[redacted]

20 February 2017

[redacted]

Process

- MG6C quality. Depends on which force, [redacted] ot very good other areas better.
- Descriptions are generally good but missing there are still missing items. Naming convention doesn't help and the IT system is clunky. Often file dumps left on the screen and difficult to work out what the document is.
- D schedules are more generally poor because of descriptions. Items missing. Listing of items on wrong schedules. They have to use a checklist but still seem to get it wrong. Police do not seem to understand it
- Understanding of DRS record is all documents served and why should be listed chronologically
- The schedules should only have a narrative if necessary against the CND /D etc Expect the narrative to be completed when necessary
- More emphasis has been put onto the DRS completion by the team but it is still it and miss depending on the lawyer
- RASSO lawyers are supposed to review all DS but because of time doesn't always happen. The PTPH is now a delaying tactic for the defence by using standard directions to delay the service. BCM generally has slowed down disclosure process. Other Ds confirmed that the SOP for casework needs changing as it encourages PLOs to send out the DS automatically to defence and then copy a task to the lawyer to consider it which does not happen in practice.
- PLO sends it to the defence because of time constraints.
- RASSO on the whole sorted because we front load disclosure prior to charge. ATU are usually ready for trial.
- Very late on DS and means chasing defence and dealing with the disclosure late on Gateway team.
- Judges vary. Recorders at PTPH are not on DCS as they would have to be invited. Some judge are very robust and others haven't got lists. Some are still reluctant to use the BCM process correctly.

Training

- Webinar given a few weeks again. Induction given to all RASSO lawyers which lasts 3 days and includes disclosure.
- General lawyers get twitchy at sensitive material. Ds have had disclosure training on sensitive but not all lawyers.
- Circuit training day for barristers covers a bit of disclosure. As BTP cases are national sometimes no control over which agents are used around the country.

- Those on the rape panel have a better understanding of sensitive material

At Court

- No disclosure records being kept at court. Often PLOs PLA not in court and agents are not giving details records of disclosure back to the CPS.
- IT system makes it difficult to work needs an unused material tab aor a drop down menu so all unused material is in one place together with the chronology of disclosure

Assurance

- Weekly CTL assurance disclosure is looked at and also in the Certificate of readiness. [redacted] complete an assurance programme report for the Es. E report goes to CWQC
- DRS is now being pushed onto the agenda recognise not being completed as well as it could but RASSO adamant their's are in good order
- Lawyers going through a learning curve with DCS, digital working and BCM and just coming to terms with it all
- Casework SOP is not fit for purpose (PLO sending out DS and requesting police responding to DS on an MG6E)
- Police response on an E and PLO sending straight off
- Judiciary not fully supportive.
- Push back on putting MG6C on DCS as it apparently breaches security. [redacted] were told by their comms manager when DCS was first rolled out but on the whole [redacted] think it would be a good idea

CPS focus group 2

Disclosure Inspection

Interview: CPS [redacted]awyers

Attending: [redacted]

Location: [redacted]

Date: 21 February 2017

Staff: [redacted]

Issues raised:-

Police understanding of disclosure

- RASSO unit deals with 3p disclosure prior to charge. Usually works well. ATU do deal with some. [redacted]ot very god at serving MG6C descriptions Other areas better we push back on poor disclosure. Most forces send other documents
- Undermining information not being given over on the C. We are left trying to get it onto a C
- Dis often blank and I find out later there is sensitive material. Officers also put they put undermining material on the D to hide. Not really trust issues. Holmes cases are better then others.
- Officers put things on the C without a description of the item to assess whether it U or A. However not enough time.
- RASSO case sent back as schedules were rubbish and spent 4 hours doing disclosure with them and the CJU
- Routine revelation usually means poor descriptions.
- DS being sent to the police before I see them as the reviewing lawyer.
- No task for when DS should come in. Because a direction is made then monitored
- Response to DS

- At Court there is usually chasing of unused material for things already being told they couldn't have it
- DRS not easy

Training

- Webinar given recently on a number of cases
- No sensitive and highly sensitive training
- Don't feel we are getting support from managers. They are focused on task lists CTLs
- Late defence statements
- BCM is not helping with its timetable.

Too much emphasis on other matters and not able to do a proper job on disclosure.

Editing

- Pen redactions can still see the document

1. There is a real lack of understanding by police officers of disclosure and especially the relevancy test and by extension what needs to be revealed. This is a long standing issue. Things have become worse since [redacted]
2. Police ability to deal with disclosure was described as 'abysmal', 'pitiful' and 'getting worse. ' Common examples were given including blank MG6Cs; the crime report and incident (CAD report) being put on the MG6D and even the defendant's previous convictions being put on MG6D. One example also stated that an officer had put the defendant's statement on the MG6D as the victim 'was under duress' and this was supported by his supervisor when challenged as being a 'tactical' decision.
3. Police officers struggle to complete MG6 schedules and often either put too much or too little. Types of documents such as crime reports are often lumped together with little or no description Equally different numbering occurs from one MG6C/D submission to the next causing confusion
4. The Disclosure Manual was described as 'not user friendly.' Too long. Far too many pages. Needs to be accessible.

5. Police difficulties in managing disclosure have been exacerbated by the introduction of the [redacted]T case management system. The lack of memory means that items often have to be sent through separately. Equally, the click box process designed to simplify the process often in fact prevents officers from disclosing something when it is actually correct they do so. There is also a possibility that sensitive material may end up in the wrong place and by extension be unwittingly disclosed to the defence. Issue with storage on CMS. This is an additional pressure on lawyers as they have to double-check the MG6C to ensure it does not contain sensitive material. E.g. medical and social services records ([redacted]- *sensitive?)*

6. Police poor performance is believed to be linked to poor knowledge and training which leads to a lack of understanding of why the process is in place. They believe that police see it as a bureaucratic process.

7. As a result of police inadequacies, lawyers are often compelled to request all the material in order to review it themselves. On rare occasions if disclosure is particularly poor they will reject it or escalate it to their own supervisors. However, they feel that their own managers lack the appetite to challenge poor disclosure. Equally cases are dealt with in isolation which lessens the ability to challenge the police on common issues that are encountered.

8. The process for challenging poor disclosure by police is thwarted by the CPS quality control process that is currently in place. The quality standard forms are designed for the initial review of the papers only and so the ongoing disclosure process is not reviewed ([redacted]– *appears lack of clarity over National File Standard forms).*

9. Police are poor at editing and redacting sensitive information on items destined for the MG6C.

10. Police supervisors are not doing their job. The new[redacted]T system was supposed to improve the supervision structure, but this is not occurring.

11 Case : R v[redacted] Cost awarded of[redacted]against Crown. Officer failed to disclose full details of phone's contents including several hundred texts and Facebook entries. When reviewed at last minute by lawyer full details that undermined case came out. Officer was 'out-of-her-depth' and did not understand what was required. ([redacted]– *lawyers sympathetic – office just did not know what to do)*

12. Advocates need to be more robust with defence requests. Judiciary seem to have the same attitude leaving CPS lawyers in the middle trying to resist this

13. There is sympathy for officers and a realisation that they are under pressure. It is felt that senior police management does not factor in enough time for

officers to be able to deal with a case following charge. Time spent on proper disclosure is a big part of this.

14. Third party material appears to be an improving picture as regards RASSO work. The triage system means that it is asked for pre-charge..No issues identified with social services material in advance.

15. CPS lawyers reported effective disclosure training with a combination of classroom based activity and on line courses. The majority had received this within the past six months.

16. The CPIA is felt to be fit for purpose but that the problem is that the bar and judiciary chose to ignore it. Also process issues identified above. District judges and magistrates are much better than crown court judges.

17. Defence statements are often received on the day of the trial or even during the trial and are often inadequate. Judges need to challenge this more. On rare occasions the lack of a defence statement has been adduced by CPS lawyers as evidence but this is rare and could be explored as a way of putting extra pressure on the defence – adverse inferences.

18. Defence statements are sent to officers via an administrative process before they have even been seen by a paralegal or lawyer. This can cause problems. if the defence statement includes a list of demands that are unwarranted the officer may simply respond to these in a way that the lawyer would have refused. Equally if the defence statement requires no action, the officer may not acknowledge its receipt, leading to a belief by the prosecution that it has not been received and a potential embarrassing striation in court when the defence are berated for not supplying one.

19. Specialist officers understand the issues in [redacted]

20. Descriptions generally poor quality.

21. There was a general feeling that management were not 'dealing with the issue'. Did not appear to be aware of any collective response to the police or progress.

22. They reject schedules in extreme circumstances.

23. Documents (the same) can be sent across multiple times.

24. Examples of SDC being sent across multiple times in CC cases.

25. Can be issues with use of digital files – not clear on the system/police not good at uploading/ different versions of the documents available on the system

26. There are difficulties with getting/use of digital material - makes prosecution look sloppy.

27. In 'heavier cases' they have a phone strategy.

28. CPS [redacted] had 'disclosure week' within last 12 months.

29. Has been training in [redacted] that – should not pull full reasoning on DRS.

30. Key suggested improvements

- An aide memoire for officers to assist their ability to manage disclosure at key point in the process.
- Defence statement to be reviewed before being sent out to officers
- Disclosure manual. Currently it is not useful or user friendly
- Improved communication between officer in the case and case lawyer

[redacted] - focus group
[redacted]

Purpose
To get your ideas on how to fix disclosure – and take away any good practice
Introductions
[redacted]
Not guilty gateway – high volume[redacted]
Crown advocate[redacted]
Rasso –[redacted]

Whats view of quality and timeliness of a MG6
ATU - Improved dramatically over last few years

Some forces[redacted]are worse than the rest shallow knowledge

Rasso –[redacted]are approachable can give guidance

Descriptions – understanding – naming conventions, come as other documents
[redacted]different forces cant split documents – IT

D schedules – bland difficult to decipher,
Level E? not Rasso ring fenced info. Drop out of the gateway.

Sanitised info on a C not a D – pre-charged checklist – very detailed, relatively straight forward – checklist.

Not understanding E – response to the DS on the MG20. Comes on an MG6E – negative result should go on an MG6E. lists items for disclosure. Assists the preparation of the defence. Local practice on the MG6E. MG20 receipt, MG6 conversation between me a nd CPS, new items are 6cd undermining material on the E.

SOP's on the MG6E

DRS
Record of Docs and why and dates
Nothing to disclose

Description to convince defence why not to disclose – narratives are essential

How confident that DRS is being completed?
Always thought of as why am I filling out another form, more emphasis on form recently. IT issues.
Some are really good – Rasso good
Volume work has most fails
Police response to DS – lawyers meant o review – DS comes in late so time is of the essence.
Prior to DS and BCM 2 PCM's take it in hand PTPH, PLO's send to OIC and create a task list.

Not all DS being reviewed some are good at it some are not. Being diarised and the court informed
Secondary disclosure
Fairly good – sent to defence
1st day rasso well prepared – wont charge without 3rd party disclosure.
Precharge – Police don't social services Local authority [redacted] wont help.

LATE DS – solution

Plead a full file data for costs.

Level d's into PTPH court.

Apply for costs or inference

Recorders don't have access to DCS – decline in the BCM – Judges designed it and are on it, [redacted] laptop is in chambers. Judges in a digital world? Judges understanding and just asking CPS to sort it out.

Training – webinar a week a go. Webinar good feedback. Fair bit of info been given in training. CHIS material some lawyers gets twitchy sensitive and unused material. PLO send the DS to police as in the SOP, PLO's don't get specific training, no disclosure training. – worthwhile? Not sure – mixed response.

PLO's wont challenge counsel

Training or instructions for barristers
Rasso have training as do circuit but otherwise unsure

CPS Focus Group 3

PLO's to not disclose

Close relationship with rasso between lawyer and barrister.
DRS – not being done with on the day disclosure at court.

Why not DRS being done – IT – can't find it – **disclosure TAB – HRS**

How to reassure E
Weekly CTL checks – every case has a disclosure section in the CTL form – chased DS and reviewed lawyer – hit and miss
Certificate of readiness – is disclosure complete – basic
IQA – not really not helpful – Cor and CTL (5 questions)
Assurance report – to level E's tease out issues and pick out issues
Yu haven't appeared to have noticed this direct to the laywers – DS has come in. [redacted] who sends emails to [redacted]

CTL's are taken seriously – why seeing DRS not completed? No CTL files – disclosure failure. CTL failure at any cost locations - costs

Disclosure has gone digital – massive change. BTP, BCM

Flavour of the week –

Generally goes well –

CTL – application with audit – disclosure important but not the record.

Issue with judiciary -
SOP on national casework

Magic wand – easy use of IT (tabs)
Casework SOP – venture change solutions Police on and E
PLOs sending DS
Judiciary – backing up and a DRS – not onside drawing inference. Court of appeal – Judges into the DCS – security issue. Security level isn't high enough.
Change and assurance management – [redacted]
Police -

CPS Focus Group 4

[redacted]awyers focus group
21/02/2017
[redacted]

Rasso 3rd party pre-charge
ATU – child neglect cases – try to do the same
Gateway – precharge front loading

Quality of the C – quantity and description – varied – see some very good ones [redacted]are often not very good – [redacted]nerally good – desc and items – [redacted] missing items – or no descriptions – descriptions usually good. Go straight back to the Police – if there is hardly anything on it then PNC prints on other documents. 3rd party material is not listed – clearly undermining just not listing. Medical not on a C – or disclose to – no go to document. BCM timeframes so ensure its pre-charge. Medical permission to disclose

Sensitivity – PII
MG6D – QUALITY OF THE D
Got nothing on it and find out later suddenly executed a warrant – intel based and no mention of intel but has not been mentioned. Why is not challenged? Personal information about
editing = confidential
Confidential = undermining
Trust with sensitive info? Yes
Holmes training – best quality D
But C's do not wrap up the end result
CCTV negative forensics
Endorsed MG6C
Digital working – not changing
Spent 4 hours with CJU and OIC and very easy to do – why hasn't someone grasped this and made our lives easy. Discussion on train same scenario. High level meetings but not individual practitioners.
Digital appears on the comms list but nothing to view IT
CMU selected what to send

Bundles - Endorse the documents
Meaningful endorsement – CND / D – always do it on the D's

Not as good as should be – time
It would take hours to complete
Meant to tell CPS what the item is and why it is relevant.
Do it as it should be done or on time – not both.
Deal with it properly or late one or the other.
PTPH – 35 from sending – 50 and 70 days
Not allowed to ask for the disclosure
Full file upgrade comes in after the day of PTPH
Next time you get case is s51.
Court making directions,
If whole gateway is not right

Defence Statement to Police – DS go out before I see them. Please find DS and add tasks.
Meaningful discussion.
Casework sop – PLO for expedience to send to OIC
SOP to be changed – paragraph – respond to DS and requests
Embarrassing – Accept this happens and not good
Tasks when DS is due – key stage of the life – post service

BCM
No interrogation of the defence issues
Some judges are good and others are not

Police send back on correct forms.

At court disclosure
Depends on case – defence trial counsel – especially over probably only read . pre-empting late disclosure. Phases of disclosure – last few weeks before trial – need it earlier. MG6 we still have 4000 items pending

Previous convictions of witnesses – negative forensics – may have report and disclose and often not undermining – what does negative mean –needs better description. Morning of trial – defence asking for things they already had it or not allowed to have it – but don't understand – but Judges don't understand

Why DRS – MG6C – a record of a record
No one place to look on CMS in a quick and easy way – scrolling through pages.
Disclosure tab – definitely

Easier on pink cover sheets –

IT fit for purpose – bane of our lives – one tab for unused material – no numbers
What training?
Webinar – very useful
Used to regular training
Aimed – case authority – 3 examples of failures – how could we do it better

Nothing above normal disclosure – dealing with sensitive material. Go to disclosure manual
Prosecution college stuff - online disclosure 1 and 2
Not focussed on practices and procedures and all focussed on tasks and sops
IQA's only ever had one – randomly done when done wrong – negative.
No one is taking in by the balls
No feedback on disclosure from managers
Court – meant o be applied in writing, never use DRS.
Not guilty gateway no disclosure – issues – volume
Some managers would not take tricky disclosure issues to – highly sensitive level D manager – not on DRS – not seen one
Some lawyers not sat in on sensitive disclosure meetings

Good suggestion
One consistent MG6C having to re-endorse cant move schedules – valid

Ambush defence statements
Getting more common since BCM
At Mags pressed for DS(not happening) – and grilled at PTPH – no benefit to provide DS
Rasso – MG6 started as early as possible – send between charge and PTPH – quickly seen if grasped disclosure – (video on disclosure with original letter)

What are Judges doing to get a DS?
-maximum credit for a guilty plea.
Go and take instructions.
Defence not complying

MG6 updated – BCM – don't feel confident at cut off at IDPC – not giving a second phase of schedules.

Sensitive is the main Police misunderstanding –
Early prep of the MG6C's/start a disclosure document to examination with the MG3

CPS Focus Group 5

Tuesday, 7 February 2017

Disclosure Focus Group with CPS - [redacted]

[redacted]

Q/ What do you think Police understanding of disclosure is?

Variable - between areas [redacted] prepared by experienced Casebuilders, [redacted] investigators do it. [redacted] variable with in [redacted] rumours of dedicated staff being sent back into the pool. [redacted] Variable, sometimes feel like we are doing training on the job with OIC's, especially on 3rd party material, there are a few OIC's who are very good. [redacted] OIC completes in [redacted] overall good but officers retain material others don't understand it - Don't distinguish between - everything or nothing. Have been sent a previous MG3 on the MG6C

Q/ CPS colleagues full understanding?

Yes abundance of training recently.

Q/ Paralegal - DS compliant with CPIA ?

Paralegal - seen as a post box function. Most DS come back empty from Police as there is nothing.

Q/ Do your management understand the expectations put upon you for disclosure roles.

[redacted] Yes

[redacted] As much as they can - short on time and resources, internally recruited managers know what we can and cant do. Police correctly filled out MG6 series

[redacted] not enough time - worry most about cases

Q/ What is the general quality of the MG6 series as a whole, good descriptions?

[redacted] descriptions help to make the decisions - MG6D's, 3rd party material - universally handled badly. Local Authority tensions

What has been improved...?

Must have been training - [redacted] prosecution team

Common themes wrong schedule - intel on MG6C

non - disclosure, previous cons - pocket book entries

Tuesday, 7 February 2017

Discussed at level E or above - still getting cases

[redacted] not listed on the MG6 C potential witnesses. Dedicated disclosure officers but still dependant on OIC's

[redacted] OIC completes, descriptions are more detailed, more than half ask for them to be amended. Police don't understand relevance and disclosure test. Didn't realise the MG6C goes to the defence. Schedules are brief.

Q/ Are you encouraged to challenge poor schedules? - Mend and make do - disclose items with no schedule. Police are slow to respond.

Service ready cases sometime still have no schedules. CMS does not populate in sensible order, naming convention.

Unless blatantly missing - tend not to have the time to chase.

Are you adequately endorsing the schedules and DRS. d

isclose/not disclose I put more on the DRS. Rosso improved recently, DRS part of disclosure. Poor DRS descriptors are down to time constraints. Personal differences to approach, some worry others do not worry.

Feel let down by Judiciary as only have that argument once - auto revelation

The DRS training does not state we need to put rationale on why non-disclosure or disclosure

Q/ Generally do you feel Police trust CPS?

If they don't tell us then they think it doesn't exist. Possible unintended dishonesty but definitely ignorance and possibly not impartial investigation.

Sensitive material improvements - intel handling is more open to lawyers - feedback to OIC's no more level E arguments

No problems from [redacted]

[redacted]xperience of officers varies - some get it some don't

CHIS activity is completely separate. Sometimes the intel unit provide a D - have had to ask for D - have seen it on a 6 before. Warrant executed likely to be based on intel so OIC known about intel but yet not disclosed.

Q/Whats your views on the defence statement in response to disclosure

Rasso have to chase DS all the time. 100 file caseload - Case progression officers PO's - send a letter list for intervention. List for mentions in [redacted]

Q/ Quality of Defence statements

Tuesday, 7 February 2017

Ask for everything, 3rd party - or nothing - lawyer may not know it came in - used to put on the desk in paper days. Tasks set as reminders - [redacted] unsure if they got these tasks.

Q/ Disclosure on day of trial?

S8 application to get information. Not knowing - not come across one. [redacted] only done once - never really been a big fight over it - but we are out of the loop and on the day of trial is out of our sphere.

Q/ In house advocate - S8... don't see what happens. Possible Judiciary compromising. DRS recorded? by the para-legal but unsure how well

PL /PLA aware with how to deal for on the day disclosure.

Do you know what process is? CPR rule 22 and 11a considered by prosecutor - needs to show audit on DRS.

Open to floor for any other points of note

Editing - black marker pen - allows to still read through marker pen - Police not getting this right all the time. Not fully redacting or inefficiently dedicating - it gets rejected - although if a quick fix it is done in house to meet timeframes.

Digital working? Makes it much harder to read the edits, especially with the naming convention, CMS items number 1 turns out to be item 5.

PDF for schedules - [redacted] are able to edit pdf - suggested to share technique with [redacted]

CPS Focus Group 6

Lawyer Focus Group – 23rd January 2017, CPS, [redacted]

Present:

[redacted]

Introductions by [redacted]

We are here to look at the quality of disclosure from the police and CPS perspective. We are speaking to managers and staff around the country with a view to identifying lessons to be learned. Explained that we do not have a view, but we are informing ourselves as we speak to CPS staff, police and the judiciary about the way that disclosure is handled.

Everything that is said in the meeting is confidential. Nothing said will be attributed to any individual by name or geographical location. We will consider comments made and compile the comments made by everyone around the country. The purpose is to get a snapshot of what is going on in the Areas on a day to day basis and if there are themes identified, this will be considered as part of the final report.

[redacted] was asked several times by [redacted] what we were trying to achieve. [redacted] reiterated that there was no set agenda and that this was simply a case of finding out emerging themes [redacted] explained that the information gathered from around the country will be captured in a final report which will be published in the summer of 2017. The report will contain recommendations if appropriate, based on the information gleaned during the inspection. [redacted] explained that the report is considered by the DPP and Senior Management prior to its publication and that the content is often referred to during the Justice Select Committees. There is usually press interest in the content of the report and any highlighted issues.

[redacted] explained that HMCPSI have no power over the CPS and cannot compel the CPS to change its approach or processes. We just shine a light on issues and this can sometimes act as a catalyst

for change. The last disclosure inspection was approximately 10 years ago and therefore this is considered a good time to look at the issues again.

Parties introduced themselves, as set out above.

What do you think about police understanding of disclosure and their performance?

Officers do not understand the purpose of the schedules , or what should be on them. Sometimes they send us blank schedules. Other times, we get schedules where basic items are not listed. They put things on the wrong schedule routinely. They will put the custody record on the MG6D just because it has the personal details of the suspect on it.
They do not understand the meaning of 'sensitive'. This does not apply to officers who are part of [redacted] Their work is impeccable. This applies to the basic [redacted] officers, who often give us Streamline Disclosure Certificates in Crown Court cases. Officers often put 'ridiculous' things on schedules which shows the palpable lack of understanding by the average [redacted] officer.

If there is no sensitive material, they often leave the MG6D blank, without a signature or confirmation of a nil return.

Most average [redacted] officer does not understand third party material. They don't know what it is and they don't know how to schedule it when they have it. There is a real training need in relation to 3rd party stuff.

We get lambasted if undermining material is identified during a trial but often we don't know about it.

What do you do if you have a poor file?

We complete a File Quality Review. These identify the deficiencies in the case and they are returned to the police who collate the data. If we suggest amendments to the schedules, they will adopt our suggestions verbatim and generate a schedule based on what we have said, rather than apply their minds to the relevant unused material.
We will also provide a case action plan where we have time.
When this happens, we place ourselves in difficulty because we cannot then comply with a Judges Order re: disclosure. We are loath to seek an extension because there is rarely a good

reason for the delay and if we are successful in securing an extension, this could prejudice any future application to extend the custody time limit in a custody case.
The lawyers have a big problem with having to quality assure the police's work. Why do we have to do it? Why don't they have their own system to QA the product that they give us?

What are your views on the new police [redacted] system?

It can be a real hindrance. The schedules are not properly uploaded and there are often problems in their submission to us. We think that much more can be done to achieve better joint working.

What steps have management taken to improve things?

(blank looks). There doesn't appear to be any action but we don't know what the managers discuss at their joint meetings.

Do CPS managers look at the File Quality Assessment forms given the issues that you have highlighted ?

Did not know. Lawyers spend a lot of time doing unproductive work. There has been no real improvement in relation to these long standing issues.

Can you provide us with examples of cases where disclosure has been dealt with very well?

Yes – R v [redacted] and [redacted] ase. Disclosure has been dealt with incredibly well in this case.
By and large, the cases prepared by [redacted] re impeccable. The specialist officers on these teams know what they are doing but the gulf between them and the average [redacted] fficer is huge.

Have you seen a decline in standards?

It depends on how new the officers are. We have cases where defendants have elected and it becomes blatantly obvious that the officer does not know how to deal with Crown Court cases. They will submit Streamline Disclosure Certificates.

Do you communicate with officers about this issue?

Yes we do. We will pick up the phone. Also, groups of lawyers have trained the police on disclosure.

Has this improved performance?

It is unclear. WE sometimes train officers in situ over the phone. They will sometimes call us and say that they have no idea what we are talking about and ask us to explain to them what we need and why.

Do you have any views about whether the prevalence of digital material has had an impact on disclosure?

The fact that everything is done digitally is a concern. There is a worry that if we put everything on the DRS that someone may accidentally despatch it to the defence. There is often a considerable volume of digital material to be considered. It's a lot of work to find it, manage it and schedule it. You end up looking at multiple copies of the same thing.
Phone records are not managed well. There are problems in us getting the information due to the data limits. We then ask for discs.....we end up having to manage copious amounts of material and make sense of everything. Really, officers should be identifying relevant material and then telling us about it.

Do you try to agree strategies with investigators on cases where the volume of material is large?

We prioritise custody cases. We try to look at the strategy after instructing counsel.
On the RASSO we try to identify issues at the outset. WE operate a triage system and try to ensure that we identify any issues arising out social services records at the beginning. But some cases slip through the net. And historic cases are difficult as there are often no records – this then leads to abuse arguments.

What about the DRS?
We do our case analysis in CMS and that is our review of the case. WE then complete schedules. The idea of then duplicating that work by listing it in the DRS is not good. If someone wants to

know what decisions I have made, they should look at my review. The DRS can only be properly completed within the context of the volume of work that we deal with.

[redacted]hen went on to say that counsel should know their case and that it is ridiculous that the reviewing lawyer has to record their review decisions in so many different places. Counsel do not prepare their cases and the idea of the DRS being available to help them see what has been done is ridiculous. We never get advices from counsel on anything. They are not prepared and we have a huge problem with late returns on 'volume' crown court cases.

Do you get any feedback on disclosure from your managers following IQA or any other monitoring?

We get electronic feedback following IQA but never on disclosure.

What are your views on the role of the defence in the disclosure process?

They routinely go on fishing expeditions. The defence case statements are usually pro forma and don't tell us what we need to know. The judiciary do not help with this because they agree to inappropriate requests by the defence and make orders that compel us to comply with them. The Judges do not apply the CPIA . (The case of [redacted] was mentioned – will need to check this on CMS).

Also prosecution counsel do not challenge the defence in court and do not challenge orders made inappropriately by judges. We routinely get a series of Judges orders which are totally irrelevant. Even if we address something specifically in the brief, its ignored and we will get orders for things like bad character when its wholly obvious that such an application is not appropriate. They don't read our instructions properly/at all.

Do you think that the CPIA works?

In an ideal world, yes. If we all had the time to undertake the process properly, it would work very well. The idea of having robust sytems and processes is very good but we are hampered by the fact that there are significant police training needs and there are also significant process issues.

What would you change if you could?

The quality of the product /material that we see. The training that the police get. There needs to be an improvement in relation to ongoing disclosure. When we send the police a copy of the defence case statement, they respond by sending us a whole load of information. They do not

address their minds to the issues and determine what, if anything, should be disclosed as a consequence of the content of the DCS. They just give it all to us.

Do you provide advice and guidance to the police once the DCS is received to help them to focus their minds on what they need to look at?

Sometimes. It depends if we have a chance to look at it ourselves first.

How confident are you in dealing with sensitive material and are you clear about your responsibilities and about how to deal with issues surrounding sensitive material when they arise?

The process is extremely confusing and there are huge variations in the way that sensitive material is dealt with in this office. Lawyers do different things. We are actually totally confused about it. What we really want is a clear and practical guide about what to do in the event that we have sensitive material. There are a lot of Level E conferences going on and yet there is no consistency in the way that we that do things.

CPS Focus Group 7

Disclosure Inspection

Interview: CPS [redacted] Lawyers

Attending: [redacted]

Location: [redacted]

Date: 18 January 2017

Staff: [redacted]

Issues raised:-

1. There is a real lack of understanding by police officers of disclosure and especially the relevancy test and by extension what needs to be revealed. This is a long standing issue. Things have become worse since [redacted]

2. Police ability to deal with disclosure was described as 'abysmal', 'pitiful' and 'getting worse. ' Common examples were given including blank MG6Cs; the crime report and incident (CAD report) being put on the MG6D and even the defendant's previous convictions being put on MG6D. One example also stated that an officer had put the defendant's statement on the MG6D as the victim 'was under duress' and this was supported by his supervisor when challenged as being a 'tactical' decision.

3. Police officers struggle to complete MG6 schedules and often either put too much or too little. Types of documents such as crime reports are often lumped together with little or no description Equally different numbering occurs from one MG6C/D submission to the next causing confusion

4. The Disclosure Manual was described as 'not user friendly.' Too long. Far too many pages. Needs to be accessible.

5. Police difficulties in managing disclosure have been exacerbated by the introduction of the [redacted] IT case management system. The lack of memory means that items often have to be sent through separately. Equally, the click box process designed to simplify the process often in fact prevents officers from disclosing something when it is actually correct they do so. There is also a possibility that sensitive material may end up in the wrong place and by extension be unwittingly disclosed to the defence. Issue with storage on CMS. This is an additional pressure on lawyers as they have to double-check the MG6C to ensure it does not contain sensitive material. E.g. medical and social services records *([redacted]- sensitive?)*

6. Police poor performance is believed to be linked to poor knowledge and training which leads to a lack of understanding of why the process is in place. They believe that police see it as a bureaucratic process.

7. As a result of police inadequacies, lawyers are often compelled to request all the material in order to review it themselves. On rare occasions if disclosure is particularly poor they will reject it or escalate it to their own supervisors. However, they feel that their own managers lack the appetite to challenge poor disclosure. Equally cases are dealt with in isolation which lessens the ability to challenge the police on common issues that are encountered.

8. The process for challenging poor disclosure by police is thwarted by the CPS quality control process that is currently in place. The quality standard forms are designed for the initial review of the papers only and so the ongoing disclosure process is not reviewed [redacted] *appears lack of clarity over National File Standard forms).*

9. Police are poor at editing and redacting sensitive information on items destined for the MG6C.

10. Police supervisors are not doing their job. The new [redacted] IT system was supposed to improve the supervision structure, but this is not occurring.

11 Case : R v [redacted] Cost awarded o[redacted]gainst Crown. Officer failed to disclose full details of phone's contents including several hundred texts and Facebook entries. When reviewed at last minute by lawyer full details that undermined case came out. Officer was 'out-of-her-depth' and did not understand what was required. [redacted] *– lawyers sympathetic – office just did not know what to do)*

12. Advocates need to be more robust with defence requests. Judiciary seem to have the same attitude leaving CPS lawyers in the middle trying to resist this

13. There is sympathy for officers and a realisation that they are under pressure. It is felt that senior police management does not factor in enough time for officers to be able to deal with a case following charge. Time spent on proper disclosure is a big part of this.

14. Third party material appears to be an improving picture as regards RASSO work. The triage system means that it is asked for pre-charge..No issues identified with social services material in advance.

15. CPS lawyers reported effective disclosure training with a combination of classroom based activity and on line courses. The majority had received this within the past six months.

16. The CPIA is felt to be fit for purpose but that the problem is that the bar and judiciary chose to ignore it. Also process issues identified above. District judges and magistrates are much better than crown court judges.

17. Defence statements are often received on the day of the trial or even during the trial and are often inadequate. Judges need to challenge this more. On rare occasions the lack of a defence statement has been adduced by CPS lawyers as evidence but this is rare and could be explored as a way of putting extra pressure on the defence – adverse inferences.

18. Defence statements are sent to officers via an administrative process before they have even been seen by a paralegal or lawyer. This can cause problems. if the defence statement includes a list of demands that are unwarranted the officer may simply respond to these in a way that the lawyer would have refused. Equally if the defence statement requires no action, the officer may not acknowledge its receipt, leading to a belief by the prosecution that it has not been received and a potential embarrassing striation in court when the defence are berated for not supplying one.

19. Specialist officers understand the issues in [redacted]

20. Descriptions generally poor quality.

21. There was a general feeling that management were not 'dealing with the issue'. Did not appear to be aware of any collective response to the police or progress.

22. They reject schedules in extreme circumstances.

23. Documents (the same) can be sent across multiple times.

24. Examples of SDC being sent across multiple times in CC cases.

25. Can be issues with use of digital files – not clear on the system/police not good at uploading/ different versions of the documents available on the system

26. There are difficulties with getting/use of digital material - makes prosecution look sloppy.

27. In 'heavier cases' they have a phone strategy.

28. [redacted]

29. Has been training in [redacted] that – should not pull full reasoning on DRS.

30. Key suggested improvements

- An aide memoire for officers to assist their ability to manage disclosure at key point in the process.
- Defence statement to be reviewed before being sent out to officers
- Disclosure manual. Currently it is not useful or user friendly
- Improved communication between officer in the case and case lawyer

Interview CPS Lawyers

There is a real lack of understanding by police officers of disclosure and especially the relevancy test and by extension what needs to be revealed. Police ability to deal with disclosure was described as 'abysmal', 'pitiful' and 'getting worse. ' Common examples were given including blank MG6Cs; the crime report and incident (CAD report) being put on the MG6D and even the defendant's previous convictions being put on MG6D. One example also stated that an officer had put the defendant's statement on the MG6D as the victim 'was under duress' and this was supported by his supervisor when challenged as being a 'tactical' decision.

Police officers struggle to complete MG6 schedules and often either put too much or too little. Types of documents such as crime reports are often lumped together with little or no description Equally different numbering occurs from one MG6C/D submission to the next causing confusion

The Disclosure Manual was described as 'not user friendly.'

Police difficulties in managing disclosure have been exacerbated by the introduction of the [redacted] IT case management system. The lack of memory means that items often have to be sent through separately. Equally, the click box process designed to simplify the process often in fact prevents officers from disclosing something when it is actually correct they do so. There is also a possibility that sensitive material may end up in the wrong place and by extension be unwittingly disclosed to the defence. This is an additional pressure on lawyers as they have to double-check the MG6C to ensure it does not contain sensitive material. E.g. medical and social services records

Police poor performance is believed to be linked to poor knowledge and training which leads to a lack of understanding of why the process is in place. They believe that police see it as a bureaucratic process.

As a result of police inadequacies, lawyers are often compelled to request all the material in order to review it themselves. On rare occasions if disclosure is particularly poor they will reject it or escalate it to their own supervisors. However, they feel that their own managers lack the appetite to challenge poor disclosure.

Equally cases are dealt with in isolation which lessens the ability to challenge the police on common issues that are encountered.

The process for challenging poor disclosure by police is thwarted by the CPS quality control process that is currently in place. The quality standard forms are designed for the initial review of the papers only and so the ongoing disclosure process is not reviwed.

Police are poor at editing and redacting sensitive information on items destined for the MG6C.

Police supervisors are not doing their job. The new [redacted]T system was supposed to improve the supervision structure, but this is not occurring.

Case : R v [redacted] Cost awarded o[redacted]gainst crown. Officer failed to disclose full details of phone's contents including several hundred texts and Facebook entries. When reviewed at last minute by lawyer full details that undermined case came out. Officer was 'out-of-her-depth' and did not understand what was required.

The culture of the police seems to be one of blanket disclosure. Advocates seem to have the same attitude leaving CPS lawyers in the middle trying to resist this

There is sympathy for officers and a realisation that they are under pressure. It is felt that senior police management does not factor in enough time for officers to be able to deal with a case following charge. Time spent on proper disclosure is a big part of this.

Third party material appears to be an improving picture. The triage system means that it is asked for pre-charge and can even often be obtained for threshold cases. In particular social services appear to be co-operating well.

CPS lawyers reported effective disclosure training with a combination of classroom based activity and on line courses. The majority had rexcievd this withn the past six months.

The CPIA act is felt to be fit for purpose but that the problem is that the bar and judiciary chose to ignore it. District judges and magistrates are much better than crown court judges.

Defence statements are often received on the day of the trail or even during the trail and are often inadequate. Judges need to challenge this more. On rare occasions the lack of a defence statement has been adduced by CPS lawyers as evidence but this is rare and could be explored as a way of putting extra pressure eon the defence.

Defence statements are sent to officers via an administrative process before they have even been seen by a paralegal or lawyer. This can cause problems. If the defence statement includes a list of demands that are unwarranted the officer may simply respond to these in a way that the lawyer would have refused. Equally if the defence statement requires no action, the officer may not acknowledge its receipt, leading to a belief by the prosecution that it has not been received and a potential embarrassing striation in court when the defence are berated for not supplying one.

Key suggested improvements

An aide memoire for officers to assist their ability to manage disclosure at key point in the process.

Defence statement to be reviewed before being sent out to officers

Streamlined disclosure manual. Currently it is not useful or user friendly

Improved communication between officer in the case and case lawyer

[redacted]Focus Groups managers Interview notes

[redacted]

Volume crown court work –
Section 18s, Rapes, Etc

Quality of disclosure within[redacted]

[redacted]Police: lack of understanding amongst[redacted]olice officers.
We receive schedules which are incomplete. Schedules which are too short for a particular crime, you would imagine other material exists. Yet things are absent from schedule so you play detective work trying to find out. We have to rely on the officer.
Schedules received late after great deal of chasing.
Schedules were description is insufficient to make decision from. Material or Schedule date. We ask police for better description but we run out of time,
Sensitive things on non-sensitive schedule and vice versa.
Yet to find officers who understand that sensitive things can be edited and put on schedule for us to disclosure.

You don't find schedules were single item appears on 6D and 6C.

[redacted]
Many OIC cases.
Police in training are dealing with crimes that are too serious for them.
CMS – Items are not labelled a lot of times.

Policy of what should be put across?
Interface of system – all they can put on is standard descriptions.
Trying to put piece of unused material is more difficult.

[redacted]chedule should have good description for us to know if material is undermining or not.
But we have gotten into habit of playing disclosure officer.
Lawyers decide if it should be disclosed. But it shouldn't come across if it shouldn't be disclosed anyway. Officially we are just bring sent a schedule, practice over the years = items of unused material being put on CMS. They send everything instead of items that should just be on 6E.

Lawyers have to ask for crime reports, first accounts, descriptions etc.

[redacted]isclosure issue has been going on for years. We have taken part in dis training with police about quality of schedules.
Lawyers have limited time to serve material. If schedule comes in late it's hard to send back to police asking for them to be amended.

Organisational point of view?
Drive from above?
[redacted]ver years, a lot of training with police on how to record things on schedules. It improves things for short period of time, but then things drift again, perhaps due to turn over of police.

[redacted]given that they don't have file management unit, you have to train whole police force on disclosure instead of individual divisions to say this is the standard of file we want through. The job is bigger than it needs to be.

Is management dealing with the problem?
[redacted]hey have been previously.
[redacted]n the context of overall case file quality – yes it is high priority – meetings between DCCP and Assistant chief constable happen.
As much as can be done right now is feeding back. We give them examples they feed them back.

[redacted]difficult to know what control senior managers can exhort over police. Policy's in past where we have refused files from police until its up to standard required, in short term you see improvement but eventually it tails of. To refuse to serve something till the officer has it right can put cases at jeopardy and put justice at jeopardy therefore we are reluctant to do that.

Trials with adverse outcomes – lets hold back charge in bail cases, let's not start it running till it's the right standard as it won't improve after you receive a charge. The police officer won't submit a file in good quality to you, they are busy with the next case.

How do you ensure staff takes dis process to appropriate standard?
IQA checks, whicxh has dis questions which we consider.

[redacted]dverse outcome on RASSO unit, can look at that n see if there's dis issues.
Lawyers are conscious and thorough because they are not confident police can be trusted.

IQA process, is it effective?
[redacted]t is testing. People are working under pressure. If you go through requirements with someone they are taken aback.

[redacted]CMS doesn't help us. Things are not record properly. It's not a great tool for looking at things .

[redacted]pull people up on not filling in DRS. LAYERS ACKNOWLADGE THEY SHOULD HAVE DONE WHENEVER ITS RAISED. It's more of pressure of completion of the case.

[redacted]Failure to manage the staff. We are dealing with disclosure but it's the record that's being kept. Digital has made it so it's not obvious stuff is there and so people miss stuff and don't fill them in.

Disclosure – you have to cut open every bit of correspondence sometimes.

Are endorsements appropriate?
On the whole they are.

Does IQA work>?
[redacted] it's trying to do everything. Tool used to access every aspect of case from start to finish. From time to time we have different issues we want to tackle which we have discovered. We may focus on that issue, but IQA will request a theme on that. Different managers have different areas of responsibility.

IQAs take long to do in depth, so they are doubled up with other work that's being done.
In order to focus IQA on disclosure it may require a lot of additional effort from some managers.

[redacted] IQA on disclosure is fairly thorough.
[redacted] so much material to put on Q14, it would be better to separate it out

[redacted] initial disclosure is dealt with pretty well in timely fashion. It's the afterwards that's problematic.

Defence case statement?
[redacted] Defence are poor with complying with directions.
If we receive defence case statement its very late.
We are very god about when we receive it, we send it most cases same day to dis officer for their comments, paralegal will send it. When response comes in we expect it on MG6E, we often find we are getting response on MG6, so we ask for it on the E.
Lawyers are altered to fact that defence case statement has come in.

[redacted] initiatives have varying degree of fire, some drown courts are more proactive in trying to manage the cases. Senior judges go to them to ask them to be more proactive.

He courts don't have the staff now to have none compliance courts .

Defence are not called to account on their direction. So curt needs to proactively manage directions they make.
PTPH form – bad characters, special issues, get a NO, yet they are present at stage 2.

In past 24 months any cases where sensitive material was in avertedly disclosed?
Security breaches with addresses and phone numbers.

Material being disclosed in avertedly?
Unused material was uploaded on DCS.
SOP IDPC, suggests you could have folder with unused material for mag first appearance. Applies also to crown court aces.
DCS shouldn't have unused material on it at all yet but it does because it's been uploaded in compliance with our SOP. Has asked lawyers to disregard that part of SOP.

Risks on digital working side of things?
Removing material is sometimes hard or not possible. We have had instances where scanned docs come in as PDS format but are protected with password which nobody knows (not even police officer who sent it) we then have to print it off physically redact it and scan again.

Since going digital impact is increase in lawyer time in reviewing individual case.

Judiciary?
Not supportive of robust disclosure.
Its case of 'just disclose it'
When council are there they are more inclined to just disclose things.
There often isn't a reason why things are disclosed and it doesn't meet the disclosure test.
Comment about not putting things on schedule due to it not meeting disclosure, it has happened but it was isolated cases.

E44?
Not seen one.

Digital materials?
Digital elements e.g. Facebook pages.
RASSO cases – which may have pornographic images etc. nothing is edited on it. There should be more editing on material.
Indecent images of children found on phones will come in on disc because it's come in as one type of offence. Officers do not look to see if anything's on there that might be illegal.

Note the case of [redacted] mentioned case - undermining of case due to police not handling text message evidence properly.

Focus Group CPS [redacted] lawyers [redacted]

Interviewees [redacted]

- [redacted]
- [redacted]
- [redacted]

There is a lack of understanding of disclosure by [redacted] Schedules are often clearly incomplete leading to CPS lawyers having to second guess what are missing. Equally schedules often arrive late. Finally descriptions are often; lacking. The combination of late and undetailed disclosure leads to unnecessary pressure

The situation of poor police disclosure has been exacerbated by the removal of case management units by police leading to inexperienced officers completing their own disclosure often to a poor standard

Officers overuse MG6D rather than redacting and putting on MG6C. This leads to CPS often having to do their own redaction

The ICT disconnect between police and CPS leads to difficulties in going through and labelling unused material

Officers should only be sending through material that assists or undermines but routinely send through a lot more. CPS accept this as this enables them to make decisions which is preferable given the poor description of items

Officers have limited time to deal with disclosure. As schedules come in late this leaves little time to address issues in police failings

There has been joint training with CPS and police but his lacks regularity . Given the high turnover of police, this leads to untrained officers who have a lack of knowledge of disclosure. The use of field management units by police would reduce the number of officers who would

The quality of disclosure in [redacted] is arguably better given the existence of case management units

CPS are constantly feeding back to police at a senior level key police failings in disclosure but the same issues keep reappearing

If CPS refused police files for disclosure issues his may put cases in jeopardy. Therefore the issues are resolved by CPS and then messages sent back to police highlighting the issues. However, this is less effective in getting the message across. An alternative which has been suggested is to delay charge in bail cases to ensure disclosure is dealt with properly

The IQA process is testing and difficult to complete fully given the CPS workload. The CMS is not a great tool in assisting this review process. IQA is trying to do too much in too many areas and suffers from periodic different prioritisation.

CPS managers are often raising with staff the failure to complete DRS. This is often explained away as pressure of work.

CPS managers consider that endorsements by CPS on MG6 series are of sufficient quality.

Initial disclosure is dealt with initially better than ongoing disclosure. Defence statements are a key issue either with late provision by CPS or police failing to respond

Defence routinely supply defence statements late, if at all. However, when received they will be sent immediately by CPS to the OIC. Lawyers are alerted to its presence but would not as a general rule amend or intervene prior to sending to police. The lateness of the defence statement reduces the ability for lawyers to add worth at this stage as the statement has to be sent on post haste. At the same time officers will often challenge what they perceive to be an inadequate or speculative defence statement.

There is a variety of response in the different crown courts to different stages in the case management process.

An issue has been identified regarding the high number of hearings for guilty pleas cases. Lack of defence statements is a particular problem even when a judge has been involved and a direction given. The court needs to be proactively managing directions they make.

Security breaches have infrequently occurred in the inadvertent disclosure of witness and victim addresses.

There have been occasion when all unused material has been put n the DCS system. However, there has been no indication that this contained MG6D material

CMS is a difficult system to navigate and leads to unforced errors. Equally the volume of digital material causes issues. Documents are often scanned by officers unable to send them across as a word document which causes extra issues. Digitalization has actually increased time lawyers have to spend on cases

The judiciary are not robust in responding to defence disclosure demands. Equally counsel to counsel disclosure occurs without the correct rationale. In relation to third party material in sexual offence cases this has become routine disclosure by defence regardless of whether any indication that may assist or undermine. Leads to victims being treated differently

In RASSO cases, there will not be a charge until full case has been considered and advice given causing frustration for police ([redacted]) in the number of requests that are generated. This gives CPS greater control of the CPS

R V [redacted] [redacted] elates to failure of police to disclose phones evidence from victim's phone that undermined some of her account. Not disclosed until trial day leading to second defendant having no evidence offered against him

Interviewees not aware of clearance status or when last vetted.

[redacted] and [redacted] undertook this interview.

SCPs focus group – [redacted] 28.2.17 [redacted]

[redacted]

Mostly [redacted] work.

[redacted] lawyers worked with [redacted] – found [redacted] better than [redacted] but [redacted] the worst.

[redacted] police have casebuilders – [redacted] down to individual officers – so varies. DCs a lot better than PCs and a lot of cases now stay with the response officer. No real understanding of issues in the cae and what to look for as regards disclosure.

Common themes – poor descriptions, blank Es where should be items, evidence listed on the C.

Better quality where casebuilders but a lot of staff have retired and standard has declined.

Lawyers feel they are acting as supervisor to OIC and directing the enquiry.

RASSO – some specialist teams which are better but set to go back to division.

Management response to concerns? – RASSO lawyers feedback as regards unnecessary action plans. Generally management say fill in the forms – there is not time. If you take individual cases to managers they will do something.

One lawyer said "I would never rely on the description in an MG6C from police" (*trust/confidence*)

What copies are provided? – in [redacted] incident log, crime report and witness PNCs and anything on the E (*Casebuilders).* In [redacted] – could be anything, in GMP depends on the OIC.

They never get items listed on the D. However at present transition to digital (from Feb) and intel reports and source material is sometimes coming through digitally when it should not.

Police understanding of issues around sensitive material" very mixed".

How do they deal with inadequate schedules? – once or twice send back but rare – there is a need to progress cases – generally work with what they get – often preparing cases which have a service date of the day after or worse. They will endorse the C with "requested" in these cases.

DRS – management see this as important – they say they do make entries on it – not always done when very late DS and late disclosure actions. If CTL case then entries go on DRS otherwise often put in body of review.

There is no office practice of routine revelation.

IQA? They feel quiet brief as regards disclosure – they do not think IQA drives up standards.

They all feel CMS "makes it far more difficult" *(I agree!)* – they would welcome a disclosure tab – currently CMS makes process very time-consuming.

They have a constant fear of disclosing sensitive inadvertently – digital working increases the risk. Very difficult to redact documents – lawyers ending spending a lot of time doing admin tasks.

Disclosure failures – one lawyer mentioned a case where she had been criticised by judge.

Very late disclosure very common – late revelation by police to CPS.

How improve? – police need to understand issues – difference between revelation to CPS and to defence – police have very little training on disclosure – lots of changes in staff.

DS sent to police on receipt by paralegal – this is what the SOP says.

Late DS – CPS were listing but courts not sufficiently interested – too many cases. Views mixed on how well they felt they were supported by judiciary.

All felt problem with the process and not the CPIA. Felt the disclosure manual needed re-writing.