

Service Prosecuting Authority implementing HMCPST Recommendations

Director of Service Prosecutions, Mary Cowe, welcomes HMCPST's findings that the Service Prosecuting Authority continues to deliver high quality casework.

On 28 November 2024, His Majesty's Crown Prosecution Inspectorate (HMCPST) produced a report highlighting that the Service Prosecuting Authority (SPA) was delivering high-quality legal decisions. HMCPST made seven recommendations which they believed would enhance and entrench the quality of decision making. SPA invited HMCPST to complete a follow-up report to ensure those recommendations were implemented. HMCPST inspected a random dip sample of case files and conducted interviews and focus groups with prosecutors.

It is encouraging to read that HMCPST consider that the SPA has achieved compliance in six of the seven areas where recommendations were made. Those areas include second lawyer checks on all cases where a charging decision has been reviewed. HMCPST also found that the SPA was taking steps to ensure that disclosure is approached in a thinking manner at the outset of every case, including through better use of Disclosure Management Documents, although there is more work to do. They also found that SPA is more adept in identifying cases, at the pre-charge stage, where vulnerable victims might require special measures. It was further noted that our communication with victims had improved.

The SPA entirely accepts HMCPST's finding that whilst the recording of casework materials on the current case management system had improved, the picture was not uniform. We agree with their view that the new SPA case management system, which will be introduced in the coming months, is likely to make it significantly easier for prosecutors to produce a full audit trail.

The original report by HMCPST found that the SPA was performing well. These recommendations were intended to improve the already high quality of decision-making. The SPA is not complacent and acknowledges that the commitment to the highest standards of case work requires continuous effort.

Both the initial inspection and this follow-up report were produced at the request of the SPA. We hope that the willingness of the SPA to invite independent external inspectors to examine our work, as well as the positive findings themselves, will reassure the Service community and the wider public. As the follow up report notes, my predecessor in the role, Jonathan Rees KC, is to be credited with creating a firm foundation of good quality legal decision-making, and I would like to thank him for all the work he did, which has put the SPA in the very healthy position that HMCPST find it to be.

Mary Cowe, Director of Service Prosecutions