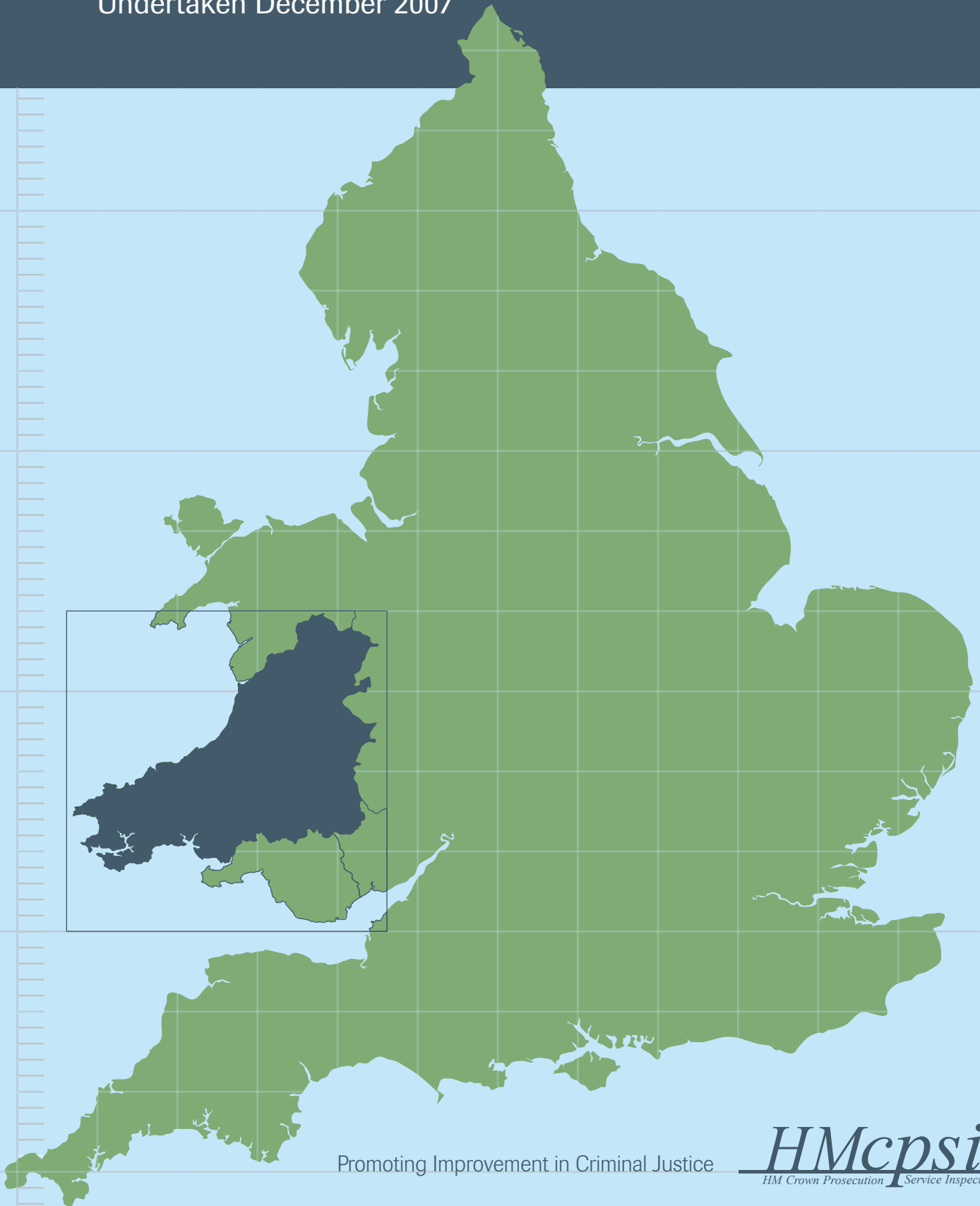


CPS Dyfed Powys

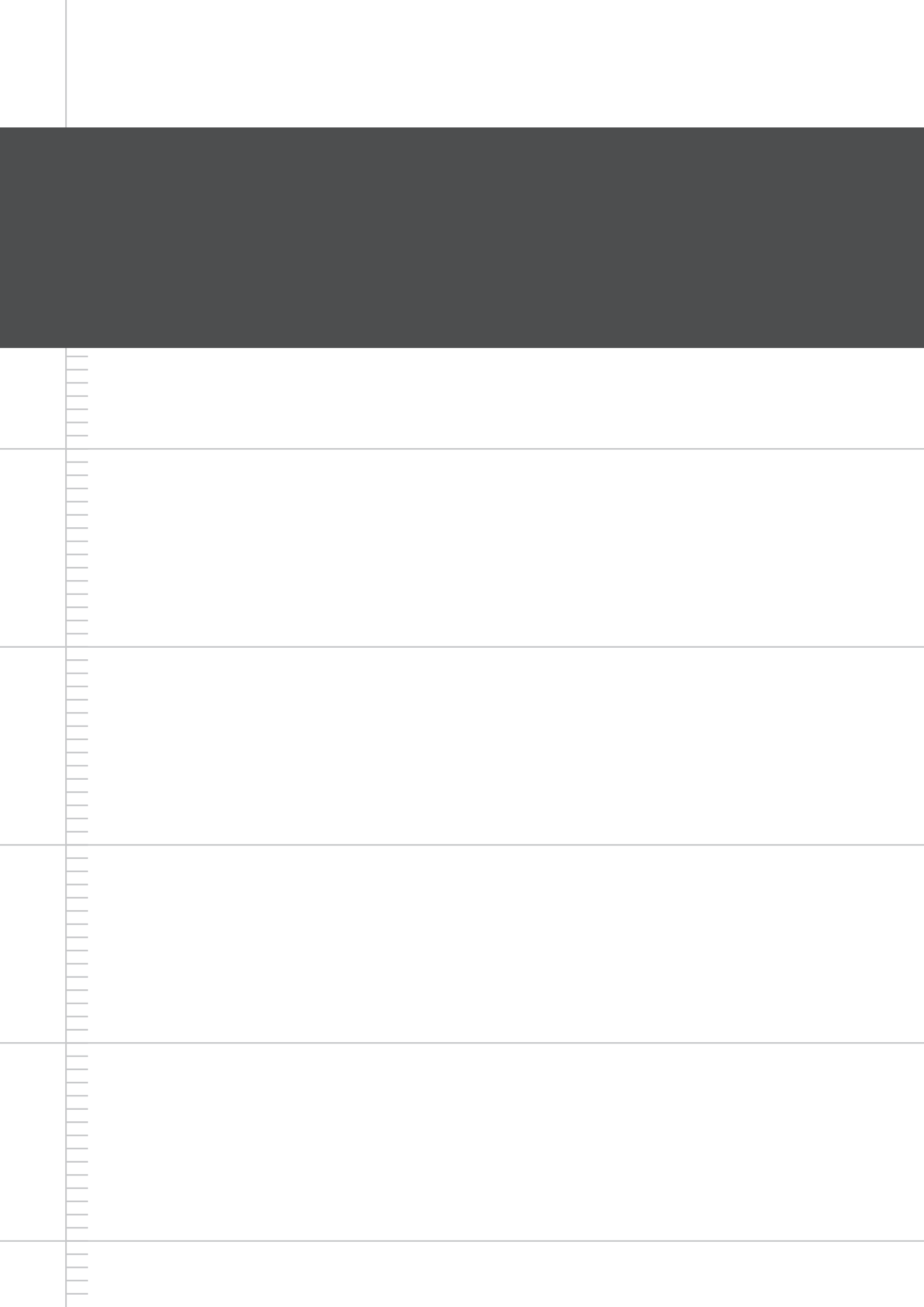
# Overall Performance Assessment

Undertaken December 2007



Promoting Improvement in Criminal Justice

**HMcp*si***  
HM Crown Prosecution Service Inspectorate



CPS Dyfed Powys

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## ABBREVIATIONS

Common abbreviations used in this report are set out below.  
Local abbreviations are explained in the report.

ABM	Area Business Manager	HMCPSP	Her Majesty's Crown Prosecution Service Inspectorate
ABP	Area Business Plan		
AEI	Area Effectiveness Inspection	JDA	Judge Directed Acquittal
ASBO	Anti-Social Behaviour Order	JOA	Judge Ordered Acquittal
BCU	Basic Command Unit or Borough Command Unit	JPM	Joint Performance Monitoring
BME	Black and Minority Ethnic	LCJB	Local Criminal Justice Board
CCP	Chief Crown Prosecutor	MAPPA	Multi-Agency Public Protection Arrangements
CJA	Criminal Justice Area	MG3	Form on which a record of the charging decision is made
CJS	Criminal Justice System	NCTA	No Case to Answer
CJSSS	Criminal Justice: Simple, Speedy, Summary	NRFAC	Non Ring-Fenced Administrative Costs
CJU	Criminal Justice Unit	NWNJ	No Witness No Justice
CMS	Case Management System	OBTJ	Offences Brought to Justice
CPIA	Criminal Procedure and Investigations Act	OPA	Overall Performance Assessment
CPO	Case Progression Officer	PCD	Pre-Charge Decision
CPS	Crown Prosecution Service	PCMH	Plea and Case Management Hearing
CPSD	CPS Direct	POCA	Proceeds of Crime Act
CQA	Casework Quality Assurance	PTPM	Prosecution Team Performance Management
CTL	Custody Time Limit	PYO	Persistent Young Offender
DCP	District Crown Prosecutor	SMT/G	Senior Management Team or Group
DCV	Direct Communication with Victims	TU	Trial Unit
DCW	Designated Caseworker	UBM	Unit Business Manager
DP	Duty Prosecutor	UH	Unit Head
ECU	Economic Crime Unit	VPS	Victim Personal Statement
ETMP	Effective Trial Management Programme	WCU	Witness Care Unit
HCA	Higher Court Advocate		

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## **A INTRODUCTION TO THE OVERALL PERFORMANCE ASSESSMENT PROCESS**

This report is the outcome of Her Majesty's Crown Prosecution Service Inspectorate's (HMCPSI) overall assessment of the performance of the Crown Prosecution Service (CPS) in Dyfed Powys and represents a further assessment against which improvement from the previous baseline assessment in 2004-05 can be measured.

### **Assessments**

Judgements have been made by HMCPSI based on absolute and comparative assessments of performance. These came from national data; CPS self-assessment; HMCPSI's findings; and measurement against the criteria and indicators of good performance set out in the overall performance assessment (OPA) framework, which is available to all Areas.

The OPA has been arrived at by rating the Area's performance within each category as either 'Excellent' (level 4), 'Good' (level 3), 'Fair' (level 2) or 'Poor' (level 1) in accordance with the criteria outlined in the framework.

The Inspectorate uses a rule-driven deterministic model for assessment, which is designed to give pre-eminence to the ratings for 'critical' aspects of work as drivers for the final overall performance level. Assessments for the critical aspects are overlaid by ratings relating to the other defining aspects, in order to arrive at the OPA.

The table at page 6 shows the Area performance in each category, as well as the 'direction of travel' since the previous OPA.

An OPA is not a full inspection and differs from traditional inspection activity. Whilst it is designed to set out comprehensively the positive aspects of performance and those requiring improvement, it intentionally avoids being a detailed analysis of the processes underpinning performance. That sort of detailed examination will, when necessary, be part of the wider programme of inspection activity.

### **Direction of travel grade**

This is a reflection of the Area's change in performance between the current assessment period and the previous OPA, that is between 2004-05 and 2006-07. The potential grades are:

**Improved** reflects a significant improvement in the performance;

**Stable** denotes no significant change in performance;

**Declined** where there has been a significant decline in performance.

## B AREA DESCRIPTION AND CASELOAD

CPS Dyfed Powys serves the area covered by the Dyfed Powys Police. It has three offices, at Carmarthen and Haverfordwest (both in Dyfed) and Newtown (Powys). The Area Headquarters (Secretariat) is based at the Carmarthen office.

Business is divided on functional lines between magistrates' courts and Crown Court work, except in Newtown which is a combined unit and handles all Powys cases. Dyfed magistrates' courts cases are dealt with in the Criminal Justice Units (CJUs) at Carmarthen and Haverfordwest and those in the Crown Court by the Trials Unit in Carmarthen. Most of Dyfed Powys's Crown Court cases are heard outside the Area, at Swansea and Merthyr Tydfill (currently being heard at Cardiff due to refurbishment) which are both in South Wales, and Mold (North Wales).

During the year 2006-07 the Area had an average of 58.9 full-time equivalent staff in post and a budget of £2,774,489. This represents a 2.8% increase in staff and a 12.3% increase in budget since 2004-05, the period covered by the previous overall performance assessment.

Details of the Area's caseload in 2004-05, and in the year to March 2007 are as follows:

### Pre-charge work<sup>1</sup>

2004-05		2006-07	
Written advice	756	Decisions resulting in a charge	2,400
Pre-charge advice (where available)	2,031	Decisions not resulting in a charge <sup>2</sup>	1,526

Magistrates' courts proceedings (including cases previously subject to a pre-charge decision)	2004-05	2006-07	Percentage change
Magistrates' courts prosecutions	10,673	10,196	-4.5%
Other proceedings	16	31	+93.8%
<b>Total magistrates' courts proceedings</b>	<b>10,689</b>	<b>10,227</b>	<b>-4.3%</b>
<b>Crown Court proceedings</b> (including cases previously subject to a pre-charge decision)			
Cases sent or committed to the Crown Court for determination	448	465	+3.8%
Committals for sentence <sup>3</sup>	122	122	0.0%
Appeals from the magistrates' courts <sup>3</sup>	119	145	+21.9%
<b>Total Crown Court proceedings</b>	<b>689</b>	<b>732</b>	<b>+6.2%</b>

In 2006-07, 42.0% of offences brought to justice were the result of convictions.

1 No valid comparison with 2004-05 pre-charge caseload is possible as statutory charging was only fully in place in all CPS Areas from April 2006 onwards.

2 Including decisions resulting in no further action, taken into considerations (TICs), cautions and other disposals.

3 Also included in the magistrates' courts figures, where the substantive hearing occurred.

## **C SUMMARY OF JUDGEMENTS**

### **Contextual factors and background**

Dyfed Powys is an administrative area covering more than half of Wales, with a widely dispersed population of about 490,000. Geographically it is the largest of the 42 CPS Areas, but in terms of numbers of staff in post is one of the smallest.

There is very low staff turnover and the structure of the Area has remained stable since the last OPA. There was a change of Chief Crown Prosecutor (CCP) in January 2007, and the Trials Unit Head took up the post on a temporary basis as acting CCP until the new permanent post holder arrived in January 2008.

### **Summary**

In 2006-07, which is the core period for this OPA, the Area performed moderately well in terms of successful outcomes (convictions) with the proportion of convictions falling within the good range of performance in the Crown Court and fair in the magistrates' courts. Five out of six national performance targets were met in relation to the statutory charging scheme (under which the CPS has assumed from the police responsibility for the initial decision whether to charge in all but minor cases) and sensitive case outcomes were significantly better than national performance. Overall Dyfed Powys has played its part in maintaining performance ahead of national target in relation to the number of offences brought to justice, timeliness of handling cases involving persistent young offenders, asset seizure, and the proportion of effective trials (cases listed for contest which proceed on the day fixed for trial).

Generally the direction of travel was positive in 2006-07, but the rate of improvement has increased subsequently in relation to some key aspects of performance. For example, in the second quarter of 2007-08 the proportion of convictions in both the magistrates' and the Crown Court came into the excellent range of performance and all statutory charging targets were met, with performance well ahead of the national averages. Underlying performance also improved in some aspects of work which had proved problematic, such as the level of usage of the case management system, where all national targets were also met in the second quarter of 2007-08. Significant improvement was also made in relation to the No Witness, No Justice scheme primary measures (against baseline) over the same period. This increased rate of progress reflects the establishment of tighter performance management systems, including adverse outcome reporting and casework quality assurance, in 2007-08. Advocacy monitoring is being implemented and, if done robustly, should assist in allocating jury trials and identifying training needs in advance.

The good contribution to joint working which has been reported by all criminal justice partners has helped to drive up performance. Relationships are very constructive, but also robust when necessary. CPS managers interact well with criminal justice system (CJS) colleagues and this has assisted in the successful implementation of the Criminal Justice: Simple, Speedy, Summary (CJSSS) initiative and conditional cautioning, among other joint projects, along with the further development of effective arrangements for statutory charging.

The Area has worked hard to overcome the difficulties posed by the geographical distances between courts, offices and police stations, which sometimes exceed 80 miles from Carmarthen. This has been achieved in relation to charging outcomes, but the level of face-to-face advice is not as high as it would otherwise be. In the Crown Court, CPS case progression officers (CPOs) do not attend case progression meetings for the same reason, but effective work is done by e-mail and on the telephone. The Area was one of the first to adopt an integrated IT interface to allow receipt of electronic files from the police. As a result it has excellent ineffective trial rates in the Crown Court and magistrates' courts.



The Area has a team of experienced prosecutors and this underpins the good quality of both volume and sensitive casework, which is promoted from the first by the settling of sound case strategy at the pre-charge stage. Ancillary matters are dealt with early on so that witness issues can be addressed and evidential applications made in good time. Combined with sound review and prompt case progression, this has helped reduce unsuccessful outcomes and increase the proportion of effective trials.

Expertise is shared via regular, effective, team meetings and the senior management team ensures that key messages are passed to staff without delay. In relation to casework, this has led directly to an improvement in disclosure and custody time limit management since the last OPA. Good individual performance is recognised and rewarded, while equality and diversity are embedded in the vision, values and business plan. Corporacy is generally demonstrated at all levels of management, with occasional exceptions. This equips the Area to drive change internally and within the CJS.

However, there has been a struggle to manage resources effectively and the non ring-fenced budget has been overspent for the last five years. Better than national agent usage and flexible working patterns have been employed to improve financial performance, but Dyfed Powys will be overspent again in 2007-08. This aspect of performance is a cause for concern.

#### **Direction of travel**

The general direction is one of improvement particularly in relation to pre-charge decision-making, sensitive cases, disclosure, custody time limits and managing performance to improve, all of which have been given a higher rating than they merited at the last OPA. Performance has declined in relation to the service provided to victims and witnesses and securing community confidence, where the Area lacks documentary records for portions of the work and evaluation it has done. The single aspect of serious concern is in managing resources and this has had a significantly prejudicial impact on the overall performance rating.

In the light of our findings, the overall performance is **Fair**.

<b>OVERALL ASSESSMENT</b>	<b>FAIR</b>
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<b>Critical aspects</b>	<b>Assessment level</b>		
	<b>OPA 2005</b>	<b>OPA 2007</b>	<b>Direction of travel</b>
Pre-charge decision-making	Poor	<b>Good</b>	<b>Improved</b>
Ensuring successful outcomes in the magistrates' courts	Good	<b>Good</b>	<b>Stable</b>
Ensuring successful outcomes in the Crown Court	Good	<b>Good</b>	<b>Stable</b>
The service to victims and witnesses	Good	<b>Fair</b>	<b>Declined</b>
Leadership	Good	<b>Good</b>	<b>Stable</b>
<b>Overall critical assessment level</b>	<b>Good</b>		
Progressing cases at court	Good	<b>Good</b>	<b>Stable</b>
Sensitive cases and hate crime	Fair	<b>Good</b>	<b>Improved</b>
Disclosure	Fair	<b>Good</b>	<b>Improved</b>
Custody time limits	Fair	<b>Good</b>	<b>Improved</b>
Delivering change	Fair	<b>Fair</b>	<b>Stable</b>
Managing resources	Poor	<b>Poor</b>	<b>Stable</b>
Managing performance to improve	Fair	<b>Fair</b>	<b>Improved<sup>4</sup></b>
Securing community confidence	Good	<b>Fair</b>	<b>Declined</b>
<b>OVERALL ASSESSMENT</b>	Fair	<b>FAIR</b>	

<sup>4</sup> Although the assessment for this aspect remains unchanged there has been a significant improvement within the range of performance covered by the band.

## D DEFINING ASPECTS

<b>1</b>	<b>PRE-CHARGE DECISION-MAKING: MANAGEMENT AND REALISING THE BENEFITS</b>	OPA 2005	OPA 2007	Direction of travel
		Poor	<b>Good</b>	<b>Improved</b>

### 1A The Area ensures pre-charge decision-making operates effectively at police charging centres, and is accurately documented and recorded

- Dyfed Powys migrated to statutory charging in February 2006. The post-implementation review (conducted in September 2006) was positive and the Area has subsequently taken steps to deal with all points listed on the action plan set by the national charging team. A service delivery agreement has been made with the police and the accommodation problems noted in the last OPA have all been resolved. At present there are good arrangements for the provision of pre-charge decisions (PCDs).
- Face-to-face advice is given to police during office hours at charging 'surgeries' in Haverfordwest, Aberystwyth, Carmarthen, Llanelli and Brecon, according to locally negotiated appointment systems which are now in place at all five locations. Combined with telephone back-up from the three CPS offices, this allows the flexibility to deal with urgent custody cases and provide lunchtime cover when necessary.
- In 2006-07, only 36.7% of PCD consultations were face-to-face, against the national figure of 63.5%. Steps have been taken to address this problem and performance has improved to 53.7% in the first five months of 2007-08, against 71.8% nationally. However the Area will struggle to provide a high proportion of face-to-face advice because of the constraints of its unique geography, which mean that half of Wales is covered by just five charging surgeries and many outlying police stations are more than one hour's drive from the nearest surgery.
- There are agreed, documented arrangements for provision of PCD in serious and complex cases, which are immediately made subject to a joint serious case management plan. Requests for such advice are allocated by the Trials Unit Head according to a set system.
- Police supervision is provided by the sergeants responsible for the divisional support units. In order to enhance their effectiveness they have been physically re-located in the charging suites. This is to reduce the number of cases that are inappropriately referred for pre-charge advice and ensure that all relevant cases are submitted. The CPS has recently worked with police supervisors to ensure that domestic violence cases only receive pre-charge advice when appropriate. All inappropriate requests for advice are considered by the monthly divisional Prosecution Team Performance Management (PTPM) meetings and further learning points are fed back to the police supervisors, who have been encouraged by the Area to work with custody sergeants so that pre-charge consultation takes place on all relevant files. Our 'reality' checks show that all 30 cases were properly referred for PCD.

- There are clear arrangements for pre-charge decisions to be challenged by the police and escalated cases are considered carefully by the Unit Head. However, such cases are now rare because the new 60 minute appointment slots allow time for detailed dialogue and informal dispute resolution between duty prosecutor and investigating officer. In turn, this has promoted the development of a stronger joint working ethos at operational level.
- Police compliance with pre-charge action plans is monitored continuously by police supervisors, and all cases where no further action has been decided are reviewed monthly at PTPM meetings to allow the identification of cases where action plans have not been followed up. The effectiveness of joint action planning is also reviewed at strategic level by the Pre-Charge Advice Steering Group. A joint strategy has been devised to maximise efficiency, whereby police supervisors provide initial investigative advice to officers, and duty prosecutors are sometimes required to justify the need for an action plan. This should help to reduce the proportion of cases where more than one consultation is required and drive down the proportion where no further action is advised.
- There are joint systems for bail management, including monthly review of the ongoing PCD caseload volume at PTPM meetings. The caseload has been steadily contracting in 2007-08, which implies that fewer cases are remaining on the system because proceedings have not been instituted and necessary actions not completed. However our reality checks revealed a number of aged dormant PCD cases on the case management system (CMS), therefore Unit Heads need to ensure that CMS is used effectively as a bail management tool. Also, the timing of follow-up PCD consultations needs to be synchronised with bail back times to prevent unnecessary re-bails.
- In 2006-07 only 43.4% of consultations were recorded on CMS, against the national target of 90.0%. This low level of performance was confirmed by our reality checks which showed that electronic form MG3, on which pre-charge decisions are endorsed, was properly recorded on CMS in only 14 out of 20 cases (all were finalised in August/September 2007, with most receiving pre-charge advice in 2007-08). Recently the Area has worked hard to ensure that all duty prosecutors record consultations properly. This has led to significant improvement in performance and in the first six months of 2007-08 the recording of PCD consultations was consistently ahead of target. PCD cases are correctly finalised on CMS and outcomes are accurately defined.
- The Charging Champion has frequent contact with CPS Direct liaison and is able to feed back points raised at the Pre-Charge Advice Steering Group and divisional PTPM meetings. They also monitor CPS Direct outcomes to identify any trends, however there are few issues to resolve.
- Conditional cautioning was rolled-out across the Area in a single tranche, in December 2006. Joint training has been given to police supervisors and duty prosecutors and by the end of November 2007 100 conditional cautions had been administered.

**1B The Area ensures that pre-charge advice and decisions are in accordance with the Director of Public Prosecutions' guidance, the Code for Crown Prosecutors, charging standards and policy guidelines**

- All duty prosecutors have completed the Proactive Prosecutor Programme training and all are appraised against the quality of the pre-charge advice given. Elements of good practice are disseminated through monthly team lawyer meetings and via e-mail. The acting CCP sends a monthly e-mail listing the learning points identified from his trawl of recent unsuccessful outcomes and this often includes pre-charge issues. All adverse outcome reports are fed back to the charging lawyer with identified learning points. The police are very positive about the quality of charging decisions and our reality checks identified only one case out of 30 where the decision to charge was incorrect.
- The CPS negotiated one hour slots in the new appointment systems to allow duty prosecutors to consider all aspects of case strategy including witness issues, bad character and hearsay, disclosure and asset seizure. Our reality checks confirmed that these issues are considered and documented and that duty prosecutors provide full and well defined action plans to police for further investigation and the provision of evidence after charge.
- The quality of charging decisions and advice is monitored by Unit Heads who dip sample MG3s and analyse them against the file weekly. This is in addition to monthly Casework Quality Assurance (CQA) checks which reveal similar performance to that identified by our reality checks. In all adverse outcomes the charging decision is considered by Unit Heads and the acting CCP. Decisions to take no further action and to issue a conditional caution are jointly examined by Unit Heads with police managers at PTPM meetings, by reference to a schedule showing the reasons for the decision in each case. This approach is effective in some divisions where detailed reasons are set out, but less so in others where only the basic facts are included.

**1c The Area is able to demonstrate the benefits of their involvement in pre-charge decision-making**

	Magistrates' courts cases				Crown Court cases			
	National target March 2007	National performance 2006-07	Area performance		National target March 2007	National performance 2006-07	Area performance	
		2005-06	2006-07			2005-06	2006-07	
Discontinuance rate	11.0%	15.7%	11.9%	10.7%	11.0%	13.1%	7.2%	6.4%
Guilty plea rate	52.0%	69.2%	69.5%	71.4%	68.0%	66.5%	59.0%	64.3%
Attrition rate	31.0%	22.0%	19.4%	18.1%	23.0%	22.2%	28.9%	22.7%

- The proportion of PCD cases that end in conviction has been rising steadily since 2005-06. In 2006-07 the Area achieved the national target in all six aspects of performance and was better than the national average in all except Crown Court guilty pleas. In the first six months of 2007-08 there was further improvement with the national averages and targets in all six indicators exceeded.

- The Area joint performance pack includes divisional analysis of all aspects of PCD performance and benefits realisation. This includes analysis of the proportion of cases where no further action is taken, guilty plea and attrition rates by court centre, 'failed' cases and sanction detection rates. The pack is considered in detail at each PTPM meeting and internally at the monthly Area Management Team (AMT) meeting.
- PTPM meetings are regular and well attended at an appropriate level, with clear and comprehensive minutes. Issues are taken forward to the Divisional Performance Group, which in turn feeds into the Local Criminal Justice Board (LCJB) Area Performance Group. The PCA steering group, which is attended by the acting CCP and police Chief Constable, oversees joint analysis of the charging arrangements. It recently sanctioned a change in duty prosecutor coverage to correct an imbalance of resources identified in Llanelli where an extra surgery was required. Dyfed Powys Police are very satisfied with the level of joint working and the 'prosecution team' ethos is now embedded locally and at Area level.
- Unit Heads feed information from the PTPM and Divisional Performance Group meetings back to their lawyers and administrative teams and police managers to officers and civilian staff.

<b>2 ENSURING SUCCESSFUL OUTCOMES IN THE MAGISTRATES' COURTS</b>	OPA 2005	OPA 2007	Direction of travel
	Good	<b>Good</b>	<b>Stable</b>

## 2A Successful outcomes are increasing

Case outcomes in the magistrates' courts	National performance 2006-07	Area performance 2006-07
Discontinuance and bindovers	10.8%	12.0%
No case to answer	0.2%	0.1%
Dismissed after trial	1.9%	2.3%
Discharged committals	0.2%	0.0003%
Warrants	2.6%	1.5%
Overall conviction rate	84.3%	84.0%

- The overall conviction rate, at 84.0%, remains at the level it was at the time of the last OPA (2004-05), but performance has declined slightly since 2005-06 when it was 84.7%. However, the national average has improved from 80.8% in 2004-05 to 84.3% in 2006-07 and the Area is now performing slightly below the national average in terms of successful outcomes. The conviction rate has improved slightly in the first half of 2007-08 to 84.9%, but remains below the national average of 85.3%.
- The level of discharged committals remains very low with only three in 2006-07, representing significantly less than 0.1% of caseload, compared with the national average of 0.2%. All discharged committals are reviewed by Unit Heads and the acting CCP and, where appropriate, cases are re-instated when all the evidence has been received.
- The number of findings of no case to answer has fallen since the last OPA and, at 0.1%, is better than the national average of 0.2%. The level of acquittals after trial has increased slightly in the last three years from 1.6% in 2004-05 (national average 1.5%) and 2005-06 (nationally 1.7%) to 2.3% in 2006-07 (2.0%).
- The overall discontinuance rate improved from 12.3% in 2004-05 to 12.0% in 2006-07 but remains worse than the national figure of 10.8%. Cases that have received pre-charge advice require the approval of a Unit Head before a decision to discontinue is made and all discontinuance notices are signed by them. Where the case had been subject to PCD the reviewing lawyer is required to discuss it with the charging lawyer before a discontinuance decision is made. The Area ensures that discontinuance notices sent to the police provide detailed explanations for the decision. Notices are examined jointly with the police at the PTPM meetings which take place in each unit.

- Unit Heads conduct a full review of all unsuccessful outcomes including looking for trends. These outcomes are also considered at PTPM meetings. The number of no case to answer, discharged committals and acquittals after trial in 2006-07 was under 260 cases across the whole Area. The inter-agency Area Performance Group analyse every cracked and ineffective trial where fault is seen to lie with one of the agencies, including the CPS. Appropriate lessons are circulated to lawyers by the acting CCP who attends these meetings.
- The target for offences brought to justice is shared with other criminal justice agencies and the CPS contributes to this by keeping discontinuances and unsuccessful outcomes low. Data for 2006-07 shows that the target of 10,655 offences was exceeded, with 13,978 achieved. Of this total 42.1% were the result of convictions (national average 48.8%).
- Performance in relation to timeliness of handling cases involving persistent young offenders has been consistently excellent. The target of 71 days was met throughout 2006 and the average period for arrest to sentence in the 12 months to December 2006 was the best in the country at 49 days (national average 72). There is a high level of commitment to joint agency working.
- Lessons learned are communicated to staff at team meetings or via e-mail. Where issues are identified relating to a specific member of staff they are addressed on an individual basis. Unit Heads adopt an 'open door' policy and regularly communicate informally with staff on performance and other issues.

**2B Effective case management and decision-making enables cases to progress at each court appearance**

Trial rates	National performance 2006-07	Area performance 2006-07
Effective trial rate	43.8%	64.9%
Cracked trial rate	37.3%	22.4%
Ineffective trial rate	18.9%	12.9%
Vacated trial rate	22.5%	18.2%

- The standard of police files is monitored pre and post-charge to ensure compliance with the Manual of Guidance. At the pre-charge stage any deficiencies are identified by duty prosecutors, who are instructed not to authorise a charge unless all the necessary evidence has been received. As part of the preparation for the roll-out of the Criminal Justice: Simple, Speedy, Summary (CJSSS) initiative, the Area worked closely with the police CJSSS Project Manager to develop a schedule of standard file contents. All files are reviewed by lawyers when received in the office and any omissions are the subject of an immediate fax to the police.
- Initial file reviews are carried out as part of the MG3 completion at the time of the PCD. Files that do not go through PCD are reviewed by a lawyer immediately upon receipt. Unit Heads carry out regular CQA reviews and provide feedback where appropriate. The CJU administrative managers receive feedback from those responsible for marking back files from court and raise any endorsement issues with Unit Heads, the Area Business Manager (ABM) or lawyers as appropriate.



- Arrangements for case progression have improved since the preparation for CJSSS was introduced. Feedback from partners indicates that the CPS has turned poor performance prior to this into good performance now. It has worked closely with the police and HM Courts Service to introduce an effective system for case progression.
- CJSSS was rolled-out across Dyfed Powys between August-December 2007. It is too early to assess if its implementation has been a success, although initial figures are encouraging, for example adjournments where pleas have not been entered are now exceedingly rare. However there are still issues with attendance of defendants at court, with around 9% of first listings resulting in an arrest warrant.
- Youth cases are given yellow file jackets to distinguish them from other work. All PYO and youth offender cases are monitored and analysed at Divisional Performance Group meetings which are attended by the Divisional Police Commander, CPS Unit Heads and Courts Service Legal Advisor for the police division concerned. There are protocols covering the handling of youth cases in magistrates' courts and in the Crown Court. As at December 2006, the rate of initial guilty pleas in youth cases within the target timescales was 94% (national average 89%) and by March 2007 had improved to 97% (88%).
- Performance in respect of cracked and ineffective trials is excellent, despite declining since the last OPA. The effective trial rate is 64.9%, better than the national rate of 43.8%, which is a small improvement on 2005-06 when it was 64.6% (national average 42.1%). The ineffective trial rate of 12.9% is better than the national figure (18.9%) and a significant improvement on 2005-06 when it was 21.8% (against 36.7%). The cracked trial rate is 22.4% (nationally 37.3%) and has increased significantly from 13.6% in 2005-06 (21.2%). The vacated trial rate, at 18.2%, is better than the national average of 22.5% but has increased slightly since 2005-06 when it was 16.5% (nationally 21.2%). The increase in cracked trials is mainly as a result of late guilty pleas to the original charges and reflects the robustness of the original charging decisions.
- Where any trial cracks or becomes ineffective a form is completed by the court legal advisor, prosecutor and defence lawyer setting out reasons for the failure. That form is submitted via the Courts Service to the LCJB Performance Officer who collates all cracked and ineffective trial forms for a given month, which are then considered at Area Performance Group meetings. The reasons for cracked and ineffective trials are analysed and reports requested from criminal justice agencies where appropriate. Where there are lessons to be learned they are addressed on an individual basis or brought to the attention of the responsible agency.
- The use of CMS to record events is improving. As at April 2006 5.9% of magistrates' courts cases had a review recorded, by March 2007 this has risen to 58.2% and over the year had averaged 60.5%, with considerably monthly fluctuations. In 2007-08 the use of CMS for magistrates' courts reviews has continued to improve and in the second quarter had reached 82.3%. There is a need to improve the timeliness of case finalisation and recording hearing outcomes on CMS. In 2006-07 only 52.9% of hearing outcomes and 50.8% of finalisations were recorded within a day of the hearing, although geographic considerations may limit performance.

<b>3 ENSURING SUCCESSFUL OUTCOMES IN THE CROWN COURT</b>	OPA 2005	OPA 2007	Direction of travel
	Good	<b>Good</b>	<b>Stable</b>

**3A Successful outcomes are increasing**

<b>Case outcomes in the Crown Court</b>	<b>National performance 2006-07</b>	<b>Area performance 2006-07</b>
Judge ordered acquittals	13.1%	8.4%
Judge directed acquittals	1.4%	3.0%
Acquittals after trial	6.5%	9.9%
Warrants	1.3%	N/A
Overall conviction rate	77.7%	78.7%

- Unusually by comparison with other CPS Areas, a large proportion of Crown Court cases originating in Dyfed Powys are heard at court centres outside the Area. Almost all those handled by the Trials Unit are dealt with at Swansea Crown Court, which is in South Wales, and only a few at Carmarthen Crown Court which sits intermittently for a number of weeks every year. Those handled by the Newtown combined unit are heard at the Crown Court sitting at Mold (in North Wales) if they originate from northern Powys and at Merthyr Tydfill (South Wales) if they originate in the south, although these are currently being heard at Cardiff (also South Wales) while the court building is refurbished.
- The proportion of Crown Court cases ending in conviction has increased steadily from 69.4% in 2004-05, to 83.7% in the second quarter of 2007-08. Over the same period the conviction rate for pre-charge advice cases has climbed from 71.1% to 82.6%.
- This improvement has been caused by a substantial decrease in the proportion of judge ordered and jury acquittals since 2004-05. Whilst there has been a slight increase in the proportion of judge directed acquittals over the same period, this has had little impact on the successful outcome rate because of the comparatively small numbers involved. There has also been a recent improvement, with only two in the first six months of 2007-08.
- All discontinuances in the Crown Court are authorised by the Trials Unit Head and our reality checks show that CMS is annotated to confirm this. The improving rate of judge ordered acquittals implies that discontinuances are appropriate and, again, this is confirmed by our reality checks and feedback from external sources.
- The Area benefits from a small and experienced legal team which means that informal supervision and feedback is readily available from specialists and the Unit Head. Nonetheless, adverse outcome reports are still completed and considered face-to-face by the reviewing lawyer and Unit Head. All adverse outcome reports are then summarised for PTPM meetings with the police,

and Area and Divisional Performance Groups which are attended by the Courts Service. The acting CCP reviews all adverse outcome reports and sends a monthly e-mail to all lawyers addressing trends, issues and learning points, and legal issues are discussed at the Higher Court Advocate (HCA) and Trials Unit lawyers' meetings.

- In 2006-07 the Area secured 35 asset seizure orders, which comfortably exceeded the local target of 20, however it fell £85,000 short of the £338,000 value target. In 2007-08 it is well ahead of the target trajectory in relation to the total value seized, as well as the number of orders secured. Whilst there has been slippage in relation to the planned joint training on the Proceeds of Crime Act (POCA), this improvement is due to effective joint working with police which is co-ordinated by the CPS POCA lead and their police counterpart, both of whom attend the regular joint meetings with the acting CCP. Enforcement is led by the Courts Service but the Area champion contributes with police colleagues.

### **3B Effective case management and decision-making enables cases to progress at each court appearance**

<b>Trial rates</b>	<b>National performance 2006-07</b>	<b>Area performance 2006-07</b>
Effective trial rate	48.2%	70.0%
Cracked trial rate	39.5%	24.7%
Ineffective trial rate	12.4%	5.3%

- Our reality checks show that Crown Court cases are prepared in a timely fashion and trials are almost always effective at the first attempt. The quality of review is good and actions are completed promptly where possible. There is a written system for ensuring that 'threshold' test charging decisions are reviewed against the full Code for Crown Prosecutors' test as soon as practicable. However indictments are often amended at the plea and case management hearing and advocates are not always able to give a clear decision on alternative pleas at the earliest opportunity. File endorsements generally comply with the CPS national standard and action taken is noted, but the remand status of the defendant is sometimes omitted.
- All CJS agencies work successfully to agreed shortened timescales in relation to cases heard at Swansea Crown Court and the CPS CPOs at the Carmarthen and Newtown units have good relationships with their CJS counterparts. By agreement there is no CPS presence at Crown Court case progression meetings, but broad case progression issues are discussed with the relevant court managers at the Area Performance Group and the court user meetings, which are attended. Senior managers also meet the Resident Judges individually from time-to-time to discuss case progression, among other issues. The low ineffective trial rate confirms that the various joint case progression systems are effective, despite the significant distances involved. However the Area needs to do further work with the police for the provision of certain types of evidence, such as forensics and medical statements, in order to capitalise on the progress made to date.

- There are very few Crown Court cases involving youth defendants or PYOs, which allows all youth cases to be handled by specialists, or the Unit Head in very serious instances. Therefore there is no need for a formal tracking system, although the CPOs play their part in monitoring to ensure that they are expedited. The excellent PYO performance referred to in Aspect 2 (above) implies that these systems are effective.
- The ineffective trial rate is reducing. In 2006-07, it came within the excellent range of performance and only one criminal justice area performed better. The effective trial rate was the third best nationally in 2006-07, but this did not represent an improvement because the reduction in the ineffective trial rate was off-set (precisely) by an increase in the cracked trial rate over the same period. Nonetheless the cracked trial rate was still significantly better than nationally and only one criminal justice area performed better.
- The Crown Court cracked and ineffective trial rates are considered in detail at the court user group meetings which are chaired by the Resident Judge and attended by the respective Unit Head. The small numbers involved allow the Divisional and Area Performance Groups to consider individual cases, especially where the prosecution is at fault. Lessons are identified and fed back to reviewing lawyers by the Unit Head individually and via team meetings. Major issues are addressed by the acting CCP in a monthly e-mail to all lawyers, who are then appraised against their individual contribution to reducing the cracked and ineffective trial rates.
- The Area promotes effective use of CMS. Our reality checks show that it is invariably used for the completion of core case preparation task, and there was no evidence of any escalated tasks. In 2006-07 88% of Crown Court reviews were conducted on CMS against the national target of 90% and this has improved to 100% compliance in the first six months of 2007-08.

<b>4</b> <b>PROGRESSING CASES AT COURT</b>	OPA 2005	OPA 2007	Direction of travel
	Good	<b>Good</b>	<b>Stable</b>

#### **4A    The Area ensures that cases progress at each court appearance**

- The Area works effectively with the police to ensure cases are generally ready to proceed at the first hearing. The adoption of an effective interface between police and CPS offices allows the electronic transfer of files and enables advance information to be available to the defence and Probation Service two days before the first hearing. Prior to the introduction of CJSSS, advance information was provided at the first court hearing. Our file checks indicated that cases were progressed satisfactorily.
- Papers are provided to prosecution advocates in advance of the hearing date to ensure cases can be prepared and presented effectively. HCAs generally conduct advocacy on the cases they have reviewed. In 2006-07 briefs to counsel were timely in 85.6% of cases compared to the national average of 78.7%. Our reality check of Crown Court cases showed good quality instructions with analysis of the case, including the acceptability of pleas where appropriate. Feedback from partners indicates that the CPS is proactive in seeking to progress cases wherever possible in both the magistrates' and the Crown Court.
- The Area has a low staff turnover meaning lawyers and caseworkers are generally very experienced. Sensitive cases are allocated to specialist lawyers and counsel. In the magistrates' courts designated caseworkers (DCWs) are used where possible, but low case volumes and the geographic spread of the courts restricts the extension of their use. Selection of prosecution advocates is based on their level of experience. There is no target number of magistrates' courts sessions for prosecutors, but Unit Heads try to ensure that all lawyers have sufficient office time to review their cases. Owing to the geographic spread lawyers are permitted to work from home or to use vacant facilities in charging stations to reduce travelling time and costs.
- The Area seeks to use its own HCAs where appropriate, including for trials. Feedback from one partner indicates that HCAs could benefit from further trial training. Formal monitoring of CPS advocates is undertaken by Unit Heads at least once per year and feedback from this is provided to lawyers.
- Attendance and issues arising from timely attendance, professional conduct and the allowance by lawyers of sufficient time for liaison with court users - including witnesses and defence lawyers - are monitored by Unit Heads attending court and through feedback from legal advisers, both informally and at court user group meetings. These arrangements seem to be effective.
- Protocols are in place with the magistrates' courts in relation to listing of cases. Partly due to geographic and travelling constraints the CPS has negotiated with the Courts Service to ensure that in the magistrates' courts there are no half day listings. In cases where a not guilty plea is entered there are standard directions which are made at both the Crown Court and the magistrates' courts. Arrangements are in place at all courts so that any urgent papers can be provided by fax or e-mail to the lawyer at court. Listing arrangements in the Crown Court are regularly discussed between the units and the respective Crown Court CPOs.

- The Courts Service collects data on the overall time taken for cases and the number of adjournments which is discussed at Area Performance Group meetings, with feedback provided at team meetings, via group e-mails or to individual lawyers as appropriate. Since CJSSS has been rolled-out across Dyfed Powys performance is improving, although it is early days still.
- There were two wasted costs orders made in 2006-07, for nominal amounts. The main reason for the orders was due to the CPS not having received a full file of papers to enable progress to be made. There has been one wasted costs order made in 2007-08.

<b>5 SENSITIVE CASES AND HATE CRIMES</b>	OPA 2005	OPA 2007	Direction of travel
	Fair	<b>Good</b>	<b>Improved</b>

#### **5A The Area identifies and manages sensitive cases (including hate crime<sup>5</sup>) effectively**

- Duty prosecutors are expected to identify sensitive and hate crime cases at the charging stage and they are then flagged on CMS. Unit Heads monitor the quality of case handling as part of the CQA procedure and, in addition, all unsuccessful cases are subject to monthly analysis at Area Performance Group meetings. The Area maintains a central file which contains data about ongoing serious and sensitive cases which helps enable the acting CCP to monitor them. There are agreed written procedures with the police for seeking PCD in cases involving allegations of rape to ensure that charging advice is given by specialist lawyers.
- Champions have been appointed for all categories of sensitive cases; these are all lawyers of considerable experience. They are expected to provide training and guidance to other prosecutors, engage with the appropriate community groups and criminal justice partners and undertake analysis of performance data. They have objectives relating to their specialisms in their Performance Development Reviews.
- The Area has a stable workforce and lawyers have considerable experience in dealing with sensitive and hate crimes. When files are received in the office Unit Heads allocate a sensitive case in accordance with the degree of experience required to handle it and considering the training needs of lawyers. To help ensure lawyers have sufficient time to deal with cases the Area records all sensitive and hate cases including details of allocated lawyer, caseworker and, where appropriate, counsel instructed.
- There is currently no Communications Manager; the ABM undertakes many of their functions and liaises regularly with the Dyfed Powys Police press office. The CPS maintains good relations with the local media and is proactive in its dealings. Lawyers have made statements to both English and Welsh language media outlets.
- Sensitive cases are flagged up on CMS and this was confirmed by our reality check in which all ten cases we looked at were flagged. Following the last OPA the Area provided training to lawyers on the use of CMS and case flagging. The Domestic Violence Champion and their police counterpart regularly cross-check their records to ensure consistency. The administrative managers carry out checks several times per annum to ensure all cases are appropriately flagged on CMS.
- CPS policies and HMCPSI thematic reviews are taken into account when devising Area practice. The relevant champion or leading specialist is given responsibility for disseminating the necessary information and monitoring compliance.

<sup>5</sup> For the avoidance of doubt all references in this aspect to sensitive cases includes all those involving hate crime (disability hate crime, domestic violence, homophobic, racist and religious crime) child abuse/child witnesses, rape, fatal road traffic offences and anti-social behaviour orders (ASBOs).

- The authority of a Unit Head is required before a charge is altered, or a basis of plea is accepted, which reduces or removes the 'hate' element of the offence.
- The low numbers of sensitive and hate cases handled means the outcome rates can be very volatile. The combined magistrates' courts and Crown Court successful outcomes rate has continued to improve over the last year and, at 73.7% (64.5% in 2005-06), is significantly better than the national average of 64.0% (62.0%). The successful outcome rate for domestic violence cases, at 72.6%, was significantly above the national average of 65.2%, which follows implementation of a Specialist Domestic Violence Court in Pembrokeshire. The successful outcome rate for racially and religiously aggravated cases was also significantly above the national figure, 80.9% against 73.5%. The number of homophobic cases was too low to provide a meaningful figure for successful outcomes.
- Performance data in sensitive and hate crime cases is considered monthly, both internally by Unit Heads, and externally at PTPM and Area Performance Group meetings. Failed cases are individually scrutinised as part of the overarching reports on all unsuccessful outcomes which are reviewed by the Area Performance Group. All cases listed for trial are the subject of cracked, effective and ineffective reports completed by the courts, defence and prosecution. These are considered by the Area Performance Group at its monthly meetings.
- The Area recognises the need for special allocation of cases involving child abuse or where children feature as witnesses. The Domestic Violence Champion is also the Special Measures Champion and provided training to all lawyers in the handling of cases involving children as victims or witnesses. The Area is represented at the meetings of the four Local Safeguarding Children Boards that cover Dyfed Powys.



<b>6 DISCLOSURE</b>	OPA 2005	OPA 2007	Direction of travel
	Fair	<b>Good</b>	<b>Improved</b>

#### **6A There is compliance with the prosecution's duties of disclosure**

- External sources indicate that the CPS's compliance with the disclosure regime is generally good. Our reality checks showed a consistent level of compliance with initial disclosure carried out fully in four out of five magistrates' courts trials, although it was late in one of these, and properly carried out in all five Crown Court trials. It is very rare for a defence statement to be served in magistrates' courts cases in Dyfed Powys, but in the five Crown Court cases the prosecution complied fully with the duty of continuing disclosure.
- Overall, these findings are consistent with those of the survey carried out by the acting CCP in the summer of 2007, but slightly worse than the Area's own CQA assessments in 2006-07 which suggest a higher compliance rate. They also demonstrate significant improvement since the last OPA, when only 68.4% of Crown Court files demonstrated compliance with primary disclosure, and 25% with secondary disclosure.
- The Crown Court protocol on the handling of unused material was discussed with the judiciary when it came into force. All parties generally comply with the protocol and any problems are raised at the court user group meetings chaired by the Resident Judge.
- The Area has recently focused on the need for compliance with the Disclosure Manual and, in particular, the need for disclosure record sheets to be fully completed. The acting CCP has sent a number of e-mails to all lawyers highlighting this and an aide memoire with essential disclosure actions has been circulated to lawyers. The Area's disclosure survey showed that the disclosure record sheet is usually completed and this was confirmed by our reality checks.
- There are thorough and effective systems for ensuring that sensitive material is kept safely, logged, and reviewed appropriately by the acting CCP. The public interest immunity log is kept up-to-date. Our reality checks showed that sensitive disclosure (including from third parties) was dealt with properly in all relevant cases.
- The acting CCP is the Disclosure Champion and the single point of contact for the police on disclosure matters. As champion, he has conducted in-house training on the manual, surveys and quality assurance of CQA assessments. He also liaises frequently with the police Superintendent in charge of criminal justice administration on disclosure issues. There is more formal discussion of disclosure issues at the bi-annual joint disclosure group meetings. Out of this has arisen the joint training programme which has ensured that every police constable in Dyfed Powys has received training on completion of disclosure schedules.

<b>7 CUSTODY TIME LIMITS</b>	OPA 2005	OPA 2007	Direction of travel
	Fair	<b>Good</b>	<b>Improved</b>

#### **7A Area custody time limit systems comply with current CPS guidance and case law**

- There is an up-to-date documented system for managing custody time limit (CTL) cases that complies with national guidelines and incorporates some of the best practice highlighted by HMCPSI. This guide is readily available to staff and, together with the CTL 'ready reckoner', has been issued individually to all relevant staff. The system was reviewed and revised as part of the planning process for the introduction of CJSSS. A dual system (manual diary and CMS) is in place for recording CTL dates.
- Our reality check as part of this OPA found that CTL cases were all clearly marked with a red "CTL" stamp. The expiry date was correctly calculated in all six cases and clearly endorsed on the file cover in five of the six we looked at.
- The ABM is the CTL Champion. He regularly visits and conducts CTL file audits at all three sites. These audits are documented and feedback is provided either orally or by e-mail to lawyers and administrative staff when appropriate.
- There have not been any CTL failures since the last OPA. Managers are aware that any failure would have to be reported immediately to the ABM. The number of cases with a CTL is small and in the magistrates' courts most cases are concluded before an extension of the limit needs to be applied for.
- There is no formal arrangement in place to agree CTL dates in the magistrates' courts. The written system provides that the file should be endorsed to say the CTL date was agreed at the first hearing with a named legal advisor (court clerk) or with reasons why this information is not given. Our reality check of six files found that requirement was routinely not complied with.
- As part of CQA Unit Heads monitor compliance with the CTL system. However owing to the small number of cases where they apply, CQA checks are supplemented by the CTL Champion conducting periodic on-site checks on relevant files. The administrative managers carry out weekly checks on all CTL files ensuring the dates are correctly recorded on both CMS and in the diary and that any necessary applications for extensions have been actioned.
- Staff use CMS to track cases that involve CTLs. The task management facility is utilised to ensure appropriate reviews and applications, where necessary, are completed in time.

<b>8 THE SERVICE TO VICTIMS AND WITNESSES</b>	OPA 2005	OPA 2007	Direction of travel
	Good	<b>Fair</b>	<b>Declined</b>

#### **8A The Area ensures timely and effective consideration and progression of victim and witness needs**

- The Direct Communication with Victims (DCV) scheme requires a letter to be sent to an identifiable victim when a charge is dropped or substantially altered. In 2005-06 the proxy target of 32 letters was exceeded in ten months out of 12. However in 2006-07 the Area consistently failed to meet its proxy target (which fluctuated between 41-45 letters across the year). The Area believes its proxy target to be set too high and discussion with CPS Headquarters has established a target reduction to 35 letters per month for 2007-08. It should be noted, however, that in 2006-07 the new target of 35 letters would not have been achieved either. In the same period only 68% of letters were sent within five working days, which was worse than the national average of 73%. Reality checks confirmed the quality of the letters to be generally good, although one was confusing and contained too much legal jargon.
- Prosecutors ensure that victims and witnesses in all (PCD and non-PCD) cases are identified and reality checks for flagging of victims on CMS showed the Area to be generally good. Special measures applications were also timely and of a good quality. Initial needs assessments, which had been a problem, are now generally recorded by the police on the rear of their statement (form MG11). Victim and witness information is recorded on both the police and CPS systems and each case requiring further needs assessment is allocated to a Witness Care Officer (WCO), providing a single point of contact for the life of the case.
- There is a monitoring system in place to check that lawyers are complying with the Prosecutors' Pledge. This forms part of the CQA monitoring and dip sampling of files. Feedback is given to lawyers by the Unit Heads (sometimes on the basis of checking undertaken by the Witness Care Manager) on detailed e-mails which contain aspects of good performance, areas for improvement and training needs. For 2006-07 although the Area confirm that Unit Heads monitor lawyers' performance whilst at court, including the treatment of witnesses, no monitoring forms were used to capture the performance. This has now been resolved and monitoring forms have been completed since October 2007. Feedback on lawyer performance is also received direct from the courts, Victim Support and the Witness Service. Comments received by the inspection team from these sources was positive.
- There is timely and accurate warning and de-warning of witnesses. Dip sampling on the quality of the witness availability forms is undertaken by the Unit Head, although some are not as detailed as they could be. Warning of police officers is undertaken by WCOs using the police electronic duties system.
- There is one Witness Care Unit (WCU) made up of both police and CPS staff located at Carmarthen with the CPS Trials Unit and some of its CJUs, and the police trials unit. Information exchange is timely due to this co-location and to ensure timeliness in the CJUs at other offices any actions identified by the lawyer are e-mailed to the WCU that day, to allow the WCO to keep the victims

and witnesses informed of progress of the case within 24 hours. Victim and witness performance and issues are initially discussed at the No Witness, No Justice Local Implementation Group (NWNJ LIT) and where escalation is required this is fed into the LCJB. Exchange of information with Victim Support and the Witness Service is generally good, although more recently there have been some instances of the Witness Service not being advised of all adjournments.

**8B The Area, with its criminal justice partners, has implemented the No Witness No Justice scheme (NWNJ) effectively**

- The WCU is based at Carmarthen and comprises four police and six CPS (including the manager) members of staff. The Area received funding for NWNJ for 2007-08 although it is not yet known whether any will be available for 2008-09. The majority of the minimum requirements of NWNJ and the Victims' Code are being met, as are most primary measures. In 2006-07 the annual rolling performance for ineffective trials due to witness issues and cracked trials due to late guilty pleas was significantly better than the baselines in both the magistrates' courts and Crown Court. However the number of cracked trials due to witness issues in the magistrates' courts was worse than baseline for 2006-07. There have been significant subsequent improvements in the first two quarters of 2007-08 and the target was met in the Crown Court. Performance is worse than the nationally in most primary measures.
- The WCU Manager produces quarterly reports which include the current performance of compliance with the Victims' Code, NWNJ requirements and primary and secondary measures. Joint analysis of this data is undertaken at NWNJ LIT by the CPS and police and reported to the LCJB. A number of action plans have been produced which record the different strands of work currently underway and help focus activity on meeting the Victims' Code and NWNJ minimum requirements. They contain appropriate objectives with allocated 'owners', however some do not give any indication of what period of time they cover and a number of milestones which are rated 'amber' have no actions outlined to address performance. Additionally desk instructions are dated September 2005, although we were assured and accept that they were updated in 2006.
- Performance and issues are discussed and dealt with at the NWNJ LIT. Part of the monitoring checks undertaken by the Unit Heads looks at compliance with the Victims' Code. Dip sampling to assure the quality of the electronic Witness Management System (linked to CMS) is undertaken by the WCU Manager. The NWNJ LIT and monitoring has led to some process improvements, such as those in needs assessments being undertaken and the reduction of ineffective trials due to witness issues.
- All issues and lessons learned through joint analysis are shared with staff individually and through the LCJB Confidence Group. Information on witness care is provided on the police intranet, which CPS staff have access to, however there is no discussion of witness care performance in the WCU team meetings.

<b>9 DELIVERING CHANGE</b>	OPA 2005	OPA 2007	Direction of travel
	Fair	<b>Fair</b>	<b>Stable</b>

#### **9A The Area has a clear sense of purpose supported by relevant plans**

- The Area has a clear sense of what it needs to do and how to achieve it. In line with the national business plan, the Area business plan covers the 15 CPS key priorities and Public Service Agreement targets and includes relevant key milestones which link with projects, training and performance. The 2006-07 and 2007-08 plans were developed with key staff representatives of all grades and units at 21 'virtual planning cells' across the Area. Ideas from each cell helped form part of the plan. Each unit has its own team business plan which is aligned to achieving the Area plan. There is an appropriate risk log which accompanies the Area plan and both include any project work currently underway.
- All senior managers have allocated responsibility for objectives at a strategic level. Timescales and outcomes are clear and measurable. The milestones on the team business plans are used to inform objectives in individuals' job plans. The AMT meeting reviews the Area business plan and risk log formally on a monthly basis. The business and project plans are set agenda items at AMT meetings and updates are recorded in the minutes. Actions and updates arising from the meetings ought to be recorded on the plans themselves so that the Area can measure its progress against targets, record reasons for any slippage and develop lessons learned for future projects. Staff objectives are reviewed as part of the six monthly staff appraisal reviews and any outstanding matters reported to AMT. The Area is to deliver the mid-year results of its business plan at a staff engagement event to be held in November 2007. In the staff survey of 2006 more staff in Dyfed Powys indicated that they understood how their job contributed to the objectives of the team and Area, than in the CPS nationally.
- There is evidence of joint planning taking place at all levels, from Divisional Performance Groups through to the LCJB. Generally joint initiatives are dealt with well and there is a clear indication of how each of the agencies should contribute to the schemes. However mechanisms for measuring success and any failure are unclear. Some action plans do not have timescales recorded, against which success could be measured.
- Although most projects and groups are led by other criminal justice agencies, the CPS does chair some PTPM and heads of chambers meetings and the No Witness, No Justice Local Implementation Team. All managers have a role as the CPS representative at meetings such as the LCJB sub groups, Area and Divisional Performance Groups and court user groups or on project boards such as for the CJSSS Consultative Group.

## **9B A coherent and co-ordinated change management strategy exists**

- There is a change management structure in place and accountable officers (usually Unit Heads) update the AMT on a monthly basis. Discussion is in-depth and clear links are considered between competing priorities. Internal change has been fairly modest and the majority of change undertaken in response to national initiatives, led in the main by CJS partners, which is understandable in the circumstances. Outcomes of internal and joint projects are recorded in the AMT minutes but this can be of limited value when trying to identify benefits realisation and lessons learned. Links have been made between projects, priorities and training and a number of senior managers have undertaken project management training. The Area has clearly introduced some systematic arrangements for change management, making good use of issues logs and detailed staffing costs for some of its projects. There is no evidence of any post-implementation reviews, which would assist in making further improvements to Area processes.
- In the 2006 staff survey 54% of staff in Dyfed Powys felt there were adequate channels to them to contribute their view on change, against 50% nationally.
- It is clear that the Area has moved forward since the last OPA in improvements in outcomes, particularly since January 2007. The Area is aware that it has for some time needed to review its current structure and with some assistance from CPS Headquarters has been looking at ways to refine its structure, with a view to providing better service delivery within current resources. A new substantive CCP started in January 2008. In advance of this the existing management team prepared a number of options for the restructure, with partner agencies, for his consideration.
- CJSSS has been implemented across most of the Area with the last unit in Powys going 'live' in December 2007. The initial phase was introduced in July 2007 and the benefits of the scheme are already being realised. Courts staff are particularly pleased with the dramatic improvement in readiness for trial by the CPS and confirm that advance information for them is ready two clear working days before each hearing. Conditional cautioning was introduced in December 2006 and in the financial year 2006-07 26 defendants were given conditional cautions. Other projects successfully introduced include NWNJ and statutory charging which, although regarded as 'business as usual', are continually reviewed under the LCJB. The Area is currently embarking on the establishment of a Hate Scrutiny Panel.
- There were risk logs for 2006-07 and 2007-08 which capture both project and business as usual risks. All risks are reviewed and updated on a formal basis at the monthly AMT meeting.

## **9c The Area ensures staff have the skills, knowledge and competences to meet the business need**

- There is a joint approach to training with the South Wales and Gwent CPS Areas and a joint training plan, which each Area continually feeds into via the CPS Area Group's Learning and Development Manager (based in Cardiff). The joint plan allows each of the Areas to combine their resources for training and allows for a number of training venues to be used, aiding accessibility of courses. Developmental training identified through the staff appraisal system is not included on this plan, but is available and the details are kept locally with the ABM. The plan is monitored and updated by the Learning and Development Manager. Training for Dyfed Powys is initially identified in business and project plans and then fed into the overall training plan, which also includes induction, compulsory equality and diversity training as well as a number of business training needs.

- The staff survey 2006 indicated that fewer Area staff felt they did not have the opportunities for learning and development to do their job effectively or for personal growth and development, against CPS staff nationally. However, the Area can demonstrate that there is a significant amount of development training being undertaken in 2007-08.
- Equality of access to training is achieved in a number of ways. As well as being able to take advantage of a number of venues staff are being encouraged to undertake some of the courses available with the CPS electronic Prosecution College, which allows for distance learning. A record is kept of all staff special requirements so that these can be taken into account when arranging training locally. Courses have also been organised to suit those working on a part-time basis. A copy of the training plan is available for all staff to view to promote transparency of the system.
- The Learning and Development Manager assesses the effectiveness of training on behalf of Dyfed Powys, Gwent and South Wales. Locally some evaluation is conducted through the performance management systems, for example CJSSS and CMS. The recording of reviews on CMS is one area where training has proved effective.

<b>10 MANAGING RESOURCES</b>	OPA 2005	OPA 2007	Direction of travel
	Poor	<b>Poor</b>	<b>Stable</b>

**10A The Area seeks to achieve value for money and operates within budget**

- The Area has significantly overspent its non ring-fenced running costs budget for the last four financial years. Although there was some improvement in 2005-06, with an overspend of 1.2% against 2.3% in 2004-05 and 5.2% in 2003-04, performance has again slipped and 2006-07 recorded an overspend of 2.9%. Overspend has continued into the 2007-08 financial year and the Area put this down to its large geographical area and falling activity based costing share.
- The budget is held centrally. Although devolvement to Unit Head level was considered, it was felt that the budget and staffing was too small to divide effectively and better economies of scale could be achieved by retaining the budget at the senior level. In response to the OPA 2005, the Area now uses a range of monthly spreadsheets to monitor its budgets and details of expenditure are discussed in some depth at AMT meetings. Unit Heads are actively involved in any decisions made in respect of resources.
- The Area is seeking to achieve value for money by negotiating with the courts to ensure optimum listing patterns are realised, which should then enable it to make full use of the DCWs. Some of the substantial travelling and subsistence costs (over 3% of the budget) have also been reduced through lawyers working from the nearest charging centre or from home following outlying court coverage, instead of returning to the office. Work is being undertaken on a restructuring plan to make best use of current resources.
- Prosecution costs for 2006-07 were underspent by 10.8%. This is a significant improvement from the last OPA and an overspend in 2005-06 of 31.2%. A dedicated prosecution costs meeting is held to monitor spend.
- Timeliness of graduated fee scheme payments within one month of the last hearing date was good in 2006-07, at 80% against a national figure of 50%, although the trend has declined from 94% in the first quarter of 2006-07 to 73% in the second quarter of 2007-08. Timeliness within four months of the last hearing date was excellent at 98.0% against the national average of 88.8%.
- The only additional funding provided in 2006-07 was to support CJSSS. Some funding has been received in the 2007-08 budget for LCJB and NWNJ work.

**10B The Area has ensured that all staff are deployed efficiently**

- Planning takes place at the AMT on a monthly basis with set agenda items on budget, staffing, vacancies and sickness. The activity based costing model has been used to calculate the optimum numbers of staff and as they are generally retained on a long term basis there is little scope for movement. Dyfed Powys is currently overstaffed at level D and many of its lawyers are at the top of their grade payscale, which has a significant impact on the non ring-fenced running costs



budget. In 2006-07 caseload decreased in the magistrates' courts by 4.3% and increased in the Crown Court by 6.2%. Magistrates' courts sessions have risen by 6.9%, although it is not clear why this should be so in the context of a falling caseload. This rise has a minor impact on the budget but not enough to account for the whole overspend. As part of its long term planning strategy and to accomplish budget savings the Area has already involved engagement with CPS Headquarters Business Development Directorate and its Human Resources Business Partner, and is now looking to embark on a criminal justice area restructure. A number of options are currently being prepared for discussion with the new CCP, who takes up post in January 2008.

- The Area operated at 84.2% in-house coverage of magistrates' courts in 2006-07, which was better than the national average of 80.4%. In-house coverage dropped from 83.4% in the first quarter of 2006-07 to 80.9% for the same quarter of 2007-08.
- CJU lawyers are rostered for four half day sessions per week and Trials Unit lawyers for two half day sessions in the magistrates' courts and three in the Crown Court. Caseworkers are rostered for four half day sessions per week. The Area has lower court coverage expectations due to the distances incurred travelling to its outlying courts, some of which are over 90 miles from the CPS offices.
- Agent usage was better than nationally at 15.8% against 19.6%. DCW usage for 2006-07 was the lowest in the country at 7.4% against the national figure of 14.7%. The Area found the DCW target of 9.0% challenging with only 1.6 DCWs in post. There are enough magistrates' courts sessions to justify more DCWs and another has now been recruited. Performance in 2007-08 has seen some improvement, but remains short of the target of 17.0%. The Area confirms it is looking to recruit a further DCW in early 2008. Expectations are that DCWs will undertake five half day sessions in court per week. In 2006-07 they covered 322 court sessions, amounting to around 79.9% of available DCW time.
- There are six HCAs, one of whom acted as a junior in a murder trial, and another two individuals waiting for training. Only two have undertaken trials but all cover work such as plea and case management hearings, appeals and sentence hearings, and deployment is considered at the prosecution costs meeting. Talks are currently being held with CPS South Wales to look at increasing the volume of work for Dyfed Powys. Area HCAs undertook 136 court sessions and prosecuted six trials in the Crown Court in 2006-07. The target for that year was exceeded with overall savings of £37,797 (114% of target), however savings per session of £278 were significantly lower than the national average of £339.
- Sickness absence was poor in 2006-07 at 13.7 days per person, against national performance of 8.5 days and the Area target of seven. Long term absence accounts for 53.9% of all sickness. All managers have received training in managing sickness absence and information on it is provided to managers to enable analysis to be undertaken. Sickness is now declining and had reduced to 11 days in the second quarter of 2007-08.
- Flexible working is available; in particular the AMT allow lawyers to work from the nearest charging centre or from home following outlying court coverage, instead of returning to the office. A number of staff work part-time or reduced hours. All requests for flexible work patterns are directed through the ABM.

<b>11 MANAGING PERFORMANCE TO IMPROVE</b>	OPA 2005	OPA 2007	Direction of travel
	Fair	<b>Fair</b>	<b>Improved</b>

### **11A Managers are accountable for performance and performance information is accurate and timely**

- On a monthly basis performance is considered as a set agenda item by the AMT. The PTPM pack is used to inform discussion. Other data relating to internal performance, such as sickness analysis and CMS usage, is also put before the AMT with some historical information to allow some trending to take place. However whilst the PTPM pack uses the 'traffic light' system to good effect in relation to individual unit performance (which is useful for PTPM meetings) it does not provide any historical, other CPS Area or national data for comparison purposes. Therefore the Area's ability to undertake any effective trending analysis is somewhat reduced in this respect.
- Quality of data entry is assured. Unit managers make good use of PTPM information, undertake file and MG3 dip sampling and CMS checks, and include such monitoring as compliance with the Prosecutors' Pledge and Victims' Code. Business Managers also undertake ad hoc dip sampling of files and use CMS checks for CTLs and audit purposes. All adverse case reports are checked by the Unit Heads and the acting CCP. The quality of DCV letters is checked weekly by the DCV Co-ordinator and, although it is generally good, there remains scope for further compliance with the scheme.
- Unit Heads and Business Managers all take responsibility for operational effectiveness and share good practice between the units. Unit Heads have a quarterly meeting with the acting CCP to discuss performance in detail, both their own and for their unit. The Area has responded positively to some aspects for improvement identified in previous reports, such as the use of CMS checks as a management tool as identified in the 2005 OPA.
- Aspects for improvement, good performance and training needs are fed back individually through use of e-mail and performance appraisal. Performance headlines are discussed at all team meetings and feature in the minutes, which assists in communicating to those who cannot be present. The staff survey in 2006 indicated that 48% of Dyfed Powys staff confirmed that they received regular and constructive feedback about the work they do. Although 48% does not seem particularly high, this is a significant improvement on the 2004 survey result of 24% and is higher than the national figure of 38%.

### **11B The Area is committed to managing performance jointly with CJS partners**

- Unit Heads are actively involved in a number of multi-agency meetings at which performance is discussed, actions agreed and reported on and regularly meet with the police Basic Command Unit Commanders at the divisional performance meetings. They attend PTPM meetings, where the CPS provides the majority of the performance information in a pack. Discussion covers charging, unsuccessful outcomes, ineffective and cracked trials and file quality. Unit Heads also attend the relevant court user group meeting, along with both the police and courts, where discussion covers unsuccessful outcomes and other matters such as CJSSS.

- Performance is a set agenda item at LCJB meetings and covers a comprehensive range of aspects including ineffective and cracked trial figures. The LCJB directs performance at the strategic level and tasks the LCJB Area Performance sub group with objectives. All agencies are represented in the Area Performance Group whose current work includes liaising with the courts to improve performance in relation to failure to appear warrants. Minutes of the meetings record actions with identified owners, although lack timescales to indicate when work should be completed. Joint strategies with partner agencies have brought about a good number of improvements to service delivery, such as the successful implementation of CJSSS and conditional cautioning, and improvements in service to victims and witnesses.

**11c Internal systems for ensuring the quality of casework and its prosecution at court are robust and founded on reliable and accurate monitoring and analysis**

- The standard CQA system is operated and each Unit Head checks a minimum of one file per month for each lawyer and DCW. The return rate for CQA for 2006-07 was 91.0% against national performance of 83.8% for the same period. Although managers do not use the standard manuscript CQA forms there is evidence of e-mails relating to the casework checks which are completed in some detail, outlining areas for improvement, good performance and, where necessary, training needs. The conclusions and assessments are captured in a spreadsheet as the basis for data required by CPS Headquarters. The level of scoring by managers suggested a high level of performance on marking the matters covered. Our reality checks show the quality of legal work to be of a good standard and we are satisfied on the totality of the evidence as to the adequacy and robustness of the CQA and return.
- The Area confirmed that advocacy performance is undertaken, however there were no advocacy monitoring forms recorded in 2006-07. A limited number of forms have been completed since October 2007, but the marking is very generous and constructive feedback was minimal. Other criminal justice agencies have confirmed advocacy to be in the main good and that negative feedback to the acting CCP or Unit Head yields an improvement in performance.

<b>12 LEADERSHIP</b>	OPA 2005	OPA 2007	Direction of travel
	Good	<b>Good</b>	<b>Stable</b>

### **12A The management team communicates the vision, values and direction of the Area well**

- Dyfed Powys has published its vision and values and these are supported by the objectives set out in the Area and unit business plans. They are also consistent with the vision and values set out by the Director of Public Prosecutions, but only 64% of staff confirmed that they were aware of the document “Building a World Class Prosecution Service” when responding to the “your voice” staff survey in 2006. This compares unfavourably with 80% nationally.
- Unit Heads and managers take responsibility for pursuing the CPS objectives with partner agencies. The successful local negotiation of appointment systems with 60 minute slots at charging surgeries is a recent example of a change now proving mutually beneficial to the CPS and police. Within their own units, managers support messages sent by the senior management team. The recent improvement in CMS usage is a direct result of this consistent approach. Both internally and externally, managers demonstrate personal accountability to staff and partners.
- External sources confirm that the CPS managers demonstrate a high degree of corporacy in dealing with partner agencies. The senior management team also successfully promotes a high level of internal corporacy which is evident from the terms of reference and minutes of team meetings, held as soon after AMT meetings as possible. In this way, key messages are fed quickly from the acting CCP and ABM to staff at all levels. In the 2006 staff survey 60% of staff stated that there were regular team meetings against 61% nationally and, of these, 72% stated that team meetings were effective, compared to 56% nationally.
- In general, unit managers are able to work very closely with lawyers and administrative staff because the units are relatively small. Even in the split-site CJU which covers Ceredigion and Pembrokeshire, the Unit Head is able to maintain close involvement by dividing her time between the two sites.
- However despite the adoption of an open door policy by all managers, the significant distances involved make it hard for senior managers to maintain a physical presence in the offices outside Carmarthen. The acting CCP appears in local magistrates’ courts as frequently as possible and uses these opportunities to visit local offices and speak to staff at least once per month. He also e-mails all lawyers and caseworkers monthly on the subject of law and procedure.
- However other means are needed to ensure that local staff have a voice centrally, and these include the cross-unit virtual planning cells which feed into the development of the Area business plan. As a supplement to team meetings and e-mail correspondence, these help ensure a dialogue is maintained between staff and senior management.

- Area managers are highly regarded by partner agencies for their constructive and responsible approach to joint problem solving. At LCJB level this has included the implementation of CJSSS. Solutions have been successfully negotiated with partners on a bi-lateral basis in relation to pre-charge advice, witness care, case progression and courtroom allocation among other issues. Recently, the senior management team has been skilful in managing stakeholder expectations pending appointment of the new substantive CCP, especially in relation to possible internal restructure.
- Managers play a leadership role in joint projects and, again, external sources are complimentary of their effectiveness. No LCJB sub groups are currently chaired by CPS managers, but they do chair some PTPM and heads of chambers meetings and the No Witness, No Justice Local Implementation Team.
- Senior managers are aware of the need to identify and address failings, particularly in relation to the management of resources. To this end they have invited central assistance in relation to possible internal restructure. Feedback on the operation of DCV was also recently requested and received. Senior managers are also willing to learn from the virtual planning cells which feed into the development of the Area business plan.

**12B Senior managers act as role models for the ethics, values and aims of the Area and the CPS and demonstrate a commitment to equality and diversity policies**

- Good performance by staff is consistently recognised and rewarded by senior managers. Both the acting CCP and ABM send appreciative e-mails to acknowledge success and hard work. Unit Heads are also encouraged to mark exceptional performance at team meetings. A bonus scheme has been employed from time-to-time in relation to specific projects. Conversely, the Area is quick to act on inappropriate or inefficient practices and a small number of minor instances have been dealt with effectively in recent months.
- In the 2006 staff survey, only 62% of respondents stated they were treated with fairness and respect, against 64% nationally. However no complaints have been made by staff about their treatment by managers since April 2006 and there have been no complaints relating to equality and diversity. Unit Heads monitor the atmosphere between staff in their units and deal with any disputes. The ABM is available to assist where appropriate but this is rarely necessary and formal action is hardly ever required. There has been recent training on discipline and grievance procedures.
- The Area business plan contains a clear strategy for promoting equality and diversity. There are objectives relating to non-casework issues, including workforce representation, and to casework-related matters such as hate crime and engagement with the community. The ABM leads on equality issues and has responsibility for a number of human resource-related issues. Whitley Council meetings are held regularly.
- Dyfed Powys has a very unusual ethnic breakdown in which only 0.8% of the population is non-white, while about 60% are Welsh speaking. To this extent, the CPS workforce matches the community it serves and the Area has taken significant steps to deal with communications in Welsh when requested to do so.

<b>13 SECURING COMMUNITY CONFIDENCE</b>	OPA 2005	OPA 2007	Direction of travel
	Good	<b>Fair</b>	<b>Declined</b>

### 13A The Area is working proactively to secure the confidence of the community

- Senior managers are committed to engaging with, and securing the confidence of, the local community across the whole of the Area.
- Actions to improve community confidence supported by accountabilities are built into the Area business plan. Planned actions in 2006-07 were relatively limited and there are a wider range included in the current business plan, which are also more measurable than previously.
- It is evident that community engagement is becoming core business not only with senior managers but also lawyers and support staff, who have attended various events where they have been able to talk about their particular expertise and CPS work in general.
- A log of community engagement activities is maintained, although this may not be comprehensive as the majority of what is recorded relates to activities within the criminal justice 'family'. There are plans to introduce a Hate Crime Scrutiny Panel early in 2008 in accordance with CPS national guidance.
- The Area has formed links with a diverse range of groups representing those most at risk of exclusion and discrimination and has invited some of them to provide training to staff. The Area funded a PhD student to carry out research into racial integration in Dyfed Powys. Together with the other three Welsh CPS Areas it has introduced a Welsh language scheme which aims to allow people to have all communications in Welsh if they so request. The Area has worked with a Polish community group to provide leaflets in Polish explaining English and Welsh traffic law. Feedback we obtained from community groups was mixed with some believing that the Area did not do enough to engage with them, whereas others praised the CPS involvement and communication.
- The Area has information on the demographics of Dyfed Powys and maintains a database of local community groups. It has had difficulty in getting up-to-date figures on the numbers of migrants from within the EU since the last census.
- Feedback is obtained from staff who attend community activities via verbal reports at team meetings. Staff also complete community engagement evaluation forms after attending activities, but these are not always kept. Feedback is used to help plan future activities and changes include the purchase of IT equipment to aid presentations.
- As a result of staff feedback the Area now ensures that information is provided in both Welsh and English. Feedback has also resulted in ensuring that Braille versions of the disability hate crime policy are available. Arrangements have been made to ensure that telephone callers to Area offices are greeted in both English and Welsh and that Welsh speakers are available for callers to speak to. All staff are given the opportunity and encouraged to learn to speak Welsh.

- The level of public confidence in bringing offenders to justice in Dyfed Powys was above the national average in 2006-07 but fell from 48.3% in June 2006 (national average 44.2%) to 47.1% in December 2006 (nationally 42.3%).
- There is currently no Communications Manager but, notwithstanding this, there is a positive relationship with local media and the ABM is the main focal point for their enquiries. The Area aims to be proactive in bringing to media attention stories which promote its profile. It was able to provide some examples of proactive action to promote successful outcomes of particular public interest despite the absence of a press officer. The acting CCP has been interviewed on Welsh language news programmes as well as English versions. Whilst the acting CCP has received media training other senior managers have not and may benefit from such. The ABM is to provide training to all staff which will include community engagement and media relations.

## ANNEXES

### A PERFORMANCE DATA

#### Aspect 1: Pre-charge decision-making

	Magistrates' courts cases				Crown Court cases			
	National target March 2007	National performance 2006-07	Area performance		National target March 2007	National performance 2006-07	Area performance	
			2005-06	2006-07			2005-06	2006-07
Discontinuance rate	11.0%	15.7%	11.9%	10.7%	11.0%	13.1%	7.2%	6.4%
Guilty plea rate	52.0%	69.2%	69.5%	71.4%	68.0%	66.5%	59.0%	64.3%
Attrition rate	31.0%	22.0%	19.4%	18.1%	23.0%	22.2%	28.9%	22.7%

	National performance 2006-07	Area performance 2006-07
Charged pre-charge decision cases resulting in a conviction	78.0%	81.2%

#### Aspect 2: Ensuring successful outcomes in the magistrates' courts

	National performance 2006-07	Area performance 2006-07
Successful outcomes (convictions) as a percentage of completed magistrates' courts cases	84.3%	84.0%

Trial rates	National performance 2006-07	Area performance 2006-07
Effective trial rate	43.8%	64.9%
Cracked trial rate	37.3%	22.4%
Ineffective trial rate	18.9%	12.8%
Vacated trial rate	22.5%	18.2%



**Overall persistent young offender (PYO) performance (arrest to sentence)**

<b>National target</b>	<b>National performance 2006</b>	<b>Area performance 2006</b>
71 days	72 days	49 days

*Offences Brought to Justice*

	<b>CJS area target 2006-07</b>	<b>CJS area performance 2006-07</b>
Number of offences brought to justice	10,655	30,124

<b>Percentage make up of Offences Brought to Justice</b>	<b>National 2006-07</b>	<b>Criminal justice area 2006-07</b>
Offences taken into consideration (TICs)	8.5%	5.4%
Penalty notices for disorder (PNDs)	10.3%	6.8%
Formal warnings	5.8%	7.2%
Cautions	26.5%	38.6%
Convictions	48.8%	42.0%

**Aspect 3: Ensuring successful outcomes in the Crown Court**

	<b>National performance 2006-07</b>	<b>Area performance 2006-07</b>
Successful outcomes (convictions) as a percentage of completed Crown Court cases	77.7%	78.7%

<b>Trial rates</b>	<b>National performance 2006-07</b>	<b>Area performance 2006-07</b>
Effective trial rate	48.2%	70.0%
Cracked trial rate	39.5%	24.7%
Ineffective trial rate	12.4%	5.3%

<b>Proceeds of Crime Act orders</b>	<b>Area target 2006-07</b>	<b>Area performance 2006-07</b>
Value	35	20
Number	£253,014	£338,254

### **Aspect 10: Managing resources**

	<b>2005-06</b>	<b>2006-07</b>
Non ring-fenced administration costs budget outturn	101.3%	102.9%

<b>Staff deployment</b>	<b>National target 2006-07</b>	<b>National performance 2006-07</b>	<b>Area performance 2006-07</b>
DCW deployment (as % of magistrates' courts sessions)	17.2%	14.7%	7.4%
HCA savings against Area target	100%	138.4%	114%
Sickness absence (per employee per year)	7.5 days	8.5 days	13.7 days

### **Aspect 13: Securing community confidence**

#### **Public confidence in effectiveness of criminal justice agencies in bringing offenders to justice (British Crime Survey)**

<b>CJS area baseline 2002-03</b>	<b>2004-05 (last OPA)</b>	<b>Performance in 2006-07</b>
46.0%	53.0%	47.9%

## **B CRIMINAL JUSTICE AGENCIES AND ORGANISATIONS WHO ASSISTED WITH THIS OVERALL PERFORMANCE ASSESSMENT**

### **Police**

Dyfed Powys Police

### **HM Courts Service**

Crown Court and magistrates' courts

### **Victim Support**

Victim Support Dyfed

Victim Support Powys

### **Community Groups**

Powys Cultural Diversity Group



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