



HMCPSI

HM Crown Prosecution
Service Inspectorate

The CPS's handling of police witness care correspondence

March 2021

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Who we are

HM Crown Prosecution Service Inspectorate inspects prosecution services, providing evidence to make the prosecution process better and more accountable.

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

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

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1. Context and key findings

Context

1.1. In 2019, HMCPSI reported on the Crown Prosecution Service's (CPS) handling of defence correspondence. At the time, there had been a perception that the CPS did not deal with correspondence effectively and our report went some way to dispel that narrative. For example, we found that the CPS actioned in good time 85.5% of correspondence received from the defence.

1.2. In our 2019/20 business plan, HMCPSI committed to completing a further inspection to assess the overall management of correspondence received from the police. To do this, we considered that the correspondence the CPS received from police witness care units (WCUs) would allow for effective inspection.

1.3. Effective management of the correspondence received from WCUs has real impact in terms of keeping victims and witnesses engaged in a case and attending the trial, and in ensuring that the CPS has time to make effective decisions about how best to take the case forward. Effective correspondence management also ensures that contested criminal cases are ready to proceed to the agreed schedule. Alternatively, it gives CPS staff enough time to make an application to apply to adjourn a trial hearing should the required witnesses be unavailable.

1.4. This inspection has focused on communications sent by witness care officers (WCOs) from WCUs to the CPS. There are a number of WCUs across the country and, in the main, they come under the governance structure of the local police force. A WCU's role is to instigate and maintain contact with victims and witnesses, keeping them informed about progress of their case at key stages, and letting them know when they need to attend court once a case has been adjourned for a trial.

1.5. The WCOs tell victims and witnesses of any relevant developments in the case, such as when a defendant enters a guilty plea. They also pass on updates the CPS may find useful; for example, whether witnesses need special measures to assist them in giving their evidence.

1.6. The way in which the CPS receives WCU correspondence differs from the way it is received from other criminal justice system partners. For example, the defence and courts usually rely on secure email to communicate with the CPS. Most WCUs, however, use the witness management system (WMS), which was first introduced in 2006. This system is linked to, and allows the WCU to send correspondence directly into, the CPS's case management system (CMS).

1.7. In recent years, both systems have been updated to allow WCOs and CPS staff to send each other communications using a task-based process. This is now the main way in which the CPS communicates with WCOs. The tasking process allows the CPS to easily recognise and filter this type of correspondence compared to those received into CMS via email. It also allows the CPS to monitor compliance with tasks set and to manage how well communications are dealt with.

1.8. Adoption of the WMS was not mandated, and there are currently four WCUs (in Hampshire, Kent, North Yorkshire and within the British Transport Police) that do not use it. They rely on other methods – for example, Microsoft Word templates or Manual of Guidance documents¹ – to raise issues with or provide information to the CPS regarding victims and witnesses. These can be sent in several ways, including by secure email, directly into the CMS via the police case management systems, or by phone.

Key findings

1.9. CPS Areas usually handle witness care correspondence efficiently and effectively. Staff achieve this standard by checking incoming communications promptly, responding within an acceptable timeframe and fully addressing most queries.

1.10. CPS Areas adopt varying approaches to the grade of staff that are allocated to check witness care correspondence. Most communications are initially checked by members of the operational delivery teams before being escalated to a prosecutor if a legal decision is required.

1.11. However, there is inconsistency in understanding among operational delivery staff as to the types of communication they can deal with. In part, this may be due to the lack of specific guidance relating to witness care correspondence. But there is national guidance detailing roles and responsibilities for staff dealing with correspondence received from other parties, such as the defence and court.

1.12. While there is no official target for the time taken to deal with witness care correspondence, there is a generally recognised expectation that tasks generated by WCOs should be checked within 48 hours. In the sample of 871 pieces of correspondence we examined, we found that:

¹ The Manual of Guidance for preparation of case files includes standard documents (which are given MG numbers) for key parts of the file, such as an MG5 (summary of evidence), or the MG6 and MG20, both of which can be used by the police to supply evidence or information to the CPS. <https://library.college.police.uk/docs/appref/MoG-final-2011-july.pdf>

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- over half (59.2%) of the items received via WMS directly into the CMS were checked within 24 hours
- two-thirds (68.7%) were checked within 48 hours
- four out of five (80.4%) were checked within five days.

1.13. For communications received other than via WMS, checks were less prompt. Inspectors found that communications via secure mail from three of the four forces were, in most cases, easily identifiable as WCU correspondence. However, this was not the case with communications received from the fourth force. This is largely because the force's WCU uses a generic form for communications, which does not highlight that it relates to victim or witness matters.

1.14. The CPS and WCOs make effective use of tasking functions, and the CPS addressed about four out of five WCU communications (80.4%) within five days of receipt. In some cases, delays were caused by the need to contact another party – such as the police, court or defence – in order to take the query forward. In just over half the cases where that was necessary, a response was received from the other party within five days, but there was no response received in a quarter of these cases. The Areas did not chase outstanding responses as often as they should have, despite the national Standard Operating Practice (SOP) clearly setting out the necessary steps.

1.15. CPS staff dealt with all issues raised in 87.5% (762) of the correspondence we reviewed. A further 45 pieces of correspondence (5.1%) received a partial response, and 65 (7.5%) received no reply from the CPS. We concluded that in 26 (2.9%) of the instances where the CPS did not respond, the failure was likely to have had a negative impact on the subsequent handling of the case.

1.16. The national SOPs do not provide instruction or guidance specifically on handling witness care correspondence. We did not find evidence that this impacted on performance, but we did see inconsistencies in the initial checking and allocation of tasks, which was likely to impact on the efficient and timely use of resources. Two of the four Areas where we conducted fieldwork have developed local guidance, and we suggest that CPS Headquarters considers whether these, or other national guidance, would assist case progression.

1.17. There is no national training for how to deal with witness care communications. In the Areas we visited, training is primarily 'on the job' for operational delivery (OD) staff and is provided by more experienced members of the team. This approach introduces several risks, including:

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- inconsistent handling of queries
- a lack of resilience if experienced colleagues are absent
- the possibility that tasks that could be dealt with in the OD team are allocated instead to prosecutors or managers.

1.18. We found sufficient evidence to make one recommendation and highlight one issue to address.

Recommendation
The Crown Prosecution Service should encourage the four police forces that do not currently use the witness management system to adopt the system, as this improves the timeliness of handling cases. (paragraph 5.10)

Issue to address
Crown Prosecution Service Headquarters should consider liaising with Crown Prosecution Service Areas to produce detailed guidance on how witness care correspondence should be managed. (paragraph 4.8)

2. Framework and methodology

Inspection question

2.1. Our inspection question was: 'Does the Crown Prosecution Service (CPS) deal with witness care correspondence in an effective and efficient manner to support the prosecution process?' To answer this question, our inspection framework comprised two sections.

- CPS Areas have systems and processes in place to ensure the effective and prompt handling of police correspondence.
- Staff are provided with appropriate guidance on dealing with witness care unit (WCU) correspondence.

2.2. The two sections had sub-questions, which are set out with the full framework in annex A.

How we inspected

File examination

2.3. We examined a total of 430 contested cases, 30 from each of the 14 CPS Areas, and ten from British Transport Police, which are managed centrally by CPS West Midlands. Each Area's sample of 30 cases was split as evenly as possible between its various police forces. All of the cases had a trial listed in a magistrates' court between November 2019 and the end of February 2020. This was to ensure that we did not examine cases that may have been affected by the COVID-19 pandemic. We examined finalised cases and included a mix of successful and unsuccessful outcomes.

2.4. We examined the files against a standard question set, which can be found in annex B. We assessed a maximum of three pieces of correspondence from each case (not including follow-ups by witness care officers chasing a response to a previous communication) against a series of measures:

- the date and types of correspondence
- the timeliness of the initial check made by the CPS
- whether the CPS had to request further information from the WCO
- if the CPS had to write to other agencies to progress the issue
- whether all points of the correspondence were answered

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- if there was a potential impact, either positive or negative, on the outcome of the case.
- The key results can be found in chapter 3.

Document analysis

2.5. The inspection team reviewed documents, provided by CPS Headquarters and four CPS Areas, that related to sections of the inspection framework. The documents requested included agreements with local WCUs, available performance data and any guidance documents provided to CPS staff at a national or local level.

Fieldwork

2.6. The inspection team conducted the fieldwork remotely due to the ongoing COVID-19 pandemic. We spoke with staff and managers who are responsible for handling WCU correspondence. We also spoke to staff in CPS Headquarters who are responsible for the case management system (CMS) and witness management system (WMS), and the policy lead for victims and witnesses. We are grateful to the staff who allowed us to interview them, virtually, in their homes, and to all who assisted with the inspection.

3. File examination and data analysis

3.1. As set out in chapter 2, we examined 430 magistrates' court files and, across those cases, we looked at 871 pieces of witness care correspondence.

Logging communications

3.2. We noted that, where communications came in by phone, the original query was not always recorded. We could tell that a call had come in from action that resulted, but the content of the telephone call was not always properly logged on the case management system (CMS). Crown Prosecution Service (CPS) managers need to remind all staff of the expectation to record accurately on the CMS any communication that is not automatically added.

Checking communications

3.3. We found that 796 (91.4%) pieces of correspondence that CPS Areas received from the witness care units (WCUs) were sent via the witness management system (WMS). This generates a task in the CPS case management system (CMS) for a CPS staff member to check the incoming communication.

3.4. Of the 796 pieces of correspondence received in this way, 471 (59.2%) were checked within 24 hours of receipt and 640 (80.4%) had been checked within five days. This is against an expectation that a check will be carried out the day after a communication has arrived via the WMS.

3.5. Some WCUs do not use the WMS and, therefore, send their correspondence using other methods. In our sample, 75 communications (8.6%) were received either by secure email, via a link with another police IT system or through a phone call.

3.6. We found that this correspondence was actioned slightly slower than those communications sent via the WMS. Of the 75 pieces examined, 42 (56%) were checked by CPS staff within 24 hours and 57 (75.9%) had been checked within five days of receipt. The expectation for checking these communications is two days from when it is transferred into the CMS by operational delivery staff.

3.7. A possible explanation for the speedier checking of WMS communications is that they are automatically flagged as coming from a WCU so it is obvious they relate to witness care and are prioritised. Non-WMS communications come into CMS along with those from other sources, such as defence representatives and the court. This means they have to be identified one by one as relating to a witness issue, which may slow down the response time. We discuss further the differences in processing and tasking in chapter 5.

3.8. In all, 542 (63.4%) items of correspondence were checked within 48 hours.

Staffing and responsibilities

3.9. CPS Headquarters does not mandate what grade of staff in each Area is responsible for carrying out initial checks on witness care correspondence. This allows Areas to manage their resources according to their needs and staffing models. In most cases we examined, operational delivery (OD) staff were responsible for the initial check or triage, and this was also the case for three of the four CPS Areas we visited: CPS East Midlands, CPS London South and CPS Cymru Wales. In CPS South East, an OD manager carries out the initial check.

3.10. The purpose of the check is to determine whether the OD staff member can deal with the query themselves or if it needs to be passed on to a colleague and, if so, to whom it should be sent. We found that, across the four fieldwork Areas, there was a lack of consistency in the remit adopted for OD staff.

3.11. We were told of examples in both London South and East Midlands where OD staff proactively manage and prioritise correspondence as it is received. This includes requesting further information where required and escalating to more senior staff or the allocated prosecutor where needed.

3.12. We also saw examples of work that could have been handled by OD staff, but which was routinely dealt with by prosecutors. In CPS South East, we found that prosecutors were dealing with multiple, unchanged versions of the same witness attendance confirmation document sent by a police force that did not use the witness management system (WMS). It was clear the position had not changed and there was no action required by the CPS, so such updates could have been dealt with by the OD staff. In CPS Cymru Wales, OD staff sift the correspondence upon receipt, but only deal with a very limited range of queries before escalating to the allocated prosecutor.

3.13. Lack of proportionate and appropriate tasking to OD and other staff reduces the efficiency of correspondence handling, and unnecessarily increases the workload of paralegals and prosecutors. As we discuss in chapter 4, clearer national guidance for OD staff would broaden skills and ensure a more consistent and effective approach is adopted nationally.

3.14. CPS Areas should ensure that they have sufficient trained staff to cover staff absences. We identified a risk that inexperienced staff may escalate witness care officer (WCO) correspondence to prosecutors when it could have been dealt with at OD level, again leading to inefficient use of resources.

Information supplied by the witness care unit

3.15. The CPS Standard Operating Practice (SOP) identifies the minimum level of information that the CPS considers to be good practice and that it expects WCOs to provide when they raise issues with Areas. For example, if a witness has said that they cannot attend the trial because they have a prior engagement, such as a holiday, the CPS would expect the WCU to obtain supporting documentation and supply it to the Area. However, there is no national agreement with WCU, and CPS Areas negotiate and monitor this locally.

Where a request was made for additional information, responses from the WCU were generally prompt

3.16. In almost all cases, the information supplied by the WCO was sufficient for CPS staff to be able to deal with the correspondence straight away. On 66 occasions, or 7.6% of the 871 pieces of correspondence we checked, the CPS needed more information from the WCO before progressing the matter, and they requested this in all instances.

3.17. Where a request was made for additional information, responses from the WCU were generally prompt, with 40 (60.6%) being received within 24 hours and 56 (79.7%) received within five days. There were three cases where we could not see a response from the WCO in the case management system.

Responding to communications

3.18. Of the 871 pieces of correspondence we examined, 841 required some action or some other form of response from the CPS. We found that CPS staff reacted to witness care correspondence promptly. Nearly a third (271 or 31.1%) was dealt with within 24 hours and 597 (68.5%) were actioned within five days of the initial receipt date. In less than one in twenty (42 or 4.8%) cases, the CMS showed no evidence of action taken or a response given.

3.19. CPS staff dealt with all the issues raised in 762, or 87.5%, of the 871 pieces of correspondence we examined. In 45 pieces of correspondence (5.1%), some of the issues raised were dealt with, and in 65 (7.5%) there was no evidence of the query having been addressed at all. Of the 65 pieces of correspondence not addressed, there were 26 (2.9%) where the lack of a response may have had a negative impact on the case.

3.20. It was clear from our inspection that witness care correspondence is expected be addressed within 48 hours and that this is achievable. However,

there are other communications that require the Area to involve others – such as the police, court or defence – and wait for the response before they can progress the issue. This often meant that the query took longer than 48 hours to resolve.

Involving partners and others

Requesting information from partners and others

3.21. In 171 of the 871 pieces of correspondence we examined (or 19.6%), the CPS needed to write to others, such as the police, court or defence, to address the query from the WCU. Of these, 66 (38.6% of the 171 instances) required the CPS to contact more than one agency or organisation to progress the case.

3.22. Where a response was sought from other agencies, 48 (30.6%) were received within 24 hours and 82 (52.3%) within five days. However, inspectors found that on 40 occasions (25.5%) no response from the relevant agency or agencies was logged in CMS.

Following up with partners and others

3.23. Where others have needed to be involved in dealing with a WCU communication, it would usually be the responsibility of the prosecutor to follow up or chase any outstanding responses. Operational delivery staff would follow up or chase responses only under instruction or if they had written to the agency.

3.24. During our file examination, we identified 65 occasions where we concluded that the CPS should have chased a response from an agency or multiple agencies. Of those, the CPS chased a response in full 27 times, sent a 'partial chase' on two occasions and did not chase at all in 36 cases.

3.25. The follow-up process is set out clearly in the Standard Operating Practice (SOP), but from our file sample it appears not to be applied consistently. CPS Areas should remind staff of how the follow-up task in CMS should be assigned and managed to effectively chase outstanding queries, and ensure responses are handled in a more consistent and efficient way.

4. Guidance and training

National guidance

4.1. The Crown Prosecution Service (CPS) has clear guidance on the process it expects CPS Areas to follow for a number of its common activities, including managing correspondence. These processes are set out in Standard Operating Practices (SOPs) and are supported by a number of 'how to' guides. These guides provide additional detail for operational delivery staff on how to use the CPS case management system (CMS) to process correspondence. They also detail the types of correspondence staff can deal with without having to escalate to a prosecutor or manager.

4.2. The SOP clearly sets out the minimum staff grade expected to deal with correspondence at different stages of the process. This is designed to ensure Areas use resources effectively and that casework decisions are made at the correct level.

4.3. We reviewed the guides produced by CPS Headquarters and found that the guidance covered in some detail the correspondence received from agencies, such as the defence and court, but there was no reference to witness care correspondence. However, we did not find any evidence that the absence of specific witness communication guidance has had an impact on case progression.

Local processes

4.4. We set out in chapter 3 (from paragraph 3.23) that different CPS Areas have set up their own processes for the types of witness care correspondence that operational delivery (OD) staff can deal with themselves and not refer on to a paralegal, prosecutor or manager.

4.5. Two of the fieldwork Areas, CPS East Midlands and CPS London South, have recognised the need to supplement the national guidance and have produced their own documents, either adapted from national guidance or generated locally. The guides provide detailed information for OD staff on the key functionality in CMS for handling witness care correspondence, and local protocols for how it should be managed.

4.6. OD staff told us that they found the guides helpful as reference points should they require any additional information. In these two Areas, it was clear that the staff had a good understanding of what was expected of them when they carried out their initial checks on witness care correspondence, as well as what they could deal with within the remit of their role. This empowered them to

deal with more complex issues and to request more information from the witness care officers directly where necessary.

4.7. Clearer and more detailed national guidance on witness care unit (WCU) communications would lend consistency to the application of the SOP. It would also support Areas in tasking the right people to deal with different communications. This would develop the skills of OD staff, allowing them to deal with a wider range of issues raised by witness care officers and to do so more consistently, with the possibility of further improving response times.

4.8. Clearer guidance would also help to deliver efficiency savings by ensuring that tasks are completed at the appropriate grade. CPS Headquarters should consider liaising with Areas that have developed additional guidance to see if it can be adapted for use at a national level.

Issue to address
Crown Prosecution Service Headquarters should consider liaising with Crown Prosecution Service Areas to produce detailed guidance on how witness care correspondence should be managed.

Training

4.9. Inspectors spoke with OD staff and prosecutors in the four Areas where we conducted fieldwork (CPS East Midlands, CPS London South, CPS South East and CPS Cymru Wales), and with managers of those staff. We were told that no formal training had been delivered, either nationally or locally, that focused specifically on the management of witness care correspondence.

4.10. OD staff told us that any training they received was informal and would usually be delivered by a colleague (at the same grade or more senior) who was experienced in dealing with witness care correspondence. The training would usually take place on the job when someone new to the team or less experienced was first assigned to that specific task.

4.11. Lack of formal training for OD staff, when combined with the lack of formal SOP expectations, increases the risk of inefficient use of resources. This could include, for example, correspondence that could be handled by OD staff being forwarded to a paralegal, prosecutor or manager to deal with.

5. IT support for effective correspondence handling

Correspondence tasks

Witness management system tasking

5.1. The majority of witness care units (WCUs), 39 of 43, have access to the witness management system (WMS). This system uses the same database and information as the Crown Prosecution Service (CPS) case management system (CMS). It, therefore, allows witness care officers (WCOs) to send tasks directly to CMS, which in turn generates a message for CPS staff to check the communication.

5.2. Tasks are configured in CMS to a national CPS standard, with due dates automatically calculated from the date the task was created. In the case of tasks generated by WCOs, the creation date will usually be the same date that the communication was sent to CMS. The due date will be the next working day.

5.3. Task lists are not influenced by the next court hearing date and, therefore, are not impacted by, and may not accurately reflect, the urgency of the task. For example, if two tasks were generated by a WCO on 14 January for two cases with very different trial dates, the system would generate a due date of 15 January for both, regardless of which had the earlier trial date or was more urgent.

5.4. The system does not allow due dates to be overridden manually, but we found that the CPS Areas we visited (CPS East Midlands, CPS London South, CPS South East and CPS Cymru Wales) all consistently prioritised witness care correspondence tasks. Staff in all four Areas not only use the due date of a task, but also other relevant factors relating to urgency, such as whether there is a custody time limit running for a defendant or when the trial date is listed. This means incoming communications can be dealt with according to casework need rather than simply the date of their arrival.

Non-witness management system tasking

5.5. The four police forces that do not currently use the WMS are the British Transport Police (BTP), Kent Police, Hampshire Constabulary and North Yorkshire Police. WCOs in these WCUs send communications by secure email, phone or through other police IT systems directly to CMS.

5.6. Correspondence sent by secure email to the CPS is received into central email boxes. Operational delivery (OD) staff monitor the mailboxes, which must be cleared daily. Once checked, the correspondence is sent to the CMS and a

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'check new correspondence' task is raised. These tasks have a due date of two working days from when the OD staff sent the item of correspondence to the CMS, compared to the next working day for tasks created directly in CMS via WMS.

5.7. As we set out in paragraph 3.6, this could be a contributing factor to why non-WMS correspondence is managed less efficiently. CPS Headquarters should consider if consistent timescales should be applied to the relevant tasks.

5.8. It is important that WCOs correctly label emails or other messages as witness care issues to ensure that they can be distinguished from other types of correspondence and prioritised accordingly.

5.9. We checked the 71 pieces of correspondence that came in via channels other than WMS and found that 52 (73.2%) were easily identifiable as being witness care correspondence. The main exception to this was correspondence sent by BTP, which submitted the majority of its communications using an Manual of Guidance Form 20 that was not labelled differently to other communications. Of the 13 BTP pieces of correspondence we checked, 12 (92.3%) were not easy to identify as correspondence from the WCU.

IT usage for responding to witness case units

5.10. We were told that occasionally prosecutors may respond to witness care communications by email rather than through CMS and WMS. This could be due to a lack of familiarity with the system or because the response was urgent and there was a lack of trust in the system generating the task – and therefore the response – on time. The CPS should work to ensure that any future joint IT development takes issues such as this into account and ensures that IT systems are used consistently.

Recommendation

The Crown Prosecution Service should encourage the four police forces that do not currently use the witness management system to adopt the system, as this improves the timeliness of handling cases.

6. Assurance processes and performance

Assurance processes

6.1. There is no nationally mandated assurance specifically related to witness care correspondence. However, there are effective national systems in place to ensure that, in general, tasks are checked in a timely manner, progressed, and escalated where needed.

6.2. We were told by managers in the Crown Prosecution Service (CPS) Areas we visited – CPS East Midlands, CPS London South, CPS South East and CPS Cymru Wales – that any backlogs or overdue tasks relating to witness care officer (WCO) communications would be identified and tackled during their wider case progression checks.

6.3. In all four on-site Areas, managers check the timeliness and quality of their team members' responses to witness care queries during their routine individual quality assessment (IQA) checks. It is not a specific requirement of IQA that they examine witness care unit (WCU) communications, but managers are required to review case progression, of which correspondence handling is a part.

6.4. IQA is an internal assurance process in which legal managers conduct a set number of casework assessments per year for each of the prosecutors in their team. Managers told us that if they see that a response to a witness query does not meet the required standard, they address it with the particular prosecutor.

6.5. Legal managers also carry out reviews of cases that led to an adverse outcome. In the magistrates' courts, this happens when there is a ruling that there is no case to answer, at which point the defendant is found not guilty. Managers told us that any failure to deal with witness care queries would be noted and addressed with the relevant member of staff as part of any learning from the adverse outcome.

6.6. In CPS East Midlands, legal managers in the magistrates' courts unit use a weekly case management system (CMS) task report, produced and circulated by CPS Headquarters, to identify any significant backlogs for witness care correspondence within their team. The managers check the due date of a task and access details of the query. If they judge that urgent action is required by the allocated prosecutor, the manager will either email the prosecutor to remind them to complete the task or, if they are not available, reallocate it to ensure the work is completed in a timely manner.

6.7. Managers said they found the national task report useful as a resource management tool because it lets them prioritise urgent tasks, reallocate casework if needed, and balance prosecutors' caseloads. Given how effectively this report is used locally, CPS Headquarters should assess if this is good practice and highlight it to other CPS Areas to support existing national assurance mechanisms.

Performance data

6.8. CPS Headquarters does not produce any performance measures or data relating specifically to the timeliness or quality of responses to witness care correspondence. However, the overall volumes of the 'Check WCU comms' task are highlighted in the monthly task summary report. The volumes of outstanding work at the Area level used to be included in the Area Performance Review (APR) information pack, but this detail was recently removed because the data has been refocused due to the impact of the COVID-19 pandemic.

6.9. We found no evidence that the absence of performance data relating to witness care communications has had an adverse effect on overall performance. However, clearer guidance and management information will further improve CPS Areas' ability to deal with witness care correspondence promptly.

6.10. Given the varied methods by which Areas receive and deal with communications, CPS Headquarters may find it difficult to produce data. We suggest it considers whether data could be produced from the common platform as better functionality is developed and rolled out. This will support the case management system task report circulated to CPS Areas and identify case progression issues that need local intervention.

Annex A

Inspection framework

Inspection question

Does the Crown Prosecution Service (CPS) deal with witness care correspondence in an effective and efficient manner to support the prosecution process?

Inspection criteria

A. CPS Areas have systems and processes in place to ensure they handle police correspondence effectively and promptly.

- Is there an effective system in place to pick up incoming police correspondence (witness care unit [WCU] comms) to ensure it is prioritised and actioned appropriately?
- Do Areas have processes in place to ensure that correspondence received is actioned within two working days of receipt?
- Do Areas have an effective system in place to ensure that any police correspondence not received directly into the case management system (CMS) is linked to and entered correctly?
- Do Areas have processes to ensure that sufficient information is gathered to ensure WCU correspondence is dealt with effectively?
- Are effective systems in place to monitor and chase responses required from other agencies; for example, the defence and courts?
- Do Areas ensure that communications are responded to via the appropriate channel?
- Are responses to correspondence timely, high quality and do they deal with all the points raised? Do Area systems ensure that WCU correspondence is dealt with by staff at the appropriate level and in line with Standard Operating Practice (SOP)?

B. Staff are provided with appropriate guidance on dealing with WCU correspondence.

- Do all staff have access to clear guidance on effectively managing, prioritising and correctly recording witness care correspondence, as well as Area and national guidance?

Annex B

File examination question set

File examination question set

The following questions were used to assess the management and timeliness of responses to witness care correspondence. Questions 3–26 were repeated for each individual piece of correspondence, up to a total of three communications.

1. What was the date of the first hearing or of the not guilty plea?
2. How many items of correspondence were received from the witness care unit (WCU)?
3. How was each item of correspondence received?
4. If received outside the witness management system (WMS), was the correspondence uploaded to the case management system (CMS) and named appropriately?
5. What date was the item of correspondence received?
6. What trial date was relevant to the correspondence?
7. What date was the task checked on CMS?
8. What date was the correspondence actioned?
9. What was the nature of the correspondence?
10. Was enough information provided to allow the Crown Prosecution Service (CPS) to adequately deal with the request?
11. If the information request was insufficient, did the person dealing with the correspondence contact the WCU for further information or clarification before they could deal with it?
12. If further information was required, when was it requested?
13. Was the WCU given a response date?
14. What date was the response received from the WCU?
15. Was there a need for CPS to liaise with other agencies to address the correspondence?
16. If, yes which agencies were contacted?
17. What date was contact made?

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18. What date was the response received from the other agency/agencies?
19. Did the CPS chase the response where necessary?
20. What date was the correspondence finally dealt with?
21. Who dealt with the correspondence?
22. Was the correspondence dealt with at the appropriate level?
23. In what format did the CPS respond to the WCU?
24. If the WCU had to chase the CPS for a response, how many times did they chase?
25. Did the action by the CPS deal with all the issues raised in the correspondence?
26. Does the inspector find that the handling of witness care correspondence had a significant impact on the subsequent case outcome?

Annex C

File examination results

Table 1: Days between date correspondence received and date task checked in CMS (WMS correspondence only)

CPS Area	≤1	1-2	3-5	6-10	≥11
Cymru Wales	31	8	8	9	6
East Midlands	37	6	13	2	4
East of England	34	8	12	8	6
London North	24	12	6	10	7
London South	39	5	9	2	5
Merseyside & Cheshire	42	4	5	3	11
North East	39	7	3	7	4
North West	49	7	6	6	6
South East	15	2	2	7	4
South West	42	5	5	6	3
Thames & Chiltern	36	2	7	8	2
Wessex	25	3	5	2	5
West Midlands	27	4	7	6	7
Yorkshire & Humberside	31	3	5	4	6
Grand total	471	76	93	80	76

Table 2: Days between date correspondence received and date actioned (all)

CPS Area	≤1	1-2	3-5	6-10	≥11	Not actioned
Cymru Wales	34	5	7	4	4	11
East Midlands	35	4	11	3	4	7
East of England	39	2	11	9	4	4
London North	28	10	5	5	9	2
London South	38	5	9	2	6	
Merseyside & Cheshire	38	6	5	1	10	5
North East	39	3	6	7	4	2
North West	45	4	8	6	6	5
South East	19	6	5	7	11	4
South West	42	4	3	5	5	4
Thames & Chiltern	33	6	6	7	2	5
Wessex	33	2	5	3	10	3
West Midlands	23	2	7	6	8	7
West Midlands – BTP	6	2	3	2		
Yorkshire & Humberside	34	3	8	2	6	4
Grand total	486	64	99	69	89	63

Table 3: Did the CPS need to liaise with other agencies to address the correspondence?

CPS Area	Yes	No
Cymru Wales	11	54
East Midlands	18	46
East of England	13	56
London North	11	48
London South	5	55
Merseyside & Cheshire	20	45
North East	17	45
North West	16	58
South East	6	46
South West	15	49
Thames & Chiltern	12	47
Wessex	7	49
West Midlands	8	45
West Midlands – BTP	2	11
Yorkshire & Humberside	10	47
Grand total	171	701

Table 4: Which agencies were contacted?

CPS Area	Defence	Multiple agencies	Police	Court	Other
Cymru Wales		6	4		1
East Midlands	1	8	5	4	
East of England	1	6	1	5	
London North	3	2	4	1	1
London South		1	1	3	
Merseyside & Cheshire	5	11	3	1	
North East	1	9	2	5	
North West		5	9	2	
South East	3	1		2	
South West	2	5	1	7	
Thames & Chiltern		4	3	5	
Wessex	1	3	1	2	
West Midlands	2		2	4	
West Midlands – BTP			1	1	
Yorkshire & Humberside	2	5	1	2	
Grand total	21	66	38	44	2

Table 5: Where agencies were contacted, did the agency respond?

CPS Area	Yes	No	Partially	Response not required
Cymru Wales	10	1		
East Midlands	7	7	3	1
East of England	7	4	1	1
London North	8	2		1
London South	4			
Merseyside & Cheshire	14	5	1	
North East	12	1	3	1
North West	10	4	1	1
South East	4	1		1
South West	6	4	3	2
Thames & Chiltern	5	5	2	
Wessex	6	1		
West Midlands	5	2		1
West Midlands – BTP		1		1
Yorkshire & Humberside	3	2	2	3
Grand total	101	40	16	13

Table 6: Days between date contact made with other agency and date of response

CPS Area	≤1	1-2	3-5	6-10	≥11	No response
Cymru Wales	4	1	2	2	1	1
East Midlands	4		1	2	3	7
East of England	3		3	1	1	4
London North	6	1			1	2
London South	2	1	1			
Merseyside & Cheshire	4	3	1	5	2	5
North East	8	2	2	1	2	1
North West	4	1	3	1	2	4
South East	1			3		1
South West	5	1			3	4
Thames & Chiltern	1	1	4		1	5
Wessex	3		1	1	1	1
West Midlands	3	2				2
West Midlands – BTP						1
Yorkshire & Humberside		3			2	2
Grand total	48	16	18	16	19	40

Table 7: Did the CPS chase the response from the other agency, where necessary?

CPS Area	Yes	No	Partially	Not required
Cymru Wales	3	1		7
East Midlands	5	6		7
East of England	2	1		10
London North	1	2	1	7
London South				4
Merseyside & Cheshire	4	4		12
North East	1	2		14
North West	4	3		9
South East		3		3
South West	3	4		8
Thames & Chiltern	2	5	1	4
Wessex				7
West Midlands		2		6
West Midlands – BTP		1		1
Yorkshire & Humberside	2	2		6
Grand total	27	36	2	105

Table 8: Format in which correspondence was received

Format	
WMS	796
Email	34
Phone call	6
Other	35
Grand total	871

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Table 9: Format CPS responded in

Format	
WMS	312
Email	122
Phone call	7
Multiple methods	6
Other	26
Grand Total	473

Table 10: Days between date correspondence received and date finally dealt with

CPS Area	≤1	1-2	3-5	6-10	≥11	Not dealt with
Cymru Wales	30	7	8	8	5	7
East Midlands	31	7	8	2	10	6
East of England	37	3	11	8	7	3
London North	27	10	6	5	10	1
London South	39	4	7	3	6	1
Merseyside & Cheshire	35	6	5	2	16	1
North East	35	5	7	5	9	1
North West	42	4	8	5	12	3
South East	19	4	4	8	14	3
South West	36	8	1	6	9	3
Thames & Chiltern	31	6	7	7	6	2
Wessex	32	2	3	3	14	2
West Midlands	20	2	9	5	13	4
West Midlands – BTP	5	2	3	3		
Yorkshire & Humberside	31	1	7	5	8	5
Grand total	450	71	94	75	139	42

Table 11: Did the CPS deal with all the issues raised in the correspondence?

CPS Area	Fully met	Partially met	Not met
Cymru Wales	52	4	9
East Midlands	55	2	7
East of England	62	4	3
London North	55	1	3
London South	59		1
Merseyside & Cheshire	54	5	6
North East	56	1	5
North West	65	5	4
South East	44	5	3
South West	55	5	3
Thames & Chiltern	53	2	4
Wessex	48	3	5
West Midlands	41	5	7
West Midlands – BTP	13		
Yorkshire & Humberside	49	3	5
Grand total	761	45	65

Table 12: Is it the view of the inspector that the handling of the WCU correspondence had an impact on the subsequent handling of the case?

CPS Area	Yes – positive	Yes – negative	No
Cymru Wales	5	5	55
East Midlands	1	2	61
East of England	2	1	66
London North	2		57
London South	2		58
Merseyside & Cheshire	5	3	57
North East	7	2	53
North West	4	8	62
South East	3	3	46
South West	2		61
Thames & Chiltern	3		56
Wessex	3	1	52
West Midlands	2		51
West Midlands – BTP			13
Yorkshire & Humberside	3	1	53
Grand total	44	26	801

Table 13: Is is the view of the inspector that the correspondence was dealt with at the right grade?

CPS Area	Yes	No – too high	No – too low	Not dealt with	Not known
Cymru Wales	54	2		9	
East Midlands	49	7		7	1
East of England	58	2		2	7
London North	53	1		2	3
London South	50	7			3
Merseyside & Cheshire	59	2		4	
North East	58	1		2	1
North West	60	1	2	3	8
South East	36	12		3	1
South West	59			3	1
Thames & Chiltern	51	1		4	3
Wessex	47	6		1	2
West Midlands	40	3		6	4
West Midlands – BTP	10	3			
Yorkshire & Humberside	46		2	3	6
Grand total	730	48	4	49	40

Table 14: Nature of correspondence

Nature of correspondence	
Batting order request	4
Confirmation of attendance	56
Confirmation of trial schedule	22
LWAC request	62
Notification only no response required	227
Police officer unavailable	46
Unable to contact/locate victim/witness	32
Victim Retraction	28
Victim/Witness reluctant to attend	89
Victim/Witness unable to attend	63
Special measures	79
Other	163
Grand Total	871

Table 15: If correspondence was not received from WMS, was it identifiable as witness care correspondence?

CPS Area	Yes	No
Cymru Wales	2	1
East Midlands	1	1
East of England	1	
North East	1	1
South East	21	1
South West	2	
Thames & Chiltern	4	
Wessex	16	
West Midlands		2
West Midlands – BTP	1	12
Yorkshire & Humberside	7	1
Grand total	56	19

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