](#)

## Recommendation four

*By December 2023, the Crown Prosecution Service (CPS) to embed a process to ensure that in all magistrates' courts domestic abuse cases involving a Newton hearing or trial, all up-to-date relevant information about victims including information relevant to ancillary orders is requested in a timely manner for the sentence hearing.*

### Restraining Orders

**2.38.** Restraining orders are available on conviction or acquittal for any criminal offence. A restraining order on conviction can be made to protect a victim (or any other person) from behaviour which amounts to harassment, or which will cause fear of violence. A restraining order on acquittal can be made if the court considers it is necessary to protect a person from harassment by the defendant.

**2.39.** At the time a complaint is made, the police should discuss with the victim their views about obtaining a restraining order and terms sought. This information should be provided to the prosecutor at the pre-charge stage so that the information is available for the first hearing if the defendant enters a guilty plea. In our 2023 inspection, we found that this was done adequately.

**2.40.** However, if the defendant enters a not guilty plea and the matter is adjourned for trial, or they plead guilty on a basis not accepted by the prosecution and a Newton hearing is required, it can be many months before a defendant is either convicted or acquitted. During that time, circumstances may change and a victim's views as to whether they wish to seek a protective order, or the terms of the order they seek, may differ from those that they had at the pre-charge stage.

**2.41.** In our original inspection, we were told of examples of couples having reconciled by the time of sentence and we observed a court hearing where an application was made for a restraining order when the couple had not only reconciled but married during the course of proceedings. A victim may have moved away from the area where the offence took place, which may negate the need for an order, or there may have been a significant period without any further offending. It is important that the prosecutor is aware of any change in circumstances so they can make the appropriate application to the court if required, ensuring that any orders made adequately protect the victim without unnecessarily restricting the defendant.

**2.42.** In our original inspection, we found that following trial, prosecutors sometimes made applications for restraining orders that did not accord with the victim's wishes because of a change in circumstances.

**2.43.** In this inspection, we found that prosecutors requested updated information about the requirement of restraining orders prior to the sentencing hearing in 14 out of 18 cases that we assessed, which is reassuring. During on-site focus groups, we heard from prosecutors who regularly attended court. They confirmed they would usually speak to the victim when they attended court to give evidence at trial and to confirm at that stage whether a restraining order was sought and, if so, what terms were required. This would then be noted on the Hearing Record Sheet (HRS), so that the advocate at the sentencing hearing had appropriate instructions. If the trial advocate had not been able to clarify this with the victim, an action was set on the HRS for this to be done.

### **Victim Personal Statement**

**2.44.** Every victim has the right to provide a Victim Personal Statement (VPS), which sets out the impact that the offending has had on them and helps inform the court's decision on sentencing. Victims should be asked by the police if they wish to provide a VPS when they make their evidential statement.

**2.45.** If there has been a significant amount of time between the reporting of the offence and conviction, the impact on the victim may have changed. A victim, particularly one of domestic abuse, may not feel in a position to provide a VPS at the time of initially reporting the offending behaviour to the police, but may feel more able to do so some time after the event. The longer-term impact of the offending behaviour can also be reflected in an updated VPS.

**2.46.** In the 2023 inspection, we found that prosecutors rarely requested an updated VPS for the sentencing hearing. In this inspection that theme continued, with 13 of the 18 cases assessed not requesting an updated statement.

**2.47.** When we spoke to Areas, they acknowledged that there was not a clear process for prosecutors to obtain up-to-date information either for protective orders or for an updated VPS. It was expected that the prosecutor conducting the trial or Newton hearing would speak with the victim and clarify the need for and the terms of a restraining order, which is supported by our findings.

**2.48.** However, the expectation around obtaining an updated VPS was less clear. It would require an additional piece of work outside of court to be done, with the police obtaining the VPS. It was not felt that this was at the forefront of the advocate's mind whilst at court conducting a trial.

**2.49.** Magistrates' courts domestic abuse cases are usually reviewed on two occasions: at pre-charge stage and prior to the first appearance at the magistrates' court, which is called an upgrade file review. Further reviews may take place if a significant event occurs, such as further evidence being obtained or a victim's withdrawal. There is currently no process or expectation that a review of the case will be undertaken following a conviction being secured at trial or following a Newton hearing.

**2.50.** It is therefore unclear what the expectations are for up-to-date victim information to be obtained following conviction and prior to sentence. Whilst prosecutors are largely obtaining the necessary up-to-date information in regard to restraining orders, there is no process embedded for this to be done, or for an updated VPS to be obtained.

**2.51.** Given these findings we assessed that recommendation four is **not achieved**. The issue remains that up-to-date information is not being requested from victims for sentencing hearings.

**2.52.** In the 2023 report we said:

***Paragraph 9.32** We found that prosecutors rarely requested an updated VPS for the sentencing hearing in appropriate cases. This is important because considerable time may have passed between the victim making their statement when reporting the offence and the case being finalised at court. We were told, and agree, that an updated VPS would allow a victim to present a more rounded picture of the impact on them, and one which is based on a fuller appreciation of the longer-term effects. It would enable the court to take these into account when making their decision on sentence. We make a recommendation in paragraph 8.64 regarding providing up-to-date information about the victim to the sentencing court.*

**2.53.** We therefore make a new recommendation to supersede recommendation four which addresses the outstanding VPS aspect. We will assess progress against this recommendation and the other outstanding recommendations when we follow-up in Spring 2026.

New Recommendation
By December 2025, the Crown Prosecution Service (CPS) to ensure that in all magistrates' courts domestic abuse cases involving a Newton hearing or conviction after trial, an updated victim personal statement is requested in a timely manner for the sentence hearing.

## Recommendation five

*By December 2023, the Crown Prosecution Service (CPS) to develop a consistent approach to trauma training across violence against women and girls (VAWG) casework that reflects engagement with specialist VAWG organisations, and which focuses on how understanding trauma can improve casework and the service to victims of domestic abuse.*

**2.54.** In our 2023 inspection, we found that the CPS Central Legal Training Team (CLTT) had developed a refresher training package on domestic abuse casework. Whilst this included accounts from victims of their experience of abuse, the package and the case study it used did not specifically deal with the impact of trauma on victims, or how trauma should be considered in case analysis and case building. We considered this as an important aspect of domestic abuse casework and one that merited additional training, and this view was supported by feedback received from third-sector organisations.

**2.55.** Using a trauma-informed approach is important to enable prosecutors to identify where evidence of trauma is admissible in criminal proceedings, to enable prosecutors to understand how trauma may impact on how the victim engages with and experiences the criminal prosecutor and to enable prosecutors to formulate the right case strategy to handle victims and witnesses who are traumatised. This approach is established for rape and serious sexual offences casework, with training provided for prosecutors dealing with such work.

**2.56.** The CPS domestic abuse policy includes reference to the trauma faced by victims and the impact that this may have on them. However, it was felt that this approach needed to extend to training, and that such training should be developed in conjunction with, and delivered face-to-face by, people working with survivors of domestic abuse.

**2.57.** Following our recommendation, the CPS has worked closely with an external provider to develop training materials and content. A pilot of the training was delivered to CPS subject matter experts and CLTT tutors in June 2024. The pilot highlighted some concerns around the content and how the scientific knowledge could be related back to frontline prosecution work and link into case strategy principles.

**2.58.** Additional work has since been undertaken to develop the course and a further pilot with subject leads took place in January 2025. We have considered the training material and see it as comprehensive and appropriate for frontline prosecutors. Subject to any minor revisions and final strategic approval, it is planned that the training will commence delivery in March 2025 in a live learning environment over Teams to ensure that the course reaches a wider audience in a timely manner.



**2.59.** Although this national training is due to be delivered, we heard in our focus groups and interviews that many Areas had had initial discussions or brief training on trauma, and some managers had already had discussions with individual prosecutors about a trauma-based approach in the course of their casework. One Area had developed its Case Strategy training to include a trauma-based approach. Another Area, which has a specialist domestic abuse team, had carried out trauma-informed training at a local level some years ago with their prosecutors and agents who conduct trials in the magistrates' courts.

**2.60.** While there are local initiatives taking place to provide prosecutors with some knowledge and training regarding a trauma-based approach, it is important that there is an adequate, consistent, national approach. The CPS is committed to providing such training and it is positive that they are ensuring the training developed meets the required needs, to enable prosecutors to understand the impact of trauma on a victim. This will enable prosecutors to use this approach to inform case analysis and case building, ultimately providing a better service for victims.

**2.61.** Given these findings we assessed that recommendation five is **not achieved**. The issue remains as to the delivery of the training that has been developed.

**2.62.** We therefore make a new recommendation to supersede recommendation five which addresses the outstanding delivery of the trauma-informed training. We will assess progress against this recommendation and the other outstanding recommendations when we follow-up in Spring 2026.

New Recommendation
By December 2025, the Crown Prosecution Service (CPS) to have delivered the trauma-informed training to all prosecutors dealing with domestic abuse casework.

## Recommendation six

*From July 2023 onwards, the Crown Prosecution Service (CPS) to ensure that a minimum of one individual quality assessment (IQA) per year is conducted on a domestic abuse case for prosecutors dealing with magistrates' courts domestic abuse cases.*

**2.63.** The CPS has a national system of quality assurance of casework, called Individual Quality Assessments (IQAs) where line managers assess one case per quarter for prosecutors reviewing and preparing cases.<sup>11</sup> The results of IQAs are fed back to individual prosecutors and can be used to identify training needs, areas for improvement and good practice.

**2.64.** In our 2023 inspection we concluded that, due to the issues identified in the file examination, the importance of domestic abuse casework and the significant proportion it makes up of magistrates' courts casework, the CPS should mandate that at least one IQA per year per magistrates' courts' prosecutor dealing with domestic abuse review work, should be undertaken.

**2.65.** The CPS published updated internal guidance on 1 July 2023 which mandated that, for prosecutors engaged in magistrates' courts domestic abuse cases, managers must ensure that at least **one** assessment each year related to a domestic abuse case.

**2.66.** The CPS's legal assurance team (LAT) do not currently carry out any assurance work around the operation of the IQA process. Data is provided by Areas as to the volume of IQAs carried out, and discussion and scrutiny takes place in Area performance reviews by CPS Headquarters. This offers some assurance; however, we found no evidence of a national assurance process of compliance with and consistency of IQAs across the 14 geographical Areas. HMCPSP has recently published a report on IQAs which suggests the CPS adopt a new approach to assessing casework quality<sup>12</sup>.

**2.67.** Data from IQAs is compiled quarterly and uploaded to the operational dashboard which is available to Areas. This includes the number of IQAs that have been carried out on magistrates' courts cases flagged as domestic abuse. We are satisfied that over a quarter of magistrates' courts IQAs are being carried out on domestic abuse cases, albeit there is no way to confirm that this is per prosecutor.

---

<sup>11</sup> There are different requirements for advocates.

<sup>12</sup> [Individual Quality Assessment \(IQA\)- an inspection of how the CPS uses IQA to monitor and improve casework quality – HM Crown Prosecution Service Inspectorate](#)

**2.68.** In our focus groups and interviews, we heard from prosecutors and their managers that IQAs were being undertaken regularly as per national CPS guidance. Each Area conducts their IQAs in different ways, with some Areas choosing themes such as Custody Time Limits or disclosure as the focus of their IQAs.

**2.69.** Due to the large proportion of magistrates' courts casework being domestic abuse, prosecutors and managers alike were confident that at least one IQA per year per prosecutor was of a domestic abuse case. We saw evidence of IQA dip sample logs from Areas showing that senior managers were dip sampling domestic abuse cases, although as these dip samples are a selection of IQAs carried out, again, they cannot confirm that one domestic abuse IQA is being carried out for each prosecutor per year.

**2.70.** We heard that many managers keep their own records of IQAs completed, so that they can ensure compliance with minimum requirements.

**2.71.** It is evident that guidance has been published which mandates that at least one IQA per year per applicable prosecutor should be a domestic abuse case. The prosecutors and legal managers that we spoke to were aware of this requirement. We understand that the assurance data is limited in that it provides the number of domestic abuse cases subject to an IQA, but not for which prosecutors upon which these were carried out.

**2.72.** Given these findings we assessed that recommendation six has been **achieved**.

# **Annex A**

## **File examination data**

Question	Answer	Volume	Percentage
<b>01. Did the police identify that the case is subject to an STL?</b>	Fully meeting the standard	6	8.3%
	Not meeting the standard (STL incorrect)	10	13.9%
	Not meeting the standard (STL not identified)	29	40.3%
	Partially meeting the standard (no email to Charging team)	21	29.2%
	Partially meeting the standard (no endorsement on Case Outline/MG3)	6	8.3%
	<b>Total</b>	<b>72</b>	
<b>02. Has the STL been identified on CMS?</b>	Fully meeting the standard	14	19.4%
	Not meeting the standard (STL incorrect)	9	12.5%
	Not meeting the standard (STL not identified)	21	29.2%
	Partially meeting the standard (field entered is not 31.12.2100)	18	25.0%
	Partially meeting the standard (no note against PCD task)	10	13.9%
	<b>Total</b>	<b>72</b>	
<b>03. Where the STL is due to expire in 8 weeks, is an urgent flag against the Review task raised</b>	Fully meeting the standard	14	38.9%
	Not meeting the standard	22	61.1%
	<b>Total</b>	<b>36</b>	

Question	Answer	Volume	Percentage
<b>01. Did the police identify that the case is subject to an STL?</b>	Fully meeting the standard	6	8.3%
	Not meeting the standard (STL incorrect)	10	13.9%
	Not meeting the standard (STL not identified)	29	40.3%
	Partially meeting the standard (no email to Charging team)	21	29.2%
	Partially meeting the standard (no endorsement on Case Outline/MG3)	6	8.3%
	<b>Total</b>	<b>72</b>	
<b>02. Has the STL been identified on CMS?</b>	Fully meeting the standard	14	19.4%
	Not meeting the standard (STL incorrect)	9	12.5%
	Not meeting the standard (STL not identified)	21	29.2%
	Partially meeting the standard (field entered is not 31.12.2100)	18	25.0%
	Partially meeting the standard (no note against PCD task)	10	13.9%
	<b>Total</b>	<b>72</b>	
<b>03. Where the STL is due to expire in 8 weeks, is an urgent flag against the Review task raised</b>	Fully meeting the standard	14	38.9%
	Not meeting the standard	22	61.1%
	<b>Total</b>	<b>36</b>	

Question	Answer	Volume	Percentage
<b>04. Where the STL is due to expire in 8 weeks (is all communications with the police) including any pre-charge advice or decisions clearly marked with the relevant STL?</b>	Not meeting the standard	23	63.9%
	Partially meeting the standard <sup>13</sup>	13	36.1%
	<b>Total</b>	<b>36</b>	
<b>05. Where the full risk assessment documents (DASH/DARA) is missing on submission of the file by the police, the correct triage process has been followed</b>	Fully meeting the standard (Green Case)	4	36.4%
	Not meeting the standard	6	54.5%
	Partially meeting the standard (case rejected but reason not detailed)	1	9.1%
	<b>Total</b>	<b>11</b>	
<b>06. The prosecutor reviewed the full risk assessment document before completing the pre-charge decision</b>	Fully meeting the standard	21	70.0%
	Not meeting the standard	9	30.0%
	<b>Total</b>	<b>30</b>	
<b>07. Following conviction at trial (or after a Newton Hearing) the prosecutor requested up-to-date information as to whether the victim sought any ancillary orders in a timely manner for the sentencing hearing</b>	Fully meeting the standard	13	72.2%
	Not meeting the standard	4	22.2%
	Partially meeting the standard	1	5.6%
	<b>Total</b>	<b>18</b>	
<b>08. Following conviction at trial (or after a Newton Hearing), the prosecutor requested an updated Victim Personal Statement</b>	Fully meeting the standard	5	27.8%
	Not meeting the standard	13	72.2%
	<b>Total</b>	<b>18</b>	

<sup>13</sup> Partially met answers consisted of 30 differing options as to whether one or more of five processes were complied with as per guidance of what action to be taken for identification of urgent cases

# **Annex B**

## **Glossary**



### **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 order**

Orders that the Judge or magistrates may impose on a defendant as well as imposing a sentence, such as a compensation order requiring a defendant to pay a sum of money to the victim or a restraining order preventing the defendant from contacting the victim.

### **Bad character**

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.

### **Basis of plea**

Sets out the basis upon which a defendant pleads guilty to an offence.

### **Case management system (CMS)**

The IT system used by the CPS for case management.

### **Charging decision**

A decision by the CPS (or the police in certain circumstances) whether there is sufficient evidence, and whether 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.

### **Conviction after trial**

Where a case proceeds to trial and evidence is heard by the court, following which the defendant is convicted of some or all of the offences with which they were charged

### **Domestic Abuse Risk Assessment (DARA)**

A form of risk assessment conducted by the police upon notification of an incident. Completion of the assessment allows the police to reach a decision on the level of risk and underpins immediate safety planning measures to protect the victim and any children.

### **Domestic Abuse Stalking and Honour based violence (DASH)**

A form of risk assessment conducted by the police upon notification of an incident. Completion of the assessment allows the police to reach a decision on the level of risk and underpins immediate safety planning measures to protect the victim and any children.

### **Defendant**

Someone accused of and charged with a criminal offence.

### **Director's Guidance on Charging**

Guidance issued by the Director of Public Prosecutions in relation to charging decisions. 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.

### **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 to 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.

### **Domestic abuse**

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.

### **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.

### **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 is carried out by a manager, and feedback on the assessment given to the member of staff. Areas also use IQAs to identify areas for improvement and training needs across a team or the whole Area.

### **Manual of Guidance Form 3 (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 MG3 is where the police summarise 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 records its 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 the defendant pleads guilty to and offence(s) but there is disagreement with the prosecution as to the material facts on which the defendant should be sentenced. During a Newton hearing, evidence is called by both parties and the judge (sitting without a jury) or the magistrates decide the basis on which they will pass sentence. The burden of proof lies with the prosecution to satisfy the court beyond reasonable doubt that their version of events is correct.

### **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' courts to answer the allegation.

### **Restraining order**

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.

### **Statutory Time Limit (STL)**

A time limitation within which summary only proceedings must be commenced by way of a suspect being charged with an offence, or a summons or postal requisition issued in relation to that offence. An STL is usually six months from the commission of the offence, save for offences of common assault or battery that amount to domestic abuse, where proceedings may be commenced at any

time within two years from the commission of the offence and within six months from when the offence was formally reported to the police.

### **Summary only offence**

Offences that can be heard only in the magistrates' courts, unless linked to an offence being heard in the Crown Court.

### **Triage**

Triage is a check carried out by a member of the CPS staff, usually an administrator, to make sure that what the police have sent to the CPS includes the right documents and other items. It is a check for the required documents, not the quality of their contents.

### **Victim Personal Statement (VPS)**

When a victim explains 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.

### **Violence against women and girls (VAWG)**

A category of offending that covers a wide range of criminal conduct, including domestic abuse, controlling and coercive behaviour, sexual offences, harassment, forced marriage, so-called honour-based violence, and slavery and trafficking. VAWG includes boys and men as victims but reflects the gendered nature of the majority of VAWG offending.

## **HM Crown Prosecution Service Inspectorate**

### **London Office**

7th Floor, Tower  
102 Petty France  
London SW1H 9GL  
Tel. 020 7210 1160

### **York Office**

Foss House, Kings Pool  
1–2 Peasholme Green  
York, North Yorkshire, YO1 7PX  
Tel. 01904 54 5490

© Crown copyright 2021

You may re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence.

To view this licence,

visit [nationalarchives.gov.uk/doc/open-government-licence/](https://nationalarchives.gov.uk/doc/open-government-licence/)

or write to the Information Policy Team, The National Archives, Kew,  
London TW9 4DU, or email: [psi@nationalarchives.gsi.gov.uk](mailto:psi@nationalarchives.gsi.gov.uk)

This document/publication is also available on our website at  
[justiceinspectorates.gov.uk/hmcpsi](https://justiceinspectorates.gov.uk/hmcpsi)