

## Scoping Document

### **A follow-up inspection of the recommendations made in the 2024 report: An inspection by invitation of the quality of casework in the Service Prosecuting Authority**

## Introduction

We inspected the Service Prosecuting Authority (SPA) in 2024<sup>1</sup> at the invitation of the Director of Service Prosecutions, Jonathan Rees KC.

Our overall inspection findings were positive. We saw evidence of prosecutors analysing cases effectively and setting out case strategies in their legal decision making, of the right person being prosecuted for the right offence and of good casework grip. Timeliness and case progression was also strong in most cases, and we saw evidence of clear assurance mechanisms that added value and led to improvement.

As in all organisations, we identified some areas where the SPA could make changes to further improve the quality of their casework. We drew on our 25 years' experience of inspecting the Crown Prosecution Service and other prosecuting authorities to make seven recommendations.

This follow-up activity, again at the request of the Director Service Prosecutions, is to assess the progress made against those recommendations. For each recommendation we will assess whether the recommendation has been achieved or not achieved.

## The 2024 Recommendations

### Recommendation 1

*By the end of March 2025, the Service Prosecuting Authority (SPA) is to amend the template CO referral letter to align with the guidance set out in the Manual for Service Prosecutors.*

### Recommendation 2

*By the end of March 2025, the SPA is to embed a process for ensuring that post-charge decisions are recorded in the case analysis. By the same date, the SPA is to ensure that*

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<sup>1</sup> [The Service Prosecuting Authority – HM Crown Prosecution Service Inspectorate](#)

*postcharge decisions are subject to a second lawyer check, which should also be recorded in the case analysis so there is a full record of decision making and assurance.*

#### Recommendation 3

*By the end of March 2025, the SPA is to mandate the completion of disclosure management documents (DMDs) in all Court Martial casework for schedule 2 offences or cases investigated by the defence serious crime unit.*

#### Recommendation 4

*By the end of March 2025, the SPA is to provide training to all prosecutors, and ensure that all prosecutors joining are effectively trained on the following aspects of disclosure:*  
*a. the approach to dealing with defence statements b. the importance of scheduling all unused material on the relevant schedules c. the drafting of meaningful DMDs d. the consideration and appropriate endorsement of the schedule 6C relating to non-sensitive unused material, and schedule 6D relating to sensitive unused material.*

#### Recommendation 5

*By the end of March 2025, the SPA is to ensure that prosecutors record in their case analysis their considered view on the applicability of special measures and any other ancillary matters intended to support victims and witnesses.*

#### Recommendation 6

*By the end of March 2025, the SPA is to mandate the sending of a letter to the complainant(s) in all cases where a charge has either been dropped or substantially altered providing an explanation for the decision.*

#### Recommendation 7

*By the end of March 2025, the SPA is to ensure that all casework decisions, case materials, and the handling, receipt and service of those materials are consistently and fully recorded in the appropriate place on the SPA's case management system.*

### **Compliance point**

We also identified one compliance issue where a key element required in the handling of unused material was not consistently being applied. We will also assess progress against this compliance point during our follow-up activity.

*The SPA is to ensure that witness statements and exhibits submitted in the Service Police case referral are placed on 6C where not relied on in evidence.*

The Deputy Director SPA has confirmed that actions to address each of the recommendations were taken prior to the 31 March 2025 and has provided a compliance table detailing the individual actions.

This follow-up inspection will be a light touch review of the progress against each of the recommendations made and the compliance point. We will not conduct a fresh file examination before attending onsite.

The methodology will comprise the following:

### **Document request**

Document request for:

- evidence of any internal assurance conducted to assess the impact of the actions taken against each recommendation, and
- any documentation to evidence the actions taken by the SPA to deliver the recommendations set out in our 2024 report.

### **Onsite and case file dip sample**

To allow us to identify cases when onsite for dip sampling for evidence of changes in casework, it would be helpful to have a list of finalised cases with finalisation outcomes in the last quarter – July to September 2025. This will provide the greatest opportunity of assessing the impact of the changes made in the most recent casework. The list should identify the following specific to the recommendations made:

- Cases referred to CO **Rec 1**
  - Cases resulting in discontinuance / acceptance of plea(s) **Rec 2**
  - Schedule 2 offences **Rec 3**
  - DA and RASSO cases **Rec 5**
  - Cases that were dropped or the charge substantially altered to assess victim letters **Rec 6**
- Two inspectors will attend onsite at RAF Northolt on 14 and 15 October 2025 to conduct interviews and real time observations.
  - The real time observations will involve inspectors sitting alongside nominated SPA prosecutors (to be agreed with DDSP) and randomly selecting cases from the finalised case list and asking to see evidence on the case of the changes made in

response to the recommendations and in the compliance point. This will be a dip sample only and will provide independent evidence of the progress made. We will be looking to see evidence that the actions taken have resulted in changes in casework and improved quality such that we will be able to assess whether each recommendation has been achieved. Inspectors will also use this exercise to speak to prosecutors to gather evidence of the actions and impact of actions relating to all recommendations. This is in place of formal focus groups of prosecutors to avoid unnecessary burden of extracting prosecutors for separate interviews.

- During the onsite phase, we will interview key personnel as necessary to potentially include:
  - The Director of Service Prosecutions
  - The Deputy Director of Service Prosecutions
  - A focus group of a minimum of two managing prosecutors

### **Assessments of Achieved or Not Achieved**

Inspectors will use the evidence from interviews, any internal assurance information provided by the SPA prior to our fieldwork, and a limited real time case analysis whilst onsite.

#### Recommendation 1

*By the end of March 2025, the Service Prosecuting Authority (SPA) is to amend the template CO referral letter to align with the guidance set out in the Manual for Service Prosecutors.*

**Review of template CO referral letter, review of guidance in the Manual for Service Prosecutors and a dip sample of 5 cases referred to CO to assess whether the correct information is contained.**

#### Recommendation 2

*By the end of March 2025, the SPA is to embed a process for ensuring that post-charge decisions are recorded in the case analysis. By the same date, the SPA is to ensure that postcharge decisions are subject to a second lawyer check, which should also be recorded in the case analysis so there is a full record of decision making and assurance.*

**Dip sample of a minimum of 5 case reviews of randomly selected cases.**

#### Recommendation 3

*By the end of March 2025, the SPA is to mandate the completion of disclosure management documents (DMDs) in all Court Martial casework for schedule 2 offences or cases investigated by the defence serious crime unit.*

**Dip check of a minimum of 5 DMDs in randomly selected not guilty Court Martial cases for schedule 2 offences of cases investigated by the defence serious crime unit.**

#### Recommendation 4

*By the end of March 2025, the SPA is to provide training to all prosecutors, and ensure that all prosecutors joining are effectively trained on the following aspects of disclosure:*  
*a. the approach to dealing with defence statements b. the importance of scheduling all unused material on the relevant schedules c. the drafting of meaningful DMDs d. the consideration and appropriate endorsement of the schedule 6C relating to non-sensitive unused material, and schedule 6D relating to sensitive unused material.*

**Assessment of training materials and documentation.**

#### Recommendation 5

*By the end of March 2025, the SPA is to ensure that prosecutors record in their case analysis their considered view on the applicability of special measures and any other ancillary matters intended to support victims and witnesses.*

**Dip sample of 5 randomly selected cases with vulnerable victims to assess recording in case analysis.**

#### Recommendation 6

*By the end of March 2025, the SPA is to mandate the sending of a letter to the complainant(s) in all cases where a charge has either been dropped or substantially altered providing an explanation for the decision.*

**Dip sample of 5 randomly selected cases to ensure letter of explanation sent.**

#### Recommendation 7

*By the end of March 2025, the SPA is to ensure that all casework decisions, case materials, and the handling, receipt and service of those materials are consistently and fully recorded in the appropriate place on the SPA's case management system.*

**Dip sample of 5 randomly selected cases to assess accuracy and completeness of recording.**

#### Compliance point

*The SPA is to ensure that witness statements and exhibits submitted in the Service Police case referral are placed on 6C where not relied on in evidence.*

**No formal assessment of this as achieved or not achieved but will be assessed alongside recommendation 4 and be the subject of comment in the narrative only.**

## Security Clearance

The inspectors involved in this inspection both have DV clearance.

## Timetable

2 September	Draft scope to SPA for comment
12 September	Follow-up scope agreed and finalised. Inspection formally commissioned and documents requested to be provided by 1 October.
1 to 10 October 2025	Inspection team to assess any material received.
14 & 15 October	Onsite at RAF Northolt to include the inspectors providing an indication at the end of the two days our assessment of whether recommendations are achieved.
20 to 24 October	Report drafting.
27 to 31 October	HMCPsi internal quality assurance.
5 November	Draft report to SPA for comments on factual accuracy. 5 or 10 working days – due back to HMCPsi 12 or 19 November.
20 to 21 November	Consideration of comments and any necessary amendments to be made.
24 to 28 November	Proofreading and formatting
3 December	Final version of report sent to SPA and to AGO under embargo – five days prior to publication
10 December	Publication

## Equality Impact Assessment

We have carried out an equality impact assessment in accordance with our methodology. We have considered our PSED both in relation to our own staff involved in the inspection, the impact on the inspected body and on any other individuals with protected characteristics that may be affected by this inspection. No full assessment is required.