

CPS North Yorkshire

Overall Performance Assessment

December 2005

Promoting Improvement in Criminal Justice

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A. INTRODUCTION TO THE OVERALL PERFORMANCE ASSESSMENT PROCESS

This report is the outcome of Her Majesty's Crown Prosecution Service Inspectorate's (HMCP*SI*) overall assessment of the performance of the Crown Prosecution Service (CPS) in North Yorkshire and represents a baseline against which improvement will be monitored.

Assessments and judgments have been made by HMCP*SI* based on absolute and comparative assessments of performance. These came from national data; CPS self-assessment; HMCP*SI* assessments; and by assessment under the criteria and indicators of good performance set out in the Overall Performance Assessment (OPA) Framework, which is available to all Areas.

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

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

The table at page 7 shows the Area performance in each category.

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

B. AREA DESCRIPTION AND CASELOAD

CPS North Yorkshire serves the area covered by the North Yorkshire Police. It has three offices, at York, Scarborough and Harrogate. The Area Headquarters (Secretariat) is based at the York office.

At the co-located office in York, Area business is divided on functional lines between a trial unit (TU) handling Crown Court cases and a criminal justice unit (CJU) dealing with magistrates' courts cases. There is a CJU in Harrogate dealing with cases in the west of the county. In Scarborough there is a combined unit which is co-located with the police dealing with Crown Court and magistrates' court work from the east of the county. The Area structure matches the police structure of the three police command units.

During the year 2004-05, the average Area number of staff in post was 67.89 full-time equivalents.

Details of the Area's caseload in the year to 31 March 2005 are as follows:

Category	Area numbers	Area % of total caseload	National % of total caseload
Pre-charge advice to police	2,618	13.4*	20.9
Advice	4,350	22.2*	5.1
Summary offences	6,832	34.9	46.9
Either way and indictable only	5,659	28.9	26.7
Other proceedings	116	0.6	0.4
TOTAL	19,535	100%	100%

* The Area caseload figures relating to pre-charge advice and advice are significantly outside of the national caseload average. The Area has experienced problems in capturing its data effectively. This has been as a result of a combination of issues, including training needs for staff, input and finalisation problems caused by a caseload backlog and some system issues. The Area with the help of the Business Information Services (part of CPS Headquarters) has begun to address this issue and for the 2005-06 year are confident that the caseload data will accurately reflect the correct position.

C. SUMMARY OF JUDGMENTS

The Area inspection of CPS North Yorkshire, published in December 2003, concluded that aspects of work and performance ranged from the very good to those requiring urgent action, such as financial management and the administration of custody time limits. The report contained five recommendations which were made to address important weaknesses in performance. The Area management board took specific steps to address the recommendations and other aspects for improvement; during the follow-up visit in November 2004 there was evidence that the core business had been maintained and most of the recommendations and aspects for improvement directed at casework had been addressed. However, there was limited progress in other aspects which had been affected by the absence of the Area Business Manager (ABM) for a considerable period of time due to two periods of secondment. The Area also participated in the North Yorkshire criminal justice area joint inspection conducted at the same time as the follow-up inspection; this was published in April 2005.

During the year 2004-05 there has been a period of change and also a period of some disruption. The role of ABM was undertaken by a deputising secondee and latterly a temporary appointee. The trial unit and criminal justice unit in York have relocated and are now co-located with the police, the victim information partnership (VIP) and the local criminal justice board (LCJB) secretariat. The Area has implemented or progressed national initiatives; a VIP has been established and shadow charging has been progressed. The magistrates' courts in Scarborough have been closed for renovation since November 2004 and the Crown Court at York was closed for three months at the start of 2005 due to a fire. The transfer of cases has caused difficulties for witnesses and in the Crown Court the disruption has impacted adversely on performance. However, the Area monitored performance in Scarborough and actively managed witness issues to ensure that performance was not adversely impacted

A shadow charging scheme is in place, and the Area is on track to implement statutory charging in September 2005; the review of the shadow charging by the national implementation team was generally positive and plans have been developed to address the recommendations arising from the review. The shadow charging scheme has produced some good performance figures, but only in relation to two of the six measures (guilty plea and attrition rates in the magistrates' courts) used to assess realisation of anticipated benefits.

The service provided to victims and witnesses is generally good. The Area has effectively implemented the first VIP and is on course to roll out its full programme of victim and witness support before the end of 2006. Due to the time lapse between charge and trial, empirical positive results have not yet emerged, but there is a perception of improvement from the agencies who deal frequently with victims and witnesses. However, the Area needs to improve its compliance in terms of both numbers and timeliness in relation to the direct communication with victims scheme, whereby the CPS informs victims in writing about any cases which are discontinued or the charge substantially reduced.

The Area handles sensitive cases and hate crimes well. The Area has champions and specialists for all sensitive cases, and training has included hate crime, sexual offences, special measures to enable victims and witnesses to give evidence. Protocols are in place with other agencies governing the conduct of serious sexual cases, the provision of forensic science, the handling of fatal road traffic accidents, and there is guidance on anti-social behaviour orders.

The handling of cases involving custody time limits is sound, with clear systems, monitoring and managerial involvement. Files examined during the reality check were found to be in good order.

Overall conviction rates in the magistrates' courts and Crown Court in North Yorkshire are better than the national averages and the Area performance in relation to unsuccessful outcomes was better than both the national target and the national average outcome. Nevertheless, the Area needs to concentrate on the overall level of discontinuance.

The Area was one of the better performing Areas on undertaking the prosecution's duties of disclosure of unused material within the last inspection cycle 2002-04. File checks indicated that this good performance was being maintained.

The Area management board accepted the challenge of assessing how they worked together in line with our recommendation in the December 2003. This work has had a positive impact which is evidenced in staff survey results and the corporate approach demonstrated by the senior team.

The Area management board has strengthened its performance management regime and considers data relating to the Area's key targets regularly. A recently appointed performance officer is developing a more systematic performance regime. Joint performance management with criminal justice partners has been used to direct improvement activity on some joint initiatives.

The Area has a sound approach to planning. There is a structured business plan and unit plans which are reviewed and used to drive and manage the business. Two major changes in the Area, the building of new offices in York, and the introduction of the VIP have been well planned; sound project management methodology has been used very effectively to manage both ventures. The Area is on track to implement statutory charging in September 2005. The Area has been engaged with other criminal justice agencies in drafting the local framework for the effective trial management programme (ETMP). However, the implementation date has been put back to November 2005 pending appointment of case progression officers for the prosecution team. Although there is a sound approach to planning the Area would benefit from developing a set of formal plans, including objectives and milestones for the work it is undertaking on restructuring.

The Area has taken steps to ensure that there are more effective systems developed to manage resources. Nevertheless, the Area has consistently overspent on its budget and a review by Headquarters as to the adequacy of its provision has been requested by the Chief Crown Prosecutor. The Area operated the higher court advocacy (HCA) strategy effectively, but with the move of two experienced HCAs extent of this work has diminished. The Area uses its designated caseworkers effectively to cover courts.

The Area adds value to the local criminal justice system by taking good quality decisions, although the Area could improve on the efficiency of managing its casework. The ineffective trial rate in the magistrates' courts is better than the local target and the national average; however, the Crown Court rate is a cause for concern, it has not achieved target and is worse the national average.

The Area has undertaken steps to engage with the community, including with black and minority ethnic groups. Historically the Area developed a joint community engagement strategy with neighbouring Humberside. The Area has now produced its own strategy and action plan. As part of this strategy a study was commissioned of the demographics of the population in North Yorkshire so as to better recognise diversity.

Outcomes in relation to the shared public service agreement (PSA) targets are mostly good. The target for offences brought to justice (OBTJ) was achieved by a considerable margin in North Yorkshire. The target is a shared one set by reference to the criminal justice agencies. The ability of the CPS to influence this particular target is limited because it includes offences dealt with by non-prosecution disposals. The CPS's contribution comes through managing cases to keep discontinuance and unsuccessful outcomes low, good decision-making and case management. Although public confidence in the effectiveness of criminal justice agencies in bringing offenders to justice has increased, the target has not been achieved. The Area has been pro-active in relation to unsuccessful outcomes and adverse case outcomes, but needs to address the discontinuance rate which is higher than the national average. The target in relation to dealing with persistent young offenders within 71 days from arrest to sentence has also been achieved despite some fluctuation towards the end of the year.

In light of these findings the Area's overall performance assessment is **GOOD**.

CRITICAL ASPECTS	Level 3 - GOOD
Pre-charge decision-making	2 - Fair
Ensuring successful outcomes	3 - Good
Leadership	3 - Good
The service to victims and witnesses	3 - Good
Managing resources	2 - Fair
OTHER DEFINING ASPECTS	
Managing magistrates' courts cases	2 - Fair
Managing Crown Court cases	2 - Fair
Handling sensitive cases and hate crimes	3 - Good
Custody time limits	3 - Good
Disclosure	4 - Excellent
Presenting and progressing cases at court	3 - Good
Delivering change	3 - Good
Managing performance to improve	3 - Good
Securing community confidence	3 - Good

OVERALL ASSESSMENT	3 - GOOD
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D. DEFINING ASPECTS

1. PRE-CHARGE DECISION-MAKING

2 - FAIR

The Area is on track to implement statutory charging in September 2005. A recent review was generally positive about the operation of the shadow scheme in the Area. The Area has developed plans to address the recommendations of the review and the long standing effective joint working relationship with the police is allowing for a joint approach to implement necessary changes. The Area needs to formalise its approach to analysing and managing pre-charge data; the Area has recently started to consider prosecution team performance monitoring (PTPM) data to address this weakness. Outcomes in Crown Court cases that have been the subject of pre-charge advice are poor.

1A: The Area ensures that procedures for pre-charge decision-making operate effectively at Area charging centres

- Timely pre-charge advice and decisions are provided at all relevant Area charging centres. There are five police stations at which the Area needs to provide charging decisions. Face-to-face advice is provided in three centres and the Area has agreed to extend this to a fourth for one day a week. The Area offers telephone advice to those charging stations that cannot be staffed on a face-to-face basis. The Area meets the commitment given in providing advice to the police. Processes are in place to ensure that effective contingencies are in place and managed. Joint processes have been developed and communicated to ensure that pre-charge consultation is taking place on all relevant files. The charging project lead conducts checks to ensure that this happens in practice.
- Procedures are in place to refer inappropriate or premature requests for advice to police supervisors. This process is effectively managed, outcomes are monitored and individual cases are discussed when necessary.
- The reality check undertaken to assess accuracy of recording of pre-charge decisions on the case management system identified that all appropriate cases were recorded. However, in two cases we found that there was a training issue with regard to saving decisions correctly on the case management system.
- The Area is on course to implement statutory charging in September 2005. A recent assessment for the preparedness to go-live indicated that, although there were some aspects that required further work (mainly around communicating the processes and procedures to all staff within the CPS and the police) the Area was on target and should proceed on schedule.

Aspects for improvement

- Initial planning for the implementation of shadow charging was not undertaken. The Area addressed this through stronger project management. However, some of the findings from the recent review, (for instance, a misunderstanding of some of the types of cases appropriate to charging), reflect this early hiatus.
- The Area needs to develop a more systematic process to ensure it can account for cases where pre-charge decisions have been given. There is no effective process apart from some dip sampling to capture cases where advice has been given with a view to proceeding where that is not followed through by the police. The Area is beginning to tailor the nationally produced PTPM data to address this weakness.

1B: The Area ensures that all charges advised on are in accordance with the Director's guidance, the Code, charging standards and policy guidelines, and are accurately documented and recorded

- For the first six months of the shadow charging arrangements the project lead for charging within the CPS checked every charging decision for quality. This process has now been replaced by a dip sample of files in each charging location by the unit heads. Instances where requests are outside the guidance are fed back to improve compliance and learn lessons.
- There are clearly documented escalation procedures for cases where there is disagreement between the police and CPS on a decision. On the rare occasions where there are disagreements, the majority of cases are resolved prior to it formally being escalated, by the query being rigorously tested by a good internal police challenging process. The remaining cases are dealt with effectively through a joint partnership approach at a senior level.
- The reality check undertaken to assess accuracy of recording of pre-charge decisions on the case management system identified that in all cases where the police provided ethnicity and gender they were recorded on the electronic advice form (MG3).

1C: The Area is able to demonstrate the benefits of its involvement in pre-charge decision-making

- There is effective and regular liaison with the police on the implementation and operation of the scheme. Joint meetings are held fortnightly to address issues highlighted by analysis, and also to plan and implement recommendations made during the review of the readiness for statutory charging.
- There is a formal system of communication of changes to the scheme within the Area. In the main this relies on e-mail communication to staff operating charging, although the Area has used its newsletter 'Newslines' to communicate general messages and guidance.
- The guilty plea rate and attrition rate in the magistrates' court are excellent, and the discontinuance rate is better than the national average, although worse than national target (Area performance of 14.1% against 16.3% national average and 11% national target).

Aspects for improvement

- The Area has not specifically analysed pre-charge decision data (outside of the other performance analysis it undertakes on the Area caseload data). There is some question about the overall pre-charge decision caseload figures for the 2004-05 year being entirely representative of Area performance. The Area needs to assure itself that all pre-charge cases are accurately captured and recorded. Additionally, the Area must ensure that only advice cases are recorded as such (see caseload table at page 3).
- The guilty plea rate, discontinuance rate and attrition rate in the Crown Court for cases which have received pre-charge decision are significantly worse than the national averages and national targets.

2. MANAGING MAGISTRATES' COURTS CASES

2 - FAIR

Case progression functions are currently undertaken as part of core business for lawyers and administrative staff. The Area has been engaged with other agencies drafting the local framework for the effective trial management programme (ETMP) but as yet it has not been fully implemented and case progression officers have still to be appointed on behalf of the prosecution team. The Area needs to formalise its approach to analysing and managing police file quality data in order to improve the quality and completeness of police files. The closure of Scarborough Magistrates' Court for refurbishment has impacted on performance as trials are listed elsewhere and there are limited transport links, although this has been monitored locally. The proportion of ineffective trials is better than the national average.

2A: The Area ensures that cases progress at each court appearance

- Efforts are being made to review and prepare magistrates' courts cases promptly, and to undertake follow-up work when necessary, but cases are adjourned due to the prosecution not being ready. The Area and the Local Criminal Justice Board (LCJB) track outcomes such as early guilty pleas and the magistrates' courts user groups determine actions for agencies as a result of the analysis of early first and early administrative hearing statistics. The timeliness figures for adult initial guilty pleas (85% compared to 83%) and adult committals (100% compared to 89%) are better than the national averages.
- There is liaison with criminal justice partners at the criminal justice area groups (CJAGs) based on the three police area command units, the purpose of which is to improve joint performance at operational level.
- The local framework for ETMP has been drafted but has not been implemented; as yet there are no dedicated case progression officers for the prosecution team. However, the case progression function is carried out as part of the core business; lawyers and registry staff undertake pre-trial checks 14 days before trial and a certificate of readiness is filed in cases listed for a full day trial. The Area is trying to address police file quality through pre-charge decision-making.
- There are youth specialists in each unit who principally prosecute in the youth court. The timeliness figure for youth trials is better than the national average (90% compared to 87%). The Area has met the persistent young offender (PYO) target for the last five years and achieved average performance of 67 days from arrest to sentence during 004-05 (against a national target of 71 days). Nominated lawyers examine case tracker analysis reports and identify long-running cases; there is monthly liaison with criminal justice partners.

- There have been no wasted costs orders in the magistrates' courts during 2004-05.

Aspects for improvement

- The Area ceased to operate the system for monitoring police file quality due to the perceived unreliability of the figures it generated. A police and CPS working group has been established to consider more effective methods of monitoring file quality; however, progress has stalled in the absence of the lead senior police officer. In the meantime the Area management board and unit heads are unable to portray a clear picture of file quality in the absence of any figures, and are therefore unable to drive forward improvements in the quality and timeliness of police files. As recognition of this problem the LCJB has agreed to commission a review of police file quality in the Area.
- The timeliness figure for adult trials is below (worse than) the national average (54% compared to 66%) and for youth initial guilty pleas is below (worse than) the national average (81% compared to 87%).
- Joint PYO case tracker meetings had started to lapse which led to a dip in performance during December 2004 and January 2005, resulting in the rolling three month average at February 2005 of 77 days. The decline in performance was noticed by the LCJB, the meetings were re-established and action was taken on a number of long-running cases identified on the tracker to push cases through the magistrates' courts.

2B: The Area contributes effectively to reducing cracked and ineffective trials

- Area performance for the ineffective trial rate was 18.3% as compared to the national target of 24.5% and national average of 24.8%. The rate of cases that are ineffective due to the prosecution is better than the national figure (4.5% compared to 6.8%). There is regular and formal analysis of all cracked and ineffective trials, and appropriate action is taken in all cases where the prosecution has been at fault.
- Ineffective trial data is examined internally by the unit heads and at the Area management board, and externally at the three criminal justice area groups attended by the criminal justice unit heads and the court user groups, to improve local and county performance.

Aspects for improvement

- The cracked trial rate is above the national average (43.2% compared to 37.1%). There have been considerable delays in listing trials at York Magistrates' Court which has led to an increase in not guilty pleas which crack on the day of trial; however, the introduction of double-listing of specific trials for a three month period has cleared the backlogs without impacting greatly on the ineffective trial rate.

2C: The Area demonstrates that CMS contributes to the effective management of cases

- The Area is committed to the use of the case management system (CMS) in administrative and casework functions. The average usage during 2004-05 for full file reviews was 18.3% compared to the national average of 27.1%; however, by the year end usage had doubled. The CMS local implementation team has been superseded by the system management group who promote the use of CMS through e-mail, Area newsletters and usage reports. The group has also been identifying training issues across the Area.
- Although CMS is being used, not all staff are recording key events in cases, the Area has identified this as an issue in two units and action is being taken to remedy this. CMS usage is generally monitored and appropriate action is taken to improve usage. Meetings are held at two-monthly intervals with the office managers and the chair of the system management group to discuss case flagging, data inputting and finalisation codes and other administrative issues.
- The reality checks showed that generally full file reviews were being completed on the system and only one review referred to the paper file; however, the Area concedes that recording of full file reviews could be improved.
- The Area Business Manager and the performance officer are management information system (MIS) licence holders; the performance officer has become more familiar through use of the system and has recently begun to create reports for use by the unit managers.

Aspects for improvement

- No local templates have been added to CMS for use in the criminal justice units; a pre-trial review form has been prepared but it has not been incorporated as a local template.

3. MANAGING CROWN COURT CASES

2 - FAIR

York Crown Court was closed throughout January, February and March 2005 due to a fire. Cases were transferred to Leeds and Teesside which caused difficulties for witnesses and impacted on the performance figures; performance has improved since the court re-opened. There is a case progression protocol with the Crown Court whereby case progression functions and trial readiness checks are currently undertaken by individual lawyers and caseworkers. The Area has been engaged with other agencies drafting the local framework for the effective trial management programme (ETMP) but as yet it has not been fully implemented and a case progression officer has still to be appointed. The Area has not met the shared target for ineffective trials and the cracked trial rate is slightly worse than the national average. Performance in relation to trials that are ineffective due to the fault of the prosecution is better than the national average.

3A: The Area ensures that cases progress at each court appearance

- Efforts are being made to review and prepare Crown Court cases promptly, with follow-up work undertaken where necessary, although cases are sometimes adjourned due to the prosecution not being ready. Monitoring is carried out by way of casework quality assurance checks, dip sampling of pre-charge decision cases, and analysis of adverse case and cracked and ineffective case reports.
- There is a case progression protocol with the Crown Court and case progression functions are currently undertaken by individual lawyers and caseworkers; in addition trial readiness checks are routinely undertaken. The Crown Court has appointed a case progression officer as part of ETMP and the Area expect to appoint a case progression officer in the near future as part of the prosecution team.
- Instructions to counsel include an analysis of the issues and acceptability of pleas. The Area version of the Crown Court case preparation package and the full file review forms used by caseworkers (who prepare committals in York) provide prompts to ensure all necessary aspects are included when instructing counsel. The package is about to undergo revision to include changes to bad character and hearsay evidence. Instructions are usually delivered to counsel promptly although Area performance in relation to timeliness is slightly below the national average (78.7% compared to 85%).
- There is liaison with criminal justice partners at the criminal justice area groups (CJAGs) based on the three police area command units, the purpose of which is to improve joint performance at operational level. Listing meetings are held weekly, and are attended by a caseworker and the listing officer.

- Specific training on restraint and confiscation has been provided to all lawyers in the trial unit. There is close liaison with the police asset investigation recovery unit (AIRU) which takes the lead; the unit contacts the Area if an order is required and the unit head then allocates the case and sets a timetable with relevant tasks for the appointed lawyer. The Area are able to influence the case at the pre-charge stage by highlighting potential proceeds of crime issues for the officer in the case to raise with the AIRU. The Area target for 2004-05 of 11 orders was exceeded; the Area obtained 14 orders in the sum of £269,388.
- Each unit has a youth specialist. Youth files are distinguished by the different colour and persistent young offender files are clearly marked. Crown Court youth cases are fast-tracked under an agreement with the court.
- There were no wasted costs orders in the Crown Court during 2004-05.

Aspects for improvement

- There are some discharged committals, although the Area performs better than the national average (0.1% compared to 0.3%). Timeliness of service of committal papers on the defence is significantly below the national average (63.7% compared to 79.3%).

3B: The Area contributes effectively to reducing cracked and ineffective trials

- Unit heads examine the cracked and ineffective trial monitoring returns on a quarterly basis and identify action to be taken; in addition, they are tasked with implementing actions identified by the Local Criminal Justice Board who consider performance at six-weekly intervals. The proportion of ineffective trials attributable to the prosecution is better than the national average (5.9% compared to 6.6%) but this must be viewed in the context of overall performance in relation to cracked and ineffective trials (see below).
- Quarterly meetings were held with the police and the Crown Court to analyse data and agree actions for improvement; however, the Crown Court ceased collecting data during the closure (due to the fire) and did not immediately re-commence collation of data upon re-opening; meetings will resume in September 2005. The major causes for ineffective trials are witness difficulties, defendants failing to attend and insufficient court time. York Crown Court, which has two court rooms, has agreed to end the practice of listing floating trials (which are not fixed to start); this has had a positive impact on performance and witness issues.

Aspects for improvement

- The Area has not met its target of 17% for ineffective trials with performance of 20.9%, which is worse than the national average (15.8%) and the national target (18.4%). However, performance is improving. The cracked trial rate is slightly worse than the national average (40.3% compared to 39.2%) although 57% of trials that crack are due to the defendant pleading to the original charge on the indictment. The Area recognises performance in the Crown Court is a cause for concern and it continues to be a focus for action.

3C: The Area demonstrates that CMS contributes to the effective management of cases

- The Area is committed to the use of the case management system (CMS) in administrative and casework functions. The CMS local implementation team has been superseded by the system management group who promote the use of CMS through e-mail, Area newsletters and usage reports. The group has also been identifying training issues across the Area.
- The trial unit business manager dip samples five cases each month to check finalisation codes and adverse outcomes are identified mid-month and at the month-end to ensure finalisation codes are correct.
- The Area has added the local Crown Court casework preparation package onto CMS. The reality checks showed that full file reviews were being completed on the system, although the Area concedes that in general this could be improved.

Aspects for improvement

- CMS usage in 2004-05 for preparing indictments was broadly comparable with the national average (79.4% compared to 81.5%), whereas usage for full file reviews was weak (18.3% compared to 27.1%). However, performance at the start of 2005-06 was either on track or exceeding the targets. Although CMS is being used, not all staff are recording key events in cases; the Area identified an issue in two units with the percentage and number of escalated tasks. Business Information Services (part of CPS Headquarters) have visited the Area during August 2005 to assist with the backlog and finalise old cases.

4. ENSURING SUCCESSFUL OUTCOMES**3 - GOOD**

Performance is better than the national averages in relation to conviction rates in the magistrates' courts and the Crown Court, and in relation to unsuccessful outcomes. Mechanisms are in place to monitor and analyse performance on a monthly basis, through individual case analysis and summaries to disseminate lessons, and on a quarterly basis in the performance report. The Area, in conjunction with its criminal justice partners, has exceeded the Offences Brought to Justice (OBTJ) target, a new more challenging target has been set for March 2006 which the partners are currently on course to meet.

4A: The Area is working to increase the number of successful outcomes and reduce the level of attrition after proceedings have commenced

- There is formal assessment of the quality of review and case handling, with appropriate action being taken when necessary. In addition to casework quality assurance checks undertaken by the unit heads, there is monthly monitoring of the quality of pre-charge decisions by the unit heads, and analysis of adverse case and cracked and ineffective trial reports.
- Adverse outcome forms are completed manually in appropriate cases but do not always clearly set out the full reasons for acquittal. The forms are analysed by the relevant unit head for consideration of any individual performance issues. Adverse outcome reports are also considered by the special casework lawyer who prepares a monthly report for consideration by the Area management board. General trends and issues are disseminated to the teams as they arise. There is some evidence of action taken and of resulting improvement in performance, both internally, in relation to cases sent to the Crown Court, and with the police, in relation to witness issues.
- The three Local Criminal Justice Board (LCJB) criminal justice area groups examine joint performance at local operational level, the meetings are attended by the criminal justice unit heads, and the trial unit head attends quarterly performance meetings with the Crown Court and police.
- The conviction rates in the magistrates' courts and the Crown Court are better than the national averages. The judge ordered acquittal, no case to answer, judge directed acquittal, discharged committal, are lower (ie better than) than the national average and reducing. Jury acquittals in the Crown Court are slightly higher (worse) than the national average, whereas dismissals after trial for the magistrates' courts are slightly lower (better) than the national average.

OUTCOME	AREA FIGURE	NATIONAL AVERAGE
Magistrates' courts		
Discontinuance & bindovers	13.9%	12.5%
No case to answer	0.2%	0.3%
Dismissed after trial	1.3%	1.5%
Discharged committals	0.1%	0.3%
Overall conviction rate	82.6%	80.8%
Crown Court		
Judge ordered acquittals	11.4%	14.2%
Judge directed acquittals	1.3%	2.0%
Acquittals after trial	6.7%	6.3%
Overall conviction rate	85.5%	75.8%

- The Area is performing significantly better than the national performance and targets in relation to the pre-charge decision benefits realisation figures for attrition and guilty plea rates in the magistrates' courts. Although the Area has not achieved the target in the magistrates' courts in relation to the realisation of anticipated benefits for discontinuance, it performed better than the national average.
- The Area has met the national target (21%) in relation to unsuccessful outcomes (17.7%) and its performance is better than the national performance (19.6%); there was no Area target during 2004-05.

- The target for OBTJ is a shared one set by reference to the criminal justice agencies. The ability of the CPS to influence this particular target is limited because it includes offences dealt with by non-prosecution disposals. The CPS's contribution comes through managing cases to keep discontinuance and unsuccessful outcomes low, good decision-making and case management; the Area has been pro-active in relation to unsuccessful outcomes but needs to address the discontinuance rate which is higher than the national average. The local OBTJ target has been achieved and performance is improving. Much of the increase in OBTJ has been attributed to the North Yorkshire Police initiative Operation Delivery; however, the increased arrests were impacting on the criminal justice process and this was recognised as the operation evolved and accommodated in later joint planning. The target was set at 13,510 (11% above baseline) which was surpassed by performance of 15,508 (25.8%).

Aspects for improvement

- The overall discontinuance rate is worse than the national average and is increasing.
- The Area has not achieved the targets in relation to the pre-charge decision benefits realisation figures for discontinuance, attrition and guilty plea rates in the Crown Court and performance is worse in all aspects compared to the national averages.

5. HANDLING SENSITIVE CASES AND HATE CRIMES 3 - GOOD

The Area reflects CPS policies in its practice and has champions and specialists in place to disseminate information and take the lead on training where appropriate. Aspects of sensitive casework are monitored in a variety of ways; however, there is scope for improvement in flagging of sensitive cases on the case management system (CMS). Training has been undertaken on various sensitive casework topics during 2004-05 and further training is scheduled, in particular, a comprehensive domestic violence training programme, with input from the police and Women’s Aid which will be delivered to all in-house staff and externally to individuals and agencies involved in domestic violence issues.

5A: The Area identifies and manages sensitive cases effectively

- The review and handling of sensitive cases are formally assessed through casework quality assurance checks and adverse case monitoring. In addition, the rape co-ordinator monitors every case involving an allegation of rape (which are also handled by specialists). Named specialists undertake fatal road traffic cases and cases involving racially aggravated offences are referred to unit heads for a second opinion when it is proposed that the charge should be amended or dropped. All religiously aggravated cases are notified to the Chief Crown Prosecutor. Files are generally flagged up on CMS although the reality check revealed some scope for improvement to ensure all sensitive cases are captured.
- The Area has appointed champions and specialists for all sensitive cases, who disseminate information to prosecutors and caseworkers, and provide some guidance. Unit heads allocate cases according to experience and caseload to ensure prosecutors with the suitable specialist skills and knowledge manage and handle cases where appropriate.
- The Area maintains a comprehensive schedule of meetings detailing the nature and frequency of meetings and who attends to represent the Area; there is representation at domestic violence reviews, racial harassment reviews, adult protection and area child protection committee meetings. The domestic violence and race project for North Yorkshire is chaired by the CPS.

- The training programme for 2004-05 included, hate crime, sexual offences special measures and training the replacement domestic violence champion. Regular refresher briefings are provided for lawyers and caseworkers on training days. A comprehensive programme of domestic violence training has been planned to start in October 2005 with input from Women's Aid and the police. The Area has also provided a trainer for the police domestic violence multi-agency training.
- The Area is aware of the need to take CPS policies and HM CPSI thematic reviews into account. A rape action plan provided an assessment of the progress made in relation to the recommendations from the rape thematic which also gave rise to the protocol with the police and the Witness Service governing the conduct of prosecution of serious sexual offences. A tri-partite protocol is in place between the Area, police and Forensic Science Service, there is a joint protocol with the police in relation to fatal road traffic accidents, and joint police and CPS guidance on anti-social behaviour orders.
- There was no target for unsuccessful outcomes of hate crime during 2004-05 and the Area did not undertake analysis of all categories of hate crime; however, the Area published details of how the Area is tackling race crime and the success of cases in statistical terms in the local press. The Area will monitor and analyse hate crime during 2005-06 and a target of 34% has been set for unsuccessful outcomes. One of the aims of the Area communication strategy is to increase prosecutions of hate crime by improving public confidence in the criminal justice system and thereby encouraging victims to come forward. In addition, the Local Criminal Justice Board race equality issues sub-group is working on a suite of performance measures which includes quarterly hate crime data.

6. CUSTODY TIME LIMITS

3 - GOOD

The Area custody time limit (CTL) standard incorporates all the national guidance as well as aspects from the good practice guide. There have been no failures during 2004-05, and sound systems and processes are in place. A protocol is in place with the Crown Court based on the national guidance, although no similar agreement is in place for the magistrates' courts.

6A: Area custody time limit systems comply with current CPS guidance and case law

- The Area has a written CTL system that is fully up-to-date, complies with national guidance and, in addition, contains elements of good practice. The Area had no CTL failures during 2004-05.
- The Area has agreed a protocol with the Crown Court, which allows prosecutors to agree the expiry date with the court, and involves the court in monitoring CTL expiry dates.
- The Area system is reviewed regularly by the trial unit business manager and the office managers to ensure the system is accurate and up-to-date. The Area champion updates the training brief in line with national amendments and disseminates information via e-mails.
- All staff have been trained in both the local system and the relevant law which was delivered by the CTL champion. A distance learning package has been devised by the champion and refresher training is delivered on a regular basis when a training need is identified. CTLs are discussed at unit meetings and briefings, and the magistrates' court pack for agents details the CTL procedure.
- Unit heads and office managers monitor compliance with the Area standard. Daily and weekly print outs are monitored by the office managers and unit heads respectively, in addition to monitoring of entries on the case management system and in the manual diary CTLs are also considered as part of the monthly casework quality assurance checks. Monthly returns are provided to the Area performance officer.
- The reality check indicated that the file endorsements are clear and there is generally good practice in line with the Area CTL standard.

Aspects for improvement

- There is no protocol in place with the magistrates' courts to agree and monitor CTL expiry dates.

7. DISCLOSURE
4 - EXCELLENT

CPS North Yorkshire was one of the best performing Areas on disclosure during the last inspection cycle. Work has been undertaken by the Area to ensure the standard has been maintained. The Area champion disseminates guidance, undertakes assurance reviews and ensures all staff are trained to meet the disclosure standard. The Area has provided training on disclosure to North Yorkshire Police.

7A: The Area takes steps to ensure that there is compliance with the prosecution's duties of disclosure

- CPS North Yorkshire was one of the best performing Areas on disclosure during the last inspection cycle (December 2003). The overall compliance with prosecution obligations in cases in the file sample was 92.7% (national performance in the cycle: 70.3%). For the purposes of the performance assessment this level is classified as excellent, and evidence shows that Area performance has been maintained since the inspection.
- Prosecutors' performance in relation to disclosure is regularly and formally assessed by unit heads, with appropriate action being taken where necessary. The champion has undertaken reviews of Area performance, following the delivery of training on disclosure, to provide additional assurance to unit heads and the Area management board. Further reviews are planned during 2005-06 to evaluate the effectiveness of the recent disclosure training.
- All sensitive material schedules and any sensitive unused material are stored securely, once examined by the reviewing lawyer the material is returned to the police.
- The Area has appointed the special casework lawyer as disclosure champion, who undertakes some work in disseminating information to prosecutors and caseworkers, and provides guidance and mentoring. The champion ensures all staff are trained to meet the disclosure standard.
- All prosecutors and caseworkers have received training on the disclosure provisions of the Criminal Justice Act 2003 and the CPS/ACPO (Association of Chief Police Officers) disclosure manual. The Area intend to update the disclosure CD ROM and deliver a two-day event on advanced disclosure during 2005-06.

- Work has been undertaken with the police, including training, and there are indications that improved performance will result.
- Prior to the last inspection the Area identified the need to improve its duty to disclose unused material, the inspection showed a positive result confirming the improvement was coming about.
- The reality check of five Crown Court files indicated good performance; disclosure logs are routinely filled in and the disclosure provisions are adhered to.

8. THE SERVICE TO VICTIMS AND WITNESSES
3 - GOOD

The recent joint inspection on North Yorkshire criminal justice area was very positive about the service offered to victims and witnesses. An additional inspection carried out by Victim Support Quality Standards Department (VSQSD) was equally as positive about performance. The Area has effectively implemented the first victim information partnership (VIP) and is on course to roll out its full programme of victim and witness support before the end of the year. It is too early to assess whether the VIP is producing positive results as cases dealt with have yet to come to trial. However, there is a perception of improvement from the agencies who frequently deal with victims and witnesses. Since the last inspection timeliness performance in relation to the direct communication with victims (DCV) scheme has improved but it remains worse than the national target, and the Area needs to introduce a system to monitor compliance with the scheme.

8A: The needs of victims and witnesses are fully considered and there is timely and appropriate liaison, information and support throughout the prosecution process

- The Area monitors the timeliness of letters it issues within the DCV scheme. Area performance has improved since the last inspection although only 49.8% of letters were sent within the target of 5 days compared to the national target of 70% during 2004-05. There has been a focus on this aspect of performance with the Chief Crown Prosecutor personally addressing poor performance in unit meetings and highlighting the need for improvement. To emphasise the priority of DCV each lawyer within the Area has a personal performance objective within their performance plan.
- Witness warning procedures are effective. The recent joint inspection report was positive about CPS performance although did highlight that in some cases where the police failed to gain enough detail this had a consequential impact on the ability of all agencies to effectively communicate with witnesses. This weakness has been addressed by improving the witness needs assessment form.
- As part of the joint inspection on public confidence VSQSD produced a separate report on the service to victims and witnesses in North Yorkshire. Its findings were extremely positive about the services provided to keep victims and witnesses informed, both pre-court and at court. Additionally the Local Criminal Justice Board commissioned an independent survey to assess the views of victims and witnesses. In 58% of cases witnesses said that they were kept informed and 70% of victims felt well informed.

- Applications for special measures are timely. The VSQSD report was also positive about special measures always being sought in appropriate cases. Special measures meetings with victims are held regularly. The Area has also worked hard to address weaknesses within the process to ensure that victim personal statements are taken in all appropriate cases. A revision to the witness statement form has resulted in officers having to ask a direct question about victim personal statements.
- The Area programme for witness care is on target. Well documented project plans and effective project management has been used to implement the first phase of the programme with the central VIP becoming operative in March 2005. Plans to cover the rest of the county are on track with implementation due on November 2005. The VIP team is made up of CPS, police and Victim Support staff. There is regular and effective liaison with the Witness Service and Victim Support at all levels and the Chief Executive of Victim Support North Yorkshire is included on the Local Criminal Justice Board. This was highlighted by the joint inspection as indicating that the needs and views of victims and witnesses were considered during criminal justice agencies discussions and planning.
- There is joint analysis of all cracked and ineffective trials that are attributable to witness problems, with positive action being taken as a result. Criminal justice area groups (sub-groups of the Local Criminal Justice Board) are used to analyse data and introduce local improvement measures. The number of such cases is reducing.

Aspects for improvement

- Although the Area has marginally improved its timeliness performance for the DCV scheme, it has failed to monitor compliance. Good systems exist to mark files, with one unit having to mark the file in all cases, that is, whether the file has an identifiable victim or no identifiable victim. But without a system to check compliance the Area has no means to check whether victims are receiving letters. A recent calculation by CPS HQ indicates that the Area is achieving 46% compliance.

9. PRESENTING AND PROGRESSING CASES AT COURT 3 - GOOD

An advocacy strategy is in place which provides for formal monitoring of all in-house advocates, agents in the magistrates' courts and counsel in the Crown Court. A comprehensive agent's pack details the Area's expectations of the standard of service to be provided by agents in the magistrates' courts, and casework quality assurance is used to monitor court endorsements against the Area endorsement standard. The standard of preparation for court is reflected in the Area's good performance in relation to unsuccessful outcomes and ineffective trials in the magistrates' courts.

9A: The Area ensures that prosecution advocates and staff attend court promptly, are professional, well prepared and contribute to effective case progression

- The Area is among those agencies leading the initiative to improve case progression in court. The results in respect of unsuccessful outcomes and ineffective trials in the magistrates' courts reflect the commitment of all agencies. The Area encouraged double-listing of specific categories of trials during January to March 2005 at York Magistrates' Court where there was a six month delay in the listing of trials. The implementation of the policy reduced the backlog and trials are now listed within three months.
- Papers are generally provided to agents, counsel and in-house prosecutors in advance to enable all advocates to prepare thoroughly for court. The agent's pack instructs agents attending the magistrates' courts to attend one hour in advance of the court sitting. The Area seeks feedback from the court to ensure this requirement is adhered to and monitored.
- Selection of prosecution advocates for all courts is usually undertaken with full consideration of their experience, expertise and qualifications. The monitoring of allocation to counsel form includes details of specialisms. Youth specialists in each unit prosecute principally, but not exclusively, in the youth court; experienced in-house advocates are used when specialists are not available, although agents occasionally conduct youth trials. There are currently no other specialist courts in the Area; Local Criminal Justice Board discussions reveal that the agencies believe there are insufficient cases to routinely support specialist (sensitive cases) courts. Agents on occasion cover remand courts; however, only experienced agents are engaged for these courts.

- Complaints from CPS staff and other agencies about prosecutors are investigated and action is taken if appropriate. Where there is a complaint about prosecution counsel, feedback to chambers is provided and additional monitoring of counsel is undertaken. The feedback in relation to in-house prosecutors is generally positive.
- There is an Area endorsement standard, adherence is monitored through casework quality assurance, and the agent's pack details the standard expected of agents in relation to endorsements.
- The Area advocacy strategy provides for monitoring in-house prosecutors twice yearly, monitoring forms are used and feedback provided by the unit heads which leads to improvement in performance and staff development. Monitoring of higher court advocates (HCAs) is undertaken quarterly. New lawyers are allocated a mentor who provides feedback on performance in court and monitoring is undertaken by the relevant unit head.
- Unit heads undertake monitoring of agents in the magistrates' courts. HCAs and caseworkers provide exception reports on good or poor performance of counsel in the Crown Court, the head of the trials unit monitors plea and direction sessions, and week-long snapshots are undertaken twice yearly.
- There is a comprehensive instruction pack for agents although there is no mechanism to provide information to agents about new initiatives or policy directives. Training is provided for in-house advocates but none is offered for external prosecutors; the business plan for 2005-06 contains an objective to develop and train all prosecutors and increase their effectiveness through the advocacy monitoring scheme.

10. DELIVERING CHANGE
3 - GOOD

The Area has a sound approach to planning. There is a structured business plan and unit plans; they are reviewed and used to drive and manage the business. Staff are involved in the development of plans and individual objectives reflect Area priorities and targets. Two major changes in the Area, the building of new offices in York, and the introduction of the victim information partnership (VIP) have been well planned and managed very effectively using sound project management methodology. Planning for the Area re-structure would benefit from being captured in formal plans. Training needs are linked to business priorities and personal development objectives, although training activity would benefit from a formal evaluation process.

10A: The Area has a clear sense of purpose supported by relevant plans

- The business plan highlights Area priorities and those that it needs to deliver to meet both national and local targets. The plan clearly sets objectives, milestones and also highlights the individual who will be held responsible for delivery for each objective. There are unit plans which use the business plan as a basis for the unit objectives and are tailored to highlight specific unit related objectives. Area objectives are also reflected in individual performance appraisal reports.
- Business plan objectives and milestones are reviewed by the Area management board at monthly meetings. The Area Business Manager is responsible for updating the business plan and a record of action and changes are recorded in the action log (part of the business plan). There was evidence that review resulted in changes to both the target dates for delivery and also in changes to resource commitments and timescales for change.
- Joint plans have been developed for the implementation of the victim information partnership (VIP) and re-location to co-locate with the police in the new office in York. Planning for these two initiatives was effective. The plans were created using project management methodology with active strand management of project inter-dependencies.

10B: A coherent and co-ordinated change management strategy exists

- The Area approach to change has been successful. There are clear accountabilities within the Area management board (AMB) for implementing and driving change initiatives. Exposure to project management techniques within the new build project has increased awareness and understanding of change management. The Area has developed good plans to manage the implementation of the new VIP. There is an awareness of inter-dependencies between the change initiatives with the Area and these are managed

effectively at AMB, although the Area may benefit from a more formal approach, in committing all change initiatives into a formal change programme. The Area actively encourages staff involvement within the change agenda using means such as the Whitley Council, the Area sounding board and the 'people and processes' workstream within the re-location project for consultation.

- Both Area and project risks have been identified. Area risks (those that have an impact on day-to-day delivery) are managed through the Area business plan. Project risks are managed through project plans and the issues/project risk register. Area managers were aware of risk management strategies and plans include both an assessment of the risk and counter measures to mitigate the risk. There was evidence that counter measures had been deployed to reduce risk and the risks had been reassessed on this basis.

Aspects for improvement

- To meet the changing demands on the business the Area has commenced a programme of organisational change. This is in the formative stages. The Area approach to this change although being well managed and understood at the AMB needs to be formally committed to plans where dependencies and links can be identified and managed.

10C: The Area ensures staff have the skills, knowledge and competences to meet the business need

- Training is linked to Area objectives and there is evidence that training is being prioritised to ensure that it fully meets the business need. Training is identified through the performance appraisal process and training needs are discussed at appraisal meetings. Staff training is offered to both legal and non-legal staff with good evidence of planning within the training stand with the 'people and processes' strand of the new build project identifying administrative process changes that required training for success.
- In-house training is offered on differing working days to ensure that part-time staff are not disadvantaged. The Area has also held full Area training events when court closures enable advantage to be taken of having most staff available. All internally provided legal training courses are offered to be both lawyers and designated caseworkers.

Aspects for improvement

- The Area needs to develop a systematic process to evaluate training. This evaluation should be used to consider whether training needs have been met and the value for money of the training undertaken.

11. MANAGING RESOURCES**2 - FAIR**

The Area has taken steps to ensure that there are more effective systems developed to manage resources. This work is beginning to produce reports which give a greater understanding of spend and profile matters. The Area Business Manager (ABM) is working to clarify caseloads and staff requirements in each location within the Area; this should allow the Area to address any imbalance in resource profiles. The Area has consistently overspent its budget, and an independent review of resource management has been requested by the Chief Crown Prosecutor (CCP). Area performance against sickness targets, designated caseworker usage and higher court advocate savings are all better than the national averages.

11A: The Area seeks to achieve value for money, and operates within budget

- The CCP has requested that CPS headquarters undertake an independent review of the Area finances and in particular the adequacy of its provision. The Area has continuously overspent on its budget, and there is a perception in the Area that it has done all it can to reduce its day-to-day costs to a minimum. Headquarters have recently offered some training to help the new ABM understand the CPS costing model and this should aid a better appreciation of the way that the Area generates its budget.
- The Area has worked hard to reduce costs and improve on its day-to-day economy. New systems to manage, monitor and account for spend have helped the Area understand its financial position with more clarity. The Area effectively operated a higher court advocate (HCAs) strategy, but with the move of two experienced HCAs the value for money of this work has been diminished. The Area has invested in training in-house lawyers to be trainers to limit the cost of external training.
- There are well defined and managed processes in place to account for prosecution costs. The trial unit business manager has accepted a post in headquarters to give consultancy advice to other CPS Areas on managing high cost cases, managing fees and general prosecution costs. There is recognition that the processes that have been developed within the Area are 'best practice'.

Aspects for improvement

- Whilst the Area has worked hard to reduce costs and improve on its day-to-day economy, the spread of lawyer resource within the Area needs to be examined. Area figures indicate that there is an inequity between the caseload expectation and actual court coverage between lawyers in the Scarborough and Harrogate offices to those in York. The ABM has identified this issue and is working to clarify actual caseload figures and produce revised staffing figures for the Area management board. The Area needs to work to address this imbalance if it is to persuade headquarters that it requires additional funding to live within its budget.
- The Area has overspent its budget for the last two years. In 2003-04 there was an overspend of budget at 102.3% and in 2004-05 there was an overspend at 103.6%.

11B: The Area has ensured that all staff are deployed efficiently

- There is evidence of planning and review of staff needs at the Area management board, although some fundamental decisions may have to be taken to rebalance workloads across the Area. The Area restructure will also lead to a review of staff structures as the Area moves to a combined unit approach for the York office.
- Average sick absence is significantly below national target and average at 4.3 days per member of staff over the year 2004-05.
- The Area in conjunction with the trade unions, is working to formalise its flexible working arrangements policy.
- The Area is effective in using designated caseworkers to cover courts, with performance above the national average (9.6% compared to 8.3%). In 2004-05 the Area's two DCWs covered 440 magistrates' courts sessions.
- Savings arising from higher court advocates (HCA) usage in 2004-05 was above national average in the last quarter (£247 compared £224).

Aspects for improvement

- Agent usage within the Area is in excess of national performance (29.4% compared to 26.9%). The Area has set an expectation that lawyers cover six sessions a week (including any charging sessions), but figures show that this is not being met across the Area. Although the Area has set expectations some lawyers are covering more courts than the standard expected whilst others are consistently not doing so. As part of the work that the Area needs to carry out on addressing any resource imbalance it needs to consider court coverage expectations.

12. MANAGING PERFORMANCE TO IMPROVE
3 -GOOD

Performance management processes are being developed by a recently appointed performance officer. The Area management board receives regular performance information on data relating to the Area's key targets. This monthly data is supplemented by the quarterly performance report in much more detail and monthly unit head progress reports. Joint performance management with criminal justice partners has been used to improve progress against some joint performance, although the lack of data and performance information on police file quality has hindered some improvement activity. The Area has been working with CPS Headquarters to improve case recording outcomes and accuracy. The Area operates the casework quality assurance (CQA) scheme; results are used to improve individual performance.

12A: Managers are held accountable for performance

- The Area management board considers a wide range of performance information on casework matters at each board meeting. The Area performance officer has also developed a 'dashboard' system to monitor and report progress against key targets within the Area business plan. This is supplemented by an extensive quarterly performance report.
- Unit heads produce monthly performance reports to the Chief Crown Prosecutor (CCP). The reports highlight performance issues within the units, include adverse cases reports and also give assurance on casework finalisations and registry progress. The reports form the basis of discussion between unit heads and the CCP in the outlying units (Scarborough and Harrogate). The CCP recognises that formalising this approach with unit heads in York would be beneficial.
- Performance information is used to address issues of concern and to take action to improve. The office managers' meeting is used to ensure consistency of process, share best practice and to agree strategies for improvement. These, along with action at the Area management board, demonstrate a commitment to continuous improvement and learning. Where standards within the direct communication with victims scheme were being missed the CCP visited team meetings to highlight the poor performance and emphasise the need to improve to all staff. This action was consolidated by objectives in lawyers' appraisal plans.
- There is strong evidence that the Area involves its staff in improvement (and process development) activity. Within the 'people and processes' workstream for the re-location, staff were involved in developing the approach to the single-file system with learning experience from the successful use of the system at the Scarborough office.

12B: The Area is committed to managing performance jointly with CJS partners

- The Area is pro-active in working with criminal justice partners to drive up performance. Unit heads, and the CCP are involved in performance sub-groups of the Local Criminal Justice Board (LCJB). There is evidence that joint planning and work has resulted in improvement to cracked and ineffective trial rates, performance in asset recovery and against persistent young offender targets.
- The Area performance officer shares relevant data with the LCJB performance officer. Both performance officers have worked together to ensure that they are operating from the same data and that their sources are consistent.
- Area performance in relation to persistent young offenders was within target (67 days against a 71 day target) in 2004-05. The criminal justice agencies offences brought to justice target was achieved (performance improvement of 25.8% against baseline). The Area met its 2004-05 asset recovery target.
- Police file quality and timeliness is highlighted in aspect 2 (Managing magistrates' court cases).

12C: Performance information is accurate, timely, concise and user-friendly

- The Area is beginning to use tailored management information (MIS) reports from the case management system to examine and assure its performance data. Ad-hoc MIS reports are being produced on adverse cases, domestic violence and anti-social behaviour cases. Work by the performance officer to tailor the prosecution team performance management reports is giving CPS and police managers the tools to assess the accuracy of pre-charge decision cases.
- Monthly unit head performance reports, and work by office managers' show activity on data accuracy. The Area has had problems with marking cases as finalised. The Area was visited by Business Information Services to help clear the case management system of outstanding tasks and to close finalised cases on the system.
- Performance is regularly compared against the national performance and averages, and this comparison is evident on performance information that is circulated to staff.

12D: Internal systems for ensuring the quality of casework are robust and founded on reliable and accurate analysis

- The Area undertakes casework quality assurance checks (CQA). Since January 2005 the number of files sampled has increased to cover at least one file per lawyer and caseworker each month. The forms are completed by unit heads and feedback is given to lawyers if performance issues are identified. General feedback is also given on good performance. CQA forms seen as part of the evidence indicate that the Area is robust in its analysis and that the paper records accurately reflect the check. CQA results as well as adverse case results are considered at the Area management board.

13. LEADERSHIP

3 - GOOD

The Area management board accepted the challenge of assessing how they worked together in line with our recommendation in the December 2003 inspection report. This work has had a positive impact which is evidenced in staff survey results and the corporate approach demonstrated by the senior team. Communication with staff is effective and a commitment to consultation is demonstrated from the 'top'. The CPS is a key player in driving criminal justice forward and the personal commitment by the Chief Crown Prosecutor (CCP) has been demonstrated since the implementation of Local Criminal Justice Boards. Equality and diversity have been mainstreamed, with the Area sounding board being used as a mechanism to challenge Area processes and commitment.

13A: The management team communicates the vision, values and direction of the Area well

- After the last inspection report the Area undertook a cultural review which examined leadership and behavioural issues. Roles and responsibilities, as well as ground rules for behaviours of the Area management board have been developed. The outcome of the workshop has been communicated to staff and Area managers are actively demonstrating and abiding by the agreed rules. As a product of this review the senior team have developed and abided by a set of rules on corporate behaviours. The benefit of this corporate approach is evidenced in substantial improvements in staff survey results between 2002 and 2004.
- Staff survey results for CPS North Yorkshire indicate some of the most favourable scores within the whole service on clarity and understanding of roles both within the team, Area and the Service. The clear vision outlined by the CCP in the foreword of the Area business plan and the concentration on staff involvement in Area development activity may be partially responsible for this strong result. Additionally, the Area approach to open and honest communication and consultation is driven by the CCP. A commitment to consult, aligned with an active Area sounding board, as well as an open door policy and regular staff meetings, all promote a regular dialogue.
- The CPS is driving key criminal justice initiatives. The CCP chaired the Local Criminal Justice Board (LCJB) until April 2005. The CCP is also the senior responsible officer for delivering witness initiatives (victim information partnership) as well as chairing the LCJB joint performance management group and the confidence delivery group. Minutes of these meetings show that there is a constructive approach by criminal justice agencies and a desire to improve performance and work together.

13B: Senior managers act as role models for the ethics, values and aims of the Area and the CPS, and demonstrate a commitment to equality and diversity policies

- The Area's commitment to equality and diversity policies is evidenced in a number of ways, including the personal commitment and involvement of managers. Although there is no specific equality and diversity group in the Area, there are a number of actions which demonstrate the Area's commitment to matters of equality and diversity. The sounding board is used to ensure that equality and diversity are mainstreamed into the processes and outcomes, and the Area demonstrated that it had taken action to challenge unethical behaviour.
- Female employees reflect the population served by the Area's offices as does the employment of disabled staff. The Area is seeking to improve its position on the employment of black and minority ethnic staff; targets have been set, but low rates of black and minority ethnic people in the catchment area of the individual offices means that progress to meet target is slow.

14. SECURING COMMUNITY CONFIDENCE

3 - GOOD

During the joint inspection of North Yorkshire criminal justice area in November 2004 the positive work undertaken by the CPS was recognised. The Area has a communications manager who has an objective to deliver community engagement and is now working alongside the newly appointed communication manager for the Local Criminal Justice Board (LCJB). The Chief Crown Prosecutor chairs the LCJB confidence delivery group; the principal aim is securing community confidence and co-ordinating a joint approach to achieving the joint public confidence target. Public confidence in the effectiveness of criminal justice agencies in bringing offenders to justice has increased by 2% against the baseline to 40%, although the figure is below the national average of 43%.

14A: The Area is working pro-actively to secure the confidence of the community

- The commitment of managers is clear and evidence exists of wider engagement activity with the community There has been a shared Yorkshire and Humberside community engagement strategy for some time, this was superseded by an Area plan in 2004. Senior managers attend inter-agency meetings and events in support of the strategy, and provide staff and support for events. Community engagement is included in the Area business plan and appears as an agenda item for Area management board meetings. The informal Area target of three events each month is monitored as part of the monthly unit performance returns.
- The Area community engagement action plan for 2004-05 identifies a wide range of activities and details the responsibility, timescale, milestones and outcomes for delivery of the tasks. During 2004 a communications manager was appointed, who has an objective to deliver community engagement, and began work on an overarching Area communication strategy which will be implemented during 2005; the strategy incorporates internal communications, media strategy, external contacts and community engagement.
- The Area understands the demographics of its population as a result of a study carried out with Hull University. Diversity in North Yorkshire details ethnicity, religious and economically active age demographics. The Area recognises that the travelling community are the group at greatest risk of exclusion, the lack of trust in criminal justice agencies has made it difficult to engage effectively; however, the Area are persevering through the Building Bridges Forum which has a representative from the travelling community.

- The Area undertakes and demonstrates a full range of consultation, participation and information giving with a wide range of statutory agencies and community groups. Links are being established with the eight Crime and Disorder Reduction Partnerships through the LCJB in relation to joint work on persistent and prolific offenders and cases involving domestic violence. The Yorkshire Race Equality Network (YREN), the main voluntary black and minority ethnic group, was involved in training in relation to race cases and the Area has been involved in the YREN open forums. Success and the value of each engagement are measured from feedback, but more work could be done to measure success in terms of improvements in delivery of core business. The number of victims reporting racial crime has increased and the Area believe there have been improvements in relation to domestic violence but this has not been measured as case outcomes.
- There are good links with the press enabling stories to be placed to promote successes and respond to criticism, for example the press release to detail how the Area is tackling race crime and the success of cases. Public confidence in the effectiveness of criminal justice agencies in bringing offenders to justice has increased by 2% against the baseline to 40%, although the figure is below the national average of 43%.

ANNEX A

PERFORMANCE DATA

ASPECT 1: PRE-CHARGE DECISION-MAKING

MAGISTRATES' COURTS CASES								
Discontinuance rate			Guilty plea rate			Attrition rate		
National Target March 2007	National Performance Quarter 4 2004-05	Area Performance Quarter 4 2004-05	National Target March 2007	National Performance Quarter 4 2004-05	Area Performance Quarter 4 2004-05	National Target March 2007	National Performance Quarter 4 2004-05	Area Performance Quarter 4 2004-05
11%	16.3%	14.1%	52%	68.8%	74.8%	31%	22.7%	17.4%
CROWN COURT CASES								
Discontinuance rate			Guilty plea rate			Attrition rate		
National Target March 2007	National Performance Quarter 4 2004-05	Area Performance Quarter 4 2004-05	National Target March 2007	National Performance Quarter 4 2004-05	Area Performance Quarter 4 2004-05	National Target March 2007	National Performance Quarter 4 2004-05	Area Performance Quarter 4 2004-05
11%	14.6%	21.4%	68%	66%	57.1%	23%	23.8%	33.3%

ASPECT 2: MANAGING MAGISTRATES' COURTS CASES

INEFFECTIVE TRIAL RATE			OVERALL PERSISTENT YOUNG OFFENDERS PERFORMANCE (ARREST TO SENTENCE)		
National Target	National Performance 2004-05	Area Performance 2004-05	National Target	National Performance (3-month rolling average Feb 05)	Area Performance (3-month rolling average Feb 05)
24.5%	24.8%	18.3%	71 days	67 days	77 days

TIME INTERVALS/TARGETS FOR CRIMINAL PROCEEDINGS IN MAGISTRATES' COURTS CHARGED CASES ONLY (MARCH 2005)						
	Initial Guilty Plea Target 59 days		Trials Target 143 days		Committals Target 176 days	
	Cases within target (%)	Sample size (no of defendants)	Cases within target (%)	Sample size (no of defendants)	Cases within target (%)	Sample size (no of defendants)
National	83%	6,152	66%	2,698	89%	992
Area	85%	91	54%	37	100%	9

TIME INTERVALS/TARGETS FOR CRIMINAL PROCEEDINGS IN YOUTH COURTS CHARGED AND SUMMONSED CASES (MARCH 2005)						
	Initial Guilty Plea Target 59 days		Trials Target 176 days		Committals Target 101 days	
	Cases within target (%)	Sample size (no of defendants)	Cases within target (%)	Sample size (no of defendants)	Cases within target (%)	Sample size (no of defendants)
National	87%	5,185	87%	3,309	91%	190
Area	81%	62	90%	41	0%	1

ASPECT 3: MANAGING CROWN COURT CASES

INEFFECTIVE TRIAL RATE		
National Target	National Performance 2004-05	Area Performance 2004-05
18.5%	15.8%	20.9%

ASPECT 4: ENSURING SUCCESSFUL OUTCOMES

UNSUCCESSFUL OUTCOMES (AS A PERCENTAGE OF COMPLETED MAGISTRATES' COURTS AND CROWN COURT CASES)		
National Target	National Performance 2004-05	Area Performance 2004-05
21%	19.6%	17.7%

OFFENCES BROUGHT TO JUSTICE		
	CJS Area Target 2004-05	CJS Area Performance 2004-05
Against 2001-02 baseline	+11%	+25.8%
Number	13,510	15,308

ASPECT 7: DISCLOSURE

DISCLOSURE HANDLED PROPERLY IN MAGISTRATES' COURTS AND CROWN COURT CASES PERFORMANCE IN THE LAST INSPECTION CYCLE		
	National Performance	Area Performance
Primary test in magistrates' courts	71.6%	89.5%
Primary test in Crown Court	79.9%	94.7%
Secondary test in Crown Court	59.4%	93.8%
Overall average	70.3%	92.7%

ASPECT 11: MANAGING RESOURCES

NON RING-FENCED ADMINISTRATION COSTS BUDGET OUTTURN PERFORMANCE (END OF YEAR RANGES)	
2003-04	2004-05
102.3%	103.6%

DCW DEPLOYMENT (AS % OF MAGISTRATES' COURTS SESSIONS)			HCA SAVINGS (PER SESSION)		SICKNESS ABSENCE (PER EMPLOYEE PER YEAR)		
National Target 2005-06	National Performance 2004-05	Area Performance	National Performance Quarter 4 2004-05	Area Performance Quarter 4 2004-05	National Target	National Performance 2004	Area Performance 2004
11.6%	8.3%	9.6%	£224	£247	8 days	8.7 days	4.7 days

ASPECT 14: SECURING COMMUNITY CONFIDENCE

PUBLIC CONFIDENCE IN EFFECTIVENESS OF CRIMINAL JUSTICE AGENCIES IN BRINGING OFFENDERS TO JUSTICE (BRITISH CRIME SURVEY)	
CJS Area Baseline 2002-03	Most Recent CJS Area Figures In 2004-05
38%	40%

NOTES



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