

Six Ways to Improve Case File Quality in the Metropolitan Police Service

Strategic Insight Unit, January 2021

Executive Summary

This paper provides an overview of the drivers behind poor case file quality in the Metropolitan Police Service (MPS), with recommendations for improvement. We draw on qualitative research with officers of varying ranks – structured and semi-structured interviews, focus groups and ideation sessions – as well as trend analysis and descriptive data.

The following drive poor case file quality in the MPS:

- Frontline Sergeants and Inspectors prioritise operational demands over case file quality
- A large proportion of case files are submitted by officers who are rarely engaged in the task and likely need more practice
- Frontline supervisors rarely receive feedback
- Officers and supervisors rarely receive notice of court results
- Officers lack knowledge of the CMT process
- One effect of COPA is to encourage officers and supervisors to bypass CMT
- Frontline supervisors are reluctant to use the CMT
- Mi investigation is not providing sufficient focus on case file quality

Recommendations

1. Urgently amend COPA to ensure all eligible files are reviewed by the CMT
2. Actively share performance data with Sergeants and Inspectors to drive cultural change and make case files a priority
3. Target under-performing teams and individuals with behaviourally informed feedback
4. Distribute court results to officers and supervisors via CJ hubs or Witness Care Units
5. Focus messaging and interventions on newly promoted, uniformed Sergeants and new recruits
6. Expand the role of Mi Investigation Support Teams to provide case file focus

1. Background

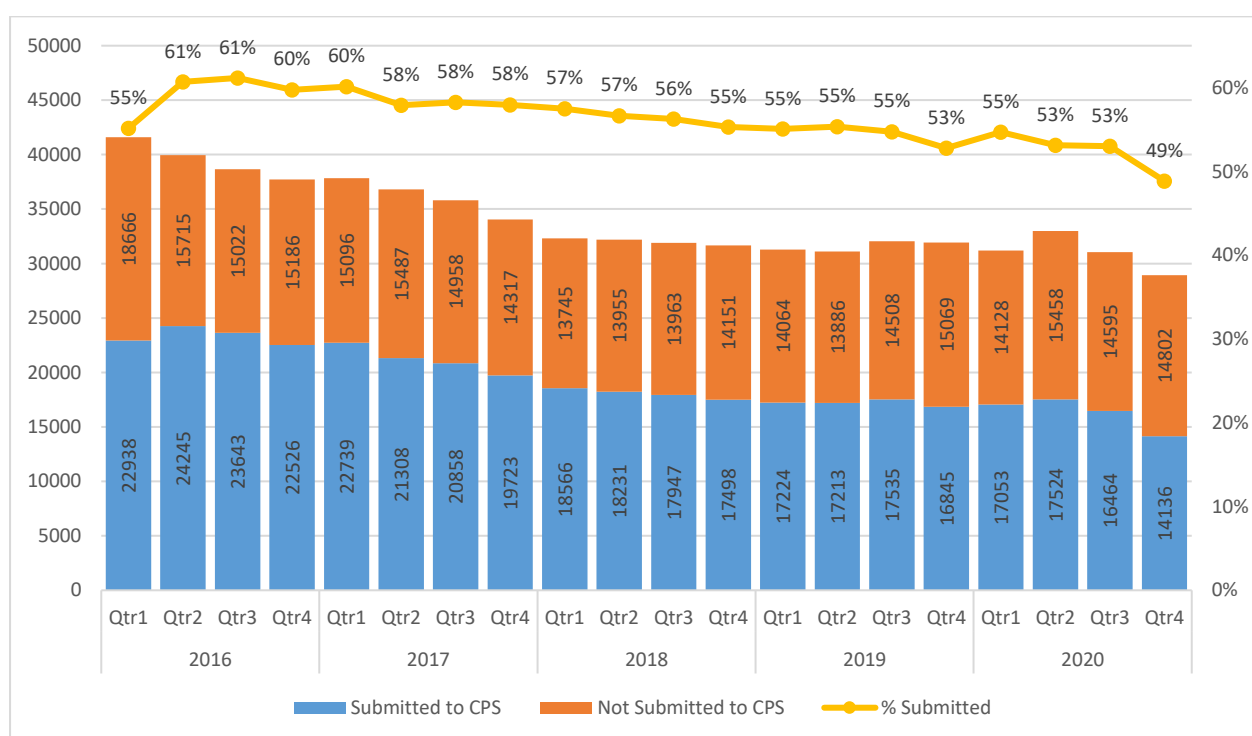
In late 2020, the Strategic Insight Unit (SIU) was tasked by the Assistant Commissioners for Met Operations and Frontline Policing to investigate why case file quality in the Metropolitan Police Service (MPS) remains poor and recommend actions for improvement.

Since this is a topic which has previously been a focus of management review, we have endeavoured to make this report concise and punchy, focussing only on barriers and solutions. We draw on some descriptive data analytics to ensure our proposals are well targeted, but generally our findings draw on structured interviews, focus groups and mixing operational policing experience with evidence and insight from the behavioural sciences.

We conducted 21 in-person officer interviews from four BCUs – North Area, North East, Central East and East Area – and two virtual focus groups with supervisors from across the MPS. In-person interviewees were predominantly Sergeants, including response team supervisors, CID and CSU DSs, and “Criminal Justice Hub” officers. We also spoke to three specialists in Met Prosecutions, the CMT, staff in other support functions and a senior manager from the Crown Prosecution Service (CPS).

Data analysis

Figure 1: Unique case files (URNs) created by quarter, and whether submitted to CPS



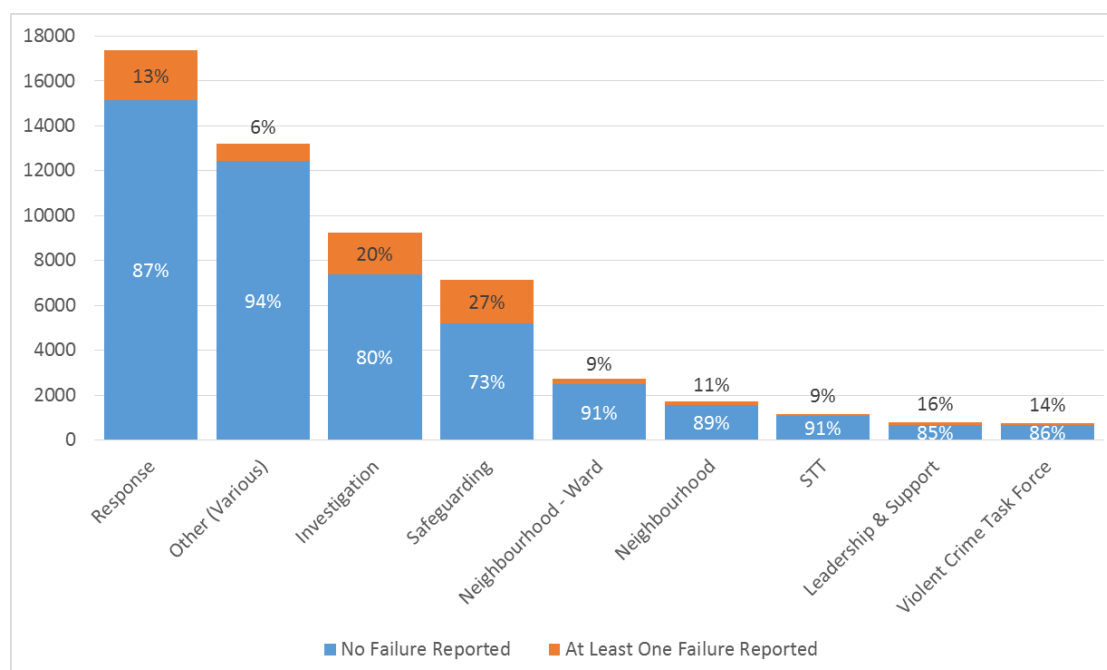
Both the number of case files created per quarter and the proportion of those files submitted to the CPS has steadily fallen in recent years. The reasons for this are not explored in this paper, but this trend nonetheless serves to clarify that rising total case volume is clearly not responsible for issues of quality.

To calculate a realistic case file ‘failure rate’, we have used unique case files submitted to the CPS as our dataset. It is worth noting that this is different from the metric appearing in national data, because the CPS only include NGAP files in these figures, only submit “returns” for those files which fail, and, crucially, include multiple submissions from one file in their data. This goes some way to

explaining the “noisiness” in the national metric through which the MPS is compared to other forces. While repeated failures of one file is clearly an issue, their inclusion severely skews this metric through the small number of cases that go back and forth between the police and the CPS. To be clear, if case file quality improves then the CPS metric should also improve, but the relationship is relatively weak, and we should continue to expect rather large swings from month to month.

Who submits case files?

Figure 2: Volume and percentage of unique case files (URNs) that were submitted to the CPS in Jan-Sept 2020 and whether found to have at least one failure, by OIC Department



PCs on response team, typically where officers begin their policing careers, submit far more case files than officers in any other strand, and are accordingly responsible for the largest absolute number of case file failures. However, the median response team officer only submits four case files per year, so thousands of case files per month are submitted by officers rarely engaged in the task.

Perhaps surprisingly given their focus on secondary investigation, Safeguarding and Investigation strands have a considerably higher failure rate than response, but this may reflect the increased complexity and requirements in their workload, being focused on domestic abuse and serious violence/acquisitive crime respectively.

Case Management Team

The Case Management Team (CMT) is an internal quality assurance function staffed by case file specialists, reviewing those cases for which the plea is anticipated to be “not guilty”. Their remit is both to determine the correct charging decision and to sign-off those same files prior to their submission to the CPS. They do not deal with “in-custody” charging decisions, where the suspect is ready to be charged and is not suitable for pre-charge bail or release. When deployed correctly, the CMT ensure that those files which do not meet the national standard are corrected prior to reaching the CPS and trial. The CPS’s Area Business Manager described the CMT as being invaluable and expressed frustration at the team being under-utilised to drive improvements.

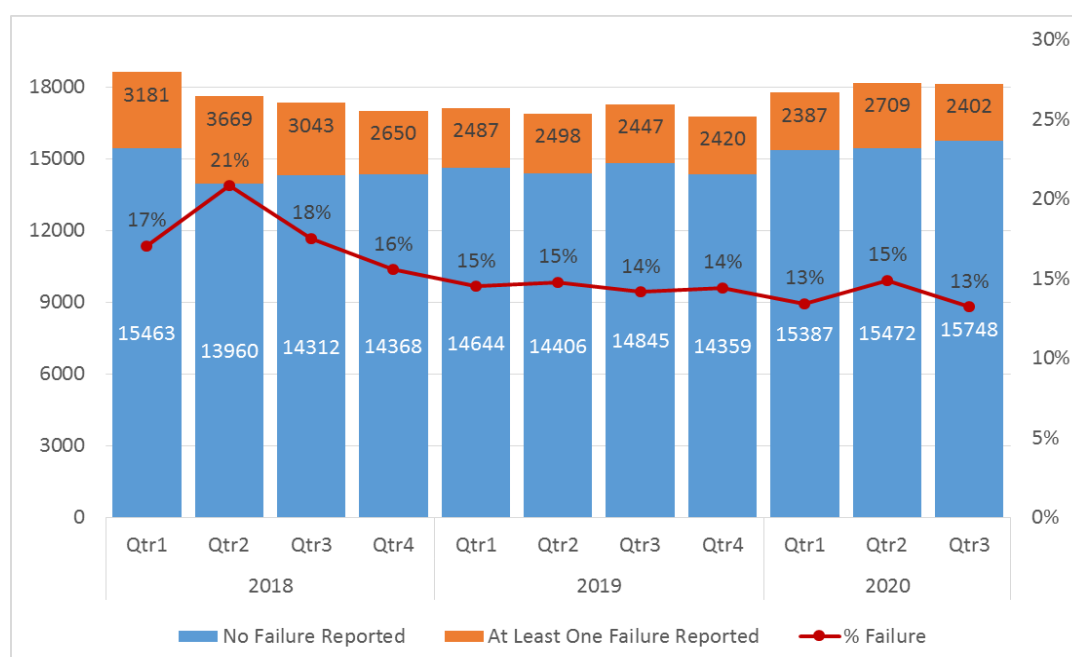
The CMT's remit is relatively small in the context of all files submitted to the CPS, at just 16% of file submissions. As they are responsible for reviewing not guilty plea files only, they disproportionately deal with cases which have a higher chance of failing, so they can add value despite only dealing with 16% of file submissions.

However, it remains the case that in order to have a notable effect on overall case file failures, the CMT would need to be reviewing a very large number of those files that fall within their remit. As will be seen below, in fact they review only a fraction of the eligible files.

2. Understanding the reasons for poor case file quality

Looking at individual case files and whether or not any failure was reported tells a story of gradual improvement over the last two years. This contrasts with large variations captured in the CPS data. That said, we are still submitting about 10,000 case files per year which are judged to include at least one failure, so there is clearly much room for improvement. Drawing predominantly on our qualitative research and behavioural insights, we have considered some of the reasons for the stubbornness of this issue below.

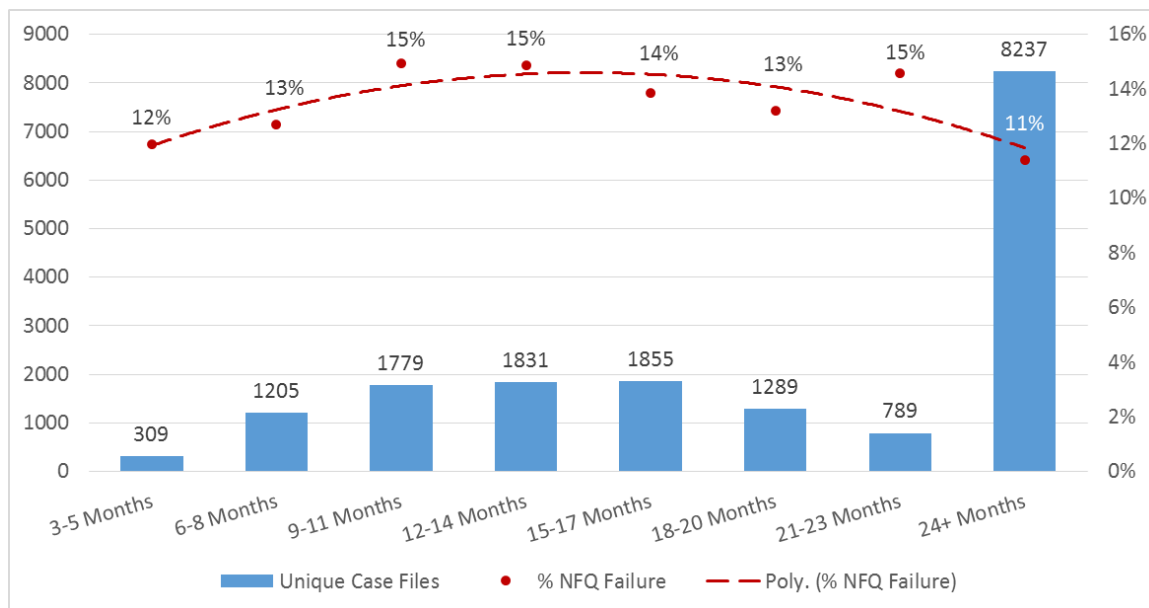
Figure 4: Volume and percentage of unique case files (URNs) that were submitted to the CPS, by earliest submission to CPS date and whether found to have at least one failure



2.1 Officers lack experience of building and supervising case files

Analysis of warrant numbers reveals the inexperience of officers who submit case files, which is especially the case on response teams, as illustrated in Figure 5. Unfortunately we do not have more granular data beyond two years' service due to an amendment to PSOP in 2018, but we know that over 50% of case files on response teams are submitted by PCs with fewer than two years' service. The corresponding failure rate is as one might expect: files submitted by the most junior officers have low failure rates as they are typically walked through the process by a tutor constables; rates of failure rise thereafter but then reduce again as officers become more experienced.

Figure 5: Response strand - volume and percentage of unique case files (URNs) that were submitted to the CPS in Jan-Sept 2020, by OIC length of service



We know that response team supervisors understandably seek to protect experienced officers with particular skills, especially those who are response driver-trained, but the extent of the inexperience among those officers left to submit files is striking. Similarly, the Sergeants supervising case files on response team are generally the more inexperienced within the rank, with Frontline Policing being the typical first posting for newly promoted officers, many of whom are returning from specialist units with little practice of case files for many years (for example, 81% of newly promoted Sergeants in December 2020 were posted to BCUs).

2.2 Officers lack understanding of the CMT process

It was clear from interviews with uniformed Sergeants that the remit of CMT is still only partly understood. For example, many supervisors knew to refer not guilty plea cases to the CMT for a decision but were then unaware that the CMT should also sign off the file prior to its submission to the CPS. One stated, “I am not aware of them (CMT) having a role in sign-off” and another “it’s for a decision when they’ve gone not guilty or something like that”. This helps to explain the large discrepancy between the number of referrals the CMT receives pre-charge and the few they receive post-charge for sign-off to the CPS. That said, others seemed entirely unaware of their remit. One response supervisor, who stated he regularly signed off case files said, “I don’t know the (CMT) remit – I don’t have anything to do with them”.

Detective Sergeants embedded within response teams play a crucial role, with overwhelmingly positive feedback on their influence from response team PSs. DSs take on a large volume of the case file supervision workload themselves, and where they are not reviewing files themselves, provide advice to uniformed supervisors. However, the interviews suggested that uniformed supervisors sometimes lean on them at the expense of developing their own knowledge base on the subject – the DSs consistently commented that their uniformed supervisor colleagues did not seem to have grasped the CMT remit, for instance.

2.3 Frontline supervisors and Inspectors prioritise operational demands over case file quality

Case file quality is not a priority for response team Sergeants and Inspectors. There remains a clear focus on servicing call demand and managing short-term risk, at the expense of putting aside office time to compile and supervise good quality case files. Reducing the number of outstanding suspects on CRIS and EWMS were the only criminal justice performance indicators mentioned as being on

their radar on response teams, and this was consistent across BCUs. Three response team Inspectors recalled their only current contact with case files as being to receive escalation messages, which, as discussed below, often direct supervisors to take the incorrect action and circumvent the CMT. Even in the case of investigative units such as CSU, one DS described getting “many more emails on offender management” than on case files.

There was a feeling across the four CJ hubs spoken to that criminal justice had become slightly more of a priority in recent months, but again this did not appear to have filtered down to the frontline. It was clear that supervisors leading CJ Hubs generally focus their efforts on intervening in individual cases at risk of being discontinued at a very late stage, rather than overseeing performance and training. Their staffing on the four BCUs was reported to be approximately 1 Sergeant and 2 or 3 Constables. It is therefore understandable that given the size of the BCUs they now cover and their staffing levels that they are kept occupied intervening to salvage cases and last-minute corrective work on the day of the trial. A knowledgeable MIST Sergeant commented, “the elephant in the room is the Criminal Justice Units. The CJ hubs we have now are just a sticking plaster at the last minute”.

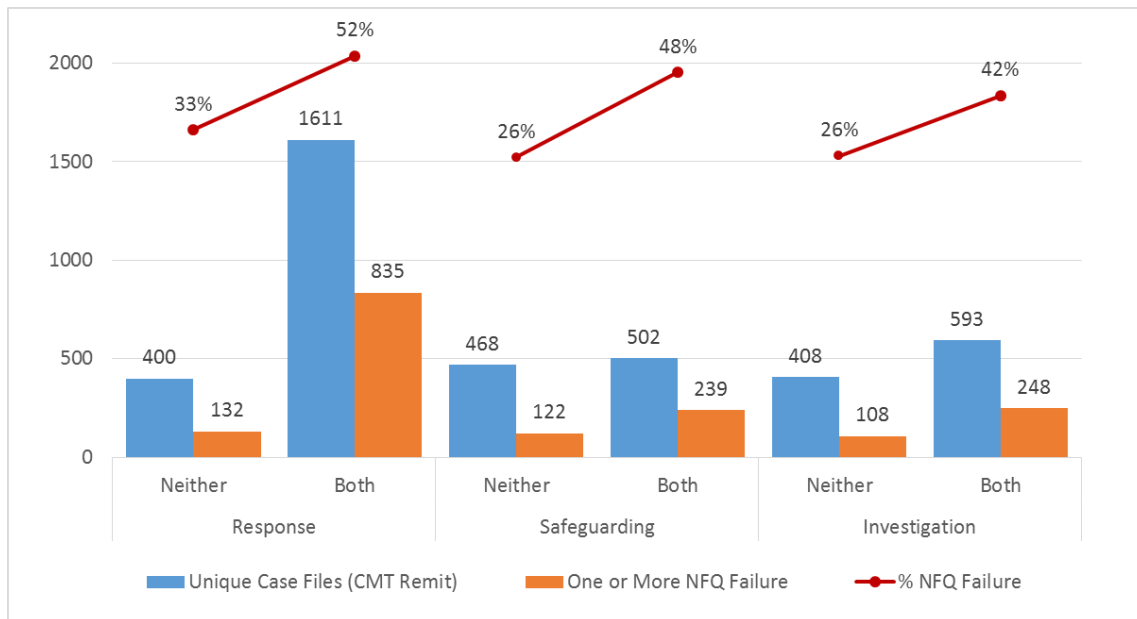
CJ hubs welcomed the introduction of the new CJ performance dashboard on the intranet, and one CJ hub was starting to make use of it by informing strand leads which officers are bypassing the CMT, which is much-needed. Notwithstanding their resourcing, CJ hubs on BCUs remain the best placed unit to drive the performance by sharing accessible performance data with frontline staff and have been given training on how to interpret it. Given their position as relatively low-ranking officers, however, they need senior support locally to ensure teams are held to account in prioritising case file quality.

2.4 COPA encourages officers and supervisors to bypass CMT

The red lines on the graph below demonstrates the significant positive effect of the CMT on reducing failures across all three of the strands responsible for the majority of case files (Response, Safeguarding and Investigations). The graphs also provide a stark illustration of just how many cases are incorrectly bypassing the CMT: the majority of cases which should be reviewed for sign-off (post-charge) by the CMT are, in fact, not being reviewed by the CMT. This is true across all strands, and in the case of response teams the majority is overwhelming (83% of eligible cases are incorrectly bypassing the CMT). Admittedly, we are slightly surprised that the failure rate for cases which go through the CMT pre and post charge is not even lower than it is given the officers’ specialist knowledge of the area, which should be explored in greater depth.

So why is the CMT being bypassed so much? One reason, as mentioned earlier, is that supervisors have a better understanding of the CMT role in the evidential review process than they do in the sign-off process. However, even in this area there are still a very large number of bypasses across strands, and especially on response teams where the CMT are still bypassed more often than not.

Figure 6: Files within CMT remit - volume and percentage that were submitted to the CPS in Jan-Sept 2020 and found to have at least one failure, by whether the CMT was bypassed at both pre-charge and post-charge stages, or neither



However, a more pressing concern is that COPA encourages officers to incorrectly bypass the CMT as follows. First, when a PC submits a case file for a decision, it acquires the status “Awaits police decision”. In NGAP cases, the supervisor should first review the case themselves, then contact CMT to inform them of the case reference so that they can take ownership of the file and determine the correct charging decision.

Then, once the CMT make their decision and the original officer has built the file for court, the COPA status changes to “Awaiting supervisor sign off”. A green “Sign off” button lies at the bottom of the page but the established process is that the supervisor should notify the CMT to review the file prior to submission to the CPS.

Finally, if the case has not been signed off within 24 hours, COPA sends the supervisor a sign-off reminder email (see figure 8). The supervisor must remember to ignore this email, plus any subsequent escalations that come through, and wait for the CMT to take ownership of the case and sign it off.

Figure 7: Process map demonstrating how COPA encourages supervisors to bypass the CMT

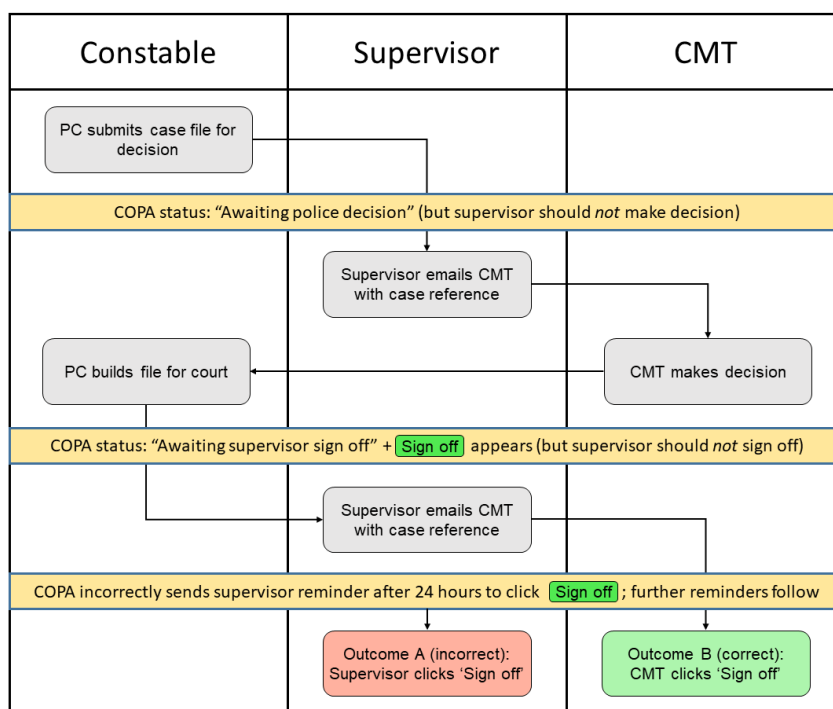


Figure 8: Example of an escalation email which directs supervisors to bypass the CMT

Subject: Escalation: Sign-off Overdue for Case '01KG/03598/19 Name'
Importance: High



**METROPOLITAN
POLICE**

TOTAL POLICING

COPA

Dear [Name],

The case '01KG/03598/19 Name' has not yet been submitted to CPS.
All cases must be submitted to CPS within 24 hours of charge.
The charge date was Wednesday, May 6, 2020.

Officer in Case
[Constable Name] (p244802) Name.Name@met.police.uk

Line Manager
[Sergeant Name] (p225303) Name.Name@met.police.uk

[View the case >](#)

If the above button doesn't work, please copy and paste the following link into Firefox.
<https://corepolicing.foundation.met.police.uk/app#/case/875067>

Case Overview & Preparation Application

Sending cases to the CMT clearly requires supervisors to override the process as designed in COPA, not just once but at several stages within that process. It is therefore unsurprising that supervisors consistently bypass the CMT with the technology working against the desired process. As one Sergeant described, "I don't like receiving emails telling me off when I have done nothing wrong".

Without an amendment to the technology, even a very effective communications campaign would not be capable of overriding the contradictory messages that supervisors receive when working on each COPA case file. It is clear that intranet guidance and feature articles are simply not sufficient;

many supervisors said they rarely see intranet articles, and that direct emails would be a more effective way of communicating the process. Even then, the swift churn of Sergeants in many OCUs means that it would be an impossible struggle to ensure this message is heard louder than those in escalation emails of the type received above.

2.5 Frontline supervisors are reluctant to use CMT

Interviews revealed some wilful bypassing on the part of some supervisors. While we encountered positive experiences of communication with CMT, some supervisors described the Team as “nit-picking” and unable to adequately explain their requests to frontline officers over email. Accordingly, two supervisors spoke of their colleagues deeming cases to be anticipated guilty pleas on dubious grounds in order to willingly circumvent the CMT. One DS described the CMT as being “responsible for triggering a lot of swearing from my team” and “often more of an obstacle than support”. Detective colleagues repeatedly remarked that expecting a DS to forward their work to a PC to quality assure it felt insulting to some of their colleagues, which may account for some bypassing on their part.

It was notable when speaking to frontline officers that communication with CMTs appears to be solely through email communication, rather than occasionally in person or over the phone – although we accept this is often not possible. None of those interviewed reporting having interacted with the CMT through any other medium than email. Clearly, the large network of bases and nature of shift work mean email will always be the default. However, when the public health circumstances allow, there does not appear to be any reason why CMT officers could not more frequently proactively engage with officers at frontline bases in order to build trust, especially with the unit’s size increasing after a recent recruitment drive. While the CMT are not embedded within the process by technology, it needs to significantly improve its reputation among frontline officers in order to reduce the number preferring to bypass them.

2.6 Officers and supervisors rarely receive notice of court results

The ultimate purpose of a case file is to ensure justice at court, and yet, we could not find any evidence of officers being regularly notified of court results for cases they had prepared. When an officer prepares a file for a case in a magistrates’ court and is not called as a witness, they must wait until after the court date and log into COPA, or conduct a PNC check, to discover the result. However, interviews revealed that many officers do not proactively check cases on COPA post-submission. For many officers, the priority is to get files “off the desk” rather than secure justice.

2.7 Frontline supervisors rarely receive feedback

Supervisors were almost unanimous in stating that they only received feedback from management on case file quality in relation to individual cases which were at risk of being discontinued or otherwise needed urgent remedial work. None of the supervisors on frontline teams said they received regular updates on how they, their staff or their team were performing on case files – good or bad. This lack of feedback means teams are unsighted on how their teams are performing overall in this area, and cannot identify particular issues in order to target support to those areas or officers in most need.

2.8 Mi Investigation is not providing sufficient focus on case file quality

Reviewing the data on cases which are “failed” by the CMT at the pre and post-charge stage, it is apparent that the quality of files, and the rate at which they bypass the CMT, is a Met-wide issue. Even the “best” BCUs fail the administrative test applied by the CMT in a majority of cases they

submit, and bypass the CMT altogether more than 60% of the time. So there is no local allocation system or structure which is resulting in high case file quality at present.

All four BCUs surveyed for this report are using MISTs – Mi Investigation Support Teams – in some form to relieve some of the burden of volume crime investigation from response teams, although there is local variation in the extent to which they are a standalone team or just one part of the relevant response team. Officers rotate through the MIST from response team on a regular basis, although some have permanent Sergeants. Those interviewed had mixed views on the effectiveness of Mi Investigation Support Teams, with many suggesting their remit was insufficiently wide and that they should be taking more cases away from response, but all were in agreement that response teams would struggle to function without them being in place to offer some support in investigating volume crime.

MISTs generally do not take responsibility for prisoner processing in the manner of the old Case Progression Units. Response team officers retain investigations that they begin, in line with the “cradle to grave” ethos of Mi investigation, but it is very common for detainees arrested as part of those investigations to be handed over to the incoming response team, before being returned to the original investigator. As referenced above, the median officer on response team only submits four case files per year, so this is a very rare task for most officers. Unfortunately we do not have sufficiently granular data to examine the case file quality of MISTs compared with response teams. However, with suitable supervision in the form of knowledgeable Sergeants, MISTs do provide an opportunity to focus training and communication efforts to improve case file quality on those who, for a period at least, are regularly involved in building and submitting files.

From a case file quality perspective, there is a clear argument for expanding the role of MISTs to ensure as many files as possible are built and supervised by officers with regular practice of the task. One cannot expect officers to become fully competent in a job they only complete once every three months, or in many cases far less frequently. The switch to Mi Investigation was intended to ensure greater ownership of cases, reduce handovers, and improve victim satisfaction – there is little evidence that any of these goals have been realised. The existence of MISTs are an acknowledgement that the intended model was not working, so it is worth taking a fresh look to consider whether it can ever work in the future. This original model was conceived with very different resourcing expectations from those which prevail now, with the organisation set to employ more officers than ever in the forthcoming years. Ensuring case files are submitted by a well-trained and well-practiced group of officers would be a worthy use of these extra resources in reaching our strategic priority of achieving the best outcomes for victims.

3. Recommendations

3.1 Urgently amend COPA to ensure all eligible files are reviewed by the CMT. We recognise there would be a cost implication to embed the CMT into the COPA application process, and we understand that a plan to make amendments to COPA was paused on the basis that Connect would soon solve these issues. However, with another significant delay to the rollout of Connect recently announced and the latest Director’s Guidance demanding new disclosure requirements - another process COPA was not designed for – there is a strong argument to urgently revisit this decision.

3.2 Actively share performance data to drive cultural change and make case files a priority.

Inspectors and Sergeants need to be held to account for case file quality on their teams, and be provided with sufficiently detailed data in order to drive improvements. CJ hubs are best-placed to

do this, and there are signs that they are now using the new CJ dashboard to do so, but a centrally-agreed format would provide clarity in tracking progress against specific metrics.

3.3 Target under-performing teams and individuals with behaviourally informed feedback. There is a wealth of evidence to suggest that carefully crafted messages, informed by behavioural science, can increase the likelihood of desired behaviours. Furthermore, tailored feedback is a crucial aspect of behaviour change. The two should be combined and applied to emails that target under-performing teams and/or individuals distributed by CJ hubs on BCUs.

3.4 Distribute court results to officers and supervisors via Criminal Justice hubs and witness care units. If COPA is amended as per 3.1, the possibility of automatically notifying officers of court case results should also be considered. In the absence of an automated process, Witness Care Units may be best-placed to complete this work as they have access to the court results and are in close contact with the police liaison officers at court. Criminal Justice hubs, based on BCUs, are another feedback channel but they may require a slight uplift in staffing from the typical one supervisor and two PC/DCs.

For those response team supervisors who spoke of simply getting cases off their work file rather than seeking to achieve the best outcome at court, it would make clear the importance of their role in securing justice for victims. For CID and especially CSU officers, this would reduce the administrative burden of seeking these results proactively on PNC or COPA in order to consider next steps to safeguard their victims.

3.5 Focus messaging and interventions on newly promoted, uniformed Sergeants. In order to ensure our interventions have maximum effect, we should be conscious of the need to *consistently* target frontline Sergeants, especially those who are newly promoted. If a technological solution is not implemented, this communication must include ensuring that all uniformed Sergeants are provided with very clear guidance about the remit of the CMT. Many response team supervisors described not having been trained in evidential review or case paper supervision – this should be made automatic for all newly-promoted Sergeants by including a comprehensive package during their promotion course.

3.6 Expand the role of Mi Investigation Support Teams to provide case file focus. The existing process for investigating and prosecuting volume crime is not set up for improving case file quality. If we want to make a concerted effort to improve this area, it is worth investing in dedicated teams which have a clear focus on this area, rather than considering it an afterthought to servicing call demand. Expanding the role of the MISTs to take on more of these investigations would be a first step towards this while retaining the current structure, but a wider review of the Mi Investigation model and its ability to achieve best outcomes should also be considered.