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Her Majesty's
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Inspectorate
of Probation

CRIMINAL JUSTICE INSPECTORATES

REPORT ON THE PILOT JOINT INSPECTION OF GLOUCESTERSHIRE CRIMINAL JUSTICE AREA

EXECUTIVE SUMMARY

Introduction

1. This is the report of the Criminal Justice Chief Inspectors on the pilot joint inspection of the Gloucestershire criminal justice area. Her Majesty's Inspectorate of Constabulary (HMIC), Her Majesty's Magistrates' Courts Service Inspectorate (HMMCSI), Her Majesty's Crown Prosecution Service Inspectorate (HMCPSI), Her Majesty's Inspectorate of Prisons (HMI Prisons) and Her Majesty's Inspectorate of Probation (HMI Probation) carried out the inspection.
2. The inspection represented a major development in the already extensive programme of joint work that had been undertaken by the Inspectorates across a range of criminal justice issues. This was, however, the first geographically-based inspection and focussed on the operation of a criminal justice area and, within that context, the interfaces between the agencies.
3. The interfaces between the following criminal justice agencies were inspected:
 - * Gloucestershire Constabulary;
 - * Crown Prosecution Service Gloucestershire;
 - * Gloucestershire Magistrates' Courts Service;
 - * Gloucestershire Probation Area;
 - * Gloucestershire Youth Offending Service;
 - * the Court Service operation at Gloucester Crown Court; and
 - * the prison estate that serves Gloucestershire.

4. At the time of the inspection there was no statutory inspection regime in respect of any aspect of the work of the Crown Court. In order to evaluate the complete criminal justice process in Gloucestershire, the Chief Inspectors secured the agreement of the Court Service and the then Senior Presiding Judge for the inclusion, on a non-statutory basis, of the performance of the Court Service at the local Crown Court centre. The inspectorates worked in conjunction with the Quality Assurance Unit of Victim Support who undertook an inspection of the Gloucestershire Branch.

Background to the inspection

5. The Government has established 42 criminal justice areas, each of which has a Local Criminal Justice Board (LCJB) (consisting primarily of the Chief Officers of the main agencies). The LCJBs are charged with establishing and delivering, at a local level, targets to support the achievement of robust national targets designed to improve the overall efficiency and effectiveness of the criminal justice system. Those targets, which form the backbone of Ministerial Public Service Agreements (PSA), involve:
 - * improving the delivery of justice by increasing the proportion of crimes for which an offender is brought to justice; and a reduction in the proportion of ineffective trials; and
 - * improving the level of public confidence in the criminal justice system, including increasing that of minority ethnic communities, and increasing, year on year, the satisfaction of victims and witnesses, whilst respecting the rights of defendants.
6. The pilot joint inspection looked, against this background, at how effective the criminal justice agencies in Gloucestershire were in working together to deliver the outcomes necessary to achieve the local targets set by the LCJB, in furtherance of national targets set by the Government. It also examined the treatment of prisoners as they moved between the police, courts, prisons and the escort contractors.
7. The Board was, at the time of our inspection, still in its infancy and in the process of developing many of its work strands. The Chief Inspectors acknowledge, within a short time span, the work and progress the LCJB has made to date. It was also the first Area to receive a joint inspection. No other Area has had such a detailed diagnostic look at its performance and, therefore, there are few benchmarks against which inspectors could assess the progress of the Board. Our comments in the report and the recommendations made should therefore be read in this context.

Main findings of the inspection

8. There is a lack of clarity about the relationship between the statutory responsibilities of individual Chief Officers and their responsibilities as members of the LCJB, with the requirement to deliver against PSA targets.
9. The Board had drawn up detailed plans, which identified those aspects of work that needed to be taken forward to achieve the national Public Service Agreements. These plans were supported by regular performance reports. Whilst inspectors recognised the short period of time the plans had been in existence, some actions had slipped and needed to be reinvigorated.

10. Progress towards achieving the overall narrowing the justice gap target was good, but could be improved further by addressing issues surrounding ineffective trials and some aspects of the CPS approach to discontinuance.
11. Inspectors found many aspects of inter-agency work that were contributing significantly to driving up performance in the Area and improving public confidence in the criminal justice system. Two such examples, with very different focuses, were the work done on progressing cases involving persistent young offenders and how the agencies dealt jointly with mentally disordered offenders. In other aspects of inter-agency performance inspectors found a lack of effective communication, which was leading to a delay in addressing issues, and at its worst the continuation of an unhealthy blame culture.
12. In respect of the Prison Service, there was a recognised need to strengthen their input to the LCJB - to contribute to, and improve ownership of, decisions taken by the Board which impacted on the local prison estate. This was complicated by the Prison Service's mix of functional, geographical and contracted out management.
13. Nationally, the Government has set a target of increasing the number of crimes for which an offender is brought to justice to 1.2 million by 2005-06. The target set for the Gloucestershire criminal justice area is to increase the number of recorded offences brought to justice by 646 for the year 2003-04. The Area has a further target of increasing by 249 the number of offences brought to justice in respect of persistent offenders. At the time of our inspection, the Area appeared to be on course to meet the overall target for offences brought to justice. However, it seemed, as in common with many Areas, unlikely to meet its persistent offender target.
14. The Board expressed concerns about how the persistent offender target had been calculated, which have since been recognised and accepted, following further work by the Area in conjunction with PA Consulting.
15. Overall the picture in respect of reducing cracked and ineffective trials is encouraging. However the LCJB's Narrowing the Justice Gap plan recognises that work needs to be carried out to reduce further the incidence of cracked and ineffective trials, focussing on late changes of plea and the non-attendance of defendants.
16. The Area had developed effective racist incident groups, both at a county level, and also in the major urban conurbations. These had a wide remit and addressed issues over and above those that were dealt with by the criminal justice system. In addition, the Board was taking forward the development of an Independent Advisory Group, to advise the Board on race issues.

Specific findings

The prosecution process

17. Inspectors found that there was a lack of effective initial review by first line police supervisors prior to submission of crime files by operational officers. The police were beginning to recognise and address these issues and had undertaken several initiatives to address file quality and timeliness performance. Inspectors considered that an overall improvement in the quality of police files would be achieved by the setting up of a dedicated file preparation unit.

18. There was a need for the police Criminal Justice Department and the CPS, at operational management level, to build up a more constructive working relationship.
19. Overall, whilst the importance of joint performance management had been re-emphasised by the police, inspectors found a lack of effective joint management of file quality and timeliness. In order to drive up quality there needs to be a shared ownership of the issues which surround file deficiencies.
20. The Police National Computer was not being updated efficiently, which impacted on the force's ability to provide up to date information on offenders and their convictions. Inspectors found that delay in the provision of court results from the Magistrates' Courts Service was contributing to this delay.

The court process

21. Inspectors found a lack of clarity between the police and the magistrates' courts about the availability of court time for early administrative and early first hearings, leading to delay between charge and first appearance.
22. In the magistrates' courts, the level of effective trials could be improved by increased usage of pre-trial review hearings. Further inter-agency work needed to be undertaken to reduce the level of cracked and ineffective trials. Efforts would be assisted by the appointment of a CPS case progression officer.
23. All the agencies recognised the importance of giving the appropriate level of support at court to victims and witnesses, but were hampered by less than satisfactory waiting conditions at some court centres. There was a need for the police and the CPS to clarify where responsibility lay for some aspects of witness care.
24. The Magistrates' Courts Service and the police had implemented a priority system for executing warrants, with different time targets depending on priority, ranging from one to six months. Inspectors found that there was a lack of management information upon which performance against these targets could be assessed and a lack of ownership within, and between, agencies. There was also a lack of awareness of the scheme amongst operational police officers.
25. There was a lack of clarity between the police and the CPS over who was responsible for liaising with the Witness Service in those cases where there had been an identifiable difficulty in the victim or witness getting to court.
26. The agencies had set up a Speaking up for Justice Forum, which considered, amongst other things, the protection of vulnerable and intimidated witnesses. This was a good example of inter-agency co-operation, which cuts across all stages of the process. However, the timeliness of applications for special measures for vulnerable and/or intimidated witnesses, at both the Crown Court and the magistrates' courts, needed improving.
27. There was a clear expectation on the part of the Crown Court that progress would be made at each hearing. Clear directions were given at the plea and directions hearings and the court had effective systems for chasing up compliance. There was regular discussion between the CPS and the Crown Court over the reasons for cracked and ineffective trials.

Prisoner issues

28. Generally, prisoners were ready to travel when the escort contractor arrived to pick them up in the morning, and reception procedures were efficiently concluded. Overall, the facilities for receiving prisoners at court were poor, particularly at the Crown Court, where the van dock was not in use. Inspectors found insufficient priority was given in the magistrates' courts to hearing custody cases, which could result in prisoners spending unnecessary time in court cells.
29. The provision of access to defendants in court cells was good, although the interview facilities at some courts were not adequate. However, a significant number of defendants in custody were produced from prison for ineffective hearings, and more use could be made of the video link with HMP Gloucester.
30. Arrangements between the police and the magistrates' courts for the production of prisoners from police custody needed clarification, particularly the criteria for determining when a case is ready for court.
31. The Area would benefit from the introduction of a court-based bail information scheme and more effective use of the existing prison-based scheme.
32. The provision of information to defendants by magistrates in open court was good, but the standard of notices providing information in communal areas in court custody suites was poor. Some aspects relating to the welfare of prisoners need to be improved, including the condition of the cell complex at Gloucester Crown Court.
33. Inspectors recognised the problems associated with operating in such an old property, but there were short-term issues of health and safety, which required remedial action.
34. Relationships between police and prisoners, and escort staff and prisoners in the police custody suites and court cells, were good.
35. Overall, there were good arrangements in place for meeting the needs of mentally disordered offenders.
36. There was a need to improve the reliability of the transfer of medical information about prisoners when they moved from police to prison custody.

Sentence and post-sentence processes

37. The timeliness of the provision of pre-sentence reports could be improved, although quality was good.
38. Efforts to make offenders comply with the requirements of their orders appeared to be well built into practice by both the Probation Area and the Youth Offending Service. All of the agencies had agreed procedures for providing services to mentally disordered offenders.
39. The Gloucestershire Probation Area provided an excellent level of effective group work programmes. Inspectors were impressed with the Probation Area's domestic violence programme, which ran in conjunction with a voluntary group that supported the partners of men attending the programme.

40. The Prison Service and the Probation Area independently completed tasks that were intended to contribute to resettlement and the reduction of re-offending, but inspectors found that there was a lack of direct collaboration.
41. The Prison Service and the Probation Area had clear processes for meeting their respective public protection responsibilities, although inspectors found that inter-agency collaboration on a case-by-case basis could be improved.
42. There was effective identification and supervision of active high-risk cases through the Multi-Agency Public Protection Panel (MAPPP) protocol. Inspectors found that there was very good information sharing and much joint working.
43. Arrangements for registering Schedule 1 violent or sexual offenders whose victims were children, and for implementing arrangements to protect and verify the relationship of child visitors to prisoners, were in place in all prisons, although they needed to be tightened at some establishments.
44. An innovative project was in place to implement the South West regional Prison Service strategy for the resettlement of short-term prisoners. A range of initiatives was being developed with a long-term goal was to reduce re-offending by seven per cent over a three-year period.
45. Awareness of child protection policies and responsibilities needed strengthening, particularly by the Prison Escort Contractors.

Strengths

46. Inspectors identified 13 aspects of performance that they considered were a strength of one or more of the agencies:
 1. The quality of the monthly produced area performance reports.
 2. The inter-agency work which successfully achieved and maintained performance in the processing of persistent young offenders.
 3. The County Racist Incident Group and sub-groups, which are effective forums for tackling racist incidents.
 4. The Speaking up for Justice Forum which addresses effectively victim and witness issues.
 5. Crown Court case management and case progression, which ensured cases were progressed without unnecessary delay.
 6. Access to defendants in court cells.
 7. Clear explanations of adjournments to victims and witnesses.
 8. Effective arrangements for dealing with mentally disordered offenders, both at organisational and practitioner level.

9. The Probation Area domestic violence programme, which contributes effectively to reducing the risk of re-offending.
10. YOI Ashfield's effective identification of high risk trainees.
11. The quality of inter-agency contributions to the MAPPP.
12. YOI Ashfield's child protection procedures, which ensured the safety of child visitors to Schedule 1 offenders.
13. Positive relationships between police and prisoners and custody staff and prisoners.

Recommendations

47. Inspectors made 13 recommendations to help improve inter-agency aspects of performance in Gloucestershire. The recommendations are grouped to assist in identifying to whom each recommendation is directed.

The Local Criminal Justice Board

1. That the LCJB review the relationship of its sub-groups with the pre-existing inter-agency groups (including court user groups) and the effectiveness of those inter-agency groups.
2. That the LCJB review progress against the Local Delivery Plan, to develop and deliver further a comprehensive communication programme, to ensure staff are aware of the purpose of the Board and their individual contribution to achieving its objectives.
3. That the Board, as part of its review of inter-agency protocols and service level agreements, takes the opportunity to incorporate into such arrangements mechanisms to monitor and evaluate the inter-agency performance which they govern.
4. To support the actions identified in the Local Delivery Plan, that the Board undertake an inter-agency training needs analysis and work up a programme of structured joint training.
5. That the Board, to assist in reducing the level of ineffective trials and increase public confidence, review and where necessary implement cross-agency training on:
 - * the identification of adult vulnerable and intimidated victims and witnesses;
 - * liaison arrangements between the police and the CPS; and
 - * the timing of special measures applications.

The Gloucestershire Constabulary

6. In order to improve file quality, that the Gloucestershire Constabulary set up dedicated file preparation teams.
7. As a matter of urgency, that the Gloucestershire Constabulary take action to comply with the national requirements as detailed in the PNC Manual.

The Gloucestershire Constabulary and the CPS

8. To improve the timeliness of file preparation and decision-making, that the police and the CPS review the effectiveness of the lines of communication between the CPS, the CJD and the OIC.
9. In order to achieve further efficiencies and cost savings, that the police and the CPS formulate a detailed project plan for Glidewell integration.
10. In order to drive up file quality and timeliness, that the police and the CPS undertake effective joint performance management of file quality and timeliness.
11. That agreement is reached about where responsibility lies for liaising with the Witness Service, in those cases where difficulties in witness attendance are identified, to increase the proportion of effective trials.

The Gloucestershire Constabulary, the Prison Service and the Prisoner Escort Contracting Service

12. In order to comply with safe clinical practice:
 - * That a protocol be developed detailing inter-agency responsibilities for the medical treatment of prisoners in custody and the transfer of clinical information;
 - * That police custody staff should receive appropriate guidance in the administration of medication; and
 - * That there should be protocols for the safe and secure administration and storage of prescribed medication.

The Court Service and the Prisoner Escort Contracting Service

13. That a comprehensive risk assessment of Gloucester Crown Court cell accommodation be carried out to inform:
 - * standards for maximum occupancy, safe staffing levels, prisoner separation and general standards of safety and decency; and
 - * a plan for prompt remedial action in respect of short-term issues.

48. The full text of the report may be obtained from the Corporate Services Group of HMCPsi (telephone 020 7210 1197), and is also available at:

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