



HM Crown Prosecution
Service Inspectorate

One Kemble Street
London
WC2B 4TS

<http://www.justiceinspectorates.gov.uk/hmcpsi/>

23 November 2018

Dear [REDACTED]

1. Thank you for your freedom of information (FOI) request received by email on 6 November 2018.
2. In your request received 6 November 2018 you asked for information regarding the powers and duties of HMCPSI.
3. The information requested is as follows:
 1. What powers and duties does the inspector have?
 2. What are the formal terms of reference?
 3. Can the Inspector take up an individual allegation of misfeasance or can he only investigate systemic evidence of misfeasance?
 4. If the latter, how is systemic or repeated allegations defined.
 5. How does the role of the Inspector differ from that of the CPS Ombudsman?
 6. Does the Inspector have a duty to take up a serious allegation made to him or can he "pick and choose"?
4. Regarding request no. 1 asking what powers and duties the Chief Inspector has: I can confirm that we hold information that is in scope.
5. We are withholding this information under Section 21 of the Freedom of Information Act.

6. Section 21 applies when the material requested is reasonably accessible to the applicant by other means.
7. The powers and duties of the Chief Inspector can be found in the Crown Prosecution Service Inspectorate Act 2000:
<https://www.legislation.gov.uk/ukpga/2000/10/schedule/paragraph/3>
8. Regarding request no. 2 asking what are the formal terms of reference for HMCSI: we do not hold any information in scope of this request.
9. By way of background, outside of the FOI request, we can advise you that we do not hold any information in scope of request no. 2 because HMCSI does not have any formal terms of reference – all information about the purpose and structure of the organisation is in the Crown Prosecution Service Inspectorate Act 2000, at the link above.
10. Regarding requests nos. 3 and 4 asking if the Chief Inspector can take up an individual allegation of misfeasance or can he only investigate systemic evidence of misfeasance and the definitions of systemic or repeated allegations: we do not hold any information in scope of this request.
11. By way of background, outside of the FOI request, we can advise you that we do not hold any information in scope of requests nos. 3 and 4 because HMCSI is not an investigatory agency. Allegations of criminality are for the police to investigate; if we found evidence of criminality when carrying out an inspection, we would report it to the police for them to investigate.
12. Regarding request no. 5 asking how the role of the Chief Inspector differs from that of the CPS Ombudsman: we do not hold any information in scope of this request.
13. By way of background, outside of the FOI request, we can advise you that we do not hold any information on request no. 5 because the CPS does not have an Ombudsman. There is an Independent Assessor of Complaints whose role is described at:
<https://www.cps.gov.uk/feedback-and-complaints>
14. Regarding request no. 6 asking if the Inspector has a duty to take up a serious allegation made to him or if he can “pick and choose”: we do not hold any information in scope of this request.
15. By way of background, outside of the FOI request, we can advise you that we do not hold any information on request no. 6 for the same reason as in paragraph 11.

Complaints and comments

16. I would like to explain that if you are dissatisfied with any aspect of our response to your request for information please send full details within two calendar months of the date of this email to: info@hmcsi.gov.uk marked for the attention of [REDACTED]

17. You have the right to ask the Information Commissioner (ICO) to investigate any aspect of your complaint. Please note that the ICO is likely to expect internal complaints procedures to have been exhausted before beginning an investigation.

Yours sincerely



