

**THE INSPECTORATE'S REPORT
ON
CPS HAMPSHIRE
AND THE ISLE OF WIGHT**

REPORT 8/04

JULY 2004

CPS HAMPSHIRE AND THE ISLE OF WIGHT



AREA OFFICE

Eastleigh

OTHER OFFICES

Aldershot, Basingstoke, Eastleigh, Newport (IOW), Portsmouth, Portswood

MAGISTRATES' COURTS

Aldershot, Alton, Andover, Basingstoke, Fareham
New Forest, Newport (IOW), Portsmouth, Southampton

CROWN COURTS

Newport (IOW), Portsmouth, Southampton, Winchester

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PREFACE

Her Majesty's Crown Prosecution Service Inspectorate (HMCPSI) was established by the Crown Prosecution Service Inspectorate Act 2000 as an independent statutory body. The Chief Inspector is appointed by, and reports to, the Attorney General.

HMCPSI's purpose is to promote continuous improvement in the efficiency, effectiveness and fairness of the prosecution services within a joined-up criminal justice system, through a process of inspection and evaluation; the provision of advice; and the identification of good practice. It works in partnership with other criminal justice inspectorates and agencies, including the Crown Prosecution Service (CPS) itself, but without compromising its robust independence.

The main focus of the HMCPSI work programme is the inspection of business units within the CPS – the 42 Areas and Headquarters Directorates. In 2002 it completed its first cycle of inspections during which it visited and published reports on each of the 42 CPS Areas as well as the Casework and Policy Directorates within CPS Headquarters. A limited amount of re-inspection was also undertaken. In this second cycle of inspections some significant changes have been made in methodology in order to enhance the efficiency of HMCPSI itself and adapt its processes to developments both within the CPS and the wider criminal justice system. The four main changes are: the adoption of a four-year cycle with each Area now receiving two visits during that period, one of which may be an intermediate (as opposed to full) inspection; a risk assessment technique has been developed to determine the appropriate type of inspection and the issues which should be covered; an inspection framework has been developed founded on the EFQM (Business Excellence Model); and we have incorporated requirements to ensure that our inspection process covers all matters contained in the inspection template promulgated by the Commission for Racial Equality. HMCPSI will also be using a wider range of techniques for gathering evidence.

The Government has initiated a range of measures to develop cohesion and better co-ordinated working arrangements amongst the criminal justice agencies so that the system overall can operate in a more holistic manner. Public Service Agreements between HM Treasury and the relevant Departments set out the expectations which the Government has of the criminal justice system at national level. The framework within which the system is managed nationally has been substantially revised and that is reflected by the establishment in each of the 42 criminal justice areas of a Local Criminal Justice Board. During the second cycle of inspection, HMCPSI will place even greater emphasis on the effectiveness of CPS relationships with other criminal justice agencies and its contribution to the work of these new Boards. For this purpose, HMCPSI will also work closely with other criminal justice inspectorates.

Although the inspection process will continue to focus heavily on the quality of casework decision-making and casework handling, it will continue to extend to overall CPS performance. Consistently good casework is invariably underpinned by sound systems, good management and structured monitoring of performance. Although reports in our first cycle tended to address management and operational issues separately from casework, that fundamental linkage will now be reflected more fully through the EFQM-based inspection framework. Inspection teams comprise legal inspectors, business management inspectors and casework inspectors working closely together. HMCPSI also invites suitably informed members of the public nominated by national organisations to join the process as lay inspectors. Unfortunately, on this occasion, the designated lay inspector was unable to take part in the inspection.

HMCPST has offices in London and York. The London office has two Groups which undertake inspections in the Midlands and Wales, and in Southern England. The Group based in York carries out inspections in Northern England. Both offices undertake thematic reviews and joint inspections with other criminal justice inspectorates. At any given time, HMCPST is likely to be conducting six geographically-based or Directorate inspections and two thematic reviews, as well as joint inspections.

The inspection framework we have developed from the Business Excellence Model can be found summarised at Annex 1. The chapter headings in this report relate to the key requirements and the sub-headings relate to the defining elements or standards against which we measure CPS Areas. These are set out in full in Annex 1A and are cross-referenced to the sub-headings in the text.

The Inspectorate's reports identify strengths and aspects for improvement, draw attention to good practice and make recommendations in respect of those aspects of the performance which most need to be improved. The definitions of these terms may be found in the glossary at Annex 9.

During the second cycle of inspections, a database will be built up enabling comparisons to be drawn between performances of CPS Areas. The table of key performance indicators within this report makes such comparison with the aggregate data gathered from the first 21 inspections. HMCPST points out the care which must still be undertaken if readers are minded to compare performance described in this report with the overall CPS performance in the *first* cycle. Although many of the key requirements remain and are tested by the same standard, the composition of the file sample has altered and this may make such comparisons unreliable. For that reason, no comparisons are made in this report with the first cycle.

1 INTRODUCTION

- 1.1 This is Her Majesty's Crown Prosecution Service Inspectorate's report about CPS Hampshire and the Isle of Wight (the Area). It serves the area covered by the Hampshire Constabulary. It has six offices, at Aldershot, Basingstoke, Eastleigh, Newport, Portswood and Portsmouth. The Area Headquarters (Secretariat) is based at the Eastleigh office.
- 1.2 Area business is divided on functional lines between magistrates' courts and Crown Court work. The Criminal Justice Units (CJUs) are responsible for the conduct of all cases dealt with in the magistrates' courts. There are CJUs at Aldershot, Basingstoke, Portsmouth and Portswood. The Trial Units (TUs) review and handle cases dealt with in the Crown Court and are based at Eastleigh and Portsmouth. There is a combined CJU/TU at Newport. There is also a Special Casework Unit (SCU) based at Eastleigh.
- 1.3 At the time of the inspection in March 2004 the Area employed the equivalent of 190 full-time staff. The Area Secretariat comprises the Chief Crown Prosecutor (CCP), Area Business Manager (ABM) and the full-time equivalent of 10.9 other staff. Details of staffing of the units is set out below:

Grade	Southampton & Winchester TU	Portsmouth TU	Special Casework Unit	Portswood CJU
Level E	1	1	1	0
Level D	1	0	1	2.4
Level C lawyers	7.4	6	0	11.9
Level B2 caseworkers	1	1	1	3
Level B1 caseworkers	21.7	14.1	0	0
Level A caseworkers	19.9	10.8	1	9.4
TOTAL	52	32.9	4	26.7

Grade	Portsmouth CJU	Basingstoke CJU	Aldershot CJU	Isle of Wight CJU/TU
Level D	1.6	1	0	0.8
Level C lawyers	13.8	6.4	5.2	3.4
Level B2 caseworkers	3	0.8	0	0
Level B1 caseworkers	1	1	2	3
Level A caseworkers	5.9	4.7	3.4	4.5
TOTAL	25.3	13.9	10.6	11.7

A detailed breakdown of staffing and structure can be found at Annex 2.

1.4 Details of the Area's caseload in the year to December 2003 are as follows:

Category	Area numbers	Area % of total caseload	National % of total caseload
Pre-charge advice to police	1,698	3.7	7.9
Summary motoring	13,497	29.6	26.1
Other summary	10,059	22	22.9
Either way and indictable only	20,187	44.2	42.1
Other proceedings	227	0.5	1
TOTAL	45,668	100%	100%

1.5 The Area's Crown Court finalised cases in the year to December 2003 are:

Crown Court finalised cases	Area numbers	Area % of total caseload	National % of total caseload
Indictable only	1,002	26.1	31.8
Either way offences	1,945	50.6	43.9
Appeals against conviction or sentence	450	11.7	8.95
Committals for sentence	446	11.6	15.4
TOTAL	3,843	100%	100%

1.6 A more detailed table of caseload and case outcomes compared with the national average is attached at Annex 3 and a table of caseload in relation to Area resources at Annex 4. CPS Hampshire and the Isle of Wight (in common with other CPS Areas) has benefited from a significant increase in its budget since our last inspection in order to drive up performance. As a result, the Area has been able to recruit more staff and reduce the average numbers of cases dealt with per lawyer and caseworker.

The report, methodology and nature of the inspection

1.7 The inspection process is based on the inspection framework summarised at Annex 1. The chapter headings in this report relate to the key requirements and the sub-headings relate to the defining elements or standards against which we measure CPS Areas. These are set out in full in Annex 1A and are cross-referenced to the sub-headings in the text.

1.8 There are two types of inspection. A full inspection considers each aspect of Area performance within the framework. An intermediate inspection considers only those aspects which a risk assessment against the key elements of the inspection framework, and in particular the key performance results, indicates require attention. These key results are drawn from the Area's own performance data, and other performance data gathered within the local criminal justice area.

- 1.9 The scope of the inspection is also influenced by the length of time since performance was previously inspected. The assessment in respect of CPS Hampshire and the Isle of Wight also drew on findings from the previous inspection of the Area, a report of which was published in March 2001. As a result of this risk assessment, it was determined that the inspection of the Area should be a full one.
- 1.10 Our previous report made a total of 25 recommendations and 11 suggestions, as well as identifying two aspects of good practice. In the course of this inspection, we have assessed the extent to which the recommendations and suggestions have been implemented, and a synopsis is included at Annex 5.
- 1.11 Our methodology combined examination of 257 cases finalised between September and November 2003 and interviews with members of CPS staff at all levels, criminal law practitioners and local representatives of criminal justice agencies. Our file sample was made up of magistrates' courts and Crown Court trials (whether acquittals or convictions), cracked and ineffective trials and some specific types of cases. A detailed breakdown of our file sample is shown at Annex 6. A list of individuals from whom we received comments is at Annex 7. The team carried out observations of the performance of advocates and the delivery of service at court in both the magistrates' courts and the Crown Court.
- 1.12 Inspectors visited the Area between 9 - 27 February 2004. The lay inspector nominated for this inspection was unable to join the inspection for reasons beyond his control.
- 1.13 The purpose and aims of the Inspectorate are set out in Annex 8. A glossary of the terms used in this report is contained in Annex 9.

2 SUMMARY OF INSPECTION FINDINGS AND RECOMMENDATIONS

2.1 This summary provides an overview of the inspection findings as a whole. It is broken down into sub-headings that mirror the chapters in the report which are based upon our inspection framework which has been developed from the EFQM Business Excellence Model (see Annex 1). Other sub-headings deal specifically with Public Service Agreement targets and equality and diversity issues.

Overview

2.2 The Area has re-organised into co-located Criminal Justice Units (CJUs) and Trial Units (TUs) since the last inspection. A Special Casework Unit (SCU) has also been established. There have been improvements in the handling of Crown Court casework that should provide a sound basis for raising standards higher. There have been some improvements in aspects of magistrates' courts casework, although more still needs to be done to improve the timeliness and quality of review and preparation for summary trials.

2.3 Systems for handling custody time limits are not consistent within the Area and need to be reviewed to ensure that they are effectively managed.

2.4 There is now greater confidence amongst most of its criminal justice partners in the Area's ability to contribute effectively to inter-agency work and partnerships, and the achievement of joint targets. However, concerns persist that the Area will not be able to deliver desired improvements in the timeliness and quality of magistrates' courts casework in the way it has done in the Crown Court.

2.5 The Area has developed strengths in a number of aspects of people management – training and development; communication; and equality and diversity. A programme of outreach into the community has become well established.

2.6 However, planning, project management and performance management are all aspects of management that need to be more effective if the Area is to realise its full potential.

Casework

2.7 The Code tests are generally applied appropriately when review decisions are made.

2.8 However, timeliness of review and case preparation at summary trial review is poor and undermines efforts to reduce the cracked and ineffective trial rate in the magistrates' courts. Administrative systems within three of the co-located CJUs are not efficient enough to support timely decision-making and case preparation. The timeliness and trial readiness of files delivered to agents is very variable.

2.9 Decisions to discontinue are sound, but again timeliness is variable and has an adverse impact on the cracked trial rate.

2.10 Committal preparation is often late – this is leading to some cases being discharged, albeit the problem is not as substantial as in some Areas we have visited. Service of prosecution papers in indictable only cases is nearly always timely.

- 2.11 The first review of cases is generally effective with additional evidence or information being requested in 77.9% of relevant cases. Discontinuances are usually only made after all relevant information has been obtained.
- 2.12 The quality of summary trial review can be improved – additional evidence was only requested in 59.1% of relevant cases and more could have been done to avoid a finding of no case to answer in 44.4% of such cases in the sample.
- 2.13 Similarly the quality of review at committal and service of prosecution papers can be improved - requests for additional evidence are made in 76.1% of relevant cases (inspection cycle-to-date average is 87.7%) and more could have been done to avoid judge ordered acquittals and judge directed acquittals (JOA/JDAs) in 26.5% of cases. However, once committed, additional work requested by counsel is followed up and effective liaison with the Crown Court helps to ensure cases are generally trial ready when listed for trial.
- 2.14 Disclosure is generally correctly handled, except that timeliness is poor in the magistrates' courts.
- 2.15 Child abuse and youth cases are well handled in accordance with CPS policy. Policy in relation to racist incidents cases is being applied, although the quality and timeliness of review was variable, as with the general file sample. In cases of domestic violence CPS policy on handling victim withdrawals was not always followed.
- 2.16 Strategies for dealing with the work of absent members of staff need to be further developed.
- 2.17 The Hampshire Casework Committee provides a very good focus for casework policy and guidance.

Advocacy and quality of service delivery

- 2.18 Standards of in-house advocacy are variable. Systematic monitoring, and action to raise standards, is required. There has been a high agent usage and systematic monitoring is also required to ensure appropriate agents are instructed.
- 2.19 There has been a major improvement in the ability of the Area to deliver the right files to court on time. This is a solid achievement by the co-located units.

Victims and witnesses

- 2.20 Witness care is generally good. Regular use is made of special measures, and there has been an increasing use of phased witness attendance in the Crown Court. More can be done to avoid unnecessary witness attendance in the magistrates' courts, but witnesses attending court are generally given appropriate information and support.
- 2.21 Although the Area was a pilot for Direct Communication with Victims (DCV), compliance with the DCV standards is weak in relation to coverage, timeliness and quality.

Performance management

- 2.22 There is a solid foundation on which to build a more effective performance management system. The existing system needs honing to focus on the collection of key performance measures, which then need to be properly analysed and translated into actions to deliver improvements.
- 2.23 Joint performance management with other agencies can be improved, particularly in relation to cracked and ineffective trials in the magistrates' courts.

People management and results

- 2.24 People management is a strength. Training and development, communications, equality and diversity and commitment to family-friendly polices are all positives.
- 2.25 However, the Area needs to develop its systems to ensure appropriate staffing levels in each unit.

Management of financial resources

- 2.26 Financial controls of administrative costs are generally sound, although the understanding of the accrual system is not strong. We found some non-compliance to CPS national procedures with regard to inclusion of specified offences within the performance indicators (PIs).
- 2.27 There is a significant problem with the payment of counsel fees in Eastleigh TU that still needs to be fully resolved.

Partnerships and resources

- 2.28 The Area contributes significantly to inter agency work. Most relationships are strong and collaborative – particularly at senior level. Joint working with the Crown Court has been effective in reducing the cracked and ineffective trial rate.
- 2.29 There is a need to work closely with the police in improving the operational efficiency of the administrative processes in the co-located CJUs.

Policy and strategy

- 2.30 The Area has shown a willingness to tackle major initiatives and pilots. However, planning for, and evaluation and development of, new projects could have been more effective. The Area has recognised that there is a shortage of project management skills and management time for project work. A Business Development Unit is being set up to remedy this.

Public confidence

- 2.31 Complaints are generally well handled.
- 2.32 Engagement with the community, particularly minority ethnic communities, is good.

Leadership and governance

- 2.33 The Area has had strong leadership with a clear vision at CCP level since its inception.
- 2.34 We consider that the recent reorganisation of the Eastleigh TU and the creation of a Business Development Unit would have benefited from a more analytical approach and more detailed planning.
- 2.35 The Area is reviewing its meetings structure to ensure it represents an efficient and effective use of time.

Bringing offenders to justice

- 2.36 The Local Criminal Justice Board (LCJB) is exceeding its target for bringing offences to justice. The CPS is contributing to this outturn by maintaining a low discontinuance rate. It is too early to assess the impact of the pre-charge advice scheme on the overall numbers of offences brought to justice.

Reducing ineffective trials

- 2.37 The LCJB is performing well on cracked and ineffective trials in the Crown Court – it has met its target of a 19% ineffective trial rate. The cracked trial rate (30%) is better than the national average (38.1%), although it remains above the LCJB target (28%). Whilst the Area contribution to reducing the cracked and ineffective trial rate is creditable, there is scope for further improvement.
- 2.38 Performance in the magistrates' courts is not as good – the ineffective trial rate of 34.7% remains above LCJB target (30%). The cracked trial rate of 34.2% is also above the LCJB target (33%). There is considerable scope for the Area to improve its summary trial review and preparation.

Improving public confidence

- 2.39 Data from the British Crime Survey for Hampshire shows a decline in confidence of 1% for the 12 months ending September 2003. The LCJB has now agreed a Public Confidence Action Plan that will include a local victim and witness survey.

Value for money

- 2.40 The Area has implemented a policy to reduce agent usage in the magistrates' courts now that its lawyer numbers have increased.

Equality and diversity issues

- 2.41 The Area has demonstrated a positive approach to equality and diversity - it is an Area strength.

Recommendations

- 2.42 We make recommendations about the steps necessary to address significant weaknesses relevant to important aspects of performance, which we consider to merit the highest priority.
- 2.43 We have made six recommendations to help improve the Area's performance:
1. The Area should improve the quality and timeliness of summary trial review and preparation (paragraph 4.16).
 2. The Area should ensure that CPS Best Practice on CTLs is applied throughout the Area and that there are consistent and effective management checks (paragraph 4.44).
 3. The Area should ensure full compliance with the DCV standard in relation to coverage, timeliness and quality (paragraph 6.4).
 4. The Area should review how to make best use of magistrates' courts data on cracked and ineffective trials (paragraph 7.12).
 5. The ABM should review the means by which staffing levels are determined and deployed between the units (paragraph 8.12).
 6. The Area, in partnership with the police, should review staffing levels and processes in the CJUs in order to ensure efficient and effective file handling (paragraph 10.5).

3 KEY PERFORMANCE RESULTS

Target 1: To improve the delivery of justice by increasing the number of crimes for which an offender is brought to justice to 1.2 million by 2005-06; with an improvement in all CJS areas, a greater increase in the worst performing areas, and a reduction in the proportion of ineffective trials.

CPS PERFORMANCE	National Target 2003-2004	National Performance Cycle to date*	Area Target 2003-2004	Area Performance
MAGISTRATES' AND YOUTH COURT CASEWORK				
Advice				
Decisions complying with evidential test in the Code ¹	-	99%	-	88.2%
Decisions complying with public interest test in the Code ¹	-	97.6%	-	100%
First Review				
Decisions to proceed at first review complying with the evidential test ¹	-	98.5%	-	97.7%
Decisions to proceed at first review complying with public interest test ¹	-	99.9%	-	100%
Requests for additional evidence/information made appropriately at first review ¹	-	78.3%	-	77.9%
Discontinuance				
Discontinuance rate of completed cases (CPS figure)	-	12.2%	-	9.1%
Discontinued cases with timely discontinuances ¹	-	74%	-	56.4%
Decisions to discontinue complying with the evidential test ¹	-	92.8%	-	93.75%
Decisions to discontinue complying with the public interest test ¹	-	91.6%	-	100%
Discontinued cases where all reasonable steps had been taken to request additional evidence/information ¹	-	88.6%	-	92.3%
Level of charge				
Charges that required amendment and were amended in a timely manner ¹	-	75.3%	-	70%
Cases that proceeded to trial or guilty plea on the correct level of charge ¹	-	97%	-	97.9%
Cracked and ineffective summary trials				
Cracked trials as recorded by CPS and magistrates' courts JPM	-	(Oct-Dec 03) 37.5%	-	(Oct-Dec 03) 34.2%
Cracked trials in file sample that could have been avoided by CPS action ¹	-	21.3%	-	58.3% 7 out of 12
Ineffective trials as recorded by CPS and magistrates' courts JPM	-	(Oct-Dec 03) 28.8%	-	(Oct-Dec 03) 34.7%
Ineffective trials in the file sample that could have been avoided by CPS action	-	- 4	-	50% 2 out of 4
Summary trial				
Acquittal rate in magistrates' courts (% of finalisations) – CPS figure	-	1.9%	-	2.2%
Decisions to proceed to trial complying with the evidential test ¹	-	95.5%	-	95.6%
Decisions to proceed to summary trial complying with the public interest test ¹	-	99.7%	-	100%
Cases with timely summary trial review ¹	-	78.7%	-	77.1%
Requests for additional evidence/information made appropriately at summary trial review ¹	-	76.3%	-	59.1%
No case to answers where outcome was foreseeable, and CPS could have done more to avoid outcome ¹	-	46.3%	-	44.4% 4 out of 9

CPS PERFORMANCE	National Target 2003-2004	National Performance Cycle to date*	Area Target 2003-2004	Area Performance
CROWN COURT CASEWORK				
Committal and service of prosecution papers				
Cases with timely review before committal, or service of prosecution case in "sent" cases ¹	-	77.4%	-	78.4%
Decisions to proceed at committal/service of prosecution papers stage complying with evidential test in the Code for Crown Prosecutors ¹	-	96.7%	-	95%
Decisions to proceed at committal/service of prosecution papers stage complying with public interest test in the Code for Crown Prosecutors ¹	-	99.9%	-	100%
Requests for additional evidence/information made appropriately at committal/service of prosecution case review ¹	-	87.7%	-	76.1%
Timely and correct continuing review after committal	-	84.3%	-	85%
Cases with timely service of committal papers on defence	80%	75.1% 84.2% ³	-	78.4% ¹ 85.4% ²
Cases with timely delivery of instructions to counsel	84%	83.7% 84.9% ³	-	80.4% ¹ 92.9% ²
Instructions to counsel that were satisfactory ¹	-	64.6%	-	35.3%
Cracked and ineffective trials				
Cracked trials as recorded by CPS and Crown Court JPM	-	(Apr-Dec 03) 38.1%	-	(Apr-Dec 03) 30%
Cracked trials that could have been avoided by CPS action ¹	-	19.5%	-	30.8% 4 out of 13
Ineffective trials as recorded by CPS and Crown Court JPM	-	(Apr-Dec 03) 21.7%	-	(Apr-Dec 03) 19%
Ineffective trials where action by CPS could have avoided an adjournment ¹	-	- ⁴	-	0% 0 out of 3
Level of charge				
Charges that required amendment and were amended in a timely manner ¹		85.6%		57.1%
Indictments that required amendment ¹		27.9%		27.5%
Cases that proceeded to trial or guilty plea on the correct level of charge ¹		97.9%		96%
Judge ordered and judge directed acquittals				
JOA/JDAs where outcome was foreseeable, and CPS could have done more to avoid outcome ¹	-	20.7%	-	26.5%
Trials				
Acquittal rate in Crown Court (% of all finalisations excluding JOA, appeals/committals for sentence and warrant write-offs) ²	-	10.1%	-	17.5%
NARROWING THE JUSTICE GAP				
Percentage brought to justice against the baseline for 2001-02 as recorded by JPIT	Target +5%	+6% (as at Sept 03)		+6.4% (as at Oct 03)

¹ as assessed by HMCPSI from examination of the file sample during inspection

² self-assessment by Area

³ nationally collated figure based on Area self-assessment returns

⁴ insufficient numbers of files to provide reliable data

• average performance of Areas inspected in inspection cycle 2002-2004 based on a sample of cases examined and observations at court up to 31 December 2003

Target 2: To improve the level of public confidence in the criminal justice system, including increasing that of ethnic minority communities, and increasing year on year, the satisfaction of victims and witnesses, whilst respecting the rights of defendants.

CPS PERFORMANCE	National Target 2003-2004	National Performance Cycle to date*	Area Target 2003-2004	Area Performance
MAGISTRATES' AND YOUTH COURT CASEWORK				
Disclosure				
Cases where primary disclosure properly handled ¹		72.7%		91.2%
Cases where secondary disclosure properly handled ¹		61.1%		No sample
Witness care				
Trials where appropriate use made of S9 CJA 1967 ¹		97%		96.7%
Trials where appropriate use made of the witness care measures ¹		88.4%		100% 2 out of 2
CROWN COURT CASEWORK				
Disclosure				
Cases where primary disclosure properly handled ¹		85.9%		82.4%
Cases where secondary disclosure properly handled ¹		60%		78.1%
Witness care				
Trials where appropriate use made of witness phasing/standby ¹		81.9%		75%
Trials where appropriate use made of the witness care measures ¹		92.8%		90.5%
MAGISTRATES' COURTS AND CROWN COURT				
Custody time limits				
Cases in sample where expiry dates accurately calculated	-	93.2%	-	95.6%
OTHER ISSUES				
Payment of witness expenses				
Payment of witness expenses within 10 days of receipt of claim ²	100%	Oct-Dec 03 98.7%	100%	99.1%
Handling of complaints				
Complaints replied to within 10 days ²	94%	Oct-Dec 03 85%	96%	100%
Citizens charter commitment				
MPs correspondence replied to within 15 days ²	100%	Oct-Dec 03 92.7%	N/A	100%
Improving productivity				
Reduce sick absence rate per member of staff	10.6 days (2001)	Not available	10.6 days (2001)	9.4 days (2001)
OTHER ASPECTS OF CPS PERFORMANCE				
CJS Youth Justice Performance Measures (shared between Home Office, Department of Constitutional Affairs (formerly LCD) and CPS)				
To halve time from arrest to sentence for persistent young offenders from 142 to 71 days by 31 March 2002	71 days	66 days (2003)	71 days	64 days (2003)

¹ as assessed by HMCPSI from examination of the file sample during inspection

² self-assessment by Area

* average performance of Areas inspected in inspection cycle 2002-2004 based on a sample of cases examined and observations at court up to 31 December 2003

Commentary

- 3.1 Overall, although slightly below the average performance of Areas in the inspection cycle-to-date, the quality of decision-making about whether to proceed with cases is satisfactory.
- 3.2 There are significant weaknesses in the quality and timeliness of review and preparation for summary trials. Crown Court casework generally has improved since the last inspection, although the quality and timeliness of review for committal/service of prosecution papers can be improved further.

Pre-charge advice to police

- 3.3 Advice to police prior to charge was generally sound. However, a high proportion, ten out of 18 (55.6%), was late. None of these fell within the arrangements for shadow charging, whereby the police seek advice from the CPS before charging in preparation for the statutory transfer of that responsibility from the police to the CPS. However, the Area was missing bail dates set pending advice under the pre-charge advice scheme.

Quality of decision-making

- 3.4 Decisions at, and quality of, first review are generally satisfactory. We agreed with 126 out of 129 (97.7%) evidential decisions (cycle-to-date average 98.5%). Appropriate requests for additional information or evidence were made in 77.9% of all relevant cases (cycle-to-date average 78.3%). However, this was so in only 66.7% of cases dealt with on indictment, compared to 85.4% in cases dealt with summarily.

Continuing review

- 3.5 Decisions at summary trial review are also generally sound – we agreed with the decision to proceed in 42 out of 44 cases (95.6% compared to cycle-to-date average 95.5%). However, the quality of continuing review and timeliness of case preparation is weak. Appropriate requests for additional information for evidence were only made in 59.1% of relevant cases (cycle-to-date average 76.3%). Service of witness statements under section 9 Criminal Justice Act 1967, and primary disclosure, is often late.
- 3.6 The decisions made to proceed at committal, or service of prosecution papers, are generally satisfactory, although we only agreed with 95 out of 100 decisions to proceed (95% compared to a cycle-to-date 96.7%). Quality of review is generally effective. Appropriate requests for additional information or evidence were made in 76.1% of relevant cases at committal review (the cycle-to-date average is 87.7%).

Discontinuance

- 3.7 The Area discontinuance rate (9.1%) is significantly lower than the national average (12.2%). The decisions are generally sound – we agreed with 93.75% of evidential decisions (cycle-to-date average 92.8%) and all the public interest decisions (cycle-to-date average 91.6%).

- 3.8 The timeliness of discontinuance was below the cycle-to-date average (74%) whether the case was dealt with by the CJUs (timely in 60.6% of cases) or the TUs (66%).

Discharged committals

- 3.9 For the period April to December 2003 the Area recorded 31 committals discharged because the prosecution were not ready. This is a less substantial issue than in other Areas we have inspected, but no level of discharged committals can be regarded as satisfactory. Systems are in place to review whether such cases should be re-instated, but not to monitor whether re-instatement has taken place.

Level of charge

- 3.10 Cases were generally dealt with at the correct level of charge. However, amendments to police charges were only timely in 70% of cases dealt with summarily (cycle-to-date average 75.3%) and 57.1% of cases dealt with on indictment (cycle-to-date average 85.6%). Relevant charging standards were correctly applied in 23 out of 24 (95.8%) magistrates' courts cases and 17 out of 19 (89.4%) of Crown Court cases.
- 3.11 Indictments were amended in 14 out of 51 (27.5%) of cases (cycle-to-date average 27.9%). In five out of the 14 cases the indictment was amended because it did not reflect the most appropriate offences (9.8% of the sample).

Cracked and ineffective trials

- 3.12 The LCJB is performing well on cracked and ineffective trials in the Crown Court – it has met its target of reducing the ineffective trial rate to 19%. The cracked trial rate (30%) is better than the national average (38.1%) although still above the LCJB target (28%). The proportion of cracked trials attributable to the prosecution (CPS and police) are 52.3% (national average 39.1%) and for ineffective trials 43.7% (national average 40.4%). Whilst overall performance by the Area in reducing the cracked and ineffective trial rate is creditable, there is scope for further improvement.
- 3.13 Performance on cracked and ineffective trials in the magistrates' courts is not as good – the ineffective trial rate of 34.7% remains above target (30%). The cracked trial rate (33.8%) is substantially below the national average (37.9%) although it remains above the LCJB target (33%). The proportion of cracked and ineffective trials attributable to the prosecution (CPS and police) is slightly above the national average. The Area needs to improve its summary trial review and preparation.

Persistent young offenders

- 3.14 The persistent young offender (PYO) timeliness rate for 2003 (64 days) from arrest to sentence is good.

Persistent offenders

- 3.15 The LCJB has brought to justice 1,073 offences by persistent offenders for the period April 2003 to January 2004. This is below the original target of 4,316 (which is being revised downwards). The LCJB has concerns, in common with other LCJBs, about the validity of the baseline target. The Area was slow to use JTRACK effectively, but is now complying.

Sensitive cases

- 3.16 CPS policy on decision-making is applied in cases of child abuse and racist incidents, although some aspects of case handling could be improved. In domestic violence cases policy is generally being applied, although there was some weakness in the way victim withdrawals were dealt with.

Adverse outcomes

- 3.17 Adverse cases comprise no case to answers (NCTAs) in the magistrates' courts and judge ordered acquittals/judge directed acquittals (JOA/JDAs) in the Crown Court.
- 3.18 The NCTA rate (0.1%) is below the national average (0.3%). However, the rate can be reduced further by CPS action. In 4 out of 9 (44.4%) cases more could have been done to avoid the outcome or discontinue the case earlier.
- 3.19 The JOA/JDA rate (13.5%) is also below the national average (15.9%). Nonetheless, in 13 out of 49 (26.5%) more could have been done to avoid the outcome or drop the case earlier – this compares to a cycle-to-date average of 20.7%.

Narrowing the justice gap

- 3.20 The LCJB is exceeding its target for bringing offences to justice. The CPS is contributing to this outturn by maintaining a low discontinuance rate. It is too early to assess the impact of the pre-charge advice scheme on the overall numbers of offences brought to justice.

Disclosure

- 3.21 Disclosure is usually handled appropriately. This is particularly so in the magistrates' courts where compliance with the prosecution obligation of disclosure is 91.2% (significantly better than the cycle-to-date average of 72.7%), although disclosure was often late.

4 CASEWORK

Pre-charge advice to police (CAP1)

- 4.1 The Area started its shadow pre-charge advice scheme in mid-October 2003 at Southampton Central Police Station. The roll out of the scheme to cover the whole of the Area is due to be completed by late March 2004. The Area advice rate is 3.7% of its overall casework (national average is 7.8%). The proportion of advice work should increase once the pre-charge advice scheme is fully operational.
- 4.2 We examined 18 cases where the police had submitted written requests for advice outside the pre-charge advice scheme.
- 4.3 We disagreed with two advices on the evidential Code test – one given by a CJU lawyer and another by a TU lawyer. A full explanation of the decision was given in all advices save one. The advices were timely in five out of eight CJU advices and in only three out of ten TU advices. Area managers still need to monitor the timeliness of advices, particularly where defendants have been bailed pending advice, and take appropriate action. Better use of Compass should assist this process.

Cases ready to proceed at first date of hearing (CAP2)

- 4.4 Arrangements between the Area and the police for the provision of files for early administrative hearings (EAHs) and early first hearings (EFHs) generally work well and allow the lawyers and designated caseworkers (DCWs) sufficient time to carry out a review of the case.
- 4.5 The quality of review and decision-making was generally satisfactory. We agreed with the decision to accept in 126 out of 129 (97.7%) cases. However, appropriate requests for additional evidence or information were only made in 35 out of 41 relevant cases (85.4%) dealt with summarily and 18 out of 27 (66.7%) of those relevant cases dealt with on indictment. CJU lawyers deal with all first hearings, but ownership of cases that are “sent” to the Crown Court or adjourned for committal then passes to the TU. The benefits of ensuring a full review of cases at first hearing are obvious. The Area will want to ensure standards of such review are high whatever the venue for disposal.
- 4.6 The first review is recorded on a CJU outcome form that is copied to the police after the hearing if a full file is required. Although this process has some efficiencies, the form does not allow sufficient space for full review notes in the more problematic cases. We think the Area should review the use of the form in light of the facilities available on Compass.

Aspects for improvement

- * The quality of first review in relation to casework dealt with in the Crown Court.

Bail/custody applications (CAP3)

4.7 Appropriate applications are made in relation to bail or custody.

Discontinuances in magistrates' courts (CAP4)

4.8 We examined 39 cases that had been discontinued – 33 by CJUs and six by TUs. The reason for discontinuance was fully recorded in all but three CJU cases. The decision-making was generally sound. We disagreed with the decision in only two CJU cases – and in one of those the decision to discontinue could have been justified on public interest grounds. However, in four of the cases (two of which were TU cases) further enquiries should have been made before the case was discontinued.

4.9 Furthermore, although the Area has improved consultation with the police prior to discontinuance - the presence of police decision-makers at some of the co-located units has facilitated this – we also found that full consultation had not taken place in seven cases (six from CJUs).

4.10 The timeliness of discontinuance was poor. Only 20 out of 33 discontinuances by the CJUs (60.6%) and two out of six by the TUs (33.3%) were timely.

4.11 Late discontinuance by the CJUs has a particular impact on summary trials. Out of 12 discontinuances taking place on the day of trial, five were late. The joint performance management (JPM) cracked and ineffective (CIT) data for October to December 2003 indicates 8.1% of all summary trials cracked because there was insufficient evidence (not witness withdrawal or absence). This is indicative of a continuing inefficiency in the CJUs. We comment further in relation to summary trials.

4.12 Late discontinuance by the TU is a reflection of late committal review.

Aspects for improvement

* Timeliness of discontinuance in the CJUs.

Summary trial preparation (CAP5)

4.13 The decisions whether to proceed with summary trials generally complied with the principles of the Code. We agreed with the decision in 42 out of 44 cases (95.6%). However, the quality of preparation for trial was less satisfactory. Requests for additional information or evidence were made in only 13 out of 22 relevant cases (59.1%); in nine out of 16 cracked or ineffective trials (56.3%) more could have done to avoid the outcome or discontinue the case earlier; and in four out of nine NCTAs (44.4%) more could have been done to avoid the outcome or discontinue the case earlier (this includes the two cases where we disagreed with the decision to proceed to trial).

- 4.14 The timeliness of review and preparation is also a weakness. The Area has tried to ensure early trial review and witness warning by the lawyer at court completing a trial review form when a not guilty plea is entered. On this basis 27 out of 35 summary trial reviews (77.1%) were timely. However, a further review is required when the police submit the full file. The file handling systems at three of the CJUs are not efficient enough to ensure that full files are expeditiously linked to files and passed to the lawyer for further review. As a result there are late requests for additional evidence, late discontinuances and late service of disclosure (see paragraph 4.26).
- 4.15 The Magistrates' Courts Committee (MCC) is introducing a "readiness for trial" hearing 14 or 21 days before the trial date throughout the Area, following a pilot at Portsmouth Magistrates' Court. This should lead to a reducing cracked and ineffective trial rate, but its success still depends upon the Area ensuring its own preparation and decision-making is timely.
- 4.16 The Area does not have dedicated Case Progression Officers at each CJU, although one unit is developing such a role. The introduction of Case Progression Officers throughout the Area, to mirror those in the magistrates' courts, should also assist in ensuring trial readiness and avoid unnecessary witness attendance.

RECOMMENDATION

The Area should improve the quality and timeliness of summary trial review and preparation.

Committal and Crown Court case preparation (CAP6)

- 4.17 The Area has a Special Casework Unit that deals with many of the most complex cases in the Area. It enjoys the confidence of those it deals with in the local CJS. The great majority of Crown Court casework is handled by the TUs and our comments in this section are directed towards the work of those units.
- 4.18 The timeliness of review and service of committal papers was weak - service of committal papers was timely in only 22 out of 34 cases (64.7%). This is contributing to the failure of the LCJB to meet its timeliness target for committals. On the other hand, the service of prosecution papers was timely in 16 out of 17 cases (94.1%).
- 4.19 The quality of review and decision-making at committal, or prior to service of prosecution papers, was generally satisfactory. The decision to proceed accorded with the Code principles in 95 out of 100 cases (95%). Although we saw examples of very high quality review, there is still scope to improve the overall quality. In 16 out of 67 (23.9%) of relevant cases further information or evidence should have been requested but was not. In a significant minority of relevant cases (nine out of 51 – 17.6%) counsel advised on points that the reviewing lawyer should have dealt with at committal. In 13 out of 49 (26.5%) of the JOA/JDAs more could have been done to avoid the outcome or discontinue the case earlier (this includes three of the five cases where we disagreed with the decision to proceed at committal).

- 4.20 The quality of indictments was variable. Although 37 out of 51 indictments (72.5%) did not require any amendment, five out of 51 (9.8%) were amended by counsel because the original did not reflect the most appropriate offences.
- 4.21 The Area has systems to review whether cases that have been discharged because the prosecution was not ready should be reinstated, but does not have any systems to monitor whether the cases have been. Although the number of such cases is low in comparison with some other Areas (31 from April to December 2003), the Area will want to consider introducing a monitoring system if the numbers increase substantially.
- 4.22 Case progression after committal or service of the prosecution papers is generally effective. Advice from counsel was usually dealt with expeditiously and directions were complied with in all relevant cases. In ten out of 30 cases compliance was not timely, but this was the fault of CPS in only three of them. Systematic checks by the Area with the police on witness attendance for trials have also played a part in improving trial readiness. The cracked and ineffective trials JPM data shows that the Area has an ineffective trial rate of 19% (national average 21.7%) and a cracked trial rate of 30% (national average 38.1%). This is a good performance that reflects better case progression by the Area as well as improved liaison over court listing (see paragraph 10.7).
- 4.23 Instructions to counsel remain a weakness. We found only 18 out of 51 (35.3%) instructions contained an adequate case summary and/or appropriate instructions on acceptability of pleas.
- 4.24 The Area has trained lawyers on the Proceeds of Crime Act 2001 and an Area Champion has been identified. Nonetheless the number of applications under the Act is very low. Further work with the police is necessary in order to identify and investigate cases falling within the Act.

Aspects for improvement

- * The quality of review at committal and service of prosecution papers.

Disclosure of unused material (CAP7)

- 4.25 The Area compliance with its duties of disclosure under the Criminal Procedure and Investigations Act 1996 (CPIA), and the Joint Operational Instructions (JOPI) with the police, is generally sound. The Area has instituted a training programme on the revised JOPI that came into effect on 1 July 2003. Separate disclosure folders and disclosure record sheets are now in use. The Area has also negotiated with the police the copying of unused material with the full file.
- 4.26 We were satisfied that appropriate decisions had been made on primary disclosure in the magistrates' courts in 31 out of 34 cases (91.2%). However, timeliness was poor. We found primary disclosure was timely in only 15 out of 34 cases (44.1%). This in turn feeds into ineffective trials. Over the period October to December 2003, 1.5% (national average 1.17%) of all trials were ineffective due to disclosure failures by the prosecution.

- 4.27 In the Crown Court service of primary disclosure was timely in all cases. However, we were satisfied appropriate decisions had been made in only 42 out of 51 (82.4%) cases of primary disclosure. Although there were some recording issues, the main problem was the acceptance of MG6C schedules with wholly inadequate descriptions of items. The provision of copies of items, particularly crime reports, will allow prosecutors to make a reasoned decision whatever the content of the disclosure schedule. Nonetheless, the JOPI still requires a full description of the items on the disclosure schedules. The implementation of the agreement with the police for provision of unused material was phased, and the TUs have only recently started to receive copies.
- 4.28 The service of secondary disclosure in the Crown Court was timely in 26 out of 32 cases (81.2%). We were satisfied that secondary disclosure had been correctly handled in 25 out of 32 (78.1%) of cases. These findings were partly a result of poor record keeping, and partly as a result of caseworkers dealing with secondary disclosure without apparent reference to lawyers.
- 4.29 In some cases routine disclosure was made of crime reports and pocket notebooks even where application of the disclosure tests did not require it and where no application had been made to the court. This is influenced by experience of the circumstances in which the Crown Court is likely to make disclosure orders on the application of the defence, although we also found examples of such routine disclosure in the magistrates' courts. The Area should ensure a consistent practice in relation to disclosure outside the CPIA framework.

Sensitive cases (CAP8)

- 4.30 We examined 17 domestic violence cases dealt with in the magistrates' courts and ten in the Crown Court. All the review decisions complied with the Code test, but the application of CPS policy was variable in cases dealt with summarily. In particular, in two cases we considered more should have been done to deal with a retraction by the victim and in a third more should have been done to strengthen the case evidentially.
- 4.31 We examined four child abuse cases dealt with by the CJUs and 22 dealt with by the TUs. We disagreed with a review decision in only one case – a decision to accept an evidentially very weak case by a CJU that resulted in a subsequent discontinuance. All cases were handled in accordance with CPS policy on child abuse cases, save that there was often no file record of viewing a child's disclosure video. Timeliness in relation to the CJU cases was variable. Both review and case preparation were sound and timely in relation to the TU cases, except for the quality of instructions to counsel.
- 4.32 Each unit has a racist incident log, although the extent to which the logs are kept up-to-date varies. We examined nine racist incident cases dealt with in the magistrates' courts and nine in the Crown Court. CPS policy was correctly applied in all cases except that the files were not always clearly marked as racist incidents. We only disagreed with one review decision. This was a case that was prosecuted as a racially aggravated offence without sufficient evidence to support the racially aggravated element. The quality and timeliness of the review and case preparation was variable.

- 4.33 The file sample included seven rape cases. We disagreed with the advice to proceed in one case on evidential grounds. The other cases were handled appropriately.

Youth cases (CAP13)

- 4.34 We examined 15 cases dealt with in the Youth Court. The decision-making and quality of review was generally sound and timely.
- 4.35 LCJB performance on dealing with PYOs is good. Joint case progression meetings between CPS, police and the magistrates' courts have been instituted in those court centres where delays had developed. The final outturn for 2003 was 64 days against a target of 71 days.

File/message handling (CAP9)

- 4.36 The co-location of the CJUs has led to a real improvement in the availability of files for court. However, backlogs and inefficiencies in the handling of files and post prior to court are still apparent in three of the CJUs. In one unit staff lacked appropriate guidance in prioritising their workloads, and in the other units systems are over complex and inefficient. As a consequence files, and relevant post, are not being passed expeditiously to lawyers for attention. This does not support timely casework. The reduction of agent usage means that lawyers will spend less time in the office and underscores the importance of ensuring a smooth flow of work to them when they are there.
- 4.37 File handling and administrative systems in the TUs are generally effective, except for the payment of fees at the Eastleigh TU (see paragraph 9.8).
- 4.38 There did not appear to be effective arrangements in a number of the units for dealing with work in the absence of the file owner. Work was simply left until the file owner returned to the office from leave or sickness. In one CJU, where lawyers were aligned to different court centres, the sub-teams did not assist each other.

Aspects for improvement

- * Contingency planning for absent staff.

Custody time limits (CAP10)

- 4.39 We examined 23 cases subject to custody time limits (CTLs), 16 magistrates' courts cases and seven Crown Court cases including the magistrates' court file. We found one magistrates' court case where the expiry date was incorrectly calculated by one day. However, we also found two cases in one unit where the expiry date had originally been wrongly calculated but checked and amended by the Unit Business Manager.

- 4.40 Although the Area has developed a CTL Manual based upon CPS best practice guidance, compliance with the Manual was not consistent. There appeared to be a need to reinforce it by training.
- 4.41 The management checks vary between units - ranging from the checking of every case subject to custody time limits as it returns from court, to weekly dip samples. Although accuracy of time limit calculations was part of all management checks, the CTL dairies were not being consistently checked to ensure action had taken place at appropriate action dates.
- 4.42 The recording of CTLs on the file jackets was inconsistent. Action dates did not always appear on the file jacket, and expiry dates were not always updated or re-calculated. We saw one file with multiple charges where it was unclear to which charges the CTL dates related.
- 4.43 Although action dates were being correctly entered in the CTL dairies, it was unclear in some cases whether those action dates had been dealt with.
- 4.44 Only a few units are using Compass as a back up to the manual diary systems.

RECOMMENDATION

The Area should ensure that CPS Best Practice on CTLs is applied throughout the Area and that there are consistent and effective management checks.

National Probation Service and Youth Offending Teams (CAP12)

- 4.45 The systems for provision of pre-sentence report packages to Probation or Youth Offending Teams vary amongst the units. The recording of service is also very variable. There was clear evidence of service in only six out of 19 (31.6%) magistrates' courts cases and 29 out of 51 (56.9%) Crown Court cases.
- 4.46 One CJU has set up regular liaison meetings with its local Probation Service to deal with previous concerns about non-service of the information. Other Unit Managers may wish to review the efficiency of their own procedures.

Appeal and committal for sentence processes (CAP14)

- 4.47 The instructions to counsel in appeals against conviction are unsatisfactory because they do not routinely include a case report from the original trial lawyer.

Appeals against unduly lenient sentences (CAP15)

- 4.48 The Area has a high awareness of the importance of referring unduly lenient sentences to Headquarters for consideration of a referral to the Attorney General. However, awareness needs to be raised over the duty to notify the victim or victim's family of the right to appeal direct to the Attorney General if a decision is taken by CPS not to refer in those cases where an interested party has sought a referral.

Recording of case outcomes (CAP16)

- 4.49 The implementation of Compass has led to problems, some of which are also national issues. A misunderstanding in selection of magistrates' courts or Crown Court has led to some double counting. Some CJUs are not dealing correctly with "withdrawn" cases.
- 4.50 Area managers have a limited understanding of the management report functions (MIS) for Compass. This reduces their ability to validate the accuracy of the PIs. Area managers were unable to fully explain significant fluctuations in some PI codes since the implementation of Compass.
- 4.51 The Area has recognised the need for additional Compass and MIS training. Better court endorsements by lawyers would also assist in avoiding mis-categorisations.
- 4.52 The Area has worked hard to finalise or transfer all cases from SCOPE prior to its close down. This has dealt with the historic backlogs in finalising cases on SCOPE, but backlogs were developing with finalisations on Compass. The Area will want to ensure the backlogs do not develop – not least because of the possible impact on resource allocation.
- 4.53 The systems for handling minor road traffic cases mean that specified and non-specified cases can be returned together from court for processing through the CJUs. The lack of segregation between specified and non-specified cases is leading to at least some specified proceedings being wrongly included in the Area PIs.

Information on operational and legal issues (CAP17)

- 4.54 The Hampshire Casework Committee (HCC) provides a focus for considering legal and operational issues affecting the Area. It is managed by the Head of the Special Casework Unit who has carried out thematic reviews of casework handling in the Area, as well as reviewing the casework quality assurance outcomes, in order to inform the work of the HCC. The HCC has produced a series of high quality guidance on topics such as when to charge attempted murder, policy in public order cases and the handling of anti-social behaviour orders.

Strengths

- * The quality of legal guidance issued by the Hampshire Casework Committee.

Readiness for court (CAP18)

- 4.55 There has been a significant improvement in the delivery of files in a timely manner to the magistrates' courts. At the time of the last inspection the failure to do so was causing significant disruption to Portsmouth and Southampton Magistrates' Courts. The creation of co-located CJUs at Portsmouth and Portswood, and the introduction of two administrative officers at Southampton Magistrates' Court, have brought about this improvement, although there are still some difficulties with providing files which have been adjourned for a short period.

- 4.56 The timeliness of delivery of files to agents is variable. Although the Area has set itself a target of sending out case papers at least the day before the hearing, in practice a significant minority of files are still either given to or collected by the agent on the morning of the hearing. This extends to remand lists as well as trials. The late delivery is compounded by the disorganised state of files and incomplete case preparation.

Aspects for improvement

- * Timeliness and trial readiness of files delivered to agents.

Learning points (CAP21)

- 4.57 All the Unit Heads carry out Casework Quality Assurance and consider the Adverse Case Reports. Individual performance issues were raised with those concerned, and some learning points of general relevance had been identified. However, the learning points for CPS were not fully identified in three out of nine of the NCTAs (33.3%) and 18 out of 49 of the JOA/JDAs (36.7%). The Area can do more to learn the lessons from its adverse case outcomes.
- 4.58 The CJU lawyers will deal with much of the pre-charge advice and usually carry out the first review on cases, whether or not they are then transferred to the TU. There are systems already in place for TU lawyers to contact the initial reviewing lawyer if there is a disagreement about that initial decision. It would also be useful for CJU lawyers to receive the results of all Crown Court cases – perhaps in the form of a casework result bulletin.

5 ADVOCACY AND QUALITY OF SERVICE DELIVERY

Advocacy standards and monitoring (CAP19)

- 5.1 We received feedback from other agencies that the standard of in-house advocacy is variable, which was confirmed by our court observations.
- 5.2 We observed 18 in-house advocates (lawyers and DCWs) in the magistrates' courts. We found one was very good; three were above average in some respects; eight were fully competent; four were lacking in presence or lacklustre; and two were less than competent in many respects. We also saw two CPS lawyers dealing competently or better with preliminary hearings and a bail application in the Crown Court.
- 5.3 The monitoring of in-house advocates is ad hoc. Whilst newly qualified advocates usually receive induction training that includes support and feedback on advocacy performance in court, plans to introduce more systematic monitoring have not been carried through. We think that those plans should be implemented.
- 5.4 Agent usage in the magistrates' courts is 34.6% for the period April to December 2003. Members of the junior Bar are usually instructed. Some induction is provided to new agents, but there is no systematic monitoring of agents. We received evidence that the quality of agents was variable, and that when concerns were raised they were not always acted upon by the Area.
- 5.5 We observed five agents, all were fully competent or better. Although the Area is reducing the use of agents, we think those used should be systematically monitored and action taken when they fall below acceptable standards.
- 5.6 The success of readiness for trial hearings (see paragraph 4.15) depends in part on the prosecutor having the experience and authority to make decisions at court without further adjournments. The Area has been unable to achieve this universally and this adversely affect perceptions of its ability to deliver improvements in trial preparation.
- 5.7 We observed four counsel in the Crown Court. Of these, two were very good; one was fully satisfactory; and one was lacklustre. Monitoring takes place when re-grading is being considered or some cause for concern has arisen. However, given that the Area now has one-to-one court coverage, we think more systematic monitoring should be taking place.

Aspects for improvement

- * Systematic monitoring of in-house prosecutors and agents in the magistrates' courts.

Court endorsements (CAP20)

- 5.8 The quality of court endorsements is good on Crown Court files. The quality of endorsements on magistrates' courts files was generally poor – causing difficulties for administrative staff and other prosecutors.

Court preparation (QSD1)

- 5.9 We have already commented at paragraph 4.55 on the improvement in the availability of files for court. The advocates we saw at court were generally well prepared.
- 5.10 However, the late delivery of files to agents and the poor quality of trial review and preparation has an impact on their state of preparedness (see paragraph 4.56). Although some units have systems to check trial readiness before files are passed to agents, these were not always carried out. Other units had no systems in place at all.

Attendance at court (QSD2)

- 5.11 Prosecutors and caseworkers generally attend court in good time to deal with outstanding issues with the defence before the court commences.
- 5.12 The administrative support provided at Southampton Magistrates' Court has already been mentioned (paragraph 4.55). The Area will want to review whether similar arrangements are appropriate in other busy court centres to avoid delays whilst the prosecutor has to make enquiries out of court.
- 5.13 The Area generally provides one caseworker to each courtroom in the Crown Court. A diary system is in place to ensure that, wherever possible, the caseworker responsible for a trial also covers it in court. There is no duty lawyer attendance at the Crown Court to deal with issues such as acceptance of pleas. This underlines the importance of including full instructions on acceptability of pleas in the instructions to counsel.

Accommodation (QSD4)

- 5.14 The provision and standard of accommodation at courthouses varied considerably. Some courts such as Southampton Magistrates' Court had good facilities, but others were lacking in relation to IT or telephone links. The Area is aware of these issues and is taking steps to make improvements where possible.

6 VICTIMS AND WITNESSES

Witnesses at court (QSD3)

- 6.1 Advocates and caseworkers are making efforts to introduce themselves to witnesses at court and provide appropriate support and information, although some are seen as consistently much better at this than others. We observed one case where a caseworker was particularly helpful to an elderly witness.
- 6.2 Liaison with the Witness Service is important to ensure witnesses can make full use of their services. The Area provides the Witness Service with lists of witnesses who are required to attend court in the majority of cases, but details such as the age or special needs of witnesses are often missing. In addition, the Area does not routinely inform the Witness Service when trials have been discontinued.

Direct Communication with Victims (CAPI3)

- 6.3 The Area has implemented the standard model whereby lawyers write letters to victims and hold meetings with them as necessary. The Area was a pilot for this initiative. However, on its own assessment, the initiative has not been fully implemented. In particular, there are cases where the charge is reduced or dropped at court where letters are often being missed. In addition timeliness of the sending of letters is poor with substantial delays in some parts of the county.
- 6.4 In our file sample we found that appropriate and timely letters were sent in ten out of 22 relevant CJU cases (45.5%) and in 19 out of 32 relevant TU cases (59.4%). The quality of the letters varied. Some were very good, but others did not give sufficient details as to the purpose of the letter and why the decisions had been taken, or were inappropriately worded. Our findings on quality and timeliness were confirmed by examination of DCV logs whilst on-site.

RECOMMENDATION

The Area should ensure full compliance with the DCV standard in relation to coverage, timeliness and quality.

Meetings with victims and relatives of victims (DCV5)

- 6.5 Meetings are held where appropriate. The completion of the witness care facility at Portsmouth will improve the accommodation available for such meetings.

Victims' Charter (CR2)

- 6.6 The Area is taking a lead within the LCJB group on witness care in developing standards for witness care in the Area.

- 6.7 The Area makes full use of the procedure under section 9 Criminal Justice Act 1967 to try and avoid unnecessary witness attendance in the magistrates' courts. However, the practice is to both serve the statement under section 9 (sometimes close to the trial date) and warn the witness. The witness is only de-warned if the defence formally accept the statement. If case progression is introduced for all summary trials it should include a routine check with all defence solicitors to establish which witnesses are actually required.
- 6.8 The Area is now consistently using special measures. Applications were made in 21 out of 23 relevant cases (91.3%). However, there was some concern amongst court users that the most appropriate form of special measures was not always applied for.
- 6.9 The Area has been trying to improve its use of witness phasing or standby arrangements in the Crown Court. Counsel is routinely instructed to provide "batting orders" and action is taken if not forthcoming. We found an appropriate use of witness phasing or stand-by in 15 out of 20 relevant cases (75%).

7 PERFORMANCE MANAGEMENT

Performance standards (PM1)

- 7.1 The Area has set local performance standards. They form part of a monthly reporting system by units. Staff are generally aware of the standards, and information on some aspects of unit performance was available throughout the Area.

Performance monitoring (PM2)

- 7.2 The units collect a substantial amount of performance information. However, there was only limited understanding among staff of the significance or meaning of the data. Indeed, in our view some of it was of limited value, even though it formed part of the monthly reporting system. A greater focus on key drivers of local performance is required so that the most appropriate data can be gathered.
- 7.3 There was little meaningful analysis of much of the current data and only limited evidence of it being used to drive improvement. There was no clarity as to responsibility for performance management in the units. Most units rely on the Secretariat to provide any analysis of the data collected. The Area has yet to make effective use of the management information system (MIS) to analyse data in the Compass Case Management System (CMS). We would encourage the Area to reinforce its efforts in this aspect, while recognising that there have been some issues around national training.
- 7.4 In addition to our concerns over the effective use of available data, we had doubts over the integrity of some of the information – there were examples of the same measure being recorded from different sources with inconsistency in the resulting data.
- 7.5 Unit Managers participate in formal quarterly performance review meetings with the ABM. These meetings are still developing and recent meetings show signs of a more effective approach.
- 7.6 All units are completing the Casework Quality Assurance dip-sampling checks and some benchmarking of Area performance against national results had been undertaken recently. Additionally, feedback has been given to individuals as a result of the monitoring. There was general agreement that the process was producing some useful data, although most had some concern over the amount of time involved in the monitoring.
- 7.7 We discussed the use of adverse case reports at paragraph 4.57. There is no analysis of jury acquittals that are significantly above the national average (17.5% compared to national average of 10.1%). Some evaluation of the reasons for such outcomes would be useful.

Aspects for improvement

- * The performance management system needs greater focus on key local issues with improved levels of analysis.

Joint performance management (PM3)

- 7.8 Joint performance data is produced in relation to police file quality and timeliness and cracked and ineffective trials (CIT) in the magistrates' courts and the Crown Court. The data is considered within the framework of the LCJB and its sub-groups. This has led to work within the Witness Care sub-group to improve processes to identify witnesses who are unlikely to attend trials. However, we do not think full use is being made of all the data available.
- 7.9 Although most Unit Heads attend JPM meetings with the police to discuss the performance of the police divisions feeding their units, the meetings are seen as useful exchanges of information rather than a focus to improve police file quality and timeliness. The Area is unable to achieve its target of a 90% TQ1 return rate, and the police for their part are not able to analyse the TQ1s by CPS unit. The implementation of the pre-charge advice scheme will give the Area the opportunity to drive the quality and the timeliness of the police file from a very early stage. As the scheme becomes embedded, the Area will want to re-examine the use it makes of file quality JPM and the meetings that now take place.
- 7.10 The CIT data provides a very useful analysis of reasons for cracked and ineffective trials. The Area has assured itself of the accuracy of the data produced after carrying out its own shadow data collection.
- 7.11 Each Crown Court centre has developed its own processes for using the Crown Court CIT data - Portsmouth Crown Court for example has a Criminal Business Liaison Committee that includes the police as well as the CPS. We were satisfied that the different processes are effective.
- 7.12 However, the understanding and analysis of magistrates' courts CIT data at CJU level is much less evident. Although most Unit Heads hold bi-lateral meetings with the police and the magistrates' courts, there are no tripartite operational meetings with both the police and the courts. The performance in relation to ineffective trials in the magistrates' courts is below target. We think that the Area needs to review how to make best use of the data, for example, by exploring joint meetings with the Unit Heads, police and the magistrates' courts to analyse and problem solve.

RECOMMENDATION

The Area should review how to make best use of magistrates' courts data on cracked and ineffective trials.

Risk management (PM4)

- 7.13 The Area has worked with CPS Headquarters' Business Information Directorate (BID) to improve the understanding of risk management among most of the level B managers. A risk register is now in place and has been the subject of review. Responsibility for monitoring and developing risk management now rests with the Performance and Best Practice Committee.

Continuous improvement (PM5)

- 7.14 The Performance and Best Practice Committee is intended to be the primary forum for improvement activity. It is led by the ABM and includes a cross-section of level B staff from all units and the Secretariat. It has taken on a number of important tasks such as risk management, certificates of assurance and compliance with BS7799.
- 7.15 However, we consider that it should now take a more active role in identifying and promulgating good practice. The Committee has already recognised this and started to address it. As with many multi-unit Areas, there is room for greater consistency in operating procedures, and opportunities to minimise duplication of effort. We saw examples of units trying to find a solution to an issue that had already been successfully resolved elsewhere.

Accounting for performance (PM6)

- 7.16 Despite the wide range of data available within the Area, there is still a need to further refine the performance management systems before the Area can fully account for performance. Addressing the issues raised in this chapter about the analysis and accuracy of data will improve the Area's ability to understand its performance, and to focus its efforts in identifying opportunities for improvement.
- 7.17 Area managers also require a greater understanding of PIs, particularly in light of changes brought about by the implementation of Compass.

8 PEOPLE MANAGEMENT AND RESULTS

Human resource planning (P1)

- 8.1 The Management Team frequently discusses human resource issues. However, there is no formal staffing strategy at present. The Area will want to consider having one as it develops its staffing model.
- 8.2 Recruitment has been a challenge for the Area over the years. Lawyer recruitment is seen as the priority for going forward. The Area has succeeded in attracting more lawyers with a recruitment campaign in Autumn 2003 resulting in seven new joiners.
- 8.3 However, administrative problems persist within the CJUs in particular, and the recruitment and retention of administrative staff remains important. The priority given to lawyer recruitment should not deflect attention from ensuring there are sufficient administrative staff. Indeed, this has been recognised in one CJU where a lawyer vacancy was being used to recruit two additional administrators.
- 8.4 There has been a high turnover of administrative staff. In 2002-03 16 of the 33 leavers in the year - mainly administrative staff - left within the first six months. Substantial efforts are being made to improve retention through a focus on better induction and personal development opportunities.
- 8.5 There is a rotation policy for lawyers (usually six-monthly) between the CJUs and TUs. The Area needs to keep both the period of rotation and the numbers and spread of units under review to ensure that the units and the individual lawyers gain the full benefits from the programme.

Staff structure (P2)

- 8.6 Staffing levels have increased significantly since the last inspection and staff were more content with resource levels. However, we are concerned that performance and systems still appeared fragile and easily undermined by absence. Additionally, the requirements of the Compass Case Management System were having an impact on people's views, although there were signs of improved confidence among many administrative staff.
- 8.7 There is a need to improve the means for identifying the most appropriate staffing profile. Work has been undertaken in the past with Headquarters assistance using activity based costing to determine staffing levels in the Area. However, there was no evidence of any systematic approach to staff deployment at the time of the inspection. We were concerned that the balance of staff between the units and between the grades was not right – particularly in the Eastleigh and Portsmouth TUs.
- 8.8 The Area has already started to undertake work on the staffing profile. It is essential that the work is completed in light of the major changes which have affected the Area over the last nine months – implementation of Compass; shadow pre-charge advice scheme; the re-organisation of the Eastleigh TU into two units; and the creation of a new Business Development Unit.

- 8.9 The Area has been using lawyers to do almost all pre-committal work. It is now planning greater involvement of caseworkers pre-committal.
- 8.10 Despite the increase in lawyer numbers since the last inspection, the Area has continued to use agents extensively during the first three quarters of 2003-04 – over £400,000 has been spent. A drive to reduce the use of agents has been implemented. Full time CJU lawyers have a target to cover six court sessions per week, including some trials. There are significant benefits from increasing lawyer attendance at court, for both remand and trial hearings. However, the Area will also need to ensure that there is improved timeliness in review and case preparation as well.
- 8.11 The deployment of Higher Court Advocates (HCAs) in the Area has been low. There were only 79 sessions covered for the period April to December 2003 for the Area as a whole, including just three sessions at Portsmouth Crown Court. Plans are in hand for the development of a dedicated HCA team and a phased increase in the number and type of sessions covered.
- 8.12 The Area has been able to make effective use of DCWs in most units, although there have been problems with the availability of resources (Aldershot) and the court practice of merging EFH and EAH courts in Portsmouth.

RECOMMENDATION

The ABM should review the means by which staffing levels are determined and deployed between the units.

Staff development (P3)

- 8.13 Staff training and development are major strengths in the Area. The Area has a dedicated Staff Development Officer who supports the efforts of line managers and the Area Training Committee. Opportunities for development, both internally and externally are regularly promulgated. The Development Officer makes visits to units, providing a significant amount of one-to-one counselling on career issues. In attempting to ensure ownership of training and development at unit level, the Area has appointed ‘learner representatives’ at each site.
- 8.14 There had not been a regional Training and Development Officer for some time, although one has recently been appointed. The Area has driven training activity itself. The Area Training Committee meets regularly - it is drawn from all levels and units and has a large membership. The composition of the Committee is being reviewed. There had been a number of action points outstanding over recent meetings, but these are now being addressed.
- 8.15 The breadth of training and development activity is impressive. It includes law scholarships, NVQs, and ILEX as well as national CPS training. The Area has also - with assistance from consultants - conducted a significant amount of management training, targeted at both existing and aspiring managers.

- 8.16 The Area has responded positively to a staff survey indicating there was a lower level of satisfaction with level A training. Reports have recently been sent to the ABM and Unit Managers highlighting training needs. The Area also responded positively to the Investors in People (IiP) report, which while generally very positive, outlined some weaknesses in evaluation of courses and induction. Progress has been made in both issues, although there are still some concerns with the day-to-day aspects of coaching and mentoring of new staff. While some new joiners were very happy with induction others felt that they had been ‘thrown in at the deep end’ with less than satisfactory support.

Strengths

- * The high commitment to staff development with a dedicated Development Officer.
- * The wide range and volume of training available to staff.

Performance review (P4)

- 8.17 As with many CPS Areas, we received mixed feedback on the effective management of individual performance. While all staff had received a formal year-end appraisal, a number felt that objectives were not particularly relevant or useful. The management training delivered recently should help improve this aspect of work in the next year.
- 8.18 Most staff had also had some form of interim review, although again there were concerns that the process was not particularly useful. Major changes such as change of role or CMS implementation had not always led to appropriate changes to objectives.
- 8.19 Managers felt that they were now better equipped to deal with any ‘poor performers’, although most had no concerns at the performance of their staff.
- 8.20 Integrated working in co-located units brings a challenge in managing staff performance, particularly where staff undertake both police and CPS functions. We encountered some differing views among police and CPS managers in the same units as to the levels of staff performance. This has the potential to be divisive and managers will want to work together to ensure that they understand each other’s standards and expectations.

Management involvement (P5)

- 8.21 The ABM and CCP are trying to encourage open communication and are perceived as visible and approachable managers. A Communications Manager was appointed in June 2003 to improve internal communications as well as develop better external links.
- 8.22 The Area makes a significant effort to communicate with staff, using a variety of techniques to keep people informed. The communication strategy is based on a designated meeting structure, the effective use of technology and underpinned by an agreed set of values. Managers are responsible for ensuring that non-attendees at meetings are kept informed of relevant information. There is a regular staff magazine.

- 8.23 As with many large Areas, a small percentage of staff felt that communication could be improved and we were given a couple of examples where the process had failed. The frequency and effectiveness of team meetings was variable, although most staff were satisfied that they were kept informed of key issues except in one CJU. Overall we were satisfied that appropriate information was available with a cascade process for most issues.
- 8.24 Staff are given the opportunity to become involved in the running of the Area – particularly through membership of committees. While accepting fully that staff involvement is a positive philosophy, we also agree with the findings of a recent consultant’s report that a review of the value of committee structure would be beneficial. This work is now in hand. A balance needs to be reached whereby attendance at meetings does not have a detrimental affect on delivering core business and objectives.

Strengths

- * Strong commitment to keep staff informed.

Good employment practice (P6)

- 8.25 Staff believe that the Area is a good employer, with numerous examples of a supporting and caring approach. There are a wide range of working practices in place including compressed hours (this was the cause of concern to some staff), part-time hours and ‘term-time’ contracts. Decisions on whether to allow specific work patterns are taken by Unit Heads in consultation with the ABM. There are no written guidelines and we think it would ensure consistency if there was written policy guidance. Managers will wish to address this.
- 8.26 The Area has been involved in research and training in issues such as stress management and the work-life balance. In some instances this has led to changes to working practices, for example widening the flexi-time bands.
- 8.27 Sickness rates in the Area are close to average, being just under ten days per person per year on average. However, 45% of the sickness in the Area originates in Eastleigh TU with a large proportion of the absence at B1 level. Area managers will want to keep the situation under close review.

Equality and diversity (P7)

- 8.28 The Area has demonstrated a positive approach to equality and diversity (E&D) issues. They are working pro-actively with the regional Equality and Diversity Officer in promoting appropriate policies and practices. There is a comprehensive E&D Plan supported by an E&D Committee. The ABM has played a leading role within the LCJB as chair of the Race for Justice project (see paragraph 12.5).

- 8.29 The composition of the Area work force is representative of the local population in terms of female and minority ethnic staff. Attempts are made to encourage minority ethnic recruitment through liaison with the organisation MERIT, who assist in arranging temporary work placements.
- 8.30 The Area has followed up the findings of the Staff Survey. One of the resulting actions was the development of a Diversity Play in conjunction with other criminal justice partners. There have been a number of performances which staff are encouraged to attend. A disability workshop was held in December 2003.
- 8.31 Despite the obvious efforts of the Area, a small minority of staff voiced concerns over the way they had been treated on occasion. There have been three formal grievances in recent times. This demonstrates the need for constant vigilance in personal behaviour. The Area was responding to the complaints in a constructive manner.

Strengths

- * The positive approach to equality and diversity.

Health and safety (P8)

- 8.32 The Area has a Health and Safety Committee with trained representatives in each unit. Reports are issued on a monthly basis highlighting aspects for concern and possible remedial actions.

9 MANAGEMENT OF FINANCIAL RESOURCES

Staff financial skills (MFR1)

- 9.1 Most of the day-to-day budget activity is handled by level B staff in the units and the Secretariat, with the ABM taking more strategic responsibility. The level of understanding of budgets in the individual units is low, and their involvement tends to be limited to processing financial transactions. Further training is necessary if the Area is to delegate greater financial responsibility to the units.
- 9.2 There remains a lack of understanding of the accruals system in spite of efforts by the Area to remedy this. It needs to be addressed because of the impact on the budget reconciliation process.

Adherence to financial guidelines (MFR2)

- 9.3 We were satisfied that the Area was complying with the appropriate guidelines over the use of counsel in the magistrates' courts debited to the prosecution costs (account 3010). However, the audit trail was weak (see paragraph 9.10).
- 9.4 The Area generally complies with CPS guidelines on the award of contract - for example in the provision of external management training. However, a consultancy contract valued at £10,000 (funded by Headquarters) was awarded without any aspect of competition. This was in contravention of CPS guidelines.

Budgetary controls (MFR3)

- 9.5 The Area has a sound system for reconciling and forecasting its payroll costs. Spreadsheets are maintained in the Secretariat with appropriate allowance made for known future changes and issues such as any delays in processing payroll data to the management reports.
- 9.6 There is a similar system for reconciling general administration costs, but this is less robust, primarily due to the limited understanding of accruals. The Area had made some assumptions regarding accruals in its budget forecasts, but we were not satisfied those assumptions were well based. This is likely to contribute to a significant under-spend this financial year.
- 9.7 The Area has a system for calculating targets for agent usage in the CJUs. However, the CJUs found themselves unable to meet the targets for the first three quarters of 2003-04 for a number of reasons, in particular delays in recruiting additional lawyers and the introduction of Compass.

Management of prosecution costs (MFR4)

- 9.8 There has been a long-standing problem with processing payments to counsel at the Eastleigh TU that has led to substantial backlogs developing throughout 2003. The Area has devoted additional resources to reducing the backlog. Some spreadsheets have been introduced to monitor the payment of very old fees and a communication process set up with chambers to keep them updated with progress.

- 9.9 To the unit's credit the numbers of long overdue payments has been significantly reduced, but we were not satisfied that the situation could not arise again, or indeed that the true size of the problem was understood. Further work to improve processes and the performance of caseworkers in their fee management role is necessary to ensure that the situation does not re-occur once the additional resources are removed.
- 9.10 Audit trails on account 3010 could be made significantly simpler by either entering details on a spreadsheet or filing the notification of fees forms centrally.

Aspects for improvement

- * Timely payment of counsel fees.

Value for money approach (MFR5)

- 9.11 There is a strong commitment to reduce the use of agents next year. This will increase the value for money from in-house lawyers. It should also help to reduce the high expenditure on couriers - £75,000 during 2003-04. We think some of the spend on couriers was avoidable if case preparation had been more timely.
- 9.12 The Area was one of the national pilots for Visual Interviewing of Suspects. We were satisfied that the Area made appropriate efforts in the latter stages of the pilot to properly test the system. However, evaluation of the pilots nationally shows that they delivered poor value for money.

10 PARTNERSHIPS AND RESOURCES

CJS partnerships (P&R1)

- 10.1 The Area is playing a full part in the LCJB and its operational sub-groups. The previous CCP was the Chair of the LCJB from its inception in April 2003. The Area also has strong bi-lateral links with all the criminal justice partners and the judiciary, at senior and Unit Head level. This inter-agency framework provides a good foundation for developing and managing the local CJS.
- 10.2 The Area has implemented a number of initiatives with the police since the last inspection – co-location of CJUs in 2001 and the pre-charge advice scheme (shadow charging) in 2003 in particular. Both involved major changes in working practices and, in the case of the co-located CJUs, a re-location to new premises.
- 10.3 All CJUs are now jointly located with police administrative units. Two forms of co-location have evolved. In three of the units the CPS and police administrative staff remain separate teams. In the other two units CPS and police administrative staff have been integrated, although parallel case tacking systems are still being maintained.
- 10.4 Co-location has brought some benefits: liaison over witness warning is much easier; at three units the presence of a police decision-maker has greatly facilitated consultation over discontinuance; delivery of files for court has been significantly improved at two CJUs. However, file handling processes overall remain inefficient at three of the CJUs (see paragraph 4.36). Relationships between the CPS and the police at an operational level in two of the CJUs (one integrated and one not) are poor. Further work needs to be done to ensure the administrative systems in the CJUs are more efficient and effective. Such work should include a review of staffing levels as well as processes including the need for parallel case tracking systems. The police were conducting a Best Value review on co-location at the time of the inspection and this will help inform any review.
- 10.5 The shadow pre-charge advice scheme was introduced at one police station in October 2003 and is being rolled out to the whole Area by the end of March 2004. An appropriate framework for managing and evaluating the scheme is in place. Some lessons had been learnt from the initial roll out. However, the submission of files for advice outside CPS office hours was an aspect of the scheme that was not addressed as expeditiously as it could have been in the original pilot.

RECOMMENDATION

The Area, in partnership with the police, should review staffing levels and processes in the CJUs in order to ensure efficient and effective file handling.

CJS agencies (KPR8)

- 10.6 The local criminal justice agencies are seeking to improve the quality and timeliness of casework from the point of arrest to the finalisation. It is too early to assess the impact of the pre-charge advice scheme on early guilty pleas, discontinuances and offences brought to justice. We have already discussed JPM to improve police file quality and timeliness at paragraph 7.9. It is difficult to identify sustained and significant improvements in overall police file quality and timeliness as a result of the JPM process in the Area.
- 10.7 Joint working with the Crown Court to reduce the cracked and ineffective trial rate has been successful. The introduction of case progression returns and the weekly meetings between List Officers and the CPS are an effective process for reducing both cracked and ineffective trial rates. The MCC has introduced the “readiness for trial” procedure in the Area. The CPS has a key role to play in the success of the hearings, but there is a lack of confidence within the magistrates’ courts that the CPS will be able to contribute effectively to the process.

Improving local CJS performance (CR4)

- 10.8 The Area is seen by its criminal justice partners at a senior level as willing to take on new initiatives. At the time of the inspection a Witness Care Unit including the CPS, police and the Witness Service was due to be opened at Portsmouth TU. The Area is also seen as being responsive to concerns raised over weaknesses in its performance. However, the ability to resolve those concerns effectively depends upon performance at unit level.

Information technology (P&R2)

- 10.9 The timing of CMS implementation during the summer was unfortunate because a number of staff went on holiday immediately following their training. This meant that some units got off to a very slow start and in some units backlogs developed which are still to be overcome. However in some units - Aldershot CJU, the Isle of Wight CJU/TU and Portsmouth TU in particular - administrative staff are now making effective use of the system.
- 10.10 There is a wide variation in the usage of Compass amongst lawyers. At the time of the inspection, Area policy was to encourage staff to make better use of the functionality of the systems. While there are limitations on what can be achieved through a more assertive approach alone, we think that more should be done to accelerate this process, particularly in terms of updating the relevant task lists and outstanding hearings.
- 10.11 The Area has done well by organising additional training for 32 out of the 39 staff who requested assistance. Further work is underway including the use of ‘super users’ to deliver additional desk-side training. We have referred at paragraph 7.3 to the importance of developing understanding of CMS and MIS in the Area. For example, use of the CMS archiving facility would avoid the duplication of having a separate archiving spreadsheet.

- 10.12 A large number of Area staff use standard Microsoft applications and there are a wide variety of spreadsheets used throughout the units. Sensible use is made of electronic communication internally and there is good use of e-mail communication with the police in most of the co-located units.

Buildings, equipment and security (P&R3)

- 10.13 There are some concerns among staff over the quality of accommodation in co-located CJUs. The most common issue was lack of space (including storage) and lack of air conditioning through the summer. Shortage of space has contributed to delay in implementing the charging initiative at Portsmouth CJU.
- 10.14 The CPS will want to work with the police and Service Centre specialists to maximise use of available space. As numbers of staff increase, the Area has considered innovative solutions such as the use of desk sharing in some sites.
- 10.15 The Area has conducted some initial self-assessment against security standard BS7799.

Partnership with Headquarters and the Service Centre (P&R4)

- 10.16 Partnerships with both Headquarters and the Service Centre are good. The Area has used the expertise of Headquarters staff to assist the Area in progressing issues of concern – for example work with BID on risk management.
- 10.17 There is a good working relationship with personnel and finance functions in the Service Centre.

11 POLICY AND STRATEGY

Stakeholders (P&S1)

- 11.1 The Area has taken a positive approach to rolling out a series of pilots and major new initiatives such as DCV, Compass and pre-charge advice. It plays a key role in the activities of the LCJB, where policies are discussed and formulated with CJS partners.
- 11.2 The Area has undertaken research with internal and external stakeholders to establish views on a wide variety of issues. Consultants have often been involved. Reports of findings are circulated and follow-up action taken.

Strengths

- * Wide ranging stakeholder research (internal and external).
- * Area has a positive approach to accepting project and pilot work.

Performance measurement (P&S2)

- 11.3 We have commented at paragraph 7.3 on the need to use performance information more effectively. This applies equally to using the data to inform policy and strategy.
- 11.4 As the Area looks to develop project management skills among its staff, there needs to be a greater focus on identifying the appropriate measures of success for projects and policies.

Review (P&S3)

- 11.5 The standard of review and evaluation of projects is mixed. Furthermore, even where follow-up work or data collection has happened, there is much less evidence of effective, timely, remedial actions as a result of such evaluation.
- 11.6 For example, Area compliance with the DCV policy remains weak even though it was a pilot site. We have already mentioned that we thought the Area was slow to respond to the large number of advice files generated by the pre-charge advice pilot. Similarly, although co-location was implemented in 2001, there are still significant inefficiencies in the administrative processes at three of the units which have not been fully addressed, even though two consultancy reports have been commissioned.

Aspects for improvement

- * A need for more effective evaluation which leads to improvement activity.

Communication and implementation (P&S5)

- 11.7 We have already commented at paragraph 8.22 that communication is Area strength, and this includes communication of policy and strategy.
- 11.8 However, implementation of major initiatives was a concern identified by Area Managers in a recent consultant's report. The main issue was conflict between the time available to managers for initiatives as well as core responsibilities. There was also a lack of training in project management techniques. As a result of the report the Area has decided to form a Business Development Unit. This appears sound in principle, although we have concerns about the planning for the resources and structure of the unit (see paragraph 13.14).

12 PUBLIC CONFIDENCE

Complaints (CR1)

- 12.1 In the period October to December 2003, the Area recorded 100% of complaints as dealt with in ten days or less. Similarly all correspondence from MPs was replied to within 15 days.
- 12.2 We examined 13 complaints whilst on-site. The quality and completeness of the reply was generally good. The replies were also generally timely, although we found instances of complaints where correspondence subsequent to the initial response had not been dealt with.
- 12.3 Each unit maintains a complaints log, which includes an analysis of timeliness. However, there is no analysis of complaints at Area level.

Minority ethnic communities (CR5)

- 12.4 We deal with racially aggravated casework at paragraph 4.32.
- 12.5 The Area has fully recognised the importance of increasing the levels of confidence amongst the minority ethnic community. The ABM is chair of the “Race for Justice” project and a project manager is now in place to develop up to 16 separate projects within the community. Other managers within the Area have also established firm links with the ethnic minority community.

Safeguarding children (CR7)

- 12.6 The handling of child abuse cases is generally sound. A protocol on the handling of third party disclosure with Social Services is in place. The Head of the Special Casework Unit attends regular meetings of the Chairs of the four Child Protection Committees within its catchment area. He is also available to attend individual meetings if an agenda item requires it. Area guidance on the handling of criminal cases where there are also family proceedings is being formulated.

Community engagement (CR6 and SR1)

- 12.8 The Area is very outward looking. It has a well-established outreach policy that involves staff as well as managers. As well as the minority ethnic community, the Area has developed links with, amongst others, a mental health group, a local Crime and Disorder Partnership, and a lesbian and gay group. The Area also regularly attends schools and job fairs, and speaks to groups at the two universities in the Area.
- 12.9 The Area has recognised the need to review the scope of the outreach work in order to ensure it is properly focussed and makes best use of the Area’s resources.

Media engagement (SR2)

- 12.10 The Area has links with the local media and has taken part in press launches of initiatives such as the LCJB. However, the Area recognises more can be done. A Communications Manager has recently been appointed with a remit that includes developing the profile of the Area with the local media.

Public confidence (SR3)

- 12.11 The Area has played a full part in preparing the LCJB Confidence Plan that has now been agreed. The data currently available from the British Crime Survey for Hampshire shows a decline of 1% in public confidence over the 12 months ending September 2003. A local victim and witness survey is being set up to provide some detailed measurement of local confidence.

13 LEADERSHIP AND GOVERNANCE

Vision and values (L&G1)

- 13.1 The Area has had clear direction at CCP and ABM level to improve Area performance, make a full contribution to the local CJS and engage the wider community.
- 13.2 There has been a change of focus recently with an increased emphasis on delivering core business. There is a clear strategy to get managers more involved in the day to day running of their units, including an agreed level of advocacy for Unit Heads. The CCP has led by example by appearing in both the magistrates' courts and the Crown Court. Most staff appreciate this visible management style.

Staff recognition (L&G2)

- 13.3 Concerted efforts are made to recognise the efforts of individuals. This is often done through reference to good performance in minutes of meetings or in internal newsletters.
- 13.4 The Area is supportive of its staff. It has conducted some good follow-up work to staff surveys and additional research on work-life balance.
- 13.5 There has been an improvement in the morale of staff since the last inspection. This is more apparent in the TUs, which have benefited from significantly increased resources. In the CJUs morale was more variable, and where there was any concern, the implementation of Compass and the accommodation were usually key factors.

Management structure (L&G3)

- 13.6 The Area has had a recent change of CCP, with the level E managers having shared responsibility for covering the post for three months in the late summer of 2003. The Area also went through a lengthy period without a permanent ABM in 2002. The CCP and ABM have prepared a "statement of expectations" to clarify the relationship between them and the Unit Managers.
- 13.7 There are regular meetings of the Area Managers at the Hampshire Management Board (HMB). The meetings cover a mix of strategic and operational issues, and are generally deemed to be effective by attendees as well as open and inclusive. The meetings are attended by all Unit Heads and by Unit Business Managers. The composition of the HMB is being reviewed as part of a wider review of the meetings structure in the Area.
- 13.8 The Hampshire Casework Committee (HCC) and the Performance and Best Practice Committee (PBPC) comprise many of the same attendees as the HMB. Meetings of the HMB have now been sensibly scheduled for a morning with the HCC and the PBC scheduled for the afternoon to make best use of managers' time.

- 13.9 The management structure at Unit Head level was standard except for the presence of level B Systems Managers in the CJUs in addition to the level B Business Managers. The roles of the Systems Managers varied significantly between units, as did the division of responsibilities with the Unit Business Managers. Whilst accepting that there may be some need for local variation, we would have expected greater clarity as to core responsibilities for the Systems and Business Managers. This is essential in order to ensure that there is pro-active management of performance and systems at all units.

Aspects for improvement

- * Greater clarity is needed over the roles and responsibilities of level B Systems Managers and Unit Business Managers.

Organisational structure (L&G4)

- 13.10 The role of the Secretariat is much clearer than at the time of the last inspection. Relationships between the units and the Secretariat are generally positive now, with ongoing efforts to improve by means of unit visits and work shadowing.
- 13.11 Relationships between the CJUs and TUs can be improved, particularly at Portsmouth. There was a perception among some CJU staff that the TUs had received the major benefits of additional budgets, and that there was an imbalance in workloads. Managers will need to ensure that this situation is sensitively managed.
- 13.12 The Area had put in train a major re-organisation of the structure at the time of the inspection. We have already mentioned the Business Development Unit that is to be led by a level E. The Area had also determined, after full discussion at the Hampshire Management Board, to split the Eastleigh TU into two separate units with a level E Head for each. The units will be aligned to either Portswood or North Hampshire CJUs. The long term aim is to move the units closer to the court centres that deal with the bulk of their casework – Southampton and Winchester Crown Courts.
- 13.13 Whilst there are clear benefits for aligning TUs with single CJUs and locating units close to the court centres they serve, we consider that a re-organisation of this scale would have benefited from a more analytical approach. There was no risk analysis and minimal consideration of staffing issues. We would have preferred to see a coherent business case for the changes before committing to the additional cost and possible disruption of such a re-organisation.
- 13.14 The comments about insufficient planning for organisational change also apply to the setting up of the Business Development Unit. The strategic basis for the creation of the Unit had been established in a consultant’s report, but that had not been supported by detailed business planning over its structure and composition.

- 13.15 The Area has a Special Casework Unit to assist it with some of the more complex, and often extremely time consuming, aspects of casework. The Unit is well regarded internally and by CJS partners.

Aspects for improvement

- * More analytical approach to planning re-organisation.

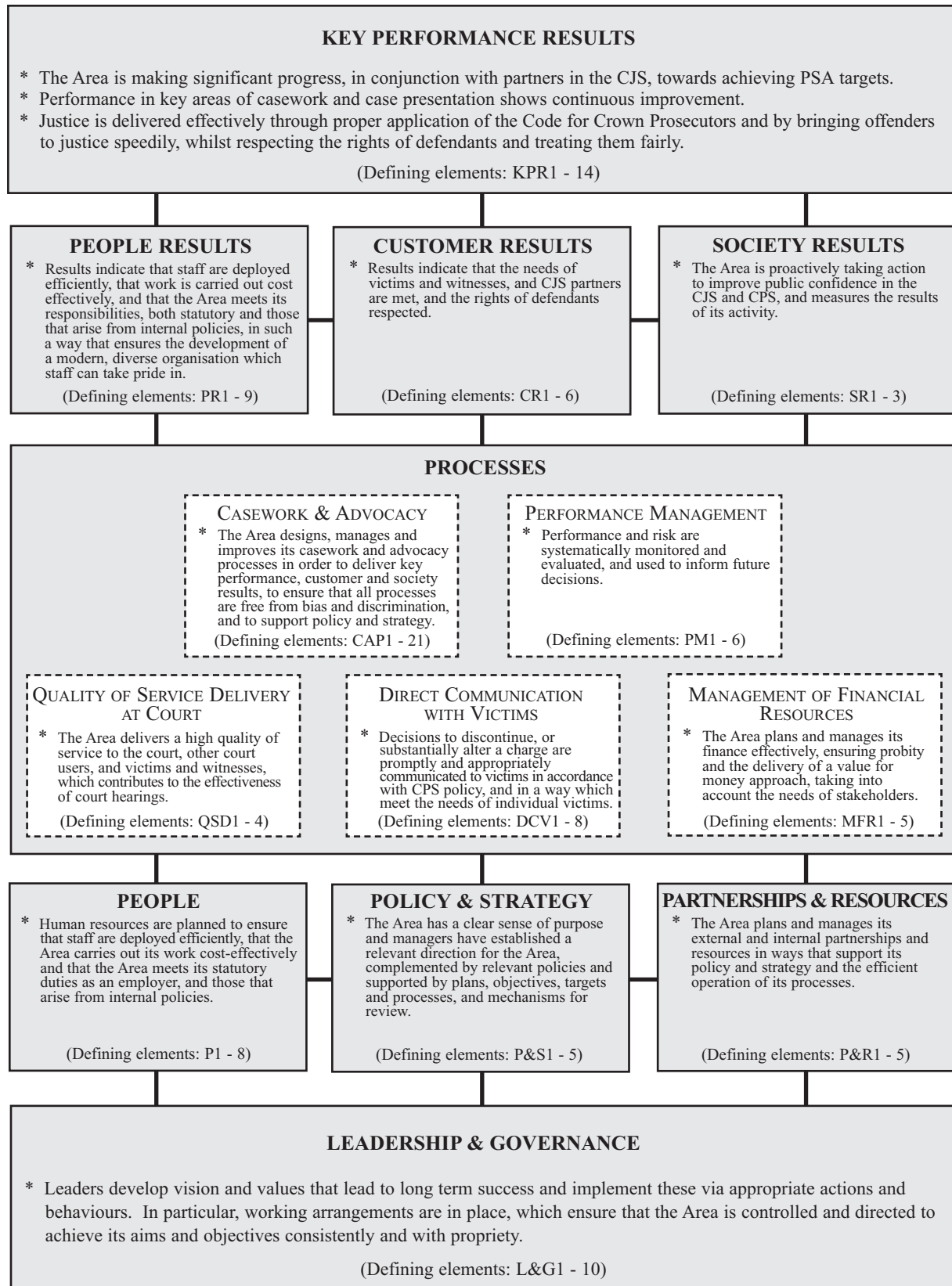
Action plans (L&G5)

- 13.16 The Area Business Plan has been developed by the Secretariat in recent years. There are plans for greater involvement of Unit Managers in the 2004-05 cycle. The Plan is highly generic. It is supported by Unit Business Plans, although the quality of these varied widely, with some being poor. The Area is taking steps to improve the standard of Business Plans.
- 13.17 The Area has been able to utilise national planning templates for recent initiatives such as implementation of Compass and the shadow pre-charge advice scheme. We think more could have been done to tailor those plans to local circumstances. The new Business Development Unit will no doubt have a role in doing so in future.

Criminal justice system co-operation (L&G6)

- 13.18 The Area contributes significantly to inter-agency work and most relationships are strong and collaborative – particularly at strategic level. However, there is room for greater co-operation with the police in improving administrative systems within the co-located units and for better joint working to reduce cracked and ineffective trials in the magistrates' courts (see paragraphs 10.1 to 10.8).

BUSINESS EXCELLENCE MODEL INSPECTION MAP



KEY REQUIREMENTS AND INSPECTION STANDARDS**CASEWORK (Chapter 4)**

KEY REQUIREMENT: THE AREA DESIGNS, MANAGES AND IMPROVES ITS CASEWORK PROCESSES IN ORDER TO DELIVER KEY PERFORMANCE, CUSTOMER AND SOCIETY RESULTS, TO ENSURE THAT ALL PROCESSES ARE FREE FROM BIAS AND DISCRIMINATION, AND TO SUPPORT POLICY AND STRATEGY

Advice to police (CAP1)

Standard: early consultation, and charging advice are dealt with appropriately in a timely way, and in accordance with Code tests, CPS policy and local protocols, and advice is free from bias and discrimination.

Cases ready to proceed at first date of hearing (CAP2)

Standard: joint CPS/police processes ensure cases ready to proceed at first date of hearing and that casework decisions are free from bias and discrimination.

Bail/custody applications (CAP3)

Standard: joint CPS/police processes ensure appropriately informed bail/custody applications are made and decisions are free from bias and discrimination.

Discontinuances in magistrates' courts (CAP4)

Standard: discontinuances in magistrates' courts or Crown Court are based on all available material and are timely.

Summary trial preparation (CAP5)

Standard: summary trial processes ensure that the pre-trial review (if there is one) and trial dates are effective hearings.

Committal and Crown Court case preparation (CAP6)

Standard: Area processes for cases "sent" or committed for trial to the Crown Court ensure that:

- a) service of the prosecution case on the defence takes place within agreed time periods before committal/plea and directions hearing (PDH);
- b) prosecution has taken all necessary steps to make the PDH and trial date effective; and
- c) prosecutor is fully instructed.

Disclosure of unused material (CAP7)

Standard: disclosure is full and timely and complies with CPIA and CPS policy and operational instructions in both the magistrates' courts and Crown Court.

Sensitive cases (CAP8)

Standard: sensitive cases (race crime, domestic violence, child abuse/child witness, rape, fatal road traffic offences, homophobic attacks) are dealt with in a timely way in accordance with CPS policy and in a manner which is free from bias and discrimination.

File/message handling (CAP9)

Standard: file/message handling procedures support timely casework decisions and actions in both the magistrates' courts and Crown Court.

Custody time limits (CAP10)

Standard: systems are in place to ensure compliance with statutory and custody time limits in both the magistrates' court and Crown Court.

Joint action to improve casework (CAP11)

Standard: Area has effective processes and partnerships with other agencies to improve timeliness and quality of casework review and preparation for both the magistrates' court and Crown Court and that partnership decisions reflect the general duty under the Race Equality Scheme.

National Probation Service and Youth Offending Teams (CAP12)

Standard: the provision of information to the Probation Service is timely and enables the production of accurate reports free from discrimination and bias.

Youth cases (CAP13)

Standard: youth cases are dealt with in a timely way (in particular persistent young offenders) and in accordance with CPS policy and in a manner which is free from bias and discrimination.

Appeal and committal for sentence processes (CAP14)

Standard: appeal and committal for sentence processes ensure appeal/sentence hearings are fully prepared and presented.

Appeals against unduly lenient sentences (CAP15)

Standard: submissions to the Attorney General of potential references to the Court of Appeal against unduly lenient sentences are made in accordance with CPS policy and current sentencing guidelines, and are free from bias and discrimination.

Recording of case outcomes (CAP16)

Standard: recording of case outcomes and archiving systems are efficient and accurate.

Information on operational and legal issues (CAP17)

Standard: information on operational and legal issues is efficiently and effectively disseminated.

Readiness for court (CAP18)

Standard: joint CPS, police and court systems ensure files are delivered to the correct court in a timely manner and are ready to proceed.

Learning points (CAP21)

Standard: learning points from casework are identified and improvements implemented.

ADVOCACY AND QUALITY OF SERVICE DELIVERY (Chapter 5)

KEY REQUIREMENT: THE AREA DELIVERS A HIGH QUALITY OF SERVICE, INCLUDING ADVOCACY, TO THE COURT, OTHER COURT USERS, AND VICTIMS AND WITNESSES, WHICH CONTRIBUTES TO THE EFFECTIVENESS OF COURT HEARINGS

Advocacy standards and monitoring (CAP19)

Standard: selection and monitoring of advocates in the magistrates' courts and Crown Court ensures cases are presented to a high standard and in a manner which is free from bias and discrimination, and that selection of advocates complies with CPS general duty under the Race Relations (Amendment) Act 2000.

Court endorsements (CAP20)

Standard: court endorsements are accurate and thorough and timely actions are taken as a result.

Court preparation (QSD1)

Standard: preparation for court is efficient and enables business to proceed and progress.

Attendance at court (QSD2)

Standard: staff attendance at court is timely and professional, and the correct levels of support are provided.

Accommodation (QSD4)

Standard: the CPS has adequate accommodation at court and there are sufficient facilities to enable business to be conducted efficiently.

VICTIMS AND WITNESSES (Chapter 6)

KEY REQUIREMENTS:

- * **THE NEEDS OF VICTIMS AND WITNESSES ARE MET**
 - * **DECISIONS TO DISCONTINUE, OR SUBSTANTIALLY ALTER A CHARGE ARE PROMPTLY AND APPROPRIATELY COMMUNICATED TO VICTIMS IN ACCORDANCE WITH CPS POLICY, AND IN WAY WHICH MEETS THE NEEDS OF INDIVIDUAL VICTIMS**
-

Witnesses at court (QSD3)

Standard: witnesses are treated with consideration at court and receive appropriate support and information.

Direct Communication with Victims (CAP13)

Standard: victims are informed of decisions to discontinue or change charges in accordance with CPS policy on Direct Communication with Victims.

Meetings with victims and relatives of victims (DCV5)

Standard: meetings are offered to victims and relatives of victims in appropriate circumstances, staff are adequately prepared and full notes are taken.

Victims' Charter (CR2)

Standard: results indicate that the needs of victims and witnesses are consistently met in accordance with the Victims' Charter.

PERFORMANCE MANAGEMENT (Chapter 7)

KEY REQUIREMENT: PERFORMANCE AND RISK ARE SYSTEMATICALLY MONITORED AND EVALUATED, AND USED TO INFORM FUTURE DECISIONS

Performance standards (PM1)

Standard: performance standards are set for key aspects of work and communicated to staff.

Performance monitoring (PM2)

Standard: performance is regularly monitored by senior and middle management against plans and objectives, targets and standards are evaluated, and action taken as a result.

Joint performance management (PM3)

Standard: systems are in place for the management of performance jointly with CJS partners.

Risk management (PM4)

Standard: risk is kept under review and appropriately managed.

Continuous improvement (PM5)

Standard: the Area has developed a culture of continuous improvement.

Accounting for performance (PM6)

Standard: the Area is able to account for performance.

PEOPLE MANAGEMENT AND RESULTS (Chapter 8)

KEY REQUIREMENTS:

- * **HUMAN RESOURCES ARE PLANNED TO ENSURE THAT STAFF ARE DEPLOYED EFFICIENTLY, THAT THE AREA CARRIES OUT ITS WORK COST-EFFECTIVELY AND THAT THE AREA MEETS ITS STATUTORY DUTIES AS AN EMPLOYER, AND THOSE THAT ARISE FROM INTERNAL POLICIES**
 - * **RESULTS INDICATE THAT STAFF ARE DEPLOYED EFFICIENTLY, THAT WORK IS CARRIED OUT COST-EFFECTIVELY, AND THAT THE AREA MEETS ITS RESPONSIBILITIES, BOTH STATUTORY AND THOSE THAT ARISE FROM INTERNAL POLICIES, IN SUCH A WAY THAT ENSURES THE DEVELOPMENT OF A MODERN, DIVERSE ORGANISATION WHICH STAFF CAN TAKE PRIDE IN**
-

Human resource planning (P1)

Standard: human resource needs are systematically and continuously planned.

Staff structure (P2)

Standard: staff structure and numbers enable work to be carried out cost effectively.

Staff development (P3)

Standard: staff capabilities are identified, sustained and developed.

Performance review (P4)

Standard: staff performance and development is continuously reviewed and targets agreed.

Management involvement (P5)

Standard: management has an effective dialogue with staff and fosters a climate of involvement.

Good employment practice (P6)

Standard: management meets its statutory obligation as an employer and demonstrates good employment practice.

Equality and diversity (P7)

Standard: action has been taken to implement CPS equality and diversity initiatives and all staff are treated equally and fairly.

Health and safety (P8)

Standard: mechanisms are in place to address requirements under health and safety legislation.

MANAGEMENT OF FINANCIAL RESOURCES (Chapter 9)

KEY REQUIREMENT: THE AREA PLANS AND MANAGES ITS FINANCES EFFECTIVELY, ENSURING PROBITY AND THE DELIVERY OF A VALUE FOR MONEY APPROACH TAKING INTO ACCOUNT THE NEEDS OF STAKEHOLDERS

Staff financial skills (MFR1)

Standard: the Area has the appropriate structure and staff with the necessary skills to plan and manage finance.

Adherence to financial guidelines (MFR2)

Standard: the Area complies with CPS rules and guidelines for financial management.

Budgetary controls (MFR3)

Standard: the Area has effective controls to facilitate an accurate appreciation of its budgetary position for running costs.

Management of prosecution costs (MFR4)

Standard: prosecution costs are effectively managed and represent value for money.

Value for money approach (MFR5)

Standard: the Area demonstrates a value for money approach in its financial decision-making.

PARTNERSHIPS AND RESOURCES (Chapter 10)

KEY REQUIREMENT: THE AREA PLANS AND MANAGES ITS EXTERNAL AND INTERNAL PARTNERSHIPS AND RESOURCES IN WAYS THAT SUPPORT ITS POLICY AND STRATEGY AND THE EFFICIENT OPERATION OF ITS PROCESSES

CJS partnerships (P&R1)

Standard: partnerships with other CJS agencies are developed and managed.

CJS agencies (KPR8)

Standard: partnerships with other CJS agencies are improving quality and timeliness of casework and ensure that decisions are free from bias.

Improving local CJS performance (CR4)

Standard: CJS partners are satisfied with the contribution the CPS makes to improving local Area performance.

Information technology (P&R2)

Standard: information technology is deployed and used effectively.

Buildings, equipment and security (P&R3)

Standard: the Area manages its buildings, equipment and security effectively.

Partnership with Headquarters and the Service Centre (P&R4)

Standard: the Area has a good working partnership with Headquarters Departments and the Service Centre.

POLICY AND STRATEGY (Chapter 11)

KEY REQUIREMENT: THE AREA HAS A CLEAR SENSE OF PURPOSE AND MANAGERS HAVE ESTABLISHED A RELEVANT DIRECTION FOR THE AREA, COMPLEMENTED BY RELEVANT POLICIES AND SUPPORTED BY PLANS, OBJECTIVES, TARGETS AND PROCESSES, AND MECHANISMS FOR REVIEW

Stakeholders (P&S1)

Standard: policy and strategy are based on the present and future needs and expectations of stakeholders.

Performance measurement (P&S2)

Standard: policy and strategy are based on information from performance measurement, research and related activities.

Review (P&S3)

Standard: policy and strategy are developed, reviewed and updated.

Framework of key processes (P&S4)

Standard: policy and strategy are developed through a framework of key processes.

Communication and implementation (P&S5)

Standard: policy and strategy are communicated and implemented.

PUBLIC CONFIDENCE (Chapter 12)

KEY REQUIREMENTS:

- * THE AREA IS PRO-ACTIVELY TAKING ACTION TO IMPROVE PUBLIC CONFIDENCE IN THE CJS AND CPS, AND MEASURES THE RESULTS OF ITS ACTIVITY
 - * RESULTS INDICATE THAT THE NEEDS OF VICTIMS AND WITNESSES, AND CJS PARTNERS, ARE MET, AND THE RIGHTS OF DEFENDANTS RESPECTED
-

Complaints (CR1)

Standard: complaints are effectively managed to increase satisfaction and confidence.

Minority ethnic communities (CR5)

Standard: the Area ensures that high casework standards are maintained in cases with a minority ethnic dimension in order to increase the level of confidence felt by minority ethnic communities in the CJS.

Safeguarding children (CR7)

Standard: the Area safeguards children through its casework performance and compliance with CPS policy in relation to cases involving child abuse and work through with other agencies, including the Area Child Protection Committee(s).

Community engagement (CR6)

Standard: the Area has appropriate levels of engagement with the community.

Media engagement (SR2)

Standard: the Area engages with the media.

Public confidence (SR3)

Standard: public confidence in the CJS is measured, evaluated and action taken as a result.

LEADERSHIP AND GOVERNANCE (Chapter 13)

KEY REQUIREMENT: LEADERS DEVELOP VISION AND VALUES THAT LEAD TO LONG TERM SUCCESS AND IMPLEMENT THESE VIA APPROPRIATE ACTIONS AND BEHAVIOURS. IN PARTICULAR, WORKING ARRANGEMENTS ARE IN PLACE, WHICH ENSURE THAT THE AREA IS CONTROLLED AND DIRECTED TO ACHIEVE ITS AIMS AND OBJECTIVES CONSISTENTLY AND WITH PROPRIETY

Vision and values (L&G1)

Standard: vision and values are developed and support a culture of continuous improvement.

Staff recognition (L&G2)

Standard: managers actively motivate, recognise and support their staff.

Management structure (L&G3)

Standard: the Area has developed an effective management structure to deliver Area strategy and objectives.

Organisational structure (L&G4)

Standard: the Area has developed an effective organisational structure to deliver Area strategy and objectives.

Action plans (L&G5)

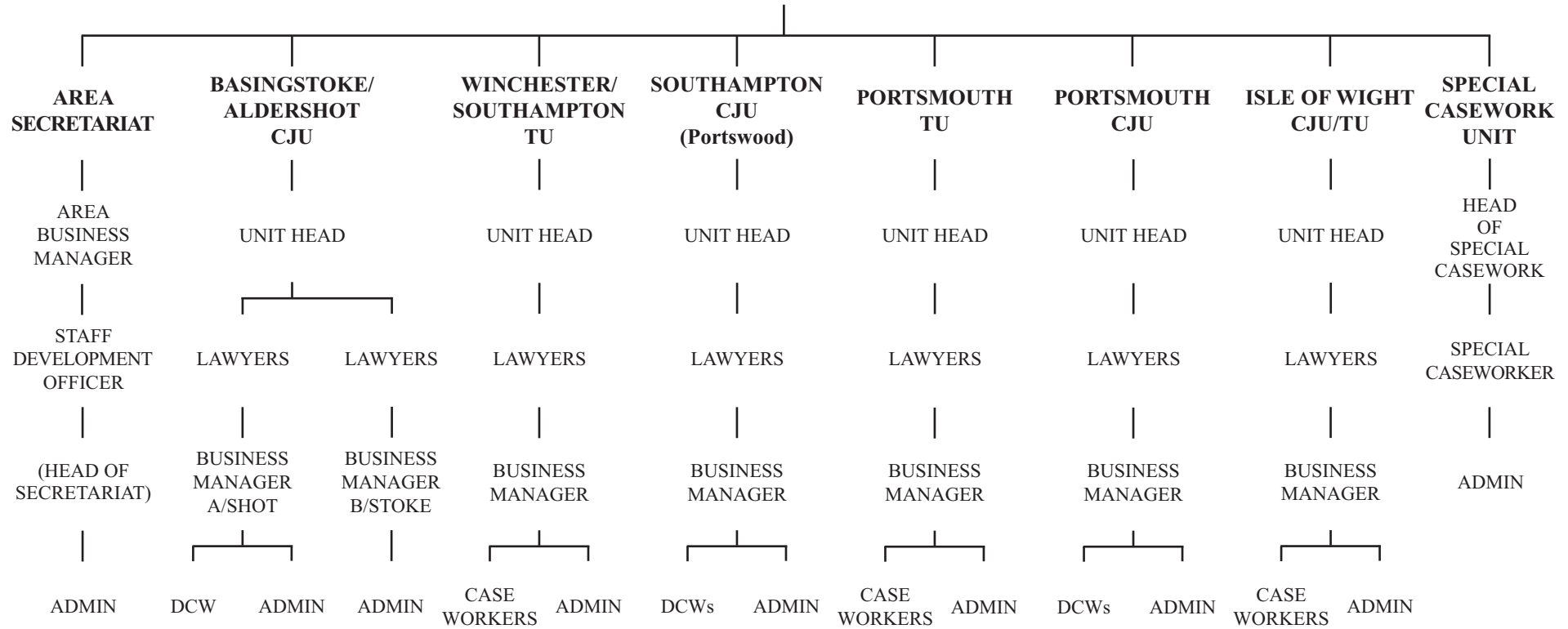
Standard: effective plans of action, which identify key issues, and which reflect CPS and CJS strategic priorities, and local needs, are in place.

Criminal justice system co-operation (L&G6)

Standard: the Area co-operates with others in achieving aims set for the criminal justice system.

CPS HAMPSHIRE AND THE ISLE OF WIGHT STAFF STRUCTURE

CHIEF CROWN PROSECUTOR



AREA CASELOAD FOR YEAR ENDING DECEMBER 2003

1. Magistrates' Court - Types of case	Hampshire & IOW		National	
	Number	Percentage	Number	Percentage
Advice	1,698	3.7	116,941	7.9
Summary motoring	13,497	29.6	386,933	26.1
Summary non-motoring	10,059	22	338,450	22.9
Either way & indictable	20,187	44.2	624,339	42.1
Other proceedings	227	0.5	15,248	1
Total	45,668	100	1,481,911	100

2. Magistrates' Court - Completed cases	Hampshire & IOW		National	
	Number	Percentage	Number	Percentage
Hearings	35,143	80.4	996,770	73.9
Discontinuances	3,980	9.1	164,693	12.2
Committals	3,383	7.7	96,680	7.1
Other disposals	1,237	2.8	91,578	6.8
Total	43,743	100	1,349,721	100

3. Magistrates' Court - Case results	Hampshire & IOW		National	
	Number	Percentage	Number	Percentage
Guilty pleas	29,897	83.8	796,973	79.2
Proofs in absence	2,867	8	143,838	14.3
Convictions after trial	2,102	5.9	46,813	4.6
Acquittals: after trial	766	2.2	15,844	1.6
Acquittals: no case to answer	38	0.1	2,565	0.3
Total	35,670	100	1,006,033	100

4. Crown Court - Types of case	Hampshire & IOW		National	
	Number	Percentage	Number	Percentage
Indictable only	1,002	26.1	40,654	31.8
Either way: defence election	705	18.3	14,011	11
Either way: magistrates' direction	1,240	32.3	41,955	32.9
Summary: appeals; committals for sentence	896	23.3	30,973	24.3
Total	3,843	100	127,593	100

5. Crown Court - Completed cases	Hampshire & IOW		National	
	Number	Percentage	Number	Percentage
Trials (including guilty pleas)	2,557	86.7	79,823	82.6
Cases not proceeded with	315	10.7	13,742	14.2
Bind overs	17	0.6	1,127	1.2
Other disposals	58	2	1,921	2
Total	2,947	100	96,613	100

6. Crown Court - Case results	Hampshire & IOW		National	
	Number	Percentage	Number	Percentage
Guilty pleas	1,585	60.9	60,123	73.6
Convictions after trial	566	21.7	13,168	16.1
Jury acquittals	369	14.2	6,880	8.4
Judge directed acquittals	83	3.2	1,574	1.9
Total	2,603	100	81,754	100

TABLE OF RESOURCES AND CASELOADS

AREA CASELOAD/STAFFING CPS HAMPSHIRE AND THE ISLE OF WIGHT		
	March 2004	December 2000
Lawyers in post (excluding CCP)	64.9	49.5
Cases per lawyer (excluding CCP)	703.7	869.2
Magistrates' court contests per lawyer (excluding CCP)	44.8	49.5
Committals per lawyer (excluding CCP)	52.1	56.3
Crown Court trials per lawyer (excluding CCP)	15.6	19.5
No of B1, B2 & B3 caseworkers in post	58.5	36.8
Committals per caseworker	57.8	75.8
Crown Court trials per caseworker	17.4	26.2
Non ring fenced running costs*	£7,744,750	£4,836,235

NB: Caseload data represents an annual figure for each relevant member of staff.

* includes money allocated to the Area for LCJB purposes.

**IMPLEMENTATION OF RECOMMENDATIONS/SUGGESTIONS FROM REPORT
PUBLISHED IN MARCH 2001**

	RECOMMENDATIONS	POSITION IN FEBRUARY 2004
R1	The CCP and BCPs implement an effective systems to ensure that advice is provided to the police within 14 days (in all save the most substantial cases).	Although advice logs were put in place following the last inspection, the use of manual logs has now been overtaken by Compass.
R2	The CCP and BCPs implement an effective system to ensure that an appropriate record is made of advice given informally to the police.	Area systems introduced since the last inspection to improve the recording of informal advice have now been overtaken by the shadow pre-charge advice scheme.
R3	The CCP and BCPs ensure that prosecutors undertake effective continuing review in both magistrates' courts and Crown Court cases, including taking appropriate actions in accordance with that continuing review.	Partially achieved. Continuing review for Crown Court casework is improved, but weaknesses remain with continuing review within the CJUs – particularly summary trial review.
R4	Prosecutors ensure that they make full and comprehensive records of grounds for opposing bail and bail decisions on files for every defendant.	Partially achieved: endorsements on Crown Court files are to a good standard, but court hearing endorsements on magistrates' courts files are variable.
R5	Prosecutors make full records of review of decisions on file.	Partially achieved: records of first review are sometimes poor, although continuing review thereafter is usually well recorded.
R6	The CCP and BCPs ensure that racially motivated offences are afforded the appropriate level of case supervision by prosecutors and managers.	Partially achieved: not all RID logs were fully maintained or subject to analysis at unit level.

	RECOMMENDATIONS	POSITION IN FEBRUARY 2004
R7	<p>The CCP and BCPs implement, as a priority, effective systems for tracking files to ensure that:</p> <ul style="list-style-type: none"> * files can be readily found for the purposes of linking post or other material with them; * files can be passed to prosecutors or caseworkers expeditiously, to enable them to implement any actions required to progress the cases; and * prosecutors have all appropriate files at court on the due hearing date. 	<p>Partly achieved – still problems in some units.</p> <p>Partly achieved – problems persist in some CJUs.</p> <p>Achieved – big improvement with the co-located units.</p>
R8	<p>Prosecutors, when dealing with advance information, record on the file the material that has been provided and the date when it was provided to the defence.</p>	<p>Partially achieved: some CJUs record the items served, but others do not.</p>
R9	<p>The CCP and BCPs continue to monitor the extent and timeliness of compliance with the prosecution’s obligations relating to primary and secondary disclosure in both the magistrates’ courts and Crown Court, with particular reference to recent guidance and training.</p>	<p>Achieved through Casework Quality Assurance.</p>
R10	<p>The CCP and BCPs introduce a consistent system for dealing with sensitive material that is capable of properly recording all decisions, and at the same time safeguarding the sensitivity of the material.</p>	<p>Achieved: an effective system is now in place.</p>
R11	<p>The CCP and BCPs implement and maintain an effective system to ensure that summary trial files are properly checked an appropriate time before the trial date, to ensure that any outstanding work is completed.</p>	<p>Not achieved: systematic case progression was still not in place in most units. At one CJU a pre-trial check list for lawyers had been implemented, but was not in use at the time of the inspection because backlogs of work.</p>

	RECOMMENDATIONS	POSITION IN FEBRUARY 2004
R12	The CCP and BCPs ensure that caseworkers are involved in the preparation of committal files as much as is practicable.	Not achieved – caseworkers were not regularly doing pre-committal work although the Area was taking steps to introduce caseworker involvement pre-committal at time of inspection.
R13	The CCP and BCPs ensure that all instructions to prosecute in the Crown Court contain a summary that deals with the issues in the case and an indication of the acceptability of alternative pleas (where appropriate).	Not achieved.
R14	The CCP and BCPs ensure that all instructions in respect of appeals and committals for sentence, are delivered within agreed time guidelines.	Achieved.
R15	The CCP and BCPs take steps to improve the coverage and continuity of case handling in the Crown Court by caseworkers.	Achieved.
R16	The ABM undertakes, as a matter of urgency, an examination of the system to deal with custody time limits, with a view to identifying and rectifying any defects.	Partly achieved – a review took place and an Area Champion was appointed, but there are still some risks, particularly in the CJUs.
R17	The BCPs introduce effective monitoring to assess the quality of Area advocacy, so that poor performance can be identified and appropriate action taken, including the provision of training where appropriate.	Partly achieved: although there is some monitoring it is not systematic.
R18	The CCP and ABM improve clarity and understanding about the responsibilities of Branch management and the central column team.	Achieved through changes to reporting lines and structure.
R19	The ABM endeavours to resolve the staffing problems at level A in Eastleigh as a matter of urgency.	Partly achieved - good work ongoing re: induction and development.
R20	The BCPs ensure that oral feedback mechanisms are in place that will make sure that key issues are known to all staff.	Achieved.

	RECOMMENDATIONS	POSITION IN FEBRUARY 2004
R21	The CCP and BCPs improve the clarity and understanding of the operational management and direction provided to caseworkers and DCWs.	Achieved.
R22	The CCP works with the Court Service to develop a greater level of positive input by the CPS to the listing process in the Crown Court.	Achieved.
R23	The CCP and ABM improve the telephone/managing capabilities of the Area to make staff more accessible.	Partly achieved – difficulties persist for some people in trying to contact individuals in CPS.
R24	The ABM ensures that the backlog of finalisations of cases is cleared as a matter of urgency.	Achieved – SCOPE ready for closure. There is some concern that backlogs were developing in some CJUs.
R25	The ABM improves the level of SCOPE understanding and training, including the use of the relevant management controls and reports.	Not longer relevant – work needs to be done in improving knowledge of CMS and MIS.
	SUGGESTIONS	POSITION IN FEBRUARY 2004
S1	Prosecutors ensure that the police are consulted in a timely manner where discontinuance is being considered, wherever practicable.	Achieved – levels of consultation are much improved, although timeliness of consultation still remains an issue.
S2	The CCP and BCPs liaise with other agencies, including the police, Victim Support and the Witness Service, to ensure that victims and witnesses in particular categories of cases are afforded appropriate and effective witness care, with a view to reducing the number of cases which have to be discontinued or result in adverse findings through witness difficulties.	Achieved – a lot of positive work is underway.
S3	The BCPs ensure that documents received from the police, particularly upgraded files, are date-stamped or otherwise effectively recorded to ensure that the timeliness of summary trial and committal preparation can be accurately measured.	Achieved.

	SUGGESTIONS	POSITION IN FEBRUARY 2004
S4	The CCP and BCPs ensure that the improvement in performance in relation to compliance with Crown Court discretions continues.	Achieved – significant reduction in failure to comply.
S5	Prosecutors, when attending the Crown Court for other purposes, take the opportunity to deal with bail applications in chambers.	Achieved - greater proportion of bail applications are now dealt with by CPS.
S6	The CCP, in conjunction with the Probation Service, examines the procedure for providing information for pre-sentence reports to the Probation Service, and YOTs, with a view to ensuring that it is provided in all appropriate cases, in a timely manner.	Achieved - some systems are in place for dealing with late or non disclosure and CPS are seen as responsive when problems arise.
S7	The ABM and BCPs agree the local priorities for the next three to four months and share these with relevant CJS partners.	Achieved – LCJB now provides a good opportunity to share information.
S8	The Area Training Officer continues to monitor the effectiveness of the induction process and training.	Achieved.
S9	The BCPs review the file allocation process in order to ensure the fair distribution of work.	Partly achieved – CMS will help further, but concerns persist at Portsmouth CJU.
S10	The ABM and BCPs implement an improved system for processing work when staff are absent.	Partly achieved – smaller units following co-location adds to the challenge.
S11	The CCP and BCPs introduce systems to deal with complaints to ensure that: <ul style="list-style-type: none"> * the timeliness of response to all complaints is properly recorded and monitored; and * complaints are properly analysed with a view to identifying any practices or procedures which need to be improved within the Area. 	<p>Achieved.</p> <p>Not achieved.</p>

TOTAL NUMBER OF FILES EXAMINED

	Number of files examined
Magistrates' courts cases/CJUs:	
Advice	8
No case to answer	9
Trials and guilty pleas	39
Magistrates' court discontinued cases	33
Race crime	(9)
Domestic violence cases	(17)
Youth cases	(15)
Cracked trials (discontinued)	(18)
Cracked trials (guilty pleas)	6
Ineffective trials	4
Cases subject to custody time limits	13
Crown Court cases/TU:	
Advice	10
Magistrates' court discontinued cases	6
Committals discharged after evidence tendered/sent cases dismissed after consideration of case	1
Committals discharged because prosecution not ready	2
Judge ordered acquittals	37
Judge directed acquittals	12
Trials and guilty pleas	51
Child abuse cases	(22)
Race crime	(9)
Domestic violence cases	(10)
Cracked trials (guilty pleas)	13
Cracked trials (JOAs)	(17)
Ineffective trials	3
Rape cases	(7)
Cases subject to custody time limits	10
TOTAL	257

When figures are in brackets, this indicates that the cases have been counted within their generic category e.g. trials.

LIST OF LOCAL REPRESENTATIVES OF CRIMINAL JUSTICE AGENCIES AND ORGANISATIONS WHO ASSISTED IN OUR INSPECTION

Crown Court

His Honour Judge M Brodrick, Winchester Combined Court
His Honour Judge Leigh, Southampton Combined Court
His Honour Judge Price, Newport Combined Court
His Honour Judge D Selwood, Portsmouth Combined Court
Ms P Bray, Court Manager, Portsmouth Combined Court Centre
Mr S Crow, Court Manager, Newport Combined Court Centre
Ms N Haig, Court Manager, Winchester Combined Crown Court
Mrs H Sibbald, Court Manager, Southampton Combined Court Centre

Magistrates' Court

Mr G Cowling, District Judge, Aldershot Magistrates' Court
Mrs L Morgan, District Judge, Southampton & New Forest
Mr J Woollard, District Judge, Portsmouth Combined Court Centre
Mr P Taylor, Chairman of Magistrates' Courts Committee
Mrs R Behan, Chairman of South and South East Hampshire Bench
Mr T Drake, Chairman of North East and West Hampshire Youth Panel
Mrs S Crocker, Chairman of Isle of Wight Youth Panel
Mr G King, Chairman of Southampton Bench
Lt. Col. R Letchworth, Chairman of New Forest Bench
Mrs M Kayll, Chairman of North East Hampshire Bench
Mrs N Rich, Chairman of Isle of Wight Bench
Mr P Thompson, Chairman of South East Hampshire Bench
Mr M West, Justices' Chief Executive
Mr J Black, Clerk to the Justices

Police

Mr P Kernaghan QPM, Chief Constable
Superintendent J Campbell
Superintendent D Kilbride
Detective Chief Inspector Mann
Chief Inspector P Bright
Detective Inspector V Klinkosz
Detective Inspector F Mason
Inspector J Willson
Inspector J Winter
Sergeant Harris
Police Constable Beecham
Miss E Hunter
Mr M Thomas
Ms K Jones

Ms H Jefferson
Ms J Parker
Ms L Tatavossian
Ms I Wigley
Mr I Young

Defence Solicitors

Mr D Melville-Walker

Counsel

Mr R Bryan
Mr S Edwards
Mr J Gau
Mr A Houston
Miss J Miller QC
Mr D Richard
Mr S Smyth

Probation Service

Mr D Scott, Chief Probation officer

Witness Service

Mrs S Warren
Mr T Witt
Mrs C Martin
Ms N Tutt

Victim Support

Ms J Porter
Ms P Pritchard

Local Crime and Disorder Reduction Partnership

Ms J Wickson
Ms H Warren
Mr R Honey
Mr G Morton

Youth Offending Teams

Mr P Sutton

Community Groups

Ms C Austen

Mr N Dacombe

Mr J Nazar

Mrs I Nazar

Mr H Samiy

Ms P Schofield

HMCPST VISION, MISSION AND VALUES

Vision

HMCPST's purpose is to promote continuous improvement in the efficiency, effectiveness and fairness of the prosecution services within a joined-up criminal justice system through a process of inspection and evaluation; the provision of advice; and the identification of good practice. In order to achieve this we want to be an organisation which:

- performs to the highest possible standards;
- inspires pride;
- commands respect;
- works in partnership with other criminal justice inspectorates and agencies but without compromising its robust independence;
- values all its staff; and
- seeks continuous improvement.

Mission

HMCPST strives to achieve excellence in all aspects of its activities and in particular to provide customers and stakeholders with consistent and professional inspection and evaluation processes together with advice and guidance, all measured against recognised quality standards and defined performance levels.

Values

We endeavour to be true to our values, as defined below, in all that we do:

- | | |
|------------------------|---|
| consistency | Adopting the same principles and core procedures for each inspection, and apply the same standards and criteria to the evidence we collect. |
| thoroughness | Ensuring that our decisions and findings are based on information that has been thoroughly researched and verified, with an appropriate audit trail. |
| integrity | Demonstrating integrity in all that we do through the application of our other values. |
| professionalism | Demonstrating the highest standards of professional competence, courtesy and consideration in all our behaviours. |
| objectivity | Approaching every inspection with an open mind. We will not allow personal opinions to influence our findings. We will report things as we find them. |

Taken together, these mean:

We demonstrate integrity, objectivity and professionalism at all times and in all aspects of our work and that our findings are based on information that has been thoroughly researched, verified and evaluated according to consistent standards and criteria.

GLOSSARY

ADVERSE CASE	A <i>NCTA</i> , <i>JOA</i> , <i>JDA</i> (see separate definitions) or one where magistrates decide there is insufficient evidence for an <i>either way</i> case to be committed to the Crown Court
AGENT	Solicitor or barrister not directly employed by the CPS who is instructed by them, usually on a sessional basis, to represent the prosecution in the magistrates' court
AREA BUSINESS MANAGER (ABM)	Senior business manager, not legally qualified, but responsible for finance, personnel, business planning and other operational matters
AREA MANAGEMENT TEAM (AMT)	The senior legal and non-legal managers of an Area
ASPECT FOR IMPROVEMENT	A significant weakness relevant to an important aspect of performance (sometimes including the steps necessary to address this)
CATS - COMPASS, SCOPE, SYSTEM 36	IT systems for case tracking used by the CPS. Compass is the new comprehensive system in the course of being rolled out to all Areas
CASEWORKER	A member of CPS staff who deals with, or manages, day-to-day conduct of a prosecution case under the supervision of a Crown Prosecutor and, in the Crown Court, attends court to assist the advocate
CHIEF CROWN PROSECUTOR (CCP)	One of 42 chief officers heading the local CPS in each Area, is a barrister or solicitor. Has a degree of autonomy but is accountable to Director of Public Prosecutions for the performance of the Area
CODE FOR CROWN PROSECUTORS (THE CODE)	The public document that sets out the framework for prosecution decision-making. Crown Prosecutors have the DPP's power to determine cases delegated, but must exercise them in accordance with the Code and its two tests – the evidential test and the public interest test. Cases should only proceed if, firstly, there is sufficient evidence to provide a realistic prospect of conviction and, secondly, if the prosecution is required in the public interest
CO-LOCATION	CPS and police staff working together in a single operational unit (<i>TU</i> or <i>CJU</i>), whether in CPS or police premises – one of the recommendations of the <i>Glidewell</i> report
COMMITTAL	Procedure whereby a defendant in an <i>either way</i> case is moved from the magistrates' court to the Crown Court for trial, usually upon service of the prosecution evidence on the defence, but occasionally after consideration of the evidence by the magistrates
COURT SESSION	There are two sessions each day in the magistrates' court, morning and afternoon

CRACKED TRIAL	A case listed for a contested trial which does not proceed, either because the defendant changes his plea to guilty, or pleads to an alternative charge, or the prosecution offer no evidence
CRIMINAL JUSTICE UNIT (CJU)	Operational unit of the CPS that handles the preparation and presentation of magistrates' court prosecutions. The <i>Glidewell</i> report recommended that police and CPS staff should be located together and work closely to gain efficiency and higher standards of communication and case preparation. (In some Areas the police administration support unit is called a CJU)
CUSTODY TIME LIMITS (CTLs)	The statutory time limit for keeping a defendant in custody awaiting trial. May be extended by the court in certain circumstances
DESIGNATED CASEWORKER (DCW)	A senior <i>caseworker</i> who is trained to present straightforward cases on pleas of guilty, or to prove them where the defendant does not attend the magistrates' court
DIRECT COMMUNICATION WITH VICTIMS (DCV)	A new procedure whereby CPS consults directly with victims of crime and provides them with information about the progress of their case
DISCLOSURE, Primary and Secondary	The prosecution has a duty to disclose to the defence material gathered during the investigation of a criminal offence, which is not intended to be used as evidence against the defendant, but which may be relevant to an issue in the case. Primary disclosure is given where an item may undermine the prosecution case; secondary is given where, after service of a defence statement, any item may assist that defence
DISCONTINUANCE	The dropping of a case by the CPS in the magistrates' court, whether by written notice, withdrawal, or offer of no evidence at court
EARLY ADMINISTRATIVE HEARING (EAH)	Under <i>Narey</i> procedures, one of the two classes into which all summary and <i>either way</i> cases are divided. EAHs are for cases where a not guilty plea is anticipated
EARLY FIRST HEARING (EFH)	Under <i>Narey</i> one of the two classes into which all summary and <i>either way</i> cases are divided. EFHs are for straightforward cases where a guilty plea is anticipated
EITHER WAY OFFENCES	Those triable in either the magistrates' court or the Crown Court, e.g. theft
EUROPEAN FOUNDATION FOR QUALITY MODEL (EFQM)	A framework for continuous self-assessment and self-improvement against whose criteria HMCSI conducts its inspections
EVIDENTIAL TEST	The initial test under <i>the Code</i> – is there sufficient evidence to provide a realistic prospect of conviction on the evidence?
GLIDEWELL	A far-reaching review of CPS operations and policy dating from 1998 which made important restructuring recommendations e.g. the split into 42 local Areas and the further split into functional units - <i>CJUs</i> and <i>TUs</i>

GOOD PRACTICE	An aspect of performance upon which the Inspectorate not only comments favourably, but considers that it reflects in manner of handling work developed by an Area which, with appropriate adaptations to local needs, might warrant being commended as national practice
HIGHER COURT ADVOCATE (HCA)	In this context, a lawyer employed by the CPS who has a right of audience in the Crown Court
JOINT PERFORMANCE MONITORING (JPM)	A management system which collects and analyses information about aspects of activity undertaken by the police and/or the CPS, aimed at securing improvements in performance
INDICTABLE ONLY OFFENCES	Offences triable only in the Crown Court, e.g. murder, rape, robbery
INEFFECTIVE TRIAL	A case listed for a contested trial that is unable to proceed when it was scheduled to start, for a variety of possible reasons, and is adjourned to a later date
JUDGE DIRECTED ACQUITTAL (JDA)	Where the judge directs a jury to find a defendant not guilty after the trial has started
JUDGE ORDERED ACQUITTAL (JOA)	Where the judge dismisses a case as a result of the prosecution offering no evidence before a jury is empanelled
LEVEL A, B, C, D, E STAFF	CPS grades below the Senior Civil Service, from A (administrative staff) to E (senior lawyers or administrators)
LOCAL CRIMINAL JUSTICE BOARD	The Chief Officers of police, probation, the courts, the CPS and the Youth Offending Team in each criminal justice area who are accountable to the National Criminal Justice Board for the delivery of <i>PSA</i> targets
MG6C, MG6D ETC	Forms completed by police relating to unused material
NAREY COURTS, REVIEWS ETC	A reformed procedure for handling cases in the magistrates' court, designed to produce greater speed and efficiency
NO CASE TO ANSWER (NCTA)	Where magistrates dismiss a case at the close of the prosecution evidence because they do not consider that the prosecution have made out a case for the defendant to answer
PERSISTENT YOUNG OFFENDER	A youth previously sentenced on at least three occasions
PRE-TRIAL REVIEW	A hearing in the magistrates' court designed to define the issues for trial and deal with any other outstanding pre-trial issues
PUBLIC INTEREST TEST	The second test under <i>the Code</i> - is it in the public interest to prosecute this defendant on this charge?
PUBLIC SERVICE AGREEMENT (PSA) TARGETS	Targets set by the Government for the criminal justice system (CJS), relating to bringing offenders to justice and raising public confidence in the CJS

RECOMMENDATION	This is normally directed towards an individual or body and sets out steps necessary to address a significant weakness relevant to an important aspect of performance (i.e. an aspect for improvement) that, in the view of the Inspectorate, should attract highest priority
REVIEW , initial, continuing, summary trial etc	The process whereby a Crown Prosecutor determines that a case received from the police satisfies and continues to satisfy the legal tests for prosecution in the Code. One of the most important functions of the CPS
SECTION 9 CRIMINAL JUSTICE ACT 1967	A procedure for serving statements of witnesses so that the evidence can be read, rather than the witness attend in person
SECTION 51 CRIME AND DISORDER ACT 1998	A procedure for fast-tracking <i>indictable only</i> cases to the Crown Court, which now deals with such cases from a very early stage – the defendant is sent to the Crown Court by the magistrates
SENSITIVE MATERIAL	Any relevant material in a police investigative file not forming part of the case against the defendant, the <i>disclosure</i> of which may not be in the public interest
SPECIFIED PROCEEDINGS	Minor offences which are dealt with by the police and the magistrates' court and do not require review or prosecution by the CPS, unless a not guilty plea is entered
STRENGTHS	Work undertaken properly to appropriate professional standards i.e. consistently good work
SUMMARY OFFENCES	Those triable only in the magistrates' courts, e.g. most motoring offences
TQ1	A monitoring form on which both the police and the CPS assess the timeliness and quality of the police file as part of <i>joint performance monitoring</i>
TRIAL UNIT (TU)	Operational unit of the CPS which prepares cases for the Crown Court