



HMCPSP

HM Crown Prosecution
Service Inspectorate

The first
25 years
of HMCPSP

25 years of making a difference

HM Chief Inspector of the Crown Prosecution Service

Introduction by the current Chief Inspector

It gives me great pleasure to pen the introduction to 'The First 25 Years of HM Crown Prosecution Service Inspectorate (HMCPsi)'. A lot has happened in the last 25 years, and this publication attempts to set out the brief highlights from the tenure of each Chief Inspector in the organisation's history. The fact that the Act that created HMCPsi requires there to be an Annual Report submitted to Parliament made the work of developing this publication a little more straightforward.

I do not intend to repeat what comes later, but there are some clear themes that are consistent throughout this report. At the heart of the Inspectorate has been the desire to make a difference, drive improvement and identify best practice. Whether that was the Best Practice Committee that existed in the early days, which brought the best of what was seen in Crown Prosecution Service (CPS) practice and promulgated it, or the inclusion of good and best practice, signposting those inspected to what worked well and why. It is in the DNA of HMCPsi to help those we inspect to improve. Whilst many think inspection is about identifying what is not done well by criticising and highlighting weaknesses, it is interesting that for the past 25 years most of our reports have focused on improvement and helping those we inspect make a positive difference, reflecting a culture that was firmly set by the first Chief Inspector and that has radiated throughout since.

One of the other factors is that change has been perpetual. HMCPsi has changed significantly over the past 25 years. It has waxed and waned in size, with the inevitable reduction in the austerity years, while its statutory remit was added to in 2014 with powers to inspect the Serious Fraud Office (SFO). The structure of the CPS has also changed significantly: in 2000 when HMCPsi was created, there were 13 CPS geographic regions, and now there are 14, with London split into two. However, the amount of change has been substantial; from 13 Areas to 42 and back, as well as full digitisation, which still brings its own individual challenges. It is testament to HMCPsi that regardless of the scale of internal or external change, high quality, evidence-based inspection has been delivered throughout the last quarter of a century.

Whilst many of the issues identified through inspection appear not to be much different, the wider context of those we inspect and the criminal justice system (CJS) has changed

substantially. The complexity of cases dealt with is unrecognisable today compared to 2000. Mobile phones are so powerful now that they contain more data than that which put the first man on the moon. Requirements of disclosure, supporting victims and applications to support best evidence are some of the elements that have changed beyond all recognition since the creation of the inspectorate. HMCPsi has managed to ensure that no matter what the change, the work it has done remained current. Inspections of disclosure, no witness no justice, better case management, transforming summary justice and CJS digitisation are all examples of how we have moved with the times and been part of driving positive change.

The final theme that is clear throughout this report is that of dedication to public service from all who have worked in or alongside the inspectorate over the past 25 years. From the early days of those setting us on our first tentative steps, to the here and now where we move into the unknown with more inspection by invitation, the hard work and commitment of those working in HMCPsi has been universal. The past 25 years would not have been possible without any of them and for that reason we should all be grateful for their hard work and the high-quality inspections that have been delivered, as criminal justice is much the better for it. To everyone who has worked and continues to work in HMCPsi, we thank you for your service, dedication and commitment to justice.

A handwritten signature in black ink, appearing to be 'T. H. Jones', written in a cursive style.

His Majesty's Chief Inspector

The creation of HMCPSI.

The creation of HMCPSI

The idea of an inspectorate for the Crown Prosecution Service (CPS) was first mooted by the Attorney General in 1996. Sir Nicholas Lyell was then in post and there were widespread concerns about the quality of CPS casework and its efficiency. To address this, Sir Nicholas encouraged the creation of what was called an inspectorate but in reality was an internal CPS casework quality unit, publishing reports that were made available to the Attorney General and his office.

When Labour came to power in 1997, having signalled in their manifesto that they would develop a strategy to create a more cohesive CJS, those proposals resulted in a judge-led review underpinned by a commitment to restructure the CPS into 42 Areas coterminous with police areas.

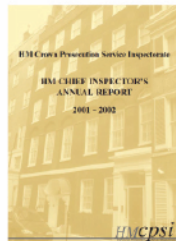
Sir Iain Glidewell was appointed along with Lord Geoffery Dear and Robert McFarlane, a retired businessman, to undertake this review. Their report 'The Glidewell Review' was published in June 1998. Amongst the 75 recommendations, Glidewell suggested that the internal unit's remit was to be clarified and that an independent chairman and a number of lay members should be appointed to an inspectorate board. Progress moved quickly following publication of the report, with a slot found for a Bill in the 1999–2000 session.

On 30 November 1999, then-Attorney General Lord Williams QC commenced the process in earnest by moving the second reading of the Crown Prosecution Service Inspectorate Bill in the House of Lords. On 3 May 2000 the Bill received its second reading in the House of Commons with all stages quickly completed, while 20 July 2000 saw the Act receive Royal Assent. The Act came into effect on 1 October 2000.

HMCPsi: 25 Year Timeline



April 1999 – March 2010
HMCPsi Chief Inspector:
Stephen Wooler CB



2001 - 2002

- HMCPsi participates in the Joint Standing Committee on Good Practice.



2002 - 2003

- Adoption of a more risk-based inspection framework modelled on the European Foundation for Quality Management principles.
- CPS launches the Casework quality assurance scheme.



2003 - 2004

- Government commences the Review of the Criminal Justice Inspection (the 'merger' of the five CJ inspectorates, the police, prosecution, court, probation and prison inspectorates).



2004 - 2005

- HMCPsi publishes joint thematic review of persistent and prolific young offenders.
- The inspectorate led the first inspection of a Local Criminal Justice Board in Gloucestershire.



2005 - 2006

- HMCPsi conducts the first cycle of Overall Performance Assessments.
- Jubilee line review commissioned by Attorney General.

Continued



Sir Kier Starmer
appointed DPP.



HMCPsi London
office moves from
Old Queen Street to
One Kemble Street.



2006 - 2007

- Merger of inspectorates halted.
- Criminal Justice Joint inspectors group established.
- HMCPsi is given statutory power to inspect jointly.
- HMCPsi inspects Army Prosecuting Authority on a non-statutory basis.

2007 - 2008

- HMCPsi conducts overall performance assessment second cycle.
- HMCPsi inspects complaint handling by the CPS.

2008 - 2009

- HMCPsi inspects Special Crime, Counter Terrorism, and the Organised Crime Division.
- HMCPsi addresses the International Association of Prosecutors in Hong Kong.

2009 - 2010

- HMCPsi publishes advocacy inspection and inspection into Revenue and Customs Prosecution Office.

April 2010 – March 2015 HMCPsi Chief Inspector: Michael Fuller QPM

2010 - 2011

- HMCPsi publishes Service Prosecuting Authority inspection by invitation.
- Assists the CPS develop their Core Quality Standards.

Continued



2011 - 2012

- HMCPSCI commences Area Casework Examination Programme.
- Publishes Joint Inspection on Rape Investigation and Prosecution.



2012 - 2013

- HMCPSCI inspects Serious Fraud Office by invitation.
- Publishes a review of the CPS Optimum Business Model for Case Progression



2013 - 2014

- HMCPSCI receives statutory power to inspect the Serious Fraud Office.
- Publishes a review into the disclosure handling of R v Mouncher.



2014 - 2015

- Joint Inspection of prosecution of road death incidents.

HMCPSCI York office moves from United House to Foss House.



April 2015 – March 2021 HMCPSCI Chief Inspector: Kevin McGinty CBE CB

- Fire at HMCPSCI's London office at One Kemble Street.
- Flood at HMCPSCI's York office at Foss House.
- 15% reduction in HMCPSCI budget.



2015 - 2016

- HMCPSCI commences its Area Inspection programme.
- Inspects SFO governance arrangements.

Continued



2016 - 2017

- HMCPSI inspects better case management and transforming justice initiatives.



2017 - 2018

- HMCPSI publishes joint inspection into modern slavery.



2018 - 2019

- HMCPSI conducts inspection into SFO leadership and case progression.

HMCPSI London office moves to Petty France.



2019 - 2020

- HMCPSI conducts inspection of rape as part of the Government's end to end review.
- Publishes Inspection Crown Court Disclosure.



2020 - 2021

- Along with HMICFRS, HMCPSI publishes Joint Inspections into handling of Rape.
- HMCPSI reacts to the pandemic and continues to inspect using technological solutions.



April 2021 – February 2024

HMCPSI Chief Inspector:
Andrew T Cayley CMG KC

Continued



2021 - 2022

- HMCPSP commences the baseline assessment cycle of 14 CPS Area inspections – the Area Inspection Programme (AIP).
- Publication of three separate inspections into the impact of the pandemic: CPS: SFO and CJS.

2022 - 2023

- Area inspection baseline composite report published – assessing added value and grip for all 14 CPS Areas

2023 - 2024

- HMCPSP publishes the Inspection of CPS actions in the Valdo Calocane case – with significant media interest.
- Publication of inspection of the Service Prosecuting Authority.

February 2024 – date

HMCPSP Chief Inspector: Anthony Rogers

2024 - 2025

- HMCPSP publishes an Inspection of disclosure in the Serious Fraud Office.
- Publication of AIP 2 – progress against 2021/22 baseline assessments A composite report.

2025 - date

- Publication of Joint Inspection Joint case building by the police and Crown Prosecution Service.

HMCPsi: Office locations



- **2000 - 2011**
26/28 Old Queen Street,
London



- **2011 - 2019**
One Kemble Street,
London



- **2019 - Current**
102 Petty France,
London



- **2000 - 2014**
United House,
York



- **2014 - Current**
Foss House,
York



The Stephen Wooler years

2000 (1999) to 31 March 2010

HMCPSP Chief Inspector: Stephen Wooler CB

Attorneys General: Lord Williams QC, Lord Goldsmith KC, Baroness Scotland KC, Dominic Grieve KC

DPPs: Sir David Calvert-Smith KCB KC, Lord Macdonald KC

Background

Stephen is a qualified barrister with experience of handling high-profile operational casework. Following practice at the Bar, he joined the office of the Director of Public Prosecutions in 1973, progressing to Assistant Director of Public Prosecutions in 1982. In 1983, he was seconded to the Law Officers' Department and was instrumental in establishing first the Crown Prosecution Service (CPS) and then the Serious Fraud Office (SFO). In 1987, he became Chief Crown Prosecutor in London before returning to the Law Officers' Department as Deputy Legal Secretary until 1999.

Tenure in office

Stephen's tenure as HM Chief Inspector saw HMCPSP transition into a statutory independent body, enhancing its ability to scrutinise and hold the CPS to account, contributing to improvements within the Criminal Justice System (CJS). Stephen was instrumental in leading the development of Area-based inspections aligning with the CPS's 42 Area structure, focusing

on casework quality, management and victim/witness service delivery. His tenure also saw the development of joint inspections with other criminal justice bodies, the establishment of clear inspection standards to promote consistency and the promotion of cross-agency accountability and collaboration.

Stephen promoted HMCPSI's work on the international stage, establishing a mutual inspection exchange programme with the Inspecteur Générale des Service Judiciaires in France, sharing learning and best inspection practice across jurisdictions. In addition, his tenure saw multiple visits from overseas delegations, allowing HMCPSI to share best practice with counterparts from Australia, Vietnam, China, Georgia, Afghanistan and Hong Kong. In 2007, Stephen, together with counterparts in Northern Ireland, led the first inspection of the Public Prosecution Service for Northern Ireland, emphasising transparency, public confidence and inter-agency collaboration.

In February 2009, Stephen and two of his deputies provided evidence to the House of Commons Justice Committee relating to the work of HMCPSI. This followed an announcement by the Government of an enquiry into the CPS in April 2008. Shortly after the end of his term in office, the HMCPSI was subject to a peer review by Dr Michael Maguire, Chief Inspector of the Criminal Justice Inspectorate of Northern Ireland. Dr Maguire's report praised the independence and robust approach of HMCPSI, highlighting its contribution to raising standards in the prosecution area. Such a conclusion stands testament to Stephen's leadership throughout his time as HM Chief Inspector.

2000 to 2001

DPP: Sir David Calvert-Smith KCB KC

Attorneys General: Lord Williams QC, Lord Goldsmith KC (from June 2001)

Summary

This was a landmark year spent creating the structures to support the newly formed independent inspectorate. The legal inspectors, business management inspectors and casework inspectors were organised into three groups – Northern Group, Midlands and Wales Group and Southern Group – each headed by a group director, to support the method and scale of inspection. Each geographic group was aligned to CPS 'family groups' that existed at that time to facilitate engagement and ongoing dialogue.

In October 2000, the **first formal statutory inspection** of a CPS Area (Essex) was published (post-Royal Assent). The first inspection from the independent inspectorate revealed that a

A further six Area reports and a thematic inspection on CPS performance indicators and case outcomes were also published during this period



- First-ever statutory inspection revealed widespread issues in case timeliness and quality
- Fewer than half of Area-based charging decisions were timely
- Nearly a quarter of case files showed no added value from CPS lawyers
- HMCPSI assumed responsibility for inspecting the prosecution functions of HM Customs and Excise as a result of the Government's response to the 'Review of Prosecutions Conducted by the Solicitor's Office of HM Customs and Excise'
- The publication of a joint review together with HM Magistrates' Courts Service Inspectorate and HM Inspectorate of Constabulary, 'Review of Progress in Reducing Delay in the Youth Justice System'. This was an important contribution towards the Government's target set for the CJS in relation to persistent young offenders.

2001 to 2002

DPP: Sir David Calvert-Smith KCB KC

Attorney General: Lord Goldsmith KC

Summary

This was the year that the inspectorate settled. Governance had been determined, stakeholder relationships established and methodology of inspection was clearly understood by the CPS. The inspectorate was fully resourced, with a budget of about £3 million that amounted to nearly 50 staff, and teams of inspectors based geographically were forming clear relationships with the CPS Areas they inspected.

A summary of findings from inspection found that CPS compliance with the Code for Crown Prosecutors was high, at 98.3% evidential test and 99.8% public interest. However, an in-depth analysis revealed a vast discrepancy in outcome understanding: HMCPSP found 33.6% of adverse outcomes were foreseeable and 19% were avoidable, far exceeding CPS's self-estimates of ~0.5%. This undermined CPS internal performance assessments.

A joint thematic inspection on rape case handling found inconsistency and weak application of policy. HMCPSP recommended that specialist prosecutors should be put in place for such cases and better credibility assessments. Compass, a digital case management system, was proposed as a key solution.

Notable findings

- One in three adverse outcomes were foreseeable and one in five were avoidable: the CPS had grossly underestimated these rates
- Specialist lawyers were recommended for rape and sensitive cases.
- Introduction of the push for Compass, to track and manage cases digitally.

2002 to 2004

DPP: Sir David Calvert-Smith KCB KC, Lord Macdonald KC from August 2003

Attorney General: Lord Goldsmith KC

Summary

Spanning two reporting years, this period focused on embedding change. In the CPS, the digital case management system Compass was rolled out, providing better oversight and enabling

internal audits. The levels of quality assurance varied significantly between CPS Areas, revealing a need for centralised standards.

Inspectorate findings stressed that training, charging decisions and disclosure were improving but that they required consistency. HMCPSI conducted more joint thematic reviews with other justice inspectorates, including on youth justice delays, listing and witness care. These reviews highlighted cross-system weaknesses but improved inter-agency coordination.

Notable findings

- Compass began to improve file tracking, but internal quality assurance remained uneven across Areas
- HMCPSI supported joint inspections on youth justice and listing procedures
- National standards for charging decisions were introduced to reduce performance gaps.

2004 to 2005

DPP: Lord Macdonald KC

Attorney General: Lord Goldsmith KC

Summary

By 2005, Compass-based quality assurance systems were in full use, marking a new era of consistent digital oversight across CPS Areas. Legal analysis, charging decisions and disclosure practices showed measurable improvement. Inspectorate reports acknowledged significant steps forward, especially in serious and sensitive cases. A cultural shift towards training, proactive strategy and performance transparency was evident. HMCPSI noted stronger Area leadership and more stable performance metrics.

Notable findings

- Compass QA frameworks were now standard and driving better CPS decision-making
- Disclosure and file quality improved, particularly in complex cases
- CPS adopted proactive training methods for legal analysis and strategic casework.

2005 to 2006

DPP: Lord Macdonald KC

Attorney General: Lord Goldsmith KC

Summary

‘Promoting Improvement’

The work of HMCPSI continued against the context of the Government’s intention to create a single Criminal Justice Inspectorate to replace the existing five separate inspectorates (HMCPSI, HM Inspectorate of Constabulary, HM Inspectorate of Probation, HM Inspectorate of Prisons and HM Inspectorate of Courts Administration).

HMCPSI successfully delivered ‘business as usual,’ developing a new and more flexible approach to inspection from the more cyclical inspections of Areas to a system centred around a risk-based approach. HMCPSI’s statutory remit extended further to include the Revenue and Customs Prosecutions Office.

In Area inspection, the year was dominated by HMCPSI completing an overall performance assessment (OPA) within each of the 42 CPS Areas. HMCPSI used the findings and learning from this approach to inform future business planning and inspection strategy.

HMCPSI undertook six joint Criminal Justice Area inspections, leading on two, focusing on increasing public confidence, bringing offenders to justice and reducing ineffective trials. This work led to improvements within local criminal justice board (LCJB) governance structures, improvements within witness care provisions and increased public confidence.

HMCPSI commenced two thematic inspections relating to the CPS’s role within child safeguarding and equality and diversity within CPS employment practices and policy. In addition, four thematic inspections were completed relating to: the quality of the CPS’s handling of casework related to social crime and anti-social behaviour, casework quality assurance systems, use of performance information and the role of the CPS within safeguarding children.

Overall, HMCPSI found positive performance in all areas, but also identified aspects for improvement. The CPS welcomed and implemented the recommendations, leading to improved training, new policies and guidance and increased public performance across the board.

HMCPsi commenced a joint thematic inspection with HM Inspectorate of Constabulary relating to allegations against those serving with the police force and relating to the investigation and prosecution of rape.

Overseas influence

HMCPsi provided assistance to the Criminal Justice Inspectorate for Northern Ireland during two thematic reviews relating to victim and witness services and delays within the CJS. In addition, two HMCPsi inspectors provided an independent evaluation of the second phase of the establishment of the Public Prosecution Service for Northern Ireland.

HMCPsi also hosted two **international delegations** with criminal justice **inspectors from both Georgia and France**. All parties were able to share the benefit of their experience and knowledge relating to inspection methodology, governance and interactions within inspected bodies.

Subsequent to this visit, HMCPsi agreed a **mutual exchange programme** with the Inspecteur Générale des Services Judiciaires in Paris, enabling both agencies to continue to share learning and best inspection practice across jurisdictions.

HMCPsi undertook the review of the proceedings in the Jubilee Line fraud case: the most significant exercise referred by the then-Attorney General to the Chief Inspector under section 2(1)(b) of the Crown Prosecution Service Inspectorate Act 2000. The review took 21 months, working with HM Inspectorate of Constabulary and resulting in 11 recommendations detailing lessons learnt relating to the investigation and prosecution of fraud. The same recommendations also fed into an overarching Attorney General's Fraud review.

2006 to 2007

DPP: Lord Macdonald KC

Attorney General: Lord Goldsmith KC

Summary

‘Changing to Improve’

The government retained the five separate criminal justice inspectorates, with all five working together on a strengthened programme of CJS joint inspections, governance and support structures.

A statutory requirement was introduced for Criminal Justice Chief Inspectors to consult over future inspection plans.

The inspectorate made necessary changes to its management, staffing and support structures to ensure effective implementation.

HMCPsi completed inspections of 11 CPS Areas assessed as 'poor' or 'fair' within their original overall performance assessments. Such an approach allowed HMCPsi to adopt a more focused approach to inspection.

HMCPsi also instigated a rolling programme of Area inspection of specific (high risk/high public interest) aspects of CPS work including the quality and timeliness of CPS decision-making relating to discontinued proceedings and disclosure.

A statutory overview inspection of the Revenue and Customs Prosecutions Office was also completed.

HMCPsi completed three joint Criminal Justice Area inspections, leading on one, with HM Inspectorate of Constabulary and HM Inspectorate of Court Administration.

HMCPsi undertook several thematic inspections relating to equality and diversity within the CPS's employment practices and policy and the impact of the casework management system (CMS) on CPS casework quality. The inspections found improvements in both aspects but recommended further improvement in others.

A follow-up inspection of the CPS's handling of the British Transport Police's (BTP) casework found 'substantial progress' had been made since the original 2004 inspection, but that improvement was required relating to inter-agency co-operation. As a consequence of this inspection, the CPS implemented new governance structures and national protocols aimed at promoting closer collaborative working with the BTP.

HMCPsi published the joint thematic inspection relating to allegations against those serving with the police force and relating to the investigation and prosecution of rape.

Recommendations were made in both cases, promoting closer working relationships between investigators and prosecutors. The CPS subsequently implemented action plans to improve performance in this area and to drive improvement within the case handling and decision-making quality.

HMCPSP led the first inspection of the Public Prosecution Service (PPS) for Northern Ireland. The subsequent recommendations were aimed at promoting the PPS as a fair, independent and effective prosecution authority for all people within Northern Ireland.

HMCPSP continued to collaborate with Inspecteur Generale des services Judiciaries in France, with one of HMCPSP's Deputy Chief Inspectors joining an inspection of the Tribunal de Grande Instance in Amiens, Picardy. This partnership not only assisted both agencies in sharing best practice but also to revise and update respective inspection methodology. Both agencies subsequently shared the same knowledge and experience on the world stage by delivering a joint presentation on the role of quality assurance in the maintenance of professional standards at the annual conference of the Association of International Prosecutors in Paris.

HMCPSP continued to share best inspection practice by hosting international delegations from Afghanistan, participating in academic projects undertaken by the University of Complutense Madrid and by assisting the Inspectorate of Prosecution in Scotland to transition to an independent statutory status.

HMCPSP was invited by the Director of the Army Legal Service to participate in a non-statutory inspection of the Army Prosecuting Authority (APA). The inspection considered APA's handling and management of casework performance. As a consequence of the inspection, the APA implemented new protocols relating to victim and witness services and then the handling and management of casework.

HMCPSP also loaned inspectors to HM Inspectorate of Constabulary to assist them with their inspection of the investigative functions of HM Revenue and Customs.

HMCPSP advised and shared learning with the Immigration and Nationality Department on the proposed new Inspectorate for Borders and Immigration.

2007 to 2008

DPP: Lord Macdonald KC

Attorney General: Lord Goldsmith KC, Baroness Scotland KC from July 2007

Summary

'Towards Excellence'

HMCPSP continued to adopt a flexible and responsive approach to inspection, focusing on joint criminal justice inspection during a period of change within public service, the CJS and CPS.

HMCPsi undertook a thorough review of inspection strategy during the later stages of the 2007–2008 period.

This approach consisted of a combination of regular CPS Area overall performance assessments, bespoke risk Area inspections and joint work in relation to other prosecuting authorities and the CJS generally.

HMCPsi undertook the second round of overall performance assessments within CPS Areas. The conclusions demonstrated the value of inspection, with more Areas achieving an ‘excellent’ or ‘good’ rating and fewer ‘poor’ ratings.

HMCPsi completed two joint Criminal Justice Area Inspections with HM Inspectorate of Constabulary and HM Inspectorate of Court Administration. The findings indicated that the framework and methodology adopted within such inspections would benefit from further review. HMCPsi led on developing these areas.

HMCPsi commenced the first inspection of CPS Direct (CPSD).

Audit inspections relating to the quality of CPSD communications with victims and witnesses and the quality and effectiveness of file endorsements found inconsistent practice and standards across the service. This work led the CPS to implement improved training and guidance for its staff to drive improvement in both areas.

HMCPsi conducted inspections relating to both the quality of decision-making and management of discontinued cases and discharged committals, and compliance with the disclosure regime. Findings from both inspections indicated improvement was required. The CPS subsequently accepted all recommendations and implemented action plans to improve performance.

HMCPsi commenced joint thematic inspections in respect of statutory charging arrangements (linked to the inspection of CPSD and led by HMCPsi), and child safeguarding (led by the Office for Standards in Education and involving multiple agencies).

HMCPsi continued to collaborate with Inspecteur Generale des services Judiciaires in France, sharing knowledge and best practice.

HMCPsi hosted a Chinese delegation which visited the UK to learn about the work of the CPS, HMCPsi and their interaction.

The Chief Inspector presented a paper on accountability at the annual conference of the Association of International Prosecutors in Hong Kong.

The report relating to the non-statutory inspection of the APA was published.

HMCPSP responded to ministerial requests to undertake reviews/inspections into:

- Anthony Leon Peart case. Multi-agency review following the inappropriate release of a prisoner who subsequently fatally stabbed a member of the public. The findings raised significant concerns and areas to improve for all involved agencies.
- Warrant Withdrawal processes at Leeds Magistrates' Court. Review conducted with multiple inspectorates leading to recommendations and improvements in the way warrants were managed and records maintained.

2008 to 2009

DPPs: Lord Macdonald KC, Sir Keir Starmer KCB KC

Attorney General: Baroness Scotland KC

'Assuring Justice'

Approaching its 10-year anniversary, HMCPSP continued to adapt and change its approach to inspection to reflect the restructure of the CPS to 14 Areas, and to maintain focus on a risk-based strategy, leading to overall performance assessments moving to a three-yearly cycle.

HMCPSP developed a set of generic expectations and standards for use when inspecting the work of all prosecuting authorities, to raise consistency within inspections.

HMCPSP conducted overall performance assessments in two Areas rated as 'poor' in 2007. The results confirmed that both Areas had improved after implementing HMCPSP recommendations. The Areas subsequently received an award for improved performance from the Attorney General.

HMCPSP undertook inspections within CPS Specialist Units including the Special Crime Division, Counter-Terrorism Division, Organised Crime Division and the CPS Fraud Prosecution Service. Overall, the findings confirmed that the CPS handled and managed its casework within its specialised divisions to a higher standard than within CPS Areas. HMCPSP reports highlighted good practice to share within CPS Areas.

Thematic inspections were completed in five Areas relating to CPS handling or performance in respect of complaints, advocacy and case preparation, fatal road traffic casework and child

safeguarding. All inspections found areas of good practice within the CPS, and that the CPS had improved its performance in respect of the handling of fatal road traffic casework and child safeguarding by the implementation of previous recommendations from earlier HMCPSI inspections. Further improvement in some aspects however, remained necessary. The CPS accepted HMCPSI's conclusions and implemented the further recommendations.

HMCPSI completed joint thematic inspections in respect to statutory charging and victim and witness experience across the CJS. Both inspections reinforced the need for improved joint working across the CJS to improve performance.

HMCPSI completed joint thematic inspections in respect to the handling of mentally disordered offenders and arrangements for dealing with Persistent and Prolific Offenders.

HMCPSI, at the invitation of the Chief Inspector of the Criminal Justice Inspectorate of Northern Ireland, completed a follow-up inspection of the Public Prosecution Service for Northern Ireland. The findings indicated that positive progress had been made in respect to all areas since the original inspection.

HMCPSI continued to collaborate with Inspecteur Generale des services Judiciaries in France. The new Director of Inspections in France visited HMCPSI and one of his inspectors took part in CPS Area inspections.

HMCPSI inspectors attended the annual conference of the Association of International Prosecutors in Singapore, and the European Regional Conference at the Hague.

HMCPSI received delegations of overseas prosecutors from Vietnam and New South Wales in Australia. Inspectors delivered presentations detailing HMCPSI's work, and the benefit of inspection within criminal justice.

HMCPSI conducted a follow-up inspection of the APA, finding overall improvement in performance, with casework and services to victims and witnesses improving since the original inspection.

HMCPSI enhanced their links to academia by offering to deliver presentations relating to the work of HMCPSI to law schools and to circulate copies of HMCPSI reports to university libraries around the country.

In February 2009, the Chief Inspector and two of his deputies gave evidence to the House of Commons Justice Committee relating to the work of HMCPSI. This followed the announcement of a government enquiry into the CPS in April 2008.

2009 to 2010

DPP: Sir Keir Starmer KCB KC

Attorney General: Baroness Scotland KC

Summary

‘Promoting Improvement’

HMCPsi focused on aligning its inspection framework with the CPS’s business processes to improve efficiency and value for money.

Thematic inspections were given priority as a means to promote and achieve effective improvement and change.

HMCPsi published casework expectations in August 2009 to ensure clarity and consistency within inspection standards.

HMCPsi completed Area effectiveness inspections in four CPS Areas highlighted as ‘poor’ within earlier inspections or assessments, or Areas where performance had recently declined.

HMCPsi conducted audit reviews and follow-up thematic inspections in respect of the quality of communications with victims and witnesses, the CPS’ handling of custody time limit (CTL) casework and compliance with the disclosure regime. The findings of all assessments indicated that the CPS continued to improve their performance, albeit further work was necessary to achieve and maintain an acceptable level of service. HMCPsi made further recommendations in these regards.

The impact of HMCPsi inspection was demonstrated in April 2010 with the revision of Criminal Procedure Rule 37.3, which extended the right to give a closing speech to the prosecution within the magistrates’ courts. This recommendation was made by HMCPsi within its advocacy inspection report, published in 2009.

HMCPsi commenced and completed several joint thematic inspections including into asset recovery, Youth Offending Teams, and the quality of information exchange and data security within the CJS.

HMCPsi commenced a joint thematic inspection of the Public Prosecution Service (PPS) of Northern Ireland’s handling of sexual violence and abuse cases.

HMCPPI was asked by the Criminal Justice Inspectorate of Northern Ireland to assist within an inspection of the Police Service of Northern Ireland and the PPS, specifically to examine the effectiveness and efficiency of the interface between both agencies.

HMCPPI continued to collaborate with other international counterparts, sharing best inspection practice and hosting delegations from France and Turkey.

HMCPPI attended the annual conferences of both the European Network of Inspectorates and the Association of International Prosecutors in Kiev.

HMCPPI was subject to a peer review by Dr Michael Maguire, Chief Inspector of the Criminal Justice Inspectorate of Northern Ireland. His report praised the independence and robust approach of HMCPPI, highlighting its contribution to raising standards in the prosecution area.

HMCPPI played an active role within the Rape Monitoring Group. This multi-disciplinary group consists of professionals and academics coming together to ensure standards were met, performance was monitored and best practice shared.

Appointment of a new Chief Inspector

An open competition for the appointment of a new Chief Inspector took place during this year. Baroness Scotland KC recommended that Michael Fuller, former Chief Constable of Kent Police, be appointed. After a hearing with the Justice Select Committee, Michael was appointed and took up his post on 1 April 2010.



The Michael Fuller years

1 April 2010 to 31 March 2015

HMCPSP Chief inspector: Michael Fuller

Attorneys General: Dominic Grieve KC, Sir Jeremy Wright KC

DPPs: Sir Keir Starmer KCB KC, Dame Alison Saunders DBE

Directors of the Serious Fraud Office: Richard Alderman, Sir David Green CB KC

Background

Michael Fuller, former Chief Constable of Kent Police and qualified barrister, became HM Chief Inspector of the Crown Prosecution Service (CPS) in April 2010 after 34 years' police service.

Tenure in office

His term of office saw major changes in the structure of the CPS, who restructured from 42 to 13 large Areas. As a result of the 'austerity years', both the CPS and HMCPSP saw substantial reductions in resources which, in the CPS, resulted in the loss of many experienced staff. Although this coincided with a significant reduction in CPS caseload, there was a marked increase in the receipts of serious and challenging cases. This period also saw huge progress in the use of digitalisation within the Criminal Justice System (CJS).

The CPS restructure caused HMCPSP to change its approach to inspection, moving away from overall performance assessments and taking a much more risk-based programme of inspection with a focus on aspects where performance gave cause for concern.

Within Michael's tenure, the statutory power of HMCPSP was also extended to include the statutory duty to inspect the Serious Fraud Office (SFO) in 2014. This was as a result of the inspection undertaken of the SFO, by invitation, in 2012.

The Annual Casework Examination Programme

For three years during this period, and central to HMCPSP's work, was the assurance to the public about the overall quality of the work of the CPS. This resulted in the development of an Annual Casework Examination Programme (ACEP) which was carried out on a sample of files from all CPS Areas. The 2012 exercise provided a benchmark against which to judge future performance in the years that followed.

Findings from the programme highlighted that the quality of CPS advice on charging improved during this time, as did the outcomes for cases involving violence against women and girls and hate crime cases. The definition of hate crime was also extended during this period to include disability hate crime. HMCPSP, following a joint inspection with HM Inspectorate of Constabulary and HM Inspectorate of Probation in 2013, made several recommendations with a view to the appropriate treatment of disability hate crime becoming embedded in the work of the CPS, police and probation.

During this period, HMCPSP responded to specific requests from the Attorney General and DPP to review specific matters, notably the handling of disclosure in the case of *R v Mouncher* and others which led to major changes in the approach of the CPS and SFO to the management of disclosure in large and complex cases.

Inspection at the request of the Attorney General

R v Mouncher and Others

A murder investigation beginning in 1988 resulted in an extensive investigation into police corruption. The trial relating to this corruption case collapsed due to failings in the disclosure of sensitive material. On 26 January 2012, the DPP, Sir Keir Starmer KCB QC, commissioned HMCPSP to review the prosecution team's handling of disclosure in *R v Mouncher and Others*, following the trial's discontinuance on 1 December 2011.

HMCPSP's review examined the effectiveness of the prosecution team's approach to disclosure, considering the case's scale and complexity, compliance with disclosure duties regarding extensive case material, and adherence to relevant CPS guidance and policy. It was also asked

to make recommendations for future CPS policy, guidance and case management in similarly complex cases.

The DPP published the review in full, unredacted, and made it available online and in both Houses of Parliament.

A review into the use of medical records and counselling notes in prosecution cases

In 2013, the Attorney General requested a review into how medical records and counselling notes were dealt with in prosecution cases.

Other inspection activities during the period from 2010 to 2015

Other reports during this time focused on advocacy, the handling of custody time limits (CTLs), complaints handling and the treatment of young victims and witnesses in the CJS.

This period also saw an increasing number of joint inspections, with Michael Fuller serving as chair of the Criminal Justice Chief Inspectors' Group (CJCIG) for three years during his tenure.

By invitation, an inspection of the Service Prosecuting Authority was conducted in 2010.

In February 2015, the Inspectorate itself was inspected, positively, by The National Audit Office.

Several overseas delegations took place during this period, during which HMCPSI shared its experience with colleagues from other jurisdictions. HMCPSI hosted visitors from Israel, South Korea, Serbia, India, China, the Netherlands, Jordan, Pakistan, Scotland and Turkey.

Significant reports and events between 2010 and 2015

2010 to 2011

- Equalities driving justice follow-up report: a report on the thematic review of equality and diversity in employment practice in the CPS, published in December 2010
- Not making enough difference: a joint inspection of youth offending court work and report, conducted jointly with HM Inspectorate of Probation and published in March 2011
- An inspection of Service Prosecuting Authority, published in December 2010.

2011 to 2012

- Thematic review of young offender casework, published in November 2011
- Exercising discretion: the gateway to justice. A study by HM Inspectorate of Constabulary and HM Crown Prosecution Service Inspectorate on cautions, penalty notices for disorder and restorative justice, published in June 2011
- Equal but different? An inspection of the use of alternatives to custody for women offenders, a joint inspection with HM Inspectorate of Probation and HM Inspectorate of Prisons, published in October 2011.

2012 to 2013

- Thematic review of the CPS Optimum Business Model for Case Progression, published in July 2012
- Report to the Attorney General on the inspection of the Serious Fraud Office, published in November 2012
- Living in a different world: a joint review of disability hate crime, published in conjunction with HM Inspectorate of Constabulary and HM Inspectorate of Probation, published in March 2013.

2013 to 2014

- Review into the disclosure handling in the case of R v Mouncher and Others, published in July 2013
- A review of CPS compliance with rules and guidance in relation to disclosure of complaints medical records and counselling notes in Rape and Serious Sexual Offences (RASSO) cases, published in July 2013.

2014 to 2015

- Follow-up inspection of the Serious Fraud Office, published in November 2014
- Achieving best evidence in child sexual abuse cases, conducted in conjunction with HM Inspectorate of Constabulary published in December 2014
- Joint inspection on the treatment of offenders with learning disabilities within the CJS, conducted jointly with HM Inspectorate of Constabulary, HM Inspectorate of Probation and the Care Quality Commission (CQC), published in January 2014

Appointment of a new Chief Inspector

An open competition for the appointment of a new Chief Inspector took place during 2015. Sir Jeremy Wright KC recommended Kevin McGinty CB CBE as the preferred candidate. After a hearing with the Justice Select Committee, Kevin was appointed and took up his post on 1 April 2015.



The Kevin McGinty years

1 April 2015 to 31 March 2021

HMCPSP Chief Inspector: Kevin McGinty CB CBE

Attorneys General: Sir Jeremy Wright KC, Sir Geoffrey Cox KC and Suella Braverman KC, Sir Michael Ellis KC covering maternity leave

Directors of Public Prosecutions: Dame Alison Saunders DCB and Sir Max Hill KCB KC

Directors of the Serious Fraud Office: Sir David Green CB KC and Lisa Osofsky

Background

Kevin McGinty CB CBE took up the post of Chief Inspector on 1 April 2015. Kevin was called to the Bar in 1982. Six years later he joined the Fraud Division of the Crown Prosecution Service (CPS) and in 1992 he was seconded to the Attorney General's Office (AGO) as a legal advisor on criminal matters. In early 1996 he joined the Bank of England to conduct prosecutions and advise regulatory committees. In late 1997 he returned to the AGO. He was an elected member of the Bar Council from 2011 to 2014. In 2012 he was elected a Master of the Bench at Gray's Inn and awarded a CBE in the Queen's Birthday Honours. He became the Director and Deputy Head of the AGO in 2011, a post that he held until April 2015 when he became Chief Inspector of HMCPSP. His term as Chief Inspector ended on 31 March 2021, following which he retired.

Tenure in office

Approach to inspection

During Kevin's six-year term as Chief Inspector, HMCPSI published 63 reports. When he started his term, the CPS had already reduced from 43 to 13 Areas. However, in April 2017, CPS London was split into two Areas, thus creating a total of 14 CPS Areas. Following public services suffering budget reductions to meet the drive to austerity, HMCPSI's inspection activity during this period set out the impact of these reductions on the quality of service as the CPS had to make difficult decisions about how to prioritise available resources.

Kevin changed HMCPSI's approach to the development of inspections by ensuring that HMCPSI worked with subject matter experts from both the CPS and Serious Fraud Office (SFO) to develop the inspection scopes and frameworks. Case examination consistency exercises, where staff from the inspected body are invited to discuss judgements on the same file against the inspection guidance, were also introduced and welcomed by both the CPS and SFO, significantly improving relationships.

Changes in approach were driven by his view that inspection activity must focus on matters that bring the most value, and whilst failings should be identified, fairness also required the identification of good practice for fair and balanced findings. He ensured that HMCPSI's press notices and other external-facing documentation reflected positive findings as well as any failings.

The global Covid-19 pandemic meant HMCPSI had to change its approach to inspection again, with Kevin making the decision to delay on-site activity and concentrate resources on examining case files, with inspection interviews and focus groups being conducted remotely via Microsoft Teams. As a result, HMCPSI was able to continue to deliver a full programme of inspection while ensuring staff and those inspected were kept safe and social distancing requirements adhered to.

Area Assurance Programme

In 2015-16, HMCPSI designed a methodology for the new Area Assurance Programme (AAP). The AAPs were undertaken in all 14 CPS Areas between 2016 and 2019 and assessed a number of aspects, including casework quality, by including a performance expectation that Areas delivered justice through excellent, timely legal decisions, casework preparation and presentation, leading to improved outcomes. In 12 CPS Areas, HMCPSI rated the standard of

the CPS's casework as 'fair'. Some aspects of good performance were identified but continued improvement was needed in legal decision-making and casework. In particular, HMCPSI found the CPS needed to do more to add value, have a grip on cases and improve the handling of disclosure in Crown Court cases.

The AAP highlighted that the 14 CPS Areas performed well in terms of governance. Areas demonstrated strong leadership, communication and staff engagement.

Disclosure

The disclosure of unused material was inspected on a number of occasions during Kevin's term as Chief Inspector. In 2017, HMCPSI and HM Inspectorate Constabulary and Fire and Rescue Services (HMICFRS) conducted a joint inspection on disclosure, publishing a report entitled 'Making it fair: a joint inspection of the disclosure of unused material in volume Crown Court cases'. The inspection found CPS and police failings in dealing effectively with disclosure and the negative impact that this had on the criminal justice system (CJS). This led to the Chief Inspector giving oral evidence on the disclosure of evidence in criminal cases before the Justice Committee in March 2018.

In January 2020, HMCPSI further reported on disclosure of unused material in the Crown Court after the CPS had invited it to assess the progress it had made since the 2017 joint inspection. This thematic inspection was extensive and in total 555 live cases and 560 cases at the charging stage were examined. Some signs of improvement were found and the focus on disclosure by both the police and the CPS was found to have had a positive impact. The report, however, highlighted significant performance variations in the quality of handling disclosure between different Areas, in part due to variations in local police performance.

A follow-up disclosure report was published in December 2020 which again found some aspects of improvement but some deterioration in performance. Some of the same issues that had been noted in the January 2020 report were repeated in this follow-up inspection, leading to four new recommendations being made.

Rape and Serious Sexual Offences (RASSO) cases

During 2019, at the request of the Attorney General, HMCPSI undertook an inspection to provide independent evidence to support a review that had been commissioned by the National Criminal Justice Board (NCJB) of the CJS's response to adult rape and serious sexual offences cases (RASSO). The review sought to understand why rape prosecutions had rapidly declined

since 2016. At the same time, the End Violence Against Women (EVAW) Coalition had brought a judicial review against the CPS, alleging that there had been a change in its policy and practice in the way it made decisions about rape cases. They argued that the CPS had shifted its approach from a 'merits-based' approach, which focused on whether a case would be likely to succeed in court, to one that was more cautious and resulted in fewer charged cases. The CPS maintained that there had been no policy change in how they prosecuted allegations of rape.

Other HMCPSI inspection activity was stopped so that this expedited inspection to inform the Government's review could be completed on time. Inspectors reviewed 450 rape cases up to the point of a charging decision being made by the CPS. HMCPSI's insights and findings within the published report helped to contextualise some of the debate about why the number of rape cases being charged was decreasing. HMCPSI's findings did not support the women's groups' view that the CPS was only charging cases where a conviction was more likely, rather than applying the appropriate legal test in the Code for Crown Prosecutors. As a result, HMCPSI's report came under stern criticism from the EVAW coalition. The Court of Appeal ultimately dismissed all claims made by the EVAW Coalition, finding that the CPS had not changed its policy in relation to the prosecution of RASSO cases.

Serious Fraud Office

In 2012, at the invitation of the Attorney General and the then-Director of the Serious Fraud Office, HMCPSI undertook an inspection of the SFO with a follow-up inspection in 2014. However, it was not until later in 2014 that HMCPSI was given statutory powers to inspect the SFO. It was therefore during Kevin's tenure as Chief Inspector that a framework and methodology was developed to enable inspection of the SFO to take place on a routine basis.

A thematic approach was taken to SFO inspection as the nature and scale of work by the SFO would have made a single whole organisation inspection very resource-intensive for HMCPSI. During Kevin's term, regular inspection of the SFO took place. This included an inspection of SFO governance arrangements, a review of leadership, an inspection of case progression systems and processes between case acceptance and charge and an inspection on handling complaints.

Covid-19

The Covid-19 pandemic affected HMCPSI's programme in 2020-21, as inspections that were based more around case file examination were prioritised to avoid placing an additional burden on the CPS.

HMCPsi also conducted specific inspection activity to assess how the CPS and SFO had responded to the pandemic during the lockdown from 16 March to 8 May 2020. Due to its digital capability, HMCPsi found that the CPS had been able to move the majority of its workforce from offices to home quickly without having a significant impact on the delivery of its business. Whilst the SFO was found to have dealt with the challenge effectively, having fewer staff members with the IT support already at home meant the shift to working at home was not as rapid.

The last joint report under Kevin McGinty's tenure was published in January 2021. This report provided a cross-system view, developed from the findings of the four single agency inspection activity, of how the CJS had reacted in the immediate aftermath of the first national Covid-19 lockdown and how the system had managed since. It highlighted the successes, challenges and problems that the system had faced and continued to face. The joint Chief Inspectors concluded that the greatest risk to criminal justice came from the 'unprecedented and very serious' backlogs in court. The Chief Inspectors from all four Inspectorates¹ gave evidence to the Justice Committee about their findings and concerns regarding the backlogs.

A further review of how the CPS was managing one year on from the pandemic was published in March 2021, entitled 'CPS Response to COVID-19: dealing with backlogs'. This report highlighted the challenges of an increasing Crown Court caseload, and the activity required to try and return magistrates' courts' work to pre-pandemic levels. Whilst the inspection found many examples of effective working with the police, courts and judiciary, the competing priorities and drive to reduce the backlogs had resulted in tensions across the CJS.

Joint Inspections

Throughout Kevin's tenure, HMCPsi conducted 12 joint inspections with the three other criminal justice inspectorates, albeit primarily with HM Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS). Joint inspections with HMICFRS covered digital case preparation and presentation, stalking and harassment, disclosure of unused material, disability hate crime, the police and CPS response to crimes against older people, evidence-led domestic abuse prosecutions, pre-charge bail and release without charge. Joint inspections with all three criminal justice inspectorates included meeting the needs of victims in the CJS and the impact of the pandemic on the CJS.

¹ HM Inspectorate of Courts Administration having been abolished in 2010 left four CJ inspectorates: police, prosecution, probation and prisons

A number of overseas delegations took place during Kevin's six-year tenure, during which HMCPSP staff shared their experience, knowledge and skills with colleagues from other jurisdictions. HMCPSP hosted visitors from the Netherlands, South Africa, Kenya, Montenegro and the Seychelles.

Between April 2015 and March 2021, HMCPSP made a total of 85 recommendations to the CPS (not including recommendations made in joint reports) and 20 recommendations to the SFO.

Significant reports and events between 2015 and 2021

2015 to 2016

- A new risk-based and CPS Area-based inspection methodology was piloted
- The Transforming Summary Justice scheme was implemented in the magistrates' court and a bespoke inspection of early adoption was undertaken
- At the request of the Attorney General, an inspection of SFO corporate governance was undertaken
- HMCPSP welcomed visits from the Secretary to the Punjab Prosecution Service, representatives from the Kenyan government and the head of department at the Ministry of Justice of the Republic of Macedonia.

2016 to 2017

- Area Effectiveness inspection was replaced by the CPS AAP
- Snapshot review of the CPS's contribution to the Better Case Management scheme
- Joint inspection with HM Inspectorate of Constabulary and Fire Rescue Services of the CPS's digital capability. The first to invoke joint statutory powers to include an assessment of how HM Courts and Tribunal Service were contributing to digital casework development
- Assisted the Criminal Justice Inspectorate of Northern Ireland to review the progress that Public Prosecution Service Northern Ireland (PPSNI) had made against the recommendations of the Starmer Review.

2017 to 2018

- Substantial inspection resource focused on delivering the AAP
- Assistance provided to Criminal Justice Inspection Northern Ireland to review PPSNI's handling of domestic abuse and RASSO cases

- Joint inspection with HM Inspectorate of Constabulary and Fire Rescue Services on disclosure in 'volume' Crown Court cases, which resulted in the Chief Inspector giving evidence to the Justice Select Committee Inquiry.

2018 to 2019

- Remaining AAP reports concluded and published
- Inspections of CPS Central Casework divisions, Special Crime and Counter Terrorism Division and International Justice & Organised Crime Division.

2019 to 2020

- Chief Inspector given a two-year extension to original contract
- CPS rape inspection – at the request of the Attorney General – to provide evidence to the end-to-end rape review commissioned by the National Criminal Justice Board
- An inspection of the CPS's handling of disclosure
- Composite report following the AAP was published
- Working to develop inspection programme to continue as the pandemic took hold.

2020 to 2021

- Inspections published that examined how the CPS and SFO had responded to the challenges of the Covid pandemic
- 'Dealing with backlogs' published, a report of the CPS response to COVID
- A cross-system review of how the CJS responded to the pandemic results in the Criminal Justice Chief Inspectors' Group (CJCIG) giving evidence to the Justice Select Committee. Kevin McGinty, as Chair of Criminal Justice Chief Inspectors Group, took the lead at the hearing.

Appointment of a new Chief Inspector

Kevin McGinty signalled his intention to retire having accepted an extension to his contract. An open competition for the appointment of a new Chief Inspector took place during 2021. Sir Michael Ellis KC recommended Andrew Cayley CMG KC as the preferred candidate. After a hearing with the Justice Select Committee, Andrew was appointed and took up his post on 1 April 2021.



The Andrew Cayley years

1 April 2021 to 26 February 2024

HMCPSP Chief Inspector: Andrew Cayley CMG KC

Attorneys General: Suella Braverman KC, Sir Michael Ellis KC, Baroness Prentis KC

DPPs: Sir Max Hill KC, Stephen Parkinson from 2023

Directors of the Serious Fraud Office: Lisa Osofsky and Nick Ephgrave from 2023

Background

Andrew first qualified as a Solicitor of the Supreme Court in 1989, transferring to the English and Welsh Bar in 2007. From 1995 until 2007, Andrew was prosecuting counsel and senior prosecuting counsel at the international criminal tribunal for the former Yugoslavia and the international criminal court acting as trial counsel in landmark cases in both courts. From 2007 to 2009, Andrew was defence counsel to high-profile figures, including Charles Taylor at the special court for Sierra Leone and Ivan Cermak at the international criminal tribunal for the former Yugoslavia. In 2009, he was appointed Chief International Co-Prosecutor of the Extraordinary Chambers in the Court of Cambodia, known as the Khmer Rouge tribunal.

From 2013 to 2020, he was the Director of Service Prosecutions, the United Kingdom's most senior military prosecutor. After his time as Chief Inspector of HMCPSP, he served as Principal Trial Lawyer at the International Criminal Court from March 2024 to March 2025.

Tenure in office

During Andrew's tenure, 31 reports were published. Fourteen of these were Area Inspection Programme reports, seven were from joint inspections, eight were thematic inspections of either the Crown Prosecution Service (CPS) or Serious Fraud Office (SFO) and two were follow-up inspections.

Between 1 April 2021 and February 2024, HMCPSI made 20 recommendations to the CPS, not including recommendations made in joint reports, and seven recommendations to the SFO.

In 2022, Andrew set out four priorities for his tenure as Chief Inspector:

- more inspection of the SFO
- more cross-cutting joint inspection
- raising the profile of HMCPSI to increase public awareness of its work
- continuing to provide assurance of the work of the CPS by how we support the CPS and SFO in the implementation of the recommendations we make in our reports.

An approach to HMCPSI recommendations was agreed: they were to be drafted in terms which were 'specific, measurable, achievable and, where possible, costed and timebound'. It was announced that HMCPSI intended to reduce the number of recommendations, and focus only on those that would have the greatest impact and most effective outcomes.

Inspection Programme

Andrew inherited the Area Inspection Programme for the 14 CPS Areas. This was a significant undertaking and dominated the first years of his tenure. Reports for all 14 Areas were published between October 2021 and November 2022. A composite report establishing baseline assessments of all of the Areas was then published in September 2023.

There had been an intention to start a programme of follow-up inspections of all Areas in 2023, however the pressures and backlogs that had built up because of the Covid-19 pandemic, and which were exacerbated by the Bar strike, were recognised and the decision was made to postpone Area follow-up activity to 2024–25. This postponement allowed the second half of his appointment to focus inspection activity on a series of thematic inspections. Like his predecessor, these continued to be influenced by the impact of Covid-19 and the need to review and evaluate the new landscape, but also to offer a clear focus on victims and witnesses.

Serious Fraud Office

With one of his stated priorities being a greater focus on the SFO, Deputy Chief Inspector Anthony Rogers was appointed as having dedicated responsibility for all inspection activity at the SFO. Anthony was loaned to the Calvert-Smith R v Akle and others 'Unaoil' review for a period of eight months.

In 2021, there was an inspection into both the CPS and the SFO Proceeds of Crime Division and in 2022 an Inspection of Victim and Witness Care in the SFO. There was then a significant follow-up inspection focussing on how the SFO has responded to HMCPsi's 2019 recommendations and the SFO response to the recent reviews conducted by Sir David Calvert-Smith KCB KC and Brian Altman KC. An inspection was published in May 2023.

Joint Inspection

In April 2023, Andrew Cayley took up the chair of the joint Criminal Justice Chief Inspectors' Group (CJCIG). In the HMCPsi Business Plan for 2023–2024, he confirmed his intention to focus on increasing the amount of joint inspection.

Between July 2021 and February 2024, seven joint reports were published, including the interim findings of the Joint Case Building Inspection.

The Joint Case Building Inspection, jointly commissioned and conducted by HMCPsi and HM Inspectorate Constabulary and Fire & Rescue Services (HMICFRS), was a significant undertaking, spanning 2023 to 2025. The inspection set out to examine communication and collaboration between the police and the CPS, looking at the effectiveness of the new charging model and overall seeking out best practices. The full report was published in July 2025, after Andrew's tenure had ended and Anthony Rogers had been appointed as HM Chief Inspector.

An Efficiency Spotlight report into the impact of recruitment and retention on the criminal justice system (CJS), a joint undertaking of all four criminal justice inspectorates, was published in February 2024.

During Andrew's tenure as chair of the Criminal Justice Chief Inspectors' Group, all four Chief Inspectors provided evidence to the Justice Committee in May 2022.

Significant reports and events between 2021 and 2024

2021 to 2022

- A joint thematic inspection of the police and CPS's response to rape – Phase one: From report to police or CPS decision to take no further action
- Inspection of Proceeds of Crime Divisions CPS and SFO
- Area Inspection Programme: CPS South East; CPS West Midlands; CPS Cymru Wales; CPS North East; CPS London South; CPS East of England
- Joint inspection of the criminal justice journey for individuals with mental health needs and disorder
- Thematic inspection: CPS's Handling of Custody Time Limits; Victim & Witness Care in the Serious Fraud Office
- Joint thematic inspection of the police and CPS's response to rape – Phase two: Post-charge.

2022 to 2023

- Area Inspection Programme: CPS Yorkshire & Humberside; CPS Wessex; CPS London North; CPS South West; CPS Mersey-Cheshire; CPS North West; CPS East Midlands; CPS Thames and Chiltern
- Joint thematic inspection into the impact of the Covid 19 pandemic on the CJS – a progress report
- Thematic inspection of the service from the CPS to victims of domestic abuse.

2023 to 2024

- Follow-up inspection of the Serious Fraud Office – case progression
- Various thematic inspections were conducted: An inspection of the effectiveness of Crown Prosecution Service policy and guidance for the handling of cases involving the National Referral Mechanism; an inspection of the quality and timeliness of stage one and stage two complaints handled by the CPS; an inspection of CPS induction processes to equip new prosecutors to successfully deliver CPS objectives
- Composite report of the baseline assessments of the 14 Crown Prosecution Service Areas in England and Wales
- A follow-up inspection into the CPS's handling of custody time limits

- A joint thematic inspection into how well the police, the Crown Prosecution Service and the Probation Service support victims of crime
 - Interim findings from phase one of joint case building by the police and Crown Prosecution Service
 - Efficiency spotlight report: The impact of recruitment and retention on the CJS.
-

Appointment of a new Chief Inspector

Andrew announced that he intended to leave his appointment early as he had been approached to take up a post at the International Criminal Court. To ensure continuity while an open competition could be run, the Attorney General sought expressions of interest to carry out the Chief Inspector's role temporarily. Anthony Rogers was appointed on an interim basis on 27 February 2024. An open competition for the appointment of a new Chief Inspector took place during 2024. Due to delay caused by the general election being called mid-exercise, Lord Hermer KC recommended Anthony Rogers as the preferred candidate. After a hearing with the Justice Select Committee, Anthony was appointed and took up his post on 1 February 2025.



The current Chief Inspector

27 February 2024 to 31 January 2025 (interim) and 1 February 2025 to present (permanent)

HMCPSP Chief Inspector: Anthony Rogers

Attorneys General: Baroness Prentis KC, Lord Hermer KC

DPPs: Stephen Parkinson

Directors of the Serious Fraud Office: Nick Ephgrave

Background

Anthony has extensive Civil Service experience stretching back to 1989 and across several government departments. He joined HMCPSP in 2003 as a grade 6 business inspector, leading numerous CPS Area inspections, thematic inspections and joint inspections. From 2005, Anthony was a member of the inspectorate's management board and from 2012 was Deputy Chief Inspector, before leaving HMCPSP in 2013.

Between 2013 and 2016 he worked for the Crown Prosecution Service (CPS) including as an Area Business Manager, jointly responsible for the senior leadership of the Crown Prosecution Service London. He also worked as Head of Profession for operational delivery and Head of Compliance, Assurance and Support, responsible for the development, design and implementation of a new CPS compliance national strategy.

Anthony left the Civil Service in 2016 before returning to HMCPSP in 2018 as Head of Inspection. He served as interim Chief Inspector from February 2024. Following his appearance before the

Justice Select Committee, he was appointed by the Attorney General as HM Chief Inspector of the Crown Prosecution Service Inspectorate, with his term commencing on 1 February 2025.

Tenure in office

Significant reports and events between 2024 and 2025

An inspection of the CPS handling of the Valdo Calocane case

On 30 January 2024, the Attorney General Baroness Prentis KC asked HMCPSI to carry out a rapid and independent inspection of the actions carried out by the CPS in the Valdo Calocane case following concerns raised by the victims' families.

The inspection found that the CPS complied with the law and met their obligations to the families. But the case also highlighted areas where the families could have been better supported during an incredibly difficult process. To better support victims and clarify the law, HMCPSI called on government to consider:

- whether homicide should be categorised in three tiers, as recommended by the Law Commission in 2006
- whether the culpability of the person who commits murder should be reduced to manslaughter by reason of diminished responsibility
- if homicide is not to be categorised in three tiers and diminished responsibility is not to be a partial defence to murder, whether the mandatory life sentence should remain for all cases of murder
- whether the support provided by the existing Victims' Code and Bereaved Family Scheme should be reconsidered and clarify when victims are entitled to be 'consulted' about decisions taken as opposed to being 'informed'.

An inspection by invitation – Service Prosecuting Authority (SPA)

Keen to share the experiences and the unique position of HMCPSI in assessing legal quality, an agreement was reached with the Director of the Service Prosecuting Authority (SPA) for HMCPSI to undertake an inspection of the quality of legal casework in the SPA using assistance powers set out in the Crown Prosecution Service Inspectorate Act 2000. The level of legal decision-making in the SPA was found to be of high-quality and HMCPSI was able to set out a number of recommendations, some of which were based on experience of good practice developed in the

CPS. This drive to inspect other public prosecutors is one element of Anthony's vision for HMCPSP: sharing our experience to drive improvement.

While in post as interim Chief Inspector, Anthony also oversaw HMCPSP enter its 25th year, which he used to inform his strategy to recognise the good work that HMCPSP has delivered and continues to deliver through high-quality independent inspection.

Reports published in 2024

- An inspection of the Crown Prosecution Service's actions in the Valdo Calocane case
- Serious Fraud Office – disclosure
- Inspection by Invitation: The Service Prosecuting Authority
- An examination of cases referred to the Crown Prosecution Service included in the London Stalking Review 2024
- Area Inspection Programme- a follow-up inspection (AIP2)
- Follow-up inspections - National Referral Mechanism and The service from the CPS to victims of domestic abuse
- Individual Quality Assessment (IQA)- an inspection of how the CPS uses IQA to monitor and improve casework quality.

2025 to date

- Since being permanently appointed, the HMCPSP under Anthony's leadership has made 14 recommendations to the CPS
- There has been an ambitious programme of inspections set for 2025, including an inspection on handling of rape cases in the CPS and a further inspection by invitation of the Health and Safety Executive. Area Inspections of Yorkshire and Humberside and Cymru Wales represent Phase Three of the Area Inspection Programme. These two Areas were identified for detailed on-site inspections to assess what influences casework quality, with differing results from baseline to follow-up, as well as operating in different contexts. The intention was to identify best practice and to set out what may sit behind the differences in performance, producing reports that may assist all Areas.

Follow-up Inspection Activity

Under Anthony's tenure, HMCPSP has committed to follow-up inspection activity to assess progress and impact of actions in response to recommendations.

2025 has seen a number of follow-up reports already published, including a follow-up to the 2023 National Referral Mechanism inspection, a follow up to the 2023 inspection into the service from the CPS to victims of domestic abuse, and a follow-up to the 2023 report regarding CPS Handling of Complaints.

This follow-up activity has seen mixed results, with some recommendations fully achieved and others not yet embedded or addressed. Six new recommendations have been made to the CPS as a result of the follow-up inspections.

Planned follow-ups have also been extended to inspection by invitation, with the SPA inviting HMCPSI to return to carry out a follow-up assessment of the implementation of the recommendations made in 2024.

Vision and values

Anthony has set a clear vision for HMCPSI during his tenure as Chief Inspector. A key strand is a commitment to better including the experience of victims within an inspection.

Following engagement from all staff, HMCPSI reviewed and set new values to reflect its current ethos and culture to: ‘we act with **integrity**, creating a culture of **respect** to drive **innovation**, pursue **ambition** and commit to **inclusivity** in everything we do.’

Anthony confirmed his vision for HMCPSI as Chief Inspector to be: ‘We are part of the solution to improving the Criminal Justice System through high quality inspection.’

International networking has continued and opportunities to clarify and explain the role of HMCPSI have been identified and acted upon. HMCPSI has presented to delegations from Albania, Malaysia and Kenya.

What might the future of HMCPPI look like?

There are a number of current challenges and opportunities that are likely to directly impact the future for HMCPPI.

The state of the Criminal Justice Service (CJS), the backlogs and Leveson recommendations are factors to which HMCPPI must immediately react. During the next few years, HMCPPI needs to be part of the solution in helping the Crown Prosecution Service (CPS) and CJS find efficiencies and identify and promulgate best practice. Perhaps, moving forward, the Inspectorate will be requested to play a role in testing and approving processes as solutions to the current crisis are sought across the system.

The Horizon scandal has increased public awareness of other prosecutors. HMCPPI has recently dipped its toe in the water of using its assistance powers with those outside of the Attorney Generals' superintendence. Law Commission recommendations point to HMCPPI being the inspectorate for the Criminal Cases Review Commission. Others are interested in our expertise and approach. Should HMCPPI become the Prosecution Inspectorate? Would some of the issues seen in single justice procedure cases come as a surprise if there was a degree of independent assessment by HMCPPI?

The backlog in the courts and the continued siloed approach of parties in the CJS raises the question of whether the time is right to reconsider a single criminal justice inspectorate. We nearly got there in 2006, but legislation to merge the five criminal justice inspectorates fell at the final stage in the House of Lords. There is the statutory requirement for the four current criminal justice inspectorates to produce a business plan and set out a programme of joint inspection. Is this enough? A single justice inspectorate would have more impact and be able to make recommendations to cut across the silos.

And what about how AI will impact us all and inspection? AI already offers us a great degree of efficiency. Co-pilot and Chat GPT are great tools to summarise and replace some of the mundane. Generative AI will no doubt move quickly and further increase opportunities. It is difficult to predict what the future of the CJS may look like if the benefits of AI are harnessed, never mind the impact on inspection. No matter how we use AI one thing which cannot be replaced will be the need for inspection judgement. I am sure in 25 years' time there will be some form of inspection, as independent inspection makes a lasting difference and leads to improvement.



HM CPSI

HM Crown Prosecution
Service Inspectorate

The first
25 years
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