



National Audit Office

**REPORT BY THE
COMPTROLLER AND
AUDITOR GENERAL**

**HC 1584
SESSION 2010–2012
2 NOVEMBER 2011**

The Crown Prosecution Service

The introduction of the
Streamlined Process



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National Audit Office

The Crown Prosecution Service

The introduction of the Streamlined Process

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Amyas Morse
Comptroller and
Auditor General

National Audit Office

21 October 2011

This report examines the implementation of the Streamlined Process, an initiative to reduce the amount of paperwork and therefore police time spent preparing prosecution files in summary only and either way cases.

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This report can be found on the National Audit Office website at www.nao.org.uk/cps-streamlined-2011

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Foreword

The fieldwork for this study was conducted in partnership with Her Majesty's Crown Prosecution Service Inspectorate and Her Majesty's Inspector of Constabulary. Her Majesty's Crown Prosecution Service Inspectorate is the independent Inspectorate for the Crown Prosecution Service, the principal prosecuting authority for criminal cases in England and Wales. Her Majesty's Inspectorate of Constabulary independently assess police forces and police activity ranging from neighbourhood teams through serious crime to the fight against terrorism – in the public interest. All organisations involved in the audit and inspection of the criminal justice system are committed to improving its efficiency and effectiveness. It has, therefore, been of benefit that our respective organisations have jointly been able to evaluate the implementation of the Streamlined Process.

Key facts

550,000

the number of defendant cases (including youth cases) heard in the magistrates' courts in England and Wales in 2010 to which the Crown Prosecution Service estimates that the Streamlined Process applies

79%

the percentage of police prosecution files we reviewed which did not contain an amount of paperwork which was 'proportionate to the needs of the case' under the Streamlined Process guidance

53%

the percentage of police files we reviewed that did not give an adequate summary of the case

967,000

Number of cases dealt with in the magistrates' courts by the Crown Prosecution Service in 2010

£1 million

Prosecution Team Change and Delivery Board budget for delivering a range of initiatives, including the Streamlined Process

£740,000

Total funding for local criminal justice boards to roll-out the Streamlined Process

£10 million

The estimated amount of money that the Streamlined Process may potentially save police forces

Summary

1 In 2010, around 1.7 million cases were heard in the magistrates' courts in England and Wales. Approximately 70 per cent of these were 'summary only' cases, which can only be tried in the magistrates' courts. The remaining 30 per cent of these were youth cases, 'either way' cases, which can be tried and sentenced in either the magistrates' or the Crown Court, or 'indictable only' cases that can only be tried in the Crown Court. The Crown Prosecution Service prosecuted approximately one million of these cases in the magistrates' courts, and estimate that the Streamlined Process guidance is applicable to more than 550,000 of these.

2 This report examines the implementation of the Streamlined Process, an initiative to reduce the amount of paperwork and therefore police time spent preparing prosecution files in summary only and either way cases. Such paperwork includes witness statements and supporting evidence used to prosecute cases, as well as documents listing previous convictions. The Streamlined Process was rolled out as guidance from the Director of Public Prosecutions; its roll-out was managed jointly by the Crown Prosecution Service and the Association of Chief Police Officers.

3 In 2011, the guidance was incorporated into *The Director's Guidance on Charging 2011*,¹ which includes a new national file standard based on the Streamlined Process. For clarity, this report refers to the Streamlined Process throughout, as this was the guidance in place at the time of our fieldwork. However, our recommendations for future activity relate to the Streamlined Process as it is incorporated into the new national file standard.

4 The Director of Public Prosecutions issued guidance on the Streamlined Process to police officers and Crown Prosecution Service prosecutors in 2008. The Director of Public Prosecutions is the named individual responsible for the guidance. The guidance was planned and rolled out by the Prosecution Team Change and Delivery Board, which was jointly chaired by the Crown Prosecution Service and the Association of Chief Police Officers. The guidance sets out a procedure for preparing prosecution files: it states that files should contain the amount of paperwork that meets the needs of the case, at the stage it has reached, so that it can proceed effectively through the magistrates' courts.

5 The guidance was rolled out by the Prosecution Team Change and Delivery Board, which had a budget of £1 million for implementing a range of business change initiatives, one of which was the Streamlined Process. In addition, the Office for Criminal Justice Reform gave £740,000 to local criminal justice boards to help them implement the guidance.

¹ Director's Guidance on Charging, 2011, 4th edition, Guidance to Police Officers and Crown Prosecutors Issued by the Director of Public Prosecutions under Section 37A of the Police and Criminal Evidence Act 1984, the Crown Prosecution Service.

6 We evaluated whether the national roll-out of the Streamlined Process complied with established principles of good practice in project management. We also examined whether the Streamlined Process is being used by local criminal justice areas in England and Wales, and whether police forces and Crown Prosecution Service offices are abiding by the guidance.

7 This is the first of a series of value for money studies building on the National Audit Office's 2010 landscape review of the criminal justice system. The landscape review highlighted the need for strong national and local partnership working, to deliver initiatives effectively within a complex criminal justice system. **Figure 1** sets out how our study explored the three key issues that were highlighted by the landscape review.

8 Fieldwork for this value for money examination of the Streamlined Process was conducted in partnership with Her Majesty's Inspectorate of Constabulary and Her Majesty's Crown Prosecution Service Inspectorate. These are the independent statutory inspectorates of police forces and the Crown Prosecution Service. With the inspectorates, we visited five areas² in England and Wales to assess the roll-out, impact and effectiveness of the guidance in these areas. During these visits we undertook a review of 100 prosecution case files across all areas, as well as interviews and court observations. Our sample of 100 files allowed us to evaluate whether the files were assembled in accordance with the principles of the Streamlined Process, as well as whether files met necessary legal standards. However, while the file review provides a snapshot of the extent to which the Streamlined Process has been embedded, the sample size means that it cannot be taken as entirely representative of the workload of the police or the Crown Prosecution Service. Further information on the study's methodology is detailed at Appendix One.

Figure 1 Findings of the landscape review

Landscape review finding

Governance and management arrangements in the criminal justice system are complex, and changes to one part of the system can have unexpected consequences for others.

Delivery partners need to work well together nationally and locally, focusing on how best to achieve the overall objectives of the criminal justice system, rather than optimising the performance of their own organisations.

Information flows within the criminal justice system can hinder the most efficient passage of cases and may not always provide sufficient information to inform future planning.

Streamlined Process evaluation

We analysed whether implementing the Streamlined Process guidance appeared to impact on the effective working of magistrates' courts.

Our study examined whether police forces and the Crown Prosecution Service are working well together to implement the Streamlined Process.

We examined whether information about the Streamlined Process is collected and held centrally to inform future planning.

Source: National Audit Office; Criminal Justice System, Landscape Review. November 2010. www.nao.org.uk/publications/1011/criminal_justice_landscape_rev.aspx

² Five magistrates' courts were chosen, and we visited the police force and Crown Prosecution Service office whose cases were heard in that court. Where we use the word 'area' throughout the report we are referring to the court, the Crown Prosecution Service office, and the police force which we visited unless otherwise stated.

Key findings

The Streamlined Process gives police forces an opportunity to reduce the amount of paperwork they include in prosecution files

9 The Streamlined Process guidance allows police officers to undertake less paperwork when creating simple prosecution case files. Under the 2010 Comprehensive Spending Review, police forces will have their central funding reduced by 20 per cent in real terms by 2015. In conducting our file review, we observed that prosecution files that complied with the Streamlined Process generally contained less paperwork than those which did not. A review of the Streamlined Process's pilot sites found that files assembled under the guidance saved more than an hour compared to those that did not. Our analysis suggests that the costs of police time preparing prosecution files could potentially be reduced by approximately £10 million across England and Wales were such time savings to be replicated nationally.

10 The Streamlined Process has not had a negative impact upon the progression of cases through the magistrates' courts nationally. A key aim of the Streamlined Process was that the introduction of the guidance would not lead to an increase in adjournments for prosecutors to obtain more evidence, nor would it discourage defendants from entering early guilty pleas. Nationally, our analysis suggests that early guilty plea rates have not altered, and there has been no rise in adjournments with the new Streamlined Process. A completion report on the Streamlined Process commissioned by the Prosecution Team Change and Delivery Board found that the use of more proportionate prosecution files supports the delivery of effective and speedy case outcomes in the magistrates' courts. Locally, those forces we visited which had embedded the guidance more fully did not have lower guilty plea rates or higher numbers of adjournments in court.

The Streamlined Process is an example of partnership working between the Crown Prosecution service and police forces, but it has not been fully implemented across the criminal justice system

11 The Prosecution Team Change and Delivery Board brought together key agencies in the criminal justice system in order to implement a range of initiatives including the Streamlined Process. The Streamlined Process was rolled out nationally by a board of representatives from the Crown Prosecution Service, the Association of Chief Police Officers, Her Majesty's Courts Service, the Office for Criminal Justice Reform and the National Policing Improvement Agency. In local areas, the courts also helped to drive forward the initiative. Our landscape review of the criminal justice system found that the effective delivery of policies in the criminal justice system is dependent upon such partnerships.

12 However, despite agencies working in partnership at its launch, the Streamlined Process guidance has not overcome the barriers of complexity inherent within the criminal justice system. We found that the guidance has not been implemented consistently across the criminal justice areas which we visited. The Streamlined Process was issued as guidance to prosecutors and police forces by the Director of Public Prosecutions. However, the heads of national criminal justice agencies have no authority over individual police forces, which are operationally independent. The partnership between agencies when the project began did not compensate for this lack of authority.

13 The criminal justice landscape has recently undergone significant reorganisation. Nationally, the Office for Criminal Justice Reform has been abolished and its replacement body does not supply funding to cross-system efficiency initiatives such as the Streamlined Process.

Project management of the national roll-out was flawed

14 The case for reducing police bureaucracy with guidance such as the Streamlined Process was established by a number of preceding initiatives; however, its roll-out did not meet principles of effective project management.

The Prosecution Team Change and Delivery Board felt that the case for reducing paperwork using the Streamlined Process was made in reports such as Sir Ronnie Flanagan's review of policing. However, the project initiation document was not finalised until after the national roll-out had begun. There was also no single budget, and the project board did not measure its potential benefits to police forces.

15 The Streamlined Process was rolled out nationally before its pilots were completed and evaluated. The national roll-out of the Streamlined Process began in October 2008. Although there was an interim evaluation of the initiative while it was being rolled out, the final evaluation of the pilots was not available until June 2009. The project's status was rated on a green – amber – red scale each month from the outset of the project until full roll-out was completed. On this scale, it consistently scored amber-red until March 2010 because of several individual police forces not implementing the guidance.

16 In keeping with reforms across the criminal justice system, ownership of the Streamlined Process has transferred from the centre to local areas. The project board passed responsibility to local criminal justice boards in 2010, which have also been supplied with toolkits to monitor implementation in their areas.

The Streamlined Process has not been successfully embedded

17 We found significant variation between the police forces we visited in the extent to which they are implementing the Streamlined Process. Seventy-nine per cent of files we examined contained a disproportionate amount of paperwork, with the majority having more than is recommended by the Director's guidance. Police forces therefore continue to spend more time building files than they need to.

18 There are persistent barriers to implementing the Streamlined Process within individual police forces. In its early stages, the board that implemented the guidance acknowledged that police awareness and training were needed to embed the process. Evaluation of the pilots found that pilot areas often continued to place more paperwork in files than was necessary. Police officers we interviewed generally did not know which documents the Streamlined Process recommended to include or exclude in prosecution files.

19 More than half of the files we reviewed did not summarise key evidence in accordance with the Director's guidance on the Streamlined Process. If the summary of key evidence is not of sufficient quality it can impact on court efficiency, by causing an adjournment for the prosecution to gather more evidence.

20 We found a concerning lack of effective supervision of prosecution files in the areas we visited. As the Streamlined Process guidance recommends, the majority of police case files we reviewed were signed off by a supervisor. This was despite these files often containing too much paperwork and some not being compliant with the guidance. Some of the supervisors we interviewed said that they did not have the time to read all the files that they signed off.

21 Local Crown Prosecution Service offices rarely provide feedback to the police on the quality of the files they receive. Only one of the Crown Prosecution Service offices we visited had such strategic oversight arrangements in place. Here, police reports were notably more likely to be compliant with the guidance than elsewhere. In one other area, feedback mechanisms had recently been introduced but it was too soon to see their effect.

Cost and benefit information on the Streamlined Process is lacking

22 The Prosecution Team Change and Delivery Board did not collect information to estimate how much police forces may save by embedding the Streamlined Process, and they do not know how much it cost to roll out. The team took the decision that costing out the Streamlined Process would have placed an unnecessary burden on police forces and Crown Prosecution Service offices. No central record is held by the Prosecution Team Change and Delivery Board either on how embedded the Streamlined Process is, or on whether data are being collected locally. It is also not possible to isolate what impact the Streamlined Process may have on the courts, if it were fully implemented. Therefore, the costs and benefits of rolling out the Streamlined Process nationally are unknown.

Conclusion on value for money

23 Our work has indicated that the Streamlined Process guidance can reduce the time which the police spend preparing prosecution files without reducing the effectiveness of the courts. The guidance took account of the complexity of the criminal justice system by involving key national and local agencies in its roll-out, but it has failed to secure local buy-in. Furthermore, the implementation of the initiative did not follow established principles of effective project management, which has led to widespread variation in compliance. Data is lacking, so it is not clear whether the initiative has reduced paperwork for police forces. We therefore conclude that the Streamlined Process has not yet achieved its potential value for money.

Recommendations

24 For the Director's guidance on the Streamlined Process (now incorporated into the national file standard), and other cross-government initiatives, to be more effective across the whole criminal justice system, we make the following recommendations:

The Home Office and the Crown Prosecution Service in partnership

- a** **The Streamlined Process has not secured buy-in from individual police forces, which are operationally independent from government.** Government departments must design and promote such initiatives to police forces and other agencies by effectively communicating the benefits they can gain from embedding changes.

The Crown Prosecution Service

- b** **The Streamlined Process did not follow established principles of project management.** The Crown Prosecution Service and its partners should make sure that all future major reforms follow established principles of project management by adhering to a cycle of strategy, planning, implementation, measurement, evaluation and feedback.
- c** **There is no central record of how embedded the Streamlined Process is, nor any single body responsible for tracking it.** The Crown Prosecution Service must assess how well the Streamlined Process has been embedded to ensure a national standard. It should explore how to collect information on the paperwork included in prosecution files using its own existing data collection sources and those of other partners in the criminal justice system, such as the courts. This information will help to monitor the quality and composition of prosecution files.

- d** **Crown Prosecution Service staff are not clear about the requirements of the Streamlined Process and they need to work more closely with police officers at the local level.**
- The Crown Prosecution Service should raise awareness of the Streamlined Process with prosecutors and other staff, and encourage them to work in better partnership with the police.
- The Crown Prosecution Service should make sure that there is an effective mechanism to feed back to police officers on the quality of prosecution files.

The Home Office and its partners

- e** **Prosecution files prepared by police officers often do not comply with the Streamlined Process, and not all of the files we saw had been signed off by a supervisor.** The Home Office should work with the Association of Chief Police Officers to make clear to police forces their expectation that they will implement this guidance, in accordance with their own models of custody and file preparation. In particular, they should make it clear that they expect all files to be supervised, as the guidance sets out.
- f** **Basic awareness of the requirements of the Streamlined Process is low among front line police officers preparing prosecution files and their supervisors who sign them off.** The Home Office, with the Association of Chief Police Officers, should ensure that the Streamlined Process and file preparation is covered in the police training developed by the body responsible for training. In developing this, it should also continue to develop guidance aimed specifically at supervisors in the Streamlined Process.
- g** **Police forces in England and Wales will have their central funding reduced by 20 per cent by 2015.** The Home Office should ensure that forces are aware of the potential for savings that can be made from initiatives such as the Streamlined Process and encourage forces to embrace these as part of their plans to make spending reductions.

Part One

Costs and benefits of the Streamlined Process

Background

1.1 The Streamlined Process was introduced by the Prosecution Team Change and Delivery Board, chaired jointly by the Crown Prosecution Service and the Association of Chief Police Officers, in 2008. It is designed to reduce police bureaucracy by giving officers guidance on how to build case files that are proportionate to the needs of a case.

1.2 The Streamlined Process applies to cases suitable for sentencing in the magistrates' court. The guidance suggests police predict which cases will result in an early guilty plea, based on admissions at interview and the strength of evidence found. The guidance also states what material is necessary to compile a prosecution file for both anticipated guilty and not guilty cases and what is not required.

Streamlined Process principles for preparing prosecution case files

1.3 Proportionality in assembling prosecution files is central to the Streamlined Process. The guidance states that files should contain sufficient information for a case to progress, and for the prosecution, the defendant, and the court, but should not contain excessive paperwork. The Streamlined Process aims to reduce paperwork in order to free up police officers for front line duty without causing police officers to curtail the investigation of a case.

1.4 Case files are prepared by the police for the Crown Prosecution Service, and must include a police report with a summary of the case for prosecutors. Police decide what to include with the police report, according to the requirements of the case and the stage of prosecution. The Streamlined Process guidance recommends that police forces should only include key evidence in prosecution files.

1.5 Key evidence is that which informs the court of every element of an offence and is adequate to establish whether a person charged with an offence committed it with criminal intent. For instance, the Streamlined Process guidance recommends that in an anticipated guilty plea where the suspect makes a full admission at interview there is no need for any witness statement to be included in the file beyond that of the victim of the crime. In contrast, in a case where a suspect makes no comment in an interview, witness statements are required if key witnesses did not keep a detailed note of an event and they are the only witnesses to an offence or the identity of an offender.

1.6 The Streamlined Process also recommends that police forces exclude non-key evidence initially, such as corroborative witness statements, which can be provided if such evidence is later identified as necessary. **Figure 2** details the key stages of a prosecution file progressing from the police to the courts.

The need to make savings across the criminal justice system

1.7 The Streamlined Process was a relatively small investment from the Crown Prosecution Service, supported by additional funding from the Office for Criminal Justice Reform, which aimed to make long-term savings across the criminal justice system. Our *Short Guide to Structured Cost Reduction* stated that, to meet required savings across government, departments must look beyond localised short-term savings to reduce costs and think more radically about how they could take costs out of their businesses. It is also important to look beyond immediate savings in a single system towards changes across the whole criminal justice landscape.³

1.8 The need for both police forces and the Crown Prosecution Service to make savings has been reinforced by the 2010 Comprehensive Spending Review settlement. Under this, police forces in England and Wales are expected to have their central funding reduced by 20 per cent in real terms by 2015. However, Her Majesty's Inspectorate of Constabulary has found that 26 of the 43 forces in England and Wales cannot meet the necessary reductions in cost according to their current plans. The resulting shortfall amounts to £500 million. The Crown Prosecution Service must reduce its budget by 25 per cent over the same period, which will require losing almost 1500 staff in its headquarters and its regional offices by 2015.

Rationale for the Streamlined Process

1.9 The Prosecution Team Change and Delivery Board, which was responsible for rolling out the guidance, expected the Streamlined Process to complement the Criminal Justice Simple Speedy Summary initiative. This initiative was a programme of reforms between all criminal justice agencies in 2006 to improve the overall efficiency of the system. While the Criminal Justice Simple Speedy Summary initiative did not aim to reduce the paperwork required in building prosecution case files, it did aim to:

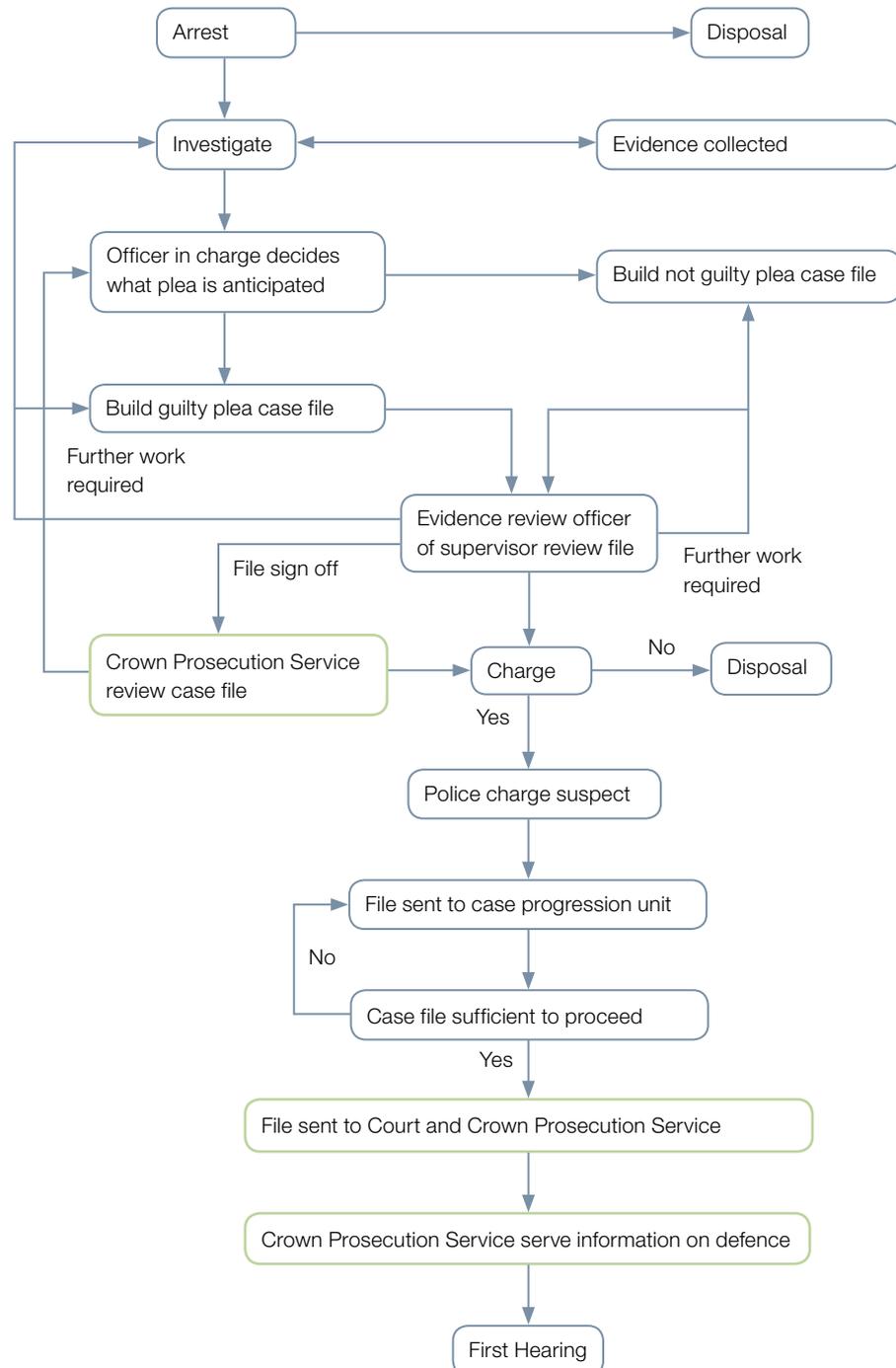
- reduce the average number of court hearings per case; and
- reduce the average time taken for simple criminal cases to get from charge to disposal in the courts.

1.10 Before the Streamlined Process, in 2007, the Office for Criminal Justice Reform piloted a forerunner scheme called the Director's Guidance Quick Process.⁴ Under this scheme a full prosecution file was only prepared if matters were contested and the case went to a trial. This guidance was further refined to form the basis of the Streamlined Process.

³ National Audit Office short guide to structured cost reduction www.nao.org.uk/publications/1011/structured_cost_reduction.aspx

⁴ The Director's Guidance Quick Process, Office for Criminal Justice Reform, 2007.

Figure 2
Key stages preparing a prosecution file



NOTE

1 Individual police forces operate their own models of custody arrangements, which may differ slightly from this model. Disposal in this context includes a decision to: bail a suspect pending enquiries or not to charge; and an alternative outcome, such as a caution or restorative justice.

1.11 The Prosecution Team Change and Delivery Board considered that a number of reviews which preceded the Streamlined Process established the rationale for rolling out guidance to police forces to reduce their paperwork. In February 2008, for instance, Sir Ronnie Flanagan's final report on his review of policing in England and Wales recommended a national system to reduce paperwork on simple prosecution case files based on the Quick Process.⁵

Impact of the Streamlined Process on the courts

1.12 When the Streamlined Process was rolled out one key risk which the Prosecution Team Change and Delivery Board was guarding against was that it would negatively impact on court proceedings by discouraging early guilty pleas or increasing adjournments. We analysed 'Time Intervals Survey' data, which is a census of all cases going through the magistrates' courts over a defined period in each quarter. **Figure 3** shows our analysis of the data, which found that there was no evidence of a significant fall in the guilty-plea rate.⁶ The percentage of guilty-plea cases moved between 64.2 per cent in 2006 and 62.7 per cent in 2010 for charged cases. Additionally, in 63 of the 92 cases we observed in courts a plea was entered at the first hearing, of which 43 were guilty pleas.⁷ We did not find, therefore, that the implementation of the Streamlined Process had had a negative impact upon the effectiveness of the courts by causing a significant decrease in the percentage of guilty pleas.

1.13 The Prosecution Team Change and Delivery Board were also aware that more proportionate prosecution files could increase court adjournments because of the court adjourning cases for the prosecution to obtain more evidence. Our analysis has found that this has not happened and the Streamlined Process has not coincided with a rise in adjournments.

1.14 **Figure 4** (on page 18) shows that, over the last four years, there has been a significant fall in the number of adjournments nationally, reportedly because of the Criminal Justice Simple Speedy Summary initiative and other developments. Our file review showed that only 8 of the 100 file cases we examined were adjourned before a plea was entered.

1.15 Although no area we visited was fully compliant with the guidance, we did not find a negative impact on the courts resulting from the Streamlined Process. The national data did not show a significant change in plea rates or any increase in adjournments during the roll-out of Streamlined Process. Locally, those forces that had embedded the guidance more fully did not have lower guilty plea rates or higher numbers of adjournments in court than those we visited which had embedded it to a lesser extent.

5 The review of policing, final report, Sir Ronnie Flanagan, February 2008, http://www.polfed.org/Review_of_Policing_Final_Report.pdf

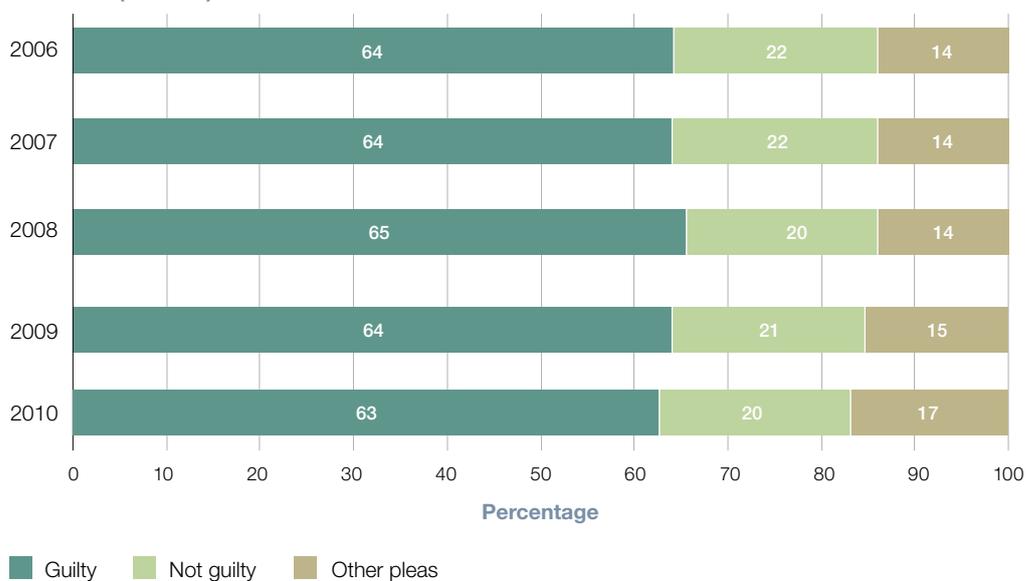
6 There was no statistically significant fall in the guilty plea rate, meaning that any fluctuations in the plea rate are not indicative of a significant change or part of a trend.

7 National Audit Office observations in five magistrates' courts.

Figure 3

Guilty-plea rates in the magistrates' court, 2006–10

Plea rates (2006–10)



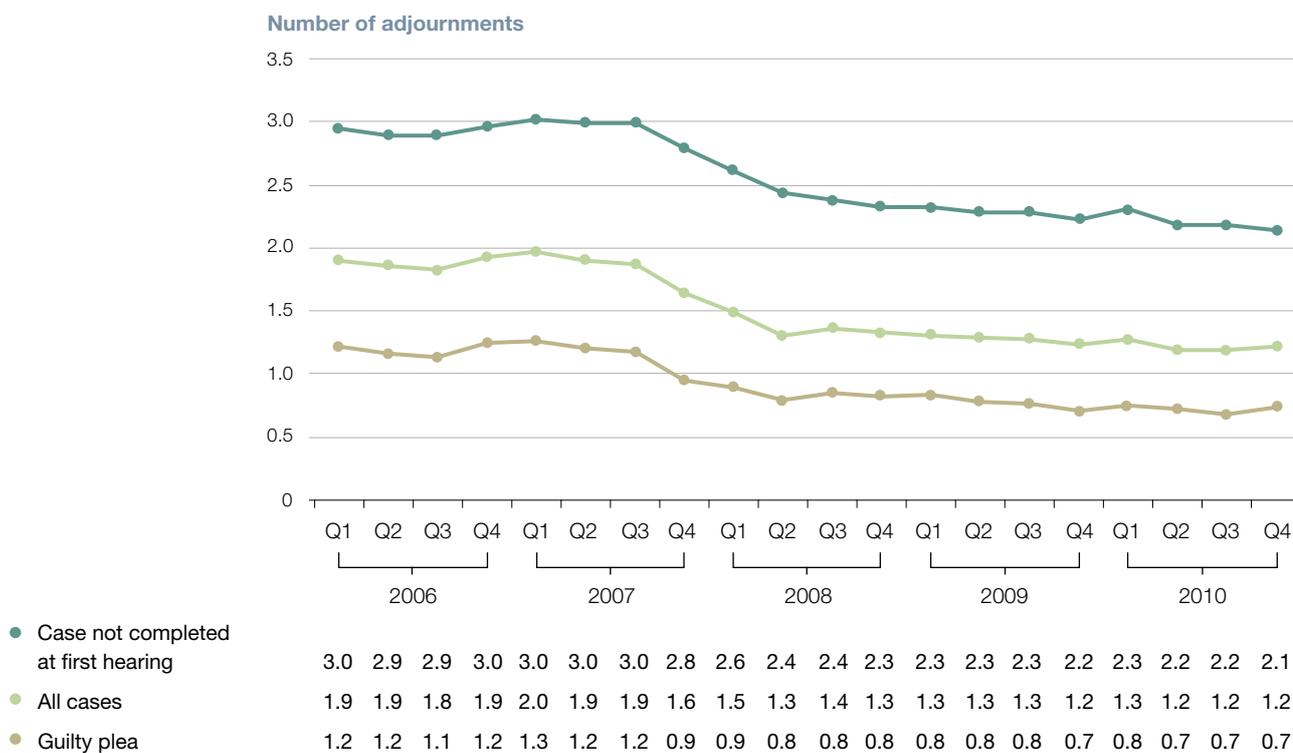
Source: National Audit Office analysis of Time Intervals Survey of Criminal Proceedings in the Magistrates' Courts, Ministry of Justice

Opportunity for savings

1.16 The Streamlined Process guidance explains to officers how to build prosecution case files with only the information necessary to prosecute simple cases in the magistrates' courts. This allows them to exclude needless evidence from the case files, which should reduce paperwork when building a Streamlined Process case file.

1.17 The Prosecution Team Change and Delivery Board do not know whether savings have been realised from the Streamlined Process. They have not measured either how much the Streamlined Process cost to implement or how much time or money it has saved police forces or agencies in the criminal justice system. In addition, only limited national data are available about the costs of police time, and organisations such as the National Policing Improvement Agency have found it difficult to cost police activity. It is clear that the paperwork required for a file is reduced under the Streamlined Process, but we cannot accurately measure the extent to which this reduces the overall time taken to build a file.

Figure 4
Average number of adjournments in the magistrates' courts, 2006–10



Source: National Audit Office analysis of Time Intervals Survey of Criminal Proceedings in the Magistrates' Courts, Ministry of Justice

1.18 The Prosecution Team Change and Delivery Board did not try to measure potential savings from adopting the Streamlined Process, beyond limited data on time savings from two of the project's pilot areas. Different models of file preparation across police forces made it difficult to establish a baseline for the time taken to assemble files. Also, the Prosecution Team Change and Delivery Board thought that costing the Streamlined Process would have placed an unnecessary burden on the police forces and Crown Prosecution Service offices involved.

1.19 We have used data collected by the Prosecution Team Change and Delivery Board during the pilot to try and assess time savings from the Streamlined Process, combined with costs of police time from the Office of National Statistics.

- We estimate that an average file takes between one and five hours to assemble, at a cost of between **£17.80 and £89.20 per file**.
- The pilot found that without the Streamlined Process a file took three hours six minutes to build, and **with the Streamlined Process it took two hours to build**.
- If this time saving of 66 minutes could be replicated nationally, it could give a potential cost **saving of around £10 million**.

1.20 This figure can only be an indication of the savings which police forces across the country may be able to make from implementing the Streamlined Process guidance. More precise costing is not possible, for a variety of factors such as the variation between police forces in the custody models they employ. Also, this calculation does not include the cost of police supervisor time spent in reviewing and overseeing prosecution files.

1.21 Police time saved by reducing paperwork for simple prosecution cases could free front line police officers for other tasks. In Staffordshire police force, which was in a pilot area for rolling out the guidance, local evaluation found that embedding the guidance saved £200,000 in police time. This saving was used to deploy extra police officers to front line roles.

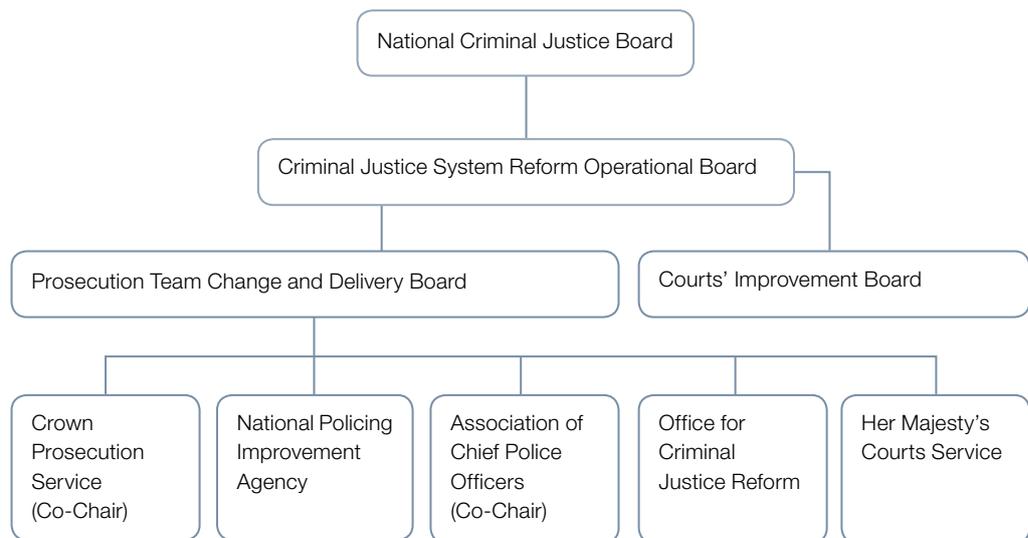
Part Two

National roll-out of the Streamlined Process

2.1 We have evaluated whether the implementation of the Streamlined Process adhered to established principles of effective project management by following a cycle of measurement, evaluation and feedback.

2.2 The Streamlined Process guidance was introduced nationally by the Prosecution Team Change and Delivery Board. **Figure 5** shows that, at introduction, the board included representatives of organisations including: the Crown Prosecution Service; the Association of Chief Police Officers; the National Policing Improvement Agency; the Office for Criminal Justice Reform and Her Majesty's Court Service. The Streamlined Process was rolled out as guidance to local police forces and Crown Prosecution Service areas. The Prosecution Team Change and Delivery Board signed off areas when they judged them compliant, between March 2008 and September 2009, although some areas were still outstanding after this date.

Figure 5
Organisations responsible for the national roll-out of the Streamlined Process



Source: National Audit Office

2.3 Locally, implementing the Streamlined Process was overseen by structures already in place across local criminal justice boards. The Prosecution Team Change and Delivery Board intended that each local area would have steering groups overseeing change and delivery, senior responsible owners, and local implementation teams. These local implementation teams aimed to bring in a range of stakeholders including the police, defence solicitors, and probation trusts.

Streamlined Process landscape

2.4 The National Audit Office's landscape review of the criminal justice system found that it is complex, has no single 'owner', and has funding drawn from various sources. The complex system is accentuated by a range of local delivery arrangements, so that implementing a system-wide initiative involves numerous national and local bodies.

2.5 Guidance on the Streamlined Process was issued to police officers and Crown Prosecutors by the Director of Public Prosecutions, the head of the Crown Prosecution Service. The Crown Prosecution Service is a non-ministerial department, accountable to Parliament through the Attorney General's Office, and responsible for prosecuting criminal cases investigated in England and Wales.

2.6 It is police officers who build prosecution case files, so it is they who have most to gain from reducing paperwork by implementing the Streamlined Process Director's Guidance. Although police forces receive their funding from central government and local authorities, they are fully operationally independent of them. Neither the Crown Prosecution Service nor the Association of Chief Police Officers has the authority to mandate individual police forces to adopt guidance. The Government envisages that accountability for delivery by police forces will move closer to local communities and further away from central government control.

2.7 At the time of the introduction of the Streamlined Process, the criminal justice system of England and Wales was governed by the National Criminal Justice Board, which was comprised of ministers, the heads of the criminal justice system agencies, the Association of Chief Police Officers, and a representative of the judiciary. This was supported by the Criminal Justice System Operational Board, which consisted of senior officials from the criminal justice agencies and the Association of Chief Police Officers. Both bodies were in turn supported by the Office for Criminal Justice Reform, which provided funding to projects designed to improve the efficiency of the criminal justice system, and the Prosecution Team Change and Delivery Board.

2.8 The Office for Criminal Justice Reform has subsequently been abolished and its functions incorporated into the Ministry of Justice. No equivalent national body now supplies funding to local projects to improve criminal justice efficiency. The Operational Board remains in place and is tasked with providing cross-agency oversight, while the newly-constituted Criminal Justice System Efficiency Programme Delivery Board is responsible for the delivery of the Streamlined Process.

Project managing the roll-out of the Streamlined Process

2.9 We assessed the roll-out of the Streamlined Process against the National Audit Office's core management cycle, which sets out established principles of project management. **Figure 6** shows the management cycle we would expect a project to undergo. A well-run project should be supported by a strategy, planned with resources and management information, and measured and evaluated as it is implemented.

Strategy and planning

2.10 The roll-out of the Streamlined Process guidance began in October 2008, but the project initiation document for the initiative was not finalised until February 2009. Although the business need for it was established in preceding initiatives already mentioned in this report, there was no business case specifically for the Streamlined Process when it was launched.

2.11 The Prosecution Team Change and Delivery Board emphasised the importance of piloting the guidance in discussions with the National Criminal Justice Board, in 2007. It launched pilots in seven criminal justice areas in England and Wales in March 2008. As these pilots were ongoing, an interim evaluation found that the early stages of the Streamlined Process did not appear to have impacted upon the improvements in court performance perceived as resulting from the Criminal Justice Simple Speedy Summary initiative. The interim report did, however, note that some police files prepared under the Streamlined Process had inaccurate summaries and there were variable levels of police supervision of files.

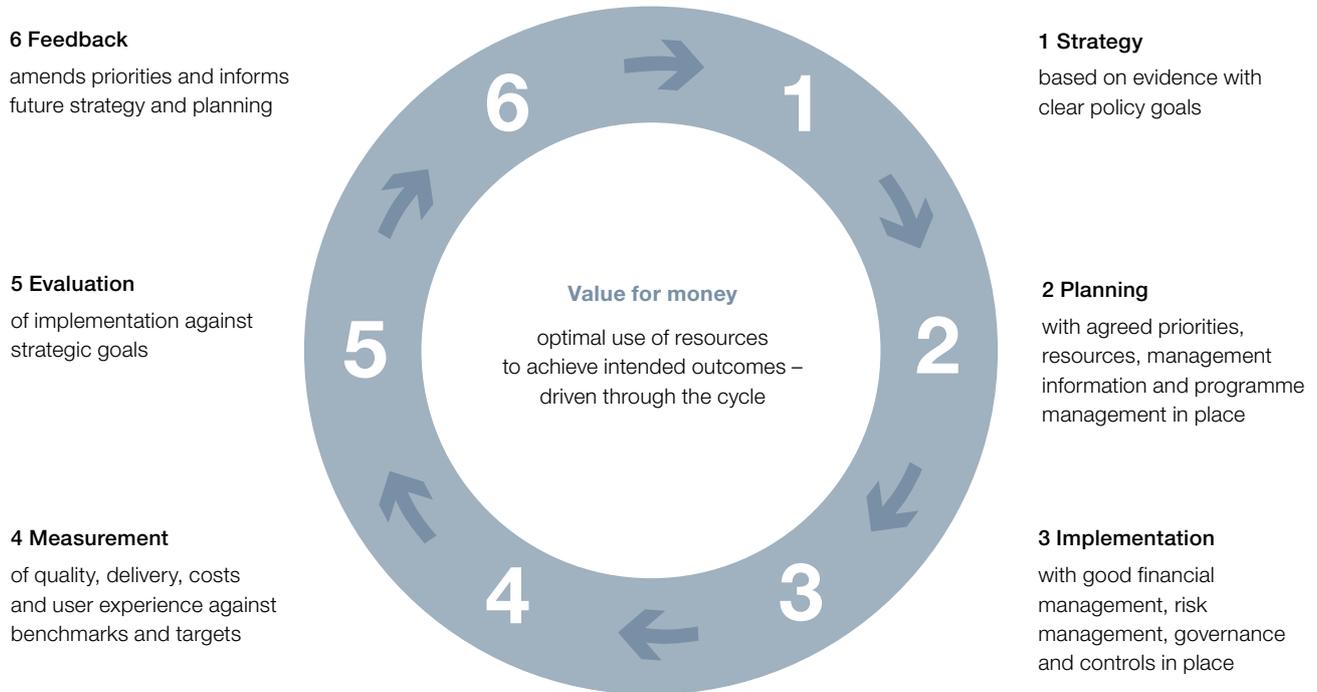
Implementation

2.12 There was no separate budget allocation specifically for the Streamlined Process. The Prosecution Team Change and Delivery Board, which oversaw implementation, was funded by a ring-fenced Crown Prosecution Service budget of approximately £1 million. In addition to the Streamlined Process, the team also used this funding for other joint police and Crown Prosecution Service work, such as making changes to how suspects are charged. In October 2008, the Office for Criminal Justice Reform gave £740,000 to local criminal justice boards to help implement the Streamlined Process.

Measurement, evaluation and feedback

2.13 The Prosecution Team Change and Delivery Board began promoting national take-up of the guidance after the interim report on the pilot sites but, as **Figure 7** shows, this was before the pilots were completed. Implementation began based on interim evaluation of the pilots, as well as preceding efficiency reviews. National roll-out began in October 2008 and was completed in September 2009, in the same month that a final evaluation of the pilot areas became available. This meant that findings from the pilot sites could not be fed back and incorporated into strategic planning.

Figure 6
Core management cycle



Source: National Audit Office guide to structured cost reduction: www.nao.org.uk/publications/1011/structured_cost_reduction.aspx.

Figure 7
Key dates in implementing the Streamlined Process

Key dates in implementing the Streamlined Process

1 January 2008	First pilot launched
1 June 2008	Final pilot launched
5 August 2008	Interim assessment completed
30 September 2008	National roll-out starts
3 February 2009	Project initiation document published
1 June 2009	97 per cent of areas using the Streamlined Process
12 June 2009	Final evaluation of the pilot completed

Source: National Audit Office

2.14 In 2010, in accordance with the Government's move towards greater localism, responsibility for the Streamlined Process was transferred to local criminal justice boards. Before the handover, the Prosecution Team Change and Delivery Board gave local criminal justice boards a toolkit to help them establish whether the Streamlined Process was being followed in their local areas. The Prosecution Team Change and Delivery Board has not since collected information on the Streamlined Process, and does not monitor whether the toolkit is being used by local criminal justice boards. As of 2011, local criminal justice boards do not receive central funding. As a result, the Prosecution Team Change and Delivery Board does not have the information it needs to inform future strategy and planning for further implementation of the Streamlined Process guidance.

Part Three

Implementing the Streamlined Process locally

3.1 We have evaluated the implementation of the Streamlined Process against the Prosecution Team Change and Delivery Board's criteria for successful delivery of this guidance, which states:

Time

- There is a significant reduction of police bureaucracy in the production of a prosecution file for the first hearing, irrespective of the anticipated plea.

Consistency

- A nationally consistent standard of police file preparation is embedded for cases within scope.

Quality

- There is little or no detrimental impact on the guilty-plea rate at first hearing.
- There is little or no increase in the number of adjournments before trial.

Awareness of the Streamlined Process

3.2 In October 2008, the Prosecution Team Change and Delivery Board gave training packs to police forces in those areas that were rolling out the Streamlined Process. It also later gave copies of the guidance to police forces and Crown Prosecution Service offices, as well as guidance on what should be included in a prosecution file. However, it was not clear from our interviews at site visits whether such guidance and training materials had been used by police officers.

3.3 Overall, we found that police officers who built prosecution files were generally unaware of the Streamlined Process. In all of the five areas we visited, police officers could not tell us what was needed in an anticipated guilty-plea file for use in the magistrates' court. In areas with limited supervision of files, this lack of awareness meant practice did not comply with the guidance, and prosecution files contained a disproportionate amount of material. Lack of awareness was also apparent, though less so, among Crown Prosecution Service prosecutors.

Police prosecution file paperwork

3.4 Our site visits, conducted in partnership with Her Majesty’s inspectorate of Constabulary and Her Majesty’s Crown Prosecution Service Inspectorate, found that police forces have not made best use of the Streamlined Process in reducing the amount of paperwork on a file. As a result, police forces have not reduced paperwork as much as if they had fully implemented the guidance.

3.5 Our file review examined how far cases complied with the guidance, as well as whether the evidence in files was proportionate to the needs of the case. We found significant variation, both between and within the five areas we visited, in the amount of unnecessary paperwork in files. Of the 100 files we reviewed, 79 per cent were not assembled proportionately, and 72 per cent included statements that were unnecessary under the guidance. The remaining files actually contained less paperwork than the Streamlined Process guidance requires. **Figure 8** below lists some key examples of unnecessary paperwork we found in prosecution files.

Complying with the guidance and supervision of files

3.6 The summary of a police prosecution file is the most critical document to make sure a case proceeds effectively through the courts. Our analysis found that compliance with the guidance varied considerably when it came to the police summary. In 53 per cent of the files we reviewed, the police report did not summarise the key evidence in line with the Director’s guidance. Common problems included:

- Files contained accounts of events which were too lengthy for purpose
- Files included statements of non-key witnesses
- Files did not indicate how the evidence of key witnesses proved either the offence charged or the criminal intent of the accused

Court staff and Crown Prosecution Service prosecutors we interviewed in all of the areas we visited also raised concerns about the quality of the police summaries which they saw.

Figure 8

Unnecessary paperwork in prosecution case files

In one area all drink-drive cases included a disk of CCTV footage showing the evidential breath test procedure.

In all areas there were incidences where corroborative statements, often typed, were included in guilty-plea cases.

In all areas there were cases that included unnecessary statements.

In one area transcripts were produced for all interviews, even where the accused made no comment.

Source: Her Majesty’s Crown Prosecution Service Inspectorate analysis of prosecution case files

3.7 The Director's guidance states that the Evidence Review Officer supervises and reviews files before release to the Crown Prosecution Service, ensuring that files are built according to the guidance. The Evidence Review Officer identifies likely guilty-plea cases, or cases suitable for the magistrates' court, and instructs that files are proportionate, according to the guidance.

3.8 In practice, different police forces use different custody models, which dictate how forces assemble prosecution files. In some stations, arresting officers assemble case files, whereas in others there are centralised units of police officers and civilians with this responsibility. This variation means that not all forces have designated Evidence Review Officers, but this role may be taken by a supervisor.

3.9 We found that 77 per cent of the files we reviewed had been supervised and signed off by an Evidence Review Officer or other supervisor. This means that many files which we evaluated as not compliant with the guidance were signed off by supervisors. Overall, across our sample of 100 files there was no evidence that the supervision of files by senior police officers or qualified police staff had improved the quality of the police report or compliance with the guidance. However, we did find that the area with the lowest level of supervision was least likely to produce files which had adequately summarised the case in line with the guidance.

3.10 Excluding one area we visited, there was little evidence that police officers or staff responsible for the supervision of files had any greater understanding of the guidance than those who assembled files. In addition, some of the supervisors we interviewed said that they did not have time to read all the reports that they signed off. In only one area we visited did we find evidence of police supervisors systematically feeding back to officers about whether files contained evidence that was not required under the guidance. We consider this apparent lack of effective supervision of prosecution files to be a matter of particular concern.

Role of the Crown Prosecution Service

3.11 The Streamlined Process was rolled out as guidance by the Director of Public Prosecutions, the head of the Crown Prosecution Service. As police forces are constitutionally fully operationally independent of national government, the Director does not have the power to enforce them to comply with the guidance. Nevertheless, in local areas Crown Prosecution Service offices do have some means of influencing police officers to encourage compliance with the guidance. There is also an incentive for the Crown Prosecution Service to communicate issues to police locally, because not complying with the guidance can mean extra work for them when prosecuting a case.

3.12 The Crown Prosecution Service locally can exert influence by encouraging partnership working across the police and courts in order to improve case management of files. They can also make sure that there are adequate feedback mechanisms to communicate when files do not meet the standards in the Streamlined Process guidance, or in other forms of guidance.

3.13 In one area we visited, there was an established system for regular managerial oversight and providing feedback from the Crown Prosecution Service, in the form of monthly meetings. In this area three quarters of the summaries that we reviewed met the standards in the Director's guidance. In one other area, a system of feedback had just been established.

3.14 We also found that variation between Crown Prosecution Service offices in what they expect police officers to include in prosecution files suggests Crown Prosecution Service staff are not always aware of guidance requirements. In interviews in all five areas, we found that members of the Crown Prosecution Service expected, or would have liked to see, evidence on case files that was not required by the guidance.

3.15 Police officers in some areas we visited stated that the requests they received for evidence in files from the Crown Prosecution Service exceeded requirements of the Streamlined Process. They felt, therefore, that officers were not solely responsible for producing files with unnecessary paperwork.

Previous findings on how embedded the Streamlined Process is

3.16 The findings of the pilot report on the Streamlined Process were similar to the findings from our fieldwork. While a number of interviewees at pilot sites felt that the guidance had made time savings, no pilot area had strictly followed the guidance. There was evidence of files containing more paperwork than the guidance recommended, and the supervision and quality assurance of files was generally considered to be lacking across all areas. The pilot report suggested that police officers did not comply with guidance because they were risk averse and unaware of the Streamlined Process.

3.17 These barriers to the guidance being embedded within police forces were also noted by the Prosecution Team Change and Delivery Board during the roll-out. Throughout the full roll-out of the Streamlined Process, and as late as September 2009, the Prosecution Team Change and Delivery Board rated the guidance's implementation status as amber-red in its board minutes. This was mainly owing to the lack of compliance of certain police forces with the guidance. As an example, one force initially agreed to implement the guidance only once the evaluation of it was available.

3.18 In 2010, the Prosecution Team Change and Delivery Board commissioned a completion report on implementing the guidance. This report concluded that the Streamlined Process project had met its key aims, including supporting the effective and speedy outcome of cases in the magistrates' court, with more proportionate prosecution files. However, the report also recognised that national consistency was needed to implement the guidance and police forces had to comply so it would become 'business as usual'. In addition, the completion report highlighted concerns about the quality of police summaries and the degree of police supervision in file preparation.

Engagement with defence solicitors

3.19 At the Streamlined Process launch the Prosecution Team Change and Delivery Board was keen to encourage local areas to engage with defence solicitors. There were concerns that slimmer prosecution files would encourage defence solicitors to instruct their clients to enter not-guilty pleas, or no plea at all, because of a lack of evidence.

3.20 Nationally, at the launch of the Streamlined Process, the Crown Prosecution Service and the Association of Chief Police Officers engaged with defence solicitors about the Streamlined Process guidance. The Prosecution Team Change and Delivery Board reported that at a national level defence solicitors indicated their broad support for the guidance and its principles during this engagement. The Prosecution Team Change and Delivery Board encouraged local areas to engage with defence solicitors, and some local implementation schemes included defence practitioners. However, none of the areas we visited had maintained regular contact with defence solicitors or had continually involved them in planning and managing the embedding of the guidance.

Appendix One

Study methodology

We undertook our fieldwork visits during May and June 2011.

1 Review of key documents

To understand the set up of the Streamlined Process, its project management and its performance to date.

We examined key documents from the Prosecution Team Change and Delivery Board, including board minutes, the Project Initiation Document and reviews of the pilot sites.

2 Analysis of Ministry of Justice Time Intervals Survey data

To see whether there had been any significant changes in court timeliness, adjournments or guilty-plea rates since the start of the Streamlined Process nationally or in our chosen areas.

We analysed Time Intervals Survey data, dating back to 2006, to examine national trends. We also examined trend data for the five areas to triangulate with interviews and court observations.

3 Visits to five areas in partnership with Her Majesty's Inspectorate of Constabulary and Her Majesty's Crown Prosecution Service Inspectorate

To assess the roll-out, impact and effectiveness of the Streamlined Process in local areas.

We chose five magistrates' courts to visit, in Hampshire, West London, Staffordshire, Hertfordshire, and Carmarthenshire, and visited the police station and Crown Prosecution Offices that served that court.

4 Review of 100 prosecution case files by Her Majesty's Inspectorate of Constabulary and Her Majesty's Crown Prosecution Service Inspectorate

To review the proportionality of prosecution case files and assess compliance with the guidance.

We reviewed 100 files in total, split across five sites. The samples consisted of 100 police files as well as the 100 corresponding Crown Prosecution files. The chosen cases in each area were drawn back chronologically from February 2011 until 40 files were available from which 20 could be selected. The smaller caseload in one area meant that the date for review of files in that area was extended to April 2011. The sample was stratified to consist of 80 per cent guilty-plea cases and 20 per cent not guilty-plea cases. The files were reviewed in detail for proportionality, compliance with the guidance, and quality.

5 Observations in five courts

To observe whether the Streamlined Process had an impact on court proceedings.

We sat in on court sessions in each court we visited, over one morning. We observed the quality of case management, and the reasons for adjournments and plea rates.

6 Interviews with front line staff in police forces, the courts, and Crown Prosecution Service offices in the five areas we visited

To understand what impact the Streamlined Process had on their everyday work, and assess levels of understanding of the guidance.

The National Audit Office, Her Majesty's Crown Prosecution Service Inspectorate and Her Majesty's Inspector of Constabulary staff conducted structured interviews with staff working in the Crown Prosecution Service and Police forces, including front line police officers, Associate Prosecutors and senior staff. In addition, we met with district judges and magistrates in the courts.

7 Interviews with project staff

To understand the rationale supporting the management of the Streamlined Process.

Semi-structured and unstructured interviews with staff from the Crown Prosecution Service, Association of Chief Police Officers, and Her Majesty's Courts and Tribunal Service.

8 Meetings with Third Party stakeholders

To better understand the wider impacts of the Streamlined Process on criminal justice stakeholders.

We held meetings with stakeholders including the Law Society, the Senior Presiding Judge, and the Magistrates' Association.



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