

CPS London Borough Performance Assessments

Haringey Borough

Undertaken September 2009





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ABBREVIATIONS

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

AP	Associate prosecutor
BCP	Borough crown prosecutor
BCU	Borough Command Unit (police)
CA	Crown advocate
CJSSS	Criminal Justice: Simple, Speedy, Summary
CJU	Criminal Justice Unit (police)
CMS	CPS computerised case management system
CPS	Crown Prosecution Service
CPSD	CPS Direct
CPSLD	CPS London Direct
CQA	Casework quality assurance
CTL	Custody time limit
DBM	District business manager
DCP	District crown prosecutor
DCV	Direct communication with victims
DGSP	Director's guidance on the streamlined process
HMCPSI	Her Majesty's Crown Prosecution Service Inspectorate
IPT	Integrated prosecution team
JDA	Judge directed acquittal
JOA	Judge ordered acquittal
MG3/3A	Forms sent by police on which the prosecutor records the charging decision and action points
NRFAC	Non-ring fenced administration costs
NWNJ	No Witness No Justice
OBM	Optimum business model
PCD	Pre-charge decision
PCMH	Plea and case management hearing
PTPM	Prosecution team performance management
WCU	Witness care unit
WMS	Witness management system

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A INTRODUCTION TO THE PERFORMANCE ASSESSMENT PROCESS

This report is the outcome of Her Majesty's Crown Prosecution Service Inspectorate's (HMCPIS) assessment of the performance of the Crown Prosecution Service (CPS) London in Haringey borough. It represents a more in-depth local assessment than the overall performance assessment of the North and East Sector of CPS London published in 2008.

Assessments

Assessments and judgements have been made by HMCPIS based on absolute and comparative assessments of performance. These came from national data; CPS self-assessment; HMCPIS assessments; and by assessment under the criteria and indicators of good performance set out in the performance assessment framework, which is available to CPS London. Evidence has also been taken from a number of sources, including the findings from the examination of a file sample, the view of staff, representatives of criminal justice partners and the judiciary. Inspectors have also conducted observations of the quality of case presentation in the magistrates' courts and the Crown Court.

Inspection teams comprise legal and business management inspectors working closely together. HMCPIS also invites suitably informed members of the public to join the process as lay inspectors. They are unpaid volunteers who examine the way in which the CPS relates to the public through its dealings with victims and witnesses; engagement with the community, including minority groups; handling of complaints; and the application of the public interest test contained in the Code for Crown Prosecutors.

The performance assessment has been arrived at by rating the unit's performance within each category as either Excellent, Good, Fair or Poor in accordance with the criteria outlined in the framework.

The inspectorate uses a points based model for assessment, with a borough's overall assessment determined by the cumulative total of points for all of the ten aspects that are scored. There are two limiters within the model. A borough cannot be rated Good or Excellent unless it is assessed as Good in at least two of the first four aspects. This is designed to give pre-eminence to the ratings for the core aspects of the borough's work. Similarly, if a borough is scored as Poor in three or more aspects its final assessment will be reduced by one grade from that which the overall points indicate (see annex C).

Whilst we comment on the borough's performance in managing its resources, this aspect has not been scored.

The table at page 9 shows the unit's performance in each category.

Whilst borough performance assessments are not full inspections, significantly more evidence is collected and analysed than in area overall performance assessments. This enables HMCPIS to give a more discerning picture of CPS London overall which recognises the substantial variations within the area. This assessment is designed to set out comprehensively the positive aspects of performance and those requiring improvement.

Our original intention had been to assess all 33 boroughs (including the City of London) in order to reflect the variations in performance which we expected across an area as diverse as London. This approach was endorsed by senior managers in CPS London. In the event, the findings from the early assessments showed a relatively narrow range of performance and consistency in the themes emerging and the aspects for improvement. Some of these were of serious concern and needed to be tackled urgently at a senior management level. CPS London senior management team confirmed that the boroughs that had been assessed were fairly representative of London as a whole and that to undertake further assessments would be unlikely to add significantly to our findings. We therefore decided to confine the exercise to 20 borough performance assessments (including the pilot assessment of CPS Croydon borough), drawn from five of the six CPS London districts, together with an assessment of the London traffic unit.

The findings from the borough performance assessments undertaken will be drawn together in a pan-CPS London report which will contribute to providing an overall picture of the performance of the area. The pan-London report will also address a number of significant issues that have emerged as the assessments have progressed including the effectiveness of CPS London headquarters operations, and CPS London Direct which now makes a significant proportion of the charging decisions in the area.

It is important to bear in mind that, despite the title of the report, this is a report about the performance of the CPS in Haringey borough. That performance is influenced by a range of factors including matters which are responsibility of managers at district and area level. It should not be regarded purely as a critique of the borough unit and the staff who work in it. Both the credit and the responsibility for what we find in the boroughs - good and bad alike - must be shared with those middle and senior managers whose decisions and behaviours influence what happens on the front line of prosecutions.

Direction of travel

Where feasible we will indicate any changes in the unit performance from the year 2007-08 to date if this is ascertainable.

We have identified any strengths or aspects for improvement in performance within the text.

B DESCRIPTION AND CASELOAD OF CPS HARINGEY BOROUGH

CPS London (the area) is organised into operational teams along geographical boundaries. London boroughs and the City of Westminster are covered by the Metropolitan Police Service and the City of London by the City of London Police. The area's borough units are co-terminous with the Metropolitan Police Borough Command Units with each headed by a borough crown prosecutor (BCP), a level D lawyer. Local borough units are then grouped together to form a larger district based upon a common Crown Court centre (or centres). Responsibility for a district lies with a district crown prosecutor (DCP), a level E lawyer who line manages the BCPs. The interface between CPS London's senior management and area staff is through the district, with the DCP ensuring that the area's vision and strategy is implemented by the BCPs at borough level. CPS London is divided into two regions (North and South) which comprise a number of districts. There is also a complex casework centre which handles serious and complex cases including those at the Central Criminal Court (Old Bailey).

The CPS London senior management team consists of the Chief Crown Prosecutor, three legal directors and two regional business managers.

Haringey has one office, at Wood Green, and is part of the district which is aligned to the Crown Court sitting at Wood Green.

Haringey is an integrated prosecution team (IPT) site although the structure is different from other similar sites. This means that CPS staff are co-located with some police personnel, dealing directly with investigating officers rather than through the police criminal justice unit, and undertake case building functions that were previously the responsibility of police staff. Business is divided on functional lines between magistrates' courts and Crown Court work.

As of November 2009 the borough had an average of 26.2 full-time equivalent staff in post and a budget of £1,349,782¹.

Staff	Numbers at November 2009
Borough crown prosecutor	1
Business managers	1
Crown prosecutors	6.4 ²
Associate prosecutors	0
Caseworkers	9.2
Administrative support staff	8.6
Total (full-time equivalent)	26.2

1 The non-ring fenced administration costs budget contains payroll costs (including superannuation and allowances) as well as budget for travel and subsistence. Things like training are included in the London-wide budget and are not allocated at the borough level.

2 The total excludes two crown advocates who have recently been moved to the Wood Green Crown Court advocacy unit on a full-time basis.

Details of Haringey borough unit caseload in 2007-08, and 2008-09 are as follows:

	2007	2008	Percentage change
Pre-charge work (all cases referred to the CPS by police for a decision as to charge)			
Decisions resulting in a charge	1,758	1,465	-16.7%
Decisions not resulting in a charge ³	1,032	1,129	+9.4%
Total pre-charge decision cases	2,790	2,594	-7.0%
Magistrates' court proceedings⁴			
Magistrates' court prosecutions	3,662	3,473	-5.2%
Other proceedings	0	4	—
Total magistrates' court proceedings	3,662	3,477	-5.1%
Crown Court proceedings⁵			
Cases sent or committed to the Crown Court for determination	707	632	-10.6%
Committals for sentence ⁶	70	111	+58.6%
Appeals from the magistrates' court ⁶	36	32	-11.1%
Total Crown Court proceedings	813	775	-4.7%

Inspectors visited the borough in November 2009. The lay inspector was Tony Summers and his role is described in the introduction. He examined files that had been the subject of particular public interest considerations or complaints from members of the public and considered letters written by CPS staff to victims following the reduction or discontinuance of a charge. He also visited some courts and had the opportunity to speak to some of the witnesses after they had given evidence. This was a valuable contribution to the inspection process. The views and findings of the lay inspector have been included in the report as a whole rather than separately. Tony Summers gave his time on a purely voluntary basis and the Chief Inspector is grateful for his effort and assistance.

3 Including decisions resulting in no further action, taken into considerations, cautions and other disposals.

4 Including cases that have previously been subject to a pre-charge decision and those that go to the Crown Court.

5 Including cases that have previously been subject to a pre-charge decision.

6 Also included in the magistrates' court figures, where the substantive hearing occurred.

C SUMMARY OF JUDGEMENTS

Contextual factors and background

Since Haringey moved to the IPT model in mid-February 2009 it has been located at Wood Green. Although the borough shares office space with the witness care unit (WCU) and police criminal justice managers and administrators, it is not a co-located site as the building is not operational as a police station and officers are required to travel from other locations when they need to access a prosecution file. The relocation of the borough has strengthened relationships with the WCU and senior police managers have been supportive of the new arrangements. Staff working on the borough have embraced the changes and are committed to the unit. Notwithstanding the relatively poor performance in several aspects compared to the CPS nationally and for London overall, this should be seen in the light of Haringey needing to manage its business whilst implementing a number of national and area initiatives. This challenging change programme has required it to embrace not only the unfamiliar IPT structure and processes, but also to adopt the optimum business model (OBM) within the context of proportionate file building imposed by the Director's Guidance on the Streamlined Process (DGSP). Outcomes should be viewed within this context.

Summary

The process for delivering pre-charge decisions (PCDs) has changed since CPS London Direct (CPSLD) was introduced to advise on 'volume' crime, leaving the borough to concentrate upon the more serious or complex cases. However lawyers continue to advise on a proportion of volume cases which increases the number of charging sessions needed and constricts their availability to complete other duties. Pre-charge decision-making overall is in accordance with the Code for Crown Prosecutors (the Code), but little of value is added at the pre-charge stage. Actions plans are not used effectively to build strong cases at an early stage by identifying appropriate lines of further enquiry and dealing with ancillary case management issues.

The borough has established a good working relationship with the police through delivery of pre-charge advice but is not realising the expected benefits of charging. Outcomes for 2008-09 were poorer than national and London averages for all three measures in both the magistrates' court and the Crown Court. Although there have been signs of recent improvement compared to London overall performance remains below the national average and is not yet sustained.

Successful outcomes in magistrates' court cases in the 12 months to September 2009, at 82.1%, are worse than the national (87.1%) and London (86.1%) averages, as are the effective (the proportion of cases fixed for a contested hearing which actually proceed on the appointed day), ineffective and cracked trial rates. The introduction of OBM has not brought anticipated improvements in trial preparation and outcomes deteriorated dramatically in 2008-09. Effective operation of the OBM continues to present the borough with significant challenges, not least in terms of resourcing.

Successful outcomes in Crown Court cases are significantly worse than the national and London averages. Although the effective, ineffective and cracked trial rates are much better this is principally due to the Crown Court's strict control of cases and effective case progression mechanisms. Case preparation is firmly the province of the borough's caseworkers, who liaise closely with the trial advocate, police and witness care officers. The quality of instructions to counsel however is poor in that they contain little reference to the individual aspects of the case.

Although the standard of case presentation complied with the national standards of advocacy no specific time is set aside for prosecutors to prepare magistrates' court lists. Consequently it was noticeable that advocates lacked a comprehensive understanding of the facts and issues involved in some cases. Due to the lack of associate prosecutors at the time of our assessment Haringey was required to prosecute more magistrates' court sessions than its in-house crown prosecutors could undertake and had to instruct agents to make up the shortfall. Since our assessment two associate prosecutors have been acquired.

Performance in cases of serious violence, sexual offences, domestic violence and hate crimes is poor. With the exception of domestic violence outcomes in these cases were significantly below the London average, with convictions in sexual offences being exceptionally poor by comparison. All rape cases are allocated to specialists but cases in other categories are distributed between all the lawyers.

Compliance with the prosecution's duties of disclosure of unused material is also poor and weaknesses were evident across a range of aspects, from inadequately compiled and annotated schedules to a failure to disclose material which had the potential to undermine the prosecution case or assist the defence. This aspect of performance needs to be urgently addressed.

There have been no recent custody time limit (CTL) failures and systems put in place to manage CTLs appear to be effective in identifying and managing cases where they apply. CTLs are not yet being consistently agreed in court but, overall, monitoring procedures appeared robust and staff were knowledgeable about the system.

Haringey has not met its target in terms of the number of letters sent to victims to explain why a charge has been dropped or significantly altered and the timeliness of letters sent was significantly worse than the London average for vulnerable and intimidated victims, but only marginally so for all other victims. The quality of letters however is generally good. Since the move to IPT working the borough has fostered a closer, more effective working relationship with the WCU. Further work needs to be done however to improve communication paths as witnesses are not always provided with up-to-date information about the progress of their cases and witness issues account for a high proportion of cases dropped at court.

Performance needs greater management focus as outcomes are nearly all below target and managers were not able to demonstrate clearly that they knew the causes of the weak performance. Both casework and the quality of advocacy are reviewed but neither result in formal feedback to the prosecutors involved. There has been some work on case progression systems in the Crown Court but this is yet to yield improvements. The borough participates in a number of forums to improve joint working and managers are seen by partner agencies as being responsive to issues raised.

The borough has limited responsibility for managing prosecution and non-ring fenced administration costs which are controlled at district level. However it underspent against budget in 2008-09 in regard to staffing costs, while prosecution costs were overspent. A shortage of staff meant that the borough was unable to meet its target for the deployment of in-house prosecutors in the magistrates' court in 2008-09 and a continued commitment to providing five days a week of face-to-face charging advice appears to have compromised preparation time for Crown Court cases.

Management focus is largely on day-to-day operational issues but improving performance in weak areas such as case progression is also seen as a priority. Recently Haringey has managed the move to IPT, which has been welcomed as positive by both the borough and the police. While communication in the unit is generally effective some staff are missing key messages due to working patterns or the need to be out of the office. The management team has developed positive working relationships with their criminal justice partners and are seen as taking a collaborative approach.

In the light of our findings the unit's performance is **POOR**.

Aspects for improvement

We identified 12 aspects for improvement:

-
- 1 The quality of MG3s should be improved and managers should undertake regular monitoring to ensure that:
 - there is appropriate consideration of ancillary issues;
 - instructions to associate prosecutors are endorsed on MG3s;
 - action plans are clearly set out in the appropriate place with realistic target dates; and
 - compliance with action plans is monitored (aspect 1).
-
- 2 The borough should implement a system for the timely review of cases which are discharged at the committal stage and to ensure that proceedings are re-instituted, where appropriate, without unnecessary delay (aspect 2).
-
- 3 The borough crown prosecutor should set clear objectives and performance targets for the optimum business model, linked to improvements in outcomes, with particular focus on:
 - adequate and timely review of cases for summary trial; and
 - effective case preparation and timely case progression (aspect 2).
-
- 4 Borough lawyers should improve the quality of post-charge evaluations of their Crown Court cases and ensure that they add value by completing a meaningful review of the issues in the case (aspect 3).
-
- 5 Borough managers should:
 - put effective systems in place to ensure that Crown Court cases are progressed effectively with timely compliance with court directions;
 - set clear objectives and performance targets for the Crown Court case progression officer; and
 - ensure that improvements are continuously monitored and assessed (aspect 3).
-
- 6 Borough managers should put in place measures designed to improve and monitor the quality of instructions to prosecuting advocates and the quality of indictments, providing for necessary training or refresher training where appropriate (aspect 3).
-
- 7 The borough, in conjunction with the district, should take steps to establish an effective operational protocol with the Wood Green Crown Court advocacy unit to ensure that:
 - advocates instructed to prosecute have sufficient ability commensurate with the seriousness of the case;
 - advocates have sufficient time to prepare their cases for hearing; and
 - there is systematic monitoring of all prosecution advocates, with feedback provided on performance (aspect 4).
-
- 8 The borough crown prosecutor should ensure that the roles and responsibilities of specialists and champions:
 - are fairly and evenly distributed between the unit's senior lawyers;
 - are defined and understood, with clear expectations and performance objectives linked to outcomes;
 - act to ensure that ownership of violence against women and hate crime cases is embedded within the unit; and
 - include regular analysis and feedback of outcomes in serious violent and sexual offences and hate crime cases, identifying reasons for unsuccessful outcomes in these cases and implementing measures to improve performance (aspect 5).
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- 9 Urgent steps should be taken to:
- ensure compliance with the prosecution's disclosure obligations;
 - quality assure disclosure decisions effectively;
 - provide feedback to individual prosecutors; and
 - implement refresher training and agree a joint training programme with police disclosure officers (aspect 6).
-
- 10 The borough should:
- ensure that witnesses likely to benefit from special measures are identified at the earliest opportunity;
 - improve the timeliness and quality of applications for special measures in appropriate cases and communicate the results of applications to the witness care unit; and
 - develop a clear strategy for victim and witness service in line with the national strategy and ensure its performance framework includes performance against No Witness No Justice primary and secondary measures and the Victims' Code (aspect 8).
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- 11 The borough should adopt a more thorough approach to casework quality review and provide a formal mechanism for feeding back issues to staff (aspect 9).
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- 12 The borough should consider ways to improve communication and consultation with lawyers who are unable to attend all staff meetings (aspect 11).
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Summary of judgements

BOROUGH PERFORMANCE ASSESSMENT 2009	
Pre-charge advice and decisions	0 - Poor
Decision-making, preparation and progression in magistrates' court cases	0 - Poor
Decision-making, preparation and progression in Crown Court cases	0 - Poor
The prosecution of cases at court	2 - Fair
Serious violent and sexual offences, and hate crimes	0 - Poor
Disclosure	0 - Poor
Custody time limits	3 - Good
The service to victims and witnesses	0 - Poor
Managing performance to improve	2 - Fair
Managing resources	Not scored
Management and partnership working	2 - Fair
OVERALL ASSESSMENT	9 - POOR

D DEFINING ASPECTS

1 PRE-CHARGE ADVICE AND DECISIONS

Assessment
0 - Poor

1A The quality of decision-making contributes to improving casework outcomes

- Overall the quality of decision-making at the pre-charge stage is fair. We examined 32 finalised cases which had been the subject of a PCD where the decision was to authorise charge. The final charging decision had been taken by CPS Direct (CPSD) in 13 of those (40.6%) and there were seven (21.9%) in which the threshold test was applied.
- The evidential stage of the Code test was correctly applied in 31 cases (96.9%). The one in which it had been incorrectly applied was a decision made by a borough prosecutor. The public interest stage of the Code was applied correctly in each.
- The threshold test had been correctly applied in five out of seven cases (71.4%). The two where it had not were both charged by CPSD prosecutors. In one of the two the criteria for applying the threshold test had not been met whilst in the other the full Code test had been applied, rather than the threshold test, when important key evidence was still outstanding. The most appropriate charge was correctly selected in 26 out of 32 cases (81.3%). Four of the six where the incorrect charge was selected were assault allegations and in each the duty prosecutor had charged a more serious offence than was merited by the facts of the case.
- The quality of MG3s (the record of charging decision) overall is poor. There were 19 cases where the advice was provided by Haringey. We assessed the quality of MG3s to be good in two (10.5%), fair in seven (36.8%) and poor in ten (52.6%). This does not compare well with the advice provided by CPSD in 13 cases where it was good in four (30.8%), fair in seven (53.8%) and poor in two (15.4%). There were no cases where CPSLD had provided charging advice.
- Ancillary issues including whether bad character, hearsay or special measures applications were appropriate are not routinely considered and dealt with prior to charging. Although the duty prosecutor is reliant on information provided by the police there was a lack of detailed analysis and proactivity on the part of borough prosecutors to commence the necessary enquires which could support a prosecution. Reference was made in only eight out of 18 relevant cases (44.4%). This again does not compare well with CPSD where ancillary issues were appropriately dealt with in eight out of 11 relevant cases (72.7%). Inadequate case preparation thereafter means that it is crucial for ancillary issues to be identified at the pre-charge stage as experience shows it is unlikely that effective remedial work will be undertaken at a later stage.
- None of the cases within our sample involved the need to consider the confiscation of a suspect's assets under the Proceeds of Crime Act (POCA). There is however general guidance on the application of POCA to charging decisions through the CPS intranet and cases with specific issues are brought the attention of the borough crown prosecutor (BCP) who is the POCA champion.
- Action plans are not always completed by the borough where required: they met the appropriate standard in only five out of 14 cases (35.7%). In the remaining nine (64.3%) the chance was missed to strengthen the evidence or address case preparation issues at an early stage, through the use of a focused action plan as part of the pre-charge advice. Conversely we found that action plans were included in seven out of 11 relevant CPSD cases (63.6%). Additionally in the cases where a plan was present not all of the actions were completed in accordance with agreed dates and sometimes were never completed at all. Haringey does not have an effective mechanism for ensuring that these plans are completed within the necessary timescales.

Aspect for improvement

The quality of MG3s should be improved and managers should undertake regular monitoring to ensure that:

- there is appropriate consideration of ancillary issues;
- instructions to associate prosecutors are endorsed on MG3s;
- action plans are clearly set out in the appropriate place with realistic target dates; and
- compliance with action plans is monitored.

- Performance for 2008-09, as the table below shows, raises concerns in respect of the six charging measures where key outcomes were worse in all aspects than either the national or London averages. The discontinuance and attrition rates in the Crown Court are particularly poor. Although the 12 months to September 2009 does show a slight improvement in some measures the borough remains below the national figures overall and London as a whole in all respects, other than for guilty pleas in the magistrates' court.

	Performance 2008-09			Performance 12 months to September 2009		
	National	CPS London	Borough	National	CPS London	Borough*
Pre-charge decision cases						
Conviction rate	80.8%	76.2%	70.4%	80.1%	74.9%	70.7%
Magistrates' court cases						
Discontinuance rate	13.1%	13.6%	15.7%	13.7%	14.7%	16.1%
Guilty plea rate	74.4%	69.8%	66.0%	73.6%	67.5%	68.1%
Attrition rate	19.2%	22.1%	25.8%	20.0%	23.8%	25.3%
Crown Court cases						
Discontinuance rate	11.7%	15.6%	22.2%	11.7%	15.0%	20.3%
Guilty plea rate	72.9%	60.8%	55.7%	73.1%	61.0%	55.4%
Attrition rate	19.4%	27.3%	36.6%	19.5%	27.6%	36.7%

* Charging decisions made by CPS London Direct are included in the borough's performance data and reflected in the performance figures.

1B Pre-charge decision-making processes are effective and efficient

- The borough provides pre-charge advice at Hornsey Police Station between 9am-5pm on Mondays, Wednesdays and Fridays and a duty prosecutor is made available from the CPS office should they be required on either a Tuesday or Thursday. Since May 2009 charging decisions in volume crime have been provided to the police centrally by CPSLD and CPSD continues to provide out-of-hours advice.
- With regard to the impact of CPSLD on Haringey's cases it is, as yet, too early to assess but issues have already been raised by police with borough managers concerning timeliness and access to the service, as a result of which the borough has retained its pre-CPSLD resource commitment to charging sessions. Such a commitment is likely to become unsustainable however over time and managers need to start monitoring this aspect to ensure that appropriate volume cases are dealt with by CPSLD and not within the borough. None of the cases in our file sample had been the subject of a PCD by CPSLD.

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- All the borough's lawyers are on a rota to act as duty prosecutors. There are two trained to provide specialist advice in rape cases and the BCP is also a designated rape specialist. There is an appointments system controlled by the police evidential review officer (ERO) who will allocate consultations a week to ten days in advance, save for priority custody cases, and supervise the quality of files submitted for charging decisions to ensure that they meet the required standard. There are no timeliness issues in respect of borough charging.
- The ERO system only became operational relatively recently (since March 2009), from which point the borough noticed an improvement in the quality and management of pre-charge cases for advice. However managers must ensure that only appropriate cases are referred to prosecutors for a charging decision and that those which should be handled by CPSLD are not re-routed through the borough, especially since its charging manager is no longer in place. There is currently no system in place for monitoring the timely progression of action plans to ensure that the required work is completed expeditiously.
- Instructions to the advocate at court were included in the MG3 where relevant in only four of 12 cases (33.3%), compared to 12 of the 13 relevant CPSD cases (92.3%). It is vital that this information should be included in the charging advice, not only because it is unlikely that the same prosecutor will present the case in court but also on account of the possibility that an agent will be instructed to prosecute since Haringey is still awaiting the arrival of an associate prosecutor to conduct the majority of first hearings.
- Cases submitted for pre-charge advice are in the DGSP format allowing a quicker, more proportionate file build. The borough has expressed concerns that a proportion of cases are being unrealistically identified by the police as anticipated guilty pleas and prepared for court without being certified by a supervisor, a view to which our file examination lends some support. In 2008-09 the proportion of cases where the decision of the CPS was no further action was 23.5%, which was lower than the national average of 26.5% and the figure for all of London at 26.8%. This increased to 25.9% for the first two quarters of 2009-10 compared with 26.3% nationally and 27.0% for London.
- The borough also needs to improve the effectiveness of its prosecution team performance management (PTPM) meetings to ensure that charging outcomes are systematically analysed and considered, with appropriate focus placed upon joint improvement strategies.
- Use of the case management system (CMS) to record PCDs is good. All but one case in our file sample had an MG3 either completed on or placed onto CMS and only one case was inappropriately flagged.

2 DECISION-MAKING, PREPARATION AND PROGRESSION IN MAGISTRATES' COURT CASES

Assessment
0 - Poor

2A Decision-making is of a high quality, and case handling is proactive to ensure that the prosecution maintains the initiative throughout the case

Case outcomes in the magistrates' court

	Performance 2008-09			Performance 12 months to September 2009		
	National	CPS London	Borough	National	CPS London	Borough
Discontinuance and bindovers	8.7%	8.0%	10.6%	8.8%	8.1%	10.7%
No case to answer	0.2%	0.3%	0.2%	0.2%	0.3%	0.3%
Dismissed after trial	2.0%	2.4%	3.0%	2.1%	2.6%	2.7%
Discharged committals	0.2%	0.3%	0.4%	0.3%	0.4%	0.4%
Warrants	1.6%	3.0%	3.8%	1.5%	2.7%	3.9%
Overall conviction rate	87.3%	86.0%	81.9%	87.1%	86.1%	82.1%

- Application of the evidential and public interest stages of the Code test at the PCD or initial review stage accorded with the Code in 18 out of 19 magistrates' court cases within our sample (94.7%). Cases proceeded to summary trial on the most appropriate charges in 12 out of 15 relevant instances (80.0%), with the number and level of charges sufficiently reflecting the criminality to allow the court sufficient sentencing powers. One case was inappropriately commenced by summons without having first been submitted for pre-charge advice although this was later discontinued correctly by the CPS. Full file reviews were carried out in 18 out of 19 cases (94.7%) but met the required standard in only five (26.3%).
- In four magistrates' court cases pleas were accepted either to some of the offences charged or to an alternative offence. In three the decision to accept the plea was correct, in the remaining one however the defence had offered an inappropriate plea to a lesser offence on the day of trial. On that occasion the prosecutor ought to have rejected the plea and proceeded with the case.
- Prosecutors do not always identify at an early stage what is required to ensure a successful outcome and could be more proactive in indicating further lines of enquiry required to support the prosecution case. Action plans, when they are used, often lack detail and do not contain a sufficient depth of focus on what is needed to be achieved.
- There are no effective mechanisms for ensuring actions are completed within reasonable timescales and remedial work can be left undone until very close to the trial date. Overall proactive case management was fair in nine out of 18 cases (50.0%), with the other nine poor.
- CMS is used to identify and join linked cases together. Adoption of the single file system has helped to prevent duplicate paper files being registered and cases against co-defendants proceeding separately in parallel.
- The proportion of cases discontinued in 2008-09 was worse than found nationally and across CPS London and remained so for the 12 months to September 2009. The BCP authorises all discontinuances in cases where the decision is taken before the hearing date.

- We examined three finalised magistrates' court cases where the proceedings had been discontinued and a further three where the magistrates found no case to answer. In four (66.7%) the outcome could have been avoided by better case preparation. None of the three discontinuances had been charged following application of the threshold test and in two instances there had been no material change in circumstances since the PCD.
- The decision to discontinue accorded with the Code in two out of the three cases. The one which should have proceeded involved two charges with elements of domestic violence. The decision to drop one of the charges was correct but the second charge remained viable and ought to have been put before the court. Discontinuance was timely in two of the cases and consultation with the police was recorded as having taken place in one.
- The BCP retains information about all adverse cases on a monthly spreadsheet. However prosecutors do not always complete the adverse outcome form for individual cases and little takes place in the way of any in-depth analysis to identify potential trends. Whilst adverse outcome reports were present on three of the six relevant cases they amounted to little more than a justification of the decision to charge. Although unsuccessful cases may be discussed individually more general lessons are not routinely disseminated to other members of the unit. Issues that have arisen in specific cases are discussed with the police in joint PTPM meetings but are not consistently developed into an overall performance improvement strategy.
- The rate of discharged committals for 2008-09, at 0.4%, is higher than the London and national averages (0.3% and 0.2% respectively). There were 14 discharged committals in Haringey representing 2.2% of all cases prepared for committal. Performance for the 12 months to September 2009 shows some improvement so that it is now on a par with London overall, although the position is still worse than national average. The 0.4% rate comprises 13 cases which represent 1.9% of all those prepared for committal in the period. The borough needs to implement a system so that all discharged cases are routinely reviewed to see whether proceedings should be re-instituted.

Aspect for improvement

The borough should implement a system for the timely review of cases which are discharged at the committal stage and to ensure that proceedings are re-instituted, where appropriate, without unnecessary delay.

- Overall in 2008-09 the proportion of magistrates' court cases which resulted in a conviction was poor at 81.9% and did not compare favourably with either national or London performance (87.3% and 86.0%). The 12 month figure to September 2009 shows a marginal improvement to 82.1%.

2B Cases are prepared and progressed effectively

Trial rates

	Performance 2008-09		
	National	CPS London	Borough
Effective	43.4%	47.3%	39.5%
Cracked	38.0%	34.8%	40.7%
Ineffective	18.6%	17.9%	19.8%
Vacated	21.5%	16.3%	16.6%

- The OBM was introduced towards the end of 2007 and prepares an average of 60 to 70 trials per month. Implementation has not been without its difficulties and the need to ensure that the prosecution case progression team (PCPT) has sufficient resources to operate effectively remains a constant challenge for managers. OBM work is directed by the PCPT case progression manager who is responsible for ensuring that all summary contested cases are ready for trial on the appointed day. Review tasks are conducted by a dedicated duty lawyer who is allocated to the PCPT. Case preparation and administrative actions are completed by a permanent team of caseworkers.
- The borough has endeavoured to implement OBM so that it can operate in an environment where competing priorities and under resourcing have affected its ability to achieve the right balance across the full spectrum of prosecution work. For 2008-09 only 129 of the 240 cases (53.8%) which proceeded to a full trial resulted in a conviction. This is significantly worse than the preceding year when Haringey prepared 281 cases for summary trial and obtained convictions in 201 (71.5%). Criminal justice partners have commented upon this dramatic decline and have been consistent in highlighting poor case preparation as their chief concern, in particular the lack of case 'ownership', poor timeliness of prosecution decision-making and late service of evidence and disclosure.
- Criminal Justice: Simple, Speedy, Summary (CJSSS) has been implemented and almost all cases proceed at the first court hearing. In our file sample 14 out of 17 cases (82.4%) did so. There are concerns however that initial improvements to case progression brought by CJSSS have been attenuated by the introduction of the DGSP. Investigative delays in obtaining forensic evidence in admissible form, securing important supporting evidence, and late and unsatisfactory completion of unused material schedules and documentation have contributed to the poor effective trial rate. The position has been exacerbated by a higher than expected trial rate for DGSP cases prepared in anticipation of a guilty plea, which must then be prepared as a contested case leading to late requests for evidential material to be obtained and last minute completion of the disclosure process.

Aspect for improvement

The borough crown prosecutor should set clear objectives and performance targets for the optimum business model, linked to improvements in outcomes, with particular focus on:

- adequate and timely review of cases for summary trial; and
 - effective case preparation and timely case progression.
-

- The effective trial rate, at 39.5%, is below both the national and London averages (43.4% and 47.3%). Similarly the ineffective and cracked trial rates are higher (worse) than national and London averages as the above table shows. Monthly joint case progression meetings take place between the CPS and police but these have not been able to sustain an improvement in the effective trial rate.
- Use of CMS within our file sample was assessed as fair in all of the 19 cases examined. However the borough missed its 2008-09 target for 75% of hearing outcomes being recorded in less than one day, achieving that in only 65.4% of cases, and the target for recording 75% of finalisations within one day, achieving 65.4%. Borough managers are aware of the need to ensure that CMS is used consistently and the importance of timely updating of case information on the system. Whilst some improvements have been made progress is limited to a degree by the restricted facilities available to the CPS at court, which places a 'ceiling' upon the resources that can be comfortably accommodated.

3 DECISION-MAKING, PREPARATION AND PROGRESSION IN CROWN COURT CASES

Assessment
0 - Poor

3A Decision-making is of a high quality, and case handling is proactive to ensure that the prosecution maintains the initiative throughout the case

Case outcomes in the Crown Court

	Performance 2008-09			Performance 12 months to September 2009		
	National	CPS London	Borough	National	CPS London	Borough
Judge ordered acquittals	11.6%	15.7%	23.1%	11.7%	15.3%	21.8%
Judge directed acquittals	1.0%	1.1%	1.4%	0.9%	1.3%	2.1%
Acquittals after trial	5.5%	8.5%	9.5%	5.6%	9.0%	10.4%
Warrants	1.1%	1.6%	2.9%	1.1%	1.7%	2.9%
Overall conviction rate	80.8%	73.1%	63.1%	80.7%	72.7%	62.7%

- Application of the evidential stage of the full Code test at either the committal review stage or service of the prosecution case accorded with the Code in 16 out of 17 Crown Court cases (94.1%) in our file sample. In one the application of the public interest stage did not accord with the Code. Eleven out of 17 cases (64.7%) proceeded to the Crown Court on the most appropriate charges. There was a full file review in 14 out of 17 (82.4%) of which only four (23.5%) met the required standard.
- The requirement to conduct a subsequent or ad hoc review following a significant change of circumstances or the receipt of relevant additional material arose in 15 cases. In only five (33.3%) was there an appropriate record of the required review having taken place.
- The procedure for referring cases to the CPS London complex casework centre is made available generically to all London staff via an electronic folder. As yet no cases from Haringey have been referred under the criteria.
- There are systems in place to ensure that linked cases and those involving multiple defendants are identified and appropriately joined. There was one example relating to a serious case involving ten defendants, each of whom was arrested and charged to appear at court on different occasions several months apart. The cases were identified and linked at an early stage with the records created on CMS.
- We found a number of instances in our file sample where the full review added little of any substance to the initial review, providing no real guidance for the completion of the instructions to counsel. In general there was minimal input in terms of a prosecutor's review once a case had reached the plea and case management hearing (PCMH) stage and involvement thereafter was discernable in only limited circumstances, for example approving continuing disclosure or endorsing the decision to discontinue a case. Decision-making in the majority of cases at the Crown Court resulted from a collaboration between the caseworker, trial advocate and police. Preparation was timely in all aspects in only five of the 17 cases (29.4%) although a proportion were attributable to the late submission of papers to the CPS.

Aspect for improvement

Borough lawyers should improve the quality of post-charge evaluations of their Crown Court cases and ensure that they add value by completing a meaningful review of the issues in the case.

- The indictment was drafted correctly in ten of the 17 cases (58.8%) but only four out of the seven incorrect indictments were amended in good time. There is no system in place to monitor the quality of indictments.
- Pleas were offered at court in three of the cases in our file sample. Whilst acceptance of the plea was correct in each no basis of plea had been recorded or retained on the prosecution file. A revised system for accepting pleas offered at the court has recently been implemented with the introduction of the Wood Green Crown Court advocacy unit and the unit manager has taken on responsibility for ensuring that matters are properly considered in consultation, where practicable, with the reviewing lawyer.
- The proportion of cases resulting in a judge ordered acquittal (JOA) is worse than both the national and London averages. In 2008-09 23.1% of cases resulted in a JOA compared with 11.6% nationally and 15.7% for London. Performance for the rolling year to September 2009 shows an improvement to 21.8%, but this is still significantly below national and London figures for the comparable period.
- We examined four JOAs. In three the decision to discontinue proceedings was made in response to a material change in the case after the original decision to charge had been made. In one the decision did not accord with the Code and, whilst there had been a change in the strength of the prosecution case, sufficient evidence for a realistic prospect of conviction could still have been placed before the court. The discontinuance decision was timely in two of the four cases.
- CPS London collates its restraint and confiscation orders centrally and the volume and value targets are set an area level. For 2008-09 London obtained a total of 491 confiscation orders with a combined value of £38,513,344, exceeding the value target figure by £18,868,344. In the same period 352 restraint orders were achieved against a target of 98. No cases from the file sample raised any issues concerning the restraint or confiscation of criminal assets.
- In 2008-09 Haringey achieved a successful outcome in 63.1% of cases. This was significantly below the national figure of 80.8% and London's overall performance of 73.1%. The figures for the year to September 2009 are not encouraging showing a dip in performance to 62.7%, the result of an increase in the number of JOAs and bindovers to keep the peace.

3B Cases are prepared and progressed effectively

Trial rates

	Performance 2008-09		
	National	CPS London	All Wood Green Crown Court cases ⁷
Effective	47.1%	54.7%	62.1%
Cracked	40.8%	30.0%	30.9%
Ineffective	12.1%	15.2%	7.0%

⁷ Crown Court trial data is not disaggregated to borough level, therefore this table reflects the composite performance of all those CPS London boroughs that commit cases to that Crown Court.

- The Crown Court caseload is decreasing; cases sent or committed to the Crown Court for determination were down by 75 (10.6%) in 2008-09 compared to the previous year. Notwithstanding this the quality and completeness of committal papers served on the court and defence is variable, with some bearing the hallmark of being put together hurriedly and at the last minute. Preparation at the committal stage also suffers from a proportion of full files submitted by the police having important evidence still outstanding, as well as incomplete unused material documents and schedules. Indictable only cases sent directly to the Crown Court suffer from similar problems when the time comes for service of the prosecution case.
- Crown Court cases are allocated to a caseworker prior to the lawyer's review. Once the evidence has been received from the police the caseworker is responsible for preparing all documentation and creating a draft prosecution bundle ready for service on the defence and court. Whilst this has the benefit of ensuring that preparation work is not delayed pending a prosecutor's availability to review the material, it can lead to a degree of wasted effort in those cases which are discontinued at the committal stage. Moreover it is important to ensure that prosecutors conduct a timely review of the full file of evidence, not least as the borough has identified a decline in the quality and completeness of full files submitted by police since the introduction of DGSP. In particular there are issues around the submission of forensic, medical and supporting evidence and unused material schedules and associated documents. CPS managers have sought to raise these matters as issues of concern with their police counterparts.
- The borough acknowledges that in relation to case progression it needs to improve overall performance generally, particularly in relation to the timely completion of court directions. This aspect of performance has been the subject of comment by criminal justice partners who have noticed a deterioration since the move to IPT working. It is not unusual for outstanding matters to be dealt with on the first day of trial such as the service of unused documents on the defence, applications for special measures, hearsay and bad character evidence. The impression at case review hearings was that little was being done to progress cases between court listings.
- In order to improve performance Haringey has commenced trialling a case progression function for the Crown Court (in a similar vein to OBM). This has involved the introduction of a Crown Court case progression officer (CPO) to assist the caseworkers who are under pressure keeping on top of their allocated cases. The CPO is responsible for ensuring compliance with court directions and timescales and keeps a log of orders and actions and the date by which they need to be completed. As yet it was too early to assess whether this measure was helping to improve performance.

Aspect for improvement

Borough managers should:

- put effective systems in place to ensure that Crown Court cases are progressed effectively with timely compliance with court directions;
 - set clear objectives and performance targets for the Crown Court case progression officer; and
 - ensure that improvements are continuously monitored and assessed.
-

- We assessed the quality of case management to be good in two cases (11.8%), fair in seven (41.2%) and poor in eight (47.1%). Compliance with PCMH directions was particularly poor, being achieved in only two out of ten (20.0%). Initial disclosure fared better and was timely in 12 out of 16 relevant cases (75.0%) although the position was reversed for continuing disclosure where it was timely in only one out of nine (11.1%). Overall we found that the timeliness of communications in Crown Court cases was good in two of the 17 (11.8%), fair in 11 (64.7%) and poor in four (23.5%).

- The overall effective trial rate at Wood Green Crown Court for 2008-09, at 62.1%, was better than both the national and London figures (47.1% and 54.7%). This is due to the court's robust approach to case progression ensuring that cases are not listed for trial before assurance has been given in court that they are trial ready. No formal case progression meetings take place outside the courtroom.
- The borough is not currently handling any cases which are of sufficient seriousness or complexity to require supervision by a case management panel. At the time of our inspection there was no provision at district level for case management panels, although the district business manager will arrange for one to be held if needed.
- Although there were some good and fair examples of instructions to counsel in the file sample the majority were poor, containing little or no reference to the facts or strengths or weaknesses of the case. In addition outstanding evidence was not highlighted and no guidance was given in relation to acceptable pleas. The position was the same regardless of whether a crown advocate or counsel was instructed for the hearing and prosecution advocates were required to work out the prosecution position from the bundle of documents provided with the papers without specific guidance. Overall we assessed the quality to be good in one case (6.3%), fair in three (18.8%) and poor in 12 (75.0%).

Aspect for improvement

Borough managers should put in place measures designed to improve and monitor the quality of instructions to prosecuting advocates and the quality of indictments, providing for necessary training or refresher training where appropriate.

- Crown advocate deployment is on a district level and the borough has recently supplied two experienced lawyers to the newly formed Wood Green Crown Court advocacy unit.
- Use of CMS to record information and provide an audit trail of actions for Crown Court cases is fair with the important exception of finalisation information, which we found to be poor and too frequently inaccurate. Overall usage of CMS within our sample was assessed as fair in 16 cases (94.1%) and poor in one (5.9%).

4 THE PROSECUTION OF CASES AT COURTAssessment
2 - Fair**4A Advocates are active at court in ensuring cases progress and hearings are effective; advocacy and case presentation are of a high standard**

- The borough prosecutes the majority of its cases at Highgate Magistrates' Court but due to limited space two additional courtrooms at Tottenham Magistrates' Court are also utilised daily. The facilities at Highgate however are somewhat basic and both the CPS and Witness Service rooms are cramped and not conducive to an efficient working environment.
- All in-house prosecutors are experienced in magistrates' court work and, from the limited advocacy assessments undertaken as part of this inspection, those observed in the magistrates' court all met the CPS national advocacy standards. Prosecutors are expected to conduct a minimum combination of eight court and charging sessions a week.
- For some while the borough had not benefited from having an associate prosecutor available to cover court and none were identified in the June 2009 recruitment campaign. We understand that since our assessment two have been deployed to Haringey. Consequently there was a high reliance upon agents to cover additional sessions, a situation which was exacerbated by the redeployment of two experienced lawyers away from the borough to undertake Crown Court work for the district.
- No specific time is allocated for prosecutors to prepare for court and, although it was generally felt that in-house advocates were sufficiently prepared to progress cases competently, prosecutors themselves were conscious of the affects such contracted case preparation had on the quality of their advocacy. This was manifest from the observations conducted at court, it being apparent on occasions that the prosecutor lacked a comprehensive understanding of facts and issues in some cases.
- From our file sample we found some variation in the quality of file endorsements but the overwhelming majority were assessed as fair. The borough is aware of the overall need to improve endorsements generally so that they reach a good standard; this has been addressed through team meetings and individual emails to those who have written a poor endorsement. In our file sample the quality of endorsements in the 18 relevant magistrates' court cases was good in one (5.6%), fair in 16 (88.9%) and poor in one (5.6%). In the 17 Crown Court cases we found the position to be marginally worse, being assessed as good in one (5.9%), fair in 13 (76.5%) and poor in three (17.6%).
- The borough no longer retains its two crown advocates (CAs) as they have been redeployed as a district resource and are now part of the recently formed advocacy unit located at Wood Green Crown Court. The unit operates with four permanent CAs based at court together with a CA manager, who also presents cases in court. At this early stage the work mainly consists of cases listed for PCMHs, sentencing and short, non-complex trials. As the unit progresses it will need to monitor performance carefully and take account of the CPS/Bar Framework of Principles for Prosecution Advocates. As yet no protocols or operational parameters have been agreed with the borough units and no service level agreement has yet been implemented with the court. This aspect will need to be addressed in the near future, especially since the advocacy unit has expressed a desire to develop and expand its work.
- From the limited advocacy assessments (of both CAs and counsel) conducted at the Crown Court, whilst performance was acceptable and prosecutors demonstrated sufficient competency to conduct the hearing, the quality was variable with some cases suffering from uninspiring presentation, inaccurate legal interpretation and poor preparation. None of the advocacy was of a high calibre although the cases observed were neither complex nor particularly taxing. Concerns over the standard of advocacy, both general and specific, of those instructed to prosecute at

Wood Green Crown Court have been raised with CPS senior managers. The present system will require careful monitoring to ensure that only prosecutors with sufficient ability and experience, commensurate with the requirements of the case, are instructed.

- Compliance with the Prosecutors' Pledge, Victims' Code and Witness Charter was good on occasion, but inconsistent. Partner agencies commented that most prosecutors engaged with witnesses at court and responded positively to enquiries and request for assistance. A small number were more reluctant to engage. In the Crown Court whilst caseworkers did not customarily introduce themselves to witnesses they did make themselves available to the Witness Service when required. Those with daily experience at court were of the view that this was a consequence of the CPS reducing the numbers of caseworkers at court to an inadequate level, rather than reluctance on the part of individuals.

Aspect for improvement

The borough, in conjunction with the district, should take steps to establish an effective operational protocol with the Wood Green Crown Court advocacy unit to ensure that:

- advocates instructed to prosecute have sufficient ability commensurate with the seriousness of the case;
 - advocates have sufficient time to prepare their cases for hearing; and
 - there is systematic monitoring of all prosecution advocates, with feedback provided on performance.
-

5 SERIOUS VIOLENT AND SEXUAL OFFENCES, AND HATE CRIMESAssessment
0 - Poor**5A The borough ensures that serious violent and sexual offences, and hate crime cases are dealt with to a high standard**

- There were 13 cases in our file sample involving allegations of serious violence, sexual offences and hate crime of which 12 (92.3%) were correctly identified and flagged on CMS. The accurate flagging of these cases is not monitored by the borough which relies upon the district business unit to provide monthly feedback in respect of cases not properly identified. Generally the charges selected and proceeded with in serious violent and sexual offences and hate crimes reflected the criminality of the conduct and seriousness of the particular case.
- Our file sample revealed that in seven of the 13 cases (53.8%) the police had provided insufficient background information at the PCD stage for the prosecutor to make an accurate determination of the evidential and public interest considerations and apply the relevant CPS policy guidance appropriately. We noted in particular that of the six cases identified as domestic violence, in three additional information which ought to have been sought by the prosecutor was not requested. None of those cases were charged under the threshold test and two of them resulted in an unsuccessful outcome.
- There was compliance with the CPS policy on retraction in the two relevant cases where a witness's reluctance to continue in support of the prosecution had been expressed and communicated to the CPS prior to the trial. Overall prosecutors considered the views of victims who no longer wished to proceed with a prosecution in eight cases and determined the public interest was to proceed against the victim's wishes in two. The decision-making in these cases was in accordance with the relevant CPS policy.

Violence against women: successful outcomes (convictions) as a percentage of completed cases

Performance 2008-09			Performance 12 months to September 2009		
National	CPS London	Borough	National	CPS London	Borough
71.9%	62.0%	60.0%	71.7%	60.5%	55.6%

Hate crime: successful outcomes (convictions) as a percentage of completed cases

Performance 2008-09			Performance 12 months to September 2009		
National	CPS London	Borough	National	CPS London	Borough
82.0%	77.2%	66.7%	81.7%	75.4%	60.0%

- Outcomes in serious violent and sexual offences and hate crimes are not encouraging, as the preceding table shows, and the borough recognises that performance in these cases is a priority and remains a challenge. Successful outcomes in respect of rape and other sexual offences for 2008-09 were particularly poor, at 36.0% and 57.6% respectively, compared to CPS London's figures of 47.0% and 70.4%. Conversely however the rate of successful outcomes in domestic violence cases, at 62.9%, for the same period compared favourably with the London average of 61.9%.
- There are three rape specialist lawyers, including the BCP, to whom all rape cases are allocated. Other cases within the remaining categories including racially and religiously aggravated crime are distributed between team members. Haringey's community prosecutor acts as the hate crime and violence against women (VAW) coordinator and has responsibility for engaging with relevant

community groups within the borough. Whilst this activity ensures that the CPS has a local profile more needs to be done to encourage greater ownership across the unit. Managers are aware of the need to develop a coherent VAW strategy and to act upon issues identified by the community prosecutor to improve performance. None of the specialists have a formal mentoring role within the team, nor do they monitor borough performance or produce reports in respect of their specialist areas.

- We examined four rape cases - one of which also involved child abuse - a second child abuse case and six involving domestic violence. Overall some elements of case ownership were lacking. In one case two specialists took a contradictory view of the evidence, in seven out of ten relevant cases there was an absence of continuing review and in three more could have been done to avoid an unsuccessful outcome. In the domestic violence cases, whilst the prosecutor considered the availability of enhanced evidence at the PCD stage in five out of six relevant ones (83.3%), only one resulted in a successful outcome. Enhanced evidence can corroborate a victim's complaint so that the prosecution is not so easily undermined by the withdrawal of the victim's support at or before trial.
- We examined two racially aggravated offences. In one the case was submitted for PCD after a protracted and unnecessary delay and was subsequently prosecuted without the required sense of urgency it deserved. Given the full circumstances of the case the decision to discontinue at the Crown Court, notwithstanding a change in circumstances since the PCD, was not in accordance with the Code. No letter of explanation was sent to the victim and no offer to hold the mandatory meeting was made. The second case proceeded as far as the summary trial hearing on which date the defendant failed to appear and the magistrates issued a warrant for the defendant's arrest. That warrant has been outstanding for sometime, a situation which may have been exacerbated by the incorrect recording of the case as finalised.
- Overall cases within our file sample revealed a number of factors that combined to affect adversely the success of cases at court. Whilst some may not be considered as within the direct control of the CPS others were more so; in particular the coupling of poor quality reviews at an early stage with ineffective decision-making thereafter, as well as weaknesses in the processes controlling case management, progression and trial preparation which were evident, especially in the Crown Court. The limited value added by the review in the early stages of the case, coupled with a lack of subsequent accountability and rigour through individual involvement in the adverse reporting system, has contributed to the continuing poor outcomes in serious violent and sexual offences and hate crimes. There is a need for greater individual and collective learning from cases which do not succeed to be translated into sustained performance improvements.
- The borough is acutely aware of issues involving vulnerable children which are awarded a high priority by all local criminal justice agencies. The BCP attends the quarterly local Safeguarding Children Board meetings chaired by the police.

Aspect for improvement

The borough crown prosecutor should ensure that the roles and responsibilities of specialists and champions:

- are fairly and evenly distributed between the unit's senior lawyers;
 - are defined and understood, with clear expectations and performance objectives linked to outcomes;
 - act to ensure that ownership of violence against women and hate crime cases is embedded within the unit; and
 - include regular analysis and feedback of outcomes in serious violent and sexual offences and hate crime cases, identifying reasons for unsuccessful outcomes in these cases and implementing measures to improve performance.
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6 DISCLOSURE

Assessment

0 - Poor**6A There is compliance with the prosecution's duties of disclosure**

- Difficulty was experienced locating some documents relating to the disclosure of unused material in a few of the cases making up the file sample. This appeared to be a consequence of the archiving and storage arrangements for concluded cases and seems to be a recurring feature of the IPT arrangements. Notwithstanding this however in most cases there was sufficient documentation available for an accurate assessment to be made. Overall we found that compliance with the prosecution's duty to provide initial disclosure was poor: it was fully discharged in 17 of the 33 relevant cases (51.5%) in our file sample.
- Failures were across the board and ranged from poor or incomplete endorsements on disclosure schedules and an over-reliance on the police disclosure officer's determination, to failures to assess material in accordance with the appropriate disclosure test. There was a general lack of reasons and transparency around disclosure decisions. Of greatest concern was the proportion of cases in which there was a failure to disclose material which had the potential to undermine the prosecution case or assist that of the defence. In nine of the 16 cases (56.3%) in which the duty to make initial disclosure was not complied with, items which should have been made available at the initial stage remained undisclosed although it remains possible that these omissions may have been cured at court without being recorded. In the event whilst non-compliance with disclosure created the potential to cause injustice none was caused in the particular circumstances of the individual case as none resulted in a conviction, since each was either dropped by the CPS or resulted in a judge directed acquittal.
- We noted several instances where disclosure documentation received from the police was incomplete and that items which should have been automatically revealed to the prosecutor had not been provided. Defective schedules are not routinely returned to the police for correction and in some cases the prosecutor applied the disclosure test relying solely upon the disclosure officer's assessment, without considering the unused material or requesting a copy. Since the introduction of the DGSP police are not required to produce unused material schedules until a case has been adjourned for summary trial or committal to the Crown Court and the CPS must now specifically make a request for all disclosure documents to be submitted as part of the full evidential file. This has created the risk of further added delay in the disclosure process and relevant material being received by the CPS somewhat late in the day. This effect was most pronounced in the magistrates' court in relation to initial disclosure which often took place very close to, or even on, the day of trial and in respect of continuing disclosure in the Crown Court where the same circumstances were noted. Overall in the cases examined discharge of the prosecution's duty of initial disclosure was timely in 20 out of 33 cases (60.6%).
- There were ten cases from the file sample where the need to consider continuing disclosure was relevant and was fully complied with in only one. In three where it was not fully complied with the failure was in not disclosing material which had the potential to assist the defence case. On those occasions however the same caveat in relation to initial disclosure applies.
- The disclosure record sheet was rarely used to document decisions with only five out of the 33 cases (15.2%) having a completed chronology of disclosure actions. File housekeeping was in want of care and attention as disclosure documentation was frequently found mixed in with general correspondence even where separate folders were included on the file for that purpose.

- The borough needs to address performance in this important area of case preparation and improve how it is discharging its duties of disclosure, particularly in the Crown Court where its most serious and complex cases are heard. It may be of significance that there has been no recent formal or refresher training on disclosure, nor has any joint training with the police taken place.
- Haringey relies upon casework quality assurance and adverse case monitoring systems to identify problems with disclosure. Steps need to be taken to put in place a more robust system to ensure that disclosure is completed in compliance with the specific guidance set out in the CPS Disclosure Manual.
- There were two cases in our file sample where sensitive material featured. This was not handled correctly insofar as the schedule was unsigned by the prosecutor and it was impossible to assess whether the material had ever been considered. There are appropriate facilities available for the storage of sensitive material should this be required. In seven cases the potential for unused material which was not in the prosecution's possession but in the hands of a third party arose. This was dealt with correctly in only one case (14.3%). Appropriate procedures exist for the proper consideration of the most commonly relevant third party material in the form of a draft protocol agreement between CPS London and the local authorities. This has yet to be adopted by the borough and steps need to be taken for this to be done expeditiously and promulgated to lawyers and caseworkers.
- There were no cases within our sample which gave rise to issues of public interest immunity (PII). Where these do arise they would be referred to the district crown prosecutor (DCP), who retains a log of such cases, for a decision to be made whether an application to the court should be made to withhold material. At the time of our inspection no DCP had been appointed and interim responsibility had been delegated to the Harrow Crown Court advocacy unit manager, a crown advocate experienced in dealing with PII issues.

Aspect for improvement

Urgent steps should be taken to:

- ensure compliance with the prosecution's disclosure obligations;
 - quality assure disclosure decisions effectively;
 - provide feedback to individual prosecutors; and
 - implement refresher training and agree a joint training programme with police disclosure officers.
-

7 CUSTODY TIME LIMITS

Assessment
3 - Good

7A The borough ensures that all cases with a custody time limit are dealt with appropriately and time limits adhered to

- In September 2008 CPS London issued a notice to all staff to ensure that the national custody time limits (CTL) guidance was adopted in all boroughs. This was done in the light of the high number of CTL failures in London and HMCPSI's impending assessments of London boroughs. The London Management Team then instructed all boroughs to adopt the London CTL system. This is compliant, for the most part, with the national standard. However managers need to be aware of the disparity and ensure that national requirements are also met.
- Haringey had no reported CTL failures in 2008-09 or in 2009-10 (to November). The last reported failure occurred in February 2008. It was investigated by the BCP and a report prepared for CPS headquarters. As a result the borough introduced procedures to address the issue. These new procedures were evident at the time of our inspection.
- Six 'live' cases involving CTLs were examined during our inspection. In each the expiry dates were correctly calculated and recorded on the front of the file and on CMS. All bar one also had review dates recorded on the front of the file. Review dates were accurately reflected in the CTL diaries. Endorsements on files were generally clear and showed the custody status after each hearing, although the administrative manager had checked the files and highlighted endorsements to make the position clearer. In one of the cases examined a number of applications for extensions were required due to reasons outside the prosecution's control. The applications were prepared in good time and appropriate notification was given to the court and defence.
- CPS London has recently signed a protocol with HM Courts Service to agree CTL expiry dates between the prosecutor and court at hearings. While all parties were aware of the protocol, it was not clear that dates were being agreed in court and there were no endorsements to that effect on the files examined.
- Time limits are monitored by the administrative manager who runs a report of relevant cases that are due to expire in the following two weeks. This is checked against entries in the CTL diaries then passed to the paralegal business manager (PBM) to review and double check.
- The PBM acts as the CTL champion providing updates and regular reminders to staff at team meetings. Overall monitoring procedures appeared robust and staff were knowledgeable about the system.

8 THE SERVICE TO VICTIMS AND WITNESSES

Assessment

0 - Poor**8A The borough ensures timely and effective consideration and progression of victim and witness needs, and the service to victims and witnesses is improving**

- The borough missed its 2008-09 proxy target of 384 direct communication with victims (DCV) letters, sending out 337 (87.8%) over the year. Performance was below the CPS London average for that period for volume (91.1%). A degree of caution however is needed in taking comparative outcomes against the proxy target as an accurate reflection of performance, since other inspection work has found that they tend to understate the requirement for DCV letters needed in order to comply with the scheme. As a result of our other work the CPS suspended the proxy targets in October 2009 pending re-evaluation of how it should be assessed. There were ten cases in the file sample where the DCV scheme was engaged and a letter was sent in eight of them. This suggests that despite general unreliability in this instance performance suggested by the proxy target is broadly accurate.
- The timeliness of letters sent in 2008-09 was significantly worse than the London average for vulnerable and intimidated victims (35.3% and 65.9% respectively), but only marginally so for all other victims (88.2% and 83.1%). Whilst outcomes have improved during the second quarter of 2009-10 further work is required in order to close the performance gap between the Haringey and London averages and ensure that DCV obligations are firmly embedded across unit, so as to complement the committed efforts and organisation of the borough DCV coordinator.
- Recent work undertaken by managers has identified that the level of administrative cover at both the magistrates and Crown Court is having an adverse impact upon the unit's ability to meet timeliness targets for vulnerable and intimidated victims, the area most in need of improvement. However the borough needs to move beyond this point by implementing an action plan designed to address the issue actively.
- The table below shows performance against target in respect of DCV compliance.

	Performance 2008-09		Performance second quarter 2009-10	
	Borough	CPS London	Borough	CPS London
DCV compliance (volume target 100%)	87.8%	91.1%	95.3%	90.4%
Vulnerable and intimidated victims (timeliness target 95%)	35.3%	65.9%	63.6%	78.9%
Other victims (timeliness target 95%)	80.0%	83.1%	81.3%	87.0%

- We assessed the quality of letters sent in the eight relevant cases in the file sample and also examined the DCV log which contained 103 of the most recent letters. Overall we considered the majority to be of a good standard completed using the approved template available on CMS. They were generally tailored to the individual circumstances of the case without an over-reliance on standard paragraphs and where a reference to available support agencies was required this information had been included. Explanations of prosecution decisions were written concisely using intelligible language, making the reasoning behind decisions clear and understandable. There was an appropriate level of empathy and, where it was appropriate to offer the victim a meeting, that invitation was included.

- Consideration of the needs of victims and witnesses at the PCD stage is inconsistent. Initial needs assessments are not always completed when first contact is made with the witness and special measures assessment forms are not routinely made available to prosecutors at this stage. Notwithstanding this there is a tendency on the part of prosecutors to deal superficially with special measures in the course of providing charging advice rather than requiring a more substantial enquiry to be made which could establish the evidence upon which a successful application could be presented, should a matter proceed to trial.
- Applications for special measures were not always timely even in those cases where the witness would have automatic eligibility for enhanced levels of support. In other cases it was not apparent that individual's needs had been considered in conjunction with the police and there was a lack of proactivity by prosecutors in ensuring that in cases where the police ought to have completed an initial needs assessment, this was undertaken. The position was further highlighted by the small number of victim personal statements (which record the impact of the crime on the victim) present on the files. There were 12 Crown Court and 11 magistrates' court cases where a statement should have been offered yet they were present on only three Crown Court cases (25.0%) and two magistrates' court (18.2%). Prosecutors consulted with the victim in two out of five cases (40.0%) prior to proceedings being discontinued.
- Since the move to the IPT site the borough has been co-located with the witness care unit (WCU) and CPS and unit staff now work alongside each other, which has helped develop a closer working relationship. The WCU is wholly staffed and managed by police administrators as the CPS have been unable to recruit a witness care officer (WCO). Whilst relationships between the CPS and WCU have undoubtedly improved since the move the shared working environment has not overcome some of the communications difficulties encountered when information needs to be passed between the two. WCOs are frequently not informed when a special measures application is due to be made or told the outcome, leaving them unable to inform the witness of whether it has been granted. The unit also experiences delays receiving witness details from the CPS so that an initial contact may be made by the WCO. The problem is especially acute when new witnesses are added to existing cases.
- The process for warning witnesses to attend court for trial is generally sound and the occasional delays which occur usually arise from an individual error to pass on relevant information or failure to make a proper record of court proceedings. Notwithstanding this however witness attendance has been poor during 2008-09, with only 79.3% of witnesses warned for court actually turning up for the hearing (compared to the CPS London figure 83.1% and a target of 90.0%).
- The WCU, CPS and police have weekly case progression meetings intended to ensure that cases listed for trial a fortnight hence are ready for hearing. Performance measures indicate that there is a need for a more focused approach around witness issues to improve outcomes.
- The WCU receives the No Witness No Justice (NWNJ) primary and secondary measures witness data which is collated centrally by the CPS business performance unit. Although this information is available to the joint performance meetings held monthly with the CPS it is not analysed or used to drive performance improvement as the borough has focused exclusively on the ineffective and cracked trials data produced by the court. More needs to be done to encourage joint ownership of outcomes and improve upon performance management of the WCU. Work is being undertaken by CPS London and its police partners to provide data at the borough level for each WCU.

- The WCU needs to ensure that effective use is made of the witness management IT system to record important information and chronicle contact with witnesses. For example improvements could be made to the accurate recording of information received by WCOs during the detailed needs assessments. This would assist aspects of case preparation such as alerting caseworkers and prosecutors to the need for a victim personal statement to be taken or further evidence required in support of a special measures application.
-

Aspect for improvement

The borough should:

- ensure that witnesses likely to benefit from special measures are identified at the earliest opportunity;
 - improve the timeliness and quality of applications for special measures in appropriate cases and communicate the results of applications to the witness care unit; and
 - develop a clear strategy for victim and witness service in line with the national strategy and ensure its performance framework includes performance against No Witness No Justice primary and secondary measures and the Victims' Code.
-

9 MANAGING PERFORMANCE TO IMPROVEAssessment
2 - Fair**9A There is an effective and proportionate approach to managing performance locally at individual, unit and borough level**

- The quality of casework is monitored by the BCP through analysis of adverse outcomes, dip sampling of MG3s and the casework quality assurance (CQA) process. The BCP also reviews all proposed discontinuances which provides a further mechanism for reviewing casework quality. Despite the borough meeting its volume target for CQA forms, the monitoring could be more thorough as most of the forms reviewed contained only ticks and crosses with no explanation or analysis of the findings. Additionally the files examined for this inspection showed some weaknesses including, for example, lawyers not always complying with procedures for disclosure of unused material. The BCP acknowledged that there is no dip sampling or monitoring of cases to look at disclosure issues and feedback from the CQA analysis on these issues is limited. If issues are identified feedback takes the form of informal ad hoc discussions with individuals and there is no dissemination or discussion in meetings of wider lessons to be learnt. Stronger analysis of casework, with a more formal feedback mechanism, is needed to help produce improvements in casework quality.
- The BCP undertakes some ad hoc advocacy monitoring to assess the standard of both in-house advocates and agents. As with the analysis of casework quality feedback is limited to an informal discussion rather than formal written feedback. Some formal reviews were undertaken in 2008-09 by the area advocacy assessor but only a limited number of advocates in Haringey were covered. The BCP has also had informal meetings with the courts to gain feedback about advocates and agents. Where negative feedback about agents has been received action has been taken to refrain from using those individuals again.
- The borough began implementing the OBM for summary case preparation in November 2007. In July 2009 it underwent a formal assessment for 'sign off' which was achieved with a number of recommendations that formed the basis of an action plan. All actions have now been completed and will be reviewed by the sign off team when they revisit. Despite receiving its OBM accreditation the timeliness and preparation of summary trials remains an issue of concern. One lawyer has been allocated to OBM preparation each week but this is not enough to handle all of the casework and backlogs have built up as a result. Currently many cases are being prepared a week before trial with some in the week of the trial. This means that tasks like disclosure and preparing applications for special measures are completed at the last minute or occasionally being missed.
- The borough has also commented that the DGSP has adversely impacted on the quality of files provided by the police. Under the process the police no longer include many standard items in files unless they are specifically requested by the CPS, which causes delays. To counter this the borough has created a form to specifically request items needed but the OBM manager spends a great deal of time chasing up outstanding items from the police.
- The BCP receives monthly performance data on Haringey's performance from the CPS London Performance Unit. In 2008-09 12 of the 16 performance aspects were rated "red" or "amber red", requiring the borough to take immediate action to improve performance. The borough prepared an action plan to address shortcomings but the plan has not yet been effective in driving up performance: at the end of the second quarter of 2009-10 Haringey was still rated red in the majority of performance aspects. The absence of a DCP has taken some of the focus off improving performance. The monthly performance meetings with the DCP no longer take place and the BCP now prepares a summary of the top five performance issues to discuss at the monthly management team meetings with the district's other borough managers. The BCP also provides commentary on performance for the quarterly performance review meetings.

- CMS updates and finalisations have been an issue partly because of problems with administrative resources at court. The borough has now deployed a full-time member of staff to address this, but at the end of the second quarter of 2009-10 the percentage of CMS hearings and finalisations was still well below London and national averages and therefore requires further attention. The accuracy of finalisations is also a problem: eight out of 36 cases (22.2%) in the file sample were finalised incorrectly.
- Performance and development reviews (PDRs) are undertaken to try and improve operational and personal performance. Objectives in PDRs include those set at the district level, such as meeting DCV targets, as well as objectives relevant to individual performance agreed between the staff member and their line manager. PDRs are reviewed with individuals at six-monthly meetings.

Aspect for improvement

The borough should adopt a more thorough approach to casework quality review and provide a formal mechanism for feeding back issues to staff.

9B The borough is committed to managing performance jointly with criminal justice system partners

- The borough participates in a number of multi-agency meetings to improve joint performance. It is represented by the BCP in the Borough Criminal Justice Group (BCJG) as well as having representatives in the sub groups for victims and witnesses and community engagement.
- At an operational level the BCP attends monthly PTPM meetings with the police. In the past these meetings involved representatives from the courts and WCU but were re-structured to focus on higher level joint performance issues between the CPS and police. PTPM data is reviewed in the meetings but the focus is on overall performance and joint initiatives, such as the IPT, rather than problems with individual cases.
- The joint performance management (JPM) meetings are attended by the CPS paralegal business and OBM managers, as well as the appropriate representatives of other criminal justice agencies. Discussion centres on trial readiness issues and individual adverse cases, and data such as cracked and ineffective trials is analysed. The meetings are working well to iron out performance issues between the CPS and police but there are still some challenges with the courts in addressing problems over listing. Problems such as errors in court lists have arisen out of the move from individual magistrates' courts managing their own lists to a process whereby updates are made from a central location.
- A range of performance information such as adverse outcomes and cracked and ineffective trial data is shared and analysed with other agencies at the different joint performance meetings. Ineffective trial forms have been analysed by the group at meetings to address problems with listing.

10 MANAGING RESOURCES

Assessment

Not scored**10A The borough deploys its resources efficiently and operates within budget**

- Financial management of the non-ring fenced administration costs budget (NRFAC - comprising mainly staffing and general costs) and programme costs budget (largely prosecution) rests at regional and district level. At borough level there is limited responsibility for financial management of these budgets. For accounting purposes spend is forecast and expenditure allocated to borough level cost centres, but in reality these are monitored at district level and overseen and authorised by the region. Financial delegation within the region is limited, spend is authorised at that level and strict controls are exercised.
- In 2008-09 Haringey had an NRFAC budget of £1,458,143 and spent 98.7% of it at year end. Spend on prosecution costs was 153.3% of budget. A shortage of associate prosecutor (AP) and lawyer resources meant the need to employ a significant number of agents, not budgeted for, to prosecute in the magistrates' court. The shortfall in NRFAC spending is being used to subsidise some agent spend. The NRFAC budget in 2009-10 has decreased to £1,349,782 and for the first six months of 2009-10 spend against it was 87.9%. Prosecution costs were 119.0% of budget for the first six months of 2009-10.
- Staffing numbers have been roughly determined according to the activity based costing model. However Haringey has a number of posts that have not been filled including an AP and witness care officer. Based on the model the borough is acknowledged to be under complement with regard to lawyers (0.6 full-time equivalent) and APs (2.0).
- Whilst Haringey is over complement in relation to both caseworkers and administrative staff according to the ABC model, responsibilities for staff in these grades have increased as a result of the move to IPT. This additional work, including all post-charge file building and requests for evidence, has meant that the caseworkers have felt stretched. The PBM has redeployed the former charging centre manager into a caseworker role to help deal with the increased workload. The borough considers that there are not enough administrative staff to complete all the work and backlogs are building up with regard to processing finalised cases.
- The borough has clear expectations with regard to lawyer deployment. Lawyers are expected to undertake eight sessions per week of charging and magistrates' court work, leaving one day to complete Crown Court case progression. This day in the office is meant to be ring fenced but is not always able to be utilised, in part because of the commitment to providing PCDs five days a week. This is impacting on the time available for serious casework and more of the tasks in these cases are being shifted back to the caseworkers to complete.
- The borough operates the OBM with one manager, one lawyer, one administrative staff member and, until recently, a full-time AP. Lawyers are on a rota to undertake OBM work for a week at a time and as this is seen as a priority they are very rarely taken away from this to do other work. The borough acknowledges that one lawyer is not enough to get through the OBM workload. Haringey is currently handling between 60-70 OBM cases per week and, on average, is carrying out case progression on trials set down for the following week. This means many tasks like applications for special measures and disclosure are carried out at the last minute (as discussed in aspect 9).
- In 2008-09 there was not an AP available to cover court therefore Haringey achieved only 0.3% AP coverage of magistrates' court sessions compared to a national average of 24.5% and a London average of 20.5%. Despite having been allocated two AP positions in 2009-10, the borough has not been able to fill them and was still without an AP at the time of this assessment. AP coverage of

the magistrates' court had decreased further to 0.2% at the end of the second quarter of 2009-10. These court sessions are currently being covered by other in-house prosecutors, which reduces their availability to cover trials and other work and increases the percentage of sessions covered by agents. As a result there is more spend on agents than originally budgeted for.

- The borough has been unable to meet in-house deployment targets in view of having only 70% of its lawyer and AP complement. In 2008-09 60.2% of magistrates' court sessions were covered in-house, falling well below the 90% target and the 87.9% achieved by London overall. In the first half of 2009-10 in-house deployment reduced further to 52.0% and is likely to decrease again with the recent loss of two advocates to the Wood Green Crown Court advocacy unit. The two crown advocates' full-time status on the advocacy unit means that they are no longer able to undertake any work for the borough.
- In 2008-09 average sick leave was 7.9 days which was significantly better than the national average of 8.7 days and the London average of 9.3. In 2009-10 it improved further with staff having on average only 5.5 days of sickness absence in the 12 months to September 2009. Managers have praised and cited the unit's high morale and a collaborative team spirit, a view confirmed by our assessment, as being one of the reasons for the low levels of sick leave and has helped the borough to cope at a time of reduced resources.
- There are a number of staff on flexible working arrangements and these appeared to be working well. Any flexible arrangements put in place are reviewed after six months to ensure that the borough and individual are not adversely affected.

11 MANAGEMENT AND PARTNERSHIP WORKINGAssessment
2 - Fair**11A Borough management has a clear understanding of what needs to be delivered to meet London, national and criminal justice system priorities, underpinned by effective planning and management**

- The management team has an awareness of the key priorities to meet London-wide and district objectives, although these are not formally set out in a business plan for the borough. Team objectives align with those set at district level and in the London Area Delivery Plan. These team objectives are reflected in individual PDRs and discussed at team meetings.
- The focus of borough management is very much on day-to-day operational issues ensuring that the processes and resources are in place to deliver core business. Alongside these operational issues the management team has had to deal with a significant amount of change over the last 18 months whilst trying to ensure that performance is not adversely affected. Major changes have included the move to Wood Green to restructure as an IPT and implementation of initiatives such as the OBM, DGSP and CJSSS in the youth court. On the performance front recent management focus has been developing systems to improve progression in Crown Court cases.
- In advance of the move to IPT the BCP and PBM worked with police managers to plan the systems that police and CPS staff would operate from the co-located site. Managers and staff from both agencies have commented on the success of the relocation. Although there are many areas of weak performance there was deterioration coinciding with the move, which other boroughs have experienced. As a result Haringey has been held up as an example of good practice in relation to IPT and has given advice to other boroughs preparing for co-location.
- Managers understand their responsibility for implementing management decisions and take a corporate approach. However the provision of a five day a week charging service to the police, despite the advent of CPS London Direct, in order to ensure good relationships with the local police are maintained has come at the expense of other work. The commitment to charging has undoubtedly affected performance against in-house deployment targets and the time dedicated to serious casework.
- Communication is, for the most part, effective. Team meetings are held monthly with all staff and include discussions around unit performance, staff issues and current and upcoming initiatives. Staff are able to raise issues at these meetings or through informal methods and felt managers were generally open and responsive to issues raised and feedback given. The only staff who regularly miss these meetings are the lawyers, who are rarely in the office. While minutes from the meetings are circulated lawyers miss out on the opportunity to raise concerns and suggest ideas in the same way as those who attend the meetings.
- In addition to the all staff meetings they are held for individual groups such as the caseworker and administrative teams. The BCP and PBM also hold monthly management team meetings and are in regular contact with other managers in the district.
- There is some consideration of risk at borough level although this is mainly confined to those associated with new initiatives such as IPT. However the BCP also undertakes some analysis of risk in relation to performance for the quarterly performance review meetings.
- Haringey does not have its own training plan but there is consideration of training needs for the group and individual through the PDR process. The borough has devised a number of local training sessions for staff including a programme introducing administrative staff to the Crown Court and introductory sessions to prepare staff for IPT.

Aspect for improvement

The borough should consider ways to improve communication and consultation with lawyers who are unable to attend all staff meetings.

11B The borough is committed to engaging with partners and jointly improving levels of service

- The management team has developed positive working relationships with their criminal justice partners and is acknowledged to be open and responsive and to take a collaborative approach.
- At the strategic level Haringey participates in the BCJG which has been involved in the roll out of a number of multi-agency initiatives including DGSP and CJSSS in the youth court. Meetings are held quarterly and performance and joint initiatives are key discussion points. The BCP and other borough representatives also participate in the BCJG sub groups.
- At an operational level staff are engaging effectively with the police. Since the move to IPT and co-location both the police and CPS have commented that working relationships have improved and issues are now resolved much more efficiently. The success of IPT has meant that Haringey is now considering broader working initiatives and is looking to set up the first safeguarding children multi-disciplinary team across the UK. At management level the BCP regularly engages with the police at PTPM and other informal meetings as issues arise.
- Engagement with the Crown Court has mainly occurred at district level with the previous DCP attending regular meetings with the senior resident judge. There have been no alternative meetings with other CPS managers while the borough has been without a DCP. Engagement at magistrates' court level largely occurs through the JPM meetings. The CPS has used these to raise difficulties experienced over magistrates' court listing and some issues around contacting court staff following the relocation of their administration to Highbury Corner Magistrates' Court. The court acknowledges that some issues exist although no resolution has yet been forthcoming.
- A borough community prosecutor coordinator was appointed in 2009 who has undertaken a significant number of external community engagement activities over the last three months. They are also the domestic violence and hate crime coordinator so a focus of activity has been engaging with local domestic violence and hate crime groups. At this stage activities have been largely focused on providing community groups with information about the work of the CPS and establishing relationships.
- A major issue in Haringey is gun and gang violence. One of the lawyers has therefore received special training in gun and gang crime and now acts as a specialist in this area providing a dedicated service to the police in respect of all such incidents.

11C Managers act as role models for the ethics, values and aims of the London-wide service and the CPS, and demonstrate a commitment to equality and diversity policies

- Staff performance is recognised at team meetings, through emails and in one-to-one meetings between staff and managers. Items are also put forward for area news bulletins. Staff said that they felt generally appreciated for their work although some considered there to be a lack of promotion and development opportunities.
- Managers are liked and respected by staff and morale appeared high. Staff were pleased with the new accommodation under IPT and the closer working relationship it afforded them with their police colleagues. No substantiated complaints have been made by staff about management or their colleagues.
- The make up of staff reflects the community served, however there is no ability to control this at borough level. Diversity issues are dealt with at a London-wide level.
- There are no recent complaints on borough registers but the older ones we considered were handled satisfactorily.

ANNEXES

A PERFORMANCE DATA

Aspect 1: Pre-charge decision-making

	Performance 2008-09			Performance 12 months to September 2009		
	National	CPS London	Borough	National	CPS London	Borough
Pre-charge decision cases						
	80.8%	76.2%	70.4%	80.1%	74.9%	70.7%
Magistrates' court cases						
Discontinuance rate	13.1%	13.6%	15.7%	13.7%	14.7%	16.1%
Guilty plea rate	74.4%	69.8%	66.0%	73.6%	67.5%	68.1%
Attrition rate	19.2%	22.1%	25.8%	20.0%	23.8%	25.3%
Crown Court cases						
Discontinuance rate	11.7%	15.6%	22.2%	11.7%	15.0%	20.3%
Guilty plea rate	72.9%	60.8%	55.7%	73.1%	61.0%	55.4%
Attrition rate	19.4%	27.3%	36.6%	19.5%	27.6%	36.7%

Aspect 2: Ensuring successful outcomes in the magistrates' court

Successful outcomes (convictions) as a percentage of completed magistrates' court cases

	Performance 2008-09			Performance 12 months to September 2009		
	National	CPS London	Borough	National	CPS London	Borough
	87.3%	86.0%	81.9%	87.1%	86.1%	82.1%

Trial rates

	Performance 2008-09		
	National	CPS London	Borough
Effective	43.4%	47.3%	39.5%
Cracked	38.0%	34.8%	40.7%
Ineffective	18.6%	17.9%	19.8%
Vacated	21.5%	16.3%	16.6%

Aspect 3: Ensuring successful outcomes in the Crown Court*Successful outcomes (convictions) as a percentage of completed Crown Court cases*

Performance 2008-09			Performance 12 months to September 2009		
National	CPS London	Borough	National	CPS London	Borough
80.8%	73.1%	63.1%	80.7%	72.7%	62.7%

Trial rates

	Performance 2008-09		
	National	CPS London	All Wood Green Crown Court cases
Effective	47.1%	54.7%	62.1%
Cracked	40.8%	30.0%	30.9%
Ineffective	12.1%	15.2%	7.0%

Aspect 5: Serious violent and sexual offences, and hate crimes*Violence against women: successful outcomes (convictions) as a percentage of completed cases*

Performance 2008-09			Performance 12 months to September 2009		
National	CPS London	Borough	National	CPS London	Borough
71.9%	62.0%	60.0%	71.7%	60.5%	55.6%

Hate crime: successful outcomes (convictions) as a percentage of completed cases

Performance 2008-09			Performance 12 months to September 2009		
National	CPS London	Borough	National	CPS London	Borough
82.0%	77.2%	66.7%	81.7%	75.4%	60.0%

Aspect 10: Managing resources*Non-ring fenced administration costs budget outturn performance (end of year ranges)*

	CPS London outturn 2008-09	Borough outturn 2008-09
	99.1%	98.7%

Staff deployment

	National performance 2008-09	CPS London target 2008-09	CPS London performance 2008-09	Borough performance 2008-09
In-house deployment in magistrates' court	85.3%	90.0%	87.9%	60.2%
Associate prosecutor deployment (as % of magistrates' court sessions)	24.5%	23.0%	20.5%	0.3%
Crown advocates. Counsel fee savings against target	110.0%	£4,200,000	99.3%	122.2% (district performance)
Sickness absence (per employee per year)	8.7 days	N/A	9.3 days	7.9 days

B INDIVIDUALS AND REPRESENTATIVES OF LOCAL CRIMINAL JUSTICE AGENCIES AND ORGANISATIONS WHO ASSISTED US

Police

Chief Superintendent D Grant, Borough Commander, Haringey Police
Chief Inspector P Dickson, Head of Criminal Justice, Haringey Police
Mr T Adeyemo, Witness Care Unit Manager

HM Courts Service

Crown Court

His Honour Judge Lyons, Senior Resident Judge, Wood Green Crown Court
Mr P Joseph, Court Manager, Wood Green Crown Court
Mrs L Hammond, Listing Officer, Wood Green Crown Court
Mrs D Noshir, Case Progression Officer, Wood Green Crown Court

Magistrates' court

Dr P Ormerod JP, Chair of the Youth Panel, Haringey Magistrates' Court
Mr S Carroll, Deputy Justices' Clerk, Haringey and Enfield Boroughs

Defence representatives

Mr M Carroll – Solicitor, Michael Carroll & Co

Victim Support

Ms G Belo Wa Ngombo, Witness Service Manager, Haringey Magistrates' Court
Mr S Okafor, Witness Service Manager, Wood Green Crown Court

Community Groups

Ms E Featherstone, Principal Equalities Officer, Haringey Council
Mr M Grant, Haringey National Health Trust, Lead for Safeguarding Adults

C LONDON BOROUGH SCORING MODEL

London borough assessments will be scored using the following model. Points will be allocated to each aspect on the basis of:

Aspect rating	Points to be allocated
Excellent	4
Good	3
Fair	2
Poor	0

They will then be added and assessed against the following ranges:

Excellent	32 points and above
Good	24 to 31 points
Fair	16 to 23 points
Poor	15 points and below

Additional limiters

There will also be two overriding limiters applied to the model ensuring that quality and outcomes are weighted within the model.

- Any borough with three or more Poor aspect ratings will automatically be reduced to the next range e.g. a borough scoring 22 points, but with three Poor aspect scores, will automatically be reduced to Poor.
- A borough will need to achieve at least two Good ratings in the first four aspects⁸ of the framework to be scored as Good overall e.g. one scoring 25 points, but with only one Good aspect in the first four, will be reduced to Fair.

⁸ Pre-charge advice and decisions; Decision-making, preparation and progression in magistrates' court cases; Decision-making, preparation and progression in Crown Court cases; and The prosecution of cases at court.

If you ask us, we can provide a synopsis or complete version of this booklet in Braille, large print or in languages other than English.

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