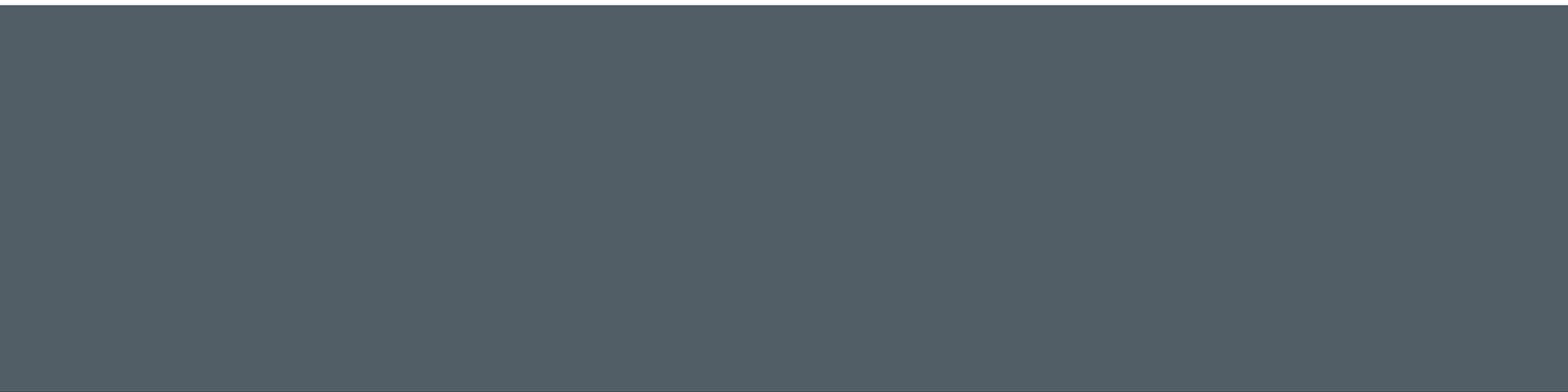


CPS London Borough Performance Assessments

Hillingdon/Heathrow Borough

Undertaken November 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 Hillingdon/Heathrow borough unit. It represents a more in-depth local assessment than the overall performance assessment of the West 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 Hillingdon/Heathrow 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 HILLINGDON/HEATHROW 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.

CPS London is divided into two regions (North and South), which comprise a number of districts. The area revised its divisional structure in 2009 and each district is now aligned to one or more Crown Court centres and is composed of boroughs whose casework is dealt with by those centres. The boroughs are co-terminous with police borough command units.

Hillingdon/Heathrow borough has one office at Harrow. It is part of the CPS London district which is aligned to the Crown Court sitting at Isleworth, although at the time of the assessment, some residual casework was dealt with at Harrow.

Borough business comprises both magistrates courts and Crown Court work and staff of appropriate skills and experience deal with both types of casework.

As of November 2009 the borough had an average of 27.9 full-time equivalent staff in post and a budget of £1,401,166 in 2008-09¹.

Staff	Numbers at September 2009
Borough crown prosecutor	1.0
Business manager	1.0
Crown prosecutors	9.0
Associate prosecutors	2.0
Caseworkers	3.8
Administrative support staff	11.1
Total (full time equivalent)	27.9

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

Details of Hillingdon/Heathrow 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	2120	1830	-13.7%
Decisions not resulting in a charge ²	791	620	-21.6%
Total pre-charge decision cases	2911	2450	-15.8%
Magistrates' court proceedings³			
Magistrates' court prosecutions	3801	3103	-18.4%
Other proceedings	11	1	-90.9%
Total magistrates' court proceedings	3812	3104	-18.6%
Crown Court proceedings⁴			
Cases sent or committed to the Crown Court for determination	669	902	34.8%
Committals for sentence ⁵	130	99	-23.8%
Appeals from the magistrates' court ⁵	47	52	9.6%
Total Crown Court proceedings	846	1053	24.5%

Inspectors visited the borough between 23 November and 2 December 2009. The lay inspector was Sally Jackson who manages the Hidden Violence and Abuse team in the Community Safety Team of Portsmouth City Council. The role of the lay inspector is described in the introduction. She 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. She 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. Her time was given on a purely voluntary basis and the Chief Inspector is grateful for her efforts and assistance.

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

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

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

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

C SUMMARY OF JUDGEMENTS

Contextual factors and background

The borough has enjoyed a period of relative stability in the past 12 months or so in terms of its management, but long term illness and other factors have led to the loss of some staff, mostly affecting the borough's Crown Court casework. This is particularly significant because Crown Court work, which tends to be the more serious casework and most resource intensive in terms of preparation and management, has increased by 34.8% over the same period. Although magistrates' court work has reduced, the reduction is much less and does not compensate for the increase in Crown Court work.

Change has coincided largely with implementation of recent initiatives such as the optimum business model, the Director's Guidance on the Streamlined Process, and the inception of centralised provision of charging advice at CPS London Direct (CPSLD), which have all provided challenges in respect of working to new processes, especially in relation to pre-charge advice and the preparation of magistrates' courts cases. The borough is currently planning for a move to integrated prosecution team (IPT) working, which will involve co-location with police, and a move from its current location (at Harrow) to Uxbridge police station. This will carry the benefit of locating staff directly next to the Uxbridge Magistrates' Court, but it will make travel arrangements for some more difficult.

The borough is unique in London, in that it deals not only with the casework emanating from Hillingdon borough command unit, but also the more specialised type of work which tends to arise from police based at Heathrow Airport. This includes the prosecution of specialised offences involving immigration and trafficking offences, as well as airport bye-laws. Borough lawyers have developed a particular expertise in these matters.

Summary

Borough lawyers continue to provide charging advice to the police at Hillingdon and Heathrow, although borough coverage has reduced to three days (sometimes four) per week since the introduction of CPS London Direct that handles, through a telephone service, volume crime cases requiring a decision whether or not to charge. Borough decision-making is sound, and accorded with the Code for Crown Prosecutors in 27 out of 28 cases where a charge was advised. Ancillary issues were considered at charging in 26 cases, although many were not explored in any detail. MG3s (records of the charging decision) are completed to an acceptable level. Despite all this, the borough is not realising the benefits of charging in terms of case outcomes, and performance is worsening.

Outcomes in magistrates' courts cases do not compare favourably with the national and London averages although the quality of decision-making and review is generally good. Prosecutors are reasonably proactive in progressing cases, although outstanding enquiries have not always been closely followed up. Implementation of the optimum business model has brought with it new case progression systems which are beginning to show improvements.

Crown Court performance is better and compares favourably with that of London as a whole and the national picture. There is a positive approach to case progression although some aspects, such as compliance with orders and directions, could still be improved. The borough cracked and ineffective trial rates present a mixed performance but compare favourably with the London and national averages.

The quality of advocacy is positive overall, although targeted monitoring could bring improvements. Good use is made of the borough's own advocates and court listing arrangements assist the deployment of associate prosecutors (AP). Instructions to counsel are of variable quality and would benefit from greater discussion and analysis of case issues.

The borough's outcomes in respect of serious violent and sexual offences and violence against women are poor compared with the national and London averages although the borough has appropriate procedures for dealing with such cases. There is a weekly specialist domestic violence court that deals with remand and sentencing cases. Weekly surgeries are held for consultation in rape and child protection cases. The overall rate of successful outcomes in all hate crimes at 83% is better than the London average of 77.2%.

The borough handles disclosure of unused material well, although timeliness of initial disclosure has recently suffered because of police file building arrangements following introduction of the streamlined process. There are some regularly occurring problems with the preparation of police schedules, which should be addressed more effectively. Disclosure performance is specifically monitored on a quarterly basis.

Cases that are subject to a custody time limit (CTL) are also handled well and are monitored in accordance with the London guidance. CTLs are calculated correctly, agreed in court and endorsed on the file jacket. Our file sample revealed one error of calculation based on a misreading of file endorsements. A manual diary system for magistrates' court and Crown Court cases supports monitoring on CMS and there are regular audits of CTL cases.

Borough performance for the number of letters sent to victims to explain why a charge is altered or dropped is good. The overall quality of the letters is good though there are some errors indicative of a lack of proper checking. The needs of victims and witnesses are considered at pre-charge stage, although they are not always discussed in detail. Hillingdon and Heathrow each have a separate witness care unit, both of which are staffed only by police employees.

Performance management processes are embedded. The BCP monitors casework quality through the casework quality assurance scheme and adverse case reports. Advocacy monitoring is undertaken formally by the London central advocacy monitoring team although the BCP does her own informal monitoring. Performance information is considered in internal meetings and discussed with partners.

The borough has limited responsibility for resource management. The recent London staffing preference exercise has resulted in a reduction of borough staff at managerial and administrative level. This has impacted particularly on Crown Court work but lawyer numbers have allowed a high rate of in-house court coverage. Deployment of APs has been assisted by the co-operation of the magistrates' court in listing appropriate courts. Daily business needs, which have been affected by the reduction in staff and the high sickness rate, require some rebalancing of borough flexible working arrangements.

Borough managers understand their roles and carry out their responsibilities effectively, including covering work absences of colleagues to minimise disruption to borough performance. The BCP maintains a deliberately visible presence in the office and staff morale is good despite pressures brought about by reduction in staff numbers. The BCP has worked hard to improve relationships with partner agencies and success in this respect has helped in the successful implementation of recent joint initiatives. It will also help in the move towards IPT, which, experience suggests, will bring many challenges.

In the light of our findings, the Unit's performance assessment is **FAIR**.

Aspects for improvement

We identified eight aspects for improvement:

-
- 1 Borough managers should take steps to ensure that MG3s refer in detail to the reasons for charging decisions and provide full consideration of ancillary issues (aspect 1).

 - 2 The borough needs to work with the police to improve the timeliness of file delivery (aspect 2).

 - 3 The borough crown prosecutor should ensure that current systems for recording case outcomes enable greater accuracy of case finalisations; regular monitoring should be undertaken to ensure that records of casework actions and events are accurate and complete (aspect 2).

 - 4 The borough crown prosecutor should ensure a proper standard of brief to Crown Court advocates (aspect 3).

 - 5 The borough needs to work with the police to improve:
 - the timely preparation of case papers in respect of cases to be committed and sent to the Crown Court; and
 - the timeliness of case preparation and case management, including compliance with directions of the court (aspect 3).

 - 6 Letters to victims under the direct communication with victims scheme should be checked for quality assurance purposes before (rather than after) they are sent (aspect 8).

 - 7 The borough crown prosecutor should ensure that all staff have a current appraisal report, clear objectives for the current year and that mid year reviews are carried out for all staff on the borough (aspect 9).

 - 8 The borough needs to ensure that the relationship with the joint WCUs is enhanced and further developed as part of the NWNJ initiative and that links with Hillingdon BCU are strengthened (aspect 11).
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Summary of judgements

BOROUGH PERFORMANCE ASSESSMENT 2009	
Pre-charge advice and decisions	2 – Fair
Decision-making, preparation and progression in magistrates' court cases	2 – Fair
Decision-making, preparation and progression in Crown Court cases	2 – Fair
The prosecution of cases at court	2 – Fair
Serious violent and sexual offences, and hate crimes	2 – Fair
Disclosure	3 – Good
Custody time limits	3 – Good
The service to victims and witnesses	2 – Fair
Managing performance to improve	3 – Good
Managing resources	Not scored
Management and partnership working	2 – Fair
OVERALL ASSESSMENT	23 – FAIR

D DEFINING ASPECTS

1 PRE-CHARGE ADVICE AND DECISIONS

Assessment
2 – Fair

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

- We examined 28 cases that had been the subject of a pre-charge decision (PCD) resulting in prosecution. The final charging decision was taken by CPS Direct (CPSD) or CPS London Direct (CPSLD) in eight of those cases. Twenty-seven cases had been the subject of the full Code test; the threshold test was applied in the remaining case.
- The evidential stage of the Code test was applied correctly at charging in 27 of the 28 cases. The case in which the test was incorrectly applied was a decision made by a CPSLD lawyer, which did not deal adequately with identification issues. The case was subsequently reviewed by a borough lawyer who also failed to deal with the issue. The prosecution was eventually dropped at court by the trial lawyer. The public interest stage of the Code test was applied correctly in each relevant case.
- The threshold test was incorrectly applied in the one relevant case in the sample. The decision was made by a CPSD duty prosecutor. Although it was right for a remand in custody to be sought for the accused after charge, there was sufficient evidence to apply the full Code test. Cases that have been subject of the threshold test are allocated by the BCP to a specific lawyer to ensure that a full review is done as soon as practicable. A full Code test was carried out subsequently by a borough lawyer in the one case within our sample.
- The most appropriate charges were advised in all but one of the 28 cases (96.4%) within our sample. However, criminal justice partners told us, citing specific examples, that some cases proceeded on charges that did not sufficiently reflect the seriousness of the offending and did not allow the court to sentence an accused appropriately. These were usually assault or public order cases. Investigation showed that some were originally charged by CPSLD and individual cases were taken up with CPSLD managers.
- The quality of the records of charging decisions (MG3s) is generally acceptable. We assessed one (3.6%) as excellent, 16 (57.1%) as good, 10 (35.7%) as fair and one as poor (3.6%). The principal failings related to the detail and clarity of the case analysis and reasons for the decision, as well as failure to address ancillary issues sufficiently.
- Reference to ancillary issues such as special measures, hearsay and bad character evidence is prompted by the MG3 template. The duty prosecutor identified ancillary issues in 26 out of 28 cases (92.9%). In most instances, however, the reference was no more than a mention and the issues were not discussed in any particular detail. In addition, borough procedures require that the duty prosecutor's considerations concerning mode of trial are set out in the MG3. This is usually not done. In most cases there is usually a simple "SST" (suitable for summary trial) or "NSST" (not suitable for summary trial) without expanding upon the reasons.

Aspect for improvement

Borough managers should take steps to ensure that MG3s refer in detail to the reasons for charging decisions and provide full consideration of ancillary issues.

- None of the cases within our sample involved the need to consider confiscation of assets under the Proceeds of Crime Act (POCA). However, issues relating to restraint and confiscation orders are matters that borough prosecutors are required to consider in appropriate cases and are prompted by the MG3.
- Despite the generally good quality of decision-making revealed by our file sample, outcomes in PCD cases raise serious concerns as the table below shows with all aspects being generally poor. Performance in magistrates' courts cases is worse than the national and London averages in each aspect and the most recent figures for the year to the end of September 2009 showed further falls. Managers believed that this was a blip and pointed to an encouraging improvement in the period from August to November 2009. Fluctuations remain and we hope that the borough can sustain the recent improvement on a more consistent basis. Crown Court performance for 2008-09 is better and compares well with the national and London averages. However, the figures for the year to the end of September 2009 again show a worsening position.

	Performance 2008-09			Performance 12 months to Sept. 2009		
	National	CPS London	Borough	National	CPS London	Borough*
Pre-charge decision cases						
Conviction rate	80.8%	76.2%	77.2%	80.1%	74.9%	73.4%
Magistrates' court cases						
Discontinuance rate	13.1%	13.6%	15.2%	13.7%	14.7%	17.0%
Guilty plea rate	74.4%	69.8%	68.8%	73.6%	67.5%	65.0%
Attrition rate	19.2%	22.1%	24.5%	20.0%	23.8%	27.6%
Crown Court cases						
Discontinuance rate	11.7%	15.6%	11.8%	11.7%	15.0%	14.3%
Guilty plea rate	72.9%	60.8%	74.3%	73.1%	61.0%	67.3%
Attrition rate	19.4%	27.3%	19.8%	19.5%	27.6%	25.2%

* 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 charging cover at the two separate police borough command units (BCUs) based in Hillingdon and Heathrow airport. Following the advent of CPSLD in the summer of 2009, the borough now provides a duty prosecutor one day each week at Heathrow and two or three days per week at Hillingdon. CPSLD provides charging decisions to the police from a central unit in cases that meet the referral criteria and the Director's Guidance on the Streamlined Process (DGSP). CPSD continues to provide out of hours advice for all cases.
- All of the borough's charging lawyers have appropriate experience and training. Heathrow BCU deals with all offences emanating from Heathrow Airport. These offences range from those arising under the general criminal law to more specialist offences relating to incidents on aircraft, offences involving immigration and human trafficking issues as well as offences under the airport bye-laws. As such, borough lawyers have built up expertise in these types of offences that often involve complex issues of law not generally encountered elsewhere.

- An appointments system for consultations is managed by the police who liaise with the BCP if there is a need for an additional day's cover at Hillingdon or if specialist cover is required. In addition, one day each week, the borough holds a rape and child protection surgery, staffed by a rape specialist. Again, there are arrangements for additional cover if required. All decisions not to prosecute an allegation of rape are endorsed by a second rape specialist.
- The assumption by CPSLD of borough charging was not without initial difficulties. However, good communication channels established between the BCP and the CPSLD manager have helped to resolve issues. Some of the problems resulted from CPSLD prosecutors being unfamiliar with the evidential elements of some of the offences emanating from Heathrow. These have been dealt with by providing training and guidance on relevant offences.
- The implementation of Criminal Justice: Simple, Speedy, Summary (CJSSS), conditional cautioning and Director's Guidance on the Streamlined Process (DGSP) were preceded by joint training with police officers and police managers to ensure that police evidential review officers (EROs) are aware of the necessary guidance to supervise files submitted for charging advice. Despite this, DGSP has raised some issues in respect of late files as we report in Chapter 2.
- Performance of EROs is monitored and discussed in Prosecution Team Performance Management (PTPM) meetings. The borough has a procedure to ensure that any charges that do not comply with the Director's Guidance can be reviewed by a lawyer before the first hearing. Performance in this respect is improving and the number of inappropriate referrals is reducing.
- In cases where further evidence or information is required before a charging decision can be made, the prosecutor should prepare an action plan for the officer and agree a date for further consultation. The completed MG3 is entered by the duty prosecutor on the case management system (CMS). The borough carries out monthly checks on CMS to ensure that cases are being resubmitted in accordance with the action dates and that the police are not making a decision themselves not to charge. The BCP has developed a system to ensure that a defendant is charged in appropriate cases within six months of the offence in respect of all summary only offences to ensure they do not run out of time.

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

Assessment
2 – Fair

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 Sept. 2009		
	National	CPS London	Borough	National	CPS London	Borough
Discontinuance and bindovers	8.7%	8.0%	8.6%	8.8%	8.1%	9.6%
No case to answer	0.2%	0.3%	0.6%	0.2%	0.3%	0.4%
Dismissed after trial	2.0%	2.4%	3.0%	2.1%	2.6%	3.6%
Discharged committals	0.2%	0.3%	0.1%	0.3%	0.4%	0.3%
Warrants	1.6%	3.0%	2.1%	1.5%	2.7%	1.9%
Overall conviction rate	87.3%	86.0%	85.6%	87.1%	86.1%	84.2%

- The application of the evidential stage of the Code test at the time of pre-charge decision or initial review accorded with the Code in 17 out of 18 cases (94.4%) in the file sample. The public interest stage was applied correctly in each relevant case. Cases proceeded to trial on the most appropriate charges in all but one relevant case, although we have referred in aspect one to concerns amongst criminal justice partners about the level of charge in some cases. Some specific examples were given of cases that would give rise to proper concern about serious undercharging. Those concerns were passed on to the borough crown prosecutor (BCP) in some instances and, where appropriate, addressed. These concerns were not apparent within our file sample.
- Full file reviews are generally carried out. A full file review was carried out in 14 out of 16 relevant cases (87.5%), although not all were timely. The quality of review varies although most are acceptable in that they identify the relevant case issues. File reviews (including the analysis at PCD stage) met the standard on 15 out of 18 cases (83.3%). Prosecutors are generally proactive in their approach to review. In particular, requests for a full file specify the nature of the evidence that is needed for a proper file build.
- There were no examples of linked cases within our file sample, although the borough has systems in place to identify such cases at an early stage. Action that follows will depend upon the nature of the linkage, for example whether it relates to defendants in the same case or the same defendant in more than one case. Care is taken in custody cases to ensure there is no confusion where different time limits apply and that all expiry dates are monitored individually.
- The borough's successful outcomes for 2008-09 do not generally compare favourably with the London and national averages. There has been little overall improvement in outcomes in the year to the end of September 2009; in fact, there has been a decline in three including the rate of discharged committals.
- The rate of discharged committals for 2008-09 at 0.1% is better than the London and national averages (0.3% and 0.2% respectively). There were four discharged committals in the borough representing 0.4% of all cases prepared for committal. Performance for the 12 months to the end of September 2009 shows some decline within the borough, although the position is still better than the London and equal to the national average. The borough rate of 0.3% comprises ten cases that represent 1.1% of all cases prepared for committal in the period.

- The increase in the rate of discharged committals is thought to be due, in part, to the lack of sufficient caseworkers to assist in committal preparation and which has also impacted on other aspects of casework. It is also noticeable that the borough's Crown Court caseload in 2008-09 had increased by 34.8% on the previous year. The police are notified of all discharged committals and requests for specific evidence are made in respect of those in which a decision to reinstate is taken. The borough's partner agencies were aware of the increase in the rate of discharged committals but had no specific concerns.
- Four cases in our file sample were discontinued. The decision to discontinue accorded with the Code in three cases. In two cases, there had been a material change of circumstances since the decision to charge. The discontinuance was timely in three of the cases and the outcome might have been avoided by better case management and preparation in two cases. The BCP (or one of two lawyers designated in her absence) looks at all cases where discontinuance is proposed as a means of learning lessons and providing feedback generally and on an individual basis where required.
- There were two cases in the file sample in which the magistrates found no case to answer at the end of the prosecution case. The outcome was foreseeable in one case because it involved a disputed point of law and the prosecution and defence had exchanged legal arguments in advance of the trial. The decision to proceed with the case was, nevertheless, justified on the evidence.

2B Cases are prepared and progressed effectively

Trial rates

	Performance 2008-09		
	National	CPS London	Borough
Effective	43.4%	47.3%	42.1%
Cracked	38.0%	34.8%	39.0%
Ineffective	18.6%	17.9%	19.0%
Vacated	21.5%	16.3%	15.9%

- The optimum business model (OBM) is now well embedded within the borough. The prosecution case progression team comprises a case progression lawyer, a case progression manager and administrative support. The role of the case progression lawyer is now rotated on a weekly basis. Roles within the team are clearly defined and procedures well established. When a full file is required for trial, the lawyer identifies specific items of evidence that are required.
- Much of the decision-making is sound, but a lack of timeliness in some aspects of case preparation can impact upon trial preparation and readiness. This, in conjunction with the non-attendance of witnesses, affects the level of case outcomes.
- The implementation of the Director's Guidance on the Streamlined Process has brought some problems with the standard of the initial police file impacting later on file build for summary trial and committal cases. In turn, this can cause delay.

Aspect for improvement

The borough needs to work with the police to improve the quality and timeliness of file delivery.

- Nevertheless the borough's case progression system is proving to be effective in other respects. There are weekly case progression meetings involving the police witness care unit (WCU) manager, the police case progression officer (CPO) and the OBM lawyer. Trials are examined three weeks in advance of the trial date to identify issues that may affect the readiness. There have been some problems in recent times with some full files not having been received from the police when the meeting is held but the BCP and the criminal justice unit (CJU) manager are working to cut down the delays. The court CPO does not attend the meeting; most of the issues relate to police or CPS performance, but the court is immediately notified of issues that may prevent an effective trial. If necessary, the case will be listed for an application to be made to vacate the trial.
- Prosecutors are proactive in progressing cases at the first hearing. Effective progress was made at the first hearing in all 17 relevant cases within the sample. Court directions were completed on time between first hearing and trial in seven out of eight cases. There was one case within the sample in which the first trial date was ineffective because the prosecution were not ready to proceed. Generally, however, all aspects of case preparation were timely in 12 out of 15 cases and we assessed the proactivity of case management as good in nine cases (56.3%), fair in six (37.5%) and poor in one case (6.3%).
- The borough effective trial rate of 42.1% is worse than the national average of 43.4% and significantly worse than the London average of 47.3%. Similarly, the cracked and ineffective trial rates are worse than the national and London averages as the table above shows. The vacated trial rate is, however, better than the London and national rates which is an endorsement of the borough's case tracker procedures. Performance was adversely affected during 2008-09 by Her Majesty's Courts Service relocation of listing and case progression functions to a central location outside the borough. This led to a disruption in service caused by the need to retrain courts staff.
- Our file sample contained two cases in which there was a cracked trial. In one, the accused pleaded guilty to all charges on the day of the trial. The other resulted in no evidence being offered because of an issue that should have been identified much earlier.
- The case management system (CMS) is used to provide an audit trail of file actions and events, although some aspects of recording require greater attention to detail. We assessed the overall effectiveness of CMS usage within our case sample as good in 13 cases (72.2%) and poor in the remaining five (27.8%). The quality of usage was affected largely, though not exclusively, by the standard of case finalisation. Five cases within the sample of 18 cases (27.8%) were incorrectly finalised, the issue ranging from the wrong reason to the wrong outcome altogether.
- The BCP has already acknowledged the problems with finalisations and was very aware of the implications for the borough's outcomes and financing. We found similar issues in respect of Crown Court finalisations although the position was better overall. New processes have been put in place to minimise the risk of incorrect finalisations. Staff have been given guidance and are proactive in following up poor or incomplete endorsements. Associate prosecutors now check every adverse outcome finalisation on CMS against the file endorsement.
- It is difficult to comment on the overall accuracy of case outcomes based on our small sample size. The nature of the errors did not indicate a weighting towards unsuccessful or successful outcomes. Nevertheless, the error rate is significant and we think that this makes it a priority in improving borough performance.

Aspect for improvement

The Borough Crown Prosecutor should ensure that current systems for recording case outcomes enable greater accuracy of case finalisations; regular monitoring should be undertaken to ensure that records of casework actions and events are accurate and complete.

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

Assessment
2 – Fair

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 Sept. 2009		
	National	CPS London	Borough	National	CPS London	Borough
Judge ordered acquittals	11.6%	15.7%	11.8%	11.7%	15.3%	14.0%
Judge directed acquittals	1.0%	1.1%	0.8%	0.9%	1.3%	1.2%
Acquittals after trial	5.5%	8.5%	6.4%	5.6%	9.0%	7.9%
Warrants	1.1%	1.6%	0.7%	1.1%	1.7%	1.4%
Overall conviction rate	80.8%	73.1%	80.4%	80.7%	72.7%	75.5%

- The borough's Crown Court caseload increased in 2008-09 by 34.8% on the previous twelve months. At the same time a combination of factors including long term sickness and relocation of staff has led to a reduction in caseworker numbers. Although the borough Crown Court performance for 2008-09 is generally better than the London average and compares favourably in most respects with the national performance, the increased caseload and reductions in staff are beginning to impact. The outcomes for the year ending September 2009 are less encouraging and require firm action to be taken to regain the previous level of performance.
- The application of the evidential and public interest stages of the full Code test at committal review or service of the prosecution case (in indictable only cases) accorded with the Code in all 14 Crown Court cases within our sample. Before the transition to CPS London Direct (CPSLD) in May 2009, the majority of Crown Court cases were the subject of a pre-charge decision (PCD) review by a borough lawyer. Procedures have been rearranged to ensure that CPSLD and CPS Direct (CPSD) cases receive a full review by a borough lawyer at the earliest possible time. There was a full review on the file or on the case management system (CMS), which met the standard in 11 out of 14 cases (78.6%). As with magistrates' courts casework, prosecutors are generally proactive in reviewing cases in terms of specifying what is required to complete the case rather than simply requesting a "full file".
- Borough managers and lawyers are aware of the criteria for referral to the CPS London Complex Casework Centre (CCC). Cases are usually identified at PCD stage and guidance is sought from the CCC if there is some doubt. Two possible cases were identified in 2008-09, one of which was actually referred.
- The indictment was correctly drafted in 13 of the 14 cases (92.9%). It was correctly amended in good time in the one exception. We observed seven borough cases at plea and case management hearing in the Crown Court. The indictment in four cases was lodged out of time and each one required some amendment.
- Cases proceeded to trial or committal on the appropriate charges in 13 out of 14 cases. There were three cases in which a plea of guilty was accepted to a lesser charge. The plea was appropriate in each instance.
- The borough rates of judge ordered acquittals (JOAs) and judge directed acquittals (JDAs) compare well against the national and London averages. There were four JOAs within our file sample. We

were satisfied that the decision not to proceed was correct in two cases; in the other two, the information on the file and on CMS was insufficient to conclude why the case was dropped. There had been a change of circumstances leading to discontinuance in one case. There was one case that should have been dropped at an earlier stage. The standard of case preparation could have avoided the outcome in one case. There were two JDAs in our file sample, in neither of which was the result foreseeable. Both were the result of unexpected events at trial.

- There were no examples of linked cases within our Crown Court file sample, although, as with magistrates' courts cases, the borough has systems in place to identify such cases at an early stage and deal with them appropriately, having particular regard to case where the accused is in custody.
- 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 orders. None of the cases within our file sample raised any issues relating to restraint and confiscation of assets, however, the borough systems ensure that such matters are considered at the pre-charge stage.

3B Cases are prepared and progressed effectively

Trial rates

	Performance 2008-09		
	National	CPS London	All Isleworth Crown Court cases ⁶
Effective	47.1%	54.7%	50.4%
Cracked	40.8%	30.0%	35.6%
Ineffective	12.1%	15.2%	14.0%

- The cracked and effective trial data for the Crown Court at Isleworth and Harrow is not disaggregated at borough level. The cracked and ineffective trial rates above provide a picture of mixed performance against the national and London averages although, overall, performance compares favourably.
- Cases are allocated to a lawyer and caseworker once it is determined that a case is to be committed to Crown Court or it is sent. Allocation takes account of existing workload. The assigned lawyer reviews the case, including preparation of the indictment and disclosure, when the full file is received and records actions on CMS. The file is then passed to the caseworker for preparation. Observations of proceedings at plea and case management hearings indicated lack of attention to detail in some aspects of case preparation.
- The quality of instructions (briefs) to counsel in the file sample was variable. Although they should contain an analysis of the case, which should be adapted from previous reviews on CMS, many do not, other than in the specific outline of allegations for the court and the defence. We assessed the quality of instructions to counsel in our file sample as good in three cases (21.4%), fair in five cases, (35.7%) and poor in six (42.9%).

Aspect for improvement

The borough crown prosecutor should ensure a proper standard of brief to Crown Court advocates.

⁶ 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.

- During 2008, the borough was having difficulties in balancing Crown Court coverage with case preparation because of a shortage of caseworkers. Caseworkers were having to cover up to three or four courts and often needed to rely on counsel for recording hearing outcomes and case results, or make later enquiries of the court. Even with these arrangements, the timeliness of case preparation was suffering.
- In an attempt to balance its priorities, the borough trialled a Crown Court OBM model between January and September 2009. This had some benefits in that cases were prepared in more timely fashion because they were dealt with by a pool lawyer rather than an allocated lawyer. However, there were drawbacks in other aspects of case preparation because of the lack of continued case ownership and the trial has now stopped.
- A borough caseworker acts as a dedicated Crown Court case progression officer (CPO) whose duties include monitoring the receipt of full files after requests are made. The CPO also chases late compliance with directions and orders made at plea and case management hearings (PCMHs). Weekly tracker meetings are held involving the borough crown prosecutor (BCP), CPO, Police CPO and witness care unit (WCU) manager for all trials, three weeks in advance. In respect of Harrow Crown Court, meetings are held at the court with a court representative in attendance. As far as Isleworth cases are concerned, any issues affecting trial readiness are forwarded to the Crown Court.
- There is a generally positive approach to case progression, although some aspects require greater attention. Prosecutors identified further lines of enquiry before charge in ten cases within the sample. Most cases are committed for trial on the first fixed hearing although, as reported in Chapter 2, the rate of committals discharged because the prosecution is not ready to proceed is increasing. Cases were progressed at PCMH in all 14 cases within the sample. Crown Court observations, however, showed that there were some issues at PCMH in some cases that had the potential to cause delay. The PCMH was adjourned in one indictable only case because the prosecution had served the case papers on the defence only two days earlier. Our file examination revealed timely completion of directions in eight out of 11 relevant cases (72.7%). Case preparation was timely in all aspects in ten of the relevant 14 cases (71.4%). Overall we assessed the level of proactive case management as good in five cases (35.7%), fair in eight cases (57.1%) and poor in one case (7.1%). The necessary applications (bad character, hearsay, special measures) were timely in four out of seven relevant cases.

Aspect for improvement

The borough needs to work with the police to improve:

- the timely preparation of case papers in respect of cases to be committed and sent to the Crown Court; and
 - the timeliness of case preparation and case management, including compliance with directions of the court.
-

- The borough is not currently handling any cases that 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.
- As with magistrates' courts files, the use of CMS could be improved although we noted greater accuracy in the recording of outcomes. The outcome was correctly recorded in 12 out of 14 cases. We have referred to this issue in chapter 2 and the aspect for improvement set out there applies also in respect of Crown Court finalisations. We assessed the borough use of CMS, as reflected in our file sample, as good in seven cases (50.0%), fair in 5 (35.7%) and poor in 2 cases (14.3%)

4 THE PROSECUTION OF CASES AT COURT

Assessment

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's magistrates' court cases, including youth cases, are dealt with at Uxbridge Magistrates' Court. Prosecutors have a wide ranging and varied experience. The borough has two associate prosecutors and Her Majesty's Courts Service has ensured that one court each day lists cases suitable for prosecution by associate prosecutors. Lawyer support is usually available at court if required but telephone access to an office based lawyer is easily available. Youth courts are prosecuted by borough youth specialists.
- Courts are generally listed for a day, although afternoon sessions see cases transferred from other courts to ensure an even spread. Transfers are generally arranged so as to allow prosecutors to prepare files before presenting them. Prosecutors invariably are rostered for six sessions per week.
- Our observations of borough advocates in the magistrates' court showed some differences in the level of performance but each advocate observed met the CPS national standards of advocacy. Comments from other criminal justice partners were generally positive, although we were told of examples of poor case presentation by some advocates. There were positive comments about the standard of associate prosecutors. Magistrates and court staff – and sometimes, members of the public – provide feedback to the BCP on the quality of advocates and this has led to monitoring of individual advocates in some instances.
- Advocates are also monitored as part of the central advocacy assessment programme, which monitors a selection of advocates in the magistrates' court and the Crown Court. Borough managers can suggest individual advocates for specific monitoring.
- Trials in the magistrates' court are dealt with by advocates of appropriate experience. The borough has recently been able to reduce its reliance on agents prosecuting in trial cases, which has helped to improve the overall presentation of cases. Advocates usually have sufficient preparation time. Court lists are published in advance so that advocates can prepare trials in good time. Prosecutors arrive at court in sufficient time to be able to deal with enquiries from defence solicitors and court staff.
- Importantly, borough advocates in the magistrates' courts take time to speak with victims and witnesses. Other court users spoke positively about this aspect and we observed one such discussion that was dealt with sensitively and professionally. The position is different in the Crown Court. Caseworkers' commitments do not generally leave them sufficient time to speak with victims and witnesses. They leave it to the police, who have usually had direct contact with the witnesses previously, and the prosecution advocate to speak to those witnesses present.
- The borough's Crown Court cases have been dealt with in the Crown Court at Harrow and at Isleworth. However, the borough's cases are now committed or sent to Isleworth with only a few residual cases remaining at Harrow. Preliminary hearings and plea and case management hearings (PCMHs) are dealt with by advocates from the local advocacy unit. If they are unable to deal with the trial, the brief is returned to the borough for counsel to be briefed if there is sufficient time. Advocacy observations in the Crown Court showed a variable standard in some aspects of presentation.
- The quality of file endorsements is generally good. There may be some issues with handwriting, which causes files to be referred to the individual concerned, but the content is detailed and informative. The endorsements in the cases within our file sample were assessed as good in 23 cases (71.9%), fair in six (18.8%) and poor in three cases (9.4%)

5 SERIOUS VIOLENT AND SEXUAL OFFENCES, AND HATE CRIMESAssessment
2 – Fair**5A The borough ensures that serious violent and sexual offences, and hate crime cases are dealt with to a high standard***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%	54.7%	71.7%	60.5%	57.4%

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%	83.0%	81.7%	75.4%	72.7%

- Our file sample contained ten cases relating to offences of serious violence, sexual offences and hate crimes. All ten were correctly flagged with the relevant monitoring code. These are generally entered by the duty prosecutor at the time of the charging decision and are the subject of monthly checks. The checks are effective in that they have revealed past inconsistencies in some aspects of flagging which have then been rectified.
- Prosecutors are proactive in progressing and managing cases of serious violence and hate crimes. There was timely compliance with directions in nine out of ten cases (90%) in the sample. The exception related to a late application for special measures, made five months out of time, in a case of serious sexual assault. The need for special measures for the victim had been identified at charging. In all other instances, necessary applications were made in good time. In the Crown Court, cases were progressed at the plea and case management hearing in all five relevant cases.
- The case proceeded to trial or committal on the most appropriate charges in all relevant cases. The prosecution accepted a plea in one case. The basis of the plea was proper and recorded on the file.
- Two cases were discontinued. In each case, the decision to discontinue accorded with the evidential stage of the Code test. In one case, there had been a material change of circumstances since the charging decision. In both cases, the police and victim were consulted about the decision to discontinue.
- Borough performance in cases involving violence against women is poor compared with the London and national averages although more recent figures show an improvement. The figures are affected in a large part by performance in cases of domestic violence where the successful outcome rate for 2008-09 was 51.5%. However, our file sample showed that all cases involving offences of violence against women were dealt with correctly. The decisions to proceed accorded with the evidential and public interest stages of the Code test and case proceeded on appropriate charges. All complied with the relevant policy.
- The borough is striving to improve performance in respect of domestic violence cases. The borough has a specialist domestic violence court which sits one day each week. The borough domestic violence champion worked closely with the local authority to establish the court. The volume of cases means that it handles only remands and cases for sentence. Domestic violence trials are

dealt with in the normal trial courts. All lawyers are trained in domestic violence policy and handle domestic violence cases. The specialist domestic violence court is always prosecuted by one of two domestic violence specialist prosecutors.

- Although successful outcomes in rape cases were just 55.6% for 2008-09, the borough has appropriate systems and procedures for handling rape allegations. There are five rape specialists who also deal with child protection cases and act as duty prosecutors in the weekly rape and child protection surgeries. A borough administrator and prosecutor have been appointed as rape co-ordinators. A protocol for the handling of rape cases has been agreed with the police as part of Operation Sapphire. Procedures ensure that rape cases are dealt with by the same prosecutor throughout the case and that they are proactively managed. Prosecutors make time to engage directly with victims and offer support where this is appropriate.
- The borough has thematic lead prosecutors for all categories of hate crime (racial and religious crime, homophobic and disability crime) and outcomes are generally good in each category. The overall rate of successful outcome for 2008-09 in all hate crimes was 83% compared with the London average of 77.2%.
- The borough has not maintained regular contact with the local Safeguarding Children Board over the last 12 months although it has been represented at two recent workshops dealing with related issues one of which dealt with the problem of children who abuse their parents.

6 DISCLOSURE

Assessment

3 – Good**6A There is compliance with the prosecution's duties of disclosure**

- File examination shows a positive picture on disclosure. The duty to make initial disclosure was complied with in all 27 relevant cases. There is a consistent approach to endorsement of schedules by lawyers. Instructions are clear and generally comply with the Disclosure Manual.
- Initial disclosure was timely in all but one case, although many files showed evidence of a lot of chasing of schedules from the police by borough lawyers. There have been some more recent issues relating to the timeliness of initial disclosure following a change in procedure resulting from implementation of the Director's Guidance on the Streamlined Process.
- There were 12 cases in which continuing disclosure was dealt with. It was handled correctly in ten cases. It was not correctly dealt with in one case, although this did not give rise to any unfairness in the proceedings, and there was insufficient documentation on the file to be able to ascertain the position in another case. Continuing disclosure was timely in eight cases. The overall timeliness of disclosure is sometimes affected by late service of defence statements. Although the borough CPOs monitor timeliness, late service can mean that issues remain unresolved when the case tracker meetings, dealing with trial readiness, are held.
- There was only one case in our sample that involved sensitive material and it was dealt with correctly. Any case which gives rise to issues of public interest immunity are dealt with by the BCP or referred to the District Crown Prosecutor and dealt with in accordance with guidance in the Disclosure Manual.
- The disclosure record sheet was completed in 22 out of 27 cases (81.5%). Entries are usually restricted to a recording of the action or event (for example "initial disclosure") with the date but without further comment or explanation.
- Police schedules reveal some misunderstandings about what is unused material and often contain what is clearly evidence. Some of these misunderstandings seem to be entrenched and do not appear to have been tackled at borough level.
- Prosecutors have received training on the disclosure provisions of the Criminal Procedure and Investigations Act and amendments in the Criminal Justice Act 2003. About half of them have attended training on advanced disclosure. Operational difficulties have prevented 100% attendance.
- The borough undertakes quarterly disclosure monitoring, the results of which are provided to the DCP and issues taken up with individual lawyers. The monitoring looks at a sample of cases and sets out the specific findings on all aspects of disclosure.

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.
- Staff have received training in the system and their roles and responsibilities. The borough has adapted its CTL system because of a lack of staff in some key grades. However, the variations are minor and are adequately compensated for by other aspects of monitoring. The borough has carried out two recent audits of CTL cases
- There have been no reported CTL failures in Hillingdon/Heathrow in 2007-08, 2008-09 or in the first half of 2009-10.
- There were three cases within the file sample where the accused was in custody. In each case, the CTL and expiry dates were correctly calculated and endorsed on the front of the file. An extension was applied for and granted in one case and the new expiry date endorsed. The application to extend was made with the appropriate notice and accompanied by a detailed chronology of case progress.
- Whilst on site we examined three magistrates' courts cases and three Crown Court cases where the accused was in custody. The CTL was correctly calculated in five cases and endorsed on the front of the file with the appropriate review date. In the remaining case the accused was remanded in custody in the magistrates' court for committal to the Crown Court. The CTL was correctly calculated and endorsed on the file. On the date fixed for committal, the accused was not produced by the prison service and the case was remanded for two days. Following committal, the Crown Court CTL was calculated on the basis that the accused had been committed on the earlier date. Although this was an error "on the safe side", it is the type of error that might have led to more serious consequences and highlights the value of regular checks and audits.
- The borough has agreed with the magistrates' courts that CTL expiry dates will be agreed with the court legal adviser when an accused is first remanded in custody and the date announced in court. Court observations confirmed that this was done, although the fact that the CTL is agreed is not always endorsed on the file.
- CMS monitoring of CTLs is backed up by manual diaries for Crown Court and magistrates' courts cases. Monitoring responsibilities are assigned to the paralegal business manager for Crown Court cases and the case progression officer for magistrates' court cases.
- The BCP checks a weekly print out of CTL cases and notes any which are nearing expiry to ensure that notices to extend are sent out where appropriate. Extensions should be notified immediately to the paralegal business manager or the case progression officer as appropriate.

8 THE SERVICE TO VICTIMS AND WITNESSESAssessment
2 – Fair**8A The borough ensures timely and effective consideration and progression of victim and witness needs, and the service to victims and witnesses is improving**

- Direct communication with victims (DCV) performance information is readily available at borough level. Performance is monitored on a monthly basis and forms part of the quarterly district performance reporting regime.
- The borough developed a number of processes, including a series of daily checks to ensure that all relevant cases were identified. These daily checks use adverse case reports and a series of filter reports using the case management system. Additionally, until recently, the paralegal business manager would also check all Crown Court cases using a similar process. These administrative processes were adopted at district level and were communicated across the area as best practice. However, recent staff reductions have resulted in the key posts being lost and the effectiveness of the system being undermined.
- The borough met its 2008-09 proxy target of 243 DCV letters, sending out 311 (128%) over the year. Other inspection work has found that DCV proxy targets understate the requirement for DCV letters and as a result the CPS suspended the proxy target in October 2009 pending a re-evaluation. There were seven cases within our file sample that required a DCV letter, a letter was sent in all but two.
- The standard of the majority of the letters seen within the file sample were assessed as good (four out of seven). The lay inspector examined 38 letters. This examination identified some very good letters, but also some that appeared hurried, contained spelling mistakes and in some instances indicated a careless use of the template. There is a full check of all letters undertaken after they have been sent. This process highlights poor letters and identifies trends and actions required to improve the standard. It would be more effective if the checks could be carried out prior to the sending of the letter. The one day requirement for the sending of letters to vulnerable and intimidated victims would make this very challenging, but avoiding the harm that can be caused by a poorly worded letter would amply repay the investment of the extra effort necessary.

Aspect for improvement

Letters to victims under the direct communication with victims scheme should be checked for quality assurance purposes before (rather than after) they are sent.

- The timeliness of letters sent for other victims is better than the London average, although below target. The timeliness of letters for vulnerable and intimidated victims needs to be improved, and although there are systems in place to identify the need for a letter at the earliest opportunity, it is clear that a more effective system is needed for letters to be produced on time.

- The table below shows performance against target in respect of DCV compliance.

	Performance 2008-09		Performance to end of second quarter 2009-10	
	Borough	CPS London	Borough	CPS London
DCV compliance (volume target 100%)	128.0%	91.1%	85.0%	96.1%
Vulnerable and intimidated victims (timeliness target 95%)	58.8%	65.9%	44.4%	81.2%
Other victims (timeliness target 95%)	90.8%	83.1%	88.9%	87.3%

- The needs of victims and witnesses are generally considered at the initial review stage, although the change of processes with the implementation of Director's Guidance on the Streamlined Process (DGSP) has resulted in less effective consideration of needs as not all relevant papers are always presented at charging. Ancillary issues, which include the application of special measures, were considered in 26 out of 28 relevant pre-charge cases (92.9%). Additionally, victim personal statements (VPS), which record the victims' view of the impact that the crime has had, were seen on 14 out of 18 cases within the file examination (77.8%) However, in all of these cases, this aspect was contained in the initial statement of evidence and there was no evidence that the reviewing lawyer had addressed their mind to the issue. The file examination also indicated that the victim was consulted in three cases where the case had been discontinued, not consulted in one and it was not recorded in another.
- There is a system in place to ensure that appropriate special measures applications are made, although applications are not always made on a timely basis. Many of the late applications come to light later in the process and are often as a result of the further needs assessment carried out by the witness care officer (WCO) or after a court familiarisation visit. With the implementation of DGSP there have been difficulties with the completion of the reverse of the MG11 (key witness statement form) by the police officer in the case, and MG2 (special measures assessment form) is often not completed at the outset of the investigation. This matter is regularly raised at prosecution team performance management (PTPM) meetings, and the recent appointment of a sergeant responsible for quality assurance of police files at Hillingdon should result in improvement. Due to a recent problem all Crown Court cases requiring special measures have to be fully supported by witness statements. This requirement can also add delay.
- The borough has two witness care units (WCUs), one supporting witnesses involving Heathrow related cases and the other Hillingdon. Neither of the WCUs has CPS staff. WCOs undertake initial needs assessments as soon after a not guilty plea as possible. In the majority of cases this will be within the 24 hours as required by the No Witness No Justice (NWNJ) target. However, in some instances the lack of witness detail on the reverse of the MG11, and the geographical spread of witnesses involved in Heathrow cases means that the 24 hour target cannot be achieved. The file examination indicated that witnesses were kept informed of progress of the case, although late receipt of court results can be a cause of delay.
- Casework processes support the transfer of witness details between the CPS and the WCUs. Lists of witnesses to attend court are provided, although in cases involving numerous witnesses it is common for there to be a lack of information provided to the WCU about the 'batting order'. The introduction of DGSP, and uncertainties in some cases, has also resulted in some instances where the full extent of witness requirements is not established until later in the case. This can result in problems and late notification, although the borough has established processes to ensure that the WCU are notified as quickly as possible.

- Both WCUs use the witness management system (WMS), although this has only recently been fully utilised by the Hillingdon WCU. Full utilisation of WMS has improved the exchange of information about victims and witnesses. Witness Service are also provided with lists of witnesses to attend court enabling there to be early contact. Witness attendance rates in the borough have been consistently high. In 2008-09 93.9% of witnesses attended, compared to the CPS London average of 83.1% and target of 90%. Hillingdon was one of only four boroughs that achieved performance better than target.
- The borough has set local expectations that witness queries should be responded to within two days of receipt from the WCU. Evidence seen within the file examination indicates that magistrates' court cases are more likely to meet this expectation. More pro-active case progression in Crown Court cases would enable the borough to be more effective in dealing with witness queries in Crown Court cases.
- There is limited evidence that performance against the victims' code and NWNJ primary and secondary measures are monitored effectively. Joint ownership and understanding of performance of the WCU could be improved. Standard performance information relating to London-wide primary and secondary measures is produced on a monthly basis, but this cannot be broken down to borough level. Statistical information is further complicated for the borough in that there are two very different types of case load produced by Heathrow and Hillingdon, neither of which can be disaggregated.
- The WCU manager from Hillingdon attends weekly case tracker meetings with the CPS and the police case progression officer. This meeting is effective in identifying witness issues on specific cases. This process is not replicated for Heathrow, as the number of cases in the list does not warrant the attendance of the Heathrow WCU manager, although a more face-to-face partnership with the Heathrow WCU manager would be of value.
- The borough managers have worked hard to improve DCV performance and processes. Recent staff changes have resulted in some slippage, but the basic management systems exist and, if resourced properly, will operate effectively. Witness matters are discussed at Borough Criminal Justice Group where there is discussion of the cracked and ineffective trial rates due to witness issues, as well as Witness and Victim Experience Survey (WAVES) data. There is a commitment within the borough and a strategic level to improve the service offered to victims and witnesses, although disaggregated and specific performance information would be of real benefit.

9 MANAGING PERFORMANCE TO IMPROVE

Assessment

3 – Good**9A There is an effective and proportionate approach to managing performance locally at individual, unit and borough level**

- Casework quality assurance (CQA) is undertaken on monthly basis and is used as a means of systematically improving the standard of decision making and casework on the borough. The borough crown prosecutor (BCP) examines mainly live cases, which allows for any issues identified to be immediately remedied. The sample of CQA forms reviewed by the inspection team were fully completed, with evidence that trends and learning points to be communicated were being identified. The BCP uses a variety of means to communicate issues identified ranging from emails to all lawyers and caseworkers, one-to-one feedback and general reminders at team meetings.
- The BCP also undertakes a review of all cases where there is an adverse outcome (excluding acquittals after trial). As well as looking at the standard of decision making and case handling, the BCP uses these reviews to check on compliance with other expectations, this includes the flagging of cases, compliance with the direct communication with victims (DCV) requirement, standards of endorsement, finalisations and domestic violence monitoring. The adverse case reviews also form part of the prosecution team performance management (PTPM) meeting ensuring that lessons can be shared and common problems identified and solutions developed. The BCP also reviews the cracked and ineffective trial forms to identify any learning points.
- The borough is very much dependant on the London central advocacy monitoring team for the monitoring of borough advocates in the magistrates' court. The borough is notified of the days that the central team are attending the local court and use is made of this to ensure that a full range of local prosecutors are seen and assessed. Feedback from the central team has been received and used to address specific issues. The BCP also uses informal links with the courts to gain feedback on individual lawyers and associate prosecutors.
- There have been a number of targeted reviews carried out on the borough to examine systems and to bring about improvement. There was an extensive review of the DCV processes as a result of the targets being missed; a snapshot audit of file endorsements and gate-keeping arrangements for charging were carried out. All of these exercises resulted in process changes and targeted improvement activity. Although there is only limited evidence that performance results have improved across the borough. There has been a small improvement in successful outcome rates for domestic violence cases in the first two quarters of 2009-10. However, all key performance measures relating to charging have deteriorated since 2008-09 with a downward trend in performance for the first two quarters of 2009-10. A similar downward trend is also apparent in witness attendance rates. Some of the changes need to be set against the reduction in resources and also the loss of key management posts that would ensure processes and systems.
- Borough managers are provided with regular performance data and information from the CPS London Performance Unit. As well as directly received reports, all managers have access to the London databank that contains the majority of London borough related data. Local performance is rated using a 'traffic light' system and any aspects of performance that are of significant concern are highlighted and reports requested from the district level to explain or justify performance. Staff were aware of key performance results; these are shared at regular monthly team meetings. The borough also receives monthly 'pre-freeze' reports with a narrative to highlight inconsistencies with finalisations and case management system (CMS) data; this is useful in allowing the borough to correct any inaccuracies. Seven out of 32 cases (21.9%) in the file examination were incorrectly finalised on CMS. The BCP checks had identified that finalisations were being updated incorrectly and training has been

given to all administrative staff and additional checks put in place. Observations of the finalisation processes whilst on-site confirmed that staff were using the right codes and were aware of the procedures to be followed.

- Each borough member of staff should have a performance appraisal and individual training log. The majority of staff on the borough had a performance appraisal report in relation to 2008-09. Objectives set for staff are in the first place based upon the five district priorities, with some adaptation at a personal level to tailor objectives to specific priorities or to address weaknesses. Due to a move at short notice of a key administrative manager a small number of administrative staff have not had an appraisal for 2008-09 and did not have objectives for the current year. Some staff felt that the appraisal system was not effective and was not being used to drive up performance.

Aspect for improvement

The borough crown prosecutor should ensure that all staff have a current appraisal report, clear objectives for the current year and that mid year reviews are carried out for all staff on the borough.

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

- Joint performance is discussed at PTPM and the borough criminal justice group meetings. The BCP uses adverse case reports and analysis of the cracked and ineffective trials to produce meaningful data for discussion. The data provided is an effective means of identifying weaknesses across the criminal justice process and is a good starting point to identify improvement activity.
- The BCP is proactive in producing data that allows for joint performance. Cracked and ineffective trial data relies on the accuracy of the information entered on the forms, the BCP has tried to improve this by issuing instructions to lawyers about the requirements to complete forms after each trial. Cracked and ineffective trial data is used as a means of directing improvement activity with partners.
- PTPM processes for the Hillingdon cases have been less than effective due to changes in personnel within the police. Regular meetings with Hillingdon borough command unit have over the past year become sporadic. The effectiveness of the joint approach has also been substantially altered because of a change in the rank of officer attending the meetings. This may have been a factor in declining performance but the BCP is working to re-establish effective working relationships with the new post holder in Hillingdon. Heathrow cases have a dedicated joint performance meeting, during which charging outcomes are discussed. This relationship is very effective and cases to be discussed are shared in advance. A borough lawyer also attends this meeting to ensure that any immediate action can be taken where appropriate.
- Case progression meetings with the magistrates' court are not held. A list of actions agreed between the police, witness care manager and CPS case progression officers (CPOs) at the weekly case tracker meeting is forwarded to the court. The borough trialled the meeting with the court CPO in attendance, but it quickly became apparent that this was not an effective use of time as many of the outstanding issues involved police and CPS file build issues only.
- The BCP is pro-active in trying to raise standards and uses joint performance forums to work with partners in an attempt to address performance weaknesses. There are effective relationships with the police and courts to enable there to be frank and productive discussions. The analysis of failed cases and adverse outcomes undertaken by the BCP is an effective means of identifying partnership issues that could be improved.

10 MANAGING RESOURCES

Assessment

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

- Financial management of the non-ring fenced administrative costs (NRFAC) budget, (comprising mainly staffing and general costs), and programme costs budget, (comprising largely prosecution costs), 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 the 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.
- For the financial year 2008-09, Hillingdon and Heathrow had an under spend of £98,074 for NRFAC. The borough had no control over the recruitment and allocation of staff and as such this underspend is not entirely reflective of budgetary performance at the borough level.
- Staff numbers in the borough have been reduced, with much of the reduction occurring in managerial posts and at administrative grades. This reduction has come about as a result of the outcome of the London preference exercise and as part of an effort to balance current district resources across the boroughs. There is a recognition at borough level that there is an imbalance of staffing, with a view that Hillingdon and Heathrow have more lawyer resource than other boroughs in the district and some deficiencies in administrative and caseworker grades. We have already discussed the impact on the borough of this and the increased Crown Court caseload.
- Resource deficiencies have resulted in a number of core functions not being undertaken. Many of the management checks at administrative level and the effective management of the local charging arrangements have suffered due to the loss of key post holders. This has resulted in certain posts being overburdened. Along with other boroughs, representations have been made about the reduced levels of staff in certain key posts, but due to the overall London area approach there appears to be no immediate resolution available.
- Clear expectations have been set for the deployment of lawyers and associate prosecutors (APs); these are backed up with targets of expectations from the area level. In 2008-09 in-house court coverage on the borough was 92.1% (compared to 87.9% average for London overall). For the first two quarters of 2009-10 this has remained high with 90.6% of sessions being covered in-house. This may reflect the position that the borough is perceived as generously resourced at lawyer grade compared to other boroughs in the district.
- The borough has worked with the magistrates' court to maximise the listing potential for AP usage. In 2008-09 AP coverage was above target 25.5% (target 23%, London average 20.5%). Performance has remained consistent for the first two quarters in 2009-10 with 24.6% of sessions being covered, although this is slightly below the revised target of 25%.
- There is one lawyer on the borough who is a Crown Advocate (CA). Due to the creation of the Crown Advocacy units at each Crown Court centre and the pressures of borough based work there is very little opportunity for the borough based CA to undertake Crown advocacy work.
- The borough has a significant sickness absence rate. In 2008-09 15.3 days per person were lost to sickness compared to the London average of 9.3 days. On a rolling basis to the end of quarter 2 in 2009-10 the figure has increased to 18 days per person. Recent staff moves, however, can distort the overall annual figure in that individuals bring or take with them their annual sickness rate when they transfer. A number of long term sickness absences have had an adverse impact on borough

figures. There was evidence that the borough has worked with the district to manage this situation, and actions have been taken to mitigate the problem. Short term sickness is managed using the appropriate CPS systems and there are effective management processes in place to ensure that relevant triggers are identified and action taken.

- A significant number of staff on the borough have flexible working arrangements, which includes condensed hours, term-time only working and reduced hours. This has resulted in negotiation with the court to change the sitting pattern to allow for the most efficient usage of borough resources. With the reduction in staff numbers there has been more strain on balancing business needs with flexible working arrangements. At the borough level managing the challenge requires some thought. The arrangements for flexible working is something that is currently being considered for review on a pan-London basis as there is a concern that business needs cannot be fully met as teams are reduced in size and co-located with the police.

11 MANAGEMENT AND PARTNERSHIP WORKING

Assessment

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 majority of staff at borough level are aware of the key priorities and objectives and how these help them deliver their work to meet local needs. There is no formal business plan at borough level, but borough objectives are set using the district and ultimately the London priorities. The district plan outlines the targets and priorities for the boroughs. Borough planning for change initiatives is complemented by the involvement of local implementation teams (LITs); this helps staff at the borough level understand how London change priorities are being progressed locally. The LIT approach has been used for the planning for the move to integrated prosecution team, the implementation of Director's Guidance on the Streamlined Process and other recent major change initiatives.
- Meetings of borough crown prosecutors (BCPs) at the district level have not taken place over the current year. The changes to London structures (the geographical change to district boundaries) and the move of boroughs to police premises with the roll-out of IPT means that the BCPs are no longer situated in just two buildings. Regular meetings at the district level would be helpful in managers being able to share issues, discuss corporate matters and share experiences. Additionally, such meetings would be helpful in ensuring that there is a clarity of area and local priorities.
- Borough managers (limited in number due to the size of the borough team) understand their responsibilities for implementing management decisions and act corporately. The BCP and paralegal business manager take a very 'hands on' approach to ensuring that work is delivered, this includes undertaking work tasks to progress cases, covering for absences of key post holders and generally ensuring that work is carried out. This approach may not be fully compliant with district policy that managers should manage first and foremost, but it is very much appreciated by team members and has resulted in the building of very good team spirit.
- There are regular full unit team meetings held in the borough. The BCP made a considered move from her office to sit in the open plan office. Team meetings are used to communicate a variety of issues. They are part of the BCP's strategy to create an inclusive and open approach for the office. The minutes indicate that they are effective in disseminating a wide range of information, as well as being meetings that are used to boost team morale.
- The management of risk is a function at the district level. Key risks as seen by the BCP are communicated to the district level where a plan with risks and actions is maintained. The main risks identified at the borough level relate to resourcing and problems identified during the planning and implementation of change initiatives. No borough risk register is maintained.
- Each personal performance development plan includes a specific training schedule. This is used during the performance appraisal process to ensure that training needs are being met. Training needs are linked to business needs. In the 2008-09 year the borough struggled to release staff to training in a managed way and this resulted in a backlog of training in the latter part of the year. Learning from this experience the borough have formally introduced a quarterly review of individual training needs to ensure that there is a planned and systematic approach to training. This approach has resulted in training being undertaken in a planned and managed manner; this has been helpful in ensuring that with reduced resources that training can be delivered whilst managing the impact of the absence. The borough uses the facilities offered by the Prosecution College, as well as undertaking a range of in-house training courses where possible.

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

- Working relationships with criminal justice system (CJS) partners are open and constructive. There is evidence of effective working at prosecution team with the relationships with the Heathrow team being extremely constructive. The BCP plays an active part in the Borough Criminal Justice Group and provides much of the data used to drive joint improvement activity. Relationships with the magistrates' court have improved and there are now effective relationships that are used to drive up performance. The BCP has put a great deal of energy into improving relationships; there has been an emphasis on regular informal meetings and contact with key partners across the CJS linked to the more formal regular meetings. Partners highlighted that this informal approach had been a key part of building and strengthening local relationships.
- The borough, at the time of this assessment, had not yet integrated with the police. Co-location is planned for February 2010. At an operational level the majority of staff are working cooperatively with CJS partners. The relationship with the police has developed through charging and more latterly through a closer link with the Hillingdon witness care unit. The BCP has ensured that the CPS has undertaken joint training, assisted and been represented at open days as well as playing an active role in community engagement activities. All of this has served to foster good partnership working. More effective relationships with the Heathrow witness care unit (WCU) could be developed, although the caseload involved may require a different approach to that adopted with Hillingdon.
- A number of joint initiatives have been implemented. The roll out of Directors' Guidance on the Streamlined Process (DGSP) has caused some tensions between the police and the CPS and in some cases resulted in receipt of late files. The CPS has changed local practice within the optimum business model unit to try to address these issues. The roll out and implementation of DGSP is somewhat complicated by the fact the borough services two distinct police units. The main problem with handling the impact of DGSP has related to Hillingdon and has not been helped by the lack of effective prosecution team performance management (PTPM) meetings since the change to police personnel.
- The implementation of the No Witness No Justice initiative, which is expected to be a joint prosecution team operation, has fallen to the police with very limited input from the CPS. There is no CPS staff in either borough WCUs.

Aspect for improvement

The borough needs to ensure that the relationship with the joint WCUs is enhanced and further developed as part of the NWNJ initiative and that links with Hillingdon BCU are strengthened.

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 polices

- Staff performance is recognised by managers and good performance is acknowledged; Time is allowed within team meetings for this. This was evident in communication to individuals and confirmed by staff during interviews. There is a strong team spirit in the borough and this was apparent to inspectors.
- Managers and staff understand the behaviours expected of them. There have been no issues or substantiated complaints raised by staff. The BCP operates an 'open door' policy to the extent that she has moved her desk to be within the main office with the rest of the borough staff. This gives her a very visible presence and allows her to challenge any inappropriate behaviour. Staff in the borough were very praiseworthy about the Hillingdon and Heathrow team and were quite adamant that they understood the CPS dignity at work policy and CPS code for conduct.
- The make up of staff in the borough mainly reflects the make up of the local community. It is difficult for the borough to influence this as they are not able to make decisions regarding staffing.

ANNEXES

A PERFORMANCE DATA

Aspect 1: Pre-charge decision-making

	Performance 2008-09			Performance 12 months to Sept. 2009		
	National	CPS London	Borough	National	CPS London	Borough
Pre-charge decision cases						
	80.8%	76.2%	77.2%	80.1%	74.9%	73.4%
Magistrates' court cases						
Discontinuance rate	13.1%	13.6%	15.2%	13.7%	14.7%	17.0%
Guilty plea rate	74.4%	69.8%	68.8%	73.6%	67.5%	65.0%
Attrition rate	19.2%	22.1%	24.5%	20.0%	23.8%	27.6%
Crown Court cases						
Discontinuance rate	11.7%	15.6%	11.8%	11.7%	15.0%	14.3%
Guilty plea rate	72.9%	60.8%	74.3%	73.1%	61.0%	67.3%
Attrition rate	19.4%	27.3%	19.8%	19.5%	27.6%	25.2%

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 Sept. 2009		
	National	CPS London	Borough	National	CPS London	Borough
	87.3%	86.0%	85.6%	87.1%	86.1%	84.2%

Trial rates

	Performance 2008-09		
	National	CPS London	Borough
Effective	43.4%	47.3%	42.1%
Cracked	38.0%	34.8%	39.0%
Ineffective	18.6%	17.9%	19.0%
Vacated	21.5%	16.3%	15.9%

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 Sept. 2009		
	National	CPS London	Borough	National	CPS London	Borough
	80.8%	73.1%	80.4%	80.7%	72.7%	75.5%

Trial rates

	Performance 2008-09		
	National	CPS London	All Isleworth Crown Court cases
Effective	47.1%	54.7%	50.4%
Cracked	40.8%	30.0%	35.6%
Ineffective	12.1%	15.2%	14.0%

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 Sept. 2009		
	National	CPS London	Borough	National	CPS London	Borough
	71.9%	62.0%	54.7%	71.7%	60.5%	57.4%

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

	Performance 2008-09			Performance 12 months to Sept. 2009		
	National	CPS London	Borough	National	CPS London	Borough
	82.0%	77.2%	83.0%	81.7%	75.4%	72.7%

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%	93.7%

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%	92.1%
Associate prosecutor deployment (as % of magistrates' court sessions)	24.5%	23.0%	20.5%	25.5%
Crown advocates. Counsel fee savings against target	110.0%	£4,200,000	99.3%	19.5% (district performance)
Sickness absence (per employee per year)	8.7 days	N/A	9.3 days	15.3 days

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

Police

Inspector A Ward, Metropolitan Police
Detective Sergeant P Ryan, Metropolitan Police
Sergeant N Edmunds, Metropolitan Police
Mrs J Hendrick, Witness Care Unit Manager, Heathrow
Ms N Khan, Witness Care Unit Manager, Hillingdon

HM Courts Service

Crown Court

His Honour Judge McGregor-Johnson, Resident Judge Isleworth Crown Court
Mr M Taylor, Court Manager Isleworth Crown Court

Magistrates' court

District Judge Wright, Uxbridge Magistrates' Court
Mr P Yacoumi JP, deputy Bench Chair Uxbridge Magistrates' Court
Mrs M O'Keefe, Deputy Justices' Clerk Uxbridge Magistrates' Court

Witness Service

Mrs M Thompson, Uxbridge Magistrates' Court
Mrs J Papantoniou, Uxbridge Magistrates' Court

Community Groups

Ms E Rolle, Domestic Violence Strategic Coordinator, London Borough of Hillingdon

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

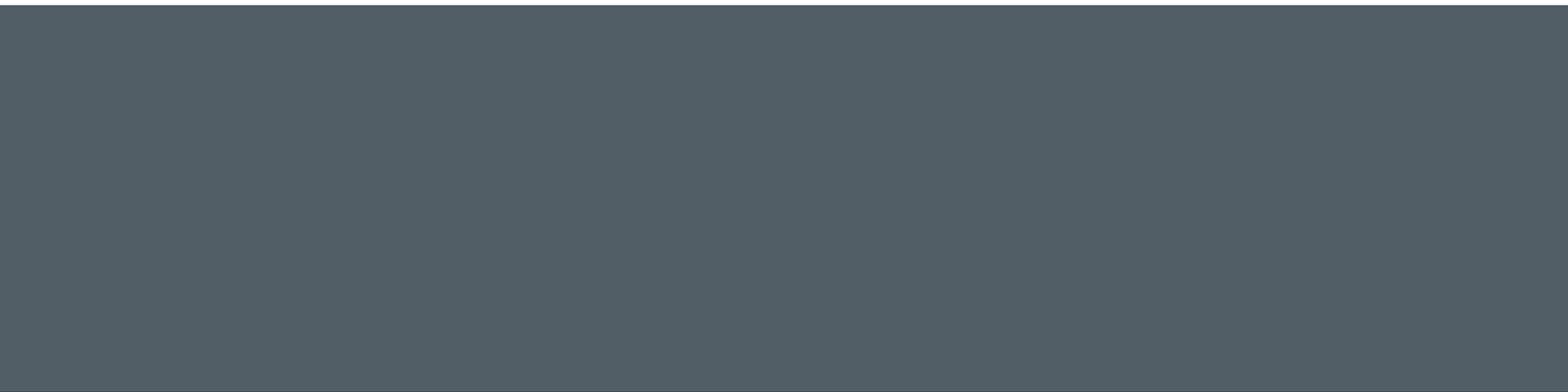
There will also be two overriding limiters applied to the model ensuring that quality and outcomes are weighted within the model.

- 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 aspects⁷ 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.

⁷ 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.

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