



National Audit Office

**REPORT BY THE  
COMPTROLLER AND  
AUDITOR GENERAL**

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**The Crown Prosecution Service**

# The introduction of the Streamlined Process

# Key facts

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## 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

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## 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

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## 53%

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

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**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*,<sup>1</sup> 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.

<sup>1</sup> 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 areas<sup>2</sup> 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.

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## **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](http://www.nao.org.uk/publications/1011/criminal_justice_landscape_rev.aspx)*

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<sup>2</sup> 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.