



**THE INSPECTORATE'S REPORT
ON
CPS NORTH WALES**

REPORT 18/04

OCTOBER 2004

Promoting Improvement in Criminal Justice

CPS NORTH WALES



AREA OFFICE

Wrexham

OTHER OFFICES

Colwyn Bay

MAGISTRATES' COURTS

Caernarfon, Denbigh, Dolgellau, Holyhead, Llandudno, Llangefni
Mold, Prestatyn, Pwllheli, Wrexham Maelor

CROWN COURT

Caernarfon, Chester, Dolgellau, Mold

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PREFACE

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

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

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

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

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

These inspectors are unpaid volunteers who examine the way in which the CPS relates to the public, through its dealings with witnesses and victims, its external communication and liaison, its handling of complaints and the application of the public interest test contained in the Code for Crown Prosecutors.

HMCPSI has offices in London and York. The London office houses the Southern Group and part of the Northern and Wales Group. The remainder of the Northern and Wales Group are based at the office in York. Both Groups undertake thematic reviews and joint inspections with other criminal justice inspectorates. At any given time, HMCPSI is likely to be conducting six geographically-based or Directorate inspections and two thematic reviews, as well as joint inspections.

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

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

During the second cycle of inspections, a database will be built up enabling comparisons to be drawn between performances of CPS Areas. The table of key performance indicators within this report makes such comparison with the aggregate data gathered from the first 33 inspections. HMCPSI points out the care which must still be undertaken if readers are minded to compare performance described in this report with the overall CPS performance in the *first* cycle. Although many of the key requirements remain and are tested by the same standard, the composition of the file sample has altered and this may make such comparisons unreliable. For that reason, no comparisons are made in this report with the first cycle.

1 INTRODUCTION

- 1.1 This is Her Majesty's Crown Prosecution Service Inspectorate's report about CPS North Wales (the Area), which serves the area covered by the North Wales Police. It has two offices, at Wrexham and Colwyn Bay. The Area Headquarters (Secretariat) is based at the Wrexham office.
- 1.2 Area business is divided on functional lines. The two Trial Units (TUs) review and handle cases dealt with in the Crown Court and additionally most magistrates' court cases that are listed for trial. The TUs are based at Wrexham and Colwyn Bay (Eryri TU). There is one Criminal Justice Unit (CJU) which is responsible for the conduct of the remaining summary cases dealt with in the magistrates' courts. The CJU is based at Wrexham and Colwyn Bay (Eryri CJU).
- 1.3 At the time of the inspection in June 2004, the Area employed the equivalent of 67.1 full-time staff. The Area Secretariat comprises the Chief Crown Prosecutor (CCP), Area Business Manager (ABM) and the full-time equivalent of ten other staff. Details of staffing of the units is set out below:

Grade	Eryri TU	Wrexham TU	Eryri & Wrexham CJU
Level D	1	1.2	2
Level C lawyers	9.6	6.9	3.6
Level B2 caseworkers	0.4	0.4	5
Level B1 caseworkers	4	3.8	1
Level A caseworkers	9.4	6.8	
TOTAL	24.4	19.1	11.6

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

- 1.4 Details of the Area's caseload in the year to 31 March 2004 are as follows:

Category	Area numbers	Area % of total caseload	National % of total caseload
Pre-charge advice to police	5,646	26.6	12.4
Summary motoring	3,900	18.4	17.4
Other summary	5,934	27.9	35.8
Either way and indictable only	5,668	26.7	33.4
Other proceedings	88	0.4	1.1
TOTAL	21,236	100%	100%

1.5 Details of the Area's Crown Court finalised cases in the year to March 2004 are:

Crown Court finalised cases	Area numbers	Area % of total caseload	National % of total caseload
Indictable only	201	21.6	31.7
Either way offences	448	48.2	43.4
Appeals against conviction or sentence	123	13.2	9
Committals for sentence	158	17	15.9
TOTAL	930	100%	100%

1.6 A more detailed table of caseload and case outcomes compared with the national average is attached at Annex 3 and a table of caseload in relation to Area resources at Annex 4. CPS North Wales (in common with other CPS Areas) has benefited from a significant increase in its budget since our last inspection in order to drive up performance. As a result, the Area has been able to recruit more staff although because of the increased caseload this has not reduced the average numbers of cases dealt with per lawyer and caseworker.

The report, methodology and nature of the inspection

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

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

1.9 The scope of the inspection is also influenced by the length of time since performance was previously inspected. The assessment in respect of CPS North Wales also drew on findings from the previous inspection of the Area, a report of which was published in March 2002. As a result of this risk assessment, it was determined that the inspection of CPS North Wales should be a full one.

1.10 Our previous report made a total of 14 recommendations and 15 suggestions. In the course of this inspection, we have assessed the extent to which the recommendations and suggestions have been implemented, and a synopsis is included at Annex 5.

1.11 Our methodology combined examination of 134 cases finalised between 1 February and 30 April 2004 and interviews with members of CPS staff at all levels, criminal law practitioners and local representatives of criminal justice agencies. Our file sample was made up of magistrates' courts and Crown Court trials (whether acquittals

or convictions), cracked and ineffective trials and some specific types of cases. While visiting the Area, we examined a further ten cases subject to Custody Time Limits. A detailed breakdown of our file sample is shown at Annex 6. A list of individuals from whom we received comments is at Annex 7. The team carried out observations of the performance of advocates and the delivery of service at court in the magistrates' courts, Youth Courts and the Crown Court.

- 1.12 Inspectors visited the Area between 28 June and 8 July 2004. The lay inspector for this inspection was Mrs Joan Kostenko, who was nominated by the Citizens Advice Bureau. The role of the lay inspector is described in the Preface. The lay inspector examined files that had been the subject of complaints from members of the public and also considered letters written by CPS staff to victims following the reduction or discontinuance of a charge. She also visited some courts and had the opportunity to speak to some of the witnesses after they had given evidence. This was a valuable contribution to the inspection process. The views and findings of the lay inspector have been included in the report as a whole, rather than separately reported. She gave her time on a purely voluntary basis, and the Chief Inspector is grateful for her effort and assistance.
- 1.13 The purpose and aims of the Inspectorate are set out in Annex 8. A glossary of the terms used in this report is contained in Annex 9.

2 SUMMARY OF INSPECTION FINDINGS AND RECOMMENDATIONS

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

Overview

- 2.2 Over the past two years the Area has been affected by a number of changes to its senior management. In May 2004 permanent appointments were made both to the CCP and the ABM posts. It is now in a position to take the opportunity to review the Area's performance and operations and take the Area forward on a firm basis.
- 2.3 The Area with its criminal justice partners has performed well in important aspects of its work. The results for the Public Service Agreement targets are good and public confidence is high. It is implementing all three major national initiatives to which the CPS is committed nationally (the shadow charging scheme, Effective Trial Management and No Witness No Justice) and has co-located with the police throughout the Area.
- 2.4 The Area has a stable and experienced staff at all levels. The quality of its decision-making and advocacy is good. Case preparation of Crown Court cases is generally good, but the handling of unused material needs to improve significantly.
- 2.5 Internally, the Area has some work to do on training, communications, equality and diversity plans, and on performance management. The Area's distribution of work within the TUs and CJU is unusual in that most summary trials are handled by TU lawyers who also cover many magistrates' courts sessions. There are widespread concerns that this structure causes imbalance between magistrates' courts and Crown Court work. Although we make no finding on this issue, a scrutiny is required to ascertain whether this arrangement is the most efficient and effective.

Key performance results

- 2.6 The Area delivers good key performance results and generally performs better than the national average.
- 2.7 The Area's handling of cases together with the co-operative work with other agencies has enabled the timeliness of cases involving persistent young offenders to remain consistently well below the national target of 71 days from arrest to sentence. With its criminal justice system partners, it is exceeding its target for "Narrowing the Justice Gap" and has a good performance in relation to cracked and ineffective trials, particularly in the Crown Court.

Casework

- 2.8 The Area is one of only two in the country which has piloted and is now implementing all three major initiatives as described above. It has stable and experienced staff who have maintained a high level of performance despite the pressures of changing practices involved in this work.

- 2.9 Decision-making is good and the discontinuance rate in the magistrates' courts and the rate of cases which do not proceed in the Crown Court are low. We had some concern that not all cases were reviewed before the first hearing but generally cases are ready to proceed. Continuing review is good and cases for summary trial are well prepared.
- 2.10 The work in Crown Court cases is particularly good and consistently above the national average in most of our measures save in relation to the duties of disclosure of unused material and phasing of witnesses. Area specialists deal with sensitive cases (racial incidents, homophobic crime, domestic violence, child abuse, rape and fatal road traffic offences) and we were impressed by their handling and monitoring.
- 2.11 A number of aspects of the disclosure of unused material need to be improved, particularly the duties of secondary disclosure.

Advocacy and quality of service delivery

- 2.12 The overall standard of advocacy is good with a significant proportion of CPS prosecutors who were good or very good. The quality of agents in the magistrates' courts is mixed, but in the Crown Court, counsel of appropriate experience are instructed, particularly in the more serious and sensitive cases. A structured plan for the monitoring of advocacy is about to be introduced.
- 2.13 Higher court advocates have limited presence in the Crown Court at the moment, due to their commitments in the magistrates' courts. The Area needs to address this when feasible.
- 2.14 Some aspects of service delivery at court could be better: some prosecutors do not have time properly to prepare for court and, occasionally, not all the files listed are available to the prosecutor.

Victims and witnesses

- 2.15 The service provided to witnesses is satisfactory. The Area is implementing the No Witness No Justice victim and witness care project. In each CPS office the police and Area staff work as a team to provide a single point of contact and assess victims' needs. The Witness Liaison Unit works closely with the Victim Information Bureau which deals with Direct Communication with Victims. As yet, however, the Area has not achieved the minimum requirements of the project.
- 2.16 There is some scope for better and more timely identification of witness needs in order to seek special measures and also for better phasing of witnesses at court.
- 2.17 The overall quality of letters to victims under the Direct Communication with Victims scheme is good although some contained unnecessary or inappropriate paragraphs. Victims of offences that do not proceed at the pre-charge stage are included in the Area's scheme.

Performance management

- 2.18 The Area needs to collect and analyse appropriately focused performance information in order to identify and drive forward improvements. The new Area management has recognised this and is in the process of reinforcing the performance management regime.

People management and results

- 2.19 The structure of the Area and the deployment of its staff, as well as resources devoted to the charging initiative, have resulted in minimal lawyer presence in the Crown Court. The training of staff should be based on a staff needs analysis as well as the requirements of new legislation or policy. Effective communication has been a weakness in the past. This is being addressed with a new strategy and a plan, some of which has already been implemented.

Management of financial resources

- 2.20 The lack of continuity in the ABM post in the past has left the Area somewhat exposed over financial matters with a variety of systems used to monitor and control the budget. The recent permanent appointment should stabilise the situation. There should be more widespread awareness of finance amongst other managers.
- 2.21 The budget is based on the Area's performance indicators but there is uncertainty over their accuracy. This must be corrected.

Partnerships and resources

- 2.22 The large amount of pilot work has enabled the Area to develop effective relationships with its criminal justice partners. The offices are both co-located with the police. It will be important to ensure structured joint planning and monitoring of all this work to maximise the operational benefits and successful outcomes.
- 2.23 The Area has introduced the Compass Case Management System but needs to encourage its greater use by lawyers.

Policy and strategy

- 2.24 The Area has shown an admirable willingness and drive to take it into the future by the piloting of many initiatives. It must be careful to ensure that skills for change and project management are in place to ensure success.
- 2.25 The recent appointment of senior managers has given the opportunity for a comprehensive review of the Area's strategy and plans, which has been grasped. At the same time, the Business Process Review Team has made a promising start in developing consistent processes.

Public confidence

- 2.26 Generally the Area handles complaints well and in good time.
- 2.27 Cases with an ethnic minority dimension are handled well but the Area has yet to demonstrate a cohesive approach of its own to the community. Its engagement with the media needs to be more pro-active. That said, the British Crime Survey shows that public confidence in the effectiveness of bringing crimes to justice in North Wales is well above the average, 47% compared to 39% nationally. The Area plays a significant part in that success.

Leadership and governance

- 2.28 The vision and values of the new management are being established. It is important for staff to be given a clear sense of direction quickly.
- 2.29 The Area has TUs and a CJU, but the distribution of work is unusual in that most summary trials are handled by the TU and TU lawyers cover many magistrates' courts sessions. There are widespread concerns that this structure causes imbalance between Crown Court and magistrates' courts work. A scrutiny is required into the issues of efficiency and effectiveness of the arrangement.

Bringing offenders to justice

- 2.30 The LCJB has exceeded its target for bringing offenders to justice and this stands at +6.7% at November 2003. The Area contributes to this success by its part in the full implementation of the pre-charge advice scheme and with a low discontinuance rate both in the magistrates' courts and in the Crown Court.

Reducing ineffective trials

- 2.31 Ineffective trial rates are commendably low. In the Crown Court in the period from April – July 2004, the ineffective trial rate was 12.7% compared with 17.2% nationally. The latest figures for the magistrates' courts show that the ineffective trial rate was 18.1% compared to the national average of 29.3%.
- 2.32 These good figures may well be helped by the implementation of the pilots which ensure that the charges are correct, that case management is improved and that witnesses are well cared for. However, timeliness rates have suffered, and there is a tendency to have several pre-trial reviews in cases. Evaluation of these projects will assist in identifying the way forward for all agencies.

Value for money

- 2.33 The Area instructs comparatively few agents in the magistrates' courts making full use of its in-house prosecutors. It makes effective use of designated caseworkers.
- 2.34 It has some way to go in realising the full benefits of the major projects that it has piloted over the past 18 months.

Equality and diversity issues

- 2.35 The Area has an equality and diversity plan but it could concentrate more on local priorities and be aligned with the Area Business Plan. Generally, a more dynamic and focused approach is required. There is scope for improvement of community liaison with greater emphasis on establishing the profile of the CPS within the community.

Recommendations

- 2.36 We make recommendations about the steps necessary to address significant weaknesses relevant to important aspects of performance, which we consider to merit the highest priority.
- 2.37 We have made five recommendations to help improve the Area's performance:
1. The CCP, in conjunction with police, should ensure the implementation of the recommendations of the review of the shadow charging arrangements and in particular:
 - * maximise the take up of pre-charge advice in Western Division;
 - * ensure that the advice under the scheme is consistent;
 - * ensure that there are appropriate requests for full files; and
 - * consider the comprehensiveness of the coverage of police charging centres (paragraph 4.4).
 2. Lawyers should comply fully with the duties of disclosure of unused material and implement the procedures in the revised Joint Operational Instructions, and the Unit Heads should monitor this effectively (paragraph 4.23).
 3. The CCP and the ABM should assure the accuracy of the performance indicators (paragraph 4.47).
 4. The ABM should ensure the further development of the communication action plan and its full implementation (paragraph 8.20).
 5. The ASB scrutinises the efficiency and effectiveness of the division of work between the TU and the CJU including the balance of staffing in the units (paragraph 13.12).

Good Practice

- 2.38 We have identified two aspects of good practice, which might warrant adoption nationally:
1. The extension of the DCV scheme to include the provision of letters to victims when cases subject to pre-charge advice are not to proceed (paragraph 6.9).
 2. The Area has a good system of monitoring action points from previous meetings to ensure that the tasks are carried out (paragraph 13.14).

3 KEY PERFORMANCE RESULTS

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

CPS PERFORMANCE	National Target 2003-2004	National Performance Cycle-to-date*	Area Target 2003-2004	Area Performance
MAGISTRATES' AND YOUTH COURT CASEWORK				
Advice				
Decisions complying with evidential test in the Code ¹	-	95.5%	-	100%
Decisions complying with public interest test in the Code ¹	-	96.6%	-	100%
First Review				
Decisions to proceed at first review complying with the evidential test ¹	-	98.7%	-	97.8%
Decisions to proceed at first review complying with public interest test ¹	-	99.9%	-	100%
Requests for additional evidence/information made appropriately at first review ¹	-	77.2%	-	100%
Discontinuance				
Discontinuance rate of completed cases (CPS figure)	-	13.4%	-	9.1%
Discontinued cases with timely discontinuances ¹	-	76.5%	-	72%
Decisions to discontinue complying with the evidential test ¹	-	93.3%	-	92%
Decisions to discontinue complying with the public interest test ¹	-	92.4%	-	92.3%
Discontinued cases where all reasonable steps had been taken to request additional evidence/information ¹	-	87.8%	-	96%
Level of charge				
Charges that required amendment and were amended in a timely manner ¹	-	74.4%	-	66.7%
Cases that proceeded to trial or guilty plea on the correct level of charge ¹	-	95.5%	-	100%
Cracked and ineffective summary trials				
Cracked trials as recorded by CPS and magistrates' courts JPM	-	(Oct - Dec 03) 37.5%	-	(Oct - Dec 03) 41.1%
Cracked trials in file sample that could have been avoided by CPS action ¹	-	19%	-	1 out of 13
Ineffective trials as recorded by CPS and magistrates' courts JPM	-	(Apr - Dec 03) 29.3%	-	(Apr - Dec 03) 18.1%
Ineffective trials in the file sample that could have been avoided by CPS action	-	29	-	_ 4
Summary trial				
Acquittal rate in magistrates' courts (% of finalisations) – CPS figure	-	2%	-	1.6%
Decisions to proceed to trial complying with the evidential test ¹	-	96.6%	-	97.2%
Decisions to proceed to summary trial complying with the public interest test ¹	-	99.6%	-	100%
Cases with timely summary trial review ¹	-	76.7%	-	100%
Requests for additional evidence/information made appropriately at summary trial review ¹	-	71.5%	-	100%
No case to answers where outcome was foreseeable, and CPS could have done more to avoid outcome ¹	-	39.8%	-	0 out of 0

CPS PERFORMANCE	National Target 2003-2004	National Performance Cycle-to-date*	Area Target 2003-2004	Area Performance
CROWN COURT CASEWORK				
Committal and service of prosecution papers				
Cases with timely review before committal, or service of prosecution case in "sent" cases ¹	-	81.3%	-	92.3%
Decisions to proceed at committal/service of prosecution papers stage complying with evidential test in the Code for Crown Prosecutors ¹	-	96.5%	-	100%
Decisions to proceed at committal/service of prosecution papers stage complying with public interest test in the Code for Crown Prosecutors ¹	-	99.8%	-	100%
Requests for additional evidence/information made appropriately at committal/service of prosecution case review ¹	-	82%	-	100%
Timely and correct continuing review after committal	-	83%	-	89.3%
Cases with timely service of committal papers on defence	80%	78.3% 81% ³	-	89.3% ¹ 97.8% ²
Cases with timely delivery of instructions to counsel	84%	85.2% 85.3% ³	-	96.4% ¹ 100% ²
Instructions to counsel that were satisfactory ¹	-	63.6%	-	92.6%
Cracked and ineffective trials				
Cracked trials as recorded by CPS and Crown Court JPM	-	(Apr -Jul 04) 38.6%	-	(Apr -Jul 04) 41.8%
Cracked trials that could have been avoided by CPS action ¹	-	17.9%	-	0 out of 13
Ineffective trials as recorded by CPS and Crown Court JPM	-	(Apr -Jul 04) 17.2%	-	(Apr-Jul 04) 12.7%
Ineffective trials where action by CPS could have avoided an adjournment ¹	-	9.6%	-	- ⁴
Level of charge				
Charges that required amendment and were amended in a timely manner ¹		78.4%		100%
Indictments that required amendment ¹		26.1%		26.9%
Cases that proceeded to trial or guilty plea on the correct level of charge ¹		96%		96.6%
Judge ordered and judge directed acquittals				
JOA/JDAs where outcome was foreseeable, and CPS could have done more to avoid outcome ¹	-	23.4%	-	10%
Trials				
Acquittal rate in Crown Court (% of all finalisations excluding JOA, appeals/committals for sentence and warrant write-offs) ²	-	10%	-	5.7%
NARROWING THE JUSTICE GAP				
Percentage brought to justice against the baseline for 01/2002 as recorded by JPIT	Target +5%	+9.7% (as at Nov 03)		+6.7% (as at Nov 03)

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

² self-assessment by Area

³ nationally collated figure based on Area self-assessment returns

⁴ insufficient numbers of files to provide reliable data

* average performance of Areas inspected in inspection cycle 2002-2004 based on a sample of cases examined and observations at court up to 30 June 2004

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

CPS PERFORMANCE	National Target 2003-2004	National Performance Cycle-to-date*	Area Target 2003-2004	Area Performance
MAGISTRATES' AND YOUTH COURT CASEWORK				
Disclosure				
Cases where primary disclosure properly handled ¹		69.6%		92%
Cases where secondary disclosure properly handled ¹		55.2%		0 out of 0
Witness care				
Trials where appropriate use made of S9 CJA 1967 ¹		96.3%		96%
Trials where appropriate use made of the witness care measures ¹		82.3%		100%
CROWN COURT CASEWORK				
Disclosure				
Cases where primary disclosure properly handled ¹		80.1%		70.8%
Cases where secondary disclosure properly handled ¹		59%		31.3%
Witness care				
Trials where appropriate use made of witness phasing/standby ¹		81.5%		62.5%
Trials where appropriate use made of the witness care measures ¹		93.5%		100%
MAGISTRATES' COURTS AND CROWN COURT				
Custody time limits				
Cases in sample where expiry dates accurately calculated	-	91.4%	-	100%
OTHER ISSUES				
Payment of witness expenses				
Payment of witness expenses within 10 days of receipt of claim ²	100%	2003-04 98.8%	100%	99.1%
Handling of complaints				
Complaints replied to within 10 days ²	94%	2003-04 86.1%	96%	100%
Citizens charter commitment				
MPs correspondence replied to within 15 days ²	100%	2003-04 92.8%	N/A	100%
Improving productivity				
Reduce sick absence rate per member of staff	8.5 days (2004)	9.2 days		8.2 days
OTHER ASPECTS OF CPS PERFORMANCE				
CJS Youth Justice Performance Measures (shared between Home Office, Department of Constitutional Affairs (formerly LCD) and CPS)				
To halve time from arrest to sentence for persistent young offenders from 142 to 71 days by 31 March 2002	71 days	64 days (Mar-May 04)	71 days	54 days (Mar-May 04)

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

² self-assessment by Area

* average performance of Areas inspected in inspection cycle 2002-2004 based on a sample of cases examined and observations at court up to 30 June 2004

Commentary

Pre-charge advice to the police

- 3.1 The quality of formal pre-charge advice to the police is sound and the advice presented well. The Area has established its shadow charging scheme throughout the Area with varying success so far. It has carried out a thorough review of the scheme and is now implementing the recommendations made in that review. However, the provision of face-to-face advice is not comprehensive across North Wales charging centres.

Quality of decision-making

- 3.2 The quality of decision-making is sound. Lawyers identified issues and requested further evidence or information at initial review in all the relevant cases compared with a national performance of 77.2% in magistrates' courts cases and 82% in Crown Court cases. We considered that the level of charge that proceeded to trial or guilty plea in both the magistrates' courts and in the Crown Court was incorrect in only one case out of the 59 we examined.

Continuing review

- 3.3 The experience of the lawyers in the TU who deal with Crown Court cases and magistrates' courts trials, has enabled the process of continuing review to remain sound despite the comparatively little time they spend in the office. The timeliness of review for trial or committal and the appropriate request for evidence is above the national average in both magistrates' courts and Crown Court cases.

Discontinuance

- 3.4 The discontinuance rate is significantly lower than the national average (9.1% compared to 12.2%) and the quality of decision-making was generally good.

Discharged committals

- 3.5 Committals discharged because they are not ready are very rare. If they are not to be re-instated, systems should ensure that they are closed and, where necessary, the victim informed.

Level of charge

- 3.6 Decisions about the level of charge in the magistrates' courts were satisfactory but necessary amendments were often not made in good time. The Area's performance in this respect was significantly below the national average (66.7% compared with 72.2%). In the Crown Court the required amendments were made in all cases and in good time.

Cracked and ineffective trials

- 3.7 The North Wales Local Criminal Justice Board (LCJB) is performing satisfactorily in the Crown Court. In the year to March 2004, the cracked trial rate was 37.2% compared to a national average of 38.3% (although in the latest period April – July 2004 it has risen slightly above the national average) and the ineffective trial rate was 12.7% compared with 17.2%. In our sample of Crown Court files, no cracked trials could have been avoided by CPS action.
- 3.8 The latest figures for the magistrates' courts show that the ineffective trial rate was 18.1% compared to the national average of 29.3% although the cracked trial rate was 41.1% compared with 37.5% nationally. In our sample of magistrates' courts files, only one of the 13 cracked cases could have been avoided by CPS action.

Persistent young offenders

- 3.9 Area specialists work consistently well with other criminal justice agencies in the effective preparation of cases to maintain the Persistent Young Offender timeliness rate well below the required 71 days. The latest figure is 54 days.

Strengths

- * The consistently good and timely work to maintain Persistent Young Offenders timeliness at a figure well below the target.

Persistent offenders

- 3.10 A detailed persistent offender protocol has been developed between CJS agencies. The Area has set a target of a 9% increase of persistent offenders brought to justice, and is on course to achieve this. The LCJB is developing the timetable for implementation of its Prolific and Other Priority Offenders strategy.

Sensitive cases

- 3.11 Sensitive cases are generally dealt with well, and we deal with this in more detail at paragraphs 4.24 to 4.28.

Adverse outcomes

- 3.12 In the year ending 31 March 2004, in the magistrates' courts, the proportion of adverse cases (no case to answer) was 0.3%, the same as the national average. In none of the six of these cases that we examined was the outcome foreseeable.
- 3.13 In the same period in the Crown Court the judge ordered acquittal rate was 5.1% compared with a national average of 14%. The judge directed acquittal rate was 2% compared with a national average of 1.9%. We examined ten of these cases and in three of them the outcome was foreseeable. Of these three, we considered that the CPS could have done more to avoid the outcome in one case.

Narrowing the justice gap

- 3.14 The LCJB has exceeded its target of +5% for bringing offenders to justice. The latest published figures show +6.7% and the LCJB figure for February 2004 of +11.2% shows that good progress continues to be made. The Area contributes to this success by its part in the full implementation of the pre-charge advice scheme and with a low discontinuance rate of 9.1% compared to the national average of 13.4%.

Disclosure

- 3.15 Primary disclosure is generally satisfactory in straightforward magistrates' court cases, but not in more complex Crown Court cases. This aspect of work, particularly secondary disclosure, requires attention. We deal with this and make a recommendation at paragraph 4.23.

4 CASEWORK

Pre-charge advice to police (CAPI)

- 4.1 The Area has established the shadow pre-charge advice scheme throughout the area which is divided into three police divisions: Eastern, Central and Western. The scheme has been introduced successfully in Eastern Division where there is good take-up by the police. In Central Division, there have been some practical difficulties in consulting lawyers for officers working on shift, and in August it is proposed to reduce the present two charging stations to one at St Asaph which will be covered by lawyers during office hours five days a week
- 4.2 The scheme has not been successful in the Western Division where the awareness, understanding and up take by officers has been poor. There is clear evidence of officers not using and even avoiding the scheme in various ways.
- 4.3 The geography of parts of the area makes access to direct contact with lawyers difficult. Some lawyers are more experienced or robust than others, resulting in some inconsistent advice; some will ask for a full file of evidence more than others. These discrepancies can lead to a suggestion that officers will pick and choose to whom they speak.
- 4.4 It is proposed that by the end of 2005, the scheme will become a statutory obligation in all Areas. It is essential that solutions are found for those weaknesses. With this in mind a joint police/CPS team has carried out a comprehensive review. We were impressed by the thoroughness, honesty and openness of this review which made ten recommendations upon which action is now being taken. Although the scheme itself has some way to go, we consider the approach that has been taken and the work that has been done to put the problems right are strengths. The importance of the success of the scheme, however, also leads to a recommendation.

Strengths

- * The comprehensive and frank review of the pre-charge advice scheme with a detailed and realistic action plan as to the remedial actions required.

RECOMMENDATION

The CCP, in conjunction with police, should ensure the implementation of the recommendations of the review of the shadow charging arrangements and in particular:

- * **maximise the take up of pre-charge advice in Western Division;**
- * **ensure that the advice under the scheme is consistent;**
- * **ensure that there are appropriate requests for full files; and**
- * **consider the comprehensiveness of the coverage of police charging centres.**

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

- 4.5 Where pre-charge advice is given, the Area standard is for full trial-ready files to be prepared before charge if bail is appropriate. This may be amended in the light of the recent guidance issued by the DPP. In practice, files are often deficient. In our sample of both magistrates' courts and Crown Court cases, further information was required in half of the 59 cases. Area lawyers requested this further information at the first review in all relevant cases. The cases are reviewed and the advance information has been prepared and checked and is normally given to the defence at charge or at the first hearing.
- 4.6 In other cases, often those in the Early First Hearing (EFH) courts, advance information will have been prepared by the police and given to the defence without a check by a lawyer or DCW. This can lead to inappropriate documents being served; for example, inaccurate summaries, the statements of witnesses who are not part of the prosecution case and sensitive information. Further, the documents served as advance information are rarely recorded on the file or a copy of the advance information kept. In our sample, the details of the advance information were recorded in six out of 29 relevant magistrates' courts cases and in five out of 22 relevant Crown Court cases. This lack of a record was the subject of a recommendation in our previous report and needs attention.
- 4.7 We were concerned that some cases are not reviewed before the first hearing. Although there are systems for duty prosecutors (not necessarily the prosecutor who will be at the court hearing) to review the files the day before, in practice both CJU and TU lawyers are often in court or otherwise engaged four out of five days a week, leaving little time for review or preparation of an adequate file.

Aspects for improvement

- * The maintenance of a record of the documents served on the defence as advance information.

Bail/custody applications (CAP3)

- 4.8 Prosecutors make appropriate representations in applications for bail or custody, providing sufficient information for the magistrates to make decisions. Occasionally they are unable to inform the defence of their views in custody cases before the defence solicitor sees his client to take instructions, because the files are delivered late to court and arrive when the prosecutor is dealing with other matters.

Discontinuances in magistrates' courts (CAP4)

- 4.9 The Area's discontinuance rate for the year ending March 2004 was 9.1% compared to the national average of 12.1%. Many attribute this lower rate to the success of the shadow pre-charge advice initiative. This may well be correct, but it is difficult to make a causal link directly to charging when the effect of the two other initiatives (Effective Trial Management Project and No Witness No Justice) will also affect the rate.

- 4.10 We examined 25 files that were discontinued. Twenty-three out of 25 (92%) of the decisions to discontinue complied with the Code tests. Reasonable steps were taken before discontinuance in all but one case. The discontinuance was timely in 18 out of the 25 cases (72%), which is slightly lower than the national performance of 76.5%.
- 4.11 The Area has an agreement with the police about which cases do not require consultation before they are discontinued. The police were consulted in all but one of the 20 relevant cases, although we could not tell in further four cases. When the police are consulted there can be further delays either because the police do not reply in good time or because lawyers are not available to discuss the cases.

Summary trial preparation (CAP5)

- 4.12 The quality of preparation for summary trial is good and higher than the national performance. Decisions comply with the Code. The experience of lawyers in the TU (who deal with magistrates' courts trials) generally enables files to be prepared correctly and in time, despite some late files from the police and appropriate requests are made for further information if necessary.
- 4.13 When the full file is received, the lawyer completes the review and instructions. This is, in effect, the trial review as trials are often listed within a short time of the pre-trial review. The file will be returned to the lawyer before the trial only if there are problems. This can mean that lawyers are reactive rather than proactive in the management of the case. Trial files are checked before being sent to agents. The Effective Trial Management Project (ETMP) has introduced a trial readiness check form, although it is not used in every case.
- 4.14 As yet, there have not been many benefits noted from the ETMP. Courts in the Area have different systems and cultures. Work is now being done to achieve a greater consistency across the Area through ETMP and case progression meetings. Some staff were not aware of the project, its expected benefits, or the changes that had already been made. Evaluation of the project needs strengthening.

Committal and Crown Court case preparation (CAP6)

- 4.15 The Area benefits from a stable workforce and experienced lawyers and caseworkers. Some staff have expressed concern that the focus of work in the TUs has moved from Crown Court to magistrates' courts work as lawyers prepare magistrates' courts trials and prosecute in the magistrates' courts rather than the Crown Court. Great reliance for Crown Court work is placed on caseworkers. These concerns should be part of the scrutiny that we have recommended at paragraph 13.12.
- 4.16 Despite these concerns, we found the work in the Crown Court to be good and consistently above the national average in most of our measures. Decisions complied with the Code and requests for further information were made appropriately in all cases. Review before committal was timely in 24 out of 26 cases (92.3%) compared with a national average of 81.3%. Review after committal was timely and correct in 89.3% compared with 83%. Cases which are sent to the Crown Court are normally prepared on time even though the court allows fewer than the usual 42 days. This timeliness is assisted by the Area requirement for a trial ready file before a defendant

is charged. Committal papers were served on the defence within the required period in 89.3% of cases, compared to 81%, and on counsel in 96.4% of cases compared to 85.2% nationally. It is interesting to note that the Area's self-assessment of these last two measures was even more generous than our findings. It should also be noted that as many full files are received late from the police and there can be delays in the typing pool, despite the speed with which they are prepared, the committal papers are often served only on the day of the committal, causing further adjournments.

- 4.17 The quality of instructions to counsel was the subject of a suggestion in our last report. We found these instructions were now very good. In our sample 25 out of 27 relevant cases (92.6%) were satisfactory or better, compared with a national average of 63.6%.
- 4.18 The Area has only one or two committals discharged because they are not ready in any year. We were satisfied that there is a system for proper consideration of re-instatement. Managers may wish to ensure that, if these cases are not to proceed or further evidence is not forthcoming, they are properly closed and the victim informed.
- 4.19 The Area has a Service Level Agreement with the police about the workings of the Proceeds of Crime Act 2001. At first, there were few applications under the Act as few financial investigations were made. The number of financial investigators is growing and the Area intends, with the police, to carry out refresher training to re-invigorate the process.

Strengths

- * The consistently good and timely work of lawyers and caseworkers in the preparation of Crown Court cases.

Disclosure of unused material (CAP7)

- 4.20 Primary disclosure in straightforward cases in the magistrates' courts was properly handled in 23 out of the 25 cases (92%), which compares favourably with the national average of 69.6%. Secondary disclosure was not required in any of the magistrates' courts cases we examined, as there were no defence statements.
- 4.21 In Crown Court cases primary disclosure was properly dealt with in only 70.8% compared with a national average of 80.1%. In our last report we made a recommendation to improve the assessment and procedures for secondary disclosure. The Area has made little progress in this respect: we found that only 31.3% of the cases were properly handled compared with 59% nationally.
- 4.22 Although we were told that training had been given on the stricter guidelines contained in the revised Joint Operational Instructions, we saw little evidence of these being applied. Defects included:
- * MG6Cs (the list of unused material) with insufficient detail accepted without comment or return for correction;

- * lack of meaningful endorsement of MG6Cs by lawyers; sometimes merely a signature;
- * defence statements not sent to the police;
- * no reply to defence statements;
- * non-completion of disclosure logs; and
- * poor management of disclosure documents within the file.

4.23 Counsel often took up disclosure issues and in any event disclosure is sometimes ordered by the court which does not strictly undermine the prosecution or assist the defence. Nevertheless, it is the Area lawyers who should be pro-actively considering and dealing with issues of disclosure and in many cases they are not.

RECOMMENDATION

Lawyers should comply fully with the duties of disclosure of unused material and implement the procedures in the revised Joint Operational Instructions, and the Unit Heads should monitor this effectively.

Sensitive cases (CAP8)

4.24 There are sufficient specialists in each unit to deal with the specialist cases (racist incidents, homophobic crime, domestic violence, child abuse, rape and fatal road traffic offences). The Area champions in these specialisations tend to be the Unit Heads. We consider much of their work to be a strength, but that there is now scope to devolve this responsibility to experienced lawyers in order to enhance their development and to enable Unit Heads to concentrate on the management of the units and external relationships, particularly with other groups in the community.

4.25 Cases involving domestic violence are very well handled. Lawyers are robust in pursuing cases if possible, although we observed one at court which was needlessly delayed by proceeding with a lesser charge after a plea to a more serious one, and which ended in a cracked trial. We examined 14 of these cases and only one was not reviewed by a specialist. All were marked as a domestic violence case. There were sufficient (and often very good) background details about the cases. The Area has a checklist of actions to prompt compliance with CPS policy, although it was not always completed. Nevertheless, CPS policy was followed in all but one case where the need for special measures was identified too late for action to be taken. The Area champion is very pro-active. She monitors all cases and has close and frequent connections with the police and the community, raising and finding solutions to issues. As a result a higher proportion of cases than usual are successfully prosecuted.

- 4.26 Cases involving racist incidents (including those with Welsh/English issues) were well handled in the main. Cases are correctly identified and most files are marked. The review decisions complied with the Code in 12 of the 14 cases we examined. In one case further information should have been obtained when the victim retracted. In a second significant time had elapsed, before a decision was made changing the original decision to proceed. Important decisions are made by, or in consultation with, specialists and all lawyers have received training about race crime. There was sufficient information given to show the impact of the offence on the victim in 11 out of the 14 files. Again, the Area champion for hate crime is proactive. He monitors all cases, collating the results and taking forward issues that are raised. We received comment that a significant public disorder incident arising from racially sensitive issues, had been handled very well.
- 4.27 We examined 13 files involving child abuse. All files were dealt with in accordance with CPS policy in almost all aspects. We were told that these files are reviewed and dealt with by specialists, but we were unable to verify this on all the files. Most of these cases were committed to the Crown Court. The Crown Court files tend not to be marked that they involve child abuse. In only one of the three relevant cases were there notes and comments about the child's video evidence. There were satisfactory security processes for the videos. Third party disclosure was dealt with correctly.
- 4.28 All cases involving road traffic where there has been a fatality are dealt with by a specialist and go through the CCP. A protocol is being developed with the police about the handling of these cases and the contact to be kept with bereaved families.
- 4.29 We examined five cases involving street crime (robberies). They were all very well handled.

Strengths

- * The handling of cases involving domestic violence and hate crime and the pro-activity of the Area champions.

Youth cases (CAP13)

- 4.30 All youth files are reviewed and dealt with by youth specialists. The good quality of their decision-making and their expertise in this area of the law is evident from the files, including the endorsements at court and from the comments of others.
- 4.31 Relationships with the Youth Offending Teams are very good enabling cases to be progressed and decisions about diversion to be agreed.
- 4.32 Agents are sometimes used in the Youth Courts particularly in trials. It is important that the Area ensures that they have sufficient expertise in legal provisions for youths and are familiar with the processes for these cases.

File/message handling (CAP9)

- 4.33 The Area has developed some systems to support efficient file flow and good housekeeping. Co-location of Area and police staff at both offices assists this. Delays are still occurring, however, within both the offices due to a number of factors including the lack of cover for administrative staff absences. The Area is currently undergoing a business process review, which should formalise, standardise and improve upon the effectiveness of systems.
- 4.34 There were no obvious delays in linking the post to files but post was not being answered promptly. This may be explained by the little time that prosecutors and caseworkers spend in the office and needs to be addressed as part of the scrutiny that we recommend at paragraph 13.12.

Custody time limits (CAP10)

- 4.35 We examined ten files from the magistrates' and the Crown court, to determine compliance with custody time limit (CTL) procedures. All expiry dates were correctly calculated compared with a national average of 91.4%. The Area, however, had one custody time limit failure within the last 12 months.
- 4.36 The files are appropriately identified, but there was inconsistency throughout the Area as to how the files were marked including some unclear and ambiguous dates. The ready reckoner is being used appropriately and duplicate monitoring systems are in place, which were up to date and ensured that there was timely review of expiry dates. Some management checks were also in place, but were not always endorsed on the file or timely. Procedures in each unit were generally satisfactory but some variations had occurred. Managers need to consider the consistency of systems throughout the Area.
- 4.37 The endorsements on the file sample were generally of a good quality. However, lawyers did not always agree the CTL dates at court. The Area agrees that it needs to improve in this regard. In order to facilitate this, there is a protocol with the magistrates' court, police and Court Services about procedures for CTLs.
- 4.38 All staff have recently undergone CTL training, and instructions are due to be circulated to meet the recommended Essential Actions on Custody Time Limit Systems and also the Good Practice Guide, which should ensure consistent systems throughout the Area.

Aspects for improvement

- * Ensure consistency and improve upon practice in dealing with CTL cases.

Joint action to improve casework (CAP11)

- 4.39 The Area still uses the Joint Performance Monitoring (JPM) system to monitor the quality and timeliness of files received from the police. All full files should be monitored with exception reporting on other files. The system, however, has fallen into disrepute and most consider that the figures produced are unreliable. The figures are not fully analysed. We saw a sample of TQI forms (upon which the lawyers comment on the quality of the files) and many were unhelpful and others not completed at all.
- 4.40 Both the Area and the police accept that systems must be improved to enhance the quality of files and that improvements can be achieved by each agency. A supplementary system is being piloted which gives greater detail and can target individual police performance. The Area will be focussing on the pre-charge advice files and the quality of decision-making. Improvement both in the quality and the timeliness of files is required throughout the Area and particularly in the Western Division.

Aspects for improvement

- * The systems for the improvement of the quality and timeliness of files, particularly in the Western Division.

National Probation Service and Youth Offending Teams (CAP12)

- 4.41 In the magistrates' courts cases that we examined, four out of six packs of information were provided to the Probation Service or the YOT teams although in a further seven cases there was no record. In the Crown Court 24 out of 26 were provided but in a further three there was no record.
- 4.42 There are different arrangements for the provision of information depending on the geography of the area and the frequency of the courts. Generally the arrangements are effective and timely. There are plans to provide the information by secure e-mail in the future.

Appeal and committal for sentence processes (CAP14)

- 4.43 In the past, these cases have been prosecuted by the Area's Higher Court Advocates (HCAs): instructions have not been prepared. More recently, counsel have normally been instructed and caseworkers prepare the cases. The Area is now training A2 staff in this work.

Appeals against unduly lenient sentences (CAP15)

- 4.44 Senior managers deal with these appeals. We were told that they are dealt with very efficiently and that the Area anticipates requests for information that CPS Headquarters may have.

- 4.45 The Area does not have a system for informing the victim or the victim's family of the right to contact the Attorney General directly if a decision is taken by the Area not to refer in those cases where an interested party has sought a referral. The Victim Information Bureau (VIB) writes to inform the victim or the family what has happened in the case and this information should be added.

Recording of case outcomes (CAP16)

- 4.46 The Area has a target of 24 hours for cases to be finalised and did not have any backlogs at the time of our inspection. Managers, however, lack confidence in the accuracy of the Performance Indicators (PIs). This may be partly attributable to the capability of the Casework Management System (CMS) to deal with the Area's unusual structure where most magistrates' courts trial cases are transferred to the TUs. Other factors include some user errors and insufficiently clear file endorsements, resulting in over usage of the 'other' category for unsuccessful cases. Accurate PIs are crucial to the management of the Area and to its funding
- 4.47 Some teething problems were experienced following the introduction of a system where all finalised magistrates' court files are stored electronically and are scanned by the police. Insufficient data was being copied, including some Area records. After discussion, the issue has been resolved.

RECOMMENDATION

The CCP and the ABM should assure the accuracy of the performance indicators.

Information on operational and legal issues (CAP17)

- 4.48 There is no regular local legal bulletin. Specialists on particular topics sometimes bring cases together and issue guidance but this tends to be within the units rather than an Area wide system. Greater use of the Area Newsletter could be made by including matters of legal interest to supplement information received from CPS Headquarters.

Readiness for court (CAP18)

- 4.49 Missing files at court is an issue, although we received conflicting evidence about the extent of the problem. Some of these files are due for the first hearing and others have been in court before. The Inspector in the CJU is now investigating the extent and cause of the problem. This will address the issue of non-receipt of files from the police and work of the police staff in the CJU. A file can also be missing within the CPS offices. It is important, therefore, that both the police and the CPS managers investigate the issues and joint solutions found.
- 4.50 Generally, files are delivered to agents in time for them to prepare for court. The geography of the area with a number of remote courts, as well as the amount of time prosecutors spend in court rather than in the office, can mean that arrangements for the delivery of files and their return from court can cause delays.

- 4.51 The TU deals with magistrates' courts trials as well as the normal Crown Court work. Once a not guilty plea is entered, the file is transferred to the TU. CJU lawyers deal with further work that is needed before the plea is taken. We were not satisfied that these cases are clearly allocated and CJU lawyers have little time in the office to carry out the actions needed. In consequence, cases can be listed for the next hearing without the necessary work being done and further adjourned. This will be one of the factors to be considered in the scrutiny that we recommend at paragraph 13.12.

Aspects for improvement

- * The extent and cause of files missing from court needs joint investigation by the Area and the police.

Learning points (CAP21)

- 4.52 In our last report we made a recommendation for the improvement of the learning processes. Heads of Units provide the CCP with a monthly resume of adverse cases (no case to answer in the magistrates' courts, judge directed and judge ordered acquittals). These show that cases are analysed and lessons noted. The CCP identified the trends and an analysis is sent to the police Administration of Justice Unit.
- 4.53 We received varying information about the involvement of lawyers and caseworkers in the analysis of these cases. Some described full involvement and we saw a few reports which substantiated this. Other lawyers told us that they had no input.
- 4.54 The system for learning lessons could be better. The reports do not appear to be disseminated within the police Divisions. Although the reports are available to all staff on the public drive, many were not aware of this. Failed cases are occasionally discussed in team meetings but in the past these have been few and far between.

5 ADVOCACY AND QUALITY OF SERVICE DELIVERY

Advocacy standards and monitoring (CAP19)

- 5.1 The overall quality of advocacy is good. We observed 18 CPS lawyers and designated caseworkers (DCWs) and nine external advocates prosecuting in the local courts. All but one of the CPS prosecutors that we observed performed fully competently in all respects and nine were above average or impressive. Of the nine agents and counsel, three were fully competent and four performed well, but two could have done better.
- 5.2 Local representatives of other criminal justice agencies confirmed that the general standard of advocacy is strong. The Area has a higher than average proportion of long-standing prosecutors. In addition, those recruited more recently have considerable advocacy experience in other capacities and have benefited from CPS induction training. We also received positive feedback about the performance of the Area's DCWs. That favourable impression was confirmed by our observations at court.
- 5.3 An induction pack is made available to new agents and induction training is provided for barristers seeking to be instructed by the CPS. The performance of agents instructed to prosecute in the magistrates' courts is generally satisfactory. However, agent usage has increased as a result of the need to deploy experienced prosecutors at the charging stations, which has made it more difficult to assure quality. On occasions, individual agents have been insufficiently experienced or prepared, creating a negative perception of the prosecution in the eyes of other court users.
- 5.4 An additional issue has been the difficulty for the CPS to deploy Welsh-speaking prosecutors at courts where the defendant has a right to have the proceedings conducted in Welsh. This can mean that defendants cannot assert their statutory rights, the court is inconvenienced or the prosecutor is disadvantaged in not being able to understand everything that is said. The Area has a number of Welsh-speaking prosecutors and their use in these courts should be maximised.
- 5.5 The Area plans to introduce structured formal monitoring of in-house prosecutors applying a variation of a model that was successful in another CPS Area. Formal monitoring of in-house advocacy had not taken place in the 12 months preceding our visit other than for new recruits. Structured monitoring of magistrates' courts agents, as was suggested in our previous report, has not yet been introduced and monitoring of prosecuting counsel in the Crown Court has concentrated on specialist types of cases, such as rape and child abuse. In view of the number of agents that are instructed to prosecute in the magistrates' courts, the Area's system for monitoring should include them.
- 5.6 Deployment of HCAs in the Crown Court has decreased due to their engagement in magistrates' courts activities and in implementing new initiatives, for example delivering pre-charge advice. Area managers will wish to develop a strategy for re-establishing their presence in the Crown Court as soon as practicable.

Aspects for improvement

- * Formal monitoring of advocacy.

Court endorsements (CAP20)

- 5.7 Our examination of files showed that endorsement in court was good. Only one of the 30 magistrates' courts files and one of the 29 Crown Court files were deficient. Some handwriting, however, was exceptionally difficult to read. A more recent self-assessment has identified some recurring deficiencies, including failure to record the identity of the prosecutor and not providing complete information about the bail status of defendants. The Area is addressing this with the individuals concerned.

Court preparation (QSD1)

- 5.8 Continuity of court coverage is sought where possible, so that prosecutors are dealing with some cases with which they are familiar, having already prepared them for earlier hearings.
- 5.9 Travelling distances, late court sittings and commitments to the charging initiative can limit the court preparation time available to prosecutors. We saw the impact of this during our court observations with prosecutors referring to their files in response to requests for the type of information that should have been at their fingertips. On the other hand, cracked and ineffective trials continue to out-number effective ones, and so courts often finish early thereby releasing advocates.
- 5.10 As we have already highlighted, case tracking procedures are not always effective in ensuring that prosecution files are available in court when they are needed. This means that those cases cannot be progressed. For the same reason, files are not always available at the time when prosecutors are preparing, causing delay in court while they familiarise themselves with them during the course of proceedings.
- 5.11 We have also mentioned the bypassing of the pre-charge advice scheme. Sometimes police officers optimistically indicate that denied offences are to be admitted. This means that cases are initially listed in Early First Hearings (EFH) covered by DCWs and then (when the fact that they are contested is realised) transferred to Early Administrative Hearings (EAH) prosecuted by lawyers. This is another factor limiting the opportunity for adequate preparation.

Attendance at court (QSD2)

- 5.12 Prosecutors generally attend court sufficiently early to resolve issues with defence solicitors and courts' legal advisers before proceedings commence and we saw good examples of this during our court observations.
- 5.13 In the Crown Court, caseworkers provide good levels of support to prosecuting counsel. Individual caseworkers take on responsibility for specific trials and provide continuity by following them through to conclusion.

Accommodation (QSD4)

- 5.14 The facilities made available for the use of the CPS are adequate at the more modern court centres. There are some issues at the older smaller court centres, where the accommodation available for all court users is generally limited. In many of these, the CPS does not have a dedicated room. Although the courts are co-operative in allowing prosecutors to use their facilities, issues of security can arise particularly in the use of telephones.

6 VICTIMS AND WITNESSES

Witnesses at court (QSD3)

- 6.1 The service provided by prosecutors to victims and witnesses attending court, in terms of explaining matters and providing support is generally good. The quality of consultation with victims about decision-making at court, to ensure that they have appropriate input and understand the outcome, is less consistent.
- 6.2 Relationships with representatives of the Witness Service are well developed and there is an effective partnership approach towards meeting the needs of witnesses attending court. There is, however, some duplication of effort and both parties would benefit from further guidance clarifying their respective roles.
- 6.3 The Area is working closely with other agencies in piloting the national 'No Witness No Justice' victim and witness care project. A Witness Liaison Unit provides a single point of contact and assesses victim and witness needs. Teams work geographically and are jointly staffed by the police and CPS.
- 6.4 This has resulted in marked improvements in the level of information available about witnesses and the service provided to them generally. They are kept informed about the status of their case and notified of the outcome. Individual witness needs are assessed so that they can be provided with suitable advice and support if they are required to attend court for a trial.
- 6.5 A recent evaluation of the initiative has highlighted that further work is necessary to achieve consistent delivery of the minimum standards expected of the scheme. Management of the unit is under review to ensure that it is self-sufficient and process mapping is to be instigated to identify gaps in the service and any work that is being done unnecessarily. Proposed action also includes improving the quality of information supplied initially by the police, which is vital to the overall success of the scheme. This should include the provision of victim personal statements in relevant cases of which, at the moment, there are very few. There will be further development of staff awareness and enhancement of communication skills.
- 6.6 Performance in seeking special measures in appropriate cases for vulnerable witnesses is generally satisfactory, although not all qualifying cases are identified. Additionally, the police and CPS do not always identify the full extent of some witnesses' vulnerabilities during the needs assessment process.
- 6.7 We found from our examination of files that witness phasing arrangements were made in six of the ten relevant cases. There is thus greater scope for phasing in trials in both the magistrates' courts and the Crown Court so that witnesses are not required to wait unnecessarily for lengthy periods.

Direct Communication with Victims (CAP13)

- 6.8 Caseworkers were deployed in the Victim Information Bureau (VIB) on the basis of their proven ability to consult with and explain decisions to victims attending court. Specific training in Direct Communication with Victims (DCV) has also been provided. It is anticipated that the VIB will soon be incorporated within the Witness Liaison Unit as a component of ‘No Witness No Justice’, further to the review described above. This will then provide a single source of information for victims and witnesses.
- 6.9 All letters are drafted initially by the VIB and then go to lawyers for checking and signing. The overall quality of DCV letters to victims is good, particularly in the free text explanations that are given. Some, however, contain unnecessary standard paragraphs and one we saw contained a paragraph inappropriate to the circumstances of the case. The Area goes beyond the level of service provided generally within the CPS by writing to explain decisions taken not to prosecute at the pre-charge advice stage. We consider this to be **good practice**. Referral details are also provided for support agencies able to provide further assistance and information.
- 6.10 There has been a performance dip in terms of identifying qualifying cases and ensuring that letters are sent out within five days of the decision being taken. Reminder posters have been put up to prevent cases slipping through the net.

Aspects for improvement

- * Implementation of the minimum standards of the No Witness No Justice project.
- * Timeliness of letters to victims under the DCV scheme.

Meetings with victims and relatives of victims (DCV5)

- 6.11 Personal meetings with the CCP are offered to victims and their families in appropriate cases. There have been problems in identifying suitable locations for such meetings and they have been held at different venues. In particular, the Colwyn Bay office does not yet have a dedicated facility, but a room has now been identified and is being refurbished

Victims’ Charter (CR2)

- 6.12 Prosecutors and caseworkers should make every effort to consult with victims before decisions are taken. We have already mentioned that the quality of consultation with victims at court is inconsistent. We were told about cases where there had been impressive inclusive consultation before decisions were taken to reduce or drop charges. However, in some other cases, decisions have been taken without the input of the victim and then explained when the decision has been made.

- 6.13 Generally, the quality of information provided to the Witness Service about witnesses who will be attending trials is satisfactory, but lists provided by the CPS at Llangefni magistrates' courts can be inaccurate or incomplete.
- 6.14 There is also scope for the CPS to be more proactive in seeking more 'witness friendly' listing arrangements in its negotiations with the magistrates' courts. Waiting times have been increased by multiple listing of trials by the court and by the CPS requiring all witnesses to attend before the court session commences, even though their trial will not start for some time thereafter.

7 PERFORMANCE MANAGEMENT

Performance standards (PM1) & Performance monitoring (PM2)

- 7.1 There was little by way of a formal performance management system in North Wales at the time of the inspection, although managers were in the process of reviewing the situation. However, this should be considered in the context of the strong performance results in the Area as outlined in Chapter 3.
- 7.2 Area managers complete the nationally agreed Casework Quality Assurance (CQA) checks. We consider that there is scope for better targeting of the files selected for monitoring – only 11 Crown Court cases had been examined in the period January – May 2004. This is particularly important in light of the common perception that Crown Court casework was suffering as a result of the structure and the increase in summary work undertaken by prosecutors. The Area’s findings on disclosure were considerably better than our findings from the file sample, and the issue of CQA assessments require management attention.
- 7.3 Additional dip sampling as part of the local Certificate of Assurance exercise supplements the CQA monitoring, although again the volume of Crown Court casework was limited this year. Some additional targeted monitoring of advice files had recently been instigated.
- 7.4 Overall, there was only limited understanding among managers and staff about performance in general, especially with regard to the contribution of the Area to the achievement of some of the inter agency objectives and the drivers that affect the attainment of targets. This is caused primarily by:
- * the absence of analysis of performance information;
 - * the lack of appropriate local targets and measures of success, particularly in respect of major initiatives/pilots;
 - * poor communication and feedback; and
 - * a lack of confidence in the accuracy of some performance and PI data.
- 7.5 The need to improve has been recognised by the Area Strategic Board (ASB) which will devote more time to performance management. It is in the process of reinforcing the performance management regime. This is a positive move, but, by itself, it does not fully address our concern, particularly with regard to the analysis of information.
- 7.6 It is important for the Area to get the right balance in its approach to performance management, taking account of its levels of attainment and strengths. They need to ensure that they focus on the right measures for North Wales, which are accurately recorded and properly analysed. They also need to improve the information flows to staff. While we recognise that efforts are being made to improve the current situation we cannot as yet assure ourselves that the proposed steps will be fully effective.

Aspects for improvement

- * The collection and analysis of appropriately focused performance information which is then used to drive improvements where necessary.

Joint performance management (PM3)

- 7.7 We discuss joint performance monitoring at paragraph 4.38 – 4.39.
- 7.8 There have been regular meetings with a police superintendent at which some aspects of performance are discussed. The CPS were unsure as to how information from such meetings is shared within the police and there is limited direct liaison with Divisions.
- 7.9 While the involvement of CPS staff is limited, the police are taking positive steps to try and monitor and improve the quality as adjudged by file auditors. Information (by officer) is to be passed back to divisions to identify potential aspects for improvement. A File Quality Action Plan has recently been developed with CPS involvement focused on charging and communication.
- 7.10 There has been concern that there was no agreed system for managing the performance of police staff carrying out traditional CPS administrative functions in the co-located environment. The newly arrived police inspector has started to address this, and we are encouraged that joint management meetings with police and CPS staff are now taking place.
- 7.11 The cracked and ineffective trial rates are monitored under the auspices of the LCJB and the performance officer. We received varying views as to whether prosecutors were agreeing the completion of the agreed forms in court. Concern over possible inaccuracies has led the CPS to monitor independently (for two months) the reasons for trials not proceeding. Reconciliation will be carried out to assure national data.

Risk management (PM4)

- 7.12 As with most CPS Areas, risk management in North Wales is still developing. We were pleased to note that the risk register had just been updated and was now much more focused for the current year. The Area has also compiled risk logs of its premises as part of the BS7799 assessment pilot.
- 7.13 We consider that greater use of risk management techniques would have benefited the Area when planning for implementation of the major initiatives.

Continuous improvement (PM5)

- 7.14 There is no real drive for continuous improvement among many of the staff. This may be partly attributable to ‘pilot fatigue’, and the positive casework outcome results in the Area. There are indicators, however, that some experienced staff are unconvinced of the need for more change or improvement. Some initial self-assessment work using the Business Excellence Model had been conducted in the Secretariat. Proposals to extend the scheme have met with no enthusiasm.

- 7.15 The Area has a Business Process Review Team (BPRT) with representatives from various grades and offices. The group had just completed a significant project in producing process maps and desktop instructions for the key processes involving use of CMS which have yet to be implemented. It is the intention of the ASB to use this as an opportunity to standardise procedures across the units where practicable. They also plan to use the group for further project work in the future, recognising the value of wide-ranging staff input to change.

Accounting for performance (PM6)

- 7.16 The issues highlighted above diminish the Area's ability effectively to account for performance. It is vital that they overcome the lack of trust by staff in their own PIs (see recommendation at paragraph 4.47) and it is important that the analysis of performance data is improved.

8 PEOPLE MANAGEMENT AND RESULTS

Human resource planning (P1)

- 8.1 Staffing is a standing item on ASB agendas. There is little turnover at lawyer and caseworker level which has benefits for the Area. Staff consider that the CPS is a good employer in the local employment market and few would give active consideration to moving. Satisfaction had however fallen since the 2002 staff survey. Recent recruitment campaigns for lawyers have been successful.

Staff structure (P2)

- 8.2 The Area has a dilemma in that it has a considerable number of very experienced staff, but a comparatively small amount of serious casework. This causes frustration to some staff who feel that they are not using their skills to best advantage. This has been exacerbated by a recent substantial rise in the number of traffic cases, albeit the proportion of these cases is still only slightly above the national average. There were conflicting views among staff as to whether the number of staff in each unit was appropriate. We discuss structure further in Chapter 13.
- 8.3 Prosecutors are deployed extensively in magistrates' courts and most lawyers and DCWs have only one day in the office each week. Agent usage in 2003-04 was comparatively low at 16.4% (national average 29.9%) of magistrates' courts sessions, although this has risen in recent months. The Area monitors the number of sessions per person, but has not considered this in relation to individuals' workloads.
- 8.4 The decision to sub-divide teams that are already small, on a territorial basis has positive and negative points. They have built up some good relationships and understanding of cases. However, occasionally, backlogs and bottlenecks can occur, particularly in times of unplanned absence.
- 8.5 The geography of the Area adds some complications, particularly in the west, where travelling time to and from court can be extensive. Some staff felt that rosters did not always take appropriate account of this.
- 8.6 The commitment to summary casework and the charging initiative has contributed to a reduction in HCA coverage in the past six months (76 sessions in 2003-04). The Area will shortly have six qualified HCAs and when feasible will want to work towards improving their deployment in the Crown Court.
- 8.7 Caseworkers are handling a significant amount of case preparation to assist the lawyers. This is to be welcomed providing the lawyers still maintain overall control of the case and direct and authorise at the appropriate time.

Staff development (P3)

- 8.8 Overall, training is in need of improvement and the training officer has begun to address some issues. Training has tended to concentrate on the 'mandatory' training brought about by legislation or policy changes rather than a pro-active attempt to identify and provide for the needs of individuals. The Area records of training undertaken were incomplete.

- 8.9 The Area intends to change its approach to an analysis of personal development plans (PDPs) and forward job plans (FJPs) being used to identify training needs. The staff survey recorded a drop of 31% in staff satisfaction as to whether they were encouraged to develop their skills. Many staff therefore welcome the new approach.
- 8.10 The training officer has been charged with producing an induction pack and a training plan – these were not complete at the time of the inspection.

Aspects for improvement

- * Training plan based on needs analysis is developed and the identified training is delivered.

Performance review (P4)

- 8.11 The Area has a good record in terms of the timeliness of completion of performance appraisals. Views on the effectiveness of the process varied, with the lack of meaningful feedback the common concern. Most staff have at least one in year review. There are a number of generic objectives for lawyers (agreed at ASB) supplemented by the occasional personal objective.
- 8.12 Unit head and caseworker PDPs and FJPs were being finalised at the time of the inspection – it is important to complete this exercise promptly in order to inform the training plan.

Management involvement (P5)

- 8.13 Effective communication has been a weakness over the past year, with the changes to staff at senior level a significant contributory factor. Managers recognise that there has been difficulties and are already planning ways to improve the situation. A communication strategy has been issued with some aspects already implemented.
- 8.14 The Whitley Council meets regularly and is consultative and open in the issues that are discussed. There are appropriate standing agenda items and actions raised in any meeting are monitored until completion.
- 8.15 The Area has a regular newsletter for staff. It has tended to focus more on social events and issues in the past. More recent issues have taken on a greater business focus and it could include more casework information
- 8.16 To counter staff concerns over a lack of openness of managers, staff have been offered the opportunity to attend ASB meetings. At the time of the inspection, 18 staff had expressed an interest in attending, indicating a high level of commitment. The CCP and ABM are planning to conduct quarterly road shows across the Area.
- 8.17 Team meetings were infrequent in 2003-04, but have improved in the new financial year. Meetings are now planned to take place within a short time of the ASB meetings which are scheduled well in advance. As attendance is always likely to be limited by court commitments, care will need to be taken to ensure that information is made available to those not present at the meetings.

- 8.18 The Sounding Board was discontinued in 2003 due to lack of interest. Plans talked of using focus groups as a replacement, providing a means of upward communication. There was no evidence of any such activity.
- 8.19 The Area has tried to use technology to improve communication with mixed success. Some staff are reluctant to use the shared drive and e-mail, whereas others were unsure as to where information was located. The two CPS offices have separate shared drives and therefore contained different information in different locations. Not everyone was aware of this and managers will need to ensure more control and consistency over use of the shared drive.
- 8.20 Several staff expressed concern at the level of consultation, particularly on major initiatives. There are opportunities for more issues to be delegated, although it is recognised that office time has been limited for many prosecutors. The Business Process Review Team (BPRT) is a good example of staff involvement and opportunity to input their views and skills into a project.

RECOMMENDATION

The ABM should ensure the further development of the communication action plan and its full implementation.

Good employment practice (P6)

- 8.21 Most staff are very satisfied with CPS North Wales as an employer, albeit they have a number of concerns as to how the organisation has operated over the past 18 months. This was reflected in the 2004 staff survey where scoring was less positive in many areas than in the previous survey and a number of aspects for improvement were identified. An action plan to tackle these issues was being finalised at the time of the inspection.
- 8.22 The Area is supportive of family friendly working practices, and most requests for specific work patterns have been handled to the satisfaction of the staff involved. A small percentage of staff felt there is room for improvement in allocation of workloads to take appropriate account of individuals' working practices. Despite debate at Whitley Council, there are still tensions between wishes of staff for leave and operational needs during school holiday periods.

Equality and diversity (P7)

- 8.23 The Area has an Equality and Diversity Plan based on national templates. It is highly generic with a few local specific issues. There is scope for greater alignment to the Area Business Plan, with a greater focus on local priorities. Some aspects of the plan have been shared with the LCJB and the North Wales Racial Equality Network.
- 8.24 The Area has an Equality and Diversity (E&D) manager who also has responsibility for communications and training. There is a need for greater clarity as to expectations of the role and ownership of E&D issues at senior management level.

- 8.25 Work is in hand to improve general community liaison (see Chapter 12). There is a low percentage (0.56%) of minority ethnic people resident in North Wales, and the Area needs to cater for the needs of the Welsh speaking population. It works well with the courts in attempting to provide Welsh speaking prosecutors when requested. Sometimes this is not achieved. We were informed that there have been some occasions when proceedings have to take place in Welsh even though the prosecutor only speaks English. This is clearly undesirable and managers will need to monitor the situation.
- 8.26 The Area has a very high proportion of female staff at administrative grades and it is hoping to increase the number of male staff over time. There were no minority ethnic staff and we were not made aware of any positive action to change this.
- 8.27 The scores from the staff survey under Dignity at Work issues (12% below national average) indicate there is room for improvement in how people believe they are treated.

Aspects for improvement

- * A more dynamic and focused approach to E&D issues is required.

Health and safety (P8)

- 8.28 Health and Safety (H&S) is a standing item at ASB and Whitley Council meetings. The Area has the infrastructure with trained representatives to manage H&S issues. We were satisfied, through the BS7799 assessment and control of potential issues during the recent building works, that attention is being paid to H&S issues. However, recently the formal quarterly assessment reports have not been completed.
- 8.29 The Area representative is working with police and courts to assess risks in non-CPS premises, and some improvements have been implemented as a result. Some concerns remain at Prestatyn court, where access difficulties have led to some unpleasant treatment of prosecutors in public areas. The incidents have not been officially logged in accordance with guidelines.

9 MANAGEMENT OF FINANCIAL RESOURCES

Staff financial skills (MFR1)

- 9.1 The B1 manager in the secretariat conducts most of the detailed work at operational level with the ABM responsible for Area financial performance. The lack of continuity at ABM level in the recent past has left the Area a little exposed in terms of financial expertise among its staff.
- 9.2 While there has been some high level discussion on budgets at ASB meetings, the understanding of finance by managers outside the secretariat is limited.

Adherence to financial guidelines (MFR2)

- 9.3 The Area compliance to financial guidelines was sound at the time of the inspection. We were satisfied that systems for letting contracts and the deployment of counsel in special cases, paid via prosecution costs (3010), in the magistrates' courts were satisfactory.
- 9.4 We were satisfied, despite problems in past years that specified offences are not included in the Area's PIs. Specified proceedings, of which there are a large number in North Wales as a result of the "Arrive Alive" campaign, are included in the general magistrates' courts lists. This can cause unnecessary waste of prosecutor time. Area managers will wish to liaise with magistrates' courts managers to improve the listing of such cases.

Budgetary controls (MFR3)

- 9.5 During the past 18 months, the Area has used a variety of systems to monitor and control finance as each ABM has had his or her own preference. This should now stabilise with the appointment of a permanent ABM and CCP. We were encouraged to note that the proposed system is based on actual salaries and includes a detailed reconciliation process.
- 9.6 The Area had a significant underspend of £108,000 in the last financial year. There was no common understanding among the Area's managers as to the existence or reasons for the variance to budget which was primarily attributable to the late reimbursement of the salary of staff on secondment throughout last year. More positive action in resolving this point would have enabled more effective use of funds.
- 9.7 The changes, and absence for periods, of an ABM contributed to financial matters receiving a low priority last year. Area managers will need to pay closer attention to budgets this year as they have increased their staffing levels at a time when budget settlements are less generous than recent years. The current projection is for a small overspend, but the CCP and ABM are confident that they have identified some potential savings to redress this.
- 9.8 The budget is based on the Area PIs and it is important that they are accurate. We have made a recommendation at paragraph 4.47.

Management of prosecution costs (MFR4)

- 9.9 Prosecution costs are handled well in North Wales. They have a specialist fees clerk who handles the day to day processing of fees. There is a risk that backlogs could develop if the clerk is absent and managers will want to assure themselves that appropriate back up systems exist. Record keeping could be improved in high cost cases.

Value for money approach (MFR5)

- 9.10 The Area makes appropriate efforts to ensure value for money in its purchasing. Savings have been made in maintenance contracts.
- 9.11 Managers have attempted to minimise spend on agents by deploying prosecutors extensively. Whilst this has a positive impact on the budget, it can have a negative impact on morale and the ability to review and prepare cases effectively.
- 9.12 On a wider basis it is apparent that the Area has some way to go in realising the full benefits of the major pilots and initiatives implemented over the past 18 months.

10 PARTNERSHIPS AND RESOURCES

CJS partnerships (P&R1, KPR 8)

- 10.1 The Area is playing a full part in the LCJB and its operational subgroups, despite the breaks in continuity in the Area's senior management. Relationships with other agencies are cordial at all levels, although there is some suggestion that the Area has not been able to deliver fully on some agreements at the operational level. The Area has implemented a number of initiatives with the police and other criminal justice agencies since the last inspection – co-location of CJUs, (which began in December 2002), the pre-charge advice scheme, the Effective Trial Management Project and No Witness No Justice.
- 10.2 Overall, initiatives have been fully implemented with collaborative working practices adopted and good inter-agency co-operation, although there is a need to ensure that structured joint planning and review takes place to obtain the full operational benefits and successful outcomes. This is of particular relevance to co-location where it is hoped that the newly established police structure and recently appointed CPS and police management, will have a positive effect. The progress of individual initiatives is discussed at relevant sections of the report.
- 10.3 There is an adequate working relationship with the Witness Service, although the channels of communication are mainly informal. Managers will wish to ensure that a formalised structured approach is adopted to ensure that Witness Service is actively included in new initiatives.
- 10.4 Joint performance management with other criminal justice agencies is of a variable quality and this is discussed at paragraphs 7.7 –7.11.

Improving local CJS performance (CR4)

- 10.5 The Area is seen by its criminal justice partners at a senior level as willing to take on new initiatives and is responsive to concerns raised. However, there is the perception noted above that the Area is not always able to put agreements into operation.

Information technology (P&R2)

- 10.6 Compass has been introduced throughout the Area. We found that police CJU and CPS administrative support staff are making effective use of the system, but the Area accepts that lawyer and caseworker engagement needs to be improved upon as this is contributing to problems of file flow and delays. There is some reluctance to using the system and some staff, particularly lawyers, now require refresher training. This is recognised and is being arranged. The non-standard structure of the Area is resulting in limited confidence in PI data from Compass, which is addressed elsewhere in the report.
- 10.7 The Area is beginning to use the Criminal Justice IT systems but uptake is, so far, limited. Management will want to encourage the effective use of secure email both by Area staff and by its CJS partners.

Aspects for improvement

- * Improve lawyer and caseworker usage of Compass.

Buildings, equipment and security (P&R3)

- 10.8 Accommodation within the Area generally meets the needs of the business, although there were some concerns from some staff at the quality of accommodation as a result of co-location. The Area has recently completed a comprehensive BS7799 audit on security, identifying issues to be addressed.

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

- 10.9 Relationships with the service centre are satisfactory. The Area is actively involved in a number of initiatives and this has facilitated positive internal relations.

11 POLICY AND STRATEGY

Stakeholders (P&S1)

- 11.1 To its credit the Area is heavily involved in piloting and implementing national initiatives. It is one of only two Areas to have implemented pre-charge advice, No Witness No Justice and the Effective Trial Management Project as an integrated group of initiatives. Much of this strategy was driven by the previous substantive CCP.
- 11.2 We encountered lower than anticipated levels of enthusiasm for or understanding of the pilots in some members of staff. This is attributable in some part to structural changes and lack of continuity at senior management level, which have coincided with the pilot work. Some staff were concerned that ‘pilot fatigue’ was a risk and were looking for a period of greater stability.
- 11.3 Despite any misgivings, most staff have shown a committed approach in trying to implement the initiatives effectively. This has been hampered somewhat by the lack of planning and project management skills available throughout the past 18 months. Some of the pilots and major changes would have benefited from improved risk assessment as part of the planning process as well as better identification and agreement of expectations.
- 11.4 Planning and involvement with other agencies affected by the pilots and their implementation usually takes place, but the effectiveness of the planning has been mixed.

Aspects for improvement

- * Change management and project planning skills need improving.

Performance measurement (P&S2)

- 11.5 We refer elsewhere in the report to the Area’s weakness in identifying appropriate measures of success. This is particularly true in terms of the pilots. There was no consistency in perceptions as to whether the pilots had been successful and a lack of clarity as to how this should be measured.
- 11.6 We found an unexpectedly low level of awareness of the findings of national reviews of performance in respect of the No Witness No Justice and the ETMP initiatives.

Review (P&S3)

- 11.7 The Area conducted a comprehensive review of the pre-charge advice scheme early in 2004. We discuss this and make a recommendation at paragraph 4.4.
- 11.8 On a more general basis, the arrival of a new CCP and ABM in May 2004 has provided the Area with the opportunity to review its existing plans and strategies. The Area Business plan and the risk register have been updated. This has contributed to a greater sense of purpose and direction among Area managers, which needs to be shared with all staff.

Framework of key processes (P&S4)

- 11.9 The Area has started to improve its processes through the work of the Business Process Review Team. They took the positive step of including police staff in the teams, as many of the administrative functions are handled by them. A promising start has been made in developing processes, supported by desktop instructions, that can assist in achieving higher levels of consistency.

Communication and implementation (P&S5)

- 11.10. Communication on the projects has been a little disjointed, and some staff felt that there was insufficient consultation on new initiatives. There are few plans to guide implementation and most interviewees recognised that a more co-ordinated approach could have been achieved. Better planning and implementation could have accelerated the realisation of potential benefits – particularly in respect of co-location.

12 PUBLIC CONFIDENCE

Complaints (CR1)

- 12.1 The Area has a system in place for dealing with complaints, although the current system is complicated by a separate secretariat complaint log that does not always feed into the main complaints log which the Victim Information Bureau maintains. The introduction of a composite log would enable the Area to monitor complaints and analyse and assess the accuracy of complaints data more effectively. The Area also needs to consider how it can learn lessons from complaints and disseminate findings to staff.
- 12.2 Whilst on site we examined some letters in response to complaints and found their standard to be generally of good quality and mainly timely.

Minority ethnic communities (CR5)

- 12.3 Cases with a minority ethnic dimension are handled in accordance with the Code and we found nothing to indicate any bias and discrimination. Racial incident monitoring forms are being completed and satisfactory logs are in place. The Head of Unit responsible for hate crime comprehensively monitors these cases.

Safeguarding children (CR7)

- 12.4 Child abuse cases are dealt with well in most aspects and the Area has relevant specialist prosecutors. Area representatives regularly attend the Area Child Protection Committees.

Community engagement (CR6 and SR1)

- 12.5 The Area has yet to demonstrate a cohesive commitment to community engagement and is very much at the early stages of engaging with the community. The recently appointed Communications Manager has conducted some initial work, including arranging CPS attendance at schools and colleges. With the newly established senior management team, there is now a need to ensure an outward looking approach is fully adopted.
- 12.6 Appropriate links with the community have been made through the auspices of the LCJB, and whilst this is an effective way of ensuring efficient use of CPS resources and a joined up strategy for communication for the CJS overall, it would be unwise to rely wholly on this joint approach. The current approach needs to become more systematic, appropriately identifying and prioritising community involvement, ensuring effective coverage that links in with the Area Business Plan.

Media engagement (SR2)

- 12.7 The Area has adopted a mainly reactive approach to engagement with the media, which is facilitated by the Communications Manager. Some contact has been established with parts of the local media, which needs to be improved upon to assist in ensuring that pro-active good news stories are communicated regularly.

- 12.8 A newly developed communications strategy is in place and links have been made with LCJB partners to establish a joined up approach to media engagement throughout the CJS. At the time of our visit a protocol was being approved. The Area still needs to ensure that the CPS is promoted independently, as well as being part of North Wales CJS.

Public confidence (SR3)

- 12.9 The British Crime Survey for 2002-03 show that public confidence in the effectiveness of bringing crimes to justice in North Wales is above the national average (47% compared with 39%) and is second highest in the country. To ensure this positive trend, the LCJB has developed and is implementing a public confidence delivery plan for December 2003 - March 2005, to support the national target of improving public confidence within the CJS.

13 LEADERSHIP AND GOVERNANCE

Vision and values (L&G1)

- 13.1 The Area has had a number of changes in its senior management which has naturally contributed to a degree of uncertainty as to overall direction over the past 18 months. Progress has been made since the arrival of the new CCP and ABM in updating strategies and plans for the future. The ASB has agreed its new vision and values statement. Work remains to be done in agreeing the priorities of the Area and improving delivery of the benefits of co-location and the pre-charge advice scheme. There is a need to ensure there is an effective cascade process to ensure all staff are aware of new strategies and approaches.
- 13.2 The CCP has held one-to-one meetings with a large percentage of prosecutors to listen to their views on a number of issues. Other grades will also be seen.
- 13.3 This is a time of opportunity for the Area and we were encouraged at the optimism that we found among the management team.

Aspects for improvement

- * Ensuring all staff are aware of the Area's vision and priorities to give them a greater sense of direction.

Staff recognition (L&G2)

- 13.4 The staff survey revealed the perception that managers have not been good at recognising the work or efforts of individuals and teams. This is linked to staff concern over feedback and communication in general. The action plan in response to the survey includes ideas on how to improve the situation. We were shown copies of recent correspondence to individual members of staff in appreciation of their efforts on specific issues.
- 13.5 There was an appreciation among managers that work remains to be done in improving the morale of staff, particularly in the TUs.

Management structure (L&G3)

- 13.6 The Area has achieved partial co-location with police in both the CPS offices. It is just beginning to address issues over the management of police staff, who are responsible for a considerable amount of administrative work on behalf of the CPS, including the finalisation of cases on CMS. There were mixed views as to the value of having a file preparation unit and file auditors within CPS offices.
- 13.7 The management structure at Unit Head level is standard, although the scope of work they control is unusual as most summary trials are handled by the TUs. Two of the Unit Heads job share and most people were satisfied that the arrangement worked well.

13.8 The lack of continuity at senior management level has affected the effectiveness of the ASB. Meetings were less regular and there was consensus that the group had become involved in low-level operational matters with limited focus on more strategic issues. The CCP is addressing this issue.

Organisational structure (L&G4)

13.9 The Area has an unusual structure where the majority of summary trials are prepared by the TUs. Managers had carefully considered options as to what the best structure should be following the last inspection report.

13.10 Many staff are of the view that the present structure is not working well, although few could illustrate their concerns with factual evidence that was definitely attributable to the structure. There was a perception among TU staff that Crown Court casework is getting less attention than it should. Partner agencies were generally very content with Crown Court casework (following a dip in performance some time ago) and the CPS performance figures are very good. A high proportion of internal interviewees were in favour of another restructure.

13.11 Other factors apart from structure have had a strong influence on the Area in recent times, including;

- * the lack of continuity at senior management level;
- * the implementation of multiple initiatives;
- * the incompatible police structures; and
- * the police “Arrive Alive” campaign which has generated a large number of motoring offences.

13.12 We were concerned that some staff had jumped to the conclusion that the structure was at the heart of all their problems and wanted to change it without appropriate and careful consideration of the issues. Whilst it is absolutely right that the Area should review its structure, it should form part of a wider evaluation of the Area’s ability to deliver its newly agreed strategies. Effective action to improve listing, police file quality and the effectiveness of the pilots could also impact on any decision.

RECOMMENDATION

The ASB scrutinises the efficiency and effectiveness of the division of work between the TU and the CJU including the balance of staffing in the units.

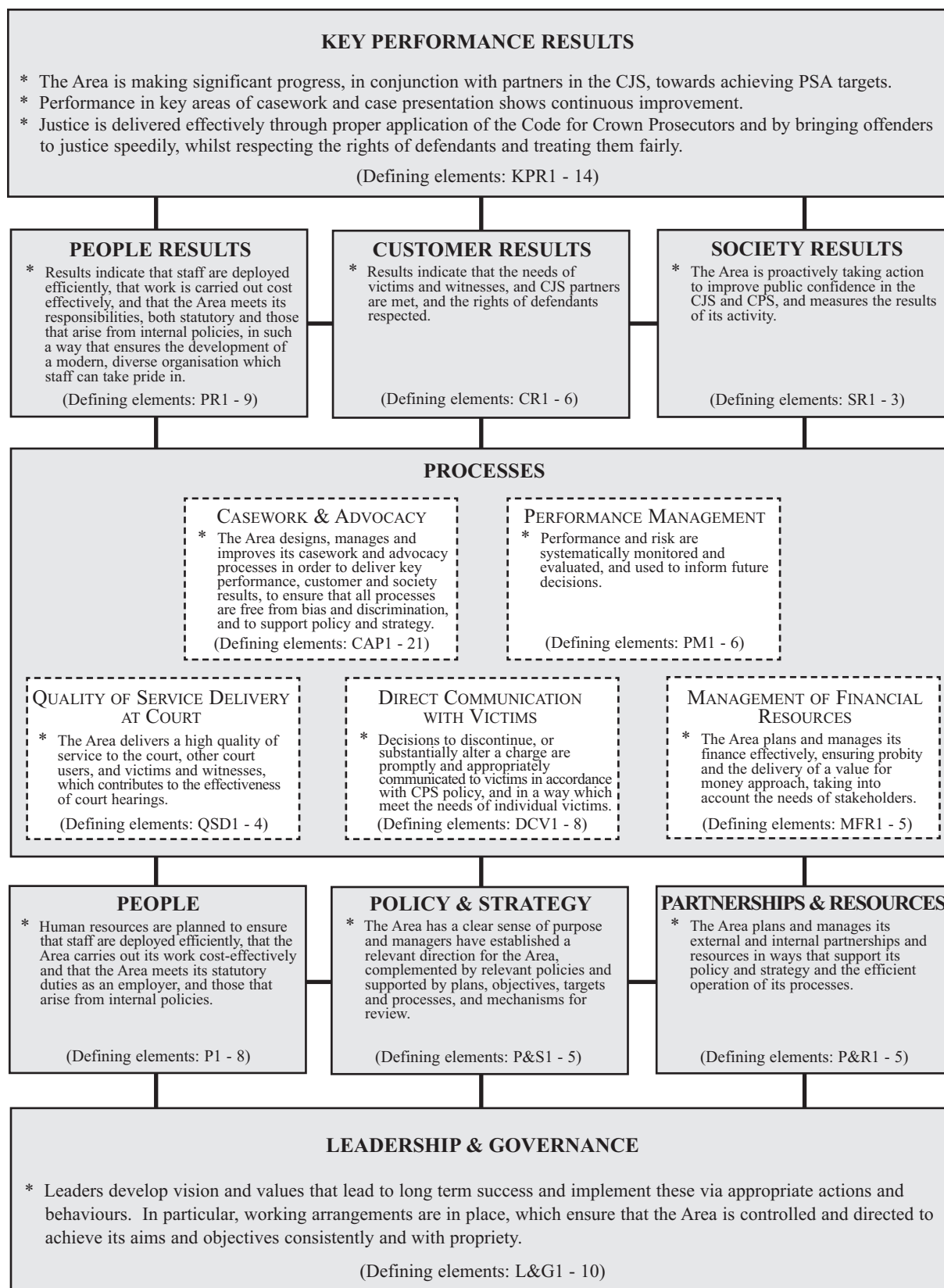
Action plans (L&G5)

- 13.13 The recently updated Area Business Plan (ABP) and associated risk register are an improvement on their predecessors, but there is a need to improve the identification of appropriate measures of success. We have alluded to this in our comments on the planning of pilots in Chapter 11.
- 13.14 Responsibility for delivery of the key objectives in the ABP has now been agreed and the Area has a commendable system of monitoring action points from previous meetings to ensure that the tasks are carried out. The actions from the previous minutes are noted and their progress is discussed and recorded at the ensuing meeting. Any outstanding action becomes a specific item on the next agenda. We consider this to be **good practice**.

Criminal justice system co-operation (L&G6)

- 13.15 There have been good examples of collaborative working in implementing the three major initiatives in the Area. This would not have happened without good inter-agency co-operation.
- 13.16 There is however still some rubbing points and opportunities for improved delivery, particularly with the police. Recent changes in police structures and the formal review of charging have laid the foundations for achieving greater benefits from co-location and the pre-charge advice scheme.

BUSINESS EXCELLENCE MODEL INSPECTION MAP



KEY REQUIREMENTS AND INSPECTION STANDARDS

CASEWORK (Chapter 4)

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

Advice to police (CAP1)

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

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

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

Bail/custody applications (CAP3)

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

Discontinuances in magistrates' courts (CAP4)

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

Summary trial preparation (CAP5)

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

Committal and Crown Court case preparation (CAP6)

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

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

Disclosure of unused material (CAP7)

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

Sensitive cases (CAP8)

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

File/message handling (CAP9)

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

Custody time limits (CAP10)

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

Joint action to improve casework (CAP11)

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

National Probation Service and Youth Offending Teams (CAP12)

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

Youth cases (CAP13)

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

Appeal and committal for sentence processes (CAP14)

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

Appeals against unduly lenient sentences (CAP15)

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

Recording of case outcomes (CAP16)

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

Information on operational and legal issues (CAP17)

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

Readiness for court (CAP18)

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

Learning points (CAP21)

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

ADVOCACY AND QUALITY OF SERVICE DELIVERY (Chapter 5)

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

Advocacy standards and monitoring (CAP19)

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

Court endorsements (CAP20)

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

Court preparation (QSD1)

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

Attendance at court (QSD2)

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

Accommodation (QSD4)

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

VICTIMS AND WITNESSES (Chapter 6)

KEY REQUIREMENTS:

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

Witnesses at court (QSD3)

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

Direct Communication with Victims (CAP13)

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

Meetings with victims and relatives of victims (DCV5)

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

Victims' Charter (CR2)

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

PERFORMANCE MANAGEMENT (Chapter 7)

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

Performance standards (PM1)

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

Performance monitoring (PM2)

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

Joint performance management (PM3)

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

Risk management (PM4)

Standard: risk is kept under review and appropriately managed.

Continuous improvement (PM5)

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

Accounting for performance (PM6)

Standard: the Area is able to account for performance.

PEOPLE MANAGEMENT AND RESULTS (Chapter 8)

KEY REQUIREMENTS:

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

Human resource planning (P1)

Standard: human resource needs are systematically and continuously planned.

Staff structure (P2)

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

Staff development (P3)

Standard: staff capabilities are identified, sustained and developed.

Performance review (P4)

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

Management involvement (P5)

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

Good employment practice (P6)

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

Equality and diversity (P7)

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

Health and safety (P8)

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

MANAGEMENT OF FINANCIAL RESOURCES (Chapter 9)

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

Staff financial skills (MFR1)

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

Adherence to financial guidelines (MFR2)

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

Budgetary controls (MFR3)

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

Management of prosecution costs (MFR4)

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

Value for money approach (MFR5)

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

PARTNERSHIPS AND RESOURCES (Chapter 10)

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

CJS partnerships (P&R1)

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

CJS agencies (KPR8)

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

Improving local CJS performance (CR4)

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

Information technology (P&R2)

Standard: information technology is deployed and used effectively.

Buildings, equipment and security (P&R3)

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

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

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

POLICY AND STRATEGY (Chapter 11)

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

Stakeholders (P&S1)

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

Performance measurement (P&S2)

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

Review (P&S3)

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

Framework of key processes (P&S4)

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

Communication and implementation (P&S5)

Standard: policy and strategy are communicated and implemented.

PUBLIC CONFIDENCE (Chapter 12)

KEY REQUIREMENTS:

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

Complaints (CR1)

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

Minority ethnic communities (CR5)

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

Safeguarding children (CR7)

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

Community engagement (CR6)

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

Media engagement (SR2)

Standard: the Area engages with the media.

Public confidence (SR3)

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

LEADERSHIP AND GOVERNANCE (Chapter 13)

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

Vision and values (L&G1)

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

Staff recognition (L&G2)

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

Management structure (L&G3)

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

Organisational structure (L&G4)

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

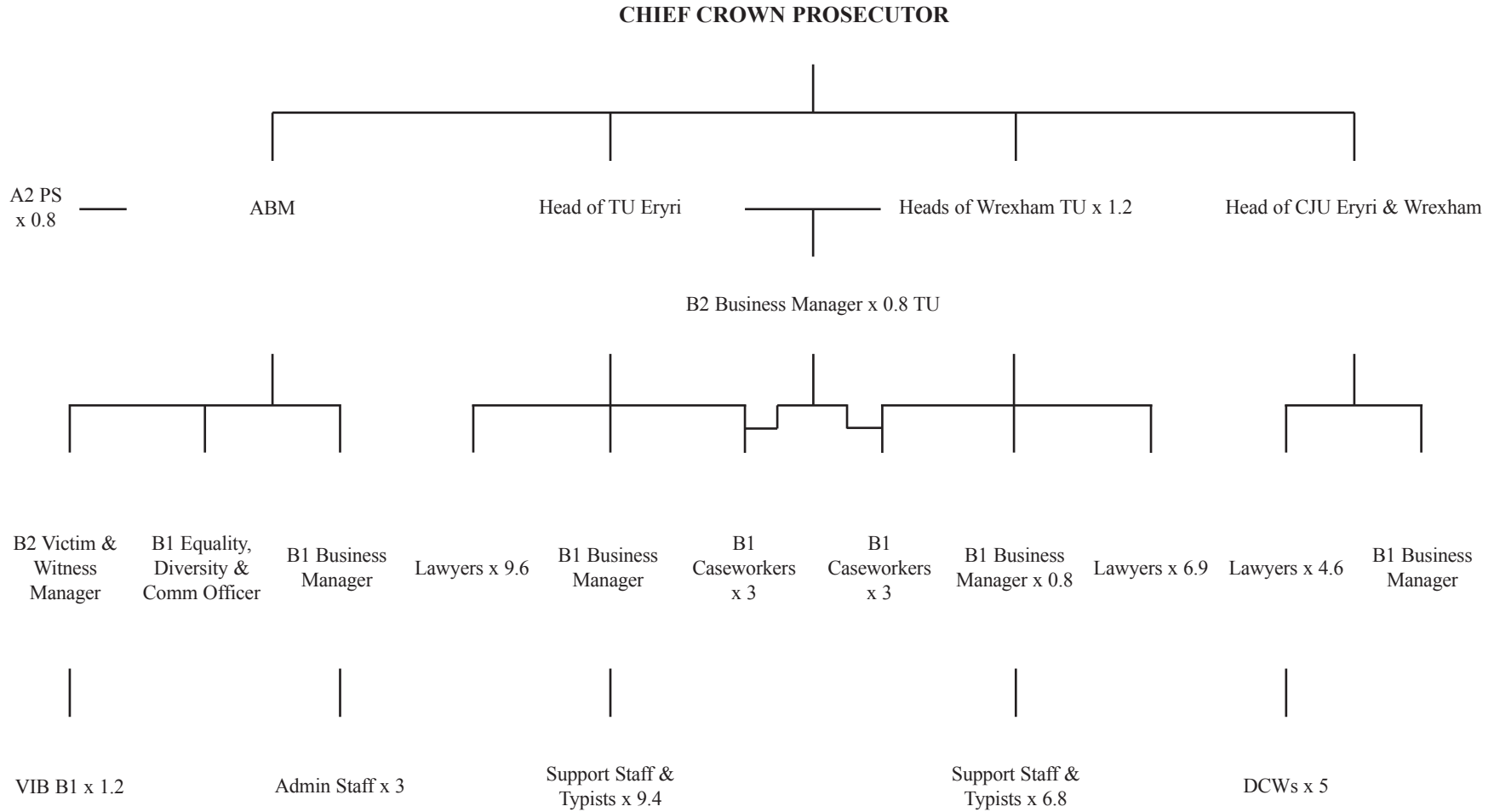
Action plans (L&G5)

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

Criminal justice system co-operation (L&G6)

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

CPS NORTH WALES STAFF STRUCTURE



ANNEX 3

AREA CASELOAD FOR YEAR TO 31 MARCH 2004

Magistrates' Court - Types of case	North Wales		National	
	Number	Percentage	Number	Percentage
Advice	5,646	26.6	194,928	12.4
Summary motoring	3,900	18.4	273,949	17.4
Summary non-motoring	5,934	27.9	563,024	35.8
Either way & indictable	5,668	26.7	525,345	33.4
Other proceedings	88	0.4	17,225	1.1
Total	21,236	100	1,574,471	100

Magistrates' Court - Completed cases	North Wales		National	
	Number	Percentage	Number	Percentage
Hearings	12,858	82.9	1,011,743	74.3
Discontinuances	1,418	9.1	165,198	12.1
Committals	818	5.3	100,490	7.4
Other disposals	408	2.6	84,884	6.2
Total	15,502	100	1,362,315	100

Magistrates' Court - Case results	North Wales		National	
	Number	Percentage	Number	Percentage
Guilty pleas	11,065	85.1	800,525	78.1
Proofs in absence	1,192	9.2	152,757	14.9
Convictions after trial	519	4.0	52,201	5.1
Acquittals: after trial	188	1.4	15,997	1.6
Acquittals: no case to answer	35	0.3	3,053	0.3
Total	12,999	100	1,024,533	100

Crown Court -Types of case	North Wales		National	
	Number	Percentage	Number	Percentage
Indictable only	201	21.6	40,200	31.7
Either way: defence election	14	1.5	13,037	10.3
Either way: magistrates' direction	434	46.7	41,997	33.1
Summary: appeals; committals for sentence	281	30.2	31,609	24.9
Total	930	100	126,843	100

Crown Court - Completed cases	North Wales		National	
	Number	Percentage	Number	Percentage
Trials (including guilty pleas)	605	93.2	78,698	82.6
Cases not proceeded with	33	5.1	13,377	14.0
Bind overs	1	0.2	981	1.0
Other disposals	10	1.5	2,171	2.3
Total	649	100	95,227	100

Crown Court - Case results	North Wales		National	
	Number	Percentage	Number	Percentage
Guilty pleas	501	81.9	59,537	73.6
Convictions after trial	64	10.5	13,119	16.2
Jury acquittals	35	5.7	6,652	8.2
Judge directed acquittals	12	2.0	1,538	1.9
Total	612	100	80,846	100

TABLE OF RESOURCES AND CASELOADS

AREA CASELOAD/STAFFING CPS NORTH WALES		
	March 2004	March 2002
Lawyers in post (excluding CCP)	24.7	22.3
Cases per lawyer (excluding CCP) per year	859.6	773.1
Magistrates' courts contested trials per lawyer (excluding CCP)	30	33.7
Committals for trial and "sent" cases per lawyer (excluding CCP)	33.1	28.3
Crown Court contested trials per lawyer (excluding CCP)	4.5	6.6
Level B1, B2, B3 caseworkers in post	18.8	17.8
Committals for trial and "sent" cases per caseworker	43.5	35.5
Crown Court contested trials per caseworker	5.9	8.3
Running costs (non ring fenced)	£2,949,300	£2,539,943

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

**IMPLEMENTATION OF RECOMMENDATIONS/SUGGESTIONS FROM REPORT
PUBLISHED IN MARCH 2002**

	RECOMMENDATIONS	POSITION IN JUNE 2004
R1	<p>In relation to the provision of pre-charge advice, the Area reviews:</p> <ul style="list-style-type: none"> * the system for monitoring timeliness in the three Units; * the systems for monitoring the quality of advices (paragraph 2.16). 	<p>No longer relevant.</p> <p>Superseded by the shadow charging arrangements.</p>
R2	<p>The Unit Heads examine the quality and timeliness of initial review as well as the subsequent decision-making whenever monitoring casework decisions (paragraph 3.9).</p>	<p>Partly achieved. Monitoring under the national CQA system and Area dip sampling covers review, but we have some concerns that not all cases are reviewed before the initial hearing.</p>
R3	<p>That monitoring of discontinuance be structured to provide information on the quality and timeliness of review as well as police file submissions (paragraph 3.22).</p>	<p>Partly achieved. Structured monitoring of discontinuance was set up but was then stopped with the adoption of the new TU/CJU structure. Discontinued files are now part of CQA and dip sampling.</p>
R4	<p>With a view to improving the quality of summary trial review:</p> <ul style="list-style-type: none"> * the Eryri CJU Head monitors the timeliness and quality of trial preparation in light of the new arrangements for file ownership; and * the CJU Heads carry out a more rigorous self-assessment in relation to NCTA, and magistrates' courts acquittals in general (paragraph 3.26). 	<p>Achieved. Trials are now dealt with in the TU. Monitoring summary trial preparation is covered by CQA and dip sampling. ETMP includes case progression meetings with the courts.</p> <p>Partly achieved. The learning process is systematic in theory but more could be done to ensure that lessons are learnt by relevant staff and police officers.</p>

	RECOMMENDATIONS	POSITION IN JUNE 2004
R5	The Unit Heads for the Trials Unit and the Eryri CJU ensure that their child abuse logs are kept up to date and in the same format as the Wrexham CJU log (paragraph 3.43).	Achieved. The logs systems for units are now the same and are in order.
R6	Further training for prosecutors and caseworkers to raise awareness of the impact of racially aggravated crime on the victims and a better understanding of CPS policy in relation to racially aggravated offences (paragraph 3.48).	Achieved. The race cases were dealt with satisfactorily.
R7	The ASB puts in place structured arrangements for learning points of general relevance from all trials, and for ensuring that lawyers in both the CJU and TUs are kept informed of case outcomes in the Crown Court (paragraph 3.59).	Not achieved. No longer relevant to CJU lawyers. To be further considered in the new communications strategy.
R8	Prosecutors, when dealing with advance information, record on the file the material provided to the defence (paragraph 4.3).	Not achieved.
R9	The ASB ensures that an appropriate assessment is made in all cases about its need for secondary disclosure, that the defence are formally informed of the result of the assessment, and that the procedure is fully documented (paragraph 4.18).	Not achieved. Secondary disclosure was dealt with properly in only 31.3% of relevant cases.
R10	The Unit Heads monitor the quality of file endorsements, and address poor performance with individual members of staff (paragraph 4.62).	Achieved. Monitored through CQA.

	RECOMMENDATIONS	POSITION IN JUNE 2004
R11	The ASB reviews the question of whether the Trials Unit should be divided. This review should be wide-ranging, and should include the feasibility of the Unit being housed in suitable accommodation in another location to provide reasonable access by staff and others who have business with the Service (paragraph 6.11).	Achieved. The Area was restructured. A further scrutiny is recommended.
R12	The ASB reviews arrangements for the line management of the administrative staff in the Criminal Justice Units (paragraph 6.13).	Achieved, and further developed with co-location.
R13	The ASB sets up an effective and consistent system across the Area in order to ensure the accurate recording of caseload and case outcomes, and that regular management checks are carried out to assure the accuracy of the recording process (paragraph 6.30).	Not achieved. We have made another recommendation.
R14	<p>With a view to improving internal communications, the ASB:</p> <ul style="list-style-type: none"> * reviews and strengthens the progress of actions identified in the communications strategy; * reviews the constitution of the Area Sounding Board in order to ensure that the attendance of members is facilitated; * considers further opportunities for personal engagement with staff; * develops inter-office and inter-unit communications; * considers a new editorial process for the Area Newsletter to make it a document for the Area rather than another management tool (paragraph 6.34). 	Not achieved. The present communications strategy still requires full implementation. We have made a recommendation for improvement of communication generally.

	SUGGESTIONS	POSITION IN JUNE 2004
S1	The Unit Heads discuss with the police better compliance with the 1995 Service Level Agreement on the provision of pre-charged advice (paragraph 2.5).	No longer applies. The Area has implemented a shadow pre-charge advice scheme.
S2	The Area reviews its systems for recording oral advice to ensure that any such advice is recorded for PI purposes, reduced to writing and copied to police in all cases (paragraph 2.13).	No longer applies. The Area has implemented a shadow pre-charge advice scheme.
S3	The ASB reviews with the police its handling of domestic violence cases in those cases where the victim withdraws his or her complaint, in order to ensure fully informed consideration is given to whether to compel the victim to give evidence (paragraph 3.51).	Achieved. We now consider the handling of domestic violence cases to be a strength.
S4	In relation to the disclosure of unused material: <ul style="list-style-type: none"> * the ASB reviews its procedure for handling sensitive material; * the Heads of Units ensure that all unused material, including correspondence, is kept in a separate folder on all files; * the CCP continues to seek improvements from the police in the quality of the disclosure schedules (paragraph 4.19). 	Not achieved. Although sensitive material is handled satisfactorily, other aspects of disclosure are the subject of a further recommendation.
S5	The CJU heads consider the use of a “readiness check” a short time before the trial to ensure the prosecution has done all it can to render the trial effective. This check should ensure that all the appropriate witnesses are called, and that those who are no longer required can be stood down (paragraph 4.27).	Achieved. Preparation of summary trials is satisfactory. The Area is now introducing new systems under ETMP.

	SUGGESTIONS	POSITION IN JUNE 2004
S6	The ASB should assess whether the use of the standard Crown Court Case Preparation Package by lawyers and caseworkers directly on their word processors will reduce the time taken to prepare committal papers (paragraph 4.31).	No longer applies. The Area has now introduced Compass. However, most lawyers do not use the system for committals. Use of typists still causes some delay.
S7	The TU Head monitors the quality of instructions to ensure issues are fully addressed and, in particular, that instructions on acceptable pleas be dealt with in appropriate cases (paragraph 4.41).	Achieved. We considered the quality of instructions to counsel to be good and the preparation of Crown Court cases generally a strength.
S8	In relation to plea and directions hearings, the TU Head: <ul style="list-style-type: none"> * implements as soon as practicable the pre-PDH check list procedure in the Wrexham office; and * researches and implements a system for recording on the file, directions given at a PDH, and the date of compliance (paragraph 4.45). 	Achieved. Procedures are now consistent and satisfactory.
S9	In relation to custody time limits, the Unit Heads review custody time limit monitoring procedures, and agree upon a system that: <ul style="list-style-type: none"> * is uniform across the Area; and * ensures that there are management checks into the reliability of the procedure (paragraph 4.58). 	Partly achieved. Some variations are still occurring but there are management checks.
S10	The ASB consider increasing the court coverage by TU lawyers in the magistrates' courts (paragraph 5.16).	No longer relevant. The Area has restructured. TU lawyers now frequently cover the magistrates' courts – perhaps to the detriment of Crown Court work.

	SUGGESTIONS	POSITION IN JUNE 2004
S11	<p>In relation to the selection of counsel, the ASB:</p> <ul style="list-style-type: none"> * considers extending the chambers it instructs to chambers at Liverpool and Manchester; and * takes steps to reduce the level of returns (paragraph 5.23). 	Partly Achieved. Although mainly local chamber are still used and the level of returns is not monitored by chambers, the quality and expertise of counsel, is satisfactory.
S12	The ASB should introduce more regular and structured monitoring of all agents in the magistrates' courts and of all counsel in the Crown Court (paragraph 5.27).	Not achieved, but a full monitoring system is about to be implemented.
S13	The ASB reviews its management meeting structure (paragraph 6.16).	Achieved.
S14	<p>The CCP and ABM review, with the aim of ensuring full and effective deployment of their skills:</p> <ul style="list-style-type: none"> * the tasks and deployment of DCWs; and * the tasks of level B caseworkers in the TUs (paragraph 6.47). 	Achieved. The Area has been restructured and deployment of these grades is satisfactory. The issue of HCA deployment in the Crown Court has now arisen.
S15	<p>The ASB reassess training requirements for staff and, in particular, to ensure that:</p> <ul style="list-style-type: none"> * staff have adequate skills effectively to utilise the information and communications technology available to them; * unit Heads are able to manage their devolved budgets in accordance with national and Area policies and procedure (paragraph 6.51). 	<p>Partly achieved.</p> <p>Further training is still required in the use of Compass.</p> <p>There is limited understanding of finance outside the secretariat.</p>

**TOTAL NUMBER OF FILES EXAMINED FOR
CPS NORTH WALES**

	Number of files examined
Magistrates' courts cases/CJUs:	
Advice	1
No case to answer	6
Trials	24
Discontinued cases	25
Race crime	9
Domestic violence cases	(14)
Youth trials	6
Cracked trials	(9)
Ineffective trials	3
Cases subject to custody time limits	5
Crown Court cases/TU:	
Advice	9
Committals discharged after evidence tendered/sent cases dismissed after consideration of case	0
Judge ordered acquittals	4
Judge directed acquittals	6
Trials	29
Child abuse cases	(5)
Race crime	(5)
Cracked trials	11
Ineffective trials	1
Rape cases	(5)
Street crime cases	(5)
Cases subject to custody time limits	5
TOTAL	144

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

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

Crown Court

His Honour Judge Rogers QC
Mr M White, Acting Crown Court Manager

Magistrates' Courts

Mr D Vaughan JP, Chair of the North Wales Magistrates' Courts' Committee
Mrs J Bryson JP, Chair of the Conwy Bench
Lady Jones JP, Chair of the Flintshire Bench
Mr E Wardle JP, Chair of the Wrexham Maelor Bench
Mr J Grant-Jones, Justices' Chief Executive
Mr I Thomas, Clerk to the Justices

Police

Mr R Brunstrom, Chief Constable, North Wales Police
Chief Superintendent J Sandham
Chief Superintendent P Thompson
Chief Superintendent R Wise
Superintendent M Williams
Acting Superintendent G Wynne
Detective Chief Inspector J Clayton
Chief Inspector M Owen
Chief Inspector W Williams
Inspector S Hatchett
Constable D Tucker, British Transport Police
Mr S Humphreys

Counsel

Mr R Spencer, QC
Mr R Rowlands
Mr R Trevor-Jones

Solicitors

Mr C Williams
Mr G Parry
Mr M Parry

Probation Service

Mr S Ray

Youth Offending Teams

Ms J Belton
Mr G Dafydd
Ms N Ellis-Williams
Mr D Johnson

Community Groups

Mrs M Caldwell, Women's Aid

Witness Service

Mrs I Ewing
Mr N Fisher
Miss L Johnson
Ms L Parry
Mr M Smale
Mrs S Zachary

Members of Parliament

Mr E Llwyd MP
Mr I Lucas MP
Mr C Ruane MP
Mr G Thomas MP
Mrs B Williams MP

All Members of Parliament with constituencies in North Wales were invited to contribute.

HMCPST VISION, MISSION AND VALUES

Vision

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

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

Mission

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

Values

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

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

Taken together, these mean:

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

GLOSSARY

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

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

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

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