

HM CROWN PROSECUTION SERVICE INSPECTORATE

INSPECTION OF CPS NORTHUMBRIA (REPORT 5/03)

EXECUTIVE SUMMARY

Introduction

1. This is the report of HM Crown Prosecution Service Inspectorate about CPS Northumbria. The CPS is a national service, but operates on a decentralised basis with each of its 42 Areas being led by a Chief Crown Prosecutor (CCP) who enjoys substantial autonomy. The Area was inspected in September 2000. This time only an intermediate inspection was required. The inspectors focused primarily on the Area's work in relation to the disclosure of unused material, the monitoring of advocacy and all aspects of management.

The Area

2. CPS Northumbria serves the area covered by the Northumbria Constabulary. It has three offices, at Newcastle, Cramlington and Washington. The Area Headquarters (Secretariat) is based at the Newcastle office. Area business is divided on functional lines between magistrates' courts and Crown Court work. At the time of the current inspection it employed the equivalent of 215 full time staff. In the year ending September 2002, it dealt with 52,404 cases in the magistrates' courts and 3,113 cases in the Crown Court. It gave pre-charge advice to the police in a further 1,229 cases.

Main findings of the inspectorate

3. The quality of initial and continuing review is improving as a result of the quality assurance system and the success of the new joint monitoring of the quality and timeliness of initial files. The CPS charges were nearly always correct and the charging standards properly applied. Sensitive cases were dealt with well, except in racial incident cases, where some decision-making and systems need attention. Disclosure of unused material has improved considerably since our last inspection.
4. The preparation of cases for summary trial and committals is good and generally timely. Work needs to be done with other agencies to improve the effectiveness of pre-trial reviews and the quality and timeliness of the full files.
5. The standard of CPS advocacy is good in all respects, but the management of the quality of agents, the use of Higher Court Advocates in the Crown Court and monitoring of advocacy could be better.
6. There is a need to improve some aspects of the care of witnesses, particularly at the Crown Court, for example in the degree of information the witnesses receive before attending court. The implementation of the scheme for Direct Communication with Victims was well planned and introduced effectively.

7. Lessons and trends from the analysis of adverse cases and the quality assurance system could be shared better across the Area.
8. Relationships with other criminal justice agencies are good but they all need to develop a more “joined up” approach to the achievement of Government objectives, including the narrowing of the justice gap. The Area is playing a full part in the establishment of the Local Criminal Justice Board. It is very fully involved in a large number of community groups and set up the Community Liaison Group for work with the minority ethnic community.
9. Staff requirements in the units could have been planned better. We consider that staff at several levels are not deployed effectively and efficiently. The use of staff and the balance of work between the units needs to be comprehensively reviewed.
10. Leaders need to establish a firmer Area identity: the units tend to work in comparative isolation from each other. Staff awareness of the need for continuous improvement is evident. The management personnel of the Area has now settled, and as a result morale is improving. This needs to be maintained by good communication about the future of the Area. The management structure is sound but can be effective only if absences are adequately covered. Planning for the co-location of Criminal Justice Units (CJUs) needs to be improved.

Specific findings

Casework

11. The quality of pre-charge advice was good but the timing of more complex cases could be improved. The quality and timeliness of initial files is improving as a result of the introduction of a new monitoring form. Processes for the preparation of pre-trial reviews and their effectiveness vary. There is a high rate of cracked and ineffective trials which could be improved with better sharing, analysis and use of data with the magistrates’ courts. The preparation of Crown Court cases is generally timely and of good quality. Lawyers in the Trial Unit prepare all committals while the caseworkers work almost exclusively in court. We question this deployment of staff. The system for the re-instatement of discharged committals could be improved.
12. Performance in dealing with disclosure, including sensitive cases in the Crown Court, has improved considerably since our last report, and individual poor performance is dealt with through the quality assurance system. Further improvement should focus on secondary disclosure, endorsement of actions and the management within the file of disclosure material.
13. Domestic violence and youth cases are dealt with well. The decision-making and the systems for dealing correctly with racial incident cases, however, need attention.
14. The recording of case outcomes is generally accurate, but the very high number of old cases which have not been finalised on the case tracking system represents a considerable amount of money lost to the Area.

15. The system for learning from unsuccessful outcomes is good. The Area has an effective quality assurance system but it could be more consistently applied. Lessons and trends need to be analysed and the results shared better across the Area as a whole.

Advocacy and quality of service delivery at court

16. The Area's contribution to the efficient running of court business is generally regarded as satisfactory to good. All CPS advocates that we observed were competent in all respects or better. Attendance at court is timely and professional. The management of the quality of agents, the use of Higher Court Advocates in the Crown Court and monitoring of advocacy of all prosecutors could be better.
17. Preparation for court, including for summary trials, is good, although the timeliness of requests to the police for full files could be better.
18. Crown Court coverage is almost one person to each court, although we raise issues about the effective deployment of staff between court and office work. There is no duty lawyer scheme, but suitable arrangements are made for instructions to be given at court.

Victims and witnesses

19. In the magistrates' courts the warning of witnesses is timely and lawyers generally work co-operatively with the Witness Service to attend to the needs of witnesses at court. The phasing of witnesses could be given more consideration and more information could be given to the Witness Service about the special needs of some witnesses. We were concerned about some aspects of the care of witnesses at the Crown Court, in particular the degree of information the witnesses receive before attending court.
20. The implementation of the scheme for Direct Communication with Victims was well planned and introduced effectively.

Performance management

21. Standards of performance are set and generally well communicated to staff. The Area has a generally effective quality assurance system with clear methods of reporting to the CCP. Joint management of performance within the area in co-operation with the police and the courts has been disappointing, except in the development of a new check for initial files. The Area has a strong culture of continuous improvement and can generally account for its performance.

People management and people results

22. Staff requirements in the units after restructuring were not kept under sufficiently planned review, so that effective action was taken over imbalance only after 12 months, when the Area recruited more staff. The deployment of staff at several levels could be more effective and efficient. The use of staff and the balance of work between the units needs to be comprehensively reviewed.

23. Staff training and development and the performance appraisal system are generally well managed. Sickness levels remain above target and the Area has taken steps to address this.
24. Senior managers generally maintain a good profile throughout the Area.
25. Diversity targets for women and disabled staff have been bettered, but that for minority ethnic staff not yet met. A more strategic approach to equality and diversity issues is needed.

Financial management

26. The Area manages its finances satisfactorily and appropriate controls and systems are in place. The Area complies with the guidelines on financial management and the management of the graduated fees system is good. Our reservations about the deployment of staff include some concern that the use of staff may not represent the best value for money. The instruction of agents at higher cost may also not be the best value for money.

Partnerships and resources

27. Relationships with other agencies are good but the all need to develop a more joined up approach. Court user groups are generally effective at a local level and actively supported by Area staff. Information technology is used effectively. Some staff continue to require support in its use whilst others are helping to develop skills even further.

Policy and strategy

28. Most staff have a clear understanding of objectives at both national and local levels. Policy and strategy are informed by the expectations of stakeholders within and outside the CPS. Policies are informed by the Area's measurement of performance, although more could be learned from the evaluation of the implementation of former projects. Better review of the Area Business Plan is needed to ensure a continuing sense of direction and drive towards objectives with a more systematic planning of the move to CJU co-location.

Leadership and governance

29. Leaders need to establish a firmer Area identity: the units tend to work in comparative isolation from each other. Staff awareness of the need for continuous improvement is evident. The management personnel of the Area has now settled and morale is improving. This needs to be maintained by good communication about co-location. The management structure is sound but can be effective only if absences are adequately covered.

Recommendations

30. Inspectors made the following five recommendations:

1. That managers should improve the sharing and analysis of performance data between the criminal justice agencies, with a view to the analysis of trends and a co-operative approach to improvement.
2. That managers in all units should give urgent attention to the finalisation of cases on the SCOPE system and ensure that this is managed effectively in the future.
3. That the CCP should ensure that an effective joint monitoring system for full files is established as a matter of urgency.
4. That the CCP and the Head of the Trial Unit should ensure an improvement in service to witnesses by:
 - * ensuring that witnesses in the Crown Court have full information before they come to court;
 - * providing better detail of witness requirements to the Witness Service;
 - * clarifying to the Witness Service where responsibility for cases lies;
 - * giving greater consideration to the phasing of witnesses in all appropriate cases.
5. That the CCP and the ABM should carry out a further review of the use of staff and the balance of work between the units, taking into account the agreed process mapping in co-located units and any revised activity based costing.

The full text of the report may be obtained from the Corporate Services Group at HMCPS Inspectorate (telephone 020 7210 1197), and is also available at www.hmcp.si.gov.uk.

HMCPS Inspectorate
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