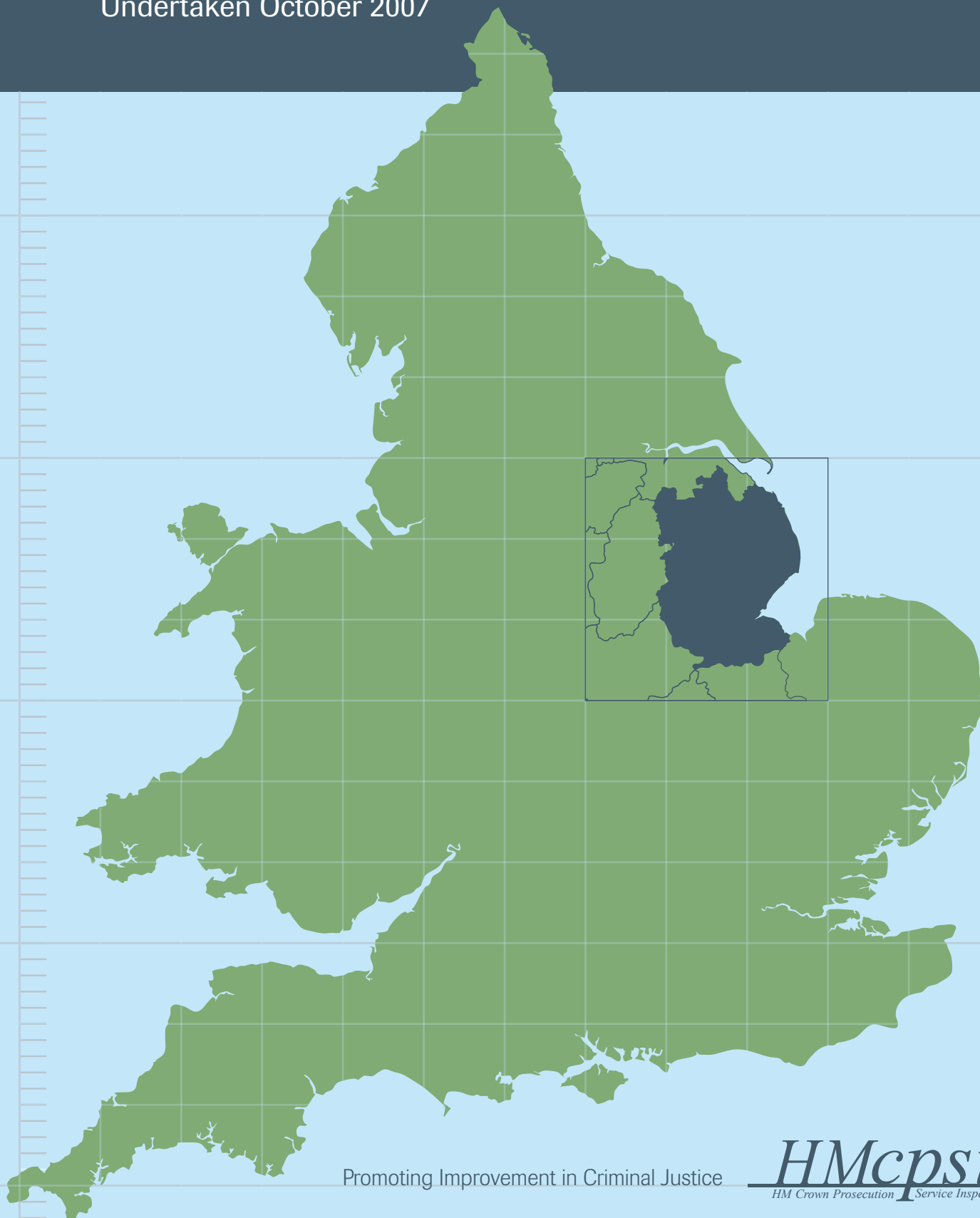


CPS Lincolnshire

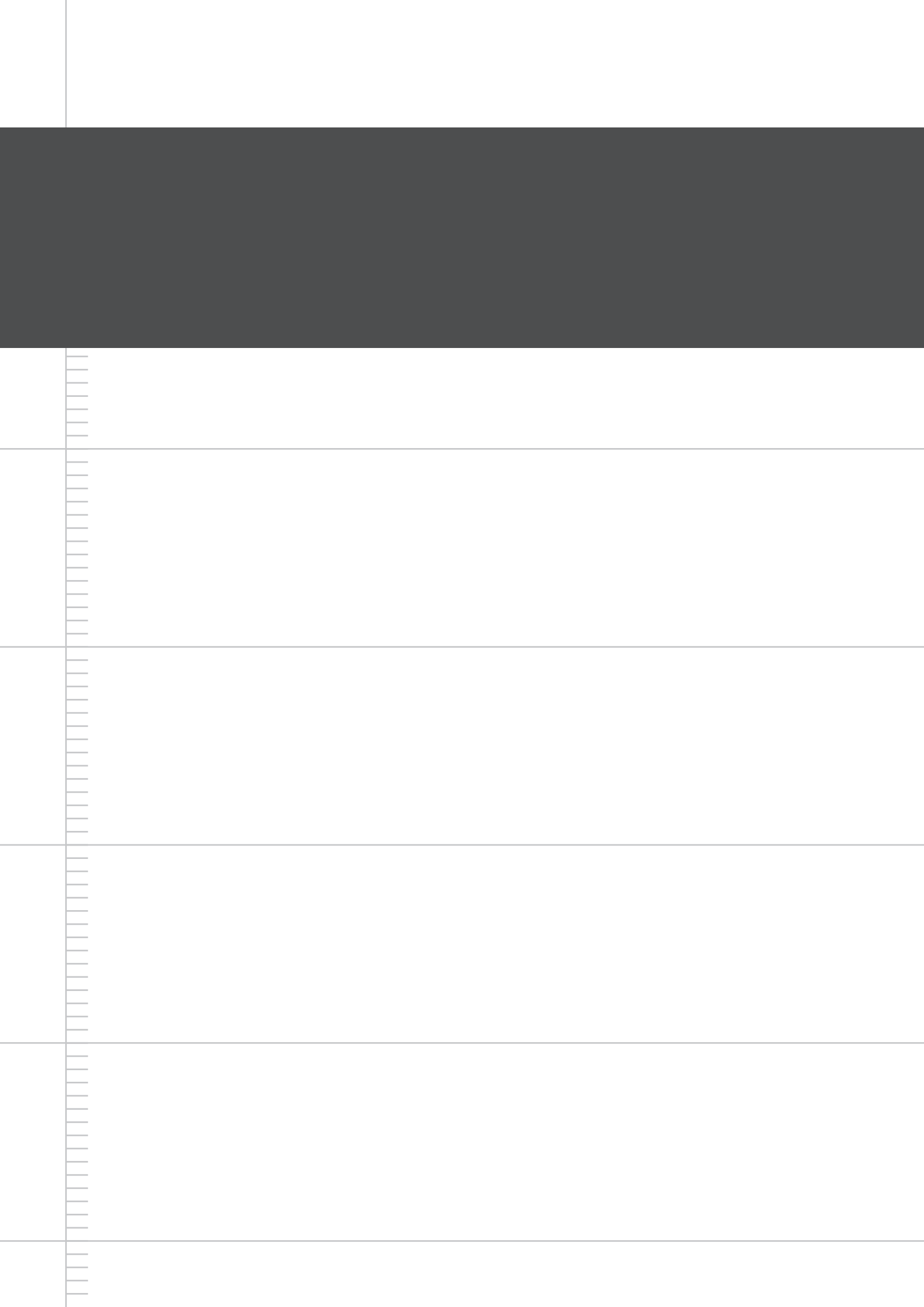
Overall Performance Assessment

Undertaken October 2007



Promoting Improvement in Criminal Justice

HMcpssi
HM Crown Prosecution Service Inspectorate



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ABBREVIATIONS

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

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

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A INTRODUCTION TO THE OVERALL PERFORMANCE ASSESSMENT PROCESS

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

Assessments

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

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

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

The table at page 7 shows the Area performance in each category, as well as the 'direction of travel' since the previous OPA.

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

Direction of travel grade

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

Improved reflects a significant improvement in the performance;

Stable denotes no significant change in performance;

Declined where there has been a significant decline in performance.

B AREA DESCRIPTION AND CASELOAD

CPS Lincolnshire serves the area covered by Lincolnshire Police. It has two offices, at Lincoln and Grantham. The Area Headquarters (Secretariat) is based at the Lincoln office.

Area business is divided on functional/geographical lines between magistrates' courts and Crown Court work. The Lincoln and Grantham Criminal Justice Units handle cases dealt with in the magistrates' courts. The Crown Court Unit (CCU) handles cases dealt with in the Crown Court.

During the year 2006-07 the Area had an average of 69.9 full time equivalent staff in post, and a budget of £3,182,459. This represents a 9.1% increase in staff, and a 26.3% increase in budget since 2004-05, the period covered by the Area's last overall performance assessment.

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

Pre-charge work¹

2004-05		2006-07	
Written advice	2,743	Decisions resulting in a charge	3,202
Pre-charge advice (where available)	2,617	Decisions not resulting in a charge ²	2,056

Magistrates' courts proceedings (including cases previously subject to a pre-charge decision)	2004-05	2006-07	Percentage change
Magistrates' courts prosecutions	18,692	13,919	- 25.5%
Other proceedings	36	5	- 86.1%
Total magistrates' courts proceedings	18,728	13,924	- 25.7%

Crown Court proceedings

(including cases previously subject to a pre-charge decision)			
Cases sent or committed to the Crown Court for determination	762	647	- 15.1%
Committals for sentence ³	236	211	- 10.6%
Appeals from the magistrates' courts ³	101	117	+ 15.8%
Total Crown Court proceedings	1,099	975	- 11.3%

In 2006-07, 46.4% of offences brought to justice were the result of convictions.

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

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

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

C SUMMARY OF JUDGEMENTS

Contextual factors and background

At the time of the last OPA, the Area had been facing a number of challenges, largely the result of changes in the composition of the Senior Management Team (SMT) due to circumstances beyond the Area's control. The subsequent period has similarly seen a number of changes in the SMT but paradoxically, a period of some stability in management which has led to improvement in most aspects of performance. The Chief Crown Prosecutor (CCP) at the time of the assessment was appointed at the beginning of 2006, after the last OPA and has overseen these changes. Although he too has now moved to another Area, there is a sound basis within the current management structure to ensure a continuing trend of improvement.

Summary

The Area's successful outcomes for both magistrates' courts and Crown Court cases are better than the national averages and show a continuing trend of improvement. Pre-charge decisions (PCDs) are provided by a core of experienced prosecutors at the Area's charging centre in Lincoln. This means that only 27.6% of advice is given face to face which is not in accordance with the principles underpinning the scheme. Consideration is being given to increased use of video advice and a possible second centre at Grantham. Effective gatekeeping arrangements limit the incidences of charging advice being sought when the matter ought to be resolved by the police themselves. The quality of decisions is good with early consideration of ancillary issues, particularly witness requirements. The Area is realising most of the benefits of charging decisions and performs better than the national average in all respects.

Cracked and ineffective trial⁴ rates in both the magistrates' courts and the Crown Court are better than the national averages, although the vacated trial rate in the magistrates' courts can be improved. The Area has revised its strategy in respect of the confiscation of assets, in co-operation with the police and HM Courts Service, following its failure to achieve its monetary target by a 21.0% margin.

Details of casework performance are presented in monthly unit reports which are considered in team meetings and in quarterly performance reviews. Unsuccessful outcomes are also discussed with the police in Prosecution Team Performance Management (PTPM) meetings. Recent action to improve performance against the Persistent Young Offender (PYO) pledge has seen a steady reduction over the year to 50 days and the Area met its OBJ target by a high margin.

Dedicated Case Progressions Officers (CPOs) ensure that cases progress expeditiously. Each CJU has a summary trials lawyer to ensure a consistent approach to trial preparation and Crown Court caseworkers handle case progression issues in their own cases. Average processing periods in both courts are reducing. Cases are prosecuted by advocates of appropriate experience who are formally monitored. The Area is seeking to increase its use of Higher Court Advocates (HCAs) in the Crown Court and planned restructuring of magistrates' court sittings will increase the potential for Designated Caseworker (DCW) deployment.

The handling of sensitive cases has improved since the last OPA and the proportion of convictions in hate crimes is better than the national average. Performance is monitored and analysed in unit quarterly performance reviews. There are appointed champions for all categories of sensitive cases and hate

4 Ineffective trials are when contested cases do not proceed on the day fixed for trial.

crimes. They provide training and advice to colleagues. Sensitive cases are flagged on the Case Management System (CMS) at the pre-charge stage to identify them as requiring careful handling.

The Area handles disclosure of unused material very well. Disclosure decisions and actions are clearly recorded at each stage of the process. There has been joint training with the police on general disclosure issues but also specific guidance was given in respect of a recent high profile case, in which the reviewing lawyer worked closely with the disclosure lawyer throughout the case.

The Area has an effective system for monitoring custody time limits (CTLs) which is regularly updated and complies with national guidance. All appropriate staff have been trained in its operation and the system of monitoring and checks provide assurance to senior managers that the system is effective. There have been no cases in recent years where time limits have expired without appropriate action being taken.

The Area Witness Care Unit (WCU) comprises police and CPS staff who have support from the police and CPS witness management systems. There is a high rate of compliance with the Victims' Code and the Direct Communication with Victims (DCV) scheme which requires the CPS to write to victims with explanations where cases have been dropped or the charges substantially altered. Needs assessments are carried out in relation to witnesses and special measures applications are timely. Communication between the WCU and Victim Support/Witness Service had improved, but if the Victim Support member is moved from the WCU office the Area will need to consider other options. Compliance with the requirements of witness care is monitored. The Area has the benefit of a Lincolnshire Criminal Justice Board (LCJB) Victim and Witness Delivery Group and Volunteer Group, who are tasked to improve service delivery.

The Area Business Plan (ABP) is aligned with the national business plan and includes the 15 CPS key priorities and Public Service Agreement (PSA) targets. The Area has adopted a more systematic approach to reviewing plans. Joint planning is generally directed by the LCJB. Conditional cautioning has not had the expected impact and some re-training has been undertaken, although some benefits have resulted from initiatives such as the Hate Crime Project, Specialist Domestic Violence Court and No Witness No Justice (NWNJ). There are clear change management structures in place and the Area business and developmental needs are reflected in the training plan.

Budget management has been effective over the last two years; Unit Heads (UHs), as members of SMT, are actively involved in budgetary decisions. The Area seeks to achieve value for money and has constant dialogue with HM Courts Service to make best use of DCWs (non-lawyers who have special training to enable them to conduct certain categories of case in the magistrates' courts.). Area performance in respect of payment of counsel's fees is sound.

There has been a decline in the proportion of magistrates' court sessions covered by in-house staff and an increase in agent usage, affected by long term sickness which the Area needs to address. The target for deployment of HCAs to the Crown Court was exceeded (171%) but savings per session are still lower than the national average.

The Area has an effective performance management system and performance is a regular feature of inter-agency and internal meetings. All staff have objectives to support performance improvement. Data is quality assured and managers use a number of monitoring methods to ensure performance improvement. The Casework Quality Assurance (CQA) scheme is robustly applied. Joint strategies with partner agencies have brought about a number of improvements to service delivery.

Senior managers promote corporacy in the Area and try to be as inclusive as possible in their approach to management. Managers have developed a structured two way framework for communication which allows all staff to contribute their views to major issues and initiatives. Staff satisfaction levels, as demonstrated in the 2006 staff survey, were high. Area managers, through their membership of the LCJB and sub-groups are proactive in leading joint criminal justice initiatives such as Criminal Justice: Simple, Speedy, Summary (CJSSS) initiative.

There is a high level of commitment from staff at all levels to community engagement. The Area has developed a strategy for community engagement and an action plan to monitor and update its progress. There have been recent initiatives to engage with migrant worker groups and the Area can demonstrate some service improvement to witness care resulting from engagement activities. Although the confidence of the public in the local criminal justice system is low and much worse than the national level, the Area has plans to tackle this.

Direction of travel

The Area has made significant overall improvement since the last OPA with specific improvements in eleven aspects. The Area and the new CCP still face a number of challenges in pressing forward local initiatives such as CJSSS and the restructuring of the courts. However, the framework exists within the Area to meet these challenges.

In the light of our findings, the Area's overall performance is **Excellent**.

OVERALL ASSESSMENT		EXCELLENT	
Critical aspects	Assessment level		
	OPA 2005	OPA 2007	Direction of travel
Pre-charge decision-making	Fair	Fair	Improved ⁵
Ensuring successful outcomes in the magistrates’ courts	Good	Good	Stable
Ensuring successful outcomes in the Crown Court	Fair	Good	Improved
The service to victims and witnesses	Good	Good	Stable
Leadership	Good	Good	Improved ⁵
Overall critical assessment level		Good	
Progressing cases at court	Fair	Good	Improved
Sensitive cases and hate crime	Fair	Good	Improved
Disclosure	Fair	Excellent	Improved
Custody time limits	Fair	Good	Improved
Delivering change	Fair	Good	Improved
Managing resources	Poor	Fair	Improved
Managing performance to improve	Fair	Excellent	Improved
Securing community confidence	Fair	Good	Improved
OVERALL ASSESSMENT	Fair	EXCELLENT	

5 Inspectors considered that there had been significant improvement in performance although the assessment remains 'Good'.

D DEFINING ASPECTS

1	PRE-CHARGE DECISION-MAKING: MANAGEMENT AND REALISING THE BENEFITS	OPA 2005	OPA 2007	Direction of travel
		Fair	Fair	Improved

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

- The Area introduced statutory charging arrangements (under which the CPS has assumed responsibility for the initial decision whether to charge, previously a matter for the police) in November 2005. Pre-charge advice and decisions are provided on a face to face basis at the one charging site operating at Lincoln between 9am and 5pm. The equivalent of two Duty Prosecutors (DPs) cover the site on a full day basis with an additional Duty Prosecutor covering half a day. Appointments are of flexible length with the appropriate length being assessed by an experienced police gatekeeper. Lunch time absences are staggered to ensure full day coverage of the site.
- In 2006-07 only 27.6% of PCDs were delivered face to face compared with national performance of 63.5%, 49.7% of PCDs being given as written advice. This is a direct result of having only one charging centre in the Area. The Area is considering opening a second charging centre in Grantham in 2008 following a reduction in the number of courts in which cases are prosecuted and which will in turn free up additional lawyer time for charging duties. The Area also hopes to increase the use of videoconferencing and telephone advice. There has been some improvement in recent months with face to face advice increasing to 39.5% and written advice reducing to 40.0%.
- The Area has an effective system for filtering out inappropriate cases. The gatekeepers are experienced police file building officers who have received additional CPS led training and they receive copies of all information which is to be provided to the Duty Prosecutors. They ensure that only appropriate files are forwarded to the Duty Prosecutor and also make certain that the Area appointment system is effective. They are successful at prioritising custody cases and ensure that they are dealt with in a timely manner.
- The Area seeks consistency of decision-making by assigning a core team of Duty Prosecutors for each three month period. A rota is prepared and made available to the police gatekeepers. Gatekeepers then make certain that PCD appointments are made with lawyers possessing the correct skills and experience to deal with the case. They can also ensure that police obtain further advice from the same Duty Prosecutor.
- The Area has arrangements for providing advice at earlier stages. This is particularly effective in complex or serious cases. Officers are encouraged to seek early advice in all appropriate cases from the Duty Prosecutor. In serious cases such as homicides, rapes, drugs operations and large scale public disorder cases the police contact the Trial Unit Head (TU Head) at an early stage so that a lawyer can be appointed to provide advice throughout the investigative stage and to provide continuity of advice when a PCD is required.

- The Area accepts that defendants are occasionally charged by the police without obtaining the necessary Duty Prosecutor authorisation. Such cases are reviewed by prosecutors or Designated Caseworkers (DCWs) at the first hearing. If a case should not have been charged then it is discontinued. All such cases are discussed at monthly Prosecution Team Performance Management (PTPM) meetings. Feedback is then provided to the officer in the case, the supervisor and the Custody Sergeant responsible for charging that case through the Detective Chief Inspector for that police division. The Area monitors cases that are charged in breach of the Director's Guidance on each unit but could not provide an Area record of such cases or their outcomes. It is important that there should be structured arrangements for dealing with the issue.
- Inappropriate requests for advice are limited by effective gatekeepers and Duty Prosecutors returning files. Any inappropriate requests are returned via police supervision. Unit Heads (UHs) monitor inappropriate requests and provide appropriate feedback to the police. The proportion of cases submitted where no further action is advised is 32.1%.
- The Area has an effective written appeals procedure in place. The level of decision-making for the appeals process is, Inspector to Unit Head with an escalation procedure involving the police charging champion raising the appeal with the CCP. The number of appeals and their success rates should be monitored on an Area basis for quality assurance purposes.
- The Area has an effective system in place to monitor ongoing cases. The charging administrator checks all ongoing cases on a weekly basis and checks cases returned to the police for further action and requests updates. The police effectively manage bail periods through the gatekeepers. The Area has managed ongoing cases well resulting in no backlogs and this is confirmed by the Area's ongoing cases report.
- Advices and decisions are properly recorded and accurately counted, with full use of the case management system (CMS) being made. The reality check of 10 Pre-charge cases indicated that in all cases the defendant's ethnicity and gender were properly recorded.
- Liaison with CPS Direct (CPSD) is effective. The local CPSD Liaison Manager has attended the Area's PTPM meetings. The Area monitors CPSD cases by reviewing monthly reports provided by CPSD and through UHs dip-sampling of the records of advice given. The results are then fed back to local DPs. In the five months ending 31 August 2007, CPSD decisions accounted for 23.3% of the Area's pre-charge advice compared with the national average of 20.4%.
- The conditional cautioning scheme was rolled out as a pilot scheme in the West District in April 2007. By the end of April 2007, Lincolnshire had not issued any conditional cautions. Since that time four have been issued. Roll-out of the other two divisions has been delayed to allow for further training on the new Director's Guidance.

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

- The Area ensures that all lawyers providing charging advice and decisions have a full understanding of the operation of the Area scheme. All Duty Prosecutors have undertaken part one of the CPS Proactive Prosecutor Programme (PPP) training with part two training planned to take place between October 2007 and January 2008.
- National and local policy guidance is disseminated to lawyers and then discussed at team meetings. Copies of documentation are also placed on the Area's public drive ensuring everyone has ready access to such documents. Monitoring of CPS charging advice forms (MG3s) by UHs is used to check compliance with policies and feedback is provided where appropriate. Charging issues are discussed at SMT and UH meetings.
- There is consideration of witness reliability, special measures and other appropriate issues at pre-charge decision stage. Domestic violence issues are also properly considered, including the possible early use of witness summonses. Other ancillary orders including the Proceeds of Crime Act (POCA) were dealt with appropriately. The post implementation review of charging by the joint CPS/Police, national prosecution team in July 2006 found that Area performance was good in relation to ancillary orders and this was confirmed by our reality check. The Area prepares an effective check-list for Duty Prosecutors which covers all ancillary orders. Reality checks showed that the quality of charging decisions is good.
- The Area assesses performance in relation to the quality, appropriateness and timeliness of pre-charge advice and decisions provided, including cases where no further action is recommended. Appropriate action is taken where necessary. Monitoring is by way of the CQA and through Unit Heads dip sampling of MG3s. Feedback is provided to lawyers following this process.
- Unit Heads carry out checks where there has been an adverse outcome following a PCD to ascertain the reasons and the standard of initial advice. PCD cases require a UH's consent if discontinuance is proposed.
- There have been no conditional caution breach files but these will be monitored by the UH responsible for the Area roll-out of conditional cautioning and an assessment will be made as to whether the initial decision to caution was appropriate

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

	Magistrates' courts cases				Crown Court cases			
	National target March 2007	National performance 2006-07	Area performance		National target March 2007	National performance 2006-07	Area performance	
			2005-06	2006-07			2005-06	2006-07
Discontinuance rate	11.0%	15.7%	19.0%	14.3%	11.0%	13.1%	16.8%	9.5%
Guilty plea rate	52.0%	69.2%	67.7%	71.1%	68.0%	66.5%	68.6%	69.3%
Attrition rate	31.0%	22.0%	25.1%	20.0%	23.0%	22.2%	25.2%	20.4%

- The Area is achieving five out of six of the expected benefits of charging and performance has improved across all six aspects. The rate of discontinuance in magistrates' courts cases is better than the national average and continues to reduce.
- Area systems for monitoring the volume, timeliness and outcome of PCD cases are comprehensive and sound. Full PTPM statistics are kept and a monthly detailed summary is produced and circulated to SMT, Unit Heads and the police. The PTPM meetings are held on a monthly basis and discussion takes place based around the report. Analysis of the figures is used to improve performance and compliance with the scheme as well as to ensure that resource commitment matches overall demand.
- The implementation of statutory charging was a success and two joint CPS, police, prosecution team post implementation reviews (PIRs) the most recent in November 2006, although identifying some problems, were positive about the operation of the scheme within the Area. The PIRs identified the use of case action plans as a key issue. Lawyers often included an action plan in the narrative of their advice rather than in the appropriate section of the MG3. Checks confirmed that this is still happening and needs to be addressed.
- There is clear evidence of co-operative working with the police at all levels on PCD cases and police compliance with the agreed scheme is monitored. Regular liaison meetings with senior officers are used to resolve any difficulties and tackle issues using evidence from individual cases.

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

2A Successful outcomes are increasing

Case outcomes in the magistrates' courts	National performance 2006-07	Area performance 2006-07
Discontinuance and bindovers	10.8%	7.4%
No case to answer	0.2%	0.2%
Dismissed after trial	1.9%	1.8%
Discharged committals	0.2%	0.1%
Warrants	2.6%	1.4%
Overall conviction rate	84.3%	89.0%

- The Area's rate for successful outcomes in 2006-07 was 89.0% against the national average of 84.2% and was the third highest in the country. This represents a continuing trend of improvement which is being carried on into 2007-08, the figure at the end of June 2007 being 90.9%. The table above shows that the Area's performance was better than the national average in each aspect, other than cases being dismissed at the end of the prosecution case, No Case to Answer (NCTA).
- Details of unsuccessful outcomes are presented in monthly reports which are considered in team meetings and by the CCP and Area Business Manager (ABM) at quarterly performance reviews with the UH and Unit Business Manager (UBM). Reports are detailed and tend to be more factual than analytical, although there is evidence in some instances of increasing robustness. The reports deliberately avoid blaming individuals because they are intended to be a learning tool for everyone. Any performance issues are dealt with separately.
- The Area rate for discharged committals was half the national average. There were 14 cases in 2006-07. All are returned promptly after discharge to the TU Head who considers whether to reinstate proceedings.
- There were 23 cases dismissed NCTA. These are analysed as unsuccessful outcomes and discussed with the lawyer if necessary. The majority relate to witnesses not coming up to proof. It was also discovered recently that some acquittals after full trial were being wrongly recorded as NCTAs and further guidance was issued to administrators on definitions, although part of the problem was caused by misleading file endorsements. Acquittals are monitored in the same ways as other adverse outcomes and discussed in team and quarterly performance meetings.

- All pre-charge decision cases which it is proposed to discontinue are reviewed by a UH to ensure a consistent approach. The discontinuance rate for all cases at 7.4% is significantly better than the national average. Discontinued cases are discussed in team meetings.
- All unsuccessful outcomes are reported in the monthly unit reports. These are discussed in SMT and team meetings and feedback is given to individual lawyers or agents if required. Reports are also considered in PTPM meetings with detailed discussion of individual cases if this is appropriate. There are also monthly meetings with the police and courts to discuss the reasons for cracked and ineffective trials.
- The Lincolnshire criminal justice Area met its target for offences brought to justice (OBTJs) by a margin of 10.1%. This is a shared target with other criminal justice agencies. The scope for the CPS to influence it is limited because it includes many nonprosecution disposals. The proportion of prosecutions within the Lincolnshire OBTJ total for 2006-07 was 46.37%. The Area looks at the different types of finalisations in PTPM meetings. The current emphasis is on offences taken into consideration which are lower than the national average, and penalty notices for disorder which are above the national average. The margins are sufficiently wide for the CPS and its partners to look specifically at the reasons and identify any corrective action that may be required.
- The average time for dealing with PYOs in 2006-07 was 78 days. Area concerns led to an inter-agency protocol and the amalgamation of the separate case progression meetings based on the three magistrates' courts clerkships into one county wide meeting with more strategic representation. As a result, performance against the PYO pledge has improved significantly and, for the March 2007 rolling quarter, stood at 50 days. The CCP is now the responsible officer for PYOs on the Lincolnshire CJB. A PYO form is attached to all PYO cases which sets the timescales for case progression and acts as a reminder to prosecutors and administrators handling the case.

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

Trial rates	National performance 2006-07	Area performance 2006-07
Effective trial rate	43.8%	48.9%
Cracked trial rate	37.3%	33.2%
Ineffective trial rate	18.9%	18.0%
Vacated trial rate	22.5%	25.1%

- The unit CPOs check all files on submission from the police to ensure they comply with the requirements of the Manual of Guidance. They collect data on timeliness and quality which is discussed in PTPM meetings. Prosecutors review all files for the first hearing and any deficiencies are reported to the police. As part of the implementation of the CJSSS initiative, procedures for submission are being reviewed to ensure that a standard file is produced for the first hearing.

- There is no specific monitoring of the timeliness of initial and continuing reviews. Information and data is derived from CQA monitoring, which is robust and the monitoring of adverse outcomes. A review of file management processes was included in the Area's self assessment programme for 2006-07 and led to revised processes with a focus on clear and legible file endorsements. The review recommendations are monitored in an action plan.
- Each CJU has a dedicated summary trials lawyer who undertakes all trial review and preparation and will attend pre-trial review (PTR) courts. This ensures a consistency of approach as well as trial readiness. Reality checks showed that cases are reviewed for summary trial promptly and decisions properly recorded in all five relevant cases.
- CJSSS was introduced county wide on 1 October 2007. The Area obtained approval for full, rather than phased implementation because of problems of inconsistent approaches developing in phased implementations of earlier joint national initiatives. The Area was proactive in its planning for CJSSS, even before the formal appointment of a project manager, and continues to play a full part on the local implementation team.
- Youth cases are reviewed and prosecuted by specialist prosecutors whenever possible.
- The Area cracked, effective and ineffective trial rates in 2006-07 were all better than the national averages, although the vacated trial rate was worse. However, each represents an improvement on performance throughout the year. The Area attributes its success to improved arrangements for liaison with its criminal justice partners and strengthened case progression procedures including the use of summary trial lawyers.
- In 2006-07, 33.5% of trials cracked for reasons connected with the prosecution compared with 39.6% nationally. The majority of cracked trials was due to late guilty pleas. In the same period, 22.4% of trials were ineffective due to the prosecution against 35.5% nationally. These were principally due to witness issues. Cracked and ineffective trials are discussed at monthly meetings with the police and courts in the three separate clerkships. Learning points are identified and discussed in team meetings, with feedback being given on an individual basis if this is necessary.
- Area staff have long had a disciplined approach to CMS usage and the Area has consistently met its targets in this respect. Figures for the quarter ending June 2007 show that 84.8% of reviews in magistrates' courts cases were recorded on CMS. Hearing outcomes were recorded on CMS within the target of one day in 69.5% of cases and finalisations were recorded promptly in 74.9% of cases.

3 ENSURING SUCCESSFUL OUTCOMES IN THE CROWN COURT	OPA 2005	OPA 2007	Direction of travel
	Fair	Good	Improved

3A Successful outcomes are increasing

Case outcomes in the Crown Court	National performance 2006-07	Area performance 2006-07
Judge ordered acquittals	13.1%	10.0%
Judge directed acquittals	1.4%	2.6%
Acquittals after trial	6.5%	7.3%
Warrants	1.3%	0.6%
Overall conviction rate	77.7%	79.4%

- The Area rate of successful outcomes in the Crown Court is better than the national average and has shown overall improvement throughout the year. The trend has continued into the first quarter of 2007-08 when the rate was 81.0% compared with 78.7% nationally.
- Although the rate of judge ordered acquittals is better than the national average, judge directed acquittals and acquittals after trial are both less satisfactory. Reports are prepared for all adverse cases and they are presented in the monthly TU report. The reports are considered in the quarterly performance reviews between the CCP and ABM, and the UH and business manager. Individual feedback is given to lawyers if appropriate. There is evidence that action is taken to address issues or trends which are identified. Analysis of judge directed acquittals shows that unforeseeable evidential issues, largely witnesses not coming up to proof, is the principal problem.
- As with magistrates' courts cases, all pre-charge decision cases which are to be discontinued are referred to the UH. Any rape case must be referred to a second specialist if it is proposed to discontinue it.
- All Crown Court adverse cases are reviewed by the Unit Head through the monthly report. Counsel is required to prepare a report for all jury and judge directed acquittals; the forms have been designed to make counsel's comments specific to the issues. Adverse outcomes are discussed PTPM meetings and individual cases are discussed in detail if they reveal important issues or lessons.
- In 2006-07, the Area obtained 62 confiscation orders under POCA against a target of 47. However, the value of the orders, £322,928 was below the target value of £404,406. Performance in the previous year was better when the Area exceeded both targets, obtaining more than 5 times the value of its monetary target.

- Nevertheless, the Area is taking action to improve; the charging checklist for Duty Prosecutors deals with confiscation and lawyers are trained to ensure appropriate cases are identified when charging advice is given. The POCA champion is based in the TU and deals with confiscation hearings. There are two caseworker champions who deal with confiscation cases and lessons shared as they are for all other cases. There are regular meetings with the police economic crime unit and the courts to discuss POCA issues and the agencies have now agreed to focus on more appropriate cases for confiscation to improve performance and achieve targets.
- Lessons are learned in a number of ways in addition to the methods previously described. The TU monthly report deals with both successful and unsuccessful outcomes and a range of other issues such as casework trends, compliance with the Bar Standards, custody time limits (CTLs) and monitoring of sensitive cases. There is a recently introduced Area CQA scheme for caseworkers which looks at one file per caseworker per month and checks caseworker procedures and actions such as CTLs and timeliness and quality of DCV letters.

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

Trial rates	National performance 2006-07	Area performance 2006-07
Effective trial rate	48.2%	62.7%
Cracked trial rate	39.5%	30.3%
Ineffective trial rate	12.4%	7.0%

- The TU has issued comprehensive desk instructions on TU process and dealing specifically with lawyer, caseworker and administrator responsibilities in respect of review and case preparation. Compliance is monitored by the UH through CQA and when they consider files as adverse outcomes or as part of their general role. The timeliness of review and case preparation is monitored and noted in the monthly TU report.
- The Area reviewed its approach to case progression and discontinued the position of a dedicated CPO because of overlap with the general case handling responsibilities of case workers. Individual caseworkers now act as CPO in their own cases. Reality checks showed that Crown Court trial preparation was timely and properly recorded in all five relevant cases and there were no instances of avoidable delay on the Area's part. Similarly, the prosecution was prepared for the plea and case management hearing in all cases.
- The PYO protocol deals with CPS Lincolnshire's and HM Courts Service's responsibilities in cases involving youths in the Crown Court. The TU monthly report monitors progress in all current PYO cases and youth issues are discussed with the court in the Effective Trial Management Programme (ETMP) meetings.
- Area performance in respect of effective, cracked and ineffective trial (i.e. contested cases which do not proceed on the day fixed for trial) rates have improved since the previous year and is better than the national average in each respect. In addition, 29.5% of Area cases crack due to

prosecution reasons compared with 36.7% nationally; 14.3% of ineffective trials are due to the prosecution against 37.9% nationally. In the latter instance, witness issues are the principal reason. Cracked and ineffective trials are analysed and considered in monthly ETMP meetings with the court and defence practitioners. Performance is also reported to the Lincolnshire Criminal Justice Board (LCJB) and discussed if necessary. Issues and lessons are disseminated internally, with individual feedback being given where necessary.

- CMS is used effectively to record actions and reviews in Crown Court cases and monitor progress. In the quarter ending June 2007, 90.7% of Crown Court reviews were recorded on CMS. Our reality checks showed that reviews were detailed and comprehensive and provided a good basis for the analysis in counsel's instructions.

4	PROGRESSING CASES AT COURT	OPA 2005	OPA 2007	Direction of travel
		Fair	Good	Improved

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

- Senior managers have produced an Area Standards and Procedures document which sets out casework procedures from registration to finalisation and provides a desktop guide for all staff to ensure that cases are managed consistently in each unit.
- The Area prepares magistrates' courts rotas weekly in advance, taking account of prosecutors' other commitments and working arrangements so that they can allow time to prepare for the more difficult cases. CPOs check files to ensure they are ready for court. The CJU heads prepare a weekly report on all trials in advance of the hearing to see if there are any issues which require special arrangements for prosecution, for example an experienced or specialist prosecutor.
- The Area monitors average processing periods which are reported in the quarterly performance pack and discussed at the Area quarterly performance meetings. The average processing period for magistrates' courts cases fell from 1.7 months in 2005-06 to 1.4 months in 2006-7. This trend has continued into the first quarter of 2007-8 when the figure was 1.2 months. The Area also monitors the number of adjournments which have shown a 5.7% reduction in 2006-07.
- In Crown Court cases the average processing period fell from 4.4 to 4.2 months in the same period.
- There is a very comprehensive instructions pack for agents which is also available to Area prosecutors. Arrangements ensure that agents get their cases three days in advance. Newly appointed agents have a meeting with the UH to discuss expectations and requirements.
- In Crown Court cases, the Area instructs counsel from chambers in London and Nottingham. Instructions to counsel are of a particularly high standard. Each of the briefs examined as part of our reality check contained a detailed case analysis and, where appropriate, specific details on acceptability of pleas. The quality of instructions is monitored through the national CQA scheme. The Trials Unit Business Manager monitors the timely delivery of briefs and Bar Standard returns (which ensure that counsel considers the papers at the earliest opportunity and provides any appropriate advice on the case).
- The Area has a formal advocacy monitoring programme which uses the national monitoring form applying the National Standards of Advocacy. In house prosecutors are monitored once a year or if an issue arises which requires specific monitoring. New agents are monitored following their appointment and again if there is a specific need. If necessary, agents are given specific feedback to improve their performance.
- In the Crown Court, counsel are selected to prosecute cases according to their experience. They are formally monitored by caseworkers according to the National Standards of Advocacy. Caseworkers are required to monitor one counsel each month and provide a report on counsel in each rape prosecution. The TU head monitors HCA performance.

- Monitoring forms for the magistrates' courts and the Crown Court are comprehensive and contain specific details on relevant aspects of the standards. Timely attendance of prosecutors at court is part of the formal monitoring and is also discussed in inter agency meetings if there is an issue. The TU Business Manager monitors caseworker attendance and performance in the Crown Court. Feedback from other court users on the quality of advocacy was positive.
- Team meetings in the CJU reinforce the importance of case progression and the need to resist adjournments. CJU Heads attend the county PYO forum and report back on case progression issues. Casework monitoring can also highlight problems over timely case progression.
- In the Crown Court, HCAs prosecute most PCMHs and can progress cases quickly. They can also report back to the reviewing lawyer on any issues likely to affect timely progression in individual cases. Increased HCA presence at court also means that many issues can be dealt with immediately. Matters relating to case progression generally are discussed at Crown Court User Group meetings. Monitoring of cracked and ineffective trials may also raise issues of timeliness.
- The CCP has been proactive in agreeing with HM Courts Service a reduction in the number of courts in which cases are prosecuted. With effect from April 2008, the listing of criminal cases will cease in four magistrates' court venues. This will enable the Area to increase DCW sessions and reduce lawyer sessions so that they can concentrate on the more serious offences and be available in charging centres. There is a listing protocol with the western clerkship which ensures that any trials which are double listed are not of the same level of seriousness.
- The Area has a listing agreement with the HM Courts Service which ensures that transfers of cases are appropriate and notified in advance so that there can be proper consideration the likely impact on witnesses, particularly those who are vulnerable. The protocol also ensures that any case with vulnerable witnesses is not double listed with a similar case.
- There have been no wasted costs orders.

5 SENSITIVE CASES AND HATE CRIMES	OPA 2005	OPA 2007	Direction of travel
	Fair	Good	Improved

5A The Area identifies and manages sensitive cases (including hate crime⁶) effectively

- The proportion of unsuccessful outcomes in sensitive cases was 27.7% in 2006-07. This compared well to the national performance of 32.8% and also represented a significant improvement on the previous year when the proportion of unsuccessful outcomes was 38.7%. The upturn in performance can be traced to a 12.1% increase in domestic violence conviction rates and a 6.6% increase in racial and religiously aggravated offence conviction rates over the same period.
- CPS Lincolnshire has appointed effective Area champions and specialists for all sensitive and hate crime offences. The Area has specialists to deal with rape, child abuse, domestic violence, homophobic hate crime, anti-social behaviour and racial and religiously aggravated offences. All specialists have received the appropriate training. The specialists provide leadership, mentoring and guidance to colleagues and are active in engaging with the community. Regular meetings of specialists take place to consider lessons learned and these are disseminated to staff. All specialists attended an Area workshop to ensure that they were fully aware of the requirements of their role as a specialist.
- The Area quarterly performance reports and meetings deal specifically with sensitive and hate crime performance which is analysed at Area and Unit level. Performance is also considered in detail by coordinators and specialists, as well as by senior managers. Hate crime was identified as a priority area for improvement in the Area Business Plan (ABP) for 2006-2007 and the CPS Lincolnshire therefore carried out a comprehensive review of hate crime. A recommendation to fast track hate crime through charging has been implemented. Police gatekeepers have up to date lists of specialists and ensure that appropriate cases are referred to relevant specialists for pre-charge advice. Reviewing lawyers have access to specialists in all sensitive cases when appropriate. Reality checks confirm that the standard of case preparation is good.
- Individual cases are also closely monitored. All sensitive and high profile cases are brought to the attention of senior managers who track their progress formally and informally. All hate crime adverse outcomes are monitored by Unit Heads and adverse outcome reports produced. Relevant feedback is provided to lawyers and other agencies.
- The Area, through its rape coordinator, has taken steps to progress the national recommendations in the HMCPSI/HMIC joint thematic review of the investigation and prosecution of rape offences, "Without Consent"⁷. A rape protocol has been agreed with the police and guidance issued to all rape specialists. All concluded rape cases are reviewed against

⁶ For the avoidance of doubt all references in this aspect to sensitive cases includes all those involving hate crime (disability hate crime, domestic violence, homophobic, racist and religious crime) child abuse/child witnesses, rape, fatal road traffic offences and anti-social behaviour orders (ASBOs).

⁷ HMIC/HMCPSI Insepection Thematic Report on the joint review of the investigation and prosecution of rape offences, published 31 January 2007

a framework and a rape review form is completed. The form has been designed locally to assess how the case was handled and has been adopted nationally. All cases are then discussed at quarterly review meetings with the police. All policy updates and HMCPSI thematic reports are forwarded to the relevant specialist for further action in the same manner.

- The CCP has acted as a champion on domestic violence and was the chair of the multi-agency Lincolnshire Domestic Abuse Strategic Management Board. The board has driven joint working on domestic abuse and created a revised countywide domestic abuse strategy. The Area coordinator's work on domestic violence both internally and with a number of external agencies, has contributed significantly to the reduction in unsuccessful outcomes referred to above. Duty Prosecutors utilise a domestic violence checklist when making pre-charge decisions.
- The Area has established a Hate Crime Scrutiny Panel and the Area's training pack for panel members was approved by the CPS Equality and Diversity Unit. The Area also has an updated Homophobic Action Plan with an effective champion who has established close links with appropriate groups.
- It is Area policy that UHs must authorise a reduction in charge or basis of plea which removes or lessens the hate element.
- The Area has a protocol in relation to fatal road traffic incidents and a specialist prosecutor who deals with the majority of such cases. The CCP personally authorises charge in all such cases to ensure consistency of approach in decision-making.
- The Area has the capability to deal with high profile sensitive cases and the media interest that goes with it. It has successfully conducted a number of such cases recently. The Area maintains a log of sexual offences, homicides and road traffic fatalities which is discussed with the police at PTPM meetings and is used as a reference tool when dealing with the media.
- The Area insists that all sensitive cases are flagged by the Duty Prosecutor at the pre-charge stage. Any failures are identified by the administration section. The Area also conducts monthly dip sampling of CMS files and was found to be performing well in the last audit. The TU Head looks at all new rape cases to ensure they are correctly flagged and a quarterly MIS check is carried out in relation to rape cases. Senior managers are therefore confident that most cases are properly flagged. Reality checks confirm that flagging is accurate.
- The Area is able to demonstrate that it takes safeguarding children issues seriously and specific actions are incorporated within the ABP. A Unit Head attends meetings of the local Safeguarding Children Board when appropriate. The Area has been proactive in working with the judiciary to develop a training DVD dealing with best practice for the preparation of child videos to be used in evidence. The UH has delivered appropriate training and the DVD to all appropriate police officers.

6 DISCLOSURE	OPA 2005	OPA 2007	Direction of travel
	Fair	Excellent	Improved

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

- The Area's performance on disclosure of unused material has improved significantly since the last OPA. Our reality check of ten trial files showed that that initial disclosure was correctly handled in each case. Prosecutors complied with their continuing duty of disclosure, including following the receipt of a defence statement, in all five relevant cases.
- All disclosure documents, including relevant correspondence, are kept in a separate folder within the main file. Documents are stored in chronological order and, in some instances, indexed for easy reference. The Area lawyers have also undertaken joint training with the police to improve the quality of police schedules which now provide a more detailed description of material. Police officers frequently use the MG6E8 to express their views on whether material may undermine the prosecution case or assist that of the defence. Lawyers' decisions on disclosure are clearly recorded on the relevant schedules. Disclosure record sheets (DRS) were properly completed in each of the ten cases within our reality check. In each case, the DRS contained a complete and detailed record of disclosure actions and decisions.
- At the time of the last OPA, blanket disclosure of material (known as "courtesy" disclosure in the Area) was not uncommon. The Resident Judge at the Crown Court has endorsed the Crown Court Protocol which deals with this issue and there is now a common understanding and approach at court to disclosure. Prosecuting counsel have been reminded of their obligations in this respect through meetings with chambers' clerks and the Area has adopted its own standard paragraph for inclusion in briefs.
- Unit Heads see their lawyers' files regularly during the normal course of their duties. In addition, the formal monitoring of casework under the CQA scheme is robustly handled and will highlight any issues of disclosure which need to be addressed with individuals. Other monitoring, for example adverse cases, also provides the opportunity to assess disclosure performance.
- Sensitive material is handled properly. Our reality check contained only one file with issues relating to sensitive material but the lawyer's instructions were clearly endorsed on the sensitive material schedule. It is rare for particularly sensitive items to be retained in the office but these are kept secure. Guidance on storage procedures has recently been reissued.
- The Area's disclosure champion is a senior lawyer and HCA who has dealt with a number of serious cases with complex issues of disclosure providing advice to the police in the early stages of investigation. The champion also provides training on disclosure to Area staff and the police. Lawyers and caseworkers have been trained, jointly with the police, in the disclosure provisions of the Criminal Justice Act 2003 and the Disclosure Manual. Specific disclosure training was

8 The Disclosure Officers Report certifying that all relevant unused material has been reviewed and revealed to the prosecutor.

provided to police officers dealing with the investigation of a recent high profile case which had a substantial volume of unused material. Appropriate Area staff have been trained in advanced disclosure issues. Joint training with the police has been deferred because of other police priorities but the police are seeking to appoint their own champion to assist with training.

- The Area has taken appropriate steps since the last OPA to improve its performance. In addition to training and the robust application of CQA, the Area undertook its own self assessment review on disclosure which gave rise to a number of actions and specific training on material which the prosecution seek to withhold on grounds of public interest immunity. Disclosure is a regular item for discussion at team meetings.

7 CUSTODY TIME LIMITS	OPA 2005	OPA 2007	Direction of travel
	Fair	Good	Improved

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

- The Area maintains an updated written CTL system that complies with national guidance and in addition, contains elements from the good practice guide. The Area has had no CTL failures in the years 2005–06 and 2006–07 or in the current year up to the time of our inspection (October 2007). A reality check of six Area files subject to a custody time limit showed that expiry dates were correctly calculated and recorded on the front of the file. There were corresponding entries in the CTL diaries.
- The Area process continues to be reviewed on a regular basis and is updated immediately national changes take place. The latest review took place in November 2006 and updated desk-top instructions were produced for all staff. The guidance was then discussed at team meetings.
- The Area CTL champion ensures that all staff have received appropriate training in both the local system and the relevant law. Guidance is issued to all new staff and training provided where appropriate.
- The Area's formalised system involves administration staff producing a CTL action sheet which is passed to an administration manager for checking and signature before completing the diaries. Weekly checks are carried out on a Monday by use of both CMS and the CTL diaries to check review and expiry dates. Reality checks confirmed this.
- There are in place informal agreements between the Area and the Crown Court and between the Area and the magistrates' courts which includes agreeing the expiry date in court, monitoring case progress and the exchange of information. The reality check indicated generally good practice but, despite the accurate calculation of CTL dates and endorsement on the file by lawyers, there was no evidence that dates were agreed in the magistrates' courts.
- Managers require regular assurances that the CTL system is effective and up-to-date. Unit Business Managers monitor CTL action sheets and ensure that actions have been completed before signing the forms. CTLs are considered at the unit quarterly performance reviews.
- The Area has an effective system in place for dealing with review of CTLs and applications for extensions. A green form is used to highlight the need for review and contains appropriate details for the lawyer to complete. The reality checks confirmed that this system was effective.

8 THE SERVICE TO VICTIMS AND WITNESSES	OPA 2005	OPA 2007	Direction of travel
	Good	Good	Stable

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

- There is a high rate of compliance with the Victims' Code and Direct Communication with Victims (DCV) scheme which requires a letter to be sent when a charge is dropped or substantially altered. In 2006-07, the Area performed consistently above its proxy target for the number of letters it should be sending. In the same period, 82.0% of letters to victims were sent within five working days. Performance was better than the national average of 73.0%, although the recent DCV HMCPSI audit⁹ showed that only 57.7% of letters met the timeliness target. The quality of the letters was found to be generally good. The Area has responded well to the DCV audit and a recent drop in performance by providing some additional training sessions for lawyers on what a DCV letter should contain; the Area is also looking at creating a DCV coordinator from its existing staff.
- Prosecutors consider the needs of victims and witnesses in pre-charge and other cases. Reality checks showed that cases are appropriately flagged where there is an identifiable victim. Special measures applications are timely and the completion of needs assessments by the police (which was an issue in 2006-07) has been addressed through the PTPM meeting and Victim & Witness Delivery Group. At a recent review performance was showing improvement. New intakes of police officers are required to attend the Witness Care Unit (WCU) as part of their induction so they can be told their role and the importance of their contribution to the process.
- Communication between the WCU and CPS units is timely. There are two WCUs based along side the CPS Units at Lincoln and Grantham, which allow the exchange of information to ensure that in the majority of cases victims and witnesses are contacted with information about case progress within 24 hours. All cases going to trial in the magistrates' court are prepared for pre-trial review by a summary trials lawyer, whose role is to ensure the trial is effectively prepared, including timely special measure applications and needs assessments. Communication between WCU and Victim Support/Witness Service was previously poor, however this has been improved by locating a Victim Support member within the unit. Unfortunately it is unlikely that this resource is sustainable, so the Area may need to explore other options.
- There is timely and accurate warning and de-warning of witnesses. The post implementation review for No Witness No Justice (NWNJ) showed that 98.0% of witnesses were warned within 24 hours and most witnesses are de-warned when necessary within the same timescale. Police witnesses are generally updated using the police systems, to which all WCU staff have access.

⁹ Direct Communication with Victims: An audit of CPS Performance in Relation to Keeping Victims Informed, published 27 September 2007.

- The Area has a number of monitoring systems in place to check that matters such as compliance with the Prosecutors Pledge and how victims and witnesses are treated at court. Systems include the UHs monitoring the prosecutors at court and providing individual and team feedback. UHs also check such matters as part of the CQA monitoring and dip sampling of files. Feedback is also supplied from other agencies, such as the courts, Victim Support and Witness Service. Reality checks indicate that the Area is meeting its requirements.

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

- The WCU is split between the two CPS sites based at Lincoln and Grantham and comprises both police and CPS staff, with a CPS manager. The funding of the unit is arranged whereby the police and CPS fund their relevant staff in the units. Partial funding for CPS has been agreed by CPS Headquarters for the next two financial years, with the shortfall being made up from the CPS Lincolnshire budget. The Area have the benefit of both an LCJB Victim & Witness Delivery Group and a Volunteer Panel, both of whom are tasked to undertake specific work in relation to Victim and Witness matters and all staff have access to both police and CPS computer systems.
- The majority of the minimum requirements of the NWNJ initiative and the Victims' Code are being met by the units. Most issues identified at the Post Implementation Review of NWNJ, such as some noncompletion of needs assessments and information with regard to bail and appeals have now been resolved. Each month ten cases are monitored to check compliance with the Victims' Code. The monitoring has led to some process improvements, for example the development of a carbonated Vulnerable Victim Notification Sheet, a copy of which is now passed to the court to ensure the early identification and timely notification of vulnerable victims. Monitoring has also identified a fault with the computerised system for recording victims and witnesses (WMS), which is currently being pursued by the Area.
- The WCU Manager produces a quarterly report which includes the current performance of compliance with the Victims' Code and NWNJ requirements. Joint analysis of this data is undertaken at LCJB level and used to direct tasking within the Victim & Witness Delivery Group and the Volunteer Group. A Delivery Plan has been produced which records the different strands of work currently underway, this also includes some actions resulting from a recent conference held to look at ways of improving service delivery. The plan is updated on a quarterly basis by the Delivery Group and progress reported to the LCJB board.
- All issues and lessons learned through joint analysis are shared with staff individually and through team meetings and newsletters. This is additional to the Unit Heads' feedback from their monitoring systems and from other agencies.

9 DELIVERING CHANGE	OPA 2005	OPA 2007	Direction of travel
	Fair	Good	Improved

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

- The Area has a clear sense of what it wants to achieve and how to achieve it. In line with the national business plan, the Area Business Plan (ABP) covers the 15 CPS key priorities and Public Service Agreement (PSA) targets and includes relevant key milestones which link with projects, training and performance. The 2006-07, and likewise the 2007-08 plan was developed with key staff representatives of all grades and units at a planned session. The Trade Union representatives were also invited to take part in the process. The Area has an appropriate risk log which accompanies the plan and both include any project work currently underway in the Area. The plan was formally delivered by Unit Heads (UHs) at team meetings and placed on the shared drive so that all staff have access to it.
- The CCP, ABM and UHs have specific responsibility for objectives at a strategic level, although some milestones appear to have more than one accountable role, which could be confusing. Timescales and outcomes are clear and measurable. The milestones on the plan are used to inform objectives on individuals' job plans.
- A more systematic approach to reviewing the achievement of objectives is in place in the Area, than at the time of the last OPA in 2005. The Senior Management Team (SMT) reviews the ABP and risk log formally on a monthly basis. The plans and progress reports on projects are also standing agenda items for the meeting and are subject to a traffic light system to help monitor progress. Discussion takes place at the meeting and plans are updated with completed milestones, benefits and where appropriate any reasons for slippage and subsequent further actions. Staff objectives are reviewed as part of the six monthly staff appraisal reviews and any outstanding matters are reported to SMT. The 2006 staff survey reported that more staff in CPS Lincolnshire than CPS overall understood how their job contributed to the objectives of the Area and the CPS as a whole.
- There is some joint planning taking place in CPS Lincolnshire, primarily directed through the Local Criminal Justice Board (LCJB). The Area has played a very active role within the LCJB, of which the former CCP was chair. Generally, joint initiatives are dealt with well in the Area and the board clearly indicates how each of the agencies should contribute to the schemes. Mechanisms are in place to measure success and any failure.
- All managers have a lead role as the CPS representative on either an LCJB sub group or other inter-agency group and most have had the lead responsibility for implementation of particular joint initiatives. Examples include the Victim & Witness Delivery Group, chair of the PTPM, the NWNJ initiative and the CJSSS initiative.

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

- The Area feels the current structure of two CJUs based at Lincoln and Grantham and one TU based at Lincoln meets the needs of the area. Initial discussions have taken place on whether to move to combined units but it was felt that it would be more appropriate to await details of the Optimum Business Model to be developed by CPS Headquarters and the appointment of the new CCP. However some work has been undertaken by CPS Lincolnshire and the courts in reviewing the court centres to identify a fit for purpose structure.
- The LCJB agreed to implement CJSSS fully across the county in October 2007. The main reason for this approach was that the police, CPS and courts have no aligned boundaries which would have facilitated a more phased approach. The Area was ready for the rollout at the time of this assessment and as such it is expected that the Area should soon realise the projected benefits of the scheme. Other projects which have been successfully introduced into the area include the Hate Crime Project, Specialist Domestic Violence Courts and, No Witness No Justice, which are all now part of Area business. conditional cautioning has been introduced into the area, but as yet the benefits of this scheme have not been realised. The Area has recently updated the guidance on this scheme and provided additional training to the police, which should start to reap some benefit.
- There is a clear change management structure in place and accountable officers, generally Unit Heads, update the individual project plans and report progress through the SMT board on a monthly basis. Discussion is in depth and clear links are considered between competing priorities. The Area ensures that where actions are identified from different sources these are fed into one plan to avoid duplication. One example is the Victim & Witness Delivery Plan, which has been updated with the outcomes from the Victim & Witness Conference. The Area keeps well documented evidence of project progress, including benefits realisation and lessons learned. Training needs are identified and fed into the Learning and Development Plan for the Area and some managers have had appropriate training on project management. Projects such as the charging project, NWNJ and conditional cautioning have all been subject to post implementation reviews, which have resulted in action plans to make further improvements to the processes.
- The Area has a risk log which captures both project and business as usual risks. All risks are reviewed and updated on a formal basis and the monthly SMT meetings.

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

- The Area has training plan which sets out its business training needs for the year. The plan is a comprehensive document which links with the ABP, and includes induction, equality and diversity training and a number of developmental areas arising from staff objectives, including for example, management training. The plan has a traffic light system to record progress against the timescales agreed. The 2006 staff survey reported that 76.0% of staff felt the Area provided them with the opportunities for learning and development to help them do their job effectively; this was higher than the overall CPS average of 62.0%. However in terms of induction, only 44.0% of staff joining CPS Lincolnshire in the last two years felt they were given an effective induction into the organisation, against a national figure of 50.0%.

- Equality of access to training is achieved in a number of ways. The Area has taken advantage of talks from the Learning and Development Manager for East Midlands group of CPS Areas, who has attended Lincolnshire to raise the awareness of the Prosecution College and other available training. The Area offers development opportunities for shadowing posts and temporary promotions and ensure that all staff have the opportunity to apply. The East Midlands CPS Areas Training Programme is circulated to all staff and all training in the Area is recorded and circulated, so that the system is transparent.
- The Area primarily assesses the effectiveness of training as part of the appraisal reviews. Additionally, although there is no specific monitoring system for training, managers check the effectiveness of training through the extensive monitoring systems already in place, for example CMS checks, CQA and dip sampling for personal improvements. Other monitoring systems include operational assessments, which examine specific work areas and enable the Area to check the benefits of training through its improvements in performance, such as charging benefits, and outcomes for hate crime and disclosure.

10 MANAGING RESOURCES	OPA 2005	OPA 2007	Direction of travel
	Poor	Fair	Improved

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

- The Area marginally over spent on its non ring-fenced running costs (NRFRC) budget for the last two financial years, with an over spend of 0.3% in 2005-06 and 0.4% in 2006-07. This is a significant improvement on the performance at the last OPA in 2005, which resulted in the Area introducing a number of systems to ensure the accurate recording and monitoring of committed expenditure. This information is now used to provide monthly breakdowns of all budget expenditure to inform discussion at SMT with Unit Heads.
- Devolvement of budgets to UH level has been considered, but it was felt that the budget was too small to divide effectively and better economies of scale could be achieved by retaining the budget at the SMT level. The UHs form part of the SMT board and are actively involved in any decisions made in respect of the budget. The Area now has better control on its budget, as attitudes have changed and managers are more aware of the importance of good budget management.
- The Area is seeking to ensure it achieves value for money by constantly liaising with the courts for optimum listing patterns which enable the full use of its Designated Caseworkers (DCW) and is now looking to recruit a further DCW. The Area is working on proposals, in conjunction with the courts, in respect of court venues, which have the potential to save lawyer travelling time and expenses. Further work is also looking at reducing the number of lawyers to cover Saturday court rotas.
- From an under spend in 2005-06 of 0.4%, prosecution costs for 2006-07 were over spent by 0.8%. Instruction from CPS Headquarters meant the Area had to absorb outstanding costs within the budget for 2006-07.
- Timeliness of graduated fees payments (GFS) within one month of the last hearing date was good in 2006-07, at 70.0% against a national figure of 56.3%; although the trend was a little erratic ranging from 91.0% in quarter two to 55.0% in quarter three. Timeliness within four months of the last hearing date was excellent at 99.0% against the national average of 88.8%.
- Partial funding was provided to the Area to support staffing in the WCUs and has been secured for the next two financial years. The shortfall to maintain the current staffing in the unit has been found from the Area NRFRC budget. Additional funds were secured to establish the Hate Crime Scrutiny Panel and to supply a dedicated senior lawyer and caseworker to assist in an operation of a complex murder case.

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

- Short term planning takes place at the SMT on a monthly basis with set agenda items on budget, staffing, vacancies and sickness, supported by use of performance information, for example, in relation to case load. In terms of medium and long term planning the picture is more

mixed. The Area confirms that medium term planning is dealt with directly by the UHs who only involve the SMT where a strategic decision or resource is required. Long term planning is dependent on the outcome of the national Optimum Business Model and the arrival of the new CCP to the Area. There are no plans with partner agencies to make any significant changes to the structures and as yet no long term contingencies are in place to cover issues such as funding for NWNJ and the ASBO lawyer.

- The Area operated at 80.2% in-house coverage of magistrates' courts in 2006-07, which was only marginally below the national average of 80.4%. In house coverage for the Area dropped from 82.9% in quarter one, 2006-07 to 77.5% for the same quarter of 2007-08.
- The Area confirmed that long term sickness was the main contributory factor to decline in performance, even though sickness across the financial year was good at 7.4 days, against the national average of 8.5 days. However, sickness has increased in 2007-08. All managers have received training in managing sickness absence and sickness information has been refined to provide managers with a detailed monthly report of sickness absence, patterns etc. The Area will need to address this matter expediently to resume its recent good performance levels.
- CJU lawyers are rostered for six or seven half day sessions of court or charging duty. TU lawyers cover much less, with an expectation of one or two charging sessions, one or two Higher Court Advocates (HCAs) sessions and the remainder of time is given to review and case preparation. Caseworkers are expected to cover up to six half day sessions.
- DCW usage in the Area for 2006-07 was favourable at 16.7% against the national average of 14.7%. However it fell some way short of the Area's own target of 18.0%. The Area confirms that performance had been affected by the loss of DCWs and the Area was for the early part of the year operating with only two DCWs instead of four. By October 2006 a further two DCWs had been recruited and performance for quarter four rose to 24.9%. The Area hopes that its current discussions with the court will enable it to recruit a further DCW. The Area expects DCW deployment to be six or seven half day sessions in court per week. In 2006-07 the DCWs covered 617 court sessions, amounting to around 61.2% of available DCW time, meeting Area expectations. This figure dropped slightly in the first quarter of 2006-07 to 56.0%.
- The Area has four HCAs, two whom have prosecuted trials in Crown Court and one who has successfully conducted an appeal against sentence at the Court of Appeal. The Area as part of its strategy has recruited a further HCA in 2007. All HCAs undertake work such as Plea and Case Management Hearings (PCMHs), sentence hearings and applications for confiscation orders. The HCAs undertook 183 court sessions and appeared in 5 trials in 2006-07. The target for 2006-07 was exceeded, with overall savings of £60,141 (171.5% of the target), however savings per session of £329 were lower than the national average of £339.
- The Area has implemented a Flexible Working Hours Agreement and Annual Leave Protocol, which help ensure decisions on work patterns and leave are applied consistently. All requests for flexible working are now considered using the new agreement. Appropriate notice has been given to some lawyers who have flexible agreements, about the need to change because they no longer fit the needs of the business.

11 MANAGING PERFORMANCE TO IMPROVE	OPA 2005	OPA 2007	Direction of travel
	Fair	Excellent	Improved

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

- The Area has a sophisticated and effective performance management structure, based on a close quality scrutiny of all aspects of performance, which ensures that the Area is aware of key issues so that these can be addressed promptly both internally and with partner agencies. Performance is a regular feature of management and team meetings and staff at all levels have specific objectives which contribute to the performance of the Area.
- On a monthly basis, the SMT consider performance as a set agenda item, using a traffic light (red, amber and green) template to inform the meeting. The Unit Heads are members of the SMT which ensures that good performance and areas for improvement are shared. Additionally, there are quarterly team performance meetings held between each Unit Head and Business Manager with the CCP and ABM, a detailed quarterly performance pack is provided for the meeting. The pack is clear covering a comprehensive range of performance indicators including analysis of unsuccessful outcomes, hate crime, adverse outcomes and CQA findings. Detailed analysis for most aspects is provided, however some benefit could be gained by additionally providing some trending information, for instance it is not apparent from the packs that the Area is showing a declining trend regarding in-house coverage, sickness levels or that its caseload is declining.
- Managers ensure quality assurance of data and make good use of PTPM information, undertake dip sampling of files, MG3's and CMS to monitor individual and team performance. Many areas of performance are monitored including compliance with the prosecutors' pledge and Victims' Code and managers often add examples of what additional value could have been provided by the lawyer. Areas for improvement and good performance are fed back at team meetings and individually through continuous appraisal. Area performance headlines are published in the monthly newsletter and discussed at team meetings. Unit Heads and Business Managers all take responsibility for operational effectiveness, and continuously seek improvements in performance and share good practice between the units, ensuring that information is fed back to all levels of staff.
- The Area has responded well to such reports as the previous OPA 2005 and the HMCPSI DCV audit¹⁰ and has undertaken a number of themed operational reviews to identify areas of improvement in DCV, hate crime, file management and disclosure. The Area has shown itself willing to respond in a positive manner where areas of concern have been identified internally or externally. This has resulted in a good number of improved performance results for CPS Lincolnshire and their performance now compares favourably with national performance in many aspects, for example DCV, CQA and discontinuance rates.

¹⁰ Direct Communication with Victims: An audit of CPS Performance in Relation to Keeping Victims Informed, published 27 September 2007.

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

- Unit Heads are actively involved in a number of multi-agency meetings at which performance is discussed; actions are agreed and reported on. Regular meetings with police are the PTPM and PYO Case Progression meetings. The Aea provides the majority of the performance information for PTPM meetings and discussion covers charging, unsuccessful outcomes, case progression and file quality.
- Discussion on cracked and ineffective cases, sanction detections and OBJ take place at the LCJB. The LCJB, formerly chaired by the CCP, is used to direct performance improvement at a strategic level and allocate thematic work through the various sub groups. Most projects are also directed through the LCJB board, for example CJSSS and conditional cautioning.
- There are a number of LCJB sub groups, on which CPS managers play an active role, which have set agenda items to consider such as Victim & Witness performance, performance delivery, priority offender management, community engagement and enforcement performance. The groups are attended by all criminal justice agencies who bring relevant performance information for consideration of the collective group. Minutes of the meetings record actions with identified owners. Joint strategies with partner agencies have brought about a good number of improvements to service delivery, such as the introduction of evidential review officers to improve file quality, improvements in service to victims and witnesses and more efficient court listing practices.

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

- The Area has sustained operation of the CQA system and each Unit Head checks a minimum of one file per month for each lawyer and DCW. The return rate for CQA for 2006-07 was 104%, against national performance of 83.8% for the same period. Compliance rates are high, but are backed up by commentaries on the manuscript CQA forms which are completed in some detail. Reality checks show the quality of legal work to be of a high standard. Feedback on CQA performance complements the other monitoring systems in the Area and feedback is provided individually and to SMT. Issues are shared across the units and feedback is also provided through team meetings and the newsletter.
- The Area monitors advocacy performance systematically. Monitoring is undertaken on each lawyer, a minimum of once a year, with the Unit Head undertaking such checks on a monthly basis. Advocacy monitoring sheets are completed which give detailed constructive feedback on performance. Other criminal justice agencies have confirmed advocacy to be good.

12 LEADERSHIP	OPA 2005	OPA 2007	Direction of travel
	Good	Good	Improved

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

- The Area has set out its vision and values in the introduction to the Area Business Plan (ABP) which is available to all staff and is discussed in team meetings. Area managers have also engaged with staff over the Director's Vision for the CPS through attendance at national roadshows and by discussion in team meetings. The Area governance document sets out the role and responsibilities of SMT members and each member has specific objectives which deal with promoting the vision and values and other aspects of leadership including promoting corporacy.
- All members of the SMT promote the ethos of corporate responsibility in their approach to managing the Area, regardless of the views expressed as individuals on particular issues. This position has been maintained throughout a number of recent senior personnel changes.
- Senior managers monitor any performance, including their own, which does not meet the standards they have set. The corporate approach to management is embedded within the Area and has been demonstrated in a number of recent issues and initiatives.
- The Area has introduced various communications methods to inform staff of Area issues and developments. Staff of all grades contribute to development of the ABP. SMT meetings are held in Grantham as well as Lincoln so that staff have an opportunity to speak with the CCP and ABM face to face if they wish. Quarterly performance reviews are held in the location of the particular unit. In addition, the CCP and ABM hold coffee mornings in Lincoln and Grantham, inviting selected staff on a rotation basis so that they can raise and discuss any issues they want to. Both are available at all times to speak to staff individually if they wish.
- The Area's system of communications, including meetings provides a framework for ensuring that staff are informed of current issues and initiatives and are able to air their views. Last year, the Area formed a staff Focus Group for this purpose. Issues discussed by the group are fed back to the SMT. Whitley Council meetings are held quarterly and issues are similarly reported back to SMT. In the 2006 staff survey, the responses of CPS Lincolnshire's staff were more positive overall than the national averages. In particular 82.0% of staff considered that their team had effective meetings compared with 56.0% nationally.
- Senior managers have been proactive in their relationships with their criminal justice partners and remain committed to constructive dialogue despite the inevitable frustrations brought about by sometimes competing priorities. The CCP was appointed chair of the Lincolnshire Criminal Justice Board (LCJB) and all members of the SMT are involved in its sub-groups. The CCP, as chair, has taken the lead in reviewing the LCJB's aims and strategy with a view to moving its focus onto building safer communities and improving public confidence.

- The CCP has also raised the profile of domestic violence within the Area to tackle what was previously poor performance in this respect and has been involved with a number of community groups dedicated to combating domestic violence. Local funding has been secured to take forward a strategy for dealing with domestic violence which will include establishing a specialist domestic violence court in Lincoln.
- The Area has a very comprehensive monitoring and communications framework which gives it the ability to learn lessons from its successes and failures. The willingness of senior managers to learn lessons is demonstrated in its response to the staff survey 2006. Although the results were largely positive and compared well with national averages, including the level of response, the SMT developed an action plan to focus on those aspects where the result was worse than the national average or, even if more positive, indicated that some action was required.

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

- Senior managers are ready to acknowledge good performance by their staff. As well as praise in minutes to individuals, the staff newsletter and CCP's messages to staff are also used to acknowledge good performance. The 2006 staff survey indicates that 47.0% of Area staff think the CPS values them. Although this may seem a relatively low figure, it is an improvement on the 2004 survey results (40.0%) and significantly better than the national average of 28.0%.
- All senior managers are responsible for promoting equality and diversity and ensuring the workplace is free from prejudice. The Area follows national policy on equality and diversity which underpin its working practices. Senior managers review staff attitudes and behaviour informally by their own observations and formally through the Performance Development Review (PDR) process. Similarly, inappropriate behaviour is tackled either informally or by formal procedures if necessary. There have been no complaints made by staff about treatment by their managers. The staff survey showed that 74.0% of Area staff considered they were treated with fairness and respect compared with 64.0% nationally.
- Senior managers have been given training on employment issues, and Area protocols dealing with sickness management, annual and flexileave and training and development provide guidance for all staff on these matters. The Area has a high proportion of part time workers, including term time working and compressed hours. Again, the staff survey results show a positive picture in respect of the Area's promoting dignity at work and are overall better than the national average.
- The Area workforce is not completely representative of the local workforce. The Area employs 3.1% of its staff from a black or minority ethnic (BME) background compared with 1.4% in the county. Although this is positive, senior managers are hoping to see existing staff promoted to higher grades in the longer term. Staff with disability comprise 2.5% of the Area workforce. Although the Workforce Representation Plan is content to maintain this position, the Area aims to increase the declaration rate amongst staff for disability and ethnicity.

13 SECURING COMMUNITY CONFIDENCE	OPA 2005	OPA 2007	Direction of travel
	Fair	Good	Improved

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

- Following the appointment of the CCP in January 2006 senior managers have demonstrated a substantial commitment to engaging with the whole community. The CCP has taken a lead role in developing and implementing the Area's community engagement strategy and attending a number of activities. Other senior managers have also undertaken a number of relevant community events. The Area actively engages with the community both as an Area and as part of the LCJB. The CCP chaired the Domestic Abuse Strategic Management Board and was the LCJB lead on a number of Crime and Disorder Reduction Partnership (CDRP) projects. Unit Heads have chaired the LCJB victim and witness group and have been active participants on the LCJB Community Engagement and Staff Diversity groups. They have also created strong links with victim support, local schools and universities. The Area has appointed an effective community engagement champion who was runner-up in the national CPS Diversity awards for her outstanding contribution to community engagement in 2006.
- The Area has established a Hate Crime Scrutiny Panel. A close working relationship was developed with the local Racial Equality Council (REC) enabling the recruitment of appropriate panel members. Effective training was provided to all panel members. The CPS Equality and Diversity Unit are now using the Area's training pack to produce a national training pack. The Area has plans to develop the panel to include homophobic and disability crime. The Area has an updated Homophobic Action Plan and an effective champion who has established close links with appropriate groups.
- One senior manager participated in two LCJB Victim's Panel shadowing exercises. Her report to the Area resulted in the formation of CPS Victims Scrutiny Panel (managed along similar lines to the Hate Crime Scrutiny Panel) which considers victim and witness issues in all unsuccessful outcome cases. This produced information on the impact of witnesses being served with a witness summons and the impact of the wrong decision being made to charge at the outset.
- The Area business plan (ABP) includes in its key priorities, "inspiring the confidence of the communities we serve." The ABP is reviewed, revised and updated on a quarterly basis. Updated copies of the documents are forwarded to all Area managers following a review. The Area has developed independently a more detailed Community Engagement strategy and action plan. Area progress against the plans is monitored at SMT. Unit performance against the plans is considered at the UH quarterly performance meetings.
- Through the Area's inclusive approach to staff involvement, community confidence activity has been established as part of the core business of staff. Staff have specific objectives relating to community engagement projects. The community engagement logs disclose that a large proportion of staff have attended some form of community activity. Champions and coordinators have been particularly active, and training for the Hate Crime Scrutiny Panel was provided by both lawyers and administrative staff. Lawyers and DCWs have mentored school pupils and the WCU have ensured relevant speakers have provided information to their staff.

- The Area maintains a database of voluntary and community groups and demographic information for the county which it updates regularly. Following the last census in 2001, an update on population trends was produced in November 2006.
- The community engagement strategy document is compliant with CPS policy. It identifies some local community groups that are at greatest risk of exclusion and discrimination and the basic methods of proposed engagement. It also includes a related action plan which is incorporated into the ABP. The community engagement log confirms a high frequency of engagement activity with a diverse section of community groups. A recent report on migrant workers in the county was made available to all staff together with a booklet dealing with migrant worker issues. External speakers have provided further information to staff. The Area is developing a substantial anti-social behaviour project on the Fenside Housing Estate in Boston and has taken the lead role in dealing with domestic violence in the county. The Area has established close links with Women's Aid.
- The Area recognition of the significance of identifying outcomes is reflected in the engagement log. Information has been used to target more effective community engagement activities. Examples include the evaluation of the work placement scheme to ensure equal opportunities for all schools in addition to the projects and issues referred to in the preceding paragraph.
- The Area can demonstrate a number of service improvements resulting from community engagement activity. Examples include changes in the service of witness summonses following feedback from the CPS Victims Scrutiny Panel, the WCU adopting a 'safe to contact scheme' and a service level agreement between police family liaison officers and the WCU.
- British Crime Survey data shows that in December 2006, 34.3% of the local population had confidence in the CJS against 42.3% nationally. LCJB research identified high levels of concern among the elderly and as a result information has been placed in appropriate publications to provide better reassurance.
- The Area works closely and effectively with the LCJB communications officer and a media protocol has been agreed. The Area has also been active in promoting the role of the CPS and has issued a number of relevant press releases. The Area maintains a press and media contact list and a media engagement log. Staff have provided information about interesting cases and provided interviews with the local newspapers and radio about annual reports, local CPS developments and national policy.

ANNEXES

A PERFORMANCE DATA

Aspect 1: Pre-charge decision-making

	Magistrates' courts cases				Crown Court cases			
	National target March 2007	National performance 2006-07	Area performance		National target March 2007	National performance 2006-07	Area performance	
			2005-06	2006-07			2005-06	2006-07
Discontinuance rate	11.0%	15.7%	19.0%	14.3%	11.0%	13.1%	16.8%	9.5%
Guilty plea rate	52.0%	69.2%	67.7%	71.1%	68.0%	66.5%	68.6%	69.3%
Attrition rate	31.0%	22.0%	25.1%	20.0%	23.0%	22.2%	25.2%	20.4%

	National performance 2006-07	Area performance 2006-07
Charged pre-charge decision cases resulting in a conviction	78.0%	79.9%

Aspect 2: Ensuring successful outcomes in the magistrates' courts

	National performance 2006-07	Area performance 2006-07
Successful outcomes (convictions) as a percentage of completed magistrates' courts cases	84.3%	89.0%

Trial rates	National performance 2006-07	Area performance 2006-07
Effective trial rate	43.8%	48.9%
Cracked trial rate	37.3%	33.2%
Ineffective trial rate	18.9%	18.0%
Vacated trial rate	22.5%	25.1%

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

National target	National performance 2006	Area performance 2006
71 days	72 days	78 days

Offences Brought to Justice

	CJS area target 2006-07	CJS area performance 2006-07
Number of offences brought to justice	13,498	15,017

Percentage make up of Offences Brought to Justice	National 2006-07	Criminal justice area 2006-07
Offences taken into consideration (TICs)	8.5%	5.7%
Penalty notices for disorder (PNDs)	10.3%	10.7%
Formal warnings	5.8%	3.7%
Cautions	26.5%	33.6%
Convictions	48.8%	46.4%

Aspect 3: Ensuring successful outcomes in the Crown Court

	National performance 2006-07	Area performance 2006-07
Successful outcomes (convictions) as a percentage of completed Crown Court cases	77.7%	79.4%

Trial rates	National performance 2006-07	Area performance 2006-07
Effective trial rate	48.2%	62.7%
Cracked trial rate	39.5%	30.3%
Ineffective trial rate	12.4%	7.0%

Proceeds of Crime Act orders	Area target 2006-07	Area performance 2006-07
Value	£404,406	£322,928
Number	47	62

Aspect 10: Managing resources

	2005-06	2006-07
Non ring-fenced administration costs budget outturn	100.3%	100.4%

Staff deployment	National target 2006-07	National performance 2006-07	Area performance 2006-07
DCW deployment (as % of magistrates' courts sessions)	17.2%	14.7%	16.7%
HCA savings against Area target	100%	138.4%	171.5%
Sickness absence (per employee per year)	7.5 days	8.5 days	7.4 days

Aspect 13: Securing community confidence

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

CJS area baseline 2002-03	2004-05 (last OPA)	Performance in 2006-07
43.0%	40.0%	36.5%

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

Police

Lincolnshire Police

HM Courts Service

Gainsborough Magistrates' Court

Grantham Magistrates' Court

Lincoln District Magistrates' Court

Skegness Magistrates' Court

Sleaford Magistrates' Court

Victim Support

Lincolnshire Victim Support

Community Groups

Boston Women's Aid

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