

Joint case building by the police and Crown Prosecution Service

A joint inspection by HMCPSP and HMICFRS of case building by the police and Crown Prosecution Service

July 2025

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Chief Inspectors' foreword

The criminal justice system can only be effective if its constituent parts work together towards clear and shared aims. Over many years, there have been reviews and inspections that have set out the importance of interrelationship and interaction between the police and the Crown Prosecution Service (CPS). How the police and the CPS work together is crucial: successive review and inspection reports have identified the need to improve the handling and management of cases between the police and the CPS.

Despite the recommendations made in these reports, our single agency inspections highlight that several intractable issues remain. More recently, changes made to disclosure and case building processes have increased the inefficiency and tensions between policing and CPS.

In January 2024 we published interim findings from the first phase of the inspection¹. The fact that it has taken until July 2025 to finalise this report highlights the complexity of the issues at hand. As inspectorates it has taken time to examine them to the necessary degree.

We are also aware that since starting the inspection, changes at senior levels in both policing and the CPS have led to much more effective senior joint relationships. We are seeing early signs of senior collaboration having a positive impact on the approach to joint working on the frontline.

We are encouraged by this recent good work, and the focus on addressing those aspects that are a real source of tension and inefficiency, including the approach of trying and testing innovative ways to improve how the police and CPS work together.

This report sets out 18 recommendations. If implemented, they will secure major improvements in the efficiency of the criminal justice system and, most importantly, better outcomes for victims.

In due course, we intend to carry out further inspections to assess progress against these recommendations.



Anthony Rogers
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¹ [Joint case building by the police and Crown Prosecution Service – HM Crown Prosecution Service Inspectorate](#)

Executive Summary

Executive Summary

Introduction

His Majesty's Crown Prosecution Service Inspectorate (HMCPSI) and His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) carried out a joint thematic inspection of the building of prosecution cases by the police and the Crown Prosecution Service (CPS).

Our inspection question was:

“How can police forces and CPS Areas improve culture, communications and partnership work on case building in either-way² and indictable-only³ casework to deliver stronger cases, a better product for the court and defence, and a better service to victims, witnesses, and the public?”

Our inspection framework (set out in Annex A) consists of six criteria and various sub-criteria. The inspection had a particular focus on how communication and culture impact on prosecution case building up to the point of the first plea hearing.

In January 2024, we published our interim findings report⁴ after phase 1 of the inspection. These findings were derived from our work in two CPS Areas and four police forces, including the examination of 40 case files.

Our interim report identified a number of high-level themes. We highlighted areas of concern that have an adverse impact on the relationship between the CPS and police. These included differing priorities between police and the CPS, overly bureaucratic systems (especially information technology) and processes and the lack of shared performance metrics. These problems are heightened by disagreements about the amount of information police must supply to the CPS for charging decisions and the extent to which this information be redacted.

In this final report, we explore these themes in more detail with the benefit of evidence obtained from our further inspection activity. We inspected a further four CPS Areas and eight police forces. We spoke to police and CPS personnel in most of them and jointly examined a further 80 cases.

² Either-way offences are those that can be heard in either the Magistrates' courts or the Crown Court.

³ Indictable-only offences are those that must be heard in the Crown Court.

⁴ [Joint case building by the police and Crown Prosecution Service – Criminal Justice Joint Inspectorates](#)

The final phase of inspection focused on the strategic oversight and development of the working relationship between the police and the CPS. We engaged with national bodies, including the National Police Chiefs' Council, interviewed those in the CPS with a national role and spoke with other interested parties. This work was carried out during the first half of 2024.

The relationship between the police and the CPS is critical in an efficient and effective criminal justice system (CJS). Clear understanding of roles and responsibilities is essential for the operation of the system, but more importantly to ensure that victims, the accused and defendants get justice. When the CJS is subject to the extreme challenges it now faces, effective relationships and efficient processes are essential.

Successive reviews and inspections have identified aspects for improvement in the processes of the CJS. They have also reflected on how the relationship between the police and the CPS is critical to the effective functioning of the CJS.

Over the years, there have been developments in the way that the police and CPS have interacted and worked together. There was a period when face to face working was a priority. Responsibility for who charged has moved and changed over the years. Both the police and CPS have been party to changes in how cases progress through the courts, with key roles in transforming summary justice and better case management initiatives. More recently, the development of joint plans to support the improvement of the handling of disclosure, rape and domestic abuse cases has resulted in much more joint work and joint senior strategic plans and oversight.

But more recent inspection activity identified increasing tensions and frustrations between policing and prosecutors. There had been a number of high-profile events where senior leaders expressed views that highlighted the degree of tension. Our findings from our own inspection programmes also show how the long-standing issue of police file quality, timeliness of charging advice and changes to how case files were built were increasing tensions and impacting relationships at senior and frontline levels.

We decided therefore to conduct this inspection and examine the joint culture and communication between the police and CPS.

Key findings

As we set out in the interim report published in January 2024, there are a number of key aspects that have more recently coalesced to fuel tensions between police and the CPS. Some of the issues reinforce misunderstandings and others developed due to changes that have impacts and consequences which increased workloads at a time of additional pressure.

Since we published the interim report, there has been much activity by senior leaders in both the police and the CPS to consider, address and mitigate some of the inefficiencies and tensions that have developed. However, some of the issues are deep seated and will require change that cannot be made quickly. We must acknowledge that much effort has been made by the incoming Director of Public Prosecutions (DPP) to reset the relationship with senior policing and listen to concerns.

In working with the engaged National Police Chiefs' Council (NPCC) lead for criminal justice and other senior officers, solutions to address some long-standing issues have been developed. The Strategic Joint Operational Improvement Board has driven changes, developed pilots and challenged current practices in an attempt to address aspects causing the greatest tension and inefficiency on the frontline. While we acknowledge this strategic drive, the matter still remains that at working level, where we conducted most of our interviews in this inspection, there are still significant frustrations and inefficiencies. These frustrations continue to develop into misunderstandings and misinformation, which fuel tensions.

Despite recommendations made in many previous reviews about clear shared performance metrics and joined up priorities, we find the fundamental issues remain unchanged. This is reflected in our findings.

As we stated in our interim report, the key issue remains the effectiveness of communications between the police and the CPS. Difficulties arise from differing priorities, overly bureaucratic systems, multiple processes and poor information technology. There is no clear strategy for improvement being driven across the system and there is a lack of shared performance metrics. The data used by police and the CPS to measure performance is not trusted, incomplete and stokes tensions at a local level. These fundamental problems naturally have a significant impact on the culture, communication and partnership building between police and the CPS.

Given the role of the police and the CPS, it is somewhat understandable that there is going to be some natural tension in the relationship. The fact that the CPS has responsibility to approve charging decisions and that the police have to come to the CPS for decisions can create a perception of power imbalance. Past HMCPSI and HMICFRS inspections have commented on how the culture and communication of the prosecution team has not always been effective.

These tensions have been exacerbated by the changes in the Attorney General's Guidelines on Disclosure and the Director's Guidance on Charging (6th edition) (DG6). These changes have compounded the fundamental problems caused by different police and CPS priorities and added significant further tension. Throughout this inspection, we highlight how the requirement for the police to redact pre-charge material has a serious impact on resourcing and productivity. Additionally, the police now need to submit far more unused material at this stage. This has created tensions at both national and operational levels between police and the CPS which are aggravated by differing understandings and misinformation of what is required to comply with data protection legislation. This needs to be resolved before the working relationship can improve.

A fundamental issue is that current information technology (IT) systems are not fit for purpose. This drives inefficiency alongside frontline frustrations and tensions. The lack of digital infrastructure to support effective sharing of material is difficult to understand or accept given that recommendations have been made about the need for improved and joined-up IT since 1998. Reviews and inspections have consistently highlighted that joined-up IT is essential if the police and CPS are to work together efficiently.

This inspection finds that there is still no overarching IT strategy for the CJS which has resulted in systems being procured and developed in a piecemeal fashion.

There is an urgent need to integrate police IT systems. The lack of overarching CJS IT strategy or effective co-ordination is concerning. The current IT landscape is very complicated and will be expensive to resolve. Additionally, the CPS case management system was never designed to receive and send material to and from different police IT systems, but instead to manage casework. It is also not a system that would support multiple interfaces with police and other CJS IT systems. We recommend that the National Criminal Justice Board (NCJB) should, as part of its national criminal justice strategy, create a viable, realistic plan for securing a national joint police and CPS digital case management system or multiple, fully compatible systems.

It is our view that there is a lack of strategic governance and co-ordination. There is need to identify the strategic objectives of the CJS and this must align with improving

outcomes. Measuring the success in achieving those objectives needs to be based on agreed metrics that captures performance of all the agencies involved in the criminal justice processes, with a focus on outcomes.

The lack of co-ordination and strategic oversight has led to duplication of effort, conflicting approaches and confusion on where to focus and what to prioritise. This lack of co-ordination and strategic oversight also contributes to increased tensions between the police and CPS.

There is also evidence that there is little co-ordination between initiatives and projects in which the CPS, the NPCC, the Home Office, the Attorney General's Office (AGO) and the Ministry of Justice (MoJ) participate. Given the multiplicity of initiatives and projects, we found that there was a lack of awareness between some of the work performed by each organisation. Some of this resulted in an absence of appreciation of how changes made in isolation may impact not only other stakeholders, but the wider CJS.

We recommend that the NCJB should create and publish a clear strategy and oversee the delivery of improvement across the CJS. This must include developing and implementing a national criminal justice action plan which identifies priorities, allocates responsibilities, and sets performance objectives, as well as publishing regular updates on progress against the national criminal justice strategy and objectives.

We make 18 recommendations.

Recommendations

	Recommendations
1	<p>By July 2026, the National Criminal Justice Board should create and publish a clear strategy and oversee the delivery of improvement across the criminal justice system but specifically the prosecution team. As soon as possible thereafter:</p> <ul style="list-style-type: none"> • implement a national criminal justice action plan which identifies priorities, allocates responsibilities, and sets performance objectives • oversee the work of other relevant groups, including Local Criminal Justice Boards • publish regular updates on progress against the national criminal justice strategy and objectives.
2	<p>By October 2025, the National Criminal Justice Board should extend its membership to include the chair of the Criminal Justice Chief Inspectors' Group.</p>
3	<p>By July 2026, the National Criminal Justice Board (NCJB) should, as part of its national criminal justice strategy, create a viable, realistic plan for securing a national joint police and Crown Prosecution Service Digital Case File (DCF) management system or multiple, fully compatible systems. The NCJB should approach the challenges associated with securing the necessary funding for its proposed solution, and subsequently implementing it, as either its highest priority or one of its highest priorities.</p>
4	<p>By January 2026, the Joint Operational Improvement Board should make sure that there is a clearly defined action plan reflecting adequate resourcing, joint commitments and shared milestones and outcomes to expedite the development and implementation of the Digital Case File (DCF) management system.</p>

Recommendations	
5	<p>By July 2026, police forces should have in place as part of their gatekeeping or comparable arrangements:</p> <ul style="list-style-type: none"> • an effective governance and decision-making capability to ensure investigations are timely and completed to the appropriate standards • agreed contact arrangements in place in forces and Crown Prosecution Service (CPS) Areas to facilitate clear, consistent, and transparent communication between police and CPS • sufficient, trained, and competent decision-makers • effective and efficient systems and processes to manage case file submission queues, to avoid unnecessary delays and risks to cases subject to statutory time limits.
6	<p>By July 2026, the College of Policing should develop a national supervisors' training course and assessment on case file building.</p>
7	<p>Within 12 months of the completion of recommendation 6, police forces should ensure that every supervisor responsible for assessing case files prior to referral to the Crown Prosecution Service for a charging decision is trained in case file building and Director's Guidance on Charging (6th edition) (DG6) quality assurance.</p>
8	<p>By July 2026, the National Police Chiefs' Council and the Crown Prosecution Service (CPS) should review all national and local case file submission checklists to identify good practice and consolidate this into a single national checklist. This should ensure accuracy and consistency of case file checklists until the Digital Case File (DCF) is fully operational in all police force and CPS Areas.</p>
9	<p>By July 2026, the police and Crown Prosecution Service at Joint Operational Improvement Meetings should develop a joint local training plan to increase awareness and understanding of each other's roles, including the operation of IT systems.</p>

Recommendations

- 10 By July 2026, the National Criminal Justice Board should commission a joint review (supported by independent expertise) of performance data. This should include:
 - the current use of criminal justice system (CJS) performance data
 - how CJS performance data is collected, presented, and analysed
 - how CJS performance data is used to support effective partnership working between the police and Crown Prosecution Service.
- 11 By January 2027, the National Criminal Justice Board (NCJB) should use the outcome of that independent review to define and publish a national set of common metrics to enable effective scrutiny of all relevant aspects of the police's and Crown Prosecution Service's performance in pre- and post-charge cases. The NCJB should also extend this to include other aspects of performance to include matters relating to His Majesty's Courts and Tribunal Service and His Majesty's Probation and Prison Service.
- 12 By July 2026, the Joint Operational Improvement Board should review the Director's Guidance on Charging (6th edition) (DG6) including the National File Standard (NFS) and issue a new (7th) edition to reduce unnecessary burdens on police and prosecutors. The review should include, as a minimum:
 - reconsidering whether 'front-loading' is necessary in all cases
 - reconsidering the extent to which rebuttable presumption material must be supplied to the Crown Prosecution Service pre-charge
 - clarifying the format in which medical and forensic evidence is required for a charging decision
 - in as many respects as is possible, removing ambiguity from the guidance.

Recommendations

- 13 By July 2026, Crown Prosecution Service Area managers should take steps to satisfy themselves that all action plans:
- are produced in accordance with the requirements of Director's Guidance on Charging (6th edition) (DG6)
 - have a clearly documented rationale
 - only contain requests for necessary and relevant documents, evidence or other material
 - do not duplicate previously completed actions.
- 14 By January 2026 the National Police Chiefs' Council to undertake a review of redaction systems and to determine which systems are the most effective, including their compatibility with the Crown Prosecution Service's case management system and communicate this across all forces.
- 15 By July 2026, building on the work already started, the Joint Operational Improvement Board should take action to:
- work with the Home Office to, if necessary, draft proposals for amendments to the Data Protection Act 2018 and placing these before Parliament for its consideration
 - work with the Attorney General's Office to consider how Attorney General's Guidance on Disclosure may be amended to reduce the burden of redaction in cases
 - set out a list of approved police IT systems so that they become capable of handling unredacted and redacted material without the risk of unlawful disclosure
 - consider how making greater use of artificial intelligence to automate elements of the redaction process may reduce the burden.
- 16 By October 2025, Crown Prosecution Service Area managers should take steps to ensure that prosecutors provide their contact details on all Manual of Guidance Form 3 (MG3s) and Manual of Guidance Form 3A (MG3As) to facilitate communication where required.

Recommendations

- 17 By October 2025, the Director of Public Prosecutions considers amending the current Director's Guidance on Charging (6th edition) (DG6) – which states that 'digital communication is [the] preferred' means of communication.
- 18 By October 2026, the Joint Operational Improvement Board should conduct an evaluation of early advice surgeries to assess their impact on culture and communication between police and Crown Prosecution Service, and whether they added value to the effectiveness of the charging process. If found to be successful, expand their use nationwide.

Compliance issue

The Crown Prosecution Service should ensure that operational triage is accurate, has clear assurance mechanisms to check compliance with National File Standard requirements and improves the standard of operational triage.

Chapter 1: Background and Context

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- 1.1. To appreciate fully the current operating environment of the police and Crown Prosecution Service (CPS), it is important to understand how their roles have changed and developed over the years. These changing roles have had a direct influence on the culture of the police and CPS and the communication and partnership working between them.

The changing roles of the police and the CPS in relation to the case building and charging functions

- 1.2. There are 43 Home Office police forces in England and Wales. The police are responsible for investigating offences, arresting suspects and, in some circumstances, charging suspects. Historically, the police were also responsible for prosecuting defendants in court. That changed when the CPS was created.
- 1.3. The CPS was created by the Prosecution of Offences Act 1985⁵ and became operational in 1986. The police continued to investigate, arrest, and decide whether to charge those suspected of criminal offences. The CPS became responsible for prosecuting offences after charge and deciding whether a case should proceed to trial.
- 1.4. There are 14 geographical CPS Areas and four national casework divisions dealing with more complex casework. Each CPS Area receives casework from two or more police forces, which may not have common structures for case building, casework supervision or IT systems. Additionally, CPS Direct (CPSD) provides a national out of hours charging service⁶.

Royal Commission 1993

- 1.5. In 1993, the UK Government published a Royal Commission on Criminal Justice report. It emphasised the necessary distinction between the police as investigators and evidence gatherers and the CPS as an independent prosecuting authority. However, it encouraged the police to seek, and the CPS to provide, early legal advice in more serious and complex cases. The distinctions between the roles and responsibilities of the police and CPS have been retained and have featured in every version of the Director's Guidance. The current Director's Guidance on Charging (6th edition) (DG6) will be discussed later.

⁵ [Prosecution of Offences Act 1985 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1985/69)

⁶ CPS Direct was piloted in 2003 and rolled out nationally from 2004 to 2006

The Review of the Crown Prosecution Service 1998⁷ (the Glidewell Review)

- 1.6.** In 1998, the Glidewell Review found that there was a tendency for the police and the CPS to blame each other if a file was incomplete or documents were missing. To address this tension, the Glidewell Review recommended the creation of a *“single integrated unit to assemble and manage case files, combining the present police Administration Support Units (ASU) and those parts of the CPS which deal with file preparation and review”*⁸.
- 1.7.** The Glidewell Review also emphasised the need for common performance measures across the criminal justice system (CJS). However, the integrated case building units envisaged by the Review never came to fruition and, as we will discuss later, significant issues remain in identifying common performance measures in relation to case building.
- 1.8.** The Review highlighted the need to co-ordinate all future cross-criminal justice agency IT developments for greater interoperability. It recommended police case file preparation systems be integrated with any newly developed CPS system. This need had already been identified in an Operational Policing Review in 1990. More than 25 years later, this inspection once again highlights that any co-ordinated IT development is still chronically lacking. It profoundly reduces the efficiency and effectiveness of the joint case building arrangements and is a source of much frustration between the police and the CPS. We discuss this in detail in chapter 4.

Review of the Criminal Courts in England and Wales 2001 (the Auld Review)

- 1.9.** In 2001, the Rt Hon Lord Justice Auld completed a review into the working of the Criminal Courts of England and Wales. The Auld review recommended greater legal powers for the CPS to determine the initial charge. It identified police overcharging⁹ as an issue and a failure by the CPS to remedy this at an early stage.
- 1.10.** The review recommended that the government allocate sufficient resources to the CPS to enable it to take full and effective control of prosecution cases from the charge or pre-charge stage, as appropriate. The review said it was envisaged that this approach would result in:
- a better understanding by the police of the evidential test to be applied

⁷ [The Review of the Crown Prosecution Service 1998 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/271121/cps-review-1998.pdf)

⁸ *ibid* paragraph 27

⁹ Overcharging can for example occur when more offences are charged than are required to reflect the defendant's overall criminality, or a more serious offence not made out on the evidence.

- earlier guilty pleas because of properly directed investigations and proportionate charges
 - less delay in cases reaching trial
 - a better service for victims and witnesses
 - increased public confidence.
- 1.11.** Following the Auld Review, the police and CPS implemented what became known as the statutory charging scheme. The police retained charging responsibility for either-way and summary-only cases where there was an anticipated guilty plea, and the case was suitable to be tried in the magistrates' court. They also retained responsibility for certain road traffic offences regardless of the anticipated plea. In all other cases, charging responsibility passed to the CPS.
- 1.12.** Further developments included prosecutors in police stations with the aim of facilitating early consultations, efficient and effective charging decisions and the creation of the non-geographic CPSD. This provided the police with round-the-clock charging decisions.
- 1.13.** Most of these changes, and subsequent amendments, were set out in various iterations of the guidance documents issued by successive Directors of Public Prosecution (DPP). The DPP is the head of the CPS. We discuss the responsibilities of the police and CPS when making charging decisions as set out in the DG6 and its impact on case building through-out this report.

Joint inspection of charging 2008

- 1.14.** In 2008, an HMIC¹⁰ and HMCPSI joint thematic review of the new charging arrangements¹¹ found that:
- “there have been undoubted benefits from the scheme not least of which is the improved working relationship between the police service and the CPS. The permanent presence of duty prosecutors in police stations has assisted in developing the ‘prosecution team’ ethos between prosecutors and police and improved the understanding of their respective roles”.
- 1.15.** The inspection found that final charging decisions by prosecutors were good quality, and decisions to discontinue cases were taking place earlier in the process which reduced delays. Guilty plea rates improved, there were fewer ineffective trials and more offenders were brought to justice.

¹⁰ HMIC took over responsibility for inspecting Fire and Rescue Services in 2017, at which point it became His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS)

¹¹ [CJJS The Joint Thematic Review Of The New Charging Arrangements](#)

- 1.16.** While there was a clear improvement in outcomes, CPS leaders raised concerns about inconsistent, complex, and inefficient police and CPS processes, which were causing frustration. However, the inspection found that in many cases there was little additional value in face-to-face appointments between the police and CPS prosecutors when compared to what could be achieved by a prosecutor reviewing a case file. Other findings were that police supervision of case file quality needed to be more robust, and prosecutors needed to be more consistent in their requests for material required to make a charging decision. Conflicting police and CPS targets were deemed unhelpful and performance management needed to improve.
- 1.17.** Recommendations made by the inspection included a review of statutory charging scheme processes. This was to ensure that charging processes could be more flexible and pragmatic, leading to a more effective arrest to charge (or alternative disposal) process for suspects in custody or on bail. There also needed to be a clear definition of the role of the police evidence review officer, and guidance on what material the investigator must provide to a prosecutor for a charging decision.
- 1.18.** The inspection also recommended that the prosecution team performance management process should be reinvigorated, and participants needed to gain a greater understanding of charging data and how to use the information to improve performance. Subsequent joint HMICFRS and HMCPSI inspections and reports found the same recurring themes. Since the publication of the 2008 joint inspection, the use of data has been a recurring theme in subsequent reviews and inspection reports.
- 1.19.** In the years that followed the inspection, there was some police criticism of what was seen as overly bureaucratic processes where the police had to refer cases to the CPS for charging decisions in straightforward matters¹². Consequently, in 2010, the police and CPS set up pilot schemes where the police were responsible for charging a wider range of offences.
- 1.20.** The pilots were successful in saving significant amounts of police time. They led to revised arrangements between the police and CPS, which were introduced in 2011. The police became able to charge any summary offence irrespective of plea, and any either-way offence anticipated as a guilty plea and suitable for sentence in the magistrates' courts. The police still needed to refer certain categories of offences to the CPS for a decision, including domestic abuse and hate crimes. There have been some further minor

¹² [Reducing bureaucracy in policing November 2009, page 49](#)

amendments, including returning to the police the power to charge offences of theft from retail premises (shoplifting).

Introduction of the National File Standard

- 1.21.** Although responsibility for charging decisions had gone through several iterations, what was required in a police file when requesting a charging decision – a National File Standard (NFS) - was not introduced until 2011.
- 1.22.** The NFS was agreed between the National Police Chiefs' Council (NPCC) and CPS as a means of setting out a staged and proportionate approach to the preparation of case files, specifying the material required at pre-charge and post-charge stages and identifying how files should be developed through-out the life of the case. It lists the minimum material that the police must include in a case file. DG6 includes the latest version of the NFS.
- 1.23.** Many subsequent HMCPSP inspections as well as joint HMICFRS and HMCPSP inspections have identified significant failings by the police to supply NFS-compliant case files to the CPS.

Review of Efficiency in Criminal Proceedings 2015

- 1.24.** In 2015, The Rt Hon Sir Brian Leveson conducted a review of efficiency in criminal proceedings ¹³against a background of reducing criminal justice budgets.
- 1.25.** Of the four overarching principles ¹⁴ identified in the review, 'getting it right first time' was seen as the most important to improve efficiency in the criminal justice process. As gatekeepers of the CJS, if the police and CPS made the right charging decisions and made proportionate disclosure to the defence before the first hearing, there would be fewer delays and increased efficiencies.
- 1.26.** The Leveson review also recognised that a consistent set of performance measures was needed to improve efficiency and enable comparison and evaluation across the CJS while simultaneously improving standards. It also reiterated the need for efficient IT systems and a common platform for the digital transfer of case files.

¹³ [Review of Efficiency in Criminal Proceedings by The Rt Hon Sir Brian Leveson \(January 2015\)](#)

¹⁴ The four principles were: 'getting it right first time,' 'case ownership', 'duty of direct engagement' and 'consistent judicial case management'.

Joint inspection of charging 2015

- 1.27.** Having completed a first joint inspection of charging in 2008, a further joint inspection of charging was conducted in 2015¹⁵. By then, the landscape had changed considerably. Prosecutors were no longer located in police stations and CPSD was operating a 24-hour charging service. The 2015 inspection identified problems with the quality and timeliness of police and CPS charging decisions.
- 1.28.** There was now a service level agreement between the police and CPS. This set a deadline of five days for the CPS to provide charging advice to the police for cases with suspects on bail. The police provided case papers to the CPS digitally in nearly all cases. Police supervision of case building had also changed. Under the statutory charging scheme, police evidence review officers were responsible for quality assuring case files before the investigator could submit them to CPS for a charging decision. However, to save costs most police forces had removed evidence review officer posts and returned their quality assurance functions to frontline supervisors.
- 1.29.** The 2015 inspection identified a number of issues including:
- shortcomings in the quality of police case files and timeliness of CPS charging decisions
 - a lack of training for police supervisors
 - police officers' frustration at how long it took CPSD to answer their calls and deal with requests for charging decisions
 - a limited focus on charging data at performance management meetings.
- 1.30.** In 2016, the CPS decided that most charging decisions for which CPSD were responsible should, temporarily, be dealt with by the geographical Areas. This was to clear a backlog of cases awaiting a charging decision. The backlog was attributed to staff shortages, IT system outages and poor-quality file submissions from the police. This arrangement has now been made permanent in the new CPS charging model, with CPSD providing an out of hours charging service.

¹⁵ [CJJI, Joint Inspection of The Provision Of Charging Decisions. 2015 CJJI Joint Inspection of the Provision of Charging Decisions 2015](#)

The impact of digital evidential material

- 1.31.** Over the past 20 years there have been considerable advances in information technology, leading to huge increases in the volume of digital material generated. The increase in digital material has fundamentally changed the nature of the evidence the police routinely collect in many investigations, the ways in which they gather and store evidence, and how they transfer it to the CPS. It also changed how prosecutors review files and present cases at court.
- 1.32.** In 2016, HMIC and HMCPsi published a report on digital case preparation and presentation in the CJS¹⁶. While there was evidence of progress, the lack of a joined-up approach by agencies within the CJS at national and local level reduced the speed at which the police, CPS and courts were becoming fully digitised. In addition, the inspection noted that not all police and CPS computer systems were compatible. There was often no way to share data between different IT systems, which meant that workarounds such as scanning paper documents onto IT systems was common. The vision of a digital end-to-end system without duplication or rework was not yet a reality. Today, however, the limitations of the current police and CPS IT systems continue to be a source of inefficiency and a considerable block to progress.

HMCPsi 2020 charging inspection

- 1.33.** A 2020 HMCPsi report, which dealt primarily with the quality of CPS charging decisions, found that less than half of initial police file submissions complied with the NFS. This was a cause of frustration for prosecutors, and they saw it as delaying efficient case progression. The report made four recommendations aimed at improving the quality of charging decisions, including a more robust charging quality assurance scheme. The report also set out a number of findings that highlighted the need for the CPS to improve the service it provided and to improve the quality of legal decision-making.

¹⁶ [delivering-justice-in-a-digital-age.pdf](#)

The current landscape

2020: Revised Director's Guidance and Code of Practice

- 1.34.** The Attorney General's Guidelines on Disclosure 2020, the Criminal Procedure and Investigations Act (CPIA) Code of Practice 2020 and the Director's Guidance on Charging (6th edition) (DG6) were published in December 2020. In part, the revision was as a result of a joint HMCPSP and HMICFRS inspection which, in a critical report, identified the need for the police and CPS to make improvements to the disclosure process¹⁷. The revised guidance introduced significant changes to the way cases are investigated, built and charged and set out the current requirements for the police and the CPS.
- 1.35.** When DG6 was introduced, the then Head of CPS described it as a "step-by-step guide for police officers and prosecutors, guiding them logically through the charging process¹⁸". The guidance clearly defines the roles and responsibilities of the police and CPS and sets out in detail the material and information required for a charging decision.
- 1.36.** The case file material that the police must submit to the CPS before a case is charged ("pre-charge") increased under DG6, to allow prosecutors to not only assess key evidence at this stage but also to review the unused material¹⁹. This change increased the workload of the police in preparing cases pre-charge. The changes also increased CPS workload. The CPS must now process and quality assure more case file material, and prosecutors must review more material before they can make charging decisions. As explained later in this report, the process by which the police and the CPS must digitally transfer case file material is not fit for purpose, and is becoming a considerable source of tension in the relationship between police and the CPS.

2021: National Case Progression Commitment

- 1.37.** In March 2021, the College of Policing, the NPCC and the CPS published the National Case Progression Commitment and action plan²⁰. This was in recognition of concerns raised by HMCPSP in their Area Assurance reports

¹⁷ [Making it fair - a joint inspection of the disclosure of unused material in volume Crown Court cases - His Majesty's Inspectorate of Constabulary and Fire & Rescue Services](#)

¹⁸ [New CPS guidance on charging for police and prosecutors | The Crown Prosecution Service](#)

¹⁹ Material gathered during an investigation that the CPS does not intend to use as evidence against the suspect. e.g. crime reports, investigators' pocket notebooks, and search records

²⁰ [National Case Progression Commitment \(cps.gov.uk\)](#)

and thematic inspections about the need to remove delays and inefficiencies in the progression of criminal cases through the CJS.

- 1.38.** The NPCC and CPS established a joint working group Joint Case Progression Working Group (JCPWG) to address the barriers to effective case progression. The working group reported to the newly-formed Joint Operational Improvement Board (JOIB). Its aim was to promote the benefits of joint working and share innovation to improve police file quality, ensure timely CPS charging decisions, and increase the number of effective trials²¹.
- 1.39.** The joint working group made a commitment to improve the service provided to victims and witnesses. It aimed to strengthen the way the police and CPS shared information and improve communication with victims and witnesses to ensure they remain engaged in the process.
- 1.40.** Members of the JCPWG also recognised that further investment in digital innovation was needed. To become more efficient, compatibility between police and CPS IT systems needed to improve and make it easier to transfer data between systems. One of the tasks of the working group was to review internal processes to identify and address blockages to better performance. There was also a commitment to complete and launch the Digital Case File system (DCF). We comment later in the report on the progress of the DCF.
- 1.41.** The working group committed to jointly review the NFS to make sure police case file submissions supported evidential and disclosure requirements, and to set clear guidance for submission of further material. It also included a joint review of the National File Quality (NFQ) tool used by the police and CPS to measure file quality. The outcome of the review was to replace NFQ with the Director's Guidance Assessment (DGA) which we discuss later in the report. There was a further commitment to review the use of local prosecution team performance meetings (PTPM) to establish whether they were achieving their objective to maximise continuous joint improvement in delivering just "outcomes" for all cases. In 2021 PTPMs were rebranded as Joint Operational Improvement Meetings (JOIM).

²¹ An effective trial is a hearing at which the prosecution produces evidence to prove the case against the defendant. A trial includes a trial of issues ancillary to sentence such as Newton Hearings and Special Reasons Hearings. This includes all proceedings for the enforcement of community penalties and anti-social behaviour orders.

2022: review of Joint Operational Improvement Meetings

- 1.42.** In November 2022, the JCPWG commissioned a review of the JOIM processes to consider whether they were working, to identify best practice, and to make recommendations where required to improve performance and working relationships between police and the CPS. The JOIM review made a number of recommendations, including revised governance arrangements, creation of performance dashboards and Microsoft Teams channels to share information quicker and more effectively.
- 1.43.** A recent HMCPSI thematic inspection which examined cases of domestic abuse²² found there was a lack of understanding by the police and CPS operational managers of the data discussed in JOIMs. In addition, the inspection also noted that the lack of a joint data set between police and the CPS makes it difficult for them to reach a joint view of issues and aspects for improvement.

2023: joint inspection of how well the police and CPS meet victims' needs

- 1.44.** In our 2023 report, "Meeting the needs of victims in the criminal justice system",²³ we found that communication and information-sharing between police and the CPS requires improvement. One of the criticisms in the inspection was that the police found it difficult when trying to contact the CPS because its prosecutors did not share their contact details. This theme is repeated in this inspection and set out in chapter 7.

²² [The service from the CPS to victims of domestic abuse – HM Crown Prosecution Service Inspectorate](#)

²³ [Meeting the needs of victims in the criminal justice system - His Majesty's Inspectorate of Constabulary and Fire & Rescue Services](#)

Chapter 2: Demand and Complexity

Chapter 2: Demand and Complexity

- 2.1. The increased complexity of the law and legal processes has placed additional burdens on police and prosecutors. This is compounded by growing demand alongside increasing levels of inexperience amongst police investigators and Crown Prosecution Service (CPS) prosecutors. Current backlogs in the criminal justice system (CJS) also add further pressures and demands.
- 2.2. Successful prosecutions depend on effective investigations. Confidence in each other's ability to carry out roles effectively form the foundations of strong partnerships between the police and the CPS. Good quality investigations are more likely to result in good quality case files that allow the prosecutor to make early charging decisions without requests for additional material and for cases to be effectively prosecuted. Poor quality investigations, case files and prosecution undermine the confidence of victims, witnesses, and the public in the CJS.

Demand

- 2.3. According to Home Office figures, police recorded crimes in England and Wales have risen from just over four million offences in the year ending 31 March 2014, to 6.7 million offences in the year ending 31 March 2024. Over the same period, police recorded that the number of offences of violence against the person increased from 630,000 to two million²⁴. Most of these crimes do not result in an investigation that require the police to compile a case file or for the CPS to consider prosecution. However, the overall increase in crimes being recorded does affect police caseloads.
- 2.4. In addition, the Director's Guidance on Charging (6th edition) (DG6) came into effect at the end of 2020. This introduced changes to the case file material that officers must send to the CPS for a charging decision. The Attorney General's Guidance on Disclosure (AGGD), introduced at the same time, requires police to redact the case file material before they can submit it to the CPS. This was further amended in 2022, changing the requirements. Not only does AGGD now require there to be redaction, but there are also further requirements under General Data Protection Regulation (GDPR) and Criminal Procedure and Investigations Act (CPIA) rules. Together, these two changes are generally referred to as "front-loading" and have greatly

²⁴ www.gov.uk/government/statistics/police-recorded-crime

increased the work police must do pre-charge. We explain the changes in more detail later in this report.

- 2.5.** During our inspection, officers told us of the extra work they must do to investigate crimes and build case files, and the expectations placed upon them was adversely affecting morale and leading to difficulties in officer retention.
- 2.6.** A Police Federation of England and Wales (PFEW) survey of detectives completed in 2022²⁵ found low morale amongst respondents, 93% of whom indicated their overall workload had increased due to the changes in case building. Officers were disheartened with what they thought was unnecessary work which prevented them from doing what they saw as their core roles.
- 2.7.** Representatives from the Police Federation National Detectives' Forum (PFNDF) told us nothing had changed in the year since the survey took place. In the 2023 PFEW survey, 64% of police respondents said their workload, including case building, had been 'too high' or 'much too high' over the last 12 months. The survey was directed at accredited detectives. However, officers who investigate less serious volume crime offences (who tend not to be accredited detectives)²⁶ expressed similar views to us in interviews.
- 2.8.** In 2019 the CPS made pre-charge decisions in 234,873 cases compared with 194,329 in 2022. However, the caseload increased to 218,952 decisions in 2024²⁷. Over the same period, the proportion of more evidentially challenging and complex cases has risen. The rising demand on the police and the increasing complexity of cases submitted to the CPS for a charging decision will naturally have an impact on timeliness if it is not met with a commensurate increase in resources.
- 2.9.** We detail in Annex C the end-to-end process from police crime recording, investigation and case building through to CPS charging decisions and first appearance at court.

²⁵ [National Detectives Survey results released \(polfed.org\)](https://polfed.org)

²⁶ Professionalising Investigating practice level 2 accreditation (PIP2)

²⁷ [Police referral to prosecution by the Crown Prosecution Service \(CPS\) - CJS Dashboard](#)

Complexity

- 2.10.** The legal landscape has changed significantly in recent years. The number and complexity of criminal offences has expanded.
- 2.11.** As we noted in the previous section, the number of sexual offences submitted for a charging decision is increasing. As these crimes often involve identified suspects, they can be more complex and lengthier investigations when compared to acquisitive crimes such as burglary and vehicle theft.
- 2.12.** Due to the increased use of digital devices and CCTV, the amount of digital material that investigators need to recover and examine has also increased. This in turn often gives rise to further lines of enquiry which investigators should explore. Since the issuing of the AGGD in December 2020, prosecutors are now required to consider and disclose more unused material²⁸.
- 2.13.** The police responsibilities are clearly set out in the Criminal Procedure and Investigation Act (1996), *“Investigators must identify and follow all reasonable lines of enquiry to gather all reasonably available material and, where a suspect is identified, investigate towards and away from the suspect.”*²⁹ However, difficulties often arise when investigators are determining the reasonableness of potential lines of enquiry, and this is where differences of opinion often arise between the police and the CPS.
- 2.14.** HMICFRS has raised concerns about declining standards of investigation in recent thematic reports³⁰ and Police Efficiency, Effectiveness and Legitimacy (PEEL) inspections. PEEL inspections apply gradings against a set of standard questions. These ask about how good the force is at investigating crimes. PEEL reports for the 2023-2025 period³¹ show that HMICFRS judged 18 out of 31 police forces as inadequate or requiring improvement in how they investigate crime.
- 2.15.** This indicates that the quality and effectiveness of investigation is yet to improve in many forces. This is concerning, as without improvement in the standard of investigations, policing will find it difficult to improve case file

²⁸ [Attorney General's Guidelines on Disclosure 2020 - GOV.UK](#)

²⁹ Criminal Procedure and Investigations Act 1996, (CPIA) (section 23(1)) Code of Practice para 3.5

³⁰ E.g. [HMICFRS inspection in the Metropolitan police response to the Stephen Port murders](#)

³¹ [PEEL Assessments 2023–25 - His Majesty's Inspectorate of Constabulary and Fire & Rescue Services](#)

quality and productivity. Ultimately, this also means that some victims will still be receiving a poor level of service.

- 2.16.** The PEEL reports highlight that forces were often unable to manage their demand, and, in many cases, officers were overwhelmed with the volume of investigations allocated to them. HMICFRS inspectors found inadequate governance and leadership, lack of supervision of investigations and poor-quality decision making by supervisors. This was frequently accompanied by an absence of investigation plans, delays, and failures to follow up lines of enquiry.
- 2.17.** While police reported crime has increased, so too have the potential lines of enquiries that investigators must consider. An HMICFRS inspection into how well the police and other agencies use digital forensics in their investigations³² found there has been an exponential growth in digital evidence sources. These include mobile communications, automatic numberplate recognition, the multitude of CCTV and other video footage (such as automatic digital doorbell cameras), and other forensic developments. A report commissioned by the Home Office highlights the increased³³ use of digital evidence.
- 2.18.** These technological advances have created more investigative opportunities that assist in both implicating and eliminating suspects. However, they also make crimes more complex and time-consuming to investigate. Police officers with limited police service, experience or training are required to undertake more time-consuming investigations and make decisions in more complex cases.
- 2.19.** Investigators need to consider factors such as proportionality, probative value, cost and capacity and the time taken to examine forensic material when prioritising lines of enquiry. These things all have an impact on the standard and timeliness of investigations.
- 2.20.** The complexity of cases and the increase in digital material means that there are many more lines of enquiry in what would historically have been more straightforward cases. In many cases, officers must consider and determine much more before they submit a file of evidence to the CPS. The requirements set out in AGGD redisclosure and DG6 create a significant burden on police officers. The increase in investigative opportunities and

³² [HMICFRS - An inspection into how well the police and other agencies use digital forensics in their investigations](#)

³³ [Disclosure in the Digital Age: Independent Review of Disclosure and Fraud Offences \(accessible\) - GOV.UK](#)

growth in digital material continues to have a significant impact on the CPS too. Prosecutors are routinely considering far more material on cases as evidence is gathered from different sources. For example, in a domestic abuse assault case between two individuals with no civilian witnesses, a prosecutor is likely to receive material including 999 calls, body worn video footage from numerous police officers, and mobile phone evidence, if deemed relevant. In cases with more than one suspect and several witnesses, the amount of material received multiplies considerably, often resulting in many witness statements, CCTV footage from numerous cameras and evidence from several mobile phones.

- 2.21.** Whilst considering what will be evidence in the case, prosecutors must as a result of DG6 also consider any material that may undermine the prosecution case or assist the defence. Police incident logs and crime reports can amount to hundreds of pages and are often not in an easily digestible format.
- 2.22.** Complexity for prosecutors arises from the requirement to review and analyse a large amount of material from these different sources to make a charging decision that complies with the Code for Crown Prosecutors. Prosecutors must formulate a case strategy that effectively weaves together the various strands of evidence into a case that can be easily understood.
- 2.23.** As a result of these complexities, it is crucial that the quality of the file sent by the police to the CPS is of a high standard and contains all the material a prosecutor needs to consider in a comprehensive manner, and in accordance with the joint protocols and agreements already in place.

Chapter 3: Governance

Chapter 3: Governance

- 3.1.** There is a significant amount of work being done by various agencies and working groups across the criminal justice landscape with a commitment to improving outcomes. This includes work on improving case progression.
- 3.2.** However, there is a lack of strategic governance and co-ordination. There is a need to identify the strategic objectives of the criminal justice system (CJS) and this must align with improving criminal justice outcomes. Measuring the success in achieving those objectives needs to be based on agreed metrics that capture performance of all the agencies involved in the criminal justice processes, with a focus on outcomes.
- 3.3.** The lack of co-ordination and strategic oversight has led to duplication of effort, conflicting approaches and confusion on where to focus and what to prioritise. This lack of co-ordination and strategic oversight contributes to increased tension between police and the Crown Prosecution Service (CPS). The absence of effective co-ordination does not lead to the required improvements in outcomes for victims and the public. It is inefficient and wasteful.
- 3.4.** The findings of the inspection highlight a lack of co-ordination between initiatives and projects in which the CPS, the National Police Chiefs' Council (NPCC), the Home Office and the Ministry of Justice (MoJ) participate. Given the multiplicity of initiatives and projects, we found that there was a lack of awareness around some of the work carried out by each organisation. Some of this resulted in a lack of appreciation of how changes made in isolation may have an impact not only on other stakeholders, but the wider CJS.
- 3.5.** Given that three separate government departments oversee different agencies within the criminal justice system it is imperative that the National Criminal Justice Board (NCJB) develops a joint overarching strategy.

Joint National Governance

National Criminal Justice Board (NCJB)

- 3.6.** The NCJB sits at the top of the governance structure of the CJS. Its purpose is to bring together senior criminal justice leaders at a national level, to maintain oversight of the system and promote a collaborative approach.
- 3.7.** There was a period between July 2021 and July 2023 when the NCJB did not meet. Given its role setting the strategic direction for the CJS, this is

surprising and concerning as this was a key period during the global Covid-19 pandemic. While there was significant joint working across the CJS between all parties, this was not directed from the NCJB and the focus was on dealing with the immediate impact of, and the subsequent recovery from, the pandemic rather than the longer-term effective functioning of the CJS.

- 3.8.** During our inspection, senior leaders in the police and the CPS emphasised the importance of building strong individual working relationships with counterparts. Establishing and maintaining these relationships becomes more difficult when there are fewer opportunities for those senior leaders to meet and work together.
- 3.9.** We reviewed the published minutes of the NCJB taken since July 2023³⁴. We found no overarching criminal justice plan. We did find there were multiple reviews, programmes of work and pilot schemes looking at various processes within the CJS. Some of these were initiated and led by the Home Office or the NPCC, some by individual police forces, and some by the CPS and the MoJ. Setting the direction for the CJS within the context of a national strategic plan would go a significant way to improving co-ordination and governance across the criminal justice agencies. The national strategic plan should include identifiable priorities, responsibilities, and performance objectives. It should set out clearly who is responsible for oversight of progress against the actions set out in the plan.
- 3.10.** The national leadership and co-ordination necessary to deliver improvement across the CJS must be provided by the NCJB. For example, as we discuss in chapter four there is a need for a coherent national IT process for digital case building, shared jointly by the police and the CPS.
- 3.11.** Before July 2021, the four criminal justice chief inspectors (of the police, CPS, prisons, and probation service) were represented at the NCJB and had an authoritative voice, based on evidence from inspections. This then fed into strategic national discussion and decision-making. The chief inspectors were not invited to the resumed NCJB meetings.
- 3.12.** In July 2024, the four criminal justice chief inspectors jointly wrote to the Lord Chancellor and Secretary of State for Justice, Secretary of State for the Home Department and His Majesty's Attorney General, requesting that they attend future meetings. The purpose of their attendance would be to share their concerns and, importantly, good practice.

³⁴ [Criminal Justice Board - Gov.uk](https://www.gov.uk/government/organisations/criminal-justice-board)

Recommendation

By July 2026, the National Criminal Justice Board should create and publish a clear strategy and oversee the delivery of improvement across the criminal justice system but specifically the prosecution team. As soon as possible thereafter:

- implement a national criminal justice action plan which identifies priorities, allocates responsibilities, and sets performance objectives
- oversee the work of other relevant groups, including Local Criminal Justice Boards
- publish regular updates on progress against the national criminal justice strategy and objectives.

Recommendation

By October 2025, the National Criminal Justice Board should extend its membership to include the chair of the Criminal Justice Chief Inspectors' Group.

Criminal Justice Action Group (CJAG)

3.13. The CJAG sits beneath the NCJB. Its members include the Director of Public Prosecutions (DPP), NPCC criminal justice lead, the Chief Executive of His Majesty's Prison and Probation Service and representatives from the Home Office and MoJ. It meets bi-monthly, and its focus is on driving improvements in timeliness for crime reporting including through to court, from police referrals to CPS for a charging decision, and charge to case completion.

3.14. Because of its broader range of responsibilities the CJAG is not within the scope of this inspection. However, it may clearly have an important oversight role of the recommended national criminal justice strategy.

Joint Operational Improvement Board (JOIB)

3.15. The JOIB was established in 2018, to replace the National Disclosure Improvement Plan Delivery Board. It is co-chaired by senior leaders from the CPS and the NPCC criminal justice lead. It initially focused on improving the joint governance between the police and CPS regarding disclosure. Since then, its remit has expanded, and it now seeks to drive improvement across case progression and linked initiatives. The JOIB meets bi-monthly and reports to the CJAG. There are a number of sub-groups under JOIB that

contribute to driving improvements. Groups include the Joint Case Progression Working Group (JCPWG) and the Joint Charging Board (JCB). More recently, it has become clear that more effective senior relationships have resulted in a renewed impetus on working together to meet the challenges that have been a long-standing cause of tensions.

- 3.16.** It is clear that over the past 18 months, senior leaders in the NPCC and the CPS have been building a much more collaborative relationship and there has been significantly improved communication and discussion. When we spoke with senior leaders in the CPS and police, they accepted that historically JOIB could have provided more effective governance and oversight. It is evident from our more recent discussions that the change we see in the more collaborative approach at a senior level should strengthen JOIB and its sub-groups in driving case progression improvements through partnership working.

Joint Local Governance

Local Criminal Justice Boards (LCJBs)

- 3.17.** The Police Reform and Social Responsibility Act 2011 places a duty on Police and Crime Commissioners (PCCs) and other criminal justice bodies to “provide an efficient and effective CJS for the police area.” There are LCJBs aligned to each police force. These are often chaired by PCCs. They meet quarterly and should be attended by senior representatives from all local criminal justice agencies in the area. National guidance³⁵ issued by the NCJB sets out the operational framework for the local boards.
- 3.18.** During our inspection we interviewed the Association of Police and Crime Commissioners (APCC) subject matter lead and deputy lead for criminal justice. At the time, both were elected PCCs who chaired their LCJBs. They told us that the effectiveness of their LCJB was often based on forging professional relationships with senior leaders in the local CJS. In their view, the effectiveness of the LCJB was often attributable to individual personalities. The PCCs expressed frustration that as chairs of LCJBs they can hold the police accountable for their performance but there was no formal mechanism for them to hold other parties to account for their performance. Because of backlogs in the courts, we consider it important that through LCJBs, His Majesty’s Courts and Tribunal Service (HMCTS) can work with others to resolve and find solutions. It would be helpful if LCJBs had a

³⁵ [National guidance for local criminal justice boards](#)

strengthened role in holding all CJS parties to account. The effectiveness of LCJBs is outside the scope of this inspection.

Joint Operational Improvement Meetings (JOIMs)

- 3.19.** Following the National Case Progression Commitment (which we referred to in paragraph 1.37) and action plan in 2021, JOIMs were introduced to replace the prosecution team performance meeting structure. JOIMs are now the main forum for the police and CPS to discuss local operational improvements. There is a national governance model which includes strategic and operational JOIMs. Since the JOIM review which was commissioned in 2023, there has been a clearer governance structure for two-way feedback through the JOIM single point of contact forum. The JOIM review concluded that the police and CPS jointly agree priorities to facilitate equal accountability.
- 3.20.** We observed four operational JOIMs and reviewed the minutes of previous meetings. We spoke to police and CPS personnel across all grades to understand their awareness of and views on the effectiveness of JOIMs. Overall, we found that operational JOIMs were effective as a forum to discuss case progression issues and identify solutions to local issues. Some examples included: the police providing a list of staff contact numbers to the CPS to improve communication at the file triage stage; reminders to police personnel and prosecutors to add their contact details to Manual of Guidance Forms 3 (MG3s); and encouraging police and CPS personnel to speak to each other on the telephone or via other digital means to resolve issues and reduce delays in case progression.
- 3.21.** At the time of our inspection fieldwork (late 2023 and early 2024), it was not always clear how priorities and actions from the national JOIB were understood at local strategic JOIMs or how systemic issues could be escalated to JOIB from JOIMs. As set out in paragraph 3.20 above, the link between strategic and local arrangements was strengthened. In 2023 some interviewees from the police and CPS felt there was a lack of clarity in relation to JOIM governance, and that the communication links and co-ordination between strategic meetings and operational JOIMs needed improvement. We acknowledge that our on-site activity was undertaken as governance arrangements were still developing.
- 3.22.** In the operational JOIMs that we observed, the focus was primarily on police performance. In many interviews we heard that this was a cause of tension as those in policing felt that this was not balanced and focused on only part of the system. There was little or no emphasis in the JOIMs we observed on aspects such as the timeliness of CPS charging decisions, the quality of CPS

action plans or outcomes at court. JOIMs should also scrutinise these aspects of performance (which we discuss later in the report).

- 3.23.** Frontline officers we spoke to were often unaware of how their managers raised issues of concern with the CPS. We heard from many CPS staff that they fed issues to their managers for discussion at JOIMs, but they were unaware of outcomes and actions as a result.
- 3.24.** In forces where senior police officers led NPCC criminal justice committee portfolios, we found that there was clear focus on criminal justice aspects. We often found that they had better working relationships with their CPS counterparts and that they had productive JOIMs. We also saw that the force's senior leaders were prioritising criminal justice issues in their own forces. This indicates that where senior police officers make criminal justice issues a priority in their forces, there is often robust performance management processes in place and a focus on achieving improvement.
- 3.25.** The JOIM review, which we discuss below, also identified these issues.

Reviews and Projects

JOIM review

- 3.26.** In November 2022, the JCPWG³⁶ commissioned a joint review by NPCC and CPS representatives of the JOIM process and the case progression toolkit. This was to consider what was working, identify best practice and make recommendations where required. The review was published in July 2023, setting out guidance on JOIM governance structures to provide better two-way feedback between local JOIMs, the JCPWG and the JOIB.
- 3.27.** The review made more than 20 recommendations for improvement. These related to meeting structures and governance, setting priorities, improving analytical support, understanding and use of performance data, and joint working to improve criminal justice outcomes.
- 3.28.** When considering how effective JOIMs were, our inspection and the JOIM review identified common themes. They include that participants in the JOIM meetings:
- lacked understanding of governance arrangements and the national structure

³⁶ JCPWG are responsible for overseeing the joint national work on case progression. It is chaired by CPS and NPCC case progression leads and reports to JOIB.

- spend too much time trying to understand and analyse the [incomplete] data
- did not deal with the issues identified
- did not offer sufficient two-way feedback between the strategic and operational JOIMs.

3.29. Our onsite activities and observations of JOIM meetings did not identify any change, but we recognise that our inspection activity took place very soon after the publication of the review. Since the inspection, the joint Director's Guidance Assessment (DGA) and JOIM data podcasts have been developed and delivered to both police and CPS via the knowledge hub to JOIM members.

Home Office Criminal Justice Strategy Team (CJST)

3.30. The policing minister from the previous administration established a CPS policing operational roundtable meeting. Its purpose was to find ways of improving performance within the criminal justice system. Areas of focus included prosecution case file building and charging. Attendees included senior leaders from criminal justice agencies including police and the CPS and government departments including the Home Office. The then Policing Minister instructed the Home Office CJST to work with the NPCC to examine the reasons for CPS case file rejections.

3.31. CJST data and qualitative analysis identified common problems with evidential content, disclosure, victim and witness statements and exhibits. They also interviewed personnel in three police forces to understand the reasons for rejection.

3.32. The review also noted that the Director's Guidance on Charging (6th edition) (DG6) was unclear about whether case files need to contain medical reports or medical statements before prosecutors can make charging decisions. CJST also stated that it was unclear whether the CPS needed victim personal statements (VPS) before making charging decisions. The report highlighted that the CPS were not applying the requirements set out in DG6 consistently. Our findings from our file examination confirm that there are aspects of DG6 that are unclear and need clarification. This lack of clarity leads to tensions in the relationship between operational staff and, as we set out later in this report, without significant change that tension and misunderstanding will remain.

3.33. The Home Office CJST made recommendations about the requirements for clarifying DG6, including the need to circulate updated checklists and

guidance, and the requirement to review training and sharing of good practice³⁷. We make recommendations about all of these matters in this report.

³⁷ This is an unpublished report.

Chapter 4: Digital Systems and Information Technology

Chapter 4: Digital Systems and Information Technology

- 4.1. The current state of police and Crown Prosecution Service (CPS) Information Technology (IT) integration is deeply unsatisfactory.
- 4.2. At the time of this inspection, there were numerous projects and initiatives underway within police forces and the CPS. But it is our opinion that these projects and initiatives offer limited solutions as they fail to address the fundamental issues in functionality and digital communication within the criminal justice system (CJS). The lack of IT integration, inconsistency of systems used and poor functionality all have a negative impact on the relationship and communication between the police and CPS.
- 4.3. In 1998 the Glidewell report called for greater IT interoperability between police and the CPS. Since 1998, there have been numerous reports and inspections about the CJS which continue to highlight the need for more joined up and compatible IT development. Our own joint inspection of digital case preparation and presentation published in 2016³⁸ highlighted the lack of a joined-up approach to IT between the police, CPS and courts. The inspection highlighted that there were limited ways to share data, that not all systems were compatible and that there was no overarching IT strategy. The independence of chief constables meant that each force could procure and develop its own IT strategy which made any degree of consistency within IT very difficult.
- 4.4. The fact that there has been no overarching IT strategy for the CJS has meant that police forces have made decisions about IT investment in their own best interests, independently of other forces or agencies within the CJS. Over time, this has led to police forces entering into contracts to use different IT systems or combinations of IT systems from other forces. While forces may use the same IT systems, they often use different versions or use the same data fields for different things. As the need to integrate police IT systems with other forces and the CPS has increased, the historic lack of nationwide police or overarching CJS IT strategy or effective co-ordination is being exposed. The current landscape is very complicated and will be expensive to resolve. Added to this, the CPS case management system, which was never designed to receive and send material to and from different police IT systems, was designed for the CPS to manage its casework and not initially as a system that would support multiple interfaces with police and other CJS IT systems.

³⁸ [Making it fair - a joint inspection of the disclosure of unused material in volume Crown Court cases - His Majesty's Inspectorate of Constabulary and Fire & Rescue Services](#)

- 4.5.** All this contributes directly to tensions and frustrations between the CPS and the police. The police, CPS and Home Office are spending significant amounts of time and resource to resolve issues with differing internal police IT systems and the CPS case management system and to enable the two-way exchange of digital case file material between them. Ultimately, these investments will only provide short-term solutions until a fully integrated IT system is developed.
- 4.6.** A clearly mandated, end-to-end digital strategy for the CJS is greatly needed. It should be properly resourced and it needs oversight by the National Criminal Justice Board (NCJB) to ensure it aligns with the national criminal justice strategy.

The systems and their limitations

- 4.7.** Each police force across England and Wales can decide which IT systems it uses (subject to procurement rules and constraints). These are long-term investments, and many factors influence procurement decisions, including budget, value for money, compatibility, collaboration, backup and risk appetite. In the absence of a nationally mandated system, there is no requirement for systems procured by forces to be able to integrate with the CPS case management system (CMS) in a single, uniform way.
- 4.8.** Forces use multiple systems to record and report crime, manage detainees in custody and access real-time information on a person's criminal record³⁹. Most forces use either the NicheRMS or Northgate Athena IT systems to record criminal justice data and prepare case files. Over the last decade, many of these forces have organised themselves into collaborations and have established user groups for the purpose of standardisation and to pool development resources and costs. However, a small number of forces also use different systems to Niche or Athena.
- 4.9.** The CPS has one CMS, which was introduced in 2003. Over subsequent years, as expected, the CPS has made changes to CMS to enhance its digital capability, but the overall structure of the original system remains the same: a case file management tool. The CPS has more recently developed a further CMS using new technology, following feedback from users that the original system did not fully support digital business processes. CPS staff must navigate both systems daily. It is time-consuming and frustrating for them. The CPS has recognised this and is developing new tools to provide more efficient ways of working.

³⁹ The latter is known as the Police National Computer (PNC), a computer system used by the police and other UK law enforcement agencies.

- 4.10.** Historically, police forces' IT systems and the CPS systems were not intended or designed to be used for digital case transfer. They have had to be adapted. Many police and CPS personnel we spoke to expressed frustration with the IT systems. With considerable justification (which we explain later in this report), they blamed these systems, and the poor interfaces between them, for causing some of the delays to case progression.
- 4.11.** To increase efficiency of managing cases, the police and CPS have developed a digital interface to enable the exchange of information between their IT systems. Initially, this interface allowed the police to send structured information and evidential material to the CPS but it has since been developed to facilitate a two-way flow of information. It was envisaged that the two-way interface (TWIF) would save time and resource as personnel would not need to enter the same information on each system. The development of this interface has enabled the digital transfer of material, but there are limitations on its use which prevent it being fully effective. We heard from those dealing with digital solutions of significant multi-agency work to modernise the exchange of casework systems and address current differences and workarounds adopted by individual forces. Most notably we heard that work on the Digital Case File (DCF) will revolutionise the way in which casework materials and information is passed between police and CPS. We believe it will address processes rather than the quality issues we identify later in the report. We discuss the DCF later in this chapter.
- 4.12.** One major frustration is the limitations in the size of individual documents that can be transferred. During this inspection, we spoke to police and CPS IT personnel who explained the substantial difficulties they encounter when trying to design an effective interface. Material that is over 1MB in size cannot be transferred across the TWIF. Given the size of some case file documents and prevalence of digital evidence involved in day-to-day cases, this 1MB limit is outdated. A lot of material generated and sent by the police exceeds this size: for example, medical records and data extracted from phones. Consequently, the police must spend time splitting or compressing a document so that each item is under the limit before it is sent over the interface. Where that is not possible, the police must email the material to a specific CPS inbox. CPS staff review the material and upload it to the case on CMS. If they believe the material could have been compressed, they request the police re-send it over the TWIF. Again, this is a source of tension and frustration. Since our on-site interviews, we were told that the CPS has developed, with the police, a series of blueprints to give forces the flexibility to make commercial arrangements that best suit them. These arrangements would set out requirements that the police should adhere to before adopting new ways of working to ensure a single standardised approach.

- 4.13.** For multimedia, and other very large data sets, the use of digital evidence management systems (DEMs) involving secure links to cloud-hosted material is more cost-effective. Using DEMs also enables the CPS to effectively onward share with other CJM partners. Again, a blueprint has been agreed with police setting out the requirements of any DEMs solution.
- 4.14.** CPS interviewees provided us with numerous examples of problems with the TWIF process. This included receiving blank witness statements from the police or encrypted statements that could not be opened on CPS systems. While the transferred material was viewable on the police IT system upon receipt by the CPS, the material had been corrupted and could not be accessed. We also saw similar issues with the police transfer of, and CPS access to, multimedia such as CCTV and police bodyworn video footage.
- 4.15.** To increase efficiency and improve security, police use cloud-based platforms. The police send the CPS prosecutor a link so they can view the relevant material. Frequently, the police receive requests from the CPS for links to be checked and re-sent, because when the prosecutor tries to open them a system error occurs. But when the police then check the link from their end it works.
- 4.16.** These issues, and many others like them, cause unnecessary additional work and frustration. Discussions about whether material has or has not been sent by the police to the CPS are commonplace. This leads to tension and frustration, with each party blaming the other for not carrying out their roles properly. However, failure to transfer case file material correctly, providing links or data corruption is often because of problems with the IT interface rather the people using it.
- 4.17.** The problems we describe, above all, contribute to unnecessary delay. This lets down victims and slows the justice process for all involved. File rejection can undermine the working relationship between the police and CPS. Additionally, given that much of the data discussed by the police and CPS at Joint Operational Improvement Meetings (JOIMs) relates to police file quality, IT rejection overstates the picture of police underperformance. We discuss this in more detail in chapter 7.
- 4.18.** At the time of our inspection, the police and CPS in one area were testing whether TWIF capacity could be increased to 4MB. This is in recognition of the current interface capacity being inadequate and, as outlined above, causes significant additional work. This increase in file size capacity would allow for larger documents to be transferred successfully. In forces where

they adopt the blueprint requirements the size of files that can be exchanged over the interface has been extended to 4MB.

- 4.19.** Compounding the tensions outlined above, nearly all those we spoke to during the inspection at the working level in both the police and the CPS had a lack of understanding of how material sent by them was received by their counterpart or what issues can arise. A simple example was how the outcome of cases is received by the police having been sent by the CPS. The CPS copy the content of the hearing record sheet completed by the advocate in court into an action plan and send this to the police. The action plan sets out what happened, and any actions required by the police. However, in many forces, what is sent over in proper form when received in the police CMSs is a jumble of text with special characters (eg %\$&) often replacing punctuation. What has been sent in-line with the requirements through the correct route by the CPS to the police, through no fault of the individual, is often distorted and corrupted. This naturally causes frustration, contributes to miscommunication, and adversely affects each organisation's cultural perceptions of the other. It also has an impact on the efficiency of the system, affecting victims and the delivery of swift and effective justice.
- 4.20.** Other barriers to effective working include when documents are misfiled on the CPS CMS. When the police do not apply the correct titles to documents in line with the agreed naming convention, documents do not transfer to the correct part of the case. The documents will have transferred but will have been filed on CMS in the wrong place. Rather than spend time searching, some CPS personnel will send an action plan requesting the missing document, which is on the system but misfiled. We heard from CPS prosecutors of a reluctance to search the CMS system when documents are misfiled, as they think it should be the job of the police to get it right. It is somewhat understandable that there is frustration, but given that the prosecution team should work together, this is disappointing. It is not surprising that police officers become frustrated at having to re-send documents that their IT systems show have already been transferred to the CPS.
- 4.21.** One obvious solution, as recommended in multiple reviews dating back as far as 1998, would be a single prosecution team IT system. This will require a clear IT strategy to be set out for all in the CJS and may require radical thinking about how policing IT needs to be restructured to allow for a more consistent approach to joined up compatible interfaces.
- 4.22.** Another solution, with additional implementation challenges, could be to use fully compatible IT systems. In this respect, HMICFRS has previously

proposed the introduction of a national decision-making mechanism, binding on all parties, for the agreement of common standards for the specification, procurement, and deployment of police-related IT systems⁴⁰. If this mechanism was implemented, after several years it should achieve the level of compatibility needed to make the various IT systems work together seamlessly.

- 4.23.** Regardless of whether the answer is a single system or multiple, fully compatible systems, the requisite solution would remove the many and varied issues requiring workarounds that contribute to delay and frustration for both the police and CPS. Importantly, it would free up officer and prosecutor time to concentrate on their core roles.

Recommendation

By July 2026, the National Criminal Justice Board (NCJB) should, as part of its national criminal justice strategy, create a viable, realistic plan for securing a national joint police and Crown Prosecution Service Digital Case File (DCF) management system or multiple, fully compatible systems. The NCJB should approach the challenges associated with securing the necessary funding for its proposed solution, and subsequently implementing it, as either its highest priority or one of its highest priorities.

Other IT solutions and initiatives

- 4.24.** There is a significant amount of other work ongoing across policing and the CPS to improve internal IT capabilities to assist file building and case progression across the system.
- 4.25.** The Police Digital Service (PDS) is responsible for co-ordinating, developing, delivering and managing digital services and solutions to enable policing to use technology to improve public safety. Most forces have worked with PDS to develop applications to assist officers and staff with file building. These applications overlay their existing IT systems. The forces included in this inspection found that these developments had made a positive difference to case building capability. But, as with the IT systems, there is no single application used by all forces.

⁴⁰ State of Policing report 2020 <https://assets-hmicfrs.justiceinspectorates.gov.uk/uploads/state-of-policing-2020.pdf>

DCF IT system

- 4.26.** In our interim report, we highlighted the work that the PDS were doing, funded by the Home Office, to develop the digital case file. The DCF aims to streamline the digital delivery of case papers from the police to the CPS. The focus is on creating pre-set data fields which will ensure consistency in case building and compliance with the National File Standard (NFS). Police staff will need to properly complete these data fields before the system will allow the case file to be sent to the CPS.
- 4.27.** At present, the police build case files using the digital version of the Manual of Guidance (MG). The latest version was published in 2011 jointly by the National Police Chiefs' Council (NPCC), CPS and Home Office. The MG introduced the concept of the NFS and a set of national forms.
- 4.28.** Since 2011 there have been local developments of the forms contained in the MG. As a result, with 43 forces and local CPS Areas, it is hard to achieve consistency in the correct use of the MG forms. Varying iterations of the form also mean that material is often duplicated across several MG forms. Errors can also occur when the MG forms are transferred across the police and CPS TWIF. The DCF aims to remove the current inconsistencies and develop a digital case file that is universal across policing.
- 4.29.** The DCF programme has encountered delays in its development and implementation. This is due to a combination of factors including the complexity of adapting multiple police case management systems to populate the digital case file. In addition, the limited availability of software developers and competing requirements for their time has meant that the CPS had to reassign IT personnel from digital case system work to other CPS IT projects which are also high priority. No final plan has yet been set for full national roll out with implementation planned in South Wales and Gwent in January 2026. If this is successful, the next tranche of forces using Niche would commence their own roll out in August 2026.
- 4.30.** If DCF comes to fruition as planned, it will remove the problems caused by using digital versions of paper case file forms and the limited data transfer capacity that currently exists between the police and CPS.
- 4.31.** The progress of DCF is reliant on continued funding by the Home Office beyond the current expiry date of March 2025.
- 4.32.** Although we have recommended fully integrated police and CPS case building and management systems (or integrated systems), we recognise that

will take several years to develop and implement. The DCF offers a viable interim solution until the introduction of a fully integrated digital CJS.

Recommendation

By January 2026, the Joint Operational Improvement Board should make sure that there is a clearly defined action plan reflecting adequate resourcing, joint commitments and shared milestones and outcomes to expedite the development and implementation of the Digital Case File (DCF) management system.

The Common Platform

- 4.33.** The Common Platform refers to the principal digital CMS used by the criminal courts. It is operated by His Majesty's Courts and Tribunal Service (HMCTS) and was jointly developed between HMCTS and the CPS.
- 4.34.** At the time of our inspection, it can be used by police, CPS, defence lawyers and court staff to access and share relevant information about a case post-charge. However, it does not address difficulties in transferring case file material between the police and CPS pre-charge. The platform's functionality is limited to being a shared document storage facility. Whilst this is helpful, it is far from an integrated case management system.

Artificial Intelligence (AI)

- 4.35.** The CPS, NPCC and PDS are working collaboratively to commence development on the use of AI to generate efficiencies and to mitigate the risks of using it. A joint national framework is being developed to ensure that potential disclosure challenges are managed in cases where AI tools have been used.

Chapter 5: People, Structures and Training

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- 5.1.** Any operating model's success or failure is dependent on the efficiency and effectiveness of its people, systems and processes. This becomes more critical when the model involves multiple steps with complex interdependencies across different agencies which use separate IT systems.

Workforce

- 5.2.** In February 2024, the Criminal Justice Chief Inspectors (CJCI) published their report⁴¹ on the impact of recruitment and retention in the criminal justice system (CJS). The report found that there were "some worrying levels of inexperience across the CJS and in some areas significant problems retaining staff."
- 5.3.** While staff levels in the police and Crown Prosecution Service (CPS) have increased in recent years, this has brought several other issues, most notably inexperience. This applies to police officers and their supervisors and to CPS prosecutors and first level managers. Inexperience and the burden of inducting and training newer colleagues impacts the ability to produce quality work. Many of the police and CPS personnel we spoke to during the inspection had joined their organisation only in the last two or three years. Significantly, these officers are responsible for undertaking investigations. The Prosecutors are responsible for making charging decisions and prosecution in magistrates' courts and Crown Court cases.

Police Operating Models

- 5.4.** We found that police operating models varied between forces and were influenced by local priorities and budgets. In this inspection, we focused on the police teams that investigate volume crime. This included uniformed patrol officers, and neighbourhood teams, volume crime investigation teams and Criminal Investigation Department (CID). In the forces that have them, volume crime investigation teams free up patrol officers so that they can respond to incidents more quickly. Delays in incident attendance times can be reduced because patrol officers can hand over investigations to volume crime investigation teams. This means after patrol officers have attended incidents, they do not have to deal with follow up enquiries, or any suspects they may have arrested. Nor do they need to get involved in building case files.

⁴¹ [Efficiency spotlight report: The impact of recruitment and retention on the criminal justice system – Criminal Justice Joint Inspectorates](#)

- 5.5.** These teams provide an environment where newer officers can learn the basics of investigation and case file building. But a downside of this operating model is that it can lead to officers in other roles becoming de-skilled in investigation and case file building.
- 5.6.** Patrol officers working alongside volume crime investigation teams often see themselves as first responders, not investigators. Over time, this has contributed to a loss of investigation skills and case building experience among patrol officers. This is compounded by inexperienced supervisors.
- 5.7.** In the seven forces we visited with volume crime investigation teams, they were often staffed by officers with one to five years' police service and officers investigated most of the volume crime. Home Office statistics show an inexperienced police workforce⁴². Additionally, in some forces, officers in volume crime investigation teams were abstracted for other duties, which impacted on the quality of case file building.
- 5.8.** During our inspection, we interviewed investigating officers working in various roles. We met many hard-working and dedicated officers who were doing their best to manage high workloads and provide a good service to victims. When we looked at individual officers' workloads, we often saw that many were responsible for high numbers of investigations. It was not unusual to find workloads of 25-30 crimes and sometimes more.
- 5.9.** We found inexperienced officers, some just out of their probationary periods, with responsibility for multiple and complex investigations. This workload often included domestic abuse cases, some involving repeat victims.
- 5.10.** During our force visits and file reviews, we examined investigation case histories. We found examples of cases where ownership of investigations had transferred to multiple different officers⁴³. This was more common where there was a high turnover of staff, such as where forces operate short term postings as part of officer development.
- 5.11.** In more than a quarter (28.3%) of the cases in our case file review (120 cases we examined), the officer in the case (OIC) had changed since the original allocation. Some of these instances may be explained by administrative processes in the recording and allocation stage. Where there are changes to the OIC during an investigation, it should be carefully managed to avoid

⁴² [Police workforce England and Wales statistics - GOV.UK](#)

⁴³ In some forces the OIC details change as the case file transfers during initial reporting and allocation processes.

impacting on the effectiveness of the investigation and ongoing preparation of the case. It also avoids a perception by victims and witnesses that their cases are less important.

- 5.12.** In our inspection reports, HMICFRS continues to highlight a national shortage of experienced detectives and the impact this has on the standard of efficiency and effectiveness of the police. There are several reasons for this shortage, but as both demand on investigators and complexity has increased, the appeal of the role has decreased. This makes it harder for forces to recruit and retain accredited detectives. It also means that there is less experience for newer officers to call upon.

Police case file supervision

- 5.13.** When the OIC decides that a case file is complete they should submit it to a supervisor for review. In the files we examined, this did not happen effectively and consistently.
- 5.14.** Supervisors are critical to effective investigation, case building and delivering a good service to victims and the public. Their role is especially important given the high proportion of newly recruited and inexperienced officers. Typically, these supervisors allocate work to officers and police staff and should both monitor and quality assure its completion. However, we found that the work was not always monitored and quality assured. Supervisors often have other responsibilities that can reduce their capacity to supervise investigations and check case files.
- 5.15.** The Director's Guidance on Charging (6th edition) (DG6) sets out the responsibilities of police decision-makers⁴⁴. In some forces this responsibility falls to the officer's line manager, while others have introduced designated police decision-makers. Whether this responsibility falls to the officer's line manager or police decision-maker, they must review all available evidence. This includes disclosable material and any other relevant material or information before deciding whether the appropriate test under the Code for Crown Prosecutors is met. During our inspection, we found that the way this responsibility is carried out is inconsistent and not always as effective.

Police too reluctant to take no further action in weak cases

- 5.16.** While certain offence types, for example domestic abuse and hate crimes, must always be referred to the CPS for a charging decision, supervisors

⁴⁴ Section 3.1 of [DG6](#)

should consider whether there is sufficient evidence to charge and, in some cases, decide to take no further action⁴⁵. Some police supervisors thought that the police should take greater responsibility for making decisions to take no further action or using out of court disposals where appropriate. However, we found that this was influenced by the levels of discretion granted to police decision-makers and their confidence to make decisions. This varied between forces. This would remove some waste from the system for the police in case building and redaction, and for the CPS in dealing with cases where the police have decided to take no further action.

- 5.17.** Police decision-makers should comply with their responsibilities set out in DG6 to determine when no further action should be taken or use out of court disposals.

Supervisors should analyse the evidence and make comments, but do not always do so

- 5.18.** When a police supervisor has completed their review of a file and decided that there is sufficient evidence to meet the appropriate charging threshold code test, they should include their comments in a relevant section of the submission form to CPS. They should refer to the strength of the evidence, provide rationale for why they believe that case meets the code test and complies with the Criminal Procedure and Investigation Act Codes of Practice. They should indicate whether the case has been identified as an anticipated guilty or not guilty plea, which determines what type of case file the police must build under the National File Standard (NFS).
- 5.19.** In our case file examination, 78.3% of cases contained supervisors' comments. This means that supervisors' comments were absent in more than one in five cases. Even when the comments were present, they varied in quality. In 55.3% of cases, inspectors found comments added value and it was evident that when making the decision to the CPS the supervisor had reviewed the case file critically and objectively, having regard to reasonable lines of enquiry that should have been followed and the requirements of the NFS. However, in the remainder – almost half of the cases – supervisors' comments did not add value. They often just repeated the facts of the case rather than assessing of the strength of the case, code compliance, whether the unused material requirements of the Attorney General's Guidance on Disclosure (AGGD) had been met, or the likely plea.
- 5.20.** Police supervisors focused more on whether the required content was present without considering its quality. During our fieldwork we interviewed

⁴⁵ Section 4 of DG6

frontline supervisors with responsibility for some aspects of investigation and case building. It was common to find supervisors with limited service or experience and we found temporarily promoted officers often performed these supervisory roles.

- 5.21.** Those in charge of volume crime investigation teams rarely had the necessary training in investigation or case file building. While roles and responsibilities differed between forces, high workloads and multiple responsibilities were commonplace. We found that some supervisors did not reject deficient case files when they should have done. Instead, they forwarded them to their Criminal Justice Unit (CJU), while in forces without CJUs, supervisors forwarded case files directly to the CPS. In our file sample, we found that supervisors should have rejected more than half (59.7%) of the files because they did not comply with the NFS, but they only rejected just over a third (38.7%).
- 5.22.** Our case file analysis showed that some supervisors only checked case files against NFS checklists, while others checked case file and evidential content as DG6 requires them to do,
- 5.23.** Many supervisors we interviewed were candid about their limited capacity to supervise investigations and check case files properly. In some of the forces we visited, police supervisors rely on gatekeepers who work in criminal justice units to do the detailed checking. The gatekeepers we interviewed confirmed this was the case. We discuss gatekeepers in more detail below.
- 5.24.** In one of the forces we inspected, supervisors told us they did not have enough time to check case files before their officers submitted them to the police CJU. Instead, inexperienced officers on the team (who lacked competence in case file building) quality assured each other's case files. Unsurprisingly, we heard that the police CJU often rejected and returned these case files numerous times. This had a detrimental effect on the morale of the officers who had their cases rejected, so much so that some said they were actively seeking different roles.
- 5.25.** Our findings reflect those of previous HMICFRS inspections⁴⁶. We found supervisors frequently had high workloads, were often inexperienced (and managing inexperienced teams), lacked sufficient training, might not have access to the right technology and could be unaware of the importance of

⁴⁶ [Police performance: Getting a grip - His Majesty's Inspectorate of Constabulary and Fire & Rescue Services \(justiceinspectorates.gov.uk\)](https://www.justiceinspectorates.gov.uk)

collecting data and using this information to help manage workloads and performance.

- 5.26.** A supervisor who is competent in case building should be able to empower investigating officers to produce high quality files which do not require additional re-work before being submitted to the CPS. This starts with ensuring they have the right skills for the role. Unsurprisingly, we found better quality case files in forces that had trained supervisors in case file building.
- 5.27.** Police forces should ensure that every case file referred to the CPS for a charging decision should first be scrutinised by a police supervisor for quality assurance and compliance with NFS.

Gatekeepers

- 5.28.** Some forces have introduced a second level of quality assurance after the frontline supervisor check. The name given to the officers and staff varies between forces. These include “gatekeeper”, “police decision-maker” and “evidence review officer”. For simplicity in this report, we refer to these roles as gatekeepers.
- 5.29.** The purpose of gatekeepers is to provide a second level of quality assurance for case files to ensure that they meet NFS and DG6 before they are referred to the CPS for a charging decision. All the forces we visited had gatekeepers, but each force had different set-ups, with variations in roles and responsibilities. Usually, forces with CJUs include gatekeeper functions in their operating models.
- 5.30.** We found that levels of decision-making authority differed between forces. Some gatekeepers are empowered to finalise cases with no further action or recommend out-of-court disposals. In other forces a more cautious approach was evident. Here, the gatekeepers were more focused on file content and incorrectly tended to refer cases to the CPS where they could decide to take no action or use out-of-court disposal. This provides support for the CPS perception that the police are not always robust enough in discontinuing cases, leading to unnecessary additional work for both the police and prosecutors.
- 5.31.** Where case files do not meet the NFS, gatekeepers should return them to the OIC for reworking. Again, we found the process differs between forces. In some, gatekeepers explain what is required and why, but this does not happen in all forces.

- 5.32.** In some forces, when a gatekeeper rejects a case file, they return it to the OIC via the supervisor who had authorised its submission. This means there is continued oversight by the supervisor. The reason for this is so the supervisor can see the mistake or mistakes they made and avoid making them again on future case file submissions.
- 5.33.** However, in other forces, we found when gatekeepers rejected case files, they returned them directly to the officer in the case and bypassed the supervisor. This means that unless the supervisor checks the officer's tasks on the case management system, they would be unaware that a case file they approved had been rejected. Supervisors could improve the standard of the files they submit if they know where they are getting it wrong. We are aware that there are other approaches in some forces that were not included in our inspection.
- 5.34.** When gatekeepers make decisions to take no further action at an early stage in the case file building process, they reduce the need for the officer to complete a full case file. It removes the task of redacting case file material and it stops officers from submitting unnecessary case file submissions to the CPS. As with other supervisory roles we found that levels of experience, expertise, and discretion to make decisions varied among gatekeepers.
- 5.35.** We found that some forces were struggling to recruit and retain suitable gatekeeping staff. The reasons for this varied but were often linked to pay and conditions or previous role holders' career progression. One force had seen a dip in the quality of files submitted to the CPS while they managed vacancies and trained new gatekeepers.
- 5.36.** In some of the forces we inspected, we found that the gatekeeping process works well and does not add time delays into the charging process. Gatekeepers quality assure case files, promptly rejecting them, referring them to the CPS or deciding to take no further action. However, during our fieldwork, we often saw lengthy delays between officers submitting files to CJUs and their onward submission to the CPS. In several forces where the submission process included gatekeeper checks of case files' evidential content, we found backlogs of cases awaiting a review. At the time of our inspection, we found the backlog in one force averaged 10 weeks. But when we dip-sampled files in other forces, we found examples of case files with four, eight and even 15-month delays. This meant that in some summary-only

cases, the statutory time limits (STL)⁴⁷ had lapsed before the police submitted the file to the CPS or there was very little time left for the CPS to make a charging decision.

- 5.37.** In some of the forces we inspected, we saw that gatekeepers had rejected and returned the same case files to the officer in the case multiple times, which was adding to delays in submitting cases to the CPS for charging decisions.
- 5.38.** In some forces we were concerned to see that reworked cases were going to the back of the gatekeepers' file queues without any form of triage or prioritisation.
- 5.39.** When case files subject to statutory limits are submitted to the CPS with little time remaining, it places pressure on CPS prosecutors to make charging decisions. It does little to support partnership work or to counter adverse cultural perceptions of the police. When delays to charging decisions occur it does not instil confidence in victims of crime, who may not readily understand why the suspect cannot be prosecuted.
- 5.40.** Some forces have developed systems and processes to triage the case files which await gatekeeper reviews. They take proactive steps to assess the risks associated with individual cases and manage their queues accordingly. This includes monitoring and flagging cases that are subject to statutory time limits by which time a suspect must be charged or informed they will be prosecuted. The forces that manage their gatekeeping queues well identified case files that they had previously rejected and had been resubmitted by the officer in the case. They also ensured that cases subject to statutory times limits were prioritised and submitted to the CPS promptly.

Criminal Justice Units

- 5.41.** The Policing Productivity Review (PPR)⁴⁸ recommended that the Government should urgently review the processes involved in police file submissions to the CPS to make them more efficient. As a result, the National Police Chiefs' Council (NPCC) Criminal Justice Co-ordination Committee (CJCC) reviewed the various criminal justice unit models to develop a set of principles that all forces could adopt, while allowing for local flexibility.

⁴⁷ Section 172 of the Magistrates' Court Act 1980 states that a magistrates' court shall not try an information or hear a complaint unless the information was laid or the complaint made within six months from the time when the offence was committed, or the matter complained of arose.

⁴⁸ [Policing Productivity Review - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/policing-productivity-review)

5.42. The recommendations included that all forces should have CJU functions which include gatekeeping, file content quality assurance and making better use of out-of-court resolutions. It also recommended that forces take steps to improve communication with the CPS. A consistent approach to file building with a standardised CJU operating model should result in better quality case files, swifter charging decisions, avoidance of unnecessary case referrals to the CPS and reduced victim attrition.

5.43. Whatever operating model forces decide to adopt, it is our view that they must include these core requirements:

- an effective gatekeeper role to ensure investigations are completed to the appropriate standards⁴⁹ and in a timely manner
- an evidential and file content quality assurance process in accordance with DG6, NFS and smarter utilisation of technology such as digital casefiles and text redaction tools
- clear, consistent, and transparent communication between police and CPS through a specific point of contact
- determining in the requisite cases whether no further action should be taken
- managing appropriate cases away from the courts system⁵⁰.

Recommendation

By July 2026, police forces should have in place as part of their gatekeeping or comparable arrangements:

- an effective governance and decision-making capability to ensure investigations are timely and completed to the appropriate standards
- agreed contact arrangements in place in forces and Crown Prosecution Service (CPS) Areas to facilitate clear, consistent, and transparent communication between police and CPS
- sufficient, trained, and competent decision-makers
- effective and efficient systems and processes to manage case file submission queues, to avoid unnecessary delays and risks to cases subject to statutory time limits

⁴⁹ These standards include DG6, the CPIA, the AGDD and VCOP

⁵⁰ Extracted from presentation delivered to CPS-Policing Roundtable dated 5 February 2023

CPS Operating Models

- 5.44.** The CPS has standard operating procedures which are intended to achieve consistency in how casework is handled across England and Wales. These largely determine the processes to be used in all 14 geographical Areas in how they process and manage their casework. For example, the Code for Crown Prosecutors, national legal guidance and policies are in place to promote consistency in legal decision making. All Area casework is recorded on the CPS's case management system (CMS). There is an additional national operating model for the handling of rape and serious sexual offences.
- 5.45.** The CPS has 14 Areas across England and Wales and there are 43 police forces, so their geographic boundaries do not align. This means that most CPS Areas deal with casework from between three and five different police forces. CPS London is split into North and South Areas and deals with cases from the Metropolitan Police. London South also deals with cases from the City of London Police.
- 5.46.** In addition to cases referred from regional forces, CPS West Midlands also handles all cases generated by the British Transport Police.
- 5.47.** CPS Direct (CPSD) makes out-of-hours charging decisions.
- 5.48.** In this inspection, we have focused on volume crimes. The CPS Areas and CPSD deal with most volume crime cases referred by the Police. The CPS Areas include teams making charging decisions, teams dealing with magistrates' court cases and teams for Crown Court cases. There are also some specialist teams, for example complex crime units and teams dealing with rape and serious sexual offences.
- 5.49.** In all Areas, the new charging model has been incorporated within the existing team structures promoting case ownership from the pre-charge stage through to the conclusion of the case. Our file examination did not show this degree of case ownership, although we recognise that the sample of cases mainly related to 2023 cases. In one Area we visited we noted that they had adopted a different approach by setting up a new, separate charging team.
- 5.50.** Between 2021 and 2022, HMCPSI carried out a series of inspections of the 14 CPS Areas looking at magistrates' court, Crown Court, and rape and serious sexual offences (RASSO) casework. In January 2025, HMCPSI

published a [follow-up report](#)⁵¹ setting out progress against the original baseline assessments. Even with the national model, clear operating procedures and one case management system, HMCPSI found clear variations in the quality of legal decision-making across the CPS Areas. This is concerning.

- 5.51.** The Area inspections also highlighted a number of inconsistent CPS legal quality issues that will have a detrimental impact on the relationship with the police. Poorly drafted and unnecessary prosecutor action plans, delays in dealing with police correspondence and non-compliance by prosecutors in completing file quality assessments used to assess police file quality performance are all matters that we found in our assessment of CPS Areas.

Training and Guidance

- 5.52.** The design and delivery of good quality training cannot be underestimated, particularly when workforces contain a lot of new and inexperienced staff.

Police Training

- 5.53.** There is a wide range of training tools available for police personnel from a variety of sources including the College of Policing⁵² (the College), the Knowledge Hub⁵³ and training delivered by individual forces.
- 5.54.** The College is responsible for the national standards for learning and development for criminal justice in the national police curriculum. The College has uploaded operational guidance to its website about ‘prosecution and case management’. This includes modules on charging and case progression.
- 5.55.** We interviewed representatives from the College about how what they produce helps improve police case file building. It was their view that performance in this area needs to be improved through local forces targeting the behaviours, knowledge and skills of officers getting it wrong. After speaking with officers and police staff during our fieldwork phases, it was clear that the awareness and delivery of training on DG6, NFS, disclosure and redaction is inconsistent between and within forces.
- 5.56.** Police forces have operational independence and decide for themselves what training they deem mandatory for criminal justice matters, as well as which

⁵¹ [Area Inspection Programme – HM Crown Prosecution Service Inspectorate](#)

⁵² The College of Policing is an independent body that supports the professional development of everyone working in policing. They are responsible for setting standards for key areas of policing to help provide a consistent service to the public.

⁵³ The Knowledge Hub is an online tool designed by the Police Digital Service to encourage greater collaboration across policing in the UK through the sharing of information and discussion of ideas.

training their personnel can choose to complete. Police responsibilities are very broad, as are the potential training needs of police personnel. This means that when forces decide which training their personnel must complete, they must also balance the potential benefits of the training against how the time this takes impacts upon other duties and functions.

- 5.57.** Overall, we found case building training varied between forces and was often inadequate. Some supervisors had received training on file building and disclosure, but most had not received any bespoke training on NFS and DG6. A lot of supervisors referred to learning on the job and felt overwhelmed by the demands upon them. The time they spent responding to operational incidents (for example missing persons enquiries, administrative tasks and staff welfare issues) reduced the time they could spend on checking file quality or mentoring or coaching others.
- 5.58.** From time to time, the NPCC and CPS have issued joint guidance documents regarding various aspects of case file building. But at the time of inspection, we found no standard national training that consolidates the existing guidance and legislation. As a result, police forces are adopting different approaches to improving file quality, training and supervision.
- 5.59.** The College, jointly with the NPCC and CPS, is developing supervisor training which will provide some consistency. This is in the early stages of testing.

Recommendation
By July 2026, the College of Policing should develop a national supervisors' training course and assessment on case file building.
Within 12 months of the completion of recommendation 6, police forces should ensure that every supervisor responsible for assessing case files prior to referral to the Crown Prosecution Service for a charging decision is trained in case file building and Director's Guidance on Charging (6th edition) (DG6) quality assurance.

- 5.60.** In 2021, the NPCC and CPS produced a guidance document, Joint Principles for Redaction guidance. This was revised in 2022. At the time of our inspection, we found that the version of the guidance on the Knowledge Hub was out of date.

CPS Training

- 5.61.** The CPS provided mandatory training for prosecutors on DG6 and the AGGD shortly before it came into effect. The consensus from interviewees was that

induction training for staff joining the CPS was good. This is consistent with the HMCPSI inspection of induction processes which found that 73.9% of prosecutors surveyed (73 of 92 respondents) thought the induction programme was effective.⁵⁴ However, staff who had been in post for a number of years and were interviewed during this inspection thought more refresher training was required, particularly in relation to disclosure. Prosecutors stated they usually get advance warning of legislative changes, and some staff save specific documents and guidance for future reference.

- 5.62.** CPS staff can access comprehensive guidance on DG6, NFS, disclosure and redaction on the intranet. A Director's Guidance Assessment aide memoire is available to help prosecutors understand when they need to complete the assessment and provides guidance on the process. It contains a section on frequently asked questions. One Area has created a "charging gateway triage checklist" for operational delivery staff which contains guidance on how staff can identify key material. It reminds them of the checks they need to carry out before accepting a case.
- 5.63.** Both police and CPS personnel were complimentary of the updated redaction guidance (see below) which they felt simplified the process and made it easier to understand.

Police and CPS guidance materials

- 5.64.** Police and CPS internet and intranet sites provide access to a wide range of guidance. This supports police and CPS personal development and helps users improve their professional knowledge. All the forces we visited had an intranet platform where police personnel could access training material. However, during our fieldwork in all forces we found that awareness of the guidance and checklists that personnel could access varied between officers and supervisors.
- 5.65.** During this inspection, the NPCC and CPS jointly produced a separate one-page guidance document on redaction. This was intended to help police and CPS personnel to make redaction decisions when dealing with the most common types of personal data. This explained when and why redaction might be necessary. When we asked police and CPS personnel about this guidance, those that had seen it told us it was helpful.
- 5.66.** One force had comprehensive guidance that explained the difference between guilty and not guilty anticipated pleas, disclosure, rebuttable presumption material and contained links to DG6 and the AGGD. There were

⁵⁴ [Thematic inspection of CPS induction – HM Crown Prosecution Service Inspectorate](#)

also links to guidance videos prepared by the police, the CPS, defence solicitors and the judiciary.

- 5.67.** Another force had checklists contained within its CMS which provided supervisors with guidance on quality assuring a file. A working group of police and CPS personnel had jointly designed the checklists.
- 5.68.** Our inspectors were impressed by a case file building application that they saw on another force's intranet. This included aide memoires and guidance on the NFS, localised processes for file building, and checklists and examples of material required for different cases. There was clear guidance on redaction and naming conventions.
- 5.69.** Two forces had developed case building apps. Officers in both forces found these apps useful, and the forces could link them to improvements in case file building and CPS triage acceptance rates.
- 5.70.** However, we found the guidance in some forces was unhelpful and sometimes confusing. Some forces had produced checklists to help officers complete case files. However, in some cases these checklists did not reflect the requirements of DG6 and the AGDD. This led to cases being rejected by the CPS at the case file triage stage. This is when the CPS undertake quality assurance checks on case files transferred by the police.
- 5.71.** One force had guidance that defined early advice as "any advice provided by a prosecutor before the charging decision". This is contrary to DG6. In a different force, officers building case files did not have the same checklist as the gatekeepers who quality assured their case files, so they were unlikely to meet the NFS, leading to rejection and delay.
- 5.72.** During our fieldwork we discovered a cause of file rejection in one force was officers using an incorrect triage checklist supplied by the CPS. This is a list of documents and activities that the police must adhere to when they refer a case to the CPS. When the CPS receive police case files, they go through a triage process to check that they comply with the checklist. The CPS reject any files that do not meet the standard. This meant the CPS was almost certain to reject case files submitted by this particular force. The fault was remedied while the inspectors were on-site.
- 5.73.** National joint NPCC and CPS guidance is available, including the Charging Model Handbook 2023. However, some forces have developed additional tools, guidance and materials to help inexperienced officers with completing case files for submission to the CPS. While this is positive, it has created a

wealth of different materials that do not always reflect accurately the requirements of DG6 and the AGDD. It also creates inconsistencies in what different forces submit to the CPS.

- 5.74.** These examples highlight the risks of forces creating bespoke guidance contrary to national guidance. Checklists and aide memoires can be useful, but they need to contain accurate information. The police and CPS need to make sure that bespoke training materials are checked to ensure consistency with national guidance. Inconsistent and inaccurate local documents increase the risk of damaging working relationships, impacting performance and in the case where one side or the other has provided wrong guidance, perpetuate a blame culture.

Recommendation

By July 2026, the National Police Chiefs' Council and the Crown Prosecution Service (CPS) should review all national and local case file submission checklists to identify good practice and consolidate this into a single national checklist. This should ensure accuracy and consistency of case file checklists until the Digital Case File (DCF) is fully operational in all police force and CPS Areas.

Joint training

- 5.75.** The amount of joint training between the CPS and the police varied between forces and CPS Areas.
- 5.76.** Some examples of joint training we saw were:
- one force and CPS Area held a joint conference on disclosure. This focused on networking and relationship-building and was widely seen to be successful. The same Area has an annual commitment to deliver joint training with the police
 - another force delivered redaction training to staff and invited CPS colleagues to attend the event. The feedback was very positive. The training helped to strengthen local relationships and gave attendees a better understanding of the challenges faced by their counterparts
 - in one Area, a prosecutor spent half a day in a police force CJU to understand officers' roles and the systems they used. They found this extremely beneficial
- 5.77.** A common theme across all forces we visited was that officers felt they would benefit from a better understanding of CPS processes and what happens

when a file is sent to CPS. Equally, CPS staff thought there was substantial benefit in spending time with the police.

- 5.78.** Joint training, delivered by police and CPS staff to both police and CPS attendees provides a meaningful opportunity to break down barriers between agencies and promote greater understanding of respective roles.

Recommendation
By July 2026, the police and Crown Prosecution Service at Joint Operational Improvement Meetings should develop a joint local training plan to increase awareness and understanding of each other's roles, including the operation of IT systems.

Chapter 6: Managing Performance

Chapter Objectives

- 1. Explain the importance of performance management in an organization.
- 2. Describe the different components of a performance management system.
- 3. Discuss the various methods used to measure employee performance.
- 4. Identify the factors that can influence employee performance.
- 5. Explain the importance of providing feedback to employees.

By the end of this chapter, you should be able to:

- 1. Explain the importance of performance management in an organization.
- 2. Describe the different components of a performance management system.
- 3. Discuss the various methods used to measure employee performance.
- 4. Identify the factors that can influence employee performance.
- 5. Explain the importance of providing feedback to employees.

After completing this chapter, you should be able to:

- 1. Explain the importance of performance management in an organization.
- 2. Describe the different components of a performance management system.
- 3. Discuss the various methods used to measure employee performance.
- 4. Identify the factors that can influence employee performance.
- 5. Explain the importance of providing feedback to employees.

Chapter 6: Managing Performance

- 6.1.** Systems that do not function efficiently and effectively can generate additional work. This creates frustrations which can adversely impact culture, communication and partnerships and lead to delays and poor service to victims and other users of the criminal justice system (CJS).

National performance management

- 6.2.** There are multiple sources of criminal justice data collected by the police, the Crown Prosecution Service (CPS) and other criminal justice agencies but also by different government departments. Criminal justice data is often collected over different time periods and often similar things are measured differently, depending on who is collecting the data. This makes it difficult for anyone looking at the data to interpret and identify where improvement to the CJS is needed. There are also some gaps in data literacy. The complexity of the data with differing data sets can result in misinterpretation.
- 6.3.** It is therefore crucial that any joint improvement activity involving the police and the CPS needs to be informed by accurate, timely, reliable and understandable performance data. This needs to be underpinned by good quality analysis.
- 6.4.** The existence of joint performance standards for the management of the charging process ought to enable the police and CPS to monitor and actively manage the quality and progress of cases. Ultimately the focus should be about ensuring outcomes that are just and providing a better service to victims, witnesses and all those who use the CJS. But when we looked at the available criminal justice data, we found it to be vague and confusing. It was not helpful in determining how well the system is working and where improvement is needed. There is a great deal of data, collected from different sources, but it is measured in different ways with varying degrees of analysis.

Criminal Justice Performance Data Sources

- 6.5.** The Ministry of Justice (MoJ) Criminal Justice Service Delivery Data Dashboard (CJS Dashboard)⁵⁵ provides public access to published national performance data across a range of criminal justice measures, covering the

⁵⁵ [Home - CJS Dashboard \(justice.gov.uk\)](https://justice.gov.uk/cjs-dashboard)

end-to-end CJS. It is a useful tool that provides data and trends at national level.

- 6.6.** There is a delay in reporting (due to extensive quality assurance the data receives before being published) meaning that by the time the information is available for public scrutiny, it is already out-of-date. This affects the potential use of the data to support collaboration at local criminal justice boards (LCJBs). It also limits the ability of others who use data to be properly informed when determining what works or proposing change.
- 6.7.** The data from the CJS Dashboard can be filtered annually and quarterly but it does not align with data from other sources within policing, the CPS and the courts. Criminal justice agencies use different time frames to collect and report their data. This lack of alignment makes it difficult to scrutinise the data.
- 6.8.** To assist in providing public accountability, forces publish performance data on their websites. However, there is very little information available about the timeliness of investigations, the progress of cases through the CJS and case outcomes.
- 6.9.** A CJS Data Improvement Programme⁵⁶ which was started in 2023 has now been in place for about 18 months. Any initiative that increases the timeliness of the provision of data is welcomed. However, to be of most value this data needs to be aligned to national strategic objectives.
- 6.10.** If, as we recommend earlier in the report, the National Criminal Justice Board (NCJB) produces a national criminal justice strategy and action plan, whatever data is collected, measured and produced should align with that plan and strategy.

Joint Operational Improvement Meetings (JOIMs) and data

- 6.11.** Police and CPS performance is discussed at JOIMs. The CPS produce performance data at an area level, and individual police forces must extract and consolidate the data relevant to their force. In total, there are 46 different performance measures available for police and the CPS to scrutinise.
- 6.12.** However, we found that prior to JOIMs the amount of data analysis completed by police and CPS varied. This was often because analytical support was not available for the police and CPS personnel attending JOIMs, many of whom have little experience of analysing data. This leads to JOIM participants

having an incomplete picture of the performance issues and trends. The lack of effective data analysis makes the JOIMs less effective.

- 6.13.** Additionally, Police and CPS data is not aligned. They originate from different IT systems using different time frames. This makes meaningful comparisons difficult and can lead to a focus on reconciling data rather than dealing with joint improvement activities.
- 6.14.** The limitations of the current reporting systems can contribute to miscommunication between police and the CPS.
- 6.15.** Both the police and the CPS recognise the need for clear, consistent and reliable shared data. This will allow them to work together more effectively to build stronger cases, provide better products for the court and defence and provide a better service to victims, witnesses and the public.
- 6.16.** At the time of the fieldwork, the National Police Chiefs' Council (NPCC), in discussion with the CPS, has been working to bring together several key performance areas for use in JOIMs. It has identified 11 police and CPS metrics that it considers to be the most relevant in understanding performance in the CJS. The NPCC criminal justice committee circulate these each month to the heads of criminal justice in each force. The NPCC plan is to introduce benchmarks to help forces determine where to focus their efforts on improving performance.
- 6.17.** After the inspection, we were told that Joint Operational Improvement Board (JOIB) had reached agreement on a set of metrics in February 2025.
- 6.18.** The JOIMs we observed tended to concentrate on the earlier stages of the criminal justice process such as police case file quality and the portion that pass initial CPS quality checks. The meetings we observed discussed CPS performance less often, if at all. They tended to focus on month-by-month changes to performance figures rather than looking at longer term trends. This was confirmed by some senior police interviewees who also felt there was an imbalance, with police performance facing greater scrutiny. This imbalance was a source of tension, but the fact that the available data for JOIMs is somewhat limited and does not contain a great deal of meaningful and timely police data, makes the focus on CPS collected data understandable. This needs to be fixed by introducing a more balanced approach to performance scrutiny. We expect the metrics agreed by the JOIB in February 2025 to address the concerns we observed and heard about relating to the imbalance of the data.

- 6.19.** A complete review of criminal justice performance data collection, presentation, analysis and its uses are necessary to be able to understand and address the underlying issues to improve the end-to-end process. This would provide consistent data for use at a national and local operational level.

Recommendation

By July 2026, the National Criminal Justice Board should commission a joint review (supported by independent expertise) of performance data. This should include:

- the current use of criminal justice system (CJS) performance data
- how CJS performance data is collected, presented, and analysed
- how CJS performance data is used to support effective partnership working between the police and Crown Prosecution Service.

- 6.20.** Performance metrics are not available in one location. The CJS Dashboard is the only source of criminal justice data available to the public for scrutiny⁵⁷. For transparency purposes, the data should be publicly available. This would assist the public to hold agencies within the criminal justice to account, and aid system-wide criminal justice policy discussions that are based on accessible data.

Recommendation

By January 2027, the National Criminal Justice Board (NCJB) should use the outcome of that independent review to define and publish a national set of common metrics to enable effective scrutiny of all relevant aspects of the police's and Crown Prosecution Service's performance in pre- and post-charge cases. The NCJB should also extend this to include other aspects of performance to include matters relating to His Majesty's Courts and Tribunal Service and His Majesty's Probation and Prison Service.

⁵⁶ The Ministry of Justice Criminal Justice Data Delivery Dashboard (CJS Dashboard).

Chapter 7: Police Case Files and Data Protection

Chapter 7: Police Case Files and Data Protection

- 7.1.** The Crown Prosecution Service (CPS) rejection of police files causes frustration and, when incorrect, causes inefficiency. As outlined above, the lack of effective IT systems is a contributory factor in file rejection. This also has a negative impact on working relationships as file rejection rates are used as a key measure of police performance.
- 7.2.** The use of CPS action plans is also a cause of tension, as in some cases the police perceive these as being used by prosecutors to manage their workloads and delay decisions. Again, IT issues compound the misunderstanding and inhibit effective case progression.
- 7.3.** Frustrations in policing at both senior and junior levels are also compounded by the significant time officers need to spend on redacting case material before submitting it to the CPS. The need to redact has significantly increased over the past few years and is, in part, as a result of the need to comply with data protection requirements. This was the thorniest operational issue of the inspection and resolving it will have a beneficial impact on working relations.
- 7.4.** The current requirements for case building are also having a significant impact on police morale and substantially increasing the resources needed to comply with the current obligations.

CPS Triage

- 7.5.** Once the police consider a case file is ready for charging advice it must be transferred digitally to the CPS⁵⁷, which is then responsible for assessing the case and making the charging decision. In most cases, CPS operational delivery team staff carry out a triage of the material to check that the file complies with the National File Standard (NFS). It is an administrative check to ensure that all documents or material required for the case type are present (less is required where there is an anticipated guilty plea). This is not an assessment by lawyers of the case material, but a simple triage conducted by operational delivery staff in the CPS based on what core documents should be included in a case file in line with the minimum requirement of the NFS.

⁵⁷ Annex 1 of DG6 sets out the offences which the police can charge without reference to CPS.

- 7.6.** The rejection or acceptance of cases, and the reason for rejection at this triage stage, forms the data used at Joint Operational Inspection Meetings (JOIMs) on police file quality. The National Police Chiefs' Council (NPCC) considers this to be one of the key performance indicators and has set a benchmark of 80.0% CPS acceptance at first submission. We understand that, because of concerns over data accuracy, this benchmark has been removed after discussion between the Home Office and the NPCC.
- 7.7.** There has been significant investment, both in terms of policing and at CPS level, to improve NFS compliance and triage acceptance levels.
- 7.8.** National triage performance data shows that since 2019 the police have improved their triage acceptance rates. At the time of the inspection, four forces out of 44⁵⁹ had achieved the required 80% benchmark and 16 were achieving between 70% and 79%. Even with this degree of improvement 23 forces are still performing at levels under 70%.
- 7.9.** In our file sample, the CPS accepted just under three-quarters of cases (69.3%) at initial submission. However, there were cases which were incorrectly accepted or wrongly rejected. Our own assessment of police compliance with the NFS showed that less than half (only 40.6%) of cases complied at initial submission. These cases should have been rejected and returned to the police for remedial action. This represents a level of performance far below what the CPS data shows, and that which is reflected in the national triage performance data. Given our findings outlined above regarding the levels of experience of police officers, supervisors and gate-keeping arrangements, this result is not surprising.
- 7.10.** Concerningly, nearly one in ten (8.9%) of the 101 relevant cases (from our sample of 120)⁶⁰ were triaged by CPS three or more times.
- 7.11.** Cases that are resubmitted and wrongly rejected cause unnecessary work and delays. If cases are incorrectly accepted, the learning opportunity for officers and gatekeepers is lost and similarly deficient files are likely to be submitted in the future, which may then be rejected. This inconsistent approach causes frustrations for the police officers and supervisors, who have files accepted then next time rejected. CPS staff need to be more consistent in their assessment of NFS compliance. In our file sample the CPS incorrectly rejected 3% of cases submitted by the police, but of more concern was the 31.7% of cases that were incorrectly accepted.

⁵⁸ Including British Transport Police

⁵⁹ Not all cases in the 120 sample were triaged

Compliance issue

The CPS should ensure that operational triage is accurate, has clear assurance mechanisms to check compliance with NFS requirements and improve the standard of operational triage.

Reasons for triage rejection

- 7.12.** The CPS collates data on the reasons for triage rejection. The data on triage rejection is contained in the CPS charging dashboard. This shows a variance in rejection assessment rates depending on case type under the charging model ⁶¹.
- 7.13.** Understanding why cases are rejected is especially important as there are many reasons for triage failure. Cases can end up going back and forth between the organisations, causing delay, and impacting directly on the victims. This back and forth causes frustration and negatively affects the cultural perceptions and work relationships between the two organisations.
- 7.14.** The CPS get frustrated with the poor quality of police files. The police get frustrated when they believe cases are unfairly rejected. The most used rejection code was 'case material not correctly received'. There are several reasons why this rejection code may be applied, including the police not using the correct naming conventions. When this happens, the police system shows the file was sent, but the CPS system does not recognise it as received. The police need to be better at using the correct naming conventions. There is guidance but many officers who prepare files do not submit them regularly. In the cases that are rejected because of system failures, it is understandable why officers and supervisors may be frustrated.
- 7.15.** To find the wrongly named material the CPS should check a section of the case management system (CMS) called 'other'. CPS operational delivery staff said they found this unnecessarily time-consuming, and some would simply reject the file. We understand this as opening documents on CPS CMS is time consuming and that the burden of renaming incorrectly received documents increases their workloads.
- 7.16.** At the time of writing, the CPS had begun to implement an IT improvement programme. The Future Casework Tools (FCT) programme is intended to simplify the process to rectify case files when the police submit documents that do not

⁶⁰ See Fig. D7 – Annex D. Reasons for triage rejections taken from the CPS Charging Dashboard – by charging model or case type.

comply with the naming convention. The Digital Case File (DCF) (discussed above) is also intended to rectify the issue, although this is still some time off.

- 7.17.** It takes a significant number of resources in the police and CPS to check and review material as cases are sent, rejected and resubmitted. A reduction in the number of rejections would improve efficiency, remove a source of frustration for both parties and improve relationships.

Reasons for triage failure – excluding ‘case material not correctly received’

- 7.18.** When system errors are excluded from the data, the main reasons for triage failure⁶² were missing exhibits and statements, and incomplete disclosure schedules⁶³. Policing needs to better understand these reasons, to review its performance in these areas, and focus efforts on where it is failing to comply with the NFS.
- 7.19.** We found that when the NFS is clear about material the police must supply to the CPS, their compliance with it is better than where they need to decide whether material is relevant for a particular case. During our fieldwork, officers told us that case files were rejected for failing to include material that, in their view, the CPS did not need to make a charging decision.
- 7.20.** The requirements of what should be submitted in the case file in line with the Director’s Guidance on Charging (6th edition) (DG6) were agreed by the Director of Public Prosecutions (DPP) and NPCC. The revision to DG6 also included changes that had resulted from the Attorney General’s review of disclosure and the changes set out in the Criminal Procedure and Investigations Act (CPIA) code of practice 2020. The requirement changed to ‘front-load’ cases in an attempt to improve the overall efficiency of the criminal justice system (CJS). Including disclosure logs and other core documents in casefiles meant that the defence would have access to more of the evidence in the case and result in more early guilty pleas. Pilots prior to the full implementation of DG6 showed some success in increasing the levels of early guilty pleas. However, many officers we spoke with, both at the frontline and also more senior officers, indicated that the burden of developing files to meet the DG6 standard pre-charge was excessive. We agree that the burden

⁶¹ See Fig. D9 – Annex D. This matrix taken from the Charging Dashboard details the admin triage failure reasons of the 12 forces that were part of the inspection programme. The reason ‘case material not correctly received’ has been removed.

⁶² It should be noted that a case file can record more than one error per file.

was substantially increased with the implementation of DG6. Adding to that burden is the issue that in a substantive number of cases (about 20%) the CPS decide that the case should not be proceeded with and no further action be taken. Given that the police have had to build the file to a court-ready standard the fact that on average about 20% of cases are not proceeded with adds to officer frustrations and aggravates an already tense relationship. Although understandable, the requirements set out in DG6 create considerable additional work for both the police and CPS at a time when both are under significant pressure and meeting these requirements is not necessary in every case.

Specific issues identified with DG6

- 7.21.** Investigators often face delays in obtaining medical evidence to confirm a victim's or a suspect's injuries. We saw many examples of medical statements taking weeks and even months to secure. To alleviate this delay, some police forces use external companies to obtain the required material.
- 7.22.** The wording of DG6 and its annexes was initially inconsistent in terms of whether medical evidence should be in a formal statement or if medical notes will suffice for a charging decision. Since the inspection, in January 2024, the guidance relating to medical notes has been clarified.
- 7.23.** Obtaining medical evidence in statement form usually delays file submission to the CPS for a charging decision. It is therefore important that the expectations set out in DG6 and its annexes are clarified and unambiguous.
- 7.24.** During our fieldwork, we also heard differing views about the point at which Victim Personal Statements (VPS) would be required, and specifically whether they would be required before a charging decision could be made. This matter was resolved with the issuing of revised guidance in January 2024. Annex 5 of DG6 states that a VPS will be required at the point of charge "where applicable". It could readily be clarified by amendment to "where there is a victim, a VPS is required unless there is written confirmation on the file that the victim does not wish to make a VPS" or a similar form of words.
- 7.25.** Since we commenced the inspection there has been much work between the current CPS senior team and policing to understand and try to reduce some of the tensions that DG6 has created. The DPP regularly meets Chief Constables and has worked with the NPCC criminal justice lead and the Joint Operational Improvement Board (JOIB) to develop and propose some solutions to issues that cause frustrations. Pilots have, within the bounds of

legislation, been tried in some forces and CPS Areas in an attempt to consider if there were solutions to reducing the burden for policing in those pre-charge cases that result in no further action, which include significant unnecessary work for the police.

Recommendation

By July 2026, the Joint Operational Improvement Board should review the Director's Guidance on Charging (6th edition) (DG6) including the National File Standard (NFS) and issue a new (7th) edition to reduce unnecessary burdens on police and prosecutors. The review should include, as a minimum:

- reconsidering whether 'front-loading' is necessary in all cases
- reconsidering the extent to which rebuttable presumption material must be supplied to the Crown Prosecution Service pre-charge
- clarifying the format in which medical and forensic evidence is required for a charging decision
- in as many respects as is possible, removing ambiguity from the guidance.

CPS action plans

- 7.26.** As we have set out above, there are often misunderstandings, differing expectations and appreciations of each other's role in relation to the police and CPS. Another example of this relates to a core part of the communication between prosecutors and police officers: CPS action plans. When prosecutors review cases submitted that need additional actions or material, or both, they send an action plan to the police officer via the CPS CMS.
- 7.27.** A good action plan should be well-constructed and clearly written. It should contain a clear rationale that the police can understand without the need for further explanation. However, as we discuss later, the prosecutor should be contactable if the police need to discuss any requests.
- 7.28.** In our interviews with CPS prosecutors, we heard different views about the extent they felt they need to explain the action plan they set for the police and why those actions were necessary. Some prosecutors said it was not part of their role to teach the police how to investigate. While we agree an action plan needs to be clear and give the officer enough guidance to progress the case, it cannot be intended to replace police supervision. Prosecutors should be clear in their requests and consider how their response will land in terms of collaborative working to make sure cases can be effectively progressed. Too

often in our file sample we saw CPS action plans that were poor. In our file sample, we assessed case files to see whether the prosecutor(s) had raised all the necessary and proportionate actions in each case. We found that in 70.7% of cases, prosecutors had missed at least one action and in 40.6% of cases they had missed three or more actions.

- 7.29.** In HMCPSP's Area inspection programme, we rated CPS action plans as fully meeting the standard in just over a third of cases.
- 7.30.** After reviewing a pre-charge case file, the prosecutor will either decide to charge (if the case meets the two-stage test in the Code for Crown Prosecutors⁶⁴), advise no further action (NFA), or request more information from the police. Prosecutors will request more information from the police if they consider there is information missing that is necessary for the case, or that further lines of enquiry are warranted before the CPS can make a charging decision. In these instances, they create and send an action plan to the police describing the further lines of enquiry, a list of the tasks required and a deadline for their completion.
- 7.31.** When the police reply, a prosecutor will review the file again and decide whether they have the material and information required to make a charging decision. This may be the same prosecutor that initially reviewed the case but can often be a different prosecutor.
- 7.32.** Requests for information and material will differ pre-charge and post-charge for a variety of reasons. Just as the police will send the CPS additional information and material as the case develops, the CPS will send requests to the police. Not everything can be pre-empted, but tensions arise when the CPS make requests that the police do not fully understand, are seen as unreasonable, or are perceived as duplication.
- 7.33.** Where there is a change of prosecutor, whether at pre-charge or post-charge stage, it is common for prosecutors to interpret the facts and identify outstanding requirements differently, and request items that the previous prosecutor did not consider. This can lead to prosecutors requesting different material or information in the action plans they send to the police.
- 7.34.** While policing needs to respond to the requests, differing opinions between officers and prosecutors about what is relevant and reasonable in the circumstances of a case leads to delays and frustration. It can also lead to

⁶³ The case will meet the two-stage test set out in the Code for Crown Prosecutors if there is sufficient evidence to provide a realistic prospect of conviction and a prosecution is in the public interest.

action plans going back and forth. Most of this frustration would be quickly and easily resolved if the police officer and prosecutor concerned spoke with each other. But this happens too infrequently.

- 7.35.** The mechanisms for sending action plans from the CPS to the police before and at the point that the prosecutor gives their charging advice is dependent on the action plan being in a specific section of the Manual of Guidance Form 3 (MG3) form (which is used by the police to seek advice and by the CPS to provide it).
- 7.36.** In our file examination we found, in more than one in ten cases (13.6%), that prosecutors put the action plan in the wrong part of the MG3. In those cases, given that the action plan is in the wrong place and will not be transferred across the two-way interface (TWIF) properly, the officer would be unaware of the required actions. Cases such as these cause frustration for the prosecutor, who cannot understand why things are not being done, and think the officer is ignoring the request. This is a clear example of those involved (prosecutors) not understanding the implication of their incorrect actions or how the systems they use are seen by their police colleagues. Understandably, police officers become frustrated when things are suddenly chased by prosecutors at the last minute, as they are not aware of the actions that have been requested. This can be made worse when supervisors have been contacted to chase an update and action as the CPS indicates that officers have not been doing their work. Prosecutors we spoke to were unaware of the impact of them not using the relevant section of the MG3 correctly.
- 7.37.** In our file examination, we found several problems:
- in more than one in ten cases (14.0%) at the pre-charge stage, the CPS requested material that the police had already provided
 - in more than a quarter of cases (26.0%), after the pre-charge stage and conclusion of the case, the CPS requested material that the police had already provided
 - in almost a quarter of cases (24.6%), at the pre-charge stage the CPS requested unnecessary or irrelevant documents, evidence or other material.
- 7.38.** All of this leads to police frustrations and a perception that prosecutors may be acting to delay making the charging decision. This perception arises because the 28-day time limit clock for a CPS charging decision stops when an action plan is sent. A new 28-day period starts when the police have dealt with all the points raised and return the action plan.

7.39. Following discussions at JOIMs, some CPS Areas have introduced a requirement that a legal manager must authorise third or subsequent action plans where required. Local JOIMs have focused on the number of action plans raised, rather than identifying any key themes arising that need addressing or conducting joint problem-solving. A recent initiative that seeks to limit the number of action plans to two for most cases may also have an impact. It is also the view of JOIB that greater collaboration and cooperation being achieved through JOIMs and real time conversations will reduce frustrations.

7.40. CPS legal managers should ensure that their prosecutors comply with CPS standards and:

- set clear and proportionate action plans
- do not raise unnecessary actions
- provide sufficient explanation for additional actions or material
- include the prosecutor's contact details
- consistently complete accurate Director's Guidance assessments.

Recommendation

By July 2026, Crown Prosecution Service Area managers should take steps to satisfy themselves that all action plans:

- are produced in accordance with the requirements of Director's Guidance on Charging (6th edition) (DG6)
- have a clearly documented rationale
- only contain requests for necessary and relevant documents, evidence or other material
- do not duplicate previously completed actions.

7.41. In our file examination, more than a third (37.7%) of action plans lacked a rationale for some or all of the tasks set. The tasks set at the same time as the final charging decision were the least likely to be clear and most likely to omit the rationale⁶⁵. Examples included asking for statements from additional witnesses and/or statements exhibiting items of unused material that the lawyer intended to use as evidence, without explaining to the police how the witnesses or material would strengthen the case. Again, this impacts on the

⁶⁴ In our case file review, 50% of action plans sent with the final charging decision were clear. Before the final charging decision 68.4% of action plans were clear and post-charge 67.1% of action plans were clear. Action plans contained rationale in 64.9% of pre-charge action plans, 54% of action plans sent with the final charging decision and in 69.6% of action plans sent post-charge

working relationship as the officer in the case may struggle to understand what is required.

- 7.42.** Conversely, prosecutors expressed frustration about having to request material that the police should have provided in the original case file submission. The fact that many cases are incorrectly accepted during the initial CPS administrative triage increases the number of files that prosecutors see that should have been rejected. As we set out above, this leads to some cases having to be reviewed multiple times. We saw examples of this during our case file review and fieldwork.
- 7.43.** Another issue of frustration which was seen in the files we examined were repeated requests by prosecutors for material before the return deadline set had expired. Being chased for things prior to the deadline is inefficient and unnecessary.
- 7.44.** Many of the issues are compounded by the fact that there are multiple locations where information may be recorded on a case file and shared between the officer and prosecutor. We noted, for example, that in our file sample the prosecutor would sometimes ask the police for victim and witness information that was already included on a standard Manual of Guidance 11 form. This highlights the fact that inexperience and lack of knowledge from prosecutors can add to frustrations and irritation when information already provided is requested again.
- 7.45.** The problem is aggravated by the fact that if documents received as not correctly labelled when transmitted by the police (which we refer to above) they can create multiple entries just labelled 'MG6'. Unless the prosecutor opens each one, they will not know if it is a duplicate or contains fresh information. All these limitations underscore the need for greatly improved IT systems and why the document naming conventions that the police should use are essential.

Police responses to action plans

- 7.46.** In our file sample we found that the police replied to only 76.8% - little more than three quarters - of action plans raised by the CPS. The standard of police responses to action plans was better before charge, and the police were less likely to respond to action plans the CPS raised in post-charge

cases⁶⁶. As set out elsewhere, DG6 requires ‘front-loading’ of cases to reduce delay in response to action plans.

- 7.47.** Compared with responses at or after charge, we found the police responses before charge were clear and they addressed all actions. The justifiable perception of the CPS is that police lose interest in a case after the CPS have provided charging advice. This is perceived as a long-standing issue, which the changes introduced by DG6 including front-loading of cases pre-charge is intended to address, as well as ensuring cases progress effectively at the first substantive hearing.
- 7.48.** The police rarely challenged prosecutors when the action plans set unrealistic dates for completion. There were instances in our file sample where the case building would have been assisted by the police seeking clarification of the prosecutor’s requests in an action plan, but they often did not do so. In one case we examined, the prosecutor set an action plan when authorising charge. They then sent a further action plan the following day with unrealistic timescales for the police to obtain third party material. It would have been beneficial if the officer had called the prosecutor to discuss this further.
- 7.49.** Prosecutors can trigger a “chaser task” on CMS when they set an action plan, which then means that CPS operational personnel will check whether the police have replied to the action plans and dealt with all tasks.
- 7.50.** In our file sample, the prosecutor initiated the “chaser task” in a third of cases (33.3%) when setting actions before the final charging advice. The chaser task was used less often when delivering the final charging advice (in 23.9% of cases) but more often after charge (in 57.6% of cases).
- 7.51.** In cases in our file sample where we saw that the police did not respond to action plans, the CPS did not use established escalation processes as often as it should have. Where escalation was warranted, the CPS used it in only a quarter of cases before the final charging decision, in 19.6% of cases at charge, and in 22.9% of cases after charge. In other cases, prosecutors would just send another action plan or sometimes bypass the agreed escalation process and go directly to a senior police officer.
- 7.52.** The reluctance by prosecutors to escalate outstanding action plan tasks was not evident in all the Areas. In one Area, at the end of each month the CPS

⁶⁵ In our case file review, we found that the police responded to all action plans before the final charge in 91.1% of cases and in 8.9% of cases responded to some but not all action plans. There were no cases where the police did not respond at all.

provided each force in its Area with a breakdown of escalations made at each stage of the casework process and the originating CPS unit. The data was discussed at the strategic JOIM with the aim of reducing escalation volumes. However, in that Area, some prosecutors thought that escalation was having less impact because it was used so often. Undertaking this level of activity is also time consuming and should be unnecessary if the proper processes are being adhered to and complied with.

- 7.53.** The inconsistent approach to escalation risks undermining the process.
- 7.54.** Disappointingly, we found that the police did not always act on first and second escalations. We found that some police officers and their supervisors misunderstood the escalation process and perceived it as a sign of poor police performance. Outstanding material and information negatively impact the ability of the prosecution to comply with court orders and effectively progress cases.
- 7.55.** CPS Areas and forces should ensure that action plan escalation processes are used correctly.
- 7.56.** CPS managers should include checks on the correct use of escalation processes as part their overall individual quality assessments of charging decisions.

CPS Timeliness of charging decisions

- 7.57.** The overall time taken by the CPS to authorise a charge (or decide on no further action) from receipt of a case file has increased.
- 7.58.** Under the new charging model, the CPS should provide charging advice within 28 days for cases where a suspect is released under investigation or on police bail, and within three hours of submission where the police are seeking a remand into custody.
- 7.59.** The percentage of CPS decisions completed within the CPS target date of 28 days⁶⁷ shows a reduction in performance from nearly 82% in 2019 to 76% in 2023. This is similar to our file examination, which found that the CPS delivered charging advice within the relevant target timescale in 76.7% of cases.

⁶⁶ See Fig. D19 – Annex D. This matrix, taken from the JOIM Dashboard, includes national data comparing 2019 with 2023 on the percentage of cases dealt with by CPS within the 28-day SLA. It references the 12 forces that were subject of the inspection. It also includes the highest performing force nationally which is referenced in green and lowest in red.

- 7.60.** In 2019, the average time taken to make a charging decision was 29.1 days, which increased to 46 days in September 2024.
- 7.61.** In addition to a fall in timeliness in the charging process, the average time taken to complete cases in the magistrates' court from the decision to charge has increased from 93 days in 2019 to 158.9 in 2023. In the Crown Court the increase is from 237 days to 428.2⁶⁸. The increase in court backlogs, the impact of the pandemic and the Bar strike are all factors impacting on timeliness and are outside the control of the prosecution team, but the timeliness of reporting to submission for a charge has also increased substantially. This aspect is under the control of the prosecution team. The decrease in charging timeliness is leading to dissatisfaction among senior police officers, who question the benefit of front-loading case building.
- 7.62.** Police officers must submit cases in good time before the expiry of the period during which they can hold a suspect in custody before charge. Police officers we spoke to reported waiting up to several hours for CPS Direct (CPSD) to provide a charging decision, without any information about progress or likely timescales for receipt of the advice. The timescale for advice on these cases is within three hours of submission. In some cases, the fact that advice is not received in a timely manner has led to the police having to make emergency charging decisions⁶⁹. One force had developed a local procedure whereby a police gatekeeper contacted CPSD if they had not provided a charging decision within two hours.
- 7.63.** Nationally, the NPCC raised concerns with CPSD about the lack of communication on cases submitted for a threshold charging decision. This lack of communication meant that police officers (and in some cases their supervisors) had to stay on duty in case they needed to resubmit any material or answer any queries. As a result of the concerns raised by the NPCC, CPSD requires that operational delivery staff contact the relevant officer to confirm that a file has been received and accepted at the triage stage and that it will be allocated to a prosecutor. Prosecutors should contact the officer to discuss the case before they set an action plan. The NPCC confirmed that communication is now taking place more often and has the potential to improve working relationships and reduce tensions.

⁶⁷ Source: CPS Charging Dashboard

⁶⁸ DG6 Paragraph 4.35 The terms of DG6 limits the occasions when the police can use emergency charging provisions.

- 7.64.** CPSD prosecutors told us that in their experience, police officers often submit files close to the end of the custody time limit. This means the CPSD unit must prioritise those cases above submissions that other officers may have submitted well in advance of the expiry time. This causes understandable frustration for the officers who have submitted a file in good time and the prosecutors who face a time pressure to make decisions.
- 7.65.** We also found examples of inappropriate referrals to CPSD, which take up time, even if only to 'reject' them. One example was the submission of a case file for a charging in respect of a defendant in a targeted police operation. This police operation should have been discussed between the police and the local CPS Area. We were also told that the police were sending case files to CPSD which should have been submitted to their local CPS Area for early investigative advice.
- 7.66.** Police decision-makers must ensure that only cases which meet the CPSD criteria are referred for a charging decision.

Director's Guidance Assessment (DGA)

- 7.67.** The DGA provides an important measure of the evidential quality of police case files. However, the assessment process is another cause of frustration for the police. Disputes over the accuracy of DGA completed by CPS prosecutors adds to tension between police and the CPS.
- 7.68.** When prosecutors make a charging decision in not guilty anticipated plea cases, they should use the DGA to assess whether the case file is compliant with DG6. This includes whether the case file meets the NFS⁷⁰. The CPS collate data on DGA and report the extent to which police case files comply with DG6 at force, CPS Area and national level. Collecting data in this way creates opportunities for the prosecution team to identify themes and aspects of the case file building process that require improvement, for example through discussion at JOIMs. The DGA data complements the data that is also produced by the CPS at administrative triage. It is not surprising, therefore, that there is a perception that data used at JOIMs is not balanced, given there are two sets of data which are about police non-compliance rates.
- 7.69.** CPS managers told us that they had worked hard to encourage prosecutors to complete the DGA in all relevant cases. Guidance about when and how to complete the DGA is also available to prosecutors on the CPS intranet. However, we found that prosecutors are not completing the assessment in all

⁶⁹ See Annex C for details of how DGA operates in the end-to-end process.

relevant cases. When we examined CPS charging data on the completion of DGA assessments on eligible pre-charge cases at individual force level⁷¹, we found that there were large differences. The extent to which CPS prosecutors had completed DGA varied between 52.1% and 89.5% of eligible cases. While we were on-site the overall national DGA completion rate was 74.7%, while in January 2025 it was 81.9%. We found virtually the same DGA completion rate in our file examination at 74.2%. While the DGA completion rate is high, there is still room for improvement by prosecutors in the proportion of assessments completed.

- 7.70.** Due to limitations in the way the CPS can collect the DGA data they are unable to count all the DGAs that take place. Instead, the DGA data provided is a proxy measure based on sampling⁷². The NPCC is aware that the police DGA performance reported by the CPS is incomplete and takes this into account when considering the data and reporting on police performance it to its stakeholders.
- 7.71.** The CPS shares the results of DGAs completed by prosecutors with the police. This provides forces with an opportunity to review prosecutors' decisions, consider their feedback and identify any areas for improvement. The police can also decide whether to challenge any case where the prosecutor has assessed the file as non-compliant with DG6 if they disagree. We found that some forces are more proactive than others in reviewing and challenging DGAs. When forces did challenge the assessments, the CPS accepted a significant proportion of them. However, when police challenges are successful, the original assessment is not changed on the DGA dashboard. This undermines police confidence in the DGA data and results in an inaccurate picture of overall police compliance with the NFS.
- 7.72.** Data from December 2023⁷³ shows that the number of each force's successful challenge to disputed DGA assessments ranged from 0% to 100%. The national average for DGA reconciliation was 66.7% of the cases challenged by the police⁷⁴. This indicates that in two-thirds of cases challenged by the police,

⁷⁰ See Fig. D10 – Annex D. This matrix taken from the Charging Dashboard provides national data in the first columns on % assessed. This details the percentage number of cases assessed by a lawyer – this is a proxy number. It also details the percentage DGA compliance rate of policing. The matrix includes 12 forces that were subject of the inspection. It also includes the highest performing force nationally which is referenced in green and lowest in red.

⁷¹ A proxy measure is an indirect method of measuring an outcome when it is difficult to gather data.
⁷² See Fig. D11 – Annex D. This matrix taken from the Charging Dashboard provides the December 2023 DGA figures and ranking for the 12 forces subject to the inspection.

⁷³ See Fig. D12 – Annex D. These charts are taken from the Charging Dashboard and provide detail on the DGA assessment and reconciliation process.

prosecutors made errors when assessing NFS compliance. We were told that this has a detrimental impact on working relationships.

7.73. Accurate completion of the DGA is vital to make sure the CPS and police understand where the focus should be in relation to improving case building and file quality.

7.74. Prosecutors must accurately complete DGA in each applicable case.

The redaction issue

7.75. As set out in chapter two, the Attorney General's Guidance on Disclosure (AGGD) requires police to redact the case file material before they can submit it to the CPS. There is also a NPCC-CPS Joint Principles for Redaction agreement for pre-charge cases. This greatly increased the work police must do pre-charge. This inspection highlighted that there is a difference of opinion between the police and the CPS as to what the police need to do before charge to satisfy the data protection regulations in respect of the material which needs to be submitted in support of a charging decision. As we said earlier, it is the thorniest of issues, causes significant frustration and has a profoundly adverse impact on working relationships.

7.76. When building case files, officers spend a significant amount of time redacting documents before submitting them to the CPS. They question the necessity for this. This is understandable when about 20% of the cases they submit result in no further action. In these cases, the material goes no further than the prosecutor.

7.77. The conflict between the CPS and the police about redaction of case file material arises from the terms of the DG6 and the AGGD. This dispute needs to be resolved urgently and decisively.

7.78. We set out below an outline of the relevant legislation and guidance.

Legislation and guidance

Data Protection Act 2018

7.79. The Data Protection Act 2018 (DPA) places obligations on the police and CPS regarding personal data such as addresses, dates of birth, political

beliefs, gender or sexual orientation. The EU directive⁷⁵, which the DPA follows, is specifically intended to facilitate the free flow of personal data between competent authorities for law enforcement purposes, subject to robust safeguards.

7.80. Generally, the DPA is designed to protect personal data by restricting access to it. But DPA Part 3 provides that it will be lawful and fair for the police and/or the CPS to share personal and sensitive personal data, if they share it to:

- establish an element of an offence
- explain the context of the offence or offending behaviour
- enable a case to be presented in a way which gives the court sufficient sentencing powers
- comply with the CPIA or other statutory or common law disclosure obligations.

Criminal Procedure and Investigations Act 1996

7.81. The Criminal Procedure and Investigations Act 1996 (CPIA) sets out the standards and procedures for investigators and regulates the recording, retention and revelation of material obtained during a criminal investigation which may be relevant⁷⁶. Aligned to the Act are Codes of Practice which set out in detail the roles and responsibilities of the police and the CPS.

Attorney General's Guidelines on Disclosure (AGGD)

7.82. In July 2017, HMICFRS and HMCPSP published the Making it Fair report⁷⁷. This report was highly critical of how the disclosure of unused material was handled in volume Crown Court cases.

7.83. The report highlighted extensive issues in how the police recorded unused non-sensitive disclosure material, with 22% of schedules found to be inadequate. Often officers just compiled lists without explaining their contents to assist the prosecutor. Prosecutors were not requesting a description of the items, which

⁷⁴ 1] Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data.

⁷⁵ [Criminal Procedure and Investigations Act 1996 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1996/25/contents)

⁷⁶ [Making it fair - a joint inspection of the disclosure of unused material in volume Crown Court cases - His Majesty's Inspectorate of Constabulary and Fire & Rescue Services](#)

prevented them from making any meaningful review. The lack of proper case supervision by the police was a significant cause of concern.

- 7.84.** Partly as a result of the recommendations in the of Making it Fair report, at the end of December 2020, several practical documents came into force; the DG6, the revised AGGD and the revised Code of Practice to the CPIA.
- 7.85.** In addition to the DPA, Annex D of the AGGD sets out the decision-making process that investigators should follow in relation to redaction⁷⁸. They must first review the material and decide whether it is relevant for a charging decision. If it is not going to form part of the evidence in the case, or if it is not going to undermine the prosecution case or assist the defence it should not be sent to the CPS. The practical problem is that a document may contain a mix of material, some of which is needed for evidential purposes and some which is not.
- 7.86.** This is a balancing exercise that needs to be considered on a case-by-case basis. For example, a date of birth may be evidentially significant in one type of case (such as a case involving an allegation of an offence that can only be committed against a child) but not another case.
- 7.87.** AGGD sets out the limited exceptions when the police can share unredacted material with the CPS. These are where the defendant is in custody and an immediate charging decision is necessary, or where due to the volume of material it would be disproportionate to redact it all pre-charge. We also found that a different approach was taken by the CPS in some rape and serious sexual assault (RASSO) cases. These files were not always subject to the same strict redaction measures as volume crime cases, and some were redacted post-charge. The relevant legislation makes no distinction between RASSO cases and others. The change means that many more cases need to be redacted before they are sent to the CPS than previously, due to the change in guidance.
- 7.88.** The AGGD also introduced a category of unused material for which there is a rebuttable presumption that it will be disclosed. This is regardless of whether it meets the test for disclosure under the CPIA. Material includes incident logs and crime reports. These can be lengthy documents, which will inevitably contain personal information. This information must be redacted by the police before it is submitted to the CPS for pre-charge advice.
- 7.89.** Additionally, officers must complete schedules of unused material when building a case file. In all Crown Court cases or any case with large amounts

⁷⁷ See Attorney General's Guidance on Disclosure, Annex D

of digital material⁷⁹, they must also complete an investigation management document. These changes have increased the time it takes officers to make pre-charge case files compliant with the NFS.

7.90. Before the introduction of DG6 and the AGGD, the police redacted documents, for example, dates of births or addresses they had recorded in police pocket notebooks or written on witness statements. Prosecutors would also sometimes redact this type of case file material prior to its disclosure to the defence when the police failed to do so to aid case progression. However, as we have stated, the AGGD introduced the rebuttable presumption that core unused material documents (such as command and control logs and crime reports) should be included in the case file submission to the CPS for a charging decision. The intention behind the AGGD was to enable prosecutors to properly assess the case material, both evidence and unused material, for a charging decision and, where the decision was made to charge, to fulfil their duties of disclosure to the defence.

7.91. This means that to comply with the ‘front-loading’ set out in AGGD and reaffirmed by DG6, before the case is sent to CPS the police must assess what can be an extensive amount of unused material to determine whether it is relevant (and where it is to be redacted). What was once a less onerous task has become much more time-consuming for the police and much more resource intensive for frontline officers dealing with cases that will require prosecutions.

Wasted time in the redaction process causes police inefficiency

7.92. In 2024, the Home Office commissioned an independent review of police productivity. This resulted in recommendations to improve efficiency and effectiveness in policing⁸⁰. The review estimated that investigators are spending 770,000 hours each year redacting unused text material. The review also found that police forces are spending 210,000 hours each year redacting material for the estimated 38,274 files that do not result in any charge.

7.93. The NPCC estimates the national cost of redaction is approximately £5,642,900 per annum and that since the introduction of the AGGD, 365,000 policing hours have been spent on redacting material in about 20% of cases where no charges are subsequently authorised by CPS – cases where the decision is taken to take no further action.

⁷⁸ [Policing Productivity Review - GOV.UK](#)

- 7.94.** During national interviews, we asked the CPS about the findings of the police productivity review. They expressed reservations about the estimates and said the calculations did not appear to disaggregate the time taken to review the material and the time taken to redact material that was then deemed relevant but did not pass the necessity test. However, there was agreement that the burden had increased and that there was acceptance that in those cases where no further action was authorised, it was wasteful.
- 7.95.** The Home office productivity review recommended the Government introduce an exemption to the Data Protection Act 2018 to make information sharing easier at the pre-charge stage and encourage closer working between the police and CPS. The Home Office and the NPCC sought the view of the Information Commissioner⁸¹ on the findings and whether there was a need for primary legislation to implement their recommendation.
- 7.96.** The view of the Information Commissioner's Office (ICO) is that material shared with the CPS that has already been deemed relevant under CPIA (and was obtained by the police in compliance with data protection law) does not require further redaction for the purpose of the police seeking a charging decision. The reasons for this are:
- the risk of harm to the data subjects will be very low in this context
 - if the material has been obtained lawfully, and minimised and prepared compliant with CPIA requirements, this is likely to meet the data protection third principle requirements for data minimisation, accuracy and relevance, and to be fair and lawful under the first data protection principle
 - redaction only becomes necessary when sharing the information with the court and the defence is being considered.
- 7.97.** The ICO's view was that a statutory exemption is not necessary because the AGGD did not accurately set out the requirement to redact material. This was because it was a transfer of information between law enforcement agencies, which was exempt from the data protection regulations at that point in the processes.

⁷⁹ The Information Commissioner is the United Kingdom's independent regulator for data protection and information rights.

- 7.98.** The police and the Home Office question the efficiency of a charging process that requires the police to provide a ‘trial ready’ file in every case. Particularly when between 14.6% and 35% of case files submitted to the CPS for a charging decision result in a direction of no further action (NFA)⁸².
- 7.99.** In an effort to reduce the redaction burden, the NPCC and CPS set up a pathfinder project based on the ICO’s interpretation of the DPA. The project aimed to test a process whereby police send unredacted pre-charge case files for charging decisions. The police would redact only the material that needed to be disclosed to the defence after a CPS decision to charge. However, the project team found that process was not viable because of technical constraints in both police and CPS IT systems. The issues were that the process created additional work elsewhere in the police and CPS and added to risks of data breaches or loss of material.
- 7.100.** Since NPCC and CPS ended the pathfinder project, the Home Office have been developing proposals to explore the technical challenges. This includes reviewing the rebuttable presumption material that AGGD and DG6 requires police to submit to the CPS for a charging decision. The NPCC says that their data analysis has found that rebuttable presumption material can account for up to 65% of the unused material supplied to the CPS. AGGD requires that police must redact all rebuttable presumption material before sharing it with the CPS. But the NPCC’s analysis also found that the CPS deem between 60-80% of rebuttable presumption material is not disclosable. The Home Office are also considering whether redaction can take place at different points in the charging process.
- 7.101.** It is clear that the current AGGD and DG6 pre-charge redaction requirement result in a substantial amount of police time being spent on redaction of material that is never disclosed to the defence or courts and, in many cases, results in no further action. As well as being a major source of tension at the frontline for policing, the consequences of the implementation and changes brought about with the ‘front-loading’ of cases needs to be reviewed given the constraints on public resources.

IT solutions

- 7.102.** There were differing levels of confidence in the police and CPS when we asked about how to redact material in interviews. Some police staff,

⁸⁰ Annex D Fig D44 . Taken from CPS Charging dashboard for 12 months to December 2023 – data reflects CPS Areas with lowest and highest NFA rates.

prosecutors and CPS operational delivery staff were confident about redacting material. However, others were concerned about their levels of understanding and said they took an overcautious approach. They were worried about revealing sensitive information and then facing disciplinary action in the event of security breaches.

- 7.103.** Using technology to redact material automatically is one way to improve efficiency. At the time of the inspection, some forces had introduced artificial intelligence (AI) technology to assist with this work.
- 7.104.** In 2024, the national police procurement framework made four automated redaction tools available, should forces wish to acquire this technology. While this tool can save a police officer's time, it should not remove the need for the investigator to review the material in the first instance.
- 7.105.** Given our comments in chapter four about disparate IT systems, it would be helpful if there were consistent principles applied to all redaction tools and that they are used in the same way across all forces. Given the issues of IT procurement and also the independence of policing to decide what systems to develop and use, our inspection highlights that in the forces visited there is no consistency in which systems may be procured to help with redaction. There is evidence that, in some forces, using automated tools have resulted in significant savings in officer time. It is of course a matter for Chief Constables on what systems they procure, but using best practice at NPCC level and working through JOIB to approve a number of systems that are known to be effective (and that are compatible with the CPS case management system) would be helpful.

Recommendation
By January 2026 the National Police Chiefs' Council to undertake a review of redaction systems and to determine which systems are the most effective, including their compatibility with the Crown Prosecution Service's case management system and communicate this across all forces.

- 7.106.** At the time of our inspection, in some Areas, the CPS has implemented a redaction tool called Casework App. This has made it easier for prosecutors to redact material. Casework App is not designed to automate redaction at scale. Its design helps prosecutors undertake occasional redaction in a more efficient manner.

7.107. We encourage the police and CPS to work together to maximise the use of redaction tools. This will reduce the time it takes to prepare and disclose case file material. It is important that the tools are rigorously assessed for accuracy and that in the long term a consistent approach is agreed across all forces and the CPS.

The way forward

7.108. The redaction issue must be addressed. DG6 was implemented mainly due to failings in disclosure that led to potentially unsafe convictions, and to reduce the proportion of cases discontinued by the CPS post-charge as a result of undermining unused material provided after charge.

7.109. The difficulty of resolving this issue is compounded, as we heard that many chief police officers disagree with the ‘front-loading’ and redaction provisions introduced in DG6 and AGGD. There is no easy answer, but it must reduce the burden on police and CPS prosecutors while preserving the safeguards introduced by DG6.

7.110. The fact that there are such differing interpretations of the current legislation about whether it allows for unredacted material, containing sensitive material that is not relevant to proving a criminal case, to be shared between the police and CPS is a significant barrier to resolving this issue. In our view, there must be a resolution, by legislation if necessary, to clarify this point.

7.111. In our opinion, the most effective and efficient approach would be for all relevant material, both evidential and unused, to be sent by the police to the CPS unredacted at the point of charge in all cases where ‘front-loading’ is required under DG6 or a potential future 7th edition.

7.112. Redaction should then only be carried out for evidential material and any unused material that meets the test for disclosure to the defence and courts. Anything that is not served on the other parties should not be redacted. This will significantly reduce the volume of material requiring redaction. The issue then remains about who would redact the material. The CPS are not resourced to undertake the responsibilities that currently fall to the police. The fact that current IT systems do not allow for the transfer of material in cases to be sent back to be redacted adds further complication. The simple solution may appear that given that the CPS would have received material unredacted that it would be more efficient for the CPS to redact the material they intend to serve (either as part of the case or as unused material) rather than to send it

back to the police for them to redact and re-send. However, if that responsibility is simply moved from the police to the CPS without adequate resourcing, it will simply cause the whole system to break down as the CPS do not have resources to be able to do this. Any such move would add to the delays and frustrations within the CJS, affecting the experience of victims, witnesses and the public.

- 7.113.** The JOIB has been working on this issue for the past 18 months, launching pilot programmes to try to identify possible solutions and understand the problems. We heard in interviews of the improved relationships at a senior level and the fact there is a commitment to a joint approach to resolving the issue. A senior steering group that co-ordinated early pathfinder work has been reinstated to establish the most efficient and feasible redaction process and what would be required to find possible working solutions. There is a recognition that for this matter to be fully resolved, it is likely to require legislative change, and much more effective and consistent IT strategies and systems that will take time to develop.
- 7.114.** It is our view that without this matter being resolved urgently, the 'noise', frustration and relationships at operational level will not improve. Urgent action is needed to resolve this, engaging the National Criminal Justice Board (NCJB) to assist with any legislative changes required and to ensure that any changes are properly considered for resourcing. The organisation responsible for redaction must be resourced adequately to complete the work required.
- 7.115.** The intended consequence of these actions is to secure increased efficiency in the CJS by discontinuing the practice of pre-charge redaction of applicable case files.

Recommendation

By July 2026, building on the work already started, the Joint Operational Improvement Board should take action to:

- work with the Home Office to, if necessary, draft proposals for amendments to the Data Protection Act 2018 and placing these before Parliament for its consideration
- work with the Attorney General's Office to consider how Attorney General's Guidance on Disclosure may be amended to reduce the burden of redaction in cases
- set out a list of approved police IT systems so that they become capable of handling unredacted and redacted material without the risk of unlawful disclosure
- consider how making greater use of artificial intelligence to automate elements of the redaction process may reduce the burden.

Chapter 8: Casework Communication

Chapter 8: Casework Communication

- 8.1.** For three years between 2007 and 2010, when prosecutors were co-located with the police, it was more likely that police officers would be able to access face-to-face advice from Crown Prosecution Service (CPS) prosecutors. Due to several factors, but predominantly a period of austerity, this approach was phased out from 2010, and the methods of communication changed. Casework communication since 2010 between the police and CPS has been predominantly through digital systems, written advice, case action plans and more latterly since the pandemic, digital methods such as video conferencing.
- 8.2.** At a strategic level, CPS leaders had concerns that the role of CPS prosecutors was adversely affected by co-location. In some instances, close working relationships blurred the distinction between prosecution and policing roles, with some prosecutors taking on a *de facto* police supervisor or investigating officer role. The CPS thought with some justification they were plugging gaps that the police should have been filling. HMCPSI inspections also identified that co-location was a risk confirming the views of CPS senior leaders.
- 8.3.** In some cases, to quickly resolve issues, police and prosecutors need to call each other. In many volume crime cases this should not be necessary. The Director's Guidance on Charging (6th edition) (DG6) asserts that digital communication⁸¹ should be the primary means of contact between the police and the CPS. During our inspection some officers told us about the difficulties they had when trying to make direct contact with prosecutors. Most officers who had tried to contact prosecutors directly said that they had a negative experience. They felt discouraged from contacting prosecutors because of their perceptions that prosecutors did not want to speak to police officers, this is also compounded by the difficulty they have in obtaining direct contact details.
- 8.4.** Almost all the officers we interviewed told us that when they wanted to contact the CPS, they often did not have any contact details for prosecutors. In our case file review, we found that prosecutors in most cases did not provide contact details. Concerningly, in nearly four out of five cases (77.35%), prosecutors did not include their contact details on pre-charge action plans requesting further information from the police. CPS managers told us that prosecutors are expected to provide their contact details, and it should be happening, but our findings are this it is not. We found that there

⁸¹ For example, the MG3, MG6 and MG20

was limited quality assurance of action plans, including whether prosecutors included their contact details.

- 8.5.** The explanation given by many prosecutors for the preference for digital communication is because of the need for an audit trail for all communications. The need for an audit trail does not equate to prosecutors not providing their details or not having direct communication with police officers when necessary. The CPS case management system has the functionality to enable notes to be made of telephone calls on cases, which provides the required audit trail. Modern video conferencing technology readily enables calls to be recorded and transcribed. Prosecutors must act in accordance with guidance. In addition, during our fieldwork, some prosecutors said that they did not provide contact details because they carried very high workloads and, when concentrating on individual cases, did not want to be distracted by calls about other cases.
- 8.6.** We found that less-experienced police investigating officers and supervisors were especially reluctant to contact the CPS. During our fieldwork we often heard that officers thought justifiably that CPS prosecutors discouraged direct contact and avoided providing their details. More experienced investigators and supervisors, who had built up a rapport with prosecutors over time and felt that they could ring and speak to them when needed. In contrast, officers with less experience may lack the knowledge and confidence to contact the CPS. Particularly when there have been no prior relationship-building opportunities.

Recommendation

By October 2025, Crown Prosecution Service Area managers should take steps to ensure that prosecutors provide their contact details on all Manual of Guidance Form 3 (MG3s) and Manual of Guidance Form 3A (MG3As) to facilitate communication where required.

- 8.7.** We found that some police criminal justice units and CPS operational delivery units had set up video conferencing channels as a means of communication. The channels were used to notify the CPS to expect priority charging files and to resolve any minor case file transfer issues. Police and CPS personnel told us this process worked well and helped make file transfers work more efficiently. It helps avoid rejection at the triage stage if a file has not transferred or if material was missing from a case file, as this could be rectified quickly. This allowed prosecutors to start considering case file

evidence without delay and is a good example of effective communication and partnership working. All police forces and CPS Areas should consider making greater use of video conferencing channels in cases that require face to face conversations between police and prosecutors.

Recommendation
By October 2025, the Director of Public Prosecutions considers amending the current Director's Guidance on Charging (6th edition) (DG6) – which states that 'digital communication is [the] preferred' means of communication.

- 8.8. Used effectively, this should result in better quality investigations and case files, and more efficient charging decisions.
- 8.9. In March 2025 a joint Microsoft Teams channel, framework and guidance was launched. The CPS and National Police Chiefs' Council (NPCC) has also agreed a national model and guidance for real-time case conversations that can be initiated either by CPS or police at any point during the case.

The provision of early advice

- 8.10. Early communication between the investigator and the prosecutor can help build stronger cases, identify reasonable lines of enquiry and, importantly, strengthen the teamworking culture. To be fully effective, this process needs to be managed by both the police and the CPS to ensure that it is only used in appropriate cases and that a proper decision-making audit trail is maintained.
- 8.11. Section seven of DG6 sets out clearly the process by which the police can seek early advice prior to a formal referral for a charging decision. The guidance actively encourages the police to request early advice in the most serious cases. This is the case in many serious cases and more recently in rape cases. We know the process generally works well in these types of cases. In these serious cases the guidance also sets out what material should be submitted digitally, but at this stage there is no prescriptive file standard. Although the material must be submitted digitally, the advice can be given at a face-to-face meeting, via video link or over the telephone.
- 8.12. In volume cases, including those in this inspection, seeking early advice would be unusual, but we think that there would be some cases where access to early advice would add value, such as those where there may be evidential complications. Officers we spoke to had limited understanding of early advice which, given the types of cases they dealt with, was understandable. Many

officers we spoke to thought it was easier to submit a pre-charge case file and simply await action plans rather than seek advice.

- 8.13.** All these factors result in those officers dealing with volume crime having little or no access to seeking advice. Not being able to access advice can contribute to delay and inefficient charging processes. Rather than working as one prosecution team, we detected a culture of 'them and us' which has a negative impact on collaborative working.
- 8.14.** A balance needs to be struck. Replicating the system of early advice operating in rape and serious sexual offences (RASSO) investigations is not necessary, or possible, given the resources that would be needed for all volume crime cases. However, there needs to be a better mechanism by which the police can have access to prosecutors to discuss cases where it is required. To make sure this worked effectively, police supervisors would still need to authorise requests.
- 8.15.** At the time of our inspection there were several pilot schemes for early advice surgeries, where prosecutors were available to have informal case discussions with officers, but we were told take up was low. Senior police and CPS managers need to encourage use where it would add value to cases.
- 8.16.** When operated effectively, early advice surgeries can improve communication, break down cultural barriers, and lead to better quality and more timely investigations and case files.
- 8.17.** To improve the culture, communication and partnerships between the police and CPS, the police must take full responsibility for the quality of investigations and preparing case files to the National File Standard (NFS). The CPS must make themselves more accessible to police officers to discuss cases where required. Improved collaborative working and communication will improve the effective progression of cases through the criminal justice system (CJS), reduce delay and improve victim and witness experience.

Recommendation

By October 2026, the Joint Operational Improvement Board should conduct an evaluation of early advice surgeries to assess their impact on culture and communication between police and Crown Prosecution Service, and whether they added value to the effectiveness of the charging process. If found to be successful, expand their use nationwide.

Annex A

Inspection Framework

Inspection Question

How can police forces and Crown Prosecution Service (CPS) Areas improve culture, communications, and partnership work on case building in either-way and indictable-only casework to deliver stronger cases, a better product for the court and defence, and a better service to victims, witnesses, and the public?

Inspection Criteria

1. Does each agency deliver the most effective and proportionate service to each other in the charging process for either-way and indictable-only cases?
 - a) Do police forces comply with the Director's Guidance on Charging (6th edition) (DG6) and the National File Standard (NFS) for the type of case they submit for a charging advice?
 - b) Are there systems in place within the police to ensure there is effective investigation, supervision and gatekeeping or other quality assurance of case files before they are submitted for charging advice?
 - c) Are CPS Areas' triages of police file submissions effective?
 - d) Do CPS Areas use feedback mechanisms effectively to report any lack of compliance with DG6 and NFS?
 - e) Are CPS Area action plans being used appropriately to build stronger cases? Are actions relevant, clearly expressed and proportionate, and are target dates realistic?
 - f) Are police forces addressing actions set in action plans effectively?
 - g) Have the interests of victims, witnesses and the public been addressed in the charging process?
 - h) Timeliness in the charging process: are there delays in the charging process in either or both agencies impacting on effective case building (e.g., evidence becoming unavailable, the expiry of summary time limits)?
 - i) Is there good communication between the parties to facilitate strong case building?
 - j) Is there effective partnership working on an operational level to build strong cases?
2. Are either-way and indictable-only cases prepared effectively for the first court hearing by the police and CPS Areas?
 - a) Are accurate assessments being made by police forces and by CPS Areas of whether a case is anticipated to be a guilty plea or not guilty plea?

- b) Do police forces submit the file after charge in compliance with the timescales set for cases?
- c) How effective are police forces at supplying material requested in an action plan set when charge is authorised?
- d) Do CPS Areas review cases in good time?
- e) Do CPS Areas identify any remedial work needed or any omissions from any action plan set when charge is authorised, and do they task police forces to carry out additional work or rectify deficiencies in good time for the first hearing?
- f) Are there effective processes and clear communication between the police and CPS to address key issues to ensure progress can be made at first hearing?
- g) Are there agreed escalation processes and are they used effectively?
- h) Are the requirements and processes for redaction clearly understood and implemented effectively?
- i) Does the file bundle prepared for the defence for the first hearing include accurate information about the prosecution case, with sufficient information to enable the defence to take instructions and give appropriate advice to their client, or for an unrepresented defendant to know what the case against them is?
- j) Is there engagement with the defence before the first hearing, and is it effective?
- k) Have the interests of victims, witnesses and the public been addressed when preparing for the first hearing?
- l) Has the preparation by the police and CPS ensured that the prosecution is able to make the relevant applications at sentencing in guilty plea (GAP) hearings, and if a guilty plea is entered on a not guilty (NGAP) case?

3. Are the police and CPS effective and efficient at the first hearing in either-way magistrates' courts cases?

- a) Do police forces brigade cases into the right courtroom for the first hearing?
- b) Do any omissions or inaccuracies in the information provided to the court affect the effectiveness of the first hearing?
- c) What factors in the case bundle for the defence impact the most on the plea entered at the first hearing in magistrates' courts?
- d) Are there identifiable factors or themes which feature in cases that are expected to be a GAP and where a not guilty plea is entered?

- e) Are there identifiable factors or themes which feature in cases that are expected to be a NGAP and where a guilty plea is entered?
- f) Are cases are moved from one courtroom to another on receipt of a plea other than that anticipated? Does this cause delay? What is the impact on the prosecutor(s) in those courtrooms?
- g) Have the interests of victims, witnesses and the public been addressed by the police and CPS at the first hearing?

4. Are the police and CPS effective and efficient at the plea and trial preparation hearing (PTPH) in Crown Court cases?

- a) Do any omissions or inaccuracies in the information provided to the court affect the effectiveness of the first hearing?
- b) What factors in the prosecution case bundle for the defence impact most on the plea entered at the PTPH?
- c) Are there identifiable factors or themes which feature in cases that are expected to be a guilty plea at PTPH and where a not guilty plea is entered?
- d) Are there identifiable factors or themes which feature in cases that are expected to be a not guilty plea at PTPH and where a guilty plea is entered?
- e) Have the interests of victims, witnesses and the public been addressed by the police and CPS at the PTPH?

5. What partnership arrangements are in place between the CPS and police to build stronger cases and how effective are they?

- a) Do police forces and CPS Areas have robust quality assurance of the standard of their delivery to each other and other service users?
- b) Do the processes in place to exchange information facilitate effective communication to build strong cases?
- c) Is there an effective culture of shared responsibility and effective joint working at operational and strategic levels?
- d) Are escalation processes or other mechanisms in place for police forces and CPS Areas to hold each other to account on individual cases, are they fit for purpose, and are they used effectively and robustly?
- e) What measures do police forces and CPS Areas use to assess the strength of prosecution team case building? (For example, DG6 compliance, number of triages or charging consultations, number of hearings per case, timely guilty pleas?)

- f) How effectively are data and other evidence used to drive improvements in case building in the CPS, in the police, and jointly?
- g) Are there differences in the partnership arrangements in CPS Areas and police forces where case building is stronger, and in places where it is weaker?
- h) How do any differences impact on case building?
- i) What are the most significant aspects of police and CPS teamwork that are working well and not working well?

6. Are there efficiencies and better outcomes that can be achieved by improving partnership working? What are the impacts of stronger and weaker police and CPS case building on each other, and on other agencies, the defence, victims, witnesses, and the public?

- a) What is the impact where there are inefficiencies in the charging process (question 1 above)?
- b) What is the impact where cases are not prepared effectively in advance of the first hearing (question 2 above)?
- c) What is the impact where cases are not progressed effectively at the first hearing in the magistrates' courts (question 3 above)?
- d) What is the impact where cases are not progressed effectively at the plea and trial preparation hearing in the Crown Court (question 4 above)?
- e) Are there other efficiencies or improved outcomes that could be achieved by better police and CPS case building?

Annex B

Inspection Methodology

The inspection methodology includes examining Crown Prosecution Service (CPS) and police files from six Areas and two of each Area's police forces (120 files in total); document analysis from those Areas and police forces; analysis of national and Area/police performance data; interviews and focus groups with Area and police staff, CPS Direct (CPSD) staff and national leads/senior managers; reality checks of processes and key case-building tasks; and surveys of CPS and police staff.

The inspection scope includes cases that can or must be heard at the Crown Court but excludes those likely to be dealt with by specialist teams, such as cases handled by major investigations, rape and serious sexual offence (RASSO) teams, or cases destined for the CPS's complex casework units.

We reviewed cases to the point of the first plea hearing, which was generally the first hearing in magistrates' courts cases or the plea and trial preparation hearing in the Crown Court. We selected cases that had recently (in the previous one or two months) been charged and had their first plea hearing since HMCPSP's Area Inspection Programme report on each Area had been sent to them. We excluded police-charged cases, and those where a guilty plea was anticipated. We picked five magistrates' courts cases (of which four were bail cases and one a custody remand) and five Crown Court cases (of which three were bail and two were custody cases). Two of the Crown Court cases were indictable-only, and the other three were either-way allegations. Within these criteria, the cases were chosen at random.

We originally planned for fieldwork in the six Areas and 12 police forces from which files were examined. However, a review at the end of phase one (which involved two Areas and four forces) led us to reconsider. In phase two, we conducted fieldwork in three CPS Areas and four police forces.

Fieldwork conducted in Phase One

Table 1			
CPS Area	Police force	File examination	Fieldwork dates
CPS Mersey Cheshire	Merseyside Police Cheshire Constabulary	June 2023	July 2023
CPS East of England	Cambridgeshire Constabulary Essex Police	June 2023	July - August 2023

Fieldwork conducted in Phase Two

Table 2

CPS Area	Police force	File examination	Fieldwork dates
CPS Cymru Wales	South Wales Police Gwent Police	w/c 14 August	w/c 9 and 16 October
CPS Southwest	Gloucestershire Constabulary	w/c 11 Sept	w/c 20 November
CPS Northwest	Greater Manchester Police	w/c 25 Sept	w/c 27 November

Performance data

We looked at CPS performance data, and specifically some of the key charging measures, to determine whether there was evidence of improved outcomes for police forces and CPS Areas that had moved to the new charging model.

The measures we analysed included:

- average days to charge (green cases) from submission of a complaint file from the police
- cases with charging advice delivered within the prescribed time
- cases accepted at first operational delivery triage
- cases resulting in an action plan to the police for further work prior to the final charging decision
- timeliness of service of initial details of the prosecution case (IDPC) on the court and defence
- guilty pleas at first hearing
- cases dropped at or before the first hearing (CPS and police charged)
- compliance with directions in the Crown Court.

File examination

We assessed cases against a set of questions for the police file, and another for the CPS file. Many of the questions were the same for each. Inspectors from HMCPSI and HMICFRS discussed each of the cases they examined to compare where their judgements were the same and where they differed. This gave us some insight into how accurately information was recorded on each system, how easy it was to access and understand, and how well it was shared between the police and CPS systems. This approach led to some of our key findings on how IT systems support effective case building.

Annex C

End to End Process – from report to first hearing

We have decided to outline the steps that the police and CPS must follow from when a crime is reported to the first hearing at court. We think it is essential to understand the complexity of this process because our findings highlight the impact this has on culture, communication and partnership work.

Reports to the police

Most cases entering the criminal justice system originate from the police. They mainly arise from the police investigating reports made to them by the public. The public can report crimes and incidents to the police in a variety of ways. These include 999 and 101 calls, online reports, direct to an officer on patrol or at a police station. Others stem from the police identifying the commission of an offence or as result of a proactive investigation, for example in response to intelligence. The police also receive reports from other agencies such as schools and social services.

Whichever route is taken, the police are responsible for fulfilling their common law duties to protect life and property, to prevent and detect crime, and to keep the King's peace.

The police are required to make an auditable record of all reports made to them. They do this by creating individual logs on computerised command and control systems. An audio recording of all 999 or 101 calls is also made so that the content can be retrieved and reviewed at a later stage. This material is considered 'rebuttable presumption' material and will later become important to a case file if the matter is subsequently taken to court.

Crime screening and allocation to an officer in charge

Where a report relates to an allegation of crime, the details must be properly recorded on the local force crime recording IT system. Police personnel decide whether there are solvability factors in progressing the matter or whether it should be screened out.

Once a crime is recorded it must then be appropriately investigated. The investigator, often referred to as the officer in the case (OIC), should complete all reasonable lines of enquiry and secure and preserve all available evidence to the crime. It is important for investigators to have a clear plan in place to progress an investigation and ensure that there is a record of their decision-making, including the rationale for why certain decisions are made. Officers should record lines of enquiry and the progress of investigations on the investigation log within the digital crime report.

The specific crime investigation process within a police force is determined by its operating model. Some forces prefer an omnicompetence model whereby the reporting officer retains responsibility for some lower-level offences, often referred to as 'volume' crimes, throughout the life of the investigation. Other forces prefer to release patrol officers back to deal with calls for service and reallocate the crimes to specific investigation teams based on the crime type, complexity and the competency required to investigate them.

Investigation allocation policies can mean that the OIC for an investigation can change multiple times, particularly during the initial stages of an investigation where officers undertaking initial primary investigation can change for prisoner processing and then again

for case file preparation. Again, allocation and ownership vary between forces dependant on local polices.

Retention of material

The police must continue to record, retain and review all material they gather through-out the life of a case. This will include statements from victims and witnesses and any account of events from suspects. It can also include body worn video (BWV) and CCTV evidence, fingerprint or DNA evidence and digital evidence from computers and mobile phones. All investigative enquiries generate material which will subsequently be required for a case file if the matter goes to court. The officer must review each item, determine its relevance and list it on the Disclosure Schedule. This document must be included in the pre-charge case file. The purpose of the schedule is to provide the CPS with details of all the 'relevant' unused material as the prosecution team have a duty to disclose anything that undermines the prosecution case or helps the defence case.

Police forces usually need to store digital evidence such as BWV and CCTV footage on separate IT systems designed for multi-media. When they do this, they add a link or reference number to the main crime report. These systems are specifically designed to allow footage to be stored, clipped and redacted. The police are required to this before such evidence can be submitted to CPS for a charging decision.

The police use a number of different recording systems in case file management, including the incident command and control system, crime recording system, digital evidence systems and potentially intelligence systems, all of which will have material that the officer in the case will need to be consider when preparing a case file.

Police information is often held in different IT systems which can lead to difficulties in retrieving all relevant material and then sharing access to it with the CPS. This can lead to duplication of effort as officers may need to transfer information from one database to another before onward submission to external parties. The CPS currently use a two-way interface (TWIF) to access investigative material. The use of the TWIF, and difficulties arising, is something we discussed in this report.

Outcomes of investigations

When the OIC is satisfied that they have completed all lines of enquiry and identified and interviewed suspects, they need to decide what to do next. Police are authorised to make decisions about taking no further action, subject to satisfying certain conditions. They can also issue fixed penalties and use a variety of out of court disposals. When the case is ready to be considered for a charging decision by CPS, the OIC must complete a case file and send it to a decision-maker. The decision-maker will review the file to check the quality of the investigation and/or ensure that it conforms with the National File Standard (NFS). This role is often carried out by a line supervisor, police decision maker (PDM), evidence review officer (ERO) or a gatekeeper. Again, there is no national standard of approach and there is a variation in the roles performed depending on the operating model in each police force.

Most police forces have a criminal justice department which is responsible for the administration of justice across the force. It provides the link between operational policing and the criminal justice system. There is no standardisation of criminal justice departments, and their structures, roles, responsibilities and functions differ. The criminal justice department can include the crime teams, criminal justice units (CJU), evidence management unit, traffic teams, witness care unit, and detention officers.

At the most basic level, CJUs co-ordinate incoming and outgoing communications with the CPS. Some forces have invested more resources into their CJUs with the aim of supporting all levels of investigation and prosecution. This includes the management of evidence, compliance with NFS, the evidential and quality review of case files before submission to the CPS, the transcribing of interviews, and the management of out of court disposals or whether no further action should be taken. Some also provide critical post-charge support such as the management of bail and the issuing of postal requisitions requiring people to attend court.

When considering submission of a case file for charge, the Director's Guidance on Charging (6th edition) (DG6) outlines the process for referral to the CPS either with a full code test or threshold test (depending on the stage of the investigation and other considerations such as remand) as explained below. Before deciding whether to refer a case to the CPS, the police decision-maker should consider the quality and strength of the evidence, and whether it is in the public interest to prosecute the case.

Early Advice (EA)

DG6 also contains guidance on early advice (EA), where prosecutors provide the police with advice before a charging decision is requested. Investigators should seek early advice in serious, sensitive or complex matters. These include where a death has occurred; allegation of rape or other serious sexual offences; cases involving substantial amounts of digital data, and in major police operations including public disorder and protests.

The investigating officer will decide when it is best to request EA from the CPS. It is expected that their supervising officer will have carried out a review prior to any request. Supervisors need to make sure the EA request is necessary, that the timing is appropriate, and relevant material is provided to the prosecutor. The police should seek early advice only when the investigator and supervisor believe there is a likelihood the case will pass the two-stage legal test for prosecutors¹.

DG6 details what material and information the police must supply when seeking EA. This includes a factual summary of the case; the lines of inquiry that have been completed, are ongoing or are proposed; and the specific issues the police want advice on. As prosecutors can advise the police on possible reasonable lines of inquiry, legal elements of offences and evidential requirements, obtaining early advice can be useful in ensuring the investigative plan remains focused.

Police forces and CPS Areas should have arrangements in place to ensure the police can easily request early advice from prosecutors. The handbook sets out the standard operating procedure, stating that prosecutors should deal with EA requests within 28 days of

submission from the police, and police should submit material to the CPS through TWIF into case management system (CMS), subject to any local adjustments made by forces and Areas.

The guidance states that on receipt of an early advice referral, CPS operational delivery staff should carry out a triage within 24 hours. If any material or information is missing, they will reject the file and include the reasons for the rejection in the electronic message they send to the police.

Following triage, operational delivery staff pass the case to a legal manager who determines whether the case is suitable for early advice. They have two days to make the assessment and allocate a lawyer to review.

There is an expectation the allocated lawyer will review the material within five days of allocation and provide written advice for the police to either take further action(s) to strengthen the case or advise the police to mark the matter as no further action. We make comment about the timeliness discrepancies later in the report.

Case file building

In cases where early advice is not required, not suitable or has already been obtained and the police have completed the actions set by the prosecutor, the next step is for the police to complete the file build and refer the case to CPS for a charging decision.

The NFS and DG6 provides guidance for a staged and proportionate approach to the preparation of case files. They specify the material required for the first hearing and identify how the file is to be developed at appropriate stages through-out the life of the case. The material identified provides the prosecutor, the defence and the court with information proportionate and necessary to progress the case.

The submitted file should be built with the anticipated plea at court in mind. The supervisor must note whether the expected plea is guilty (GAP) or not guilty (NGAP) and provide a rationale on the file.

DG6 also introduced rebuttable presumption (RP) material, that presumes certain types of unused material will meet the disclosure test, unless a good reason exists to show that the test is not met. The list of unused material subject to this rebuttable presumption should include where appropriate:

- crime reports, including: crime report forms or any contemporaneous recording of an incident; an investigation log; any record or note made by an investigator, on which they later make a statement or which relates to contact with the suspects, victim or witnesses; an account of an incident or information relevant to an incident or record of actions carried out by officers (such as house-to-house, CCTV or forensic enquiries) noted by a police officer in manuscript or electronically
- the defendant's custody record

- any incident logs relating to the allegation
- records which are derived from tapes/recordings of telephone messages (for example, 999 calls) containing descriptions of an alleged offence or offender
- any previous accounts made by a complainant or by any other witnesses
- interview records (written records, or audio or video tapes, of interviews with actual or potential witnesses or suspects)
- any material casting doubt on the reliability of a witness, e.g. previous convictions and cautions of any prosecution witnesses and any co-accused.

The pre-charge case file should also include disclosure schedules and where available an appropriate victim personal statement should be included outlining the impact the crime had on the victim. For some cases, including domestic abuse, hate crime and those involving youths, the police are also required to complete checklists which contain additional information about the offence, the suspect, victim(s) and witnesses.

Before sending files to the CPS for a charging decision, the police must review all investigative material and where relevant, redact it in line with Attorney General's Guidance on Disclosure (AGGD).

The new charging model

In September 2022, the CPS and National Police Chiefs' Council (NPCC) rolled out a new charging model. It aimed to simplify the way the police obtain charging advice from the CPS and improve the speed for case referrals and decision making. The new charging model is centered on five key principles:

- one way into the CPS – there is now one digital route for the police to submit cases to the CPS for pre-charge decisions
- simplified terminology – cases are divided into 'red' and 'green' categories
- red cases are when a suspect is in police custody. Officers must provide information to justify why the suspect should remain in custody after charge and for the first court hearing. The prosecutor then has three hours to make a charging decision. Police officers must anticipate custody time limits of the Police and Criminal Evidence Act 1984 (known as the PACE clock) and submit red cases in good time. Where that is not possible, an officer of the rank of Inspector or above may authorise the emergency charging of an offence which would ordinarily be referred to a prosecutor. Where the police make an emergency charge, they must immediately refer their decision to a prosecutor for ratification of the charging decision. Emergency charging cannot be used if a suspect will be released after charge.
- green cases are those where the suspect has been released from custody for a charging decision, is on pre-charge police bail, has been released under investigation or

has been dealt with by way of voluntary interview. In those circumstances the CPS has a maximum of 28 days to make a charging decision.

- consistency of standards – all cases must use the same criteria to meet the requirements for submission to CPS. Files need to be compliant with the NFS and DG6 and should be quality assured by a police supervisor.
- decision-making by appropriate Area (local CPS) - for red cases local CPS Area prosecutors will make charging decisions between 9am and 5pm on working weekdays. CPS Direct (CPSD), the out-of-hours charging service, will take over from 5pm until 9am on working weekdays, and on a 24-hour basis during public holidays and weekends. All green cases are dealt with by local CPS Areas.
- regular reviews and continuous improvement – there is a joint commitment by CPS and NPCC to review the model on a yearly basis so that performance can be analysed, and any necessary improvements made.

The CPS and NPCC have jointly produced 'The Charging Handbook', which is a detailed practical guide to assist the police and CPS in understanding the new charging model. Section two of the handbook contains an expectation that there is effective communication between the police officer submitting a file and the prosecutor allocated to review that file. The onus is on the prosecutor to initiate that contact where appropriate. This can only be achieved if the file contains clear and accurate direct contact details for the relevant police officer, not the 101 number. Police and CPS personnel can access the handbook through online learning resources.

Referral to CPS for a charging decision

Once the police have completed administrative and evidential checks, they should send the file to the CPS CMS via the digital TWIF. Operational delivery staff must conduct an administrative triage before the prosecutor can review the case.

CPS triage

The triage process is different for red cases, where a decision should be made by a prosecutor within three hours of submission, and green cases to reflect the urgency of the charging decision. A red case should not be rejected if material is missing. Instead, a prosecutor will be allocated to review the case and operational delivery (OD) staff should contact police to request missing information. There is no guidance on the method of communication.

For green cases, OD first decide which unit should deal with the case and transfer it to the magistrates' court team, the Crown Court team or the Rape and Serious Sexual Offences (RASSO) unit. Once transferred, the OD team carry out an administrative triage to make sure the file complies with NFS.

If material is sent incorrectly or is missing, OD should send a digital message to the police, informing them that the file has been rejected. OD request missing items through the digital

interface by secure email or action plan. OD should include a date for receipt of items and can add a task to chase any items not received by the due date. If material does not arrive by the due date, CPS staff request the material again by way of action plan.

If material remains outstanding following an initial chase and is not received within three months, the case is administratively finalised on CMS. If the police wish to send outstanding material to a case that has been closed after the three-month period, they must request the case is reactivated, otherwise any material sent over the TWIF will not be received by CMS.

When OD receive the missing material from the police, they carry out a further administrative CPS triage on the case.

The standard timescale for a green charging decision is 28 days. The charging model makes provision for certain cases such as domestic abuse to be prioritised subject to local agreement between chief constables and chief crown prosecutors.

Once the triage stage is complete, OD will allocate the case to a prosecutor for review. Prosecutors use the CPS CMS to make charging decisions and prepare cases for court. When a new case is allocated for a charging decision it will appear as a task for the prosecutor to complete.

Prosecutor review

Prosecutors are independent from the police. They have a duty to ensure the right person is prosecuted for the right offence and to bring offenders to justice wherever possible. They must be fair, objective and act in the interests of justice, not solely to obtain a conviction. The CPS do not decide whether a person is guilty; they decide whether to present charges for the criminal court to consider.

Prosecutors must apply the Code for Crown Prosecutors (the Code) when they make a charging decision. The Code is a public document, issued by the Director of Public Prosecutions (DPP) that sets out the general principles prosecutors should follow when making decisions on cases. The Code contains guidance on two tests: the Full Code Test and the Threshold Test.

The Full Code Test

The Full Code Test applies when the police have concluded all outstanding lines of inquiry, or if the investigation is still ongoing but the prosecutor is satisfied that further evidence obtained, or material received, will not impact their ability to apply the Full Code Test. There are two stages to the Full Code Test. The first is deciding whether there is enough evidence for a realistic prospect of conviction, and the second requires prosecutors to consider whether it is in the public interest to prosecute the defendant.

For there to be a realistic prospect of conviction, a prosecutor must take an independent view of the evidence and believe that a bench of magistrates would be more likely than not to convict the defendant. This is different from the test applied during a trial, where

magistrates or a jury must be sure (beyond reasonable doubt) of guilt after hearing all the evidence.

The public interest stage only applies if the prosecutor decides there is a realistic prospect of conviction. Public interest factors include the age of the suspect, their level of responsibility in the commission of the offence, the seriousness of the offence and the harm caused to the victim. A prosecution will usually follow unless the prosecutor is satisfied that some public interest factors outweigh those in favour of prosecution.

The Threshold Test

There will be circumstances where the Full Code Test cannot be applied but where the police seek an immediate charging decision because of the seriousness of the case and their view that the suspect should be kept in custody following charge. The Threshold Test has five conditions which must be satisfied before a decision to charge a suspect is made:

- 1. there are reasonable grounds to suspect the person to be charged has committed the offence**
- 2. further evidence can be obtained to provide a realistic prospect of conviction**
- 3. the seriousness or circumstances of the case justify an immediate charging decision**
- 4. there are continuing substantial grounds to object to bail in accordance with the bail act 1976 and in all the circumstances it is proper to do so**
- 5. it is in the public interest to charge the suspect**

If any of the conditions are not met, the Threshold Test cannot be applied and the prosecutor cannot authorise charges. In such circumstances, the prosecutor should include an explanation for their decision when they reject the case. That enables the police to understand the rationale and make an informed decision about whether they agree with the rejection or not. If they do not agree, they can appeal the prosecutor's decision.

Prosecutor decision following referral for charging advice

If the prosecutor does not believe there is a realistic prospect of conviction after reviewing the case, they should advise the police to take no further action (NFA) against the suspect.

The prosecutor should send an action plan to the police if they decide further work needs to be carried out for the case to pass the Full Code Test. It should clearly explain what further lines of inquiry should be completed, what material is required, and the reasons why a charging decision cannot be made until that material and/or information is obtained. Action plans must be proportionate and focused. If requesting numerous actions, the prosecutor should highlight which need to be carried out before charge, so that the police can prioritise the tasks required for a charging decision.

The prosecutor is expected to include realistic due dates for the police to complete. CMS notified staff if there has been no response to an action plan. Local forces and Areas should have agreed escalation procedures in place to ensure outstanding material and information is obtained if those due dates are not met. After 56 days, the CPS should close a case if they have not received further material from the police. This is known as 'admin finalised.' The police can request the case be left open by contacting the CPS, and if material is obtained after 56 days the police can request the case be reactivated.

The police should respond to action plans by sending additional material through the digital TWIF system. Receipt of new material from the police generates a task that appears on the allocated prosecutor's task list on CMS. A further review should take place on the case following the police response to the action plan, and if all points have been adequately addressed the prosecutor should make a charging decision. A further digital review is completed, and the prosecutor should decide to authorise a charge(s) or that no further action is taken as the Full Code Test cannot be met. The written advice is sent through the TWIF to the police who either charge the defendant and continue to build the case file to ensure it is ready for the first court hearing or inform the defendant the case has been stopped.

When a case is allocated, the timescale for completion will be 28 days subject to local agreements regarding priority cases. If a prosecutor sends an action plan to the police before charge, the clock will stop at that point and is reset at day one when the police respond to the request(s) made.

If, following a review of the file, the prosecutor decides the relevant tests under the Code have been met, they should select a charge (or charges) that reflect the seriousness of the offending behavior. The charge selection should also enable the case to be presented as clearly as possible at court and provide the court with adequate sentencing powers.

In each scenario, the prosecutor must outline a case strategy which demonstrates how each of the legal elements of the offence are to be proved, or for those cases where no further action is taken, why they cannot be proved.

The written advice document from the prosecutor to the police should also include:

- an assessment of the evidence
- an explanation of the strengths and weaknesses of the case
- consideration of any material that undermines the prosecution case or assists the defence
- any likely defences that may be raised and how they would be overcome
- any issues relating to victims and witnesses.

- for cases which are charged, prosecutors must redact personal and sensitive personal data from material where it is not required for law enforcement purposes and record their decisions in a redaction log
- prosecutors should generate the initial details of the prosecution case (idpc) bundle sent to the court and defence before the first hearing. this will include key witness statements and the previous conviction record of the defendant
- prosecutors should consider unused material as part of their disclosure obligations. they must review all documents, including rebuttable presumption material (see above) received from the police and decide whether this undermines the prosecution case or assists the defence case. if the material does undermine or assist, it must be disclosed to the defence. items will be listed in a schedule, and prosecutors must endorse the schedule with their decisions and create a digital bundle to serve on the defence that includes the endorsed schedule and the disclosable material
- prosecutors must provide instructions to the advocates who will be presenting the case at the first court hearing. this includes the remand status of the defendant, whether bail should be objected to or whether bail with or without conditions should be applied for and the reasons for that. if they can, they should also start to complete the appropriate forms that will be used to make progress at the first hearing:
- preparation for effective trial form (pet) for magistrates' court cases
- better case management (bcm) questionnaire for cases that will be sent to the crown court
- plea and trial preparation (ptph) form used at the first hearing at the crown court.

For Crown Court cases they should start to draft the indictment, which is the document containing the charges against the defendant.

Director's Guidance Assessment (DGA)

When a prosecutor decides to charge a case or send an action plan to the police following application of the Full Code Test, they must complete an assessment on the quality of the file received from the police. The DGA is completed digitally, and the prosecutor must decide whether the file was compliant with the 6th edition, DG6. If the file is not compliant the prosecutor should highlight what material is missing or inadequate, such as witness statements, CCTV footage, medical evidence, and disclosure material.

The DGA is a joint initiative between the NPCC and the CPS. It is intended to support the commitment to improve case progression and to act as a helpful learning and development tool for prosecutors and police personnel. It enables the prosecutor to provide feedback to the police about whether the quality of the file meets the DG6 standard. Importantly, it also gives the police an opportunity to request a review of decisions made by the CPS that they disagree with. Local arrangements between forces and Areas should outline how any disputes are resolved. If the police successfully challenge a decision, nominated individuals

in the CPS should update the case on CMS so that performance data reflects the revised position.

CPS Areas are responsible for gathering data on DGA and should produce a monthly dashboard which is shared with local police forces and used to inform discussions about file quality at Joint Operational Improvement Meetings (JOIMs).

Process when charge(s) authorised

When a prosecutor decides to charge a suspect, they send their charge(s) to the police who should then ensure the defendant is charged in a timely manner. This will be dependent on whether the suspect is on police bail or has been released under investigation (RUI). In summary cases which can only be tried in the magistrates' court, the police and CPS have a strict time limit of six months from the date of offence to notify the magistrates' court of the charge, known as the Statutory Time Limit (STL). For cases that can be tried in the Crown Court (known as triable either-way or indictable-only cases), there is no such time limit.

For those cases treated as priority by local police forces and CPS Areas, the police are expected to charge a defendant within seven days of that charge being authorised by the CPS.

If when authorising charge(s) a prosecutor needs to request the police carry out further tasks, they must complete a written action plan as part of their review that sets out what is required, why it is required and by what date that material should be sent to CPS.

Post-charge

Police forces liaise directly with local courts to arrange first hearing dates. After the police have charged a defendant, the CPS prepare all cases for as first hearing at a magistrates' court. The CPS use standard operating procedures (SOPs) to assist staff in understanding how tasks should be completed at various stages in the life of a case. The SOPs for cases where defendants are likely to plead not guilty are designed to ensure the first court hearing is as effective as possible.

Before a case is allocated to a prosecutor, various checks should be completed. Operational delivery staff must ensure additional material received after charge meets the National File Standard. This includes the details of the charge(s) authorised, with staff required to check that the charge(s) generated by the police match the charge(s) authorised by the prosecutor. In addition, if the prosecutor making a charging decision sent an action plan to the police for further material required before the first hearing, checks should be made to ensure receipt. If material is missing staff should follow escalation procedures to contact the police and ensure it is obtained.

Case maintenance checks are also completed by OD staff in accordance with CPS internal guidance. These include:

- checking contact details for the police, defence and probation are correct

- discarding duplicate documents
- redacting sensitive and personal information on new documents received and updating the redaction log
- ensuring each document is rotated in the correct direction
- removing any blank pages from documents
- checking whether documents are encrypted and requesting unencrypted versions if they cannot be redacted, edited, or placed in the digital bundles sent to defence and court
- checking multi-media evidence and material is accessible and playable
- checking material complies with the jointly agreed naming convention and where it does not, amending the detail and ensuring it is classified correctly
- checking all exhibits have exhibit references and are linked to the witnesses producing those exhibits.

For cases charged under the Full Code Test, the amount of additional material sent by the police should be minimal because of DG6 requirements. In threshold test cases where the CPS receive less material before authorising a charge, there will often be more material to review before the first hearing, including that relating to disclosure.

Operational delivery staff should allocate the case to a prosecutor and produce a digital bundle of material for the defence solicitors and court called the Initial Details of the Prosecution Case (IDPC) based on instructions contained in the prosecutor's charging advice. The IDPC includes the charge(s), a summary of the case, any victim statements, key witness statements and the previous conviction record of the defendant.

If the defence solicitors are known, the CPS should send the IDPC bundle to them by secure email five days before the first hearing to give them enough time to review the material and take instructions from the defendant. A digital bundle for the prosecuting advocate who will present the case at the first hearing is also prepared at this point. It will contain the same material as the IDPC as well as any communications between the police and CPS, such as updates on further lines of enquiry or outstanding material.

The allocated prosecutor will receive a task on CMS to review the case before the first hearing. They should consider any actions requested of the police at the time of charge(s) authorisation and check for additional information. They should review any new material and consider the impact of it on the strength of the prosecution case. Prosecutors must redact sensitive and irrelevant personal information on new material received in line with the Data Protection Act 2018 and GDPR. If unused material has not been reviewed before charge, items received should be considered, disclosure schedules updated and any material that may undermine the prosecution case or assist the defence should be disclosed to the defendant.

Following review, the prosecutor should engage with the defendant's solicitor, if known, by contacting them by telephone. The prosecutor should check that the defence has received the IDPC, had time to consider it and find out whether the defendant intends to plead guilty or not guilty. If the defence is to enter a not guilty plea, they should inform the prosecutor the reasons for that plea. The prosecutor should record any communication they have with the defence on the defence engagement log on CMS. Applications for special measures, hearsay or bad character evidence that have not already been drafted when the charge was authorised should be drafted, and the prosecutor should complete the relevant sections of a Preparation for Effective Trial form (PET) for magistrates' court cases, or a Better Case Management (BCM) questionnaire for cases that will be sent to the Crown Court, to confirm whether more evidence will be served, whether there are outstanding lines of enquiry being pursued, what material the prosecution will rely on at the trial (for example CCTV, expert evidence) and whether any specific directions should be made by the court to ensure an effective trial.

The first hearing – magistrates' court cases

In summary cases that can only be heard in the magistrates' court, and for either-way offences that are kept at the magistrates' court, the principles of 'Transforming Summary Justice' (TSJ) apply. TSJ was developed in 2015 against a backdrop of inefficiency and a lack of case progression at the magistrates' court. Following publication of the Ministry of Justice's Strategy and Action Plan (2013), Magistrates' Disclosure Review (2014) and The Review of Efficiency in Criminal Proceedings (2015), criminal justice agencies designed a model to try and ensure first hearings were swift and simple.

The ten principles of TSJ were developed, which include the need for quality assured police files, meaningful case preparation and clear expectations of effectiveness at the first hearing. For cases where a not guilty plea (NGAP) is anticipated by the police and CPS, and a not guilty plea is then entered by the defendant, the parties must be able to identify the issues for trial, which witnesses are required and have facilities available for the defence to view multi-media evidence at court at the first hearing. These steps increase the likelihood of an effective trial and reduce the likelihood of multiple hearings for one case. In theory there should only be two hearings for a not guilty case dealt with at the magistrates' court; the first when a not guilty plea is entered and a trial date fixed, and the second when the trial takes place. If a defendant is convicted, they should be sentenced on the same day.

The first hearing – Crown Court NGAP cases

In either-way cases that are allocated to the Crown Court, and for indictable-only offences that must be heard in the Crown Court, all parties must ensure a 'BCM questionnaire has been completed to assist in the management and progression of the case. There should be clear identification of trial issues and areas of agreement between the parties at the first hearing at the magistrates' court. Where appropriate, a timetable should begin and directions given by the court for any actions required before the PTPH, which is the first hearing that takes place at the Crown Court.

BCM was introduced into Crown Courts across England and Wales at the beginning of January 2016. Similar to the principles of TSJ, BCM seeks to implement consistency across all Crown Courts so that cases progress through the system with fewer hearings, more effective trials and more guilty pleas. Principles include having case ownership with a specific person from each agency responsible for a case, a duty of direct engagement and participation from everyone, and consistent and robust judicial case management.

After the first hearing at the magistrates' court and before the PTPH at the Crown Court, OD perform further administrative checks including recording the outcome of the first hearing at the magistrates' court, completing any post hearing actions that the advocate at court requested and ensuring the defence solicitor details are logged onto CMS. They also chase any outstanding previous requests to the police for additional material and add a note confirming the case is ready for review.

A 'post-sending review' task will appear on the allocated prosecutor's task list. The review must be completed within five days of the case being sent to the Crown Court. If there is nothing outstanding, the full file should be formally served on the defence before the PTPH. This means the defence will be sent all the evidence the prosecution intends to rely on at trial, along with the unused schedules and any material that undermines the prosecution case and assists the defence. All applications should be completed at this point as well. The PTPH form is particularly important. The prosecutor must confirm the evidence that will be relied on and whether a disclosure management disclosure has been produced. The defence should outline the anticipated issues for trial and what, if any, evidence or material they still require. Digital bundles that have been generated will be updated by the reviewing prosecutor if necessary, and caseworkers from the Crown Court will dispatch those bundles to the defence and court. Serving material in advance enables defence solicitors to take instructions from defendants having considered all available evidence and have meaningful conversations about whether they will plead guilty or not guilty. It also gives the Judge an opportunity to consider whether indictments have been properly drafted, what the likely issues for trial will be and what, if any, evidence or information is missing. Direct engagement should take place between the defence and prosecution the day before PTPH to ensure the hearing will be effective.

The plea and trial preparation hearing (PTPH)

The PTPH is the first hearing at the Crown Court. The defendant is asked to enter a plea, and if a not guilty plea is entered a trial date is fixed. The Judge is expected to robustly manage the hearing and challenge the prosecution and defence on the real issues for trial. They should refer to the PTPH form and the information received from the prosecution and defence, establish whether there are further reasonable lines of inquiry to be pursued, identify which witnesses need to give evidence at trial and make appropriate directions to ensure the trial will be effective. These include a direction for the defence to provide a defence statement, and for the prosecution to serve any ongoing disclosure.

Annex D

Appendices from Performance Data analysis

CPS Triage

Admin triage failure reasons

Charge showing triage failure rates having removed the category of 'case material not correctly received'

23/24-Q3	Charging Dashboard					Inspection analysis	
	Total Overall	Rejected		Case material not correctly received		Rejected files (removing case material not correctly received)	
A&S	1,318	545	41.4%	313	57.4%	232	17.60%
CAM	359	80	22.3%	42	52.5%	38	10.58%
CHE	1,006	306	30.4%	103	33.7%	203	20.18%
CUM	398	98	24.6%	41	41.8%	57	14.32%
ESX	1,474	446	30.3%	248	55.6%	198	13.43%
GLO	394	105	26.6%	59	56.2%	46	11.68%
GMP	1,774	506	28.5%	57	11.3%	449	25.31%
GWE	640	174	27.2%	64	36.8%	110	17.19%
HUM	515	172	33.4%	110	64.0%	62	12.04%
London	7,384	4,830	65.4%	3,304	68.4%	1,526	20.67%
MER	1,663	476	28.6%	146	30.7%	330	19.84%
SWP	1,320	358	27.1%	113	31.6%	245	18.56%
WYP	1,647	255	15.5%	142	55.7%	113	6.86%
Total	44,136	16,761	38.0%	9,328	55.7%	7,433	16.84%

Director's Guidance Assessment (DGA)

Charging Data – DGA Assessments on eligible pre-charge cases for December 2023 & RYTD to December 2023

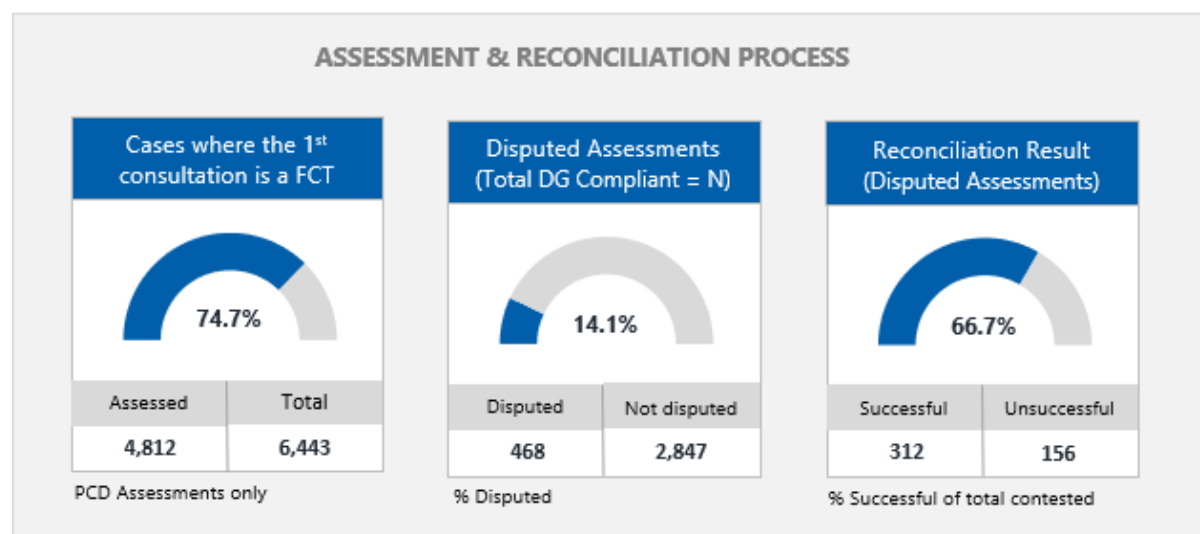
Police Area	% of cases assessed by CPS (Proxy)				% of those police case files assessed by CPS as DG compliant					
	Yes	No	Total	% Assessed	Yes	No	Total	% Compliant	RYTD Average	Rank
A&S	106	30	136	77.90%	65	94	159	40.90%	43.54	41
CAM	68	8	76	89.50%	79	26	105	75.20%	74.42	4
CHE	139	27	166	83.70%	100	69	169	59.20%	63.82	19
CUM	33	17	50	66.00%	33	25	58	56.90%	58.35	28
ESX	227	55	282	80.50%	225	87	312	72.10%	70.15	8
GLO	45	9	54	83.30%	34	32	66	51.50%	57	29
GMP	184	169	353	52.10%	180	97	277	65.00%	58.9	27
GWE	73	34	107	68.20%	57	41	98	58.20%	54.28	33

HUM	58	21	79	73.40%	40	56	96	41.70%	51.77	36
MER	213	39	252	84.50%	174	105	279	62.40%	66.35	12
MPS	508	234	742	68.50%	200	635	835	24.00%	27.21	44
NHA	41	16	57	71.90%	52	22	74	70.30%	81.48	1
SWP	144	66	210	68.60%	149	67	216	69.00%	65.31	14
WYP	257	49	306	84.00%	236	160	396	59.60%	64.14	16
National	4,812	1,631	6,443	74.70%	4,089	3,003	7,092	57.70%	60.42	
NPCC Benchmark								70	70	

DGA Figures – December 2023

Police Force Area	DGA Lawyer Compliance % NGAP	Total Number of DG cases assessed	Compliant	Non-compliant	Disputed assessment of non-compliant - % of cases	Reconciliation Result of Disputed Assessments % pass	Police NGAP DGA compliance	RYTD	Rank
A&S	77.9	159	65	94	0	0	40.88	43.5	41
CAM	89.5	105	79	26	25	75	75.24	74.4	4
CHE	83.7	169	100	69	0	0	59.17	63.8	19
CUM	66	58	33	25	19.35	100	56.9	58.4	28
ESX	80.5	312	225	87	14.74	57.1	72.12	70.2	8
GLO	83.3	66	34	32	0	0	51.52	57	29
GMP	52.1	277	180	97	37.19	53.3	64.98	58.9	27
GWE	68.2	98	57	41	2.38	100	58.16	54.3	33
HUM	73.4	96	40	56	1.75	100	41.67	51.8	36
MER	84.5	279	174	105	11.5	61.5	62.37	66.3	12
SWP	68.6	216	149	67	27.91	79.2	68.98	65.3	14
WYP	84	396	236	160	21.86	57.5	59.6	64.1	16
44 forces	74.7	7092	4089	3003	14.12	66.7	57.66	58.4	

Charts on DGA assessment and reconciliation data – taken from CPS Charging Dashboard



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Action Plans

JOIM metric 1.07 Percentage of consultations resulting in Action Plan (Pre-Charge) – national average

Baseline 2019	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23
38.90%	41.9%	42.3%	41.8%	42.8%	43.3%	44.9%	44.5%	43.7%	43.8%	43.9%	43.7%	42.4%

CPS Performance

CPS Timeliness

JOIM Metric 1.09a - % IDPC Served 5 Days Before First Hearing – Magistrates' Court Timeliness – national average

No.	Base line 2019	Jan-2023	Feb-2023	Mar-2023	Apr-2023	May-2023	June-2023	July-2023	Aug-2023	Sep-2023	Oct-2023	Nov-2023	Dec-2023
1.09a	70.2%	77.2%	78.1%	77.2%	71.7%	71.5%	73.2%	76.6%	77.7%	76.3%	75.9%	79.3%	79.2%
CPS	61.4%	67.0%	70.1%	69.1%	64.0%	61.2%	61.2%	65.3%	66.8%	66.0%	65.6%	68.8%	68.6%
Police	74.7%	81.9%	82.1%	81.1%	75.3%	76.1%	78.6%	81.3%	82.3%	80.7%	80.4%	83.9%	84.2%

⁸⁴ FCT- Failed CPS Triage

Comparison tables

Summary of table contents:

Table 1 Police Data Comparison

1	1.06 - & 1st Triage Accepted
2	1.07 - % Consultations Resulting in Action Plan
3	% Cases Assessed by CPS – Proxy Measure
4	% DGA Compliance by Police
5	NFA Rates
6	Charge Rates

Police All forces (including BTP) Data Comparison

	1.06 - & 1st Triage Accepted						1.07 - % Consultations Resulting in Action Plan						DGA Eligibility % assessed by CPS - Proxy				DGA Compliance by police				Charge Rate (Area only) out of all pre-charge decisions				NFA Rate (Area only) out of all pre-charge decisions					
	2019			RYTD December 2023			2019			RYTD December 2023			RYTD December 2023				RYTD December 2023				RYTD December 2023				RYTD December 2023					
	1st Triage Accepted	1st Triages	%	1st Triage Accepted	1st Triages	%	Rank	Total Action Plans	Total Consultation	%	Total Action Plans	Total Consultations	Percentage	Rank	Assessed	Cases	Eligibility Rate	Rank	DGA Complain	Total DG Assessments	Compliance %	Rank	Defendants Proceeded to Prosecution	Pre-Charge Decisions	Charge Rate	Rank	NFA	Pre-Charge Decisions	NFA Rate	Rank
A&S	1,155	2,745	42.1%	1,601	2,915	54.9%	36	1,396	3,543	39.4%	2,072	4,599	45.1%	30	1,532	2,088	73.4%	26	994	2,326	42.7%	41	1,664	3,481	47.8%	36	661	3,481	19.0%	13
BED	190	671	28.3%	777	1,096	70.9%	12	299	890	33.6%	723	1,742	41.5%	19	580	761	76.2%	16	470	729	64.5%	15	834	1,611	51.8%	29	314	1,611	19.5%	15
BTP	1,210	1,528	79.2%	1,453	1,927	75.4%	9	1,069	2,728	39.2%	1,197	3,056	39.2%	15	1,290	1,601	80.6%	3	1,161	1,907	60.9%	25	1,641	2,931	56.0%	18	535	2,931	18.3%	9
CAM	414	1,170	35.4%	961	1,196	80.4%	5	751	1,969	38.1%	629	1,865	33.7%	4	819	1,095	74.8%	23	926	1,236	74.9%	4	1,001	1,689	59.3%	12	306	1,689	18.1%	7
CHE	543	1,580	34.4%	1,588	2,374	66.9%	22	838	2,622	32.0%	1,244	3,571	34.8%	5	1,513	1,968	76.9%	13	1,247	1,963	63.5%	19	2,199	3,194	68.8%	2	658	3,194	20.6%	18
COL	84	251	33.5%	116	294	39.5%	42	158	407	38.8%	307	555	55.3%	43	148	193	76.7%	14	99	237	41.8%	42	254	413	61.5%	7	67	413	16.2%	5
CLE	477	1,264	37.7%	1,313	1,896	69.3%	18	783	1,994	39.3%	1,415	3,198	44.2%	27	1,228	1,427	86.1%	2	944	1,538	61.4%	23	1,320	2,249	58.7%	14	584	2,249	26.0%	28
CUM	551	950	58.0%	824	1,112	74.1%	10	804	1,871	43.0%	848	1,823	46.5%	37	541	767	70.5%	33	454	781	58.1%	28	577	1,092	52.8%	25	352	1,092	32.2%	41
DBY	738	2,146	34.4%	1,331	2,481	53.6%	38	1,330	3,344	39.8%	1,396	3,882	36.0%	10	1,367	1,894	72.2%	28	1,363	2,233	61.0%	24	1,626	2,791	58.3%	15	843	2,791	30.2%	38
D&C	1,531	2,150	71.2%	1,074	1,925	55.8%	35	1,190	2,857	41.7%	1,237	2,742	45.1%	30	900	1,153	78.1%	8	505	1,338	37.7%	43	1,124	2,282	49.3%	32	415	2,282	18.2%	8
DOR	680	1,127	60.3%	886	1,529	57.9%	32	623	1,844	33.8%	756	2,164	34.9%	6	759	1,066	71.2%	30	658	1,062	62.0%	22	986	1,885	52.3%	26	510	1,885	27.1%	30
DUR	521	1,157	45.0%	1,094	1,324	82.6%	2	729	1,924	37.9%	896	2,144	41.8%	20	842	947	88.9%	1	839	1,134	74.0%	5	780	1,309	59.6%	10	317	1,309	24.2%	23
DYF	463	646	71.7%	448	790	56.7%	34	273	972	28.1%	444	1,039	42.7%	21	292	491	59.5%	42	365	533	68.5%	10	563	1,043	54.0%	23	156	1,043	15.0%	3
ESX	889	2,962	30.0%	2,433	3,492	69.7%	15	2,139	5,041	42.4%	1,958	5,454	35.9%	9	2,190	3,149	69.5%	35	2,254	3,227	69.8%	8	2,367	4,234	55.9%	19	977	4,234	23.1%	20
GLO	696	946	73.6%	1,035	1,348	76.8%	7	342	1,058	32.3%	768	1,952	39.3%	16	821	1,065	77.1%	11	594	1,053	56.4%	30	848	1,575	53.8%	24	319	1,575	20.3%	17
GMP	886	4,533	19.5%	3,590	5,809	61.8%	28	4,932	10,027	49.2%	5,556	11,651	47.7%	40	3,180	5,892	54.0%	44	2,538	4,322	58.7%	27	2,646	7,530	35.1%	43	2,632	7,530	35.0%	44
GWE	590	1,298	45.5%	993	1,620	61.3%	30	783	2,235	35.0%	1,482	2,899	51.1%	42	896	1,268	70.7%	31	711	1,310	54.3%	33	876	2,009	43.6%	40	636	2,009	31.7%	40
HAM	2,059	2,372	86.8%	2,547	3,031	84.0%	1	1,144	4,210	27.8%	1,605	4,508	35.6%	7	1,768	2,359	74.9%	21	1,506	2,420	62.2%	21	2,719	4,231	64.3%	3	796	4,231	18.8%	12
HER	491	1,458	33.7%	667	1,292	51.6%	40	583	1,903	30.6%	940	2,270	41.4%	18	759	984	77.1%	12	652	1,046	62.3%	20	1,116	1,851	60.3%	9	344	1,851	18.6%	11
HUM	659	1,549	42.5%	718	1,259	57.0%	33	997	2,544	39.2%	1,109	2,393	46.3%	35	727	1,048	69.4%	36	588	1,138	51.7%	36	994	2,047	48.6%	35	411	2,047	20.1%	16
KNT	565	2,325	24.3%	2,431	3,182	76.4%	8	1,374	3,634	37.8%	2,065	4,819	42.9%	22	1,685	2,684	62.8%	39	1,978	2,763	71.6%	7	1,059	2,657	39.9%	41	710	2,657	26.7%	29
LAN	954	2,969	32.1%	1,667	2,645	63.0%	25	2,813	6,157	45.7%	2,163	4,945	43.7%	25	1,533	2,405	63.7%	38	1,261	2,084	60.5%	26	1,584	3,422	46.3%	39	1,143	3,422	33.4%	43
LEI	1,008	1,832	55.0%	1,729	2,743	63.0%	25	1,116	3,066	36.4%	1,447	4,038	35.8%	8	1,546	2,086	74.1%	24	1,412	2,195	64.3%	17	1,813	3,150	57.6%	16	935	3,150	29.7%	36
LIN	189	1,177	16.1%	534	799	66.8%	23	662	1,677	39.5%	491	1,249	39.3%	16	395	593	66.6%	37	762	971	78.5%	2	655	1,035	63.3%	4	192	1,035	18.6%	10
MER	2,062	4,166	49.5%	2,893	4,170	69.4%	17	1,819	6,150	29.6%	1,836	5,839	31.4%	1	2,522	3,240	77.8%	9	2,156	3,257	66.2%	12	3,857	5,150	74.9%	1	829	5,150	16.1%	4
MPS	4,868	11,445	42.5%	2,561	11,396	22.5%	44	7,092	18,561	38.2%	7,553	13,403	56.4%	44	3,644	6,702	54.4%	43	2,016	7,517	26.8%	44	5,022	15,716	32.0%	44	2,289	15,716	14.6%	1
NFK	380	1,173	32.4%	1,338	1,966	68.1%	21	817	2,182	37.4%	975	2,979	32.7%	2	1,272	1,618	78.6%	7	1,336	1,838	72.7%	6	1,227	2,159	56.8%	17	539	2,159	25.0%	26
NHA	607	1,404	43.2%	712	1,112	64.0%	24	946	2,288	41.3%	701	1,934	36.2%	11	1,213	1,640	74.0%	25	1,235	1,824	67.7%	11	855	1,558	54.9%	21	463	1,558	29.7%	37
NUM	1,727	2,838	60.9%	1,692	2,454	68.9%	19	1,500	4,467	33.6%	1,820	4,065	44.8%	28	696	863	80.6%	4	558	1,102	50.6%	38	1,718	2,820	60.9%	8	606	2,820	21.5%	19
NWP	1,041	1,612	64.6%	1,313	2,122	61.9%	27	804	2,349	34.2%	1,549	3,536	43.8%	26	682	956	71.3%	29	987	1,211	81.5%	1	1,631	2,773	58.8%	13	804	2,773	29.0%	35
NYP	802	1,040	77.1%	592	1,143	51.8%	39	656	1,779	36.9%	995	2,188	45.5%	33	1,512	1,889	80.0%	5	1,150	2,029	56.7%	29	983	1,576	62.4%	6	386	1,576	24.5%	25
NOT	870	2,436	35.7%	1,756	2,485	70.7%	13	1,432	3,700	38.7%	1,451	3,936	36.9%	12	1,514	1,988	76.2%	17	1,508	2,174	69.4%	9	1,875	2,993	62.6%	5	719	2,993	24.0%	21
SWP	1,374	2,842	48.3%	2,115	3,439	61.5%	29	1,591	4,879	32.6%	2,729	5,876	46.4%	36	1,866	2,639	70.7%	32	1,754	2,682	65.4%	14	2,169	4,188	51.8%	28	1,149	4,188	27.7%	32
SYP	1,300	2,853	45.6%	1,080	3,262	33.1%	43	1,878	4,938	38.0%	3,192	6,562	48.6%	41	2,233	2,936	76.1%	18	1,564	3,203	48.8%	39	2,260	4,854	46.6%	38	1,389	4,854	28.6%	34
STA	1,564	1,771	88.3%	1,892	2,724	69.5%	16	1,376	3,026	45.5%	2,246	4,938	45.5%	33	1,767	2,360	74.9%	22	1,299	2,335	55.6%	32	1,572	3,018	52.1%	27	990	3,018	32.8%	42
SUF	320	1,126	28.4%	1,139	1,665	68.4%	20	823	2,059	40.0%	806	2,397	33.6%	3	1,085	1,378	78.7%	6	1,118	1,489	75.1%	3	908	1,784	50.9%	30	491	1,784	27.5%	33
SUR	320	1,790	17.9%	1,034	1,252	82.6%	2	1,113	2,828	39.4%	849	1,877	45.2%	32	621	992	62.6%	40	540	958	56.4%	31	485	1,224	39.6%	42	295	1,224	24.1%	22
SSX	632	2,492	25.4%	1,660	2,109	78.7%	6	1,340	3,515	38.1%	1,265	2,927	43.2%	23	1,007	1,623	62.0%	41	865	1,626	53.2%	34	1,091	2,285	47.7%	37	443	2,285	19.4%	14
TVP	1,328	3,275	40.5%	1,729	3,506	49.3%	41	1,309	4,041	32.4%	2,022	5,386	37.5%	13	1,960	2,672	73.4%	27												

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