

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

REPORT 16/03

DECEMBER 2003

CPS NORTH YORKSHIRE



AREA OFFICE

York

OTHER OFFICES

Harrogate, Scarborough

MAGISTRATES' COURTS

Harrogate, Northallerton, Pickering, Richmond
Scarborough, Selby, Skipton, Whitby, York

CROWN COURTS

York

CONTENTS

	PAGE
PREFACE	
1 INTRODUCTION	1
Methodology and nature of the inspection	1
2 SUMMARY OF INSPECTION FINDINGS AND RECOMMENDATIONS	4
Bringing offenders to justice	5
Reducing ineffective trials	5
Improving public confidence	5
Value for money	5
Equality and diversity issues	5
Recommendations	7
3 KEY PERFORMANCE RESULTS	7
Commentary	10
<i>Advice to police</i>	10
<i>Quality of decision-making</i>	10
<i>Continuing review</i>	10
<i>Discontinuance</i>	10
<i>Level of charge</i>	10
<i>Ineffective trials</i>	11
<i>Persistent young offenders</i>	11
<i>Persistent offenders</i>	11
<i>Sensitive cases</i>	11
<i>Adverse outcomes</i>	11
<i>Narrowing the justice gap</i>	11
<i>Disclosure</i>	12
4 CASEWORK	13
Overview	13
Advice to police	13
Cases ready to proceed at first date of hearing	14
Bail/custody applications	14
Discontinuances in magistrates' courts	15
Summary trial preparation	15
Committal and Crown Court case preparation	16
Disclosure of unused material	17
Sensitive cases	18
File/message handling	19
Custody time limits	19
Joint action to improve casework	20
National Probation Service and Youth Offending Teams	20
Appeal and committal for sentence processes	20

	Appeals against unduly lenient sentences	21
	Recording of case outcomes	21
	Information on operational and legal issues	21
	Readiness for court	21
	Learning points	22
5	ADVOCACY AND QUALITY OF SERVICE DELIVERY	23
	Overview	23
	Advocacy standards and monitoring	23
	Court endorsements	24
	Court preparation	24
	Attendance at court	24
	Accommodation	25
6	VICTIMS AND WITNESSES	26
	Overview	26
	Witnesses at court	26
	Direct Communication with Victims	26
	Meetings with victims and relatives of victims	27
	Victims' Charter	27
7	PERFORMANCE MANAGEMENT	28
	Overview	28
	Performance standards	28
	Performance monitoring	28
	Joint performance management	29
	Risk management	30
	Continuous improvement	30
8	PEOPLE MANAGEMENT AND RESULTS	31
	Overview	31
	Human resource planning	31
	Staff structure	32
	Staff development	33
	Performance review	33
	Management involvement	34
	Good employment practice	34
	Equality and diversity	35
	Health and safety	35
9	MANAGEMENT OF FINANCIAL RESOURCES	36
	Overview	36
	Staff financial skills	36
	Adherence to financial guidelines	36
	Budgetary controls	37
	Management of prosecution costs	39
	Value for money approach	39

10	PARTNERSHIPS AND RESOURCES	40
	Overview	40
	Criminal justice system partnerships	40
	Criminal justice system agencies	40
	Information technology	41
	Buildings, equipment and security	41
	Partnership with Headquarters and the Service Centre	41
11	POLICY AND STRATEGY	42
	Overview	42
	Stakeholders	42
	Performance measurement	42
	Review	43
	Framework of key processes	43
	Communication and implementation	43
12	PUBLIC CONFIDENCE	44
	Overview	44
	Complaints	44
	Minority ethnic communities	44
	Safeguarding children	45
	Community engagement	45
	Media engagement	46
	Public confidence	46
13	LEADERSHIP AND GOVERNANCE	47
	Overview	47
	Vision and values	47
	Staff recognition	48
	Management structure	48
	Organisational structure	49
	Action plans	50
	Criminal justice system co-operation	50
	Performance accountability	50
	Principles of conduct	51
	Financial systems	51
	Community	51
ANNEX 1	Business Excellence Model Inspection Map	
ANNEX 2	Area organisational chart to show structure and staff numbers	
ANNEX 3	Area caseload figures	
ANNEX 4	Resources and caseloads	
ANNEX 5	Implementation of recommendations and suggestions from report published November 2001	
ANNEX 6	Files examined for CPS North Yorkshire	

- ANNEX 7** List of local representatives who assisted in the inspection
- ANNEX 8** HMCPSI Vision, Mission and Values
- ANNEX 9** Glossary

PREFACE

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

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

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

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

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

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

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 six 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 Yorkshire (the Area), which serves the area covered by the North Yorkshire Police. It has three offices: York, Harrogate and Scarborough. The Area Headquarters (Secretariat) is based at the York office.
- 1.2 Area business is divided on functional lines between magistrates' courts and Crown Court work. The Criminal Justice Units (CJUs) at York and Harrogate are responsible for the conduct of all cases dealt with in the York, Selby, Harrogate, Skipton, Northallerton and Richmond Magistrates' Courts. The Trial Unit (TU) in York covers the Crown Court at York, Leeds and Teesside. The Combined CJU and TU based in Scarborough covers Magistrates' Courts at Scarborough, Pickering and Whitby and the York Crown Court.
- 1.3 The Area Management Team (AMT) consists of the Chief Crown Prosecutor (CCP), Area Business Manager (ABM), Unit Heads, the Special Casework Lawyer, the Trial Unit Business Manager and Performance Officer. It meets monthly to consider Area business.
- 1.4 In April 2003 the Area employed the equivalent of 61.2 full-time staff. The Area Secretariat comprises the CCP, ABM and the full-time equivalent of three other staff. Details of staffing of the units is set out below:

	Harrogate and York		Scarborough
Grade	TU	CJU	Combined CJU & TU
Level D	2.9	1	1
Level C lawyers	4	10.3	5
Level B2 caseworkers	1	2	0
Level B1 caseworkers	10.2	1.6	3
Level A caseworkers	4	6.2	4
TOTAL	22.1	21.1	13

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

- 1.5 Details of the Area's caseload for the year to June 2003 are as follows:

Category	Area numbers	Area % of total caseload	National % of total caseload
Pre-charge advice to police	2,191	12.5%	4.9%
Summary motoring	3,941	22.4%	36.1%
Other summary	4,083	23.2%	19.1%
Either way and indictable only	6,950	39.6%	39.3%
Other proceedings	404	2.3%	0.6%
TOTAL	17,569	100%	100%

1.6 Details of the Area's Crown Court caseload for the year to June 2003 are:

Crown Court finalised cases	Area numbers	Area % of total caseload	National % of total caseload
Indictable only	421	22.8%	31.6%
Either way offences	1,040	56.3%	43.9%
Appeals against conviction or sentence and committals for sentence	387	20.9%	24.4%
TOTAL	1,848	100%	100%

1.7 A more detailed table of caseload and case outcomes compared with the national average is at Annex 3 and a table of caseload in relation to Area resources at Annex 4. CPS Areas in general have benefited from a significant increase in budgets in order to drive up performance. The Area has received an extra 40% since our last inspection and has an increased caseload in both the magistrates' and Crown Court.

Methodology and nature of the inspection

1.8 The inspection process is based on the inspection framework summarised at Annex 1. 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 Yorkshire also drew on findings from the previous inspection of the Area, a report of which was published in November 2001. It was determined that the inspection of CPS North Yorkshire should be a full one.

1.10 Our previous report made a total of 13 recommendations and seven suggestions, as well as identifying seven aspects of good practice. In the course of this inspection, we have assessed the extent to which the recommendations and suggestions have been implemented, and a synopsis is included at Annex 5.

1.11 Our methodology combined examination of 125 cases finalised between 1 April and 30 June 2003 and interviews with members of CPS staff at all levels. We received evidence from criminal law practitioners and local representatives of criminal justice agencies. Our file sample was made up of magistrates' courts and Crown Court trials (whether acquittals or convictions), cracked and ineffective trials and some specific types of cases. A detailed breakdown of our file sample is shown at Annex 6. A list of individuals from whom we received comments is at Annex 7. The team carried out observations of the performance of advocates and the delivery of service at court in both the magistrates' courts and the Crown Court.

- 1.12 Inspectors visited the Area between 8 and 19 September 2003. The lay inspector for this inspection was Roger Ambrose, who was nominated by Victim Support. 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. He also visited some courts and had the opportunity to speak to some of the witnesses after they had given evidence. This was a valuable contribution to the inspection process. The views and findings of the lay inspector have been included in the report as a whole, rather than separately reported. He gave his time on a purely voluntary basis, and the Chief Inspector is grateful for his 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 Overall, we found that the quality of casework decision-making and initial review were both good. The Area needs to eliminate weaknesses in some casework processes in order to strengthen its casework further. There was no evidence of bias or discrimination.
- 2.2 The Area recognises that its duty to disclose unused material is only being met to a qualified extent, but is continuing to improve its performance and the findings of our file examination are positive, comparing favourably with other CPS Areas.
- 2.3 Despite the fact that there have been no failures in the custody time limit (CTL) system, we found that it was not being effectively operated and managed. This aspect of work requires urgent attention.
- 2.4 Most sensitive cases are well handled, although we found some lapses in cases in our sample involving racial incidents. Improvement is also required in the quality of instructions to counsel and also in the system for monitoring adverse outcomes.
- 2.5 The quality of advocacy is good, but there is no effective formal system for monitoring in-house lawyers and agents in the magistrates' court.
- 2.6 Generally, there is good support to counsel in the Crown Court.
- 2.7 The Area is focused on improving the effectiveness of pre-trial reviews in conjunction with other agencies in the criminal justice system.
- 2.8 There is a good working relationship with the Witness Service and CPS staff provide good levels of support to witnesses, prior to court attendances and also at court. There is an aspect for improvement in relation to Direct Communications with Victims (DCV) where we found that not all appropriate cases are identified, and the quality of letters is variable.
- 2.9 Co-location has been effected at Scarborough where the CPS is situated at a police station. Working practices have not yet been integrated but work is on-going to achieve this.
- 2.10 There is a considerable amount of performance information available to the Area managers to allow them to monitor key aspects of performance, but timeliness of required improvements is sometimes tardy.
- 2.11 Communications with staff are open. The Area Sounding Board is used to good effect. Planning of human resources, however, requires improvement.
- 2.12 Inspectors found weaknesses in the management of financial resources, which we consider needs urgent attention to ensure that the Area has accurate knowledge of its financial position.
- 2.13 The Area has good partnerships with the police and magistrates' courts and is working towards improving the quality of police files and the effectiveness of hearings at court.

- 2.14 Overall, we found aspects of work and performance ranging from very good to those such as the CTL and financial management requiring urgent action.

Bringing offenders to justice

- 2.15 The Local Criminal Justice Board (LCJB), which is chaired by the CCP has prepared a comprehensive delivery plan to address issues in Narrowing the Justice Gap (NJG). It successfully identified priorities, and already a number of actions in the plan to achieve the stated targets have been achieved. The CPS is also part of a Joint Performance Monitoring Group, a sub group of the LCJB, which is now receiving meaningful data with which it can make informed decisions on further action required.

Reducing ineffective trials

- 2.16 The rate of ineffective trials is significantly lower than the cycle to date in both the magistrates' courts and the Crown Court. The improvement of trial effectiveness is one of the priorities in the NJG delivery plan.

Improving public confidence

- 2.17 Improving public confidence and raising the CPS profile are addressed in a number of ways. The Area is represented on the Area Child Protection Committee; it has a leading role in liaison on domestic violence cases; complaints are dealt with on time and full explanations are given; sensitive cases are, in the main, dealt with well; there are a number of examples of engagement with the community; and while the Area is not yet pro-active with the media, a Communications Officer has now been appointed, part of whose remit is to highlight successful outcomes to the media.

Value for money

- 2.18 We were concerned to find a lack of systems to monitor, plan and manage the budget. It is, therefore, difficult to assess whether the Area demonstrates value for money.

Equality and diversity issues

- 2.19 There is a need to improve the way in which some racial incident cases are handled. However, the Area has demonstrated an innovative approach to raising awareness and promoting an understanding of how to tackle hate crime. It has obtained partial funding from the Regional Development Agency to commission a video to be used as a training tool. In this aspect of its work, the Area is committed to meeting its duty under the Race Relations (Amendment) Act and the CPS Race Equality Scheme.
- 2.20 The role of the Equality Officer needs to be expanded to include matters other than merely casework.

Recommendations

- 2.21 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
- 2.22 We have made five recommendations to help improve the Area's performance.
1. The AMT should ensure that the system for monitoring custody time limits is further promulgated to staff, with such training as is necessary, to ensure strict and accurate compliance, taking into account the National guidance on essential steps (paragraph 4.39).
 2. The Unit Heads should introduce an effective system for the completion of adverse findings reports and analysis thereafter with a view to establishing a medium for learning points (paragraph 4.54).
 3. The AMT should review the effectiveness of the Area's current structure, and in particular:
 - * consider the deployment of staff within its TUs and CJUs; and
 - * the structure and work of staff within the Secretariat (paragraph 8.13).
 4. The AMT should take action immediately to ensure that:
 - * committed and accrued expenditure is properly recorded and monitored so that the Area has up to date and accurate knowledge of its financial position;
 - * budget reports are regularly and formally considered by the AMT to enhance corporate responsibility for the Area's financial position; and
 - * spending on agents is properly controlled. (paragraph 9.15).
 5. The AMT should:
 - * Develop terms of reference to govern the work of the Management Team and define responsibilities for implementing management decisions.
 - * Identify ownership for the examination and continuous improvement of its administrative processes.
 - * Put systems in place to ensure continuing effectiveness (paragraph 13.12).

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 criminal justice system areas, a greater increase in the worst performing areas, and a reduction in the proportion of ineffective trials.

CPS PERFORMANCE	National Target 2002-2003	National Performance Cycle to date*	Area Target 2002-2003	Area Performance
MAGISTRATES' AND YOUTH COURT CASEWORK				
Advice				
Decisions complying with evidential test in the Code ¹	-	98.3%	-	100%
Decisions complying with public interest test in the Code ¹	-	96%	-	100%
First Review				
Decisions to proceed at first review complying with the evidential test ¹	-	98.2%	-	100%
Decisions to proceed at first review complying with public interest test ¹	-	99.8%	-	100%
Requests for additional evidence/information made appropriately at first review ¹	-	78.2%	-	66.7%
Discontinuance				
Discontinuance rate of completed cases (CPS figure)	-	12.6%	-	11.2%
Discontinued cases with timely discontinuances ¹	-	73.7%	-	66.7%
Decisions to discontinue complying with the evidential test ¹	-	92%	-	100%
Decisions to discontinue complying with the public interest test ¹	-	98.4%	-	100%
Discontinued cases where all reasonable steps had been taken to request additional evidence/information ¹	-	87.1%	-	100%
Level of charge				
Charges that required amendment and were amended in a timely manner ¹	-	72.7%	-	100%
Cases that proceeded to trial or guilty plea on the correct level of charge ¹	-	96.8%	-	100%
Cracked and ineffective summary trials				
Cracked trials as recorded by CPS and magistrates' courts JPM	-	(Apr – Jun 03) 37.9%	-	(Oct - Mar 03) 42.1%
Cracked trials in file sample that could have been avoided by CPS action ¹	-	22.4%	-	(0 out of 9)
Ineffective trials as recorded by CPS and magistrates' courts JPM	-	(Apr - Jun03) 29.4%	-	(Oct - Mar 03) 18.6%
Ineffective trials in the file sample that could have been avoided by CPS action	-	- ⁴	-	-
Summary trial				
Acquittal rate in magistrates' courts (% of finalisations) – CPS figure	-	1.8%	-	1.2%
Decisions to proceed to trial complying with the evidential test ¹	-	94.8%	-	100%
Decisions to proceed to summary trial complying with the public interest test ¹	-	99.5%	-	100%
Cases with timely summary trial review ¹	-	77.3%	-	94.1%
Requests for additional evidence/information made appropriately at summary trial review ¹	-	72.5%	-	100%
No case to answers where outcome was foreseeable, and CPS could have done more to avoid outcome ¹	-	51.3%	-	[0 out of 1]

CPS PERFORMANCE	National Target 2002-2003	National Performance Cycle to date*	Area Target 2002-2003	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	-	80.3%	-	84.2%
Decisions to proceed at committal/service of prosecution papers stage complying with evidential test in the Code for Crown Prosecutors ¹	-	96.3%	-	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	-	87.9%	-	100%
Timely and correct continuing review after committal	-	83.4%	-	100%
Cases with timely service of committal papers on defence	80%	79.2% 86.8% ³	80%	84.2% ¹ 84.0% ²
Cases with timely delivery of instructions to counsel	84%	84.3% 85.9% ³	85%	84.2% ¹ 82.8% ²
Instructions to counsel that were satisfactory ¹	-	62.7%	-	57.9%
Cracked and ineffective trials				
Cracked trials as recorded by CPS and Crown Court JPM		(Apr – Oct 03) 38%		(Apr – Jun 03) 41.3%
Cracked trials that could have been avoided by CPS action ¹	-	23.4%	-	[0 out of 8]
Ineffective trials as recorded by CPS and Crown Court JPM		(Apr – Oct 03) 22.2%		(Apr – Jun 03) 16.3%
Ineffective trials where action by CPS could have avoided an adjournment ¹	-	- ⁴	-	-
Level of charge				
Charges that required amendment and were amended in a timely manner ¹		85.6%		100%
Indictments that required amendment ¹		27.9%		35%
Cases that proceeded to trial or guilty plea on the correct level of charge ¹		97.9%		100%
Judge ordered and judge directed acquittals				
JOA/JDAs where outcome was foreseeable, and CPS could have done more to avoid outcome ¹	-	20.7%	-	2 out of 6 33.3%
Trials				
Acquittal rate in Crown Court (% of all finalisations excluding JOA, appeals/committals for sentence and warrant write-offs) ²	-	10.1%	-	10.6%
NARROWING THE JUSTICE GAP				
Percentage brought to justice against the baseline for 01/2002 as recorded by JPIT		+4.5% (as of June 03)		20.8%

¹ as assessed by HMCPST 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 [updated quarterly up to 30 June 2003]

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

CPS PERFORMANCE	National Target 2002-2003	National Performance Cycle to date*	Area Target 2002-2003	Area Performance
MAGISTRATES' AND YOUTH COURT CASEWORK				
Disclosure				
Cases where primary disclosure properly handled ¹		72.8%		89.5%
Cases where secondary disclosure properly handled ¹		60%		-
Witness care				
Trials where appropriate use made of S9 CJA 1967 ¹		97.7%		93.8%
Trials where appropriate use made of the witness care measures ¹		83.3%		50% (1 out of 2)
CROWN COURT CASEWORK				
Disclosure				
Cases where primary disclosure properly handled ¹		85.9%		94.7%
Cases where secondary disclosure properly handled ¹		59.8%		93.8%
Witness care				
Trials where appropriate use made of witness phasing/standby ¹		85%		66.7%
Trials where appropriate use made of the witness care measures ¹		91%		87.5%
MAGISTRATES' COURTS AND CROWN COURT				
Custody time limits				
Cases in sample where expiry dates accurately calculated	-	92.5%	-	63.6%
OTHER ISSUES				
Payment of witness expenses				
Payment of witness expenses within 10 days of receipt of claim ²	100%	99.3%	100%	100%
Handling of complaints				
Complaints replied to within 10 days ²	94%	85.4%	96%	100%
Citizens charter commitment				
MPs correspondence replied to within 15 days ²	100%	91.8%	N/A	100%
Improving productivity				
Reduce sick absence rate per member of staff	10.6 days (2001)	8.5 days (2001)	9.6 days (2001)	7.9 days (2001)
OTHER ASPECTS OF CPS PERFORMANCE				
CJS Youth Justice Performance Measures (shared between Home Office, Department of Constitutional Affairs (formerly LCD) and CPS)				
To halve time from arrest to sentence for persistent young offenders from 142 to 71 days by 31 March 2002	71 days	66 days (Jul - Sep 03)	71 days	72 days (May 03)

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 [updated quarterly up to 30 June 2003]

Commentary

- 3.1 Generally casework decision-making is good. The majority of the Area's key aspects of performance are better than the average performance of Areas in the cycle to date.
- 3.2 We have concerns about the handling of some of the casework, particularly in relation to some casework processes and these are highlighted later in this report.

Advice to police

- 3.3 We examined nine cases where the police had sought pre-charge advice from the CPS. In eight out of nine cases it was appropriate for advice to be sought, and all advices were correct. Full written reasons were given to the police in eight out of the nine cases; but two of the advices were not timely.

Quality of decision-making

- 3.4 In all cases the decisions whether to accept cases at initial review were in accordance with both Code tests.

Continuing review

- 3.5 We found in some cases that there was evidence of continuing review, and in the TU at York, lawyers and caseworkers work closely together. Problems are being experienced at Scarborough, however, because the operation of a single file system makes continuing review more difficult.
- 3.6 There were some cases, however, where there was no evidence of further review, which resulted in late discontinuance and late guilty pleas.

Discontinuance

- 3.7 We considered that all of the decisions to discontinue had been properly taken in accordance with the Code. The discontinuance rate (11.7%) is lower than the national average (12.6%). However, in five of the 15 cases which we examined (33.3%), discontinuance did not take place at the first appropriate opportunity.
- 3.8 A matter of some concern was that in five cases we examined, a need to request further information at an early stage had arisen and in only one had it been made. The remaining four were eventually correctly discontinued but a prompt request may have made the cases viable.

Level of charge

- 3.9 In both the magistrates' courts and the Crown Court all cases proceeded to trial or guilty plea on the correct level of charge. In all appropriate cases charging standards were correctly applied. In Crown Court cases 35% of indictments required amendment. This is higher than the cycle to date.

Ineffective trials

- 3.10 The proportion of ineffective trials in the magistrates' courts is 18.6% and in Crown Court 16.3%, which is significantly better than the cycle to date (30.4% and 23.4%).

Persistent young offenders

- 3.11 The Area had until recently performed extremely well, but performance had slipped and the figure for May 2003 was 72 days which is outside the national target.
- 3.12 A lack of case progression meetings and the significant changes introduced in the Area resulted in a loss of priority for these cases. Case progression meetings have now been rekindled and the CPS is focused on working with other agencies in the criminal justice system to re-establish this priority. For example, working with the magistrate's court to increase the number of Youth Courts in next year's listing pattern.
- 3.13 Since finishing the Inspection, the most recent figures are very encouraging, showing an average for the quarter ending in September 2003 of 53 days.

Persistent offenders

- 3.14 The minimal national target is to increase the number of offences committed by persistent offenders (POs) to be brought to justice by 5%, but a local target of 10% was set in North Yorkshire. In the quarter April to June 2003 only 34 such offences were identified as being brought to justice against a target of 182.
- 3.15 The police have recently issued further guidance and are now better placed to ensure appropriate cases are entered in the system. This should enable CPS to drive up its own performance.

Sensitive cases

- 3.16 Generally sensitive cases are dealt with very well, and in particular cases of domestic violence. There are appropriate specialists in each office and CPS policy is followed.

Adverse outcomes

- 3.17 There has been a steady decrease in adverse outcomes across the whole Area.
- 3.18 In the quarter April to June 2003, there were 20 such cases in the Area, when in the previous two quarters there had been 33 and 53.

Narrowing the justice gap

- 3.19 The CCP chairs the LCJB which has produced a delivery plan setting robust targets in relation to POs, improving file quality and improving the effectiveness of trials
- 3.20 The Area had a cracked trial rate in the magistrates' court which was higher than the cycle to date (42.1% as against 37.9%), but the quarter April to June 2003 showed an improvement to 32%.

Disclosure

- 3.21 The Area had identified a continuing need to improve its duty to disclose unused material.
- 3.22 Examination of the files in the sample sent to us showed that unused material was generally being handled properly, confirming that the desired improvement was coming about.

4 CASEWORK

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

Overview

- 4.1 All decisions complied with the Code tests. That being said, there were examples of cases where the decision could have been made earlier. We examined two cases among the judge ordered acquittals sample which should have been stopped earlier, and a discontinued case where an obvious gap in the evidence was not identified until a week before trial. Discontinuance of these cases was therefore late.
- 4.2 The handling of sensitive cases is generally good with, for example, a good and robust approach to domestic violence cases. This is qualified by our comments on racist incident cases.
- 4.3 There is a system for compilation of adverse findings, but we could find no evidence that it was properly complied with or that it provided learning points.
- 4.4 The files examined showed that disclosure was dealt with well. Prior to the inspection, and during it, we found evidence that some aspects of disclosure require attention, and the Area is aware of this and working towards it. Later in the report we also comment on the need for improvement in relation to the operation of the custody time limit system and the quality of instructions to counsel.

Advice to police

STANDARD: REQUESTS FOR ADVICE ARE APPROPRIATE, AND DEALT WITH IN A TIMELY WAY IN ACCORDANCE WITH CODE TESTS AND CPS POLICY, AND ADVICE IS FREE FROM BIAS AND DISCRIMINATION

- 4.5 In the file sample there were nine cases where the police had sought pre-charge advice from the CPS, eight of which were appropriate. Correct advice was tendered in all cases, but two were not timely.
- 4.6 The CPS co-located with the police at police premises in Scarborough in March 2003. A pilot of the pre-charge advice scheme was put into effect at that time and roll out is to be effected across the Area by the end of the year. The Area's high percentage of advice cases is not solely attributable to this pilot.

Cases ready to proceed at first date of hearing

STANDARD: JOINT CPS/POLICE PROCESSES ENSURE CASES READY TO PROCEED AT FIRST DATE OF HEARING AND THAT CASEWORK DECISIONS REFLECT THE GENERAL DUTY UNDER THE RACE EQUALITY SCHEME (I.E. TO ELIMINATE UNLAWFUL DISCRIMINATION, PROMOTE EQUALITY OF OPPORTUNITY AND PROMOTE GOOD RELATIONS BETWEEN PERSONS OF DIFFERENT RACIAL GROUPS)

- 4.7 There are different systems in different parts of the Area for delivery of files by the police, initial review and the provision of advance information (AI). The co-located site at Scarborough operates differently from the other offices, but at one court centre AI is not seen by a reviewing lawyer before it is given to the defence. There is a risk that inappropriate material might be provided to the defence and, however small, it is avoidable and any failure could result in adverse criticism.
- 4.8 Details of material provided as AI were recorded on only 17.5% of the files we examined. We consider the systems for the provision and recording of AI to be unsatisfactory and are an aspect for improvement.
- 4.9 In all of the cases we examined both evidential and public interest tests were properly applied. Charging standards, where appropriate, were also correctly applied.
- 4.10 Evidential factors were properly recorded in 82.2% of cases examined and public interest factors in 77.8% of cases. This could be improved.

Aspects for improvement

- * A uniform system should be devised and introduced to ensure that AI is properly checked before provision to the defence.
- * A record of material provided should kept.

Bail/custody applications

STANDARD: JOINT CPS/POLICE PROCESSES ENSURE APPROPRIATELY INFORMED BAIL/CUSTODY APPLICATIONS ARE MADE AND THAT CASEWORK DECISIONS REFLECT THE GENERAL DUTY UNDER THE RACE EQUALITY SCHEME

- 4.11 CPS lawyers make appropriate applications for remands in custody and remands on conditional bail and files are endorsed accordingly. Late delivery to court of some overnight cases impedes pre-court review.
- 4.12 We found some evidence that agents are on occasions used in remand courts. This is inappropriate. Agents do not have the authority to make decisions about acceptance of charge or plea, or whether to oppose bail without reference to a CPS lawyer. These limitations inevitably, will delay the court, and the quality of endorsements by agents will not necessarily meet the needs of the CPS in these important aspects of its work.

Aspects for improvement

- * The use of agents in remand courts is inappropriate and should cease.

Discontinuances in magistrates' courts

STANDARD: AREA PROCESSES ENSURE DISCONTINUANCES IN MAGISTRATES' COURTS OR CROWN COURT ARE BASED ON ALL AVAILABLE MATERIAL AND ARE TIMELY

- 4.13 The discontinuance rate in the Area is 11.7%, which is lower than the national figure (12.6%). In all of the 15 cases which we examined, the Code was correctly applied. It was appropriate to request further information from the police in five cases and such a request was not made in four. In one case the reason for discontinuance was not recorded, but in the other 14 there was evidence of full consultation with the police who agreed with the proposed discontinuance.
- 4.14 We found that discontinuance took place at the earliest opportunity in ten out of the 15 cases examined (66.7%). This is lower than the cycle to date figure of 71.2%.
- 4.15 An important aspect of CPS work is communicating with victims of crime, and this is particularly highlighted when a case is discontinued. There were seven cases in the file sample where there was an identifiable victim, and thus, on termination of the proceedings, a letter should have been sent. In three cases (42.8%) a letter was not sent. Non-compliance with Direct Communication with Victims was evident in other areas of work, which we set out in detail in paragraphs 6.6 onwards.

Summary trial preparation

STANDARD: AREA SUMMARY TRIAL PROCESS ENSURES THAT THE PTR (IF THERE IS ONE) AND THE TRIAL DATE ARE EFFECTIVE HEARINGS, AND ANY DECISIONS ON ACCEPTABILITY OF PLEAS OR ALTERNATIVE CHARGES ARE MADE IN ACCORDANCE WITH CODE TESTS AND CPS POLICY, AND ARE FREE FROM BIAS AND DISCRIMINATION

- 4.16 In our examination of the files we found that compliance with the evidential test and the public interest tests, when deciding to proceed to summary trial, was 100%.
- 4.17 Pre-trial reviews (PTRs) were not as effective as they could be. Some cases were adjourned because there had been insufficient preparation by CPS. The Area is aware of this and was taking steps to improve their effectiveness.
- 4.18 In Scarborough, the Unit Head prosecutes most of the PTR courts and a trial date is not fixed until all necessary work has been completed. A case progression system has been introduced in the York CJU, which involves liaison between CPS and the court listing officer to check trial readiness. An administrative officer checks files before the PTR to ensure that any action required has been completed.

- 4.19 The CPS has an effective dialogue with the magistrates' courts in York and had reached agreement about the court listing pattern for the coming year. The court has agreed to hold additional PTR courts in an effort to make them more effective. In Scarborough, appropriate amendments to the existing system have been agreed to increase effectiveness.
- 4.20 The files we examined showed that no trials were ineffective or vacated due to a fault in CPS review or case preparation. At the same time, the proportion of ineffective trials is 18.6% which is significantly better than the figure in the cycle to date of 30.4%

Aspects for improvement

- * PTRs need to be kept in focus to ensure a continuing improvement in their effectiveness.

Committal and Crown Court case preparation

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/PDH;**
- B) PROSECUTION HAS TAKEN ALL NECESSARY STEPS TO MAKE THE PDH AND TRIAL DATE EFFECTIVE; AND**
- C) PROSECUTOR IS FULLY INSTRUCTED**

- 4.21 In the file sample, there were no cases discharged through lack of preparation. In 87.5% of cases, committal took place on the date set for committal. The preparation and service of committal papers was timely in 84.2% of the cases examined. This compares favourably with figure in the cycle to date of 78.7%, and also exceeds the National target of 80%.
- 4.22 The proportion of cases where instructions to counsel were sent within the required time scale was 84.2%. This satisfactory performance in brief delivery is, however, not replicated in the quality of the instructions, which we found to be satisfactory in only 57.9% of the files we examined. The main deficiencies which we found were in relation to the summaries - which did not adequately address the issues in the case in 42.1% of cases - and acceptability of pleas, which were not adequately addressed in 77.7% of relevant cases. The Heads of Units are aware of these deficiencies and a full file review form has now been devised to prompt lawyers to give clear instructions about appropriate acceptable pleas and also check indictments.
- 4.23 We examined 20 cases and in seven of those (35%), the indictments required amendment after being lodged. This is higher than the cycle to date and of these, the amendment in three cases was to increase the level of charge, which is high.

- 4.24 A recommendation was made in the previous report that indictments should be checked, and with the creation of the TU at York, a system has now been introduced as described in paragraph 4.22. However, this was not in place to cover the period from which the file sample was drawn. The TU Head dip samples the quality of indictments.

Aspects for improvement

- * The quality of instructions to counsel is unsatisfactory and the introduction of a full file review form should be supplemented by appropriate monitoring by the Unit Heads.

Disclosure of unused material

STANDARD: AREA PROCESSES FOR DISCLOSURE ENSURE FULL AND TIMELY COMPLIANCE WITH CPIA AND CPS POLICY/OPERATIONAL INSTRUCTIONS IN BOTH MAGISTRATES' COURTS AND CROWN COURT

- 4.25 The Area was only able to give a qualified assurance that the duty to disclose unused material was fully discharged. We also received evidence from representatives of other agencies that unused material is not always handled well. Our inspection showed, however, that the Area is putting real effort into improving disclosure, and we saw evidence of lawyers requesting, as appropriate, unused material for inspection before service of the schedules. We also saw follow up action in Crown Court cases to obtain information from the police after receipt of a defence statement. Training in the new Joint Operational Instructions was scheduled to start in October – after our visit – and was undertaken jointly with the police. This was expected to improve police performance.
- 4.26 The file sample showed that primary disclosure in the magistrates' courts was properly handled in 89.5% of cases, which is significantly better than the cycle to date figure of 69.9%. In the Crown Court, the figure of 94.7% handled properly is also better than the cycle to date figure of 85.5%.
- 4.27 Secondary disclosure in the Crown Court was properly handled in 93.8% of cases, which is significantly better than in the cycle to date figure of 54.7%.
- 4.28 Overall, therefore, although it cannot yet be said to be a strength, the positive results found in the file sample indicated that the Area's duty to disclose unused material was improving.

Sensitive cases

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

- 4.29 Sensitive cases are generally dealt with well, but we found some lapses amongst the cases in our sample involving racist incidents. A Crown Court case had poor instructions to counsel without reference to the racist element. In a case of religiously aggravated common assault, there was no mention of the religiously aggravated aspect at initial review, although it was recognised later. Conversely, in a case where a guilty plea was entered at first appearance, the prosecutor nevertheless sought further information to give the court the fullest picture possible.
- 4.30 Each office has specialists for all types of sensitive case, and there were examples of good casework in each category. There is a strength in dealing with domestic violence cases. Decision-making in all cases was good, initial reviews were comprehensive and all were correctly identified as domestic violence. Where appropriate, letters were sent to victims. The Area has a high profile in local liaison on domestic violence issues, which we discuss at paragraph 12.11.
- 4.31 Logs are maintained for child abuse, racist incidents and domestic violence, and are monitored by the specialists. Generally, administrative staff mark sensitive cases and requisite forms are attached, although there were cases which were not marked.
- 4.32 There are specialists who deal with rape cases and cases arising out of fatal road traffic incidents.

Strengths

- * The Area has a high profile in dealing with domestic violence cases and has a leading role in domestic violence issues within the criminal justice system.

Aspect for improvement

- * The Unit Heads should ensure that further training is delivered to lawyers in the Area to increase the number who have awareness of CPS racial incidents policy so that it is applied consistently and in a timely manner.

File/message handling

STANDARD: FILE/MESSAGE HANDLING PROCEDURES SUPPORT TIMELY CASEWORK DECISIONS AND ACTIONS IN BOTH MAGISTRATES' COURTS AND CROWN COURT

- 4.33 There is a generous target across the Area to link post to relevant files within three days and we consider this should be reviewed. We also found that practice varies in the Area for linking unmatched post. In Scarborough, there is informal and irregular monitoring of unmatched post. In Harrogate and York, there are daily checks.
- 4.34 In Scarborough, the CPS is co-located in a police station. A single file system is operated and we found evidence that there were instances of delay, actions not being undertaken and documents being lost. The AMT is very aware of this and Business Improvement Division (BID) from CPS Headquarters has been invited to examine the system and make recommendations.
- 4.35 We found evidence in the TU in York that lawyers received incoming post in a timely fashion and the registry is adept at matching correspondence.

Aspects for improvement

- * Systems should be rationalised across the Area with a review of the target date for matching post, and a daily check of all unmatched post.

Custody time limits

STANDARD: SYSTEMS ARE IN PLACE TO ENSURE COMPLIANCE WITH TIME LIMITS/TARGETS IN BOTH MAGISTRATES' COURT AND CROWN COURT

- 4.36 There were no custody time limit (CTL) failures reported to CPS Headquarters in the 12 months before our inspection. The last inspection report made a suggestion in relation to the quality of file endorsements in CTL cases. This was addressed in the Area's standard on file endorsements. However, examination of the files revealed that the standard was not being applied. Training on the custody time limits system was in progress at the time of our visit.
- 4.37 A total of 22 cases were examined of which ten were Crown Court files. Seven out of 15 magistrates' court files showed incorrect expiry dates. The 56 day expiry date was displayed as a review date in cases where it should have been shown as the expiry date. This practice was evident in the York and Harrogate CJUs. One Crown Court file displayed an incorrect expiry date. Overall, therefore, expiry dates were correctly calculated in only 63.6% of cases in the file sample, which is considerably worse than the cycle to date (91%).
- 4.38 In one case in which an extension to the expiry date was required, there was no evidence that an application had been sent to the court or the defence, there were no instructions on the file for the advocate in court and the defendant was bailed. There are also concerns arising from the file examination that not all extensions and re-calculations are being monitored in the CTL system. One case in which a re-calculation was incorrect could have resulted in the defendant being kept in custody after the correct expiry date had passed.

- 4.39 The Area had previously issued a booklet to staff setting out the CTL system and including relevant case law. This had recently been revised to take account of national instructions issued in April 2003. The revised booklet has been issued to staff but there is evidence in all units that parts of the guidance are not being applied.

RECOMMENDATION

The AMT should ensure that the system for monitoring custody time limits is further promulgated to staff, with such training as is necessary, to ensure strict and accurate compliance, taking into account the National guidance on essential steps.

Joint action to improve casework

STANDARD: AREA HAS EFFECTIVE PROCESSES AND PARTNERSHIPS WITH OTHER AGENCIES TO IMPROVE TIMELINESS AND QUALITY OF CASEWORK REVIEW AND PREPARATION FOR BOTH MAGISTRATES' COURT AND CROWN COURT AND THAT PARTNERSHIP DECISIONS REFLECT THE GENERAL DUTY UNDER THE RACE EQUALITY SCHEME

- 4.40 Processes and partnerships are dealt with in paragraphs 7.10 to 7.13

National Probation Service and Youth Offending Teams

STANDARD: AREA HAS SYSTEMS TO ENSURE COMPLIANCE WITH PROVISION OF INFORMATION TO PROBATION SERVICE TO ENABLE THE PRODUCTION OF ACCURATE REPORTS FREE FROM DISCRIMINATION AND BIAS

- 4.41 The delivery of pre-sentence report (PSR) packages is now regulated by a recently signed protocol. PSR packages are provided to the Probation Service, but it was frequently not possible to establish from the files when they had been sent. Local arrangements had been made at the magistrates' courts outside York to improve timeliness. In Crown Court cases the majority of packages were clearly served when the defence received its papers.
- 4.42 The provision of information to the Youth Offending Teams (YOTs) does not present a problem.

Appeal and committal for sentence processes

STANDARD: APPEAL AND COMMITTAL FOR SENTENCE PROCESSES ENSURE APPEAL/ SENTENCE HEARINGS ARE FULLY PREPARED AND PRESENTED

- 4.43 Systems are in place to deal with appeals and committals for sentence. They are prepared by caseworkers after appropriate advice from the relevant lawyer. A brief is always prepared so that counsel can be instructed in the event that the Higher Court Advocates (HCAs) are not able to present them.

- 4.44 In cases where there is an appeal against conviction, the notes from the lawyer who prosecuted the case in the magistrates' court are included in the file when it is sent to the TU.

Appeals against unduly lenient sentences

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

- 4.45 These cases are dealt with in accordance with CPS policy. The necessary documentation is obtained from the court, counsel's advice is sought and the reference is then prepared by the Unit Head through the CCP.

Recording of case outcomes

STANDARD: RECORDING OF CASE OUTCOMES AND ARCHIVING SYSTEMS ARE EFFICIENT AND ACCURATE

- 4.46 Staff are aware of the need for accurate and timely recording of case finalisations. At the time of our inspection, there had been delays in updating case results in York and in finalising cases at Scarborough. This was being addressed. Archiving was correctly carried out, although we found that difficulties were beginning to be experienced in Scarborough.
- 4.47 Managers check finalisations by way of a dip sampling.

Information on operational and legal issues

STANDARD: INFORMATION ON OPERATIONAL AND LEGAL ISSUES IS EFFICIENTLY AND EFFECTIVELY DISSEMINATED

- 4.48 There are systems in place to disseminate legal information. Bulletins and legal updates are delivered by e-mail, and a senior lawyer provides a synopsis of recent law reports. The Area Management Team (AMT) looks at any issues which might have national ramifications.

Readiness for court

STANDARD: JOINT CPS, POLICE AND COURT SYSTEMS ENSURE FILES ARE DELIVERED TO THE CORRECT COURT IN A TIMELY MANNER AND ARE READY TO PROCEED

- 4.49 In York, missing files are not a significant problem. Files for court are ready for collection by lawyers by midday the day before court.
- 4.50 We found that it is more difficult, and takes longer, to prepare courts in Scarborough because of the operation of the single file system which caused more time to be spent by administrative staff searching for files.
- 4.51 The Crown Court fixed provides a fixed list in good time.

Learning points

STANDARD: AREA HAS EFFECTIVE SYSTEMS IN PLACE TO IDENTIFY LEARNING POINTS FROM CASEWORK AND IMPLEMENT IMPROVEMENTS

- 4.52 An important aspect of casework is examination of cases which have failed and identifying any trends. Analyses can then be used as learning points for dissemination to lawyers and caseworkers. An effective adverse findings system which reports failed cases is an essential element of this process. We found that, although a system is in place, it is not operating effectively.
- 4.53 We looked at a number of adverse findings reports but few expanded fully why the case failed, what remedial action was needed or proposed. The opportunity to learn lessons was being missed.
- 4.54 The establishment of an adverse case reports system, which included analysis and observations by the Special Casework Lawyer (SCL), was a recommendation in the last report. We consider that there should again be a recommendation to implement an effective system.

RECOMMENDATION

The Unit Heads should introduce an effective system for the completion of adverse findings reports and analysis thereafter with a view to establishing a medium for learning points.

5 ADVOCACY AND QUALITY OF SERVICE DELIVERY

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

Overview

- 5.1 The quality of advocacy is generally good, but the Area needs to implement a formal system for the monitoring of CPS prosecutors, agents and counsel.

Advocacy standards and monitoring

STANDARD: SELECTION AND MONITORING OF ADVOCATES IN MAGISTRATES' COURTS AND THE 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

- 5.2 We observed a total of 18 advocates in the Crown Court, magistrates' courts and youth court, including CPS lawyers, designated caseworkers, agents and counsel. There were ten in-house advocates and all but one was competent in all respects, and three were above average in some respects. The Area benefits from having a body of experienced advocates and we received feedback from other agencies to the effect that the standard of advocacy is good.
- 5.3 The position with regard to agents is somewhat different. The Area uses a high proportion of agents, who sometimes prosecute in remand courts and youth courts, about which we comment elsewhere in this report. We found evidence that some agents of poor quality were conducting trials courts.
- 5.4 At one time, the SCL carried out a comprehensive advocacy monitoring programme which included useful feedback. This is no longer undertaken by the SCL, and monitoring has become sporadic, with some informal monitoring of in-house advocates being undertaken by the Unit Heads.
- 5.5 The same is true of agents in the magistrates' court. There is some evidence of informal monitoring of agents and some evidence of formal monitoring of counsel in the Crown Court.

Aspects for improvement

- * A formal system, including the preparation of reports, should be introduced for in-house staff and for agents in the magistrates' court.

Court endorsements

STANDARD: COURT ENDORSEMENTS ARE ACCURATE AND THOROUGH AND TIMELY ACTIONS ARE TAKEN AS A RESULT

- 5.6 Generally, the quality of court endorsements is good. The Area has an Endorsement Standard and a desktop guide on how endorsements should be made, and the evidence gathered indicates that this is being followed.
- 5.7 There were 26 cases we examined which resulted in a summary trial or guilty plea and, in all cases, court endorsements clearly and legibly showed a comprehensive record of case progress in court. There was a full record on the file in all 17 cases where there was a pre-trial review.
- 5.8 Magistrates' courts' files were generally in good order and we found that in 25 cases (96.2%), the file contents were located in logical sequence.
- 5.9 Court endorsements on Crown Court files are good. There were 20 cases which resulted in a trial or guilty plea and all court endorsements showed a comprehensive record of case progress in court. As well as this, all file contents were located in a logical sequence.

Court preparation

STANDARD: PREPARATION FOR COURT IS EFFICIENT AND ENABLES BUSINESS TO PROCEED AND PROGRESS

- 5.10 Generally, preparation for court is satisfactory and allows the court business to proceed. We also observed, however, the practice of cases being transferred between courts. While prosecutors need to be pro-active in ensuring that when cases are transferred, sufficient time is requested for adequate preparation, we did not see any examples of significant problems caused by such transfer.

Attendance at court

STANDARD: STAFF ATTENDANCE AT COURT IS TIMELY AND PROFESSIONAL, AND THE CORRECT LEVELS OF SUPPORT ARE PROVIDED

- 5.11 We are satisfied that the advocates generally attend court in time, and utilise the time before court starts, and when the court has retired, in preparing cases which have been transferred, or discussing cases with the defence.
- 5.12 We received evidence from representatives of other agencies in the criminal justice system that CPS advocates performed well and the level of support provided by caseworkers in the Crown Court was good, with one-to-one coverage.

Accommodation

STANDARD: THE CPS HAS ADEQUATE ACCOMMODATION AT COURT AND THERE ARE SUFFICIENT FACILITIES TO ENABLE BUSINESS TO BE CONDUCTED EFFICIENTLY

- 5.13 The provision of accommodation for CPS across the Area varies considerably. Most of the court centres are not modern, but the CPS has access to some form of accommodation in most centres, save for Whitby.

6 VICTIMS AND WITNESSES

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
-

Overview

- 6.1 CPS staff, both lawyers and caseworkers, provides a good service to victims and witnesses who attend court. In the magistrates' courts' files we examined, all cases went to trial on the appointed date. However, we note that there are a high proportion of cracked trials in the Area, resulting in unnecessary attendance by witnesses.
- 6.2 The application of the Direct Communication with Victims (DCV) initiative in the Area needs to be reconsidered. Inspectors found a number of cases which were not identified as requiring a letter, and variation in the quality of the letters written ranged from very good to poor.

Witnesses at court

STANDARD: WITNESSES ARE TREATED WITH CONSIDERATION AT COURT AND RECEIVE APPROPRIATE SUPPORT AND INFORMATION

- 6.3 We found general satisfaction with the way CPS lawyers provided support for victims and witnesses at court in explaining matters to them. In the Crown Court, caseworkers are pro-active in communicating with victims and witnesses and keeping them informed of the status of the case in which they are involved.
- 6.4 Desktop instructions have been developed for dealing with vulnerable and intimidated witnesses, which include example forms and a guide to completion. There has also been training for lawyers and caseworkers specialising in dealing with cases involving vulnerable witnesses.
- 6.5 We found some evidence that new agents are not very good at dealing with witnesses. This should be kept under review and could be included in an advocacy monitoring scheme.

Direct Communication with Victims

STANDARD: VICTIMS ARE INFORMED OF DECISIONS TO DISCONTINUE OR CHANGE CHARGES IN ACCORDANCE WITH CPS POLICY ON DIRECT COMMUNICATION TO VICTIMS

- 6.6 The standard model for DCV has been introduced in the Area, where lawyers write the letters to victims and hold meetings where required. Appropriate training has been provided. The Area is considering the introduction of a Victim Information Bureau in the future.

- 6.7 The Area perceives that the DCV initiative is operating effectively, but we found that there is an aspect for improvement. Lawyers have attended the national training course, but some administrative staff have had no training. Laminated desktop instructions have been produced, but some staff were unaware of the guidance.
- 6.8 In our file examination we found that in only 58.3% of qualifying cases was a letter sent. Additionally, the quality of letters varies from very good to poor. We saw examples of poor use of English, legalistic jargon and typing errors. The Area Business Plan contains targets, and the NJG Plan reflects these in relation to targets for timely replies and ensuring all identifiable victims are written to in appropriate cases.
- 6.9 We did not find any evidence of notification being made to victims by telephone.

Aspects for improvement

- * Procedures should be reviewed, and training delivered where necessary, to ensure compliance with the standard in identification of all appropriate cases and timeliness and quality of letters sent.

Meetings with victims and relatives of victims

STANDARD: MEETINGS ARE OFFERED TO VICTIMS AND RELATIVES OF VICTIMS IN APPROPRIATE CIRCUMSTANCES, STAFF ARE ADEQUATELY PREPARED AND FULL NOTES ARE TAKEN

- 6.10 Meetings have been held in appropriate cases, but the major problem faced by the Area is the lack of accommodation of the requisite standard. In the current York offices there is no suitable room. The Area has requested funds for this but in light of the relocation, none have been forthcoming. In Scarborough, where the CPS is co-located in a police station, there is less of a problem, but even here the CPS is dependent on a suitable room being available at the right time. In Harrogate the library is used to hold meetings.

Victims' Charter

STANDARD: RESULTS INDICATE THAT THE NEEDS OF VICTIMS AND WITNESSES ARE CONSISTENTLY MET IN ACCORDANCE WITH VICTIMS' CHARTER

- 6.11 It is evident that there is a good relationship with the Witness Service and that the service provided by CPS is good. Working in partnership means that the needs of victims and witnesses are being met.
- 6.12 Satisfactory procedures are in place for staggering witnesses' attendance in the Crown Court. These arrangements are not yet in place in the magistrates' courts. Appropriate evidence was served in all the cases examined in the file sample, and witnesses were warned in a timely manner in all cases, apart from one in the Youth Court. Special measures were applied for in all appropriate cases, apart from one Crown Court case where they were sought inappropriately because the witness was not vulnerable.

7 PERFORMANCE MANAGEMENT

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

Overview

- 7.1 The Area produces a comprehensive performance information pack, which allows the senior team to monitor key aspects of performance. For the future, accurate financial reports should also be provided. Some aspects of performance, which need to be improved, have not been tackled in a timely manner.
- 7.2 There has been a significant improvement in the collection and sharing of joint performance information with criminal justice system partners. It is being used to improve performance in those areas of work that are priorities in the Narrowing the Justice Gap plans.

Performance standards

STANDARD: PERFORMANCE STANDARDS ARE SET FOR KEY ASPECTS OF WORK AND COMMUNICATED TO STAFF

- 7.3 The Area has local standards in place for file endorsements, and national standards apply to other aspects of the work. We found that in some aspects of work, including those where national standards apply, performance within the Area was poor, for example in the quality of briefs to counsel, the identification of qualifying cases for DCV, and CTL calculations. Standards, and expectations for performance generally, are not always reflected in job objectives. Standards of performance should be clearly communicated to staff and appropriately reflected in job objectives.

Aspects for improvement

- * The Area should ensure that standards of performance in key aspects of work are included in the job objectives for all relevant staff.

Performance monitoring

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

- 7.4 Performance information in key aspects of the work, including caseload, outcomes, adverse case reports, lawyer and HCA usage, sickness, DCV performance, cracked and ineffective trials data, and the results of the casework quality assurance programme, are considered quarterly by AMT. To ensure that there is consistency in the data captured from all teams in the Area, a new system has recently been devised which outlines the performance returns required locally and by CPS Headquarters. Chapter 9, however, highlights the need for the AMT to consider budgetary and financial information formally and regularly.

- 7.5 The Area began to operate the National Casework Quality Assurance scheme from June of this year.
- 7.6 Advocacy monitoring of in-house lawyers occurs on an ad-hoc basis and there is no formal record made. Proposals exist to enable the TU Head to formally monitor counsel.
- 7.7 There is evidence that the Area is actively considering and seeking to improve performance in the aspects of work covered by the NJG plan. There is particular emphasis on improving cracked and ineffective trials with good liaison with criminal justice system partners and new systems being introduced (paragraph 4.19). However, poor performance in other aspects of work has been slow to be tackled, in particular, DCV letters, payments of fees, completion of TQ1s by lawyers, utilisation of adverse case reports, and completion of the Area's manpower sheets which would enable the Area to assess staff deployment.
- 7.8 Systems need to be in place to ensure that key aspects of operational performance are regularly monitored, properly evaluated, and that remedial action follows where performance is poor.
- 7.9 Performance is discussed with operational staff by the CCP and at team meetings, although team meetings are not always held regularly across the Area. There was a feeling amongst staff that only poor performance was highlighted and any positive feedback would be on specific cases and not general performance.

Joint performance management

STANDARD: SYSTEMS ARE IN PLACE FOR THE MANAGEMENT OF PERFORMANCE JOINTLY WITH CJS PARTNERS

- 7.10 Good progress is being made on joint management of performance. There is high-level involvement from the CPS within both the LCJB and its Joint Performance Management Group (JPMG). Unit Heads have been appointed as champions and this role requires them to meet with other CJS champions to work to improve performance. Work undertaken by the champions will in future be regularly reported to JPMG.
- 7.11 In July the CPS champion chaired an inter agency seminar to examine and improve the PTR system; representatives of the defence also attended. As a result of the seminar a number of new processes were developed and are being put in place. A further seminar has recently been held to examine the role of the 'champion' and the outcome of this session is currently being considered before a paper is issued to LCJB.
- 7.12 After a dip in performance, the need to focus on persistent young offenders (PYO) matters has been recognised and effective remedies put in place which have led to improved performance.
- 7.13 The LCJB performance manager supports the work of the LCJB. Up to date information is now provided to the JPMG and the Board every six weeks about all aspects of joint performance.

Risk management

STANDARD: RISK IS KEPT UNDER REVIEW AND APPROPRIATELY MANAGED

- 7.14 The Area has identified pertinent risks and their impact has been assessed against the objectives in the Business Plan. Risks are identified by a variety of methods, including using the staff representatives at the Area Sounding Board to consider risks to the delivery of the Business Plan objectives. Involving working level staff in risk identification can be beneficial as the awareness of the real risks to the effective delivery of the business are not only identified, but can also often be mitigated. The management of risk now needs to be fully incorporated into the Area's regular review of its Business and Unit Plans, and should be monitored at least quarterly (see chapter 13).

Continuous improvement

STANDARD: THE AREA HAS DEVELOPED A CULTURE OF CONTINUOUS IMPROVEMENT

- 7.15 The Area has yet to achieve fully its aspiration of a culture of continuous improvement, which will permeate through all its activities not merely high level activities.
- 7.16 In general, while there is an understanding of where improvement is required, there is a lack of focus and clarity about priority and importance. A systematic approach to the identification and implementation of improvements in both administrative and casework processes is required and a recommendation is made at paragraph 13.12.

8 PEOPLE MANAGEMENT AND RESULTS

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
-

Overview

- 8.1 The planning of human resources is not yet systematic or continuous. Further work needs to be done to assess the effectiveness of the units and staff deployment.
- 8.2 There is a commitment from the top to open communications and the Area Sounding Board (ASB) is used to both influence decision-making and represent staff opinion. The Area is not representative of the community it serves, but it is taking action to address this matter.

Human resource planning

STANDARD: HUMAN RESOURCE NEEDS ARE SYSTEMATICALLY AND CONTINUOUSLY PLANNED

- 8.3 Efficient and effective use of staff must be a key issue. In general, within the Area, there is a belief that it is under funded, which has implications for the Area's ability to deliver the charging initiative successfully. Systematic and continuous planning of human resources are important if efficiencies are to flow from changes to the Area structure.
- 8.4 We found little evidence of systematic review of resource needs or human resource planning. Agreements to release staff on secondment to projects outside the Area have caused some tensions and concerns about how their work is to be covered, and current plans for recruitment of lawyers on a temporary basis have arisen out of a reaction to staff moves. The decision to recruit a new lawyer on a permanent basis to lessen reliance on agents is a sensible one, but arose out of a reaction to circumstances, rather than as part of a forward looking human resource strategy.
- 8.5 However, some advance staff planning has been undertaken for the new co-located unit in York (planned for late 2004/early 2005). Agreement has been reached to introduce an integrated administration unit within the co-located office, (an arrangement which has not been achieved in the Scarborough co-located unit) but precise numbers have not yet been finalised. A Glidewell Project Board decision has been made to redeploy any savings in staff numbers to victim and witness care.

Staff structure

STANDARD: STAFF STRUCTURE AND NUMBERS ENABLE WORK TO BE CARRIED OUT COST EFFECTIVELY

- 8.6 The Area has faced a number of pressures since the beginning of the financial year. The setting up of the CJUs and TUs, a lengthy absence of a Unit Head, and co-location at Scarborough have all had an impact. In addition, the Area believes that it is currently understaffed at lawyer level, and that this understaffing may be exacerbated when charging advice is implemented in December 2003.
- 8.7 The Area is currently showing an overstaffing of three posts at B1 (caseworker) level, and an understaffing in the lawyer grades of three staff against the 'should take' position.
- 8.8 It seems likely that, while the Area continues to operate its current structure of a combined CJU/TU at Scarborough with a separate TU for York/Harrogate, the expected efficiencies of restructuring may not be fully realised. This structure represents a change from that planned at the time of the last inspection, when a single TU for the county was envisaged.
- 8.9 We have concerns about the low usage of HCAs, although improvements were being planned during the inspection; imbalances between offices and units in the use of lawyers; the concentration of part time staff in a single unit; and the deployment of caseworkers over two sites, with different managers and differences in working practices. The staff survey (which took place before restructuring) indicated that a higher percentage of staff in North Yorkshire than the average for the CPS as a whole reported working unpaid hours and at weekends, and fewer than the average for the CPS took their full leave entitlement.
- 8.10 A combination of events has recently presented the Area with an opportunity to increase its lawyer level and address some resource imbalances between units.
- 8.11 During the time of structural change and staff absence, the Area had a high dependence on agents; agents covered 35% of magistrates' courts' sessions in April 2003, although this reduced to a quarterly average of 21%. There is a target for CJU lawyers to spend 60% of their time in court. Analysis of the manpower sheets has highlighted a disparity in the time spent in court between lawyers in the different offices in the Area. This may suggest that staffing levels within each office need to be changed. However, as there is evidence that not all returns are completed correctly, any judgement based on this information may be flawed.
- 8.12 The AMT needs to review the effectiveness of the Area's current structure, to ensure the effective deployment of staff and in the light of the need to implement charging.
- 8.13 The Area has quite properly strengthened the Secretariat, with the posts of Performance Manager and Communications Manager, to meet current requirements and expectations. The role of the Secretariat should be to facilitate and assist the smooth running of the Area through the administration of a number of functions. The work of the Secretariat, and of the staff within it, needs to be prioritised in the light of the findings of this inspection and other demands. The Secretariat may need to be strengthened further to improve financial administration.

RECOMMENDATION

The AMT should review the effectiveness of the Area's current structure, and in particular:

- * **consider the deployment of staff within its TUs and CJUs; and**
- * **the structure and work of staff within the Secretariat.**

Staff development

STANDARD: STAFF CAPABILITIES ARE IDENTIFIED, SUSTAINED AND DEVELOPED

- 8.14 The Area was recently re-recognised as an Investor in People (IiP). This report highlighted the fact that induction training has improved and that staff training is linked much more closely to the needs of the business.
- 8.15 We found an inconsistent approach to induction training across the Area. The induction pack we saw was out of date.
- 8.16 There was a view amongst staff that being part of the combined programme with CPS West Yorkshire meant that their opportunities for training were less than ideal and that training places a strain on already limited resources. The recent re-accreditation report for IiP indicated that administrative staff were less aware of training opportunities than legal staff, and that DCWs had very limited opportunities.
- 8.17 The Area must ensure that it influences the combined training programme to meet its business needs (although we understand that special circumstances this year made it difficult for the Area to do so). Development of the Area Business Plan should enable any training needs to be identified, which should be fed into any combined training programme. The timing of training should be managed to enable best use of resources.

Aspects for improvement

- * Revise the induction procedures and ensure that a consistent approach to induction is adopted across the Area.

Performance review

STANDARD: STAFF PERFORMANCE AND DEVELOPMENT IS CONTINUOUSLY REVIEWED AND TARGETS AGREED

- 8.18 100% of performance appraisal reports were completed on time. Some parts of the Area undertake quarterly reviews of staff performance. The process is used to highlight both strengths and weaknesses to staff and address any performance issues that require attention.

- 8.19 There is an inconsistent approach within the Area to individual performance targets and objectives. In many cases staff have general objectives which are linked to the overall business objective. However, in some cases where performance in certain aspects of work needs improvement, specific personal objectives are included and managers use this approach to improve and monitor performance.

Strengths

- * Quarterly reviews are undertaken to discuss staff performance and review work objectives.

Management involvement

STANDARD: MANAGEMENT HAS AN EFFECTIVE DIALOGUE WITH STAFF AND FOSTERS A CLIMATE OF INVOLVEMENT

- 8.20 The IiP re-accreditation report indicates both an improvement in, and satisfaction among, staff with the effectiveness of involvement and dialogue. This finding was supported by our inspection.
- 8.21 A communications strategy exists in draft form. There are well established and regular meetings with staff held by the CCP at all sites within the Area. These meetings are used to cascade information as well as to listen to staff opinion and address concerns. This approach is part of the effective dialogue that exists between management and staff within the Area.
- 8.22 The Area Sounding Board is also used to good effect as a way of involving staff. Team meetings are held on all sites, although their frequency varies. The IiP report indicates that staff are satisfied with the level and regularity of information that is provided.

Good employment practice

STANDARD: MANAGEMENT MEETS ITS STATUTORY OBLIGATION AS AN EMPLOYER AND DEMONSTRATES GOOD EMPLOYMENT PRACTICE

- 8.23 Employment practice in the Area is satisfactory. Managers have been trained in employment issues including performance appraisal, disciplinary procedures, managing performance and sick absences.
- 8.24 Sickness levels within the Area are falling, with an average sickness rate of 4.6 days per employee for the calendar year January – December 2002, compared with 7.9 the previous year. Sickness absence is monitored as part of the overall performance package at the AMT.
- 8.25 All grievances and complaints have been dealt with in accordance with CPS policies.

Equality and diversity

STANDARD: ACTION HAS BEEN TAKEN TO IMPLEMENT CPS EQUALITY AND DIVERSITY INITIATIVES AND ALL STAFF ARE TREATED EQUALLY AND FAIRLY

- 8.26 The Area currently employs no staff from minority ethnic backgrounds, although it has set realistic targets for the future. The percentage of the working population in North Yorkshire from minority ethnic groups is 1.6%. According to 2001 census data, more people from minority ethnic groups live in the York/Selby area than elsewhere in the county, and the total minority ethnic population here (including all ages) stands at 2.24%. All vacancies at grade B and above are advertised externally, and in an attempt to increase the awareness of CPS vacancies within the ethnic minority community the Area intends to pass all external recruitment advertisements to the York Racial Equality Network for distribution to local groups.
- 8.27 Overall, staff are satisfied that they are treated fairly. The latest staff survey indicates that there are increasing levels of satisfaction: 32% of staff felt that CPS North Yorkshire was a better place to work than two years ago and staff also felt a greater degree of confidence in senior management.
- 8.28 The role of the Area Equality and Diversity Officer is limited to casework issues only. In our last inspection we suggested that their remit and responsibilities be reviewed, and the Area's own Action Plan for 2002-03 identified this as a weakness that needed to be remedied. However, to date no action has been taken to ensure that the wider issues of equality and diversity are addressed.

Aspects for improvement

- * The Area widens the role of the Equality and Diversity Officer to cover the appropriate range of issues.

Health and safety

STANDARD: MECHANISMS ARE IN PLACE TO ADDRESS REQUIREMENTS UNDER HEALTH AND SAFETY LEGISLATION

- 8.29 The Area is taking steps to ensure that it complies with health and safety legislation. A member of the Secretariat has been trained and health and safety checks have been carried out in the York office. The Area should ensure that checks are regularly carried out at all of its sites.
- 8.30 The Area also needs to ensure that work place assessments take place on a regular basis for all staff, this is especially important for staff who have moved to new offices in the recent changes.

9 MANAGEMENT OF FINANCIAL RESOURCES

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

Overview

- 9.1 The Area urgently needs to improve the systems and processes that are in place to manage and monitor its expenditure and ensure that the AMT bases its decisions on sound financial information. The Area needs to develop an asset register.

Staff financial skills

STANDARD: THE AREA HAS THE APPROPRIATE STRUCTURE AND STAFF WITH THE NECESSARY SKILLS TO PLAN AND MANAGE FINANCE

- 9.2 The Area does not have the appropriate structure, or staff, to plan and monitor its budget effectively. The ABM is the only person in the Area experienced in financial management and trained in the resource budgeting and accounting system (RAB). A casual member of staff is brought in at intervals to process invoices and allocate spend to specific account codes.
- 9.3 This lack of contingency in the absence of the ABM, and the additional burden at senior level caused by the need to process information, has implications for the efficiency and effectiveness of budget management in the Area.

Adherence to financial guidelines

STANDARD: THE AREA COMPLIES WITH CPS RULES AND GUIDELINES FOR FINANCIAL MANAGEMENT

- 9.4 The Area has the appropriate written financial delegations in place and these are reviewed and updated regularly.
- 9.5 There is no adequate asset register for the Area. However, there is a list of 'Attractive Items' which was collated in late 2002. The lack of a full list of current assets puts the Area at risk. The Area has recognised the need for an asset register, which must be appropriately updated to maintain its accuracy and usefulness.
- 9.6 We were concerned to find that there had been some confusion about the use of the non ring-fenced money to fund the provision of agents in special cases (budget code 3010), and that expenditure on agents had been wrongly allocated to that code. The incorrect usage of this account code is particularly surprising as national guidance has been issued regularly and HMCPSI reports have highlighted and criticised weaknesses in this aspect of budgetary control on numerous occasions. The misunderstanding had been rectified shortly before the inspection, following the intervention of CPS Headquarters. The Area has not yet corrected this miscoding, although CPS Headquarters has indicated that if rectification would prove excessively time consuming, it may not be necessary.

- 9.7 The Area has struggled to finalise cases. This delay has meant that there has been an impact on potential funding. A successful bid for additional resources (£10,000) allowed the Area to recruit a short-term casual member of staff to assist with clearance of the backlog. This additional funding also allowed the Area to establish the full extent of the problem and it is now working hard to up-date all cases that have been finalised, prior to the existing case tracking system closing down in October 2003 (see paragraph 4.46).

Aspects for improvement

That the ABM:

- * develops an asset register, ensuring that this follows the CPS guidelines and processes; and
- * quickly ascertains whether it can re-assign any expenditure incorrectly placed within code 3010.

Budgetary controls

STANDARD: THE AREA HAS EFFECTIVE CONTROLS TO FACILITATE AN ACCURATE APPRECIATION OF ITS BUDGETARY POSITION FOR RUNNING COSTS

- 9.8 The Area has limited systems in place to monitor and control its running costs. A lack of trained resource within the Secretariat has meant that RAB processes and arrangements have not been introduced.
- 9.9 The Area constructs its budget using historical spend information and, if it considers that current initiatives may increase expenditure, it adds a considered amount to the account code to cover expected costs. Expenditure forecasts therefore may not be accurate.
- 9.10 Budget reports are received from the Service Centre, but there is little evidence that these reports are interrogated or used to forward plan. A number of account codes showed very large overspends against annual profile at month 5 (August). Although these anomalies were explained, there is little systematic reconciliation of actual spend against figures in the budget reports. This lack of detailed analysis has serious implications for financial management, and more prudent arrangements should be instigated.
- 9.11 Since it came into existence as a separate CPS Area, North Yorkshire has been unable to operate within its budget, and has overspent each year. The Area is of the view that its activity based costing (ABC) assessment, even with additional funds allocated during the year, is insufficient to meet its needs, and that the model does not meet the needs of rural area.

- 9.12 The Area has, since the last inspection in August 2001, received a 40% increase in its budget allocation. Analysis has shown that General Administration Expenditure fluctuated greatly between 2001-02 and 2002-03, increasing by over £100,000. Although accounting changes may account for some of this fluctuation, the entire reason is not clear. In 2002-03 the Area overspent by 6.86% (£164,000), the largest percentage overspend of any Area, and even though the budget report at August 2003 suggests a slight underspend at end of year, the Area is again forecasting an overspend of over £100,000. Immediate steps must be taken to ensure that committed and accrued expenditure is properly recorded so that the Area is able to understand fully its budgetary position.
- 9.13 Cost centres have been created for each unit and for the Secretariat, and some attempt has been made to devolve the management of agent costs within the Area. The cost centre budget reports were, however, incorrect and showed, for example, the Area's total budget for agents allocated to the York CJU, while at the same showing a budget, albeit smaller, allocated to the Scarborough Unit. Further discussion is needed at AMT about the principles of budget devolution. The debate should address the reasons for the decision, how the process is to work, and how current and regular information will be provided to responsible individuals. Devolution should only be put in place after those who are to be held accountable for specific areas of the budget have received full training.
- 9.14 Reports on financial performance, accompanied by accurate budget reports, should be formally and regularly considered by the AMT in order to enhance corporate responsibility for the Area's financial position. Greater assistance and guidance should be given to Unit Heads to enable them to plan and control agent expenditure properly throughout the year.
- 9.15 The Area has recognised that this aspect of performance needs to be improved. Without urgent attention, and appropriate staff, the Area will continue to struggle to achieve sound financial management, and any decisions will not be made on the basis of sound financial knowledge.

RECOMMENDATION

The AMT should take action immediately to ensure that:

- * **committed and accrued expenditure is properly recorded and monitored so that the Area has up to date and accurate knowledge of its financial position;**
- * **budget reports are regularly and formally considered by the AMT to enhance corporate responsibility for the Area's financial position; and**
- * **spending on agents is properly controlled.**

Management of prosecution costs

STANDARD: PROSECUTION COSTS ARE EFFECTIVELY MANAGED AND REPRESENT VALUE FOR MONEY

- 9.16 The Area only covered 25 HCA sessions against a target of 120 in 2002-03, the second worst performance against target in the country. Managers cite a combination of factors, but have now improved staffing arrangements and are improving arrangements for the organisation of HCA work.
- 9.17 There is a backlog in outstanding counsel fees. It is essential that contingency arrangements be made to cover priority areas of the work should staff leave. The AMT recognises that this is an aspect of performance that could be more closely monitored and plans to improve performance information to ensure that backlogs of payments do not arise in the future.
- 9.18 There is little formal monitoring of agents and counsel, but we saw evidence that the selection of counsel takes account of feedback, to ensure that, amongst other things, advocates with appropriate skills are selected, thus improving value for money.
- 9.19 The Area has a formal system to monitor briefs that are returned from counsel. Such returns can impact on value for money. The Area, along with CPS Humberside and CPS Cleveland, recently approached Chambers jointly to address problems with returned briefs. This combined approach highlighted the issues more forcibly.
- 9.20 We cover the usage of account code 3010 at paragraph 9.6.

Value for money approach

STANDARD: THE AREA DEMONSTRATES A VALUE FOR MONEY APPROACH IN ITS FINANCIAL DECISION-MAKING

- 9.21 The Area has not let any financial contracts over the past year. However, it contributes to negotiations for contracts and services, which are let regionally through the Service Centre.
- 9.22 The lack of formal systems in place to monitor, plan and manage the budget make it difficult to assess whether the Area demonstrates value for money in its decision making. In addition, an under utilisation of HCAs and poor control of agents' fees suggests that value for money is an aspect of financial management that needs to be improved.

10 PARTNERSHIPS AND RESOURCES

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

Overview

- 10.1 The Area and its criminal justice system partners have made a sound start to partnership working, although some further work is needed to ensure co-location operates efficiently.

Criminal justice system partnerships

STANDARD: PARTNERSHIPS WITH OTHER CJS AGENCIES ARE DEVELOPED AND MANAGED

- 10.2 Partnerships are developing with CJS agencies. Plans for further co-location are proceeding, initial difficulties having been overcome. Agreement has now been reached with the police over the principles for administrative arrangements, and a review of the working of the single file system is planned. Much work remains to be done, however, before efficient systems are finalised.
- 10.3 The reorganisation of the court schedule, to meet the needs of the CPS and objectives within the Narrowing the Justice Gap Plan, is evidence of the Area's growing partnership with the magistrates' courts, and further work is planned to improve the effectiveness of PTRs and improve cracked and ineffective trial performance.

Criminal justice system agencies

STANDARD: PARTNERSHIPS WITH OTHER CJS AGENCIES ARE IMPROVING QUALITY AND TIMELINESS OF CASEWORK AND ENSURE THAT DECISIONS ARE FREE FROM BIAS

- 10.4 While high-level relationships are developing and well managed, further work is needed to ensure that all parts of the criminal justice system organisations recognise the need for successful partnerships to improve performance. The Area has been slow to ensure that lawyers complete TQ1s, and a more positive approach is needed to ensure the CPS assists with an improvement in the quality of police files.
- 10.5 At the time of the inspection, the charging pilot at Scarborough had only been running for three months and the benefits, in terms of performance and outcomes, had yet to be measured and quantified.

Information technology

STANDARD: INFORMATION TECHNOLOGY IS DEPLOYED AND USED EFFECTIVELY

- 10.6 Compass, has been fully implemented across the Area and, at the time of the inspection, was running in tandem with the outgoing System 36. Although staff in post at the time of implementation had been trained, a number of new staff had not. Some staff reported that the original training had felt rushed, and the timing of the assistance from floorwalkers was premature. Staff were now using the virtual tutor for support. The Area needs to ensure staff are able to make full use of the system. In order to improve working arrangements in the Scarborough co-located unit, police staff are to be trained to use the Compass system, and additional computers will be provided.
- 10.7 A shared drive is used to publish Area Sounding Board minutes, but AMT minutes are not yet readily available to all staff in the same way; this should be remedied. The Area now has good performance data available to it, which is well presented in graph form. The AMT should consider how technology could best be used to support staff understanding of Area performance.

Buildings, equipment and security

STANDARD: THE AREA MANAGES ITS BUILDINGS, EQUIPMENT AND SECURITY EFFECTIVELY

- 10.8 The Area will be moving to new purpose built premises, co-located with the police, at the end of 2004, or early 2005. The planned move has had a negative effect on some aspects of funding for improvements to existing buildings.
- 10.9 The Area piloted use of BS7799 security standard, and carried out a review of security in its buildings, in response to findings in the last inspection report. Some recommendations in the review have been addressed, including improvements to the computer server room, and in file storage arrangements. Others have not yet been fully tackled. While there are improved security arrangements for visitors, not all staff displayed security passes and risk assessments within courthouses have not been carried out.

Partnership with Headquarters and the Service Centre

STANDARD: THE AREA HAS A GOOD WORKING PARTNERSHIP WITH HEADQUARTERS DEPARTMENTS AND THE SERVICE CENTRE

- 10.10 The Area collaborates with CPS Headquarters and recently legal staff have been seconded to high profile projects.
- 10.11 No formal Service Level Agreement with the Service Centre currently exists. The Area is now making better use of the Service Centre's expertise.

11 POLICY AND STRATEGY

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

Overview

- 11.1 The Area recognises the need to deliver key elements of criminal justice system and CPS policy. It has begun the process of co-location with the police, and has also begun to deliver the charging initiative. The Area communicates national CPS policy to partners well, but is of the view that its ability to deliver further will be hampered by financial constraints.
- 11.2 Direction needs to be fully communicated internally and systems for implementation and review are needed to ensure that direction and Area objectives are achieved.

Stakeholders

STANDARD: POLICY AND STRATEGY ARE BASED ON THE PRESENT AND FUTURE NEEDS AND EXPECTATIONS OF STAKEHOLDERS

- 11.3 Initial arrangements for co-location stalled through no fault of the Area. However Scarborough co-located in early in 2003. Planned co-location for the rest of the county will not occur until late 2004, or early 2005. The Area has implemented the charging initiative in the Scarborough office and was considering how best to implement the charging initiative across the rest of the county using a range of options.
- 11.4 The Area generally considers itself to be severely hampered by its level of funding. The Area needs both to ensure it manages its budget properly, and review the effectiveness of its current structure and staffing arrangements, which have some inefficiencies. Even so, room for manoeuvre may be limited. The Area will need to ensure, however, that information about the current use of resources properly informs its future delivery strategy.

Performance measurement

STANDARD: POLICY AND STRATEGY ARE BASED ON INFORMATION FROM PERFORMANCE MEASUREMENT, RESEARCH AND RELATED ACTIVITIES

- 11.5 Arrangements for the sharing and consideration of performance jointly with criminal justice system partners is improving, and in the future should form the basis for local criminal justice system policy.
- 11.6 Internally, the Area analyses HMCPSI thematic inspections, and the Special Casework Lawyer reviews aspects of casework to inform future practice.

Review

STANDARD: POLICY AND STRATEGY ARE DEVELOPED, REVIEWED AND UPDATED

- 11.7 The work of the Area would be enhanced by regular review of its plans and strategies. This is identified as an aspect for improvement at paragraph 13.17.

Framework of key processes

STANDARD: POLICY AND STRATEGY ARE DEVELOPED THROUGH A FRAMEWORK OF KEY PROCESSES

- 11.8 This report has highlighted a number of shortcomings in processes. The Area needs to identify the framework of processes, both key and lower level maintenance processes, that are needed to ensure it delivers the aims and objectives set for the criminal justice system, both those set by the CPS nationally, and those which it has set for itself. Key processes will include, for example, processes for financial management, governance (in particular to ensure the implementation of management decisions), case management and those relating to the quality of service offered by the Area. Processes need to be supported by effective quality assurance and reporting mechanisms. Paragraph 13.12 refers to the need to ensure that ownership is defined at senior level for the effectiveness of administrative processes.

Communication and implementation

STANDARD: POLICY AND STRATEGY ARE COMMUNICATED AND IMPLEMENTED

- 11.9 Some key aspects of CPS policy have been very successfully communicated to criminal justice system partners, in particular relating to the prosecution of domestic violence cases, and dealing with vulnerable victims. The Area has led the way in seeking to raise the profile, among criminal justice system partners, of the existence of hate crime in rural communities.
- 11.10 The CCP communicates objectives for the criminal justice system through his regular visits to Area offices. The challenge for the Area is to ensure implementation of agreed strategies and policies through effective arrangements for management.

12 PUBLIC CONFIDENCE

KEY REQUIREMENTS:

- * THE AREA IS PROACTIVELY 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
-

Overview

- 12.1 Complaints were dealt with well and in a timely manner and a new procedure has been devised with training planned for later in the year.
- 12.2 The Area has engaged with the community in a number of ways. Its involvement with the Area Child Protection Committee illustrates its commitment to high casework standards so as to safeguard children.

Complaints

STANDARD: COMPLAINTS ARE EFFECTIVELY MANAGED TO INCREASE SATISFACTION AND CONFIDENCE

- 12.3 The responses to complaints which we examined during our inspection were good, in that they addressed the issues raised and offered full, intelligible explanations. In 2002-03, the Area's target for timeliness of replies to complaints was 96%, and it achieved 100%. Correspondence from Members of Parliament should be replied to within 15 days, and again this target was achieved in 100% of cases.

Strengths

- * The timeliness and quality of responses to complaints.

Minority ethnic communities

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

- 12.4 This has been dealt with at paragraph 4.29.

Safeguarding children

STANDARD: THE AREA SAFEGUARDS CHILDREN THROUGH ITS CASEWORK PERFORMANCE AND WORK WITH OTHER AGENCIES, INCLUDING THE AREA CHILD PROTECTION COMMITTEE(S)

- 12.5 We found that the Area is alive to the arrangements to safeguard children. It is a member of the Area Child Protection Committee (ACPC).
- 12.6 The Area has two experienced specialists who deal with child abuse cases. The lawyer who sits on the ACPC deals with the majority of cases, liaises with and advises the police Family Protection Units and instructs counsel with particular expertise for those cases which proceed to the Crown Court.
- 12.7 We received evidence from representatives of other agencies which indicated that the approach of the Area to cases involving children was highly regarded, with particular reference to the quality of the specialists.

Strengths

- * The approach of the Area to cases involving children and the contribution made on an inter-agency basis by the specialists.

Community engagement

STANDARD: THE AREA HAS APPROPRIATE LEVELS OF ENGAGEMENT WITH THE COMMUNITY

- 12.8 Overall, diverse communities are neither visible nor organised in North Yorkshire. The York Racial Equality Network is the main voluntary racial equality group, in the county. The Area has established good contacts with the Network, whose full time member of staff sits on the Race Issues sub-group of the LCJB, and has attended training given by the Area to its staff on dealing with racially and religiously aggravated crime, as well as the Area's Speaking Up for Justice conferences. The Area has also been involved in open forums organised by the Network about the operation of the criminal justice system. The Area intends to use the Network as a means of distributing information about job vacancies to minority ethnic groups.
- 12.9 Citizens from minority and vulnerable groups are scattered throughout the county, and the Area has worked well with the Regional Equality and Diversity Officer in determining the best way to raise awareness, promote understanding and tackle hate crime, including homophobic crime, in a rural area. The Area is leading, through the LCJB, a proposal to deliver training to criminal justice system staff, staff from other statutory bodies such as local authorities and health trusts, and voluntary groups. It hopes to commission a video for use as a training tool in schools, as part of citizenship training, and other organisations. The Area has been successful in obtaining partial funding from the Regional Development Agency, and is negotiating with the North Yorkshire Probation Board for additional funding.

- 12.10 The Area's approach is innovative and demonstrates its commitment to meeting its duty under the Race Relations (Amendment) Act and the CPS Race Equality Scheme.
- 12.11 One of the Area specialists was instrumental in setting up a Domestic Violence Committee which she chairs. Funding has been provided by two police divisions, and three co-ordinators have now been appointed for the county. The Committee will provide a strategic overview for North Yorkshire in dealing with domestic violence issues.

Strengths

- * Commitment to raising awareness, promoting understanding and tackling hate crime, in a rural county.
- * The high profile in relation to domestic violence issues.

Media engagement

STANDARD: THE AREA ENGAGES WITH THE MEDIA

- 12.12 The Area had recently appointed a Communications Manager. Pro-active arrangements to influence the media have yet to established.

Public confidence

STANDARD: PUBLIC CONFIDENCE IN THE CJS IS MEASURED, EVALUATED AND ACTION TAKEN AS A RESULT

- 12.13 Good relationships have been developed with other agencies and we received very positive feedback about the Area in general, and individual members of staff in particular. The Area planned two conferences which were supported by the police and social services where professionals from many disciplines, together with workers from the voluntary sector, highlighted the issues of victims and witnesses and, in particular, those who are vulnerable or suffering some form of disability. At this time, however, the Area has not found a means of measuring public confidence.

13 LEADERSHIP AND GOVERNANCE

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

Overview

- 13.1 The Area has demonstrated a commitment to achieving the aims set for the criminal justice system - in particular in its strategies - in co-operation with other agencies, to improve cracked and ineffective trial performance.
- 13.2 In general, the implementation of planned improvements has not always been complete, and expectations about levels of quality and performance should be made clear by the AMT and monitored. The Management Team needs to refine its working practices and ensure it develops a corporate approach to all aspects of governance of the Area.

Vision and values

STANDARD: VISION AND VALUES ARE DEVELOPED AND SUPPORT A CULTURE OF CONTINUOUS IMPROVEMENT

- 13.3 The Area is making progress towards ensuring the objectives of the CPS, and those that have been set for the criminal justice system nationally, are met.
- 13.4 The commitment of senior staff to achieving the aims set for the criminal justice system is clear. All senior staff are focussed on reducing cracked and ineffective trials and the Area has sought to lead the way by increasing understanding about the existence of race and other hate crimes in rural communities (paragraph 11.9). The CCP, as Chairman of the LCJB, is pro-actively and heavily involved in the work of the Board and facilitating improvements in criminal justice in the area.
- 13.5 However, the structural and office changes, along with changes at senior management level, and a re-designation of responsibilities caused, in part, by the need for the CCP to focus his attention across the criminal justice system, has unsettled the Area. Some internal aspects of performance have suffered and planned improvements have not been satisfactorily implemented (see paragraphs 4.39, 4.52). While the Area is trying to improve its performance in terms of key outcomes, arrangements and systems are not in place to ensure that the operational performance of the Area, in all its aspects, continuously improves (see paragraphs 7.15 - 16).
- 13.6 Overall, therefore, while a vision about high-level performance has been established, and communicated to staff, the Area has not yet succeeded in giving full effect to its aspirations.

Staff recognition

STANDARD: MANAGERS ACTIVELY MOTIVATE, RECOGNISE AND SUPPORT THEIR STAFF

- 13.7 The Area actively involves staff in decision-making through good use of the Sounding Board, including an annual review of the year's performance and establishing priorities for the future year as a basis for the Area Business Plan. A Glidewell Group, to involve staff in decisions about the plans for co-location in new premises, was being established at the time of the inspection.
- 13.8 However, more needs to be done to facilitate co-operative working arrangements between units and offices in order to support staff in their work.
- 13.9 The overall perception of staff was that they were not motivated by managers; some reporting a lack of positive feedback, others believing that while they were appreciated, that appreciation was not always voiced. The Area's current office arrangements are temporary. Management should consider how it motivates staff during a time of continuing change.

Strengths

- * Involvement of Sounding Board staff in reviewing Area performance and establishing Area priorities.

Aspects for improvement

- * Motivation of staff during a time of continuing change.

Management structure

STANDARD: THE AREA HAS DEVELOPED AN EFFECTIVE MANAGEMENT STRUCTURE TO DELIVER AREA STRATEGY AND OBJECTIVES

- 13.10 The composition of the AMT is satisfactory, and includes the Area Performance Manager and TU Business Manager, as well as the Area's senior managers. Other staff attend the meeting as necessary. Meetings are held regularly, although not always monthly. The AMT considers appropriate matters and relevant performance information, including quarterly LCJB information.
- 13.11 The changing responsibilities of the CCP, and the restructuring into units, has meant that the responsibilities of senior managers have also changed. The Area has confirmed that further work needs to be done to define the roles and responsibilities of the Unit Heads and their relationship with the ABM. At the time of the inspection, a gap had developed over where responsibility lay for ensuring the smooth operation of the Area, in particular where responsibility lay for the identification and implementation of improvements, and for the effectiveness of office systems.

- 13.12 Terms of reference should be developed to govern the work of the Management Team, and clearly defined responsibilities for implementing management decisions should exist. There should be clear identification of responsibility for examining and continuously improving administrative processes. Paragraph 9.15 makes reference to the need to ensure that accurate financial reports are regularly presented to the AMT and that corporate responsibility is developed among the AMT for the financial performance of the Area.

RECOMMENDATION

The AMT should:

- * **Develop terms of reference to govern the work of the Management Team and define responsibilities for implementing management decisions.**
- * **Identify ownership for the examination and continuous improvement of its administrative processes.**
- * **Put systems in place to ensure continuing effectiveness.**

Organisational structure

STANDARD: THE AREA HAS DEVELOPED AN EFFECTIVE ORGANISATIONAL STRUCTURE TO DELIVER AREA STRATEGY AND OBJECTIVES

- 13.13 The current organisational structure, under which 19% of the Area's Crown Court caseload is dealt with separately within the combined CJU/TU at Scarborough, has caused some difficulties for the Area. In particular, it has struggled to deploy its HCAs effectively, and the management and deployment of caseworkers is fragmented. Our other concerns about the interim structure are set out in paragraph 8.9.
- 13.14 By 2005 all staff, with the exception of those in Scarborough, will be located on a single site. The CCP is of the view that the Scarborough office would not be sustainable as a separate office if it did not retain responsibility for its Crown Court work. However, arrangements in Scarborough may change as the Magistrates' Courts Committee is seeking approval from the Lord Chancellor for the closure of two courthouses served by the office. The Area will shortly be implementing the pre-charge advice initiative across the county. A recommendation is made at paragraph 8.13 that the Area brings forwards its planned review of the effectiveness of its units and the deployment of staff within them to assist with its planning for this further change.

Action plans

STANDARD: EFFECTIVE PLANS OF ACTION, WHICH IDENTIFY KEY ISSUES, AND WHICH REFLECT CPS AND CJS STRATEGIC PRIORITIES, AND LOCAL NEEDS, ARE IN PLACE

- 13.15 The Area Business Plan reflects the objectives in the Narrowing the Justice Gap plan, and is supported by an Area Action Plan. Pertinent risks to the achievement of the Area's objectives are well analysed. However, some proposed countermeasures have either not been included in the Business Plan, or not been actioned, for example those relating to the management of finance, the dissemination of performance information and the establishment of a credible TQ1 system.
- 13.16 Unit plans need to be revisited to ensure they reflect the needs of the unit, and are not restricted to high level objectives.
- 13.17 Arrangements for the review of all plans need to be made clear, and Unit Action Plans and the Area Action Plan should be formally and regularly reviewed by the AMT.

Aspects for improvement

- * Unit plans and the Area Action Plan should be regularly monitored and reviewed by the AMT. Proposed countermeasures to risk should in future form part of the Area's Business and Action Plans.

Criminal justice system co-operation

STANDARD: THE AREA CO-OPERATES WITH OTHERS IN ACHIEVING AIMS SET FOR THE CRIMINAL JUSTICE SYSTEM

- 13.18 The Area is actively working with criminal justice system partners to determine how the public service agreement (PSA) targets will be met, and there is good co-operation between criminal justice system partners at a senior level.

Performance accountability

STANDARD: THE AREA IS ABLE TO ACCOUNT FOR PERFORMANCE

- 13.19 Overall, the Area receives meaningful management information, which should enable it to monitor performance regularly across the full range of its responsibilities. However, the Area has been slow to tackle some aspects of poor performance, because some implementation has been ineffective.

Principles of conduct

STANDARD: THE AREA DEMONSTRATES ADHERENCE TO APPROPRIATE PRINCIPLES OF CONDUCT IN PUBLIC AFFAIRS

- 13.20 The Area's commitment to meeting the requirements of the Race Relations (Amendment) Act is clear from the way it is approaching engagement with the community. In widening the responsibilities of its Equality and Diversity Officer (see paragraph 8.28) the Area should take the opportunity also to re-examine its approach internally.

Financial systems

STANDARD: FINANCIAL RESPONSIBILITY AND ACCOUNTABILITY ARE CLEARLY ESTABLISHED AND SYSTEMS ASSURE REGULARITY, PROPRIETY AND PROBITY IN THE MANAGEMENT OF PUBLIC MONEY

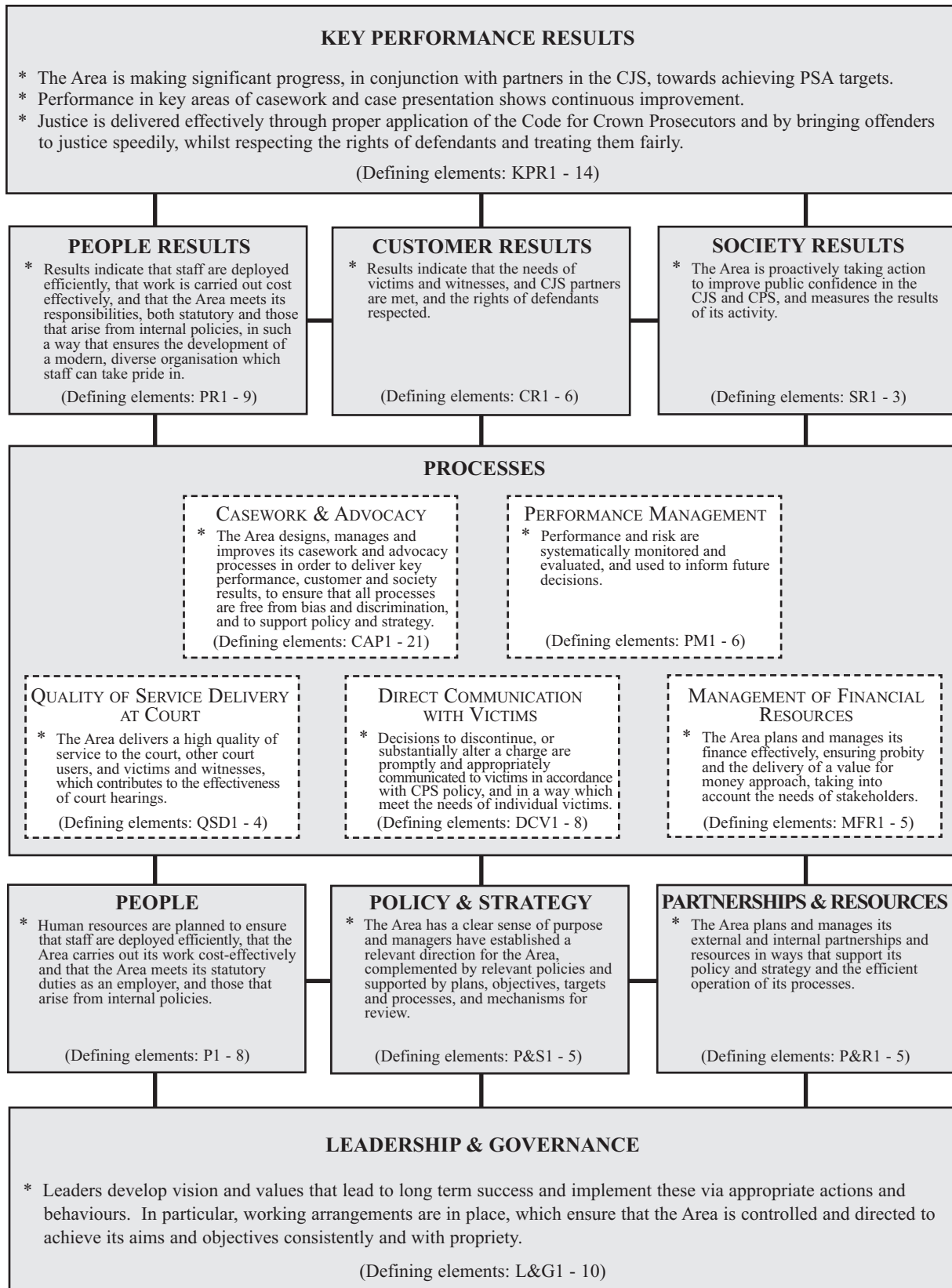
- 13.21 Financial accountability, regularity and propriety are vital to good governance. Chapter 9 indicates that this is an area of weakness which the Area needs to address. It must ensure that arrangements are in place for good financial management that will, in turn, assist it to achieve its aims and objectives.

Community

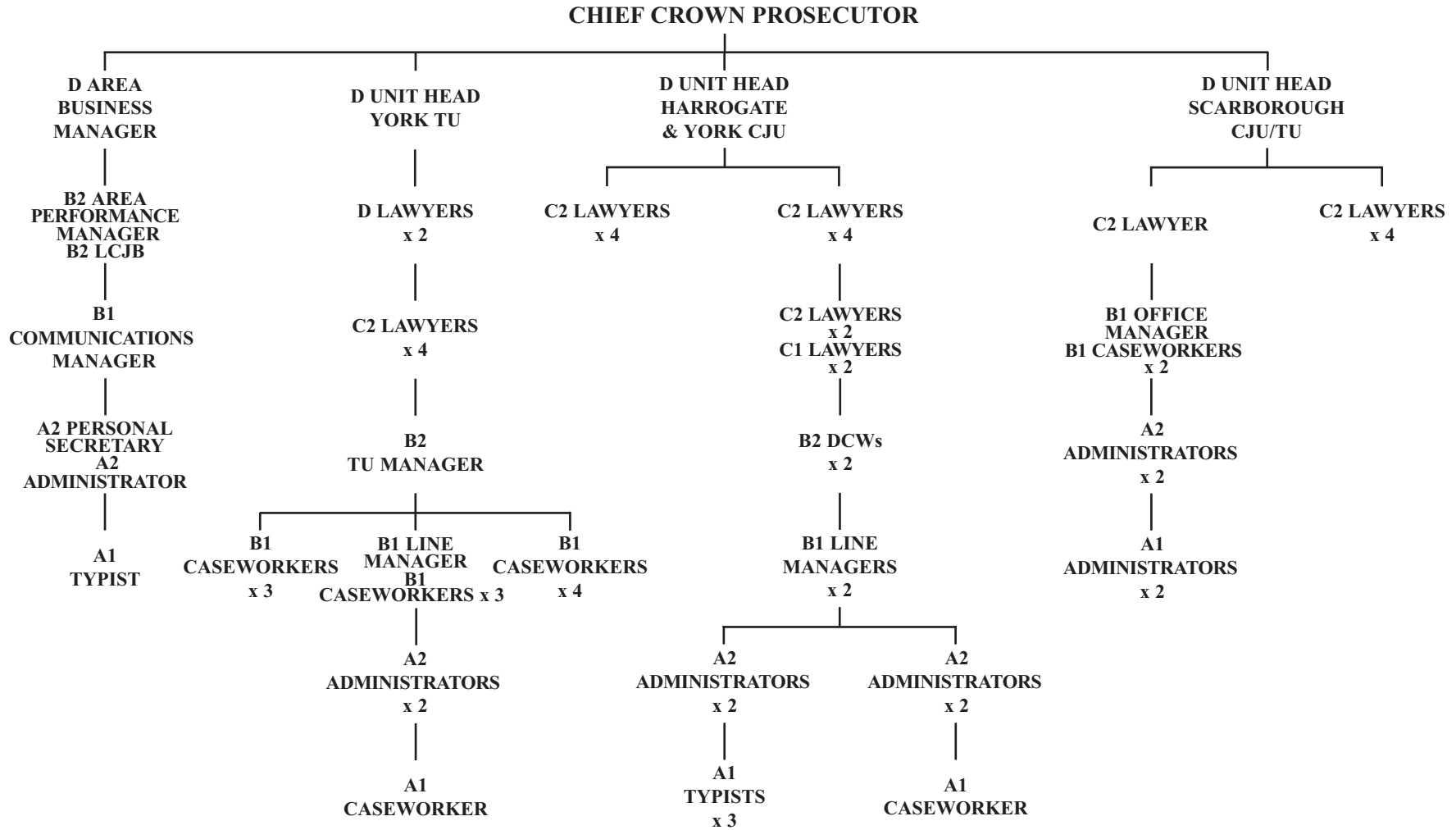
STANDARD: THE AREA IS RESPONSIVE TO THE VIEWS OF AN INFORMED, DIVERSE COMMUNITY

- 13.22 We deal with this in chapter 12.

BUSINESS EXCELLENCE MODEL INSPECTION MAP



CPS NORTH YORKSHIRE STAFF STRUCTURE



AREA CASELOAD FOR YEAR TO JUNE 2003

1. Magistrates' Court - Types of case	North Yorkshire		National	
	Number	Percentage	Number	Percentage
Advice	2,191	12.5	70,667	4.9
Summary motoring	3,941	22.4	522,298	36.1
Summary non-motoring	4,083	23.2	276,475	19.1
Either way & indictable	6,950	39.6	568,498	39.3
Other proceedings	404	2.3	8,750	0.6
Total	17,569	100	1,446,688	100

2. Magistrates' Court - Completed cases	North Yorkshire		National	
	Number	Percentage	Number	Percentage
Hearings	11,342	75.7	1,000,084	73.1
Discontinuances	1,746	11.7	171,524	12.5
Committals	917	6.1	91,013	6.7
Other disposals	969	6.5	104,650	7.7
Total	14,974	100	1,367,271	100

3. Magistrates' Court - Case results	North Yorkshire		National	
	Number	Percentage	Number	Percentage
Guilty pleas	10,531	92.1	814,836	81.0
Proofs in absence	358	3.1	132,260	13.1
Convictions after trial	421	3.7	41,803	4.2
Acquittals: after trial	111	1.0	15,627	1.6
Acquittals: no case to answer	17	0.1	1,855	0.2
Total	11,438	100	1,006,381	100

4. Crown Court - Types of case	North Yorkshire		National	
	Number	Percentage	Number	Percentage
Indictable only	421	22.8	40,294	31.6
Either way: defence election	513	27.8	15,195	11.9
Either way: magistrates' direction	527	28.5	40,807	32.0
Summary: appeals; committals for sentence	387	20.9	31,144	24.4
Total	1,848	100	127,440	100

5. Crown Court - Completed cases	North Yorkshire		National	
	Number	Percentage	Number	Percentage
Trials (including guilty pleas)	1,264	86.5	79,542	82.6
Cases not proceeded with	123	8.4	13,650	14.2
Bind overs	19	1.3	1,210	1.3
Other disposals	55	3.8	1,894	2.0
Total	1,461	100	96,296	100

6. Crown Court - Case results	North Yorkshire		National	
	Number	Percentage	Number	Percentage
Guilty pleas	993	75.9	59,827	73.6
Convictions after trial	178	13.6	13,332	16.4
Jury acquittals	86	6.6	6,696	8.2
Judge directed acquittals	51	3.9	1,486	1.8
Total	1,308	100	81,341	100

TABLE OF RESOURCES AND CASELOADS

AREA CASELOAD/STAFFING CPS NORTH YORKSHIRE		
	June 2003	November 2001
Lawyers in post (excluding CCP)	24.2	22.6
Cases per lawyer (excluding CCP) per year	726.0	690.8
Magistrates' courts contested trials per lawyer (excluding CCP)	22.6	20.9
Committals for trial and "sent" cases per lawyer (excluding CCP)	37.9	41.6
Crown Court contested trials per lawyer (excluding CCP)	13.0	8.4
Level B1, B2, B3 caseworkers in post	19.8	12.6
Committals for trial and "sent" cases per caseworker	46.3	74.6
Crown Court contested trials per caseworker	15.9	12.0
Running costs (non ring fenced)	£2,828,100	£2,112,470

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

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

	RECOMMENDATIONS	POSITION IN SEPTEMBER 2003
R1	Prosecutors should ensure that the conditions of bail and the reasons and grounds for their imposition should be endorsed on the file, or that a copy of the court bail register be obtained.	Achieved. These are endorsed on files.
R2	The CCP ensure that adverse case reports are compiled by all staff who have been involved with the file and the PTLs, and that the result of their analysis, together with the observations of the SCL, are effectively shared so that all staff learn from the Area's adverse cases.	Partially achieved. There is an adverse findings system in place, but it does not operate in full accord with the recommendation and requires improvement.
R3	The Youth Area Co-ordinator to establish a network between all teams so that she can effectively represent the Area as a whole and feed back information for appropriate action by the teams.	Achieved. Co-ordinator is in place and a network exists (see Recommendation 4).
R4	The CCP to ensure that there are sufficient Youth Specialists to ensure Youth cases are properly reviewed and, where possible, prosecuted by those properly trained; and that agents' use in Youth Courts is reduced.	Achieved. There are seven Youth Specialists spread across the three offices. Agents are still being used, but this has reduced.
R5	The CCP should ensure that a lawyer or a DCW checks advance information before it is served on the defence and that a record of the material that is served is kept in all cases.	Partially achieved. Advance information is checked and recorded in some cases, but there is no consistent Area system for checking and recording on the file what has been served.

	RECOMMENDATIONS	POSITION IN SEPTEMBER 2003
R6	<p>The CCP and SCL monitor the effectiveness of the recent training on unused material to ensure:</p> <ul style="list-style-type: none"> * Scrupulous compliance with the procedure, in particular with regard to secondary disclosure, and that any necessary further remedial action is taken promptly; * That all actions with regard to the disclosure of unused material are recorded on the file; and that * Documents relating to unused material are kept separately on the file. 	Partially achieved. Currently ongoing, with training on JOPI planned and logs attached to all files.
R7	The CCP to introduce a system for checking indictments before they are lodged and amendments to indictments monitored to ensure that the system feedback is effective.	Partially achieved. The Unit Head in the York TU has now introduced a system for checking indictments.
R8	The CCP and PTLs ensure that they regularly monitor the quality of the advocacy of their lawyers and DCWs and immediate structured feedback is given.	Achieved. However, the SCL no longer carries out any monitoring and such monitoring as there is has become sporadic.
R9	The CCP and the ABM review the structure and the role of the Secretariat and the responsibilities of staff.	Achieved. However, further work is now required as a Communications Officer has now been appointed.
R10	The CCP and the AMT review arrangements for the induction of staff and ensure that induction is carried out consistently and thoroughly across the Area.	Partially achieved. An induction package exists and has been used, but it is now out of date and requires updating.
R11	The AMT formally monitor the achievement of objectives in the Equality and Diversity Plan.	Not yet achieved. The remit of the Equality and Diversity Officer, which is presently limited, needs to be reviewed.

	RECOMMENDATIONS	POSITION IN SEPTEMBER 2003
R12	The CCP and AMT undertake a review of Area premises, and thereafter ensure that appropriate remedial action is undertaken.	Achieved. A review was undertaken and some remedial work has carried out.
R13	The CCP ensures that appropriate mechanisms are put in place to address the requirements of health and safety legislation.	Health and safety checks have been carried out in the York office, but the Area needs to ensure that similar checks are carried out in all of the offices.
	SUGGESTIONS	POSITION IN SEPTEMBER 2003
S1	Area managers ensure that there is an effective system for monitoring the timeliness of advice so that it is returned within 14 days.	Systems are in place to monitor the timeliness of advice.
S2	Prosecutors highlight changes to custody status to ensure the necessary action is taken to monitor custody time limits.	This was addressed in the Area Standard on endorsements, although file examination showed that it was not always applied.
S3	Prosecutors ensure that provision of information to the Probation Service and YOTs, or pre-sentence reports, is recorded on all files.	This does not happen in all cases.
S4	The CCP takes steps to promote the importance of the Whitley Council and wider representation among PCS staff.	This has been done.
S5	The CCP to clarify the Area-wide remit of the Equality & Diversity Officer.	The remit of the Equality and Diversity Officer is, at present, restricted to casework matters.
S6	PTLs should achieve full familiarity with the joint performance management (JPM) mechanisms and data, and use the system to greater effect in improving the performance of the police locally and their teams.	This is now the responsibility of the Unit Heads who use the data at local JPM meetings.
S7	The CCP ensures that all complaints are recorded and that the quality and timeliness of response is monitored.	This is done.

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

	Number of files examined
Magistrates' courts cases/CJUs:	
Advice	4
No case to answer	1
Trials	9
Discontinued cases	15
Race crime	7
Domestic violence cases	5
Youth trials	5
Cracked trials	9
Ineffective trials	0
Cases subject to custody time limits	12
Crown Court cases/TU:	
Advice	5
Committals discharged after evidence tendered/sent cases dismissed after consideration of case	0
Judge ordered acquittals	11
Judge directed acquittals	4
Trials	10
Child abuse cases	5
Race crime	1
Cracked trials	8
Ineffective trials	0
Rape cases	4
Street crime cases	0
Cases subject to custody time limits	10
TOTAL	125

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 Hoffman

Mr M Molloy, Crown Court Manager, York Crown Court

Magistrates' Courts

Mrs H Gilbertson MBE JP, Chair, North Yorkshire Magistrates' Courts Committee

Dr P Hogarth JP, Chair of the Bench, York

Mrs S Foster JP, Chair of the Bench, Skipton

Mrs S Jefferson JP, Chair of the Bench, Northallerton & Richmond

Mrs E Rumley JP, Chair of the Bench, Scarborough

Mr P Bradley, Justices' Chief Executive, North Yorkshire Magistrates' Courts Committee

Mr G Lees, Clerk to the Justices

Mr B Holden, Deputy Clerk to the Justices

Police

Ms D Cannings, Chief Constable, North Yorkshire Police

Ms M Dudgeon, Office Manager, British Transport Police

Detective Superintendent A Esler, Ministry of Defence Police

Chief Superintendent P Gregory, North Yorkshire Police

Superintendent B Mitchell, Western Area Commander, North Yorkshire Police

Superintendent D Short, Eastern Area Commander, North Yorkshire Police

The Head of Operational Support, National Crime Squad

Defence Solicitors

Mr K Blount

Mr G Boothby

Mr R Buchanan

Mr C Farndon

Mr B Jepson

Mr N Tubbs

Counsel

Mr J Goose QC

Mr D Brooke

Miss D Sherwin

Witness Service

Mrs C Kellett, Area Co-ordinator

Ms V Murray, Area Co-ordinator

Mr J Pewtress, Area Co-ordinator

Mr S Twynham, Area Manager

Local Crime and Disorder Reduction Partnerships

Mr A Atkins, Craven Crime Reduction Partnership

Mrs C Fields, Hambleton District Council

Mr M Greaves, Harrogate District Safer Communities Partnership

Mrs L MacDougall, Richmondshire Community Safety Partnership

Mrs J Mowatt, Safer York Partnership

Mrs J Stack, Selby District Community Safety Partnership

Mr T Triffit, Safer Ryedale

Youth Offending Teams

Ms J Neal, Court Co-ordinator

Ms H Bromley, Practice Manager

Mr S Walker, Acting Manager

Community Groups

Mr G Eddon, North Yorkshire County Council

Ms S Hills, Women's Aid

Ms S King, Social Services Directorate, North Yorkshire County Council

Mrs R Sanderson, York Racial Equality Network

Ms G Seagar, Drug Action Team

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 ie 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