

CPS Norfolk

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# Overall Performance Assessment

December 2005

Promoting Improvement in Criminal Justice

*HMCPsi*  
H M Crown Prosecution Service Inspectorate

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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 Norfolk 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 Norfolk serves the area covered by the Norfolk Constabulary. It has one office at Norwich where the Area Headquarters (Secretariat) is based.

Area business is divided on functional lines between magistrates' courts and Crown Court work. The eastern and western criminal justice units (CJUs) handle cases dealt with in the magistrates' courts. The trial unit (TU) handles cases dealt with in the Crown Court.

During the year 2004-05, the average Area number of staff in post was 82.75 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	4,941	20.7	20.9
Advice	3,499	14.7	5.1
Summary offences	10,262	43.1	46.9
Either way and indictable only	5,119	21.5	26.7
Other proceedings	7	0%	0.4%
<b>TOTAL</b>	<b>23,828</b>	<b>100%</b>	<b>100%</b>

## C. SUMMARY OF JUDGMENTS

CPS Norfolk has historically been a stable Area that has performed well. The last inspection of CPS Norfolk, published in June 2003, concluded that the Area had continued to perform well, with all levels of staff contributing together to deliver a high quality of service to the local criminal justice system and to the community. The inspection report contained four recommendations. The follow up inspection was conducted in October 2003 and found that the Area continued to produce good results in its casework and offer a professional service; however, little improvement had been made in relation to some of the recommendations and aspects for improvement identified during the inspection.

The Area has been subject to less change than most other Areas. In the autumn of 2003 there was a move to modern and spacious offices which are shared with the police and a split of the criminal justice units into two teams - eastern and western. There is no conjoined working with the police; the Area believe that the current high levels of performance can be maintained without such a step. The Area has implemented or progressed national initiatives; a witness care unit has been established and shadow charging has been progressed. The effective trial management programme (ETMP) has also been rolled out.

The Area has introduced a full shadow charging scheme across Norfolk and is on track to deliver statutory charging in October 2005. The shadow charging scheme has produced some good performance results in relation to four of the six measures (guilty plea rates and attrition rates in the magistrates' courts and the Crown Court) used to assess realisation of anticipated benefits.

The Area is among those agencies leading the initiative to improve case progression in court. ETMP has been rolled out, the Area has not been leading the initiative although the Area Business Manager has played a key role. The programme has incorporated much of the good practice already operating in the Area and case progression officers are in place in each unit. The Area manages and progresses casework efficiently, providing a professional advocacy service at court.

The Area handles sensitive and specialist cases well. The Area has champions and specialists in place, has provided training, particularly in relation to hate crimes, and ensures CPS policies are reflected in practice. The Area systematically undertakes an analysis of hate crime and is performing well in terms of unsuccessful outcomes. The Area has maintained good performance in relation to offences involving domestic violence since the last Area inspection.

The Area has produced a written custody time limit system which incorporates most of the national guidance, but the monitoring of the system and managerial involvement needs to be improved. The examination of files indicated some poor practice in relation to custody time limit issues in more complex multi-defendant files.

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

The service to victims and witnesses is generally good. The Area has implemented the first witness care unit in Norwich and is on target to deliver its full programme by the end of 2005. A detailed victim and witness protocol is in place. However, the Area needs to improve its compliance in terms of numbers in relation to the direct communications with victims scheme, whereby the CPS informs victims in writing about any cases which are discontinued or the charge substantially reduced; performance in terms of timeliness is similar to the national average.

The Area's approach to planning is generally sound. Since the last inspection the Area has relocated successfully and implemented the electronic case management system. Although a business plan, unit plans and a risk register are in place which accord with the main national initiatives and targets, the Area would benefit from a more formalised approach to the review of plans and risks. There is a clear commitment to the training of staff.

The Area has taken a number of steps which indicate that it treats achieving value for money principles as a priority. Sound resource planning takes place and there is active management and monitoring of agent usage and prosecution costs. Savings made from the deployment of designated caseworkers are good and continue to improve, although there is scope for improved savings from higher court advocate usage.

Relevant and accurate performance information is considered by the Area management team. A comprehensive performance report was recently introduced and is supported by an annual performance monitoring plan. There is good evidence of high level joint performance management within the LCJB. However, the joint performance management arrangements with the police of file quality have ceased to be effective over recent months and the prosecution team performance management arrangements have yet to become embedded.

The Chief Crown Prosecutor is chair of the Local Criminal Justice Board (LCJB) and chair of the case management sub-group; managers are also leading some joint criminal justice agency groups. Appropriate arrangements are in place for managing the Area and there are committed managers; however, CPS vision and values are not embedded at present. Managers and staff are involved in many outward looking community engagement activities which are recorded in the community engagement log. This work has been enhanced by the appointment of the community engagement officer. To date there has been little evaluation of the activity, although this is now built in to the current action plan and should enable improvements to business delivery in the future.

Outcomes in relation to the shared public service agreement (PSA) targets are good. The target for offences brought to justice (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 proactive in relation to all of these factors. The Area, in conjunction with its criminal justice partners, has increased the number of offences brought to justice in 2004-05 by 20.2% against the 2001-02 baseline and a more challenging target has been set for March 2006. The ineffective trial rates in the Crown Court and the magistrates' courts are better than the local targets and the national averages. Persistent young offenders were being dealt with in 68 days from arrest to sentence against the national target of 71 days, despite some fluctuation in the Crown Court. Public confidence in the ability of the criminal justice system to bring offenders to justice has increased to 40% in 2004-05 and is on target. Performance in relation to unsuccessful outcomes and all adverse case categories is as good as or consistently better than the national averages.

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

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

<b>OVERALL ASSESSMENT</b>	<b>3 - GOOD</b>
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## D. DEFINING ASPECTS

### 1. PRE-CHARGE DECISION-MAKING

3 - GOOD

*The Area has introduced full shadow charging across Norfolk effectively and is on track to deliver statutory charging in October 2005. Reviews have been completed to ensure that the Area is prepared and relevant actions are being implemented through joint work with the police. Area lawyers are of sufficient experience and expertise to deal with pre-charge advice cases, and understand the local and national schemes, and guidance. The casework management system (CMS) is being used to record all pre-charge advice. Area performance in relation to the headline targets of attrition, discontinuance and guilty plea rates was better than national averages for the last quarter of 2004-05 in both the magistrates' courts and Crown Court. The Area is considering the introduction of prosecution team performance monitoring (PTPM) data to address performance data needs.*

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

- Timely pre-charge advice is given at all relevant Area charging centres. The Area is providing full shadow charging advice to three stations. Face-to-face advice is provided as well as telephone advice to out-lying stations. However, written advice is being used for a substantial number of cases presently regarded as being outside the scheme, together with some of the more complex or specialist cases. The total level of advice to police is therefore significantly higher than the national rates.
- Procedures are being implemented to prevent inappropriate or premature requests for advice from police. Police evidential review teams were initially piloted at the Norwich charging centre to act as gatekeepers; this has been introduced at Kings Lynn and is about to be introduced at the remaining centre at Great Yarmouth. This process once embedded, and if sufficiently resourced by police, will manage requests effectively. In preparation for statutory charging prosecutors have been clearly instructed not to give pre-charge advice on inappropriate files.
- Processes are in place to ensure that pre-charge consultation is taking place on all relevant files. Any instances of files inappropriately bypassing the scheme are brought to the attention of the unit heads, and discussed with the police supervisors. The Area also monitors compliance with pre-charge advice; matters outstanding on CMS are again referred to police supervisors.

- The reality check undertaken to assess the accuracy of pre-charge advice on CMS identified that all appropriate cases were recorded. The Area states it has experienced some difficulties at the charging stations with the CMS server, consequently access and input are slow. Area systems for recording pre-charge advice ensure that each case is entered on CMS either by the duty prosecutor or by administrators. Additionally, initial problems with unique reference numbers (URNs) have been overcome.
- The Area has introduced systems for monitoring the volume and quality of files in addition to the outcome of pre-charge advice (PCA) cases; these are used to improve performance and ensure compliance with the scheme.
- The Area is on course to implement statutory charging in October 2005. Two of the charging stations have undergone assessments in preparation to 'go-live' and work has been undertaken on aspects identified as requiring further work. A review of the remaining charging station is now due. The Area has identified issues that will impinge on the migration to the statutory scheme. The Area would have benefited from adopting a more formalised approach to the implementation of charging. Liaison with CPS Direct in readiness for statutory charging has taken place.

*Aspects for improvement*

- The Area needs to consider the volume of advice cases that are going outside the shadow charging scheme which stands at 14.7% compared to 5.1% nationally.

**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**

- Area lawyers are of sufficient experience and expertise to deal with PCA cases. There is widespread understanding of the local and national schemes, and all relevant guidance. Individual performance in relation to quality, appropriateness and timeliness of PCA cases is assessed by the unit heads through dip sampling of files at the charging stations, in addition to any monitoring as part of the casework quality assurance scheme.
- A clear escalation procedure is in place for cases where there is a disagreement between police and CPS on advice. There are few instances where disagreements have not been resolved and have been escalated to senior management level.
- Individual training on the completion of MG3s has been given to lawyers; the accurate completion, including ethnicity, by police and CPS staff is monitored by the Area to improve performance.

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

- There is effective regular liaison with the police on the implementation and operation of the scheme. Joint meetings are held; the implementation of actions identified during the reviews and other on-going issues are discussed, and overall performance is analysed.
- Changes to the scheme are communicated to staff undertaking PCA cases and the Area newsletter (the Grapevine) is used to communicate more general messages and some performance related matters.
- Area performance in relation to the key measures of benefit realisation was better than the national averages for the last quarter of 2004-05. In the magistrates' courts the guilty plea rate (73% compared to 68.8% nationally) and attrition rate (19.3% compared to 22.7%) were both significantly better than national performance. In the Crown Court, the guilty plea rate (75.5% compared to 66.7%) and the attrition rate (20% compared to 23.8%) compared favourably with the national average. Although discontinuance rates' in the magistrates' court (15% compared to 16.3%) and Crown Court (13.3% compared to 14.6%) were better than national averages, performance has fluctuated.

*Aspects for Improvement*

- The Area has recently begun to introduce a new performance regime; it would benefit from reviewing the production of data from the monitoring and evaluating the PCA process and performance to ensure a systematic, consistent and detailed approach.

**2. MANAGING MAGISTRATES' COURTS CASES**
**3 - GOOD**

*The Area is among those agencies leading the initiative to improve case progression in court. The Area Business Manager is leading the effective trial management programme (ETMP) on behalf of the Area and this has incorporated much of the good practice already in operation. Although the Area is capturing full file quality on the case management system (CMS) there is currently no effective system to feed the data to the police; the joint performance management arrangements have ceased to be of effective use over recent months and the prosecution team performance management arrangements have yet to become embedded. Area performance in relation to the ineffective trial rate, the cracked trial rate and the rate of cases that are ineffective due to the prosecution are better than the national averages.*

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

- Efforts are being made to review and prepare magistrates' courts cases promptly; follow-up work is undertaken when necessary and in general cases are ready to proceed at each court hearing . The number of cases dropped after the third or subsequent hearing is better than the national average (48.3% compared to 54.9%).
- The Area Business Manager is leading ETMP on behalf of the Area which in maintaining much of the good practice already in operation. ETMP was implemented in May 2005 and is due to be evaluated fully in September 2005. There is liaison with criminal justice partners and performance is monitored by the Local Criminal Justice Board (LCJB) casework management group (CMG); outcomes and timeliness are analysed to identify where improvements are needed.
- The ETMP support officer undertakes monitoring of police file quality of pre-charge advice cases, reporting monthly to the LCJB. Although the job description includes monitoring the quality of full file preparation and liaising with the case progression officers, this task is not currently undertaken. The reality check showed that CMS is used to capture full file quality; however, this is not analysed and fed back systematically to the police as the joint performance management arrangements between the police and Area have ceased to be effective over recent months. Prosecution team performance management arrangements have yet to be established across the Area.

- Prior to ETMP the Area had good case preparation for pre-trial reviews and efficient systems for file and information management in the criminal justice unit. ETMP has placed the processes on a more formal footing. Trial readiness checks are undertaken and regular case progression meetings take place between the magistrates' courts, police and the Area case progression officers, with performance improving as a result.
- There is a specialist youth team which comprises three lawyers. Where possible youth cases are reviewed by the specialists or associate lawyers. Specific objectives have been set in relation to timeliness and regular meetings are held with other criminal justice agencies to review performance at the different court centres. The timeliness figures for youth initial guilty pleas (87% locally and nationally) and trials (97% compared to 87% nationally) are good. The PYO target is being met, with average performance of 68 days (three month rolling average February 2005) from arrest to sentence.
- There were no wasted costs orders during 2004-05.

*Aspects for Improvement*

- The timeliness figures for adult initial guilty pleas (77% compared to 83%) and trials (61% compared to 66%) are worse than the national averages.

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

- The ineffective trial rate in Norfolk is 19.3% and performance is better than the national average (20.4%) and the national target (24.5%). The rate of cases that are ineffective due to the prosecution is better than the national figure (4.7% compared to 6.8%). The cracked trial rate is also better than the national average (31.6% compared to 37.1%). There is regular and formal analysis of all cracked and ineffective trials by the unit heads, and appropriate action is taken in all cases where the prosecution has been at fault.
- The case progression officers produce monthly reports which are considered by the Area management team. Unit heads discuss and compare data with the magistrates' courts and staff are kept informed of the performance figures. The LCJB case management group reviews performance and agrees actions for improvement.

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

- The casework management system (CMS) is routinely used to record key events in cases and outstanding tasks are monitored and chased up where appropriate and action is taken to improve usage. The recording of full file reviews is better than the national average (55.1% compared to 27.1%) with a trend of improvement. By the year end the recorded usage, in percentage terms, was in the high 70s. Administrative staff examine escalated tasks daily and monitoring is undertaken by the B1 manager.
- The local implementation team (LIT) meets every two months; the LIT is working with Area staff to improve usage of CMS and manages further business developments relevant to CMS and further CMS releases.
- The case progression officers use CMS and management information system (MIS) reports to monitor performance. The Area has created a number of CMS and MIS reports and staff are using them to assist in specific usage and monitoring issues. Local Area templates have been added to the system, for example Home Office production orders and electronic pre-trial review documents for a pilot being undertaken at Great Yarmouth.

**3. MANAGING CROWN COURT CASES**

**3 - GOOD**

*The effective trial management programme (ETMP) was implemented in May 2005; ETMP reports are used to monitor performance and identify areas for improvement within the trial unit. The unit business manager is the leading case progression officer and there is regular contact with the Crown Court counterpart. The Area performance in relation to timeliness of service of instructions to counsel is better than the national average; although the timeliness of service of committal papers on the defence was worse than the national average, the indications are that this is improving. The ineffective trial rate in Norfolk is better than the national rate, and the rate of cases that are ineffective due to 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. At the time of the last inspection (published in June 2003) it was identified that the timeliness of service of committal papers needed improvement. Area performance was worse than the national average during the year 2004-05 (74.1% compared to 79.4%); however, a more recent study (between February and July 2005) has showed considerable improvement and 274 of 298 cases showed timely preparation (92%).
- Instructions to counsel are delivered promptly; the Area performs slightly better than the national average in relation to the timeliness of instructions (85.8% compared to 85%). There has been an improvement in the quality of instructions to counsel since the last inspection report and the follow up inspection in October 2003. The unit head monitors the quality and the issue has been discussed at team meetings.
- The effective trial management programme (ETMP) was implemented in May 2005 and is due to be evaluated fully in September 2005. ETMP reports are used to monitor performance and identify areas for improvement within the trial unit. The unit business manager is the leading case progression officer and the post is supplemented by the B1 caseworkers; there is regular telephone and e-mail contact with the Crown Court case progression officer.
- Lawyers and caseworkers have been trained in relation to Proceeds of Crime Act (POCA) cases. Lawyers are encouraged to be pro-active and the unit head monitors compliance. There are regular meetings between the unit head and his police counterpart to raise the profile of confiscation and restraint order cases. A local protocol is in place between the Area and the police. The Area has met its target for confiscation orders achieving 16 orders (against a target of nine) to the value of £854,430. The Area is currently on course for the 2006 target number and value.

- Timeliness has been an issue for Crown Court youth cases (of which there are only one or two each quarter) especially where they are linked to adult cases. To improve performance the Area now ensures that Crown Court cases are overseen by the specialist youth team and a caseworker in the trial unit. Timeliness is monitored for all youth cases and performance discussed by the Area management team and by the LCJB case management group.
- There were no wasted costs orders during 2004-05.

#### *Aspects for Improvement*

- Instructions to counsel do not always include both an analysis of the issues and acceptability of pleas.

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

- The ineffective trial rate is better than the national average (12.2% compared to 15.8%) exceeding the local and national targets (17% and 18.4% respectively). The rate of cases that are ineffective due to the prosecution is better than the national figure (4.1% compared to 6.6%) as is the rate of cracked trials due to the prosecution (13.9% compared to 15.3%). There is regular and formal analysis of all cracked and ineffective trials; the case progression officer collates monthly figures which are discussed by the Area management team. Appropriate action is taken in all cases where the prosecution has been at fault.
- Significant work has been undertaken with criminal justice partners, action has been taken and communicated, and performance is improving as a result. Cracked and ineffective trial monitoring is discussed by the unit head and his Crown Court counterpart to resolve any discrepancies in the data collation. The LCJB case management group reviews performance and agrees actions for improvement.

### **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). The usage for recording indictments is better than the national average (95.9% compared to 81.5%); usage was consistent throughout the year with a small trend of improvement. The recording of full file reviews is better than the national average (55.1% compared to 27.1%) also with a trend of improvement. The reality check showed that in all cases examined a full file review was present on CMS. CMS is routinely used to record key events in cases and outstanding tasks are monitored and chased up where appropriate by trial unit managers. CMS usage is monitored, and appropriate action is taken to improve usage.
- The Area has created a number of CMS and management information system (MIS) reports and is using them to assist in specific usage and monitoring issues. Local Area templates have been added to the system, for example, the Crown Court case preparation package.



**4. ENSURING SUCCESSFUL OUTCOMES**

**3 - GOOD**

*Performance is consistently better than the national averages in relation to conviction rates in the magistrates' courts and the Crown Court with a trend of improvement from the previous year. The Area performs better than the national average in relation to all unsuccessful outcomes except the overall discontinuance rate which is the same as the national average; however, this rate has improved from the previous year. Mechanisms are in place to monitor and analyse performance on a monthly basis within the Area and with other criminal justice agencies. During the last inspection, published in June 2003, the robust analysis of adverse cases in the criminal justice unit was considered to be a strength. 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 regular and 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 unsuccessful outcomes, adverse cases and cracked and ineffective trials. There is also monitoring and dip sampling of various systems and processes as part of the performance management regime.
- Adverse outcome forms are completed manually in appropriate cases and clearly set out the reasons for acquittal. Individual feedback is provided both internally and with the police, and general trends and issues are disseminated to the units as they arise, although the Area has stopped compiling bulletins of collated cases and trends due to the small number of cases.
- The Local Criminal Justice Board (LCJB) casework management group, of which the Chief Crown Prosecutor is chair, examines joint performance at a strategic level. Unit heads examine joint performance at operational level with their criminal justice agency counterparts at various formal meetings and informally on an ad hoc basis as issues arise.
- The conviction rates in the magistrates' courts and the Crown Court are better than the national averages. The discharged committal, judge ordered acquittal, no case to answer, judge directed acquittal rates are better than the national average and reducing. The overall discontinuance and bind over rate is the same as the national average and performance has improved from the previous year. Jury acquittals in the Crown Court are better than the national average although dismissals after trial in the magistrates' courts are slightly worse than the national average.

OUTCOME	AREA FIGURE	NATIONAL AVERAGE
<b>Magistrates' courts</b>		
Discontinuance & bindovers	12.5%	12.5%
No case to answer	0.2%	0.3%
Dismissed after trial	1.6%	1.5%
Discharged committals	0%	0.3%
Overall conviction rate	83%	80.8%
<b>Crown Court</b>		
Judge ordered acquittals	7%	14.2%
Judge directed acquittals	1.1%	2.0%
Acquittals after trial	5.5%	6.3%
Overall conviction rate	85.3%	85.3%

- 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 and attrition and guilty plea rates in the Crown Court. Although the Area has not achieved the target in the magistrates' courts or the Crown Court in relation to the realisation of anticipated benefits for discontinuance, it performed better than the national averages.
- The Area has exceeded the local and the national targets (18% and 21% respectively) in relation to unsuccessful outcomes with performance of 17.7%; performance is better than the national average (19.6%) and shows a trend of improvement from the previous financial year.
- 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 all of these factors. The local OBTJ target has been achieved and performance is improving. The target was set at 14,004 (11.4% above baseline) which was surpassed by performance of 15,112 (20.2%); a more challenging target has been set for March 2006 and performance is currently ahead of the trajectory.

**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, review and handle cases, analyse case outcomes and take the lead on training where appropriate. Aspects of sensitive cases are monitored in a variety of ways; concluded cases involving hate crime are analysed. There is scope for some improvement in flagging of cases on the case management system (CMS) which has already been identified by the performance officer.*

**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, rape cases are not discontinued without reference to the champion or a second specialist. The relevant co-ordinator oversees all cases involving homophobic crime and all concluded cases involving racially or religiously aggravated offences are analysed. The Chief Crown Prosecutor initially reviews and advises on fatal road traffic cases, which he then allocates. All cases where the court does not grant an application for an anti-social behaviour order are analysed by the champion at Area and inter-agency level. Cases involving domestic violence are only handled by experienced prosecutors; the current figures show only a one in six failure rate for these cases. The handling of cases involving domestic violence was identified as a strength in the last inspection report (published in June 2003).
- The Area has appointed champions for all sensitive cases, and they disseminate information to prosecutors and caseworkers, and manage cases where appropriate. In addition, co-ordinators or specialists have been appointed for other specialist areas such as football violence, wildlife offences and hi-tec crime.
- Sensitive cases are generally flagged on CMS and dip sampling of the flagging rate is undertaken. The reality check revealed some scope for improvement which has also been identified by the performance officer; action is being taken to resolve the issue.
- The training records from August 2004 to July 2005 showed that training has been provided on homophobic crime, racially and religiously aggravated offences, domestic violence offence updates, special measures and Proceeds of Crime Act recording of cases. Training is invariably provided by the relevant champion at regular training days throughout the year.

- The Area takes CPS policies and HMCPSI thematic reviews into account when devising Area practice; key documents on CPS policy are regularly distributed and recommendations from reviews and policies are highlighted during training.
- The Area systematically undertakes an analysis of hate crime cases in which a reduction or change of charge, or an agreed basis for plea, reduces or removes the 'hate element' from the offence. There is sound evidence that action is taken as a result; a training need in relation to racially and religiously aggravated offences was identified from the analysis of concluded cases and refresher training was provided. The Area monitored the unsuccessful outcome rate for hate crime during 2004-05 before it became a mandatory measure, achieving a rate of 35.1%. The target for 2005-06 has been set at 33% and the figures to date show the Area is ahead of the target for all categories of hate crime.

**6. CUSTODY TIME LIMITS**

**2 - FAIR**

*The Area has produced a written custody time limit (CTL) system which incorporates most of the national guidance. The Area system has recently undergone a full review which resulted in a complete rewrite of the Area guidance in September 2005; prior to this, review of the system had not been systematic or at regular intervals. There have been no failures during 2004-05. A protocol is in place with the magistrates' courts, although no similar agreement is in place for the Crown Court.*

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

- The Area has a written CTL scheme, which complies for the most part with national guidance, although very few elements from the good practice guide have been incorporated. There is evidence that the system has been reviewed although this has not been systematic or at regular intervals. The Area system has recently undergone a full review which resulted in the present guidance in September 2005. The CTL monitors and the level A development trainer take responsibility for ensuring staff are kept up-to-date with changes in relation to CTLs.
- There are CTL monitors in place. In the trials unit (TU) the monitor undertakes daily checks of the manual system whereas in the two criminal justice units the shared monitor undertakes weekly checks of the manual system and the case management system; cases are also cross-checked with the TU. The Area has had no CTL failures in the year 2004-05.
- The Area has agreed a protocol with the magistrates' courts, which allows prosecutors to agree the expiry date with the court, and involves the court in monitoring CTL expiry dates.
- Training has been provided to key staff. CTL training will also be a core element of the planned development training of level A staff due for roll out in September 2005.

*Aspects for improvement*

- Senior managers are not generally involved in assuring themselves on a regular basis that the Area system is functioning effectively.
- There is no protocol in place with the Crown Court to agree and monitor CTL expiry dates.
- An examination of five CTL files indicated an inconsistent approach. On straight forward files involving a single defendant there was generally satisfactory practice; however, in cases involving multiple defendants poor practice was evident. Expiry dates and extension dates are not always noted on the front of the file, and some poor and confused file endorsements were also apparent

**7. DISCLOSURE**
**3 - GOOD**

*CPS Norfolk was one of the better performing Areas on disclosure during the last inspection cycle and the handling of primary disclosure was assessed as a strength. However, the inspection also identified that the Area needed to be more vigorous in pressing for defence statements. The Area has struggled to make any great impact on this culture. Save for this, the standard of compliance with disclosure duties has been maintained at a high level. There is a third party protocol in place between the Area, the Crown Court and the Local Authority, and the Area has provided some training to the Norfolk Constabulary.*

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

- CPS Norfolk was one of the better performing Areas on disclosure during the last inspection cycle. The overall compliance with prosecution obligations in cases in the file sample was 90.2% compared to national performance of 70.3%. Prosecutors' performance in relation to disclosure is regularly and formally assessed by the unit heads, with appropriate action being taken where necessary.
- All sensitive material schedules and any sensitive unused material are stored securely by the units. The material is tracked during its time at the Area office. Material which is most sensitive is viewed by the reviewing lawyer or unit head at the police station. There is a third party protocol in place between the Area, the Crown Court and the Local Authority.
- The Area has appointed a disclosure champion, who undertakes some work in disseminating information to prosecutors and caseworkers. The champion and unit heads are available to provide guidance and mentoring when required.
- Most 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 training by the Area was also attended by a number of police staff including operational officers.
- Steps have been taken to improve disclosure performance since the last inspection. The inspection report identified that the Area needed to be more vigorous in pressing for defence statements. The Area has struggled to make any great impact on this culture; however, despite this, the standard of compliance with disclosure duties has been maintained at a high level. Timeliness of disclosure is now governed by the effective trial management programme.

- The reality check indicated generally good practice; there was evidence that prosecutors were pro-active in returning schedules to the police and seeking further information. In the one case where the defence statement was absent, it was pointed out by the reviewing lawyer to the defence that this would affect the continuing review of disclosure.

*Aspects for improvement*

- The non provision of defence statements needs to be raised at the Crown Court in individual cases and in liaison with the resident Judge.

**8. THE SERVICE TO VICTIMS AND WITNESSES**
**3 - GOOD**

*The Area has implemented the first witness care units in Norwich effectively, and is on target to deliver its full programme by the end of 2005. There is a detailed protocol for the treatment of victims and witnesses in Norfolk. The identification of and applications for special measures are timely, and witness warning procedures are effective. CPS staff at court are fully aware of their responsibilities in relation to victims and witnesses. Timeliness of letters sent under the direct communication with victims scheme (DCV) was slightly below the national target in 2004-05, and compliance with the scheme needs to be improved. Area performance in relation to cracked and ineffective trials in the magistrates' courts and the Crown Court which are attributable to witness issues was better than national averages.*

**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 sent under the DCV scheme to victims when the charge is discontinued or substantially reduced. The percentage of letters sent within five days was only just below the national target of (69.7% compared to 70%); however, performance throughout the year was variable. The last Area inspection report (published in June 2003) highlighted that a number of letters contained minor errors; there is now regular recorded dip sampling and some lawyers in the Area have performance objectives within their performance plans.
- Applications for special measures are timely. A protocol for the treatment of victim and witnesses in Norfolk clearly details the staged responsibilities of each criminal justice agency in relation to the identification of and application for special measures. Monitoring of early compliance is conducted as part of the pre-charge decision-making scheme in order to improve current performance. The Area has a special measures champion in place, and all staff have been given relevant training.
- Witness warning procedures are effective. Case progression officers systematically carry out trial readiness checks, to ensure the accuracy of witness warning in each case and to identify outstanding witness issues. There is timely supply of witness details to the Witness Service. Regular and effective liaison occurs with Victim Support and the Witness Service at operational and strategic levels.



- The Area ensures that all prosecution advocates and CPS staff at court undertake their responsibilities in respect of victims and witnesses. The last inspection report was positive about the level of service which has been enhanced by the protocol for victims and witnesses.
- The Area programme for witness care is on target. Well documented project plans and effective project management have been used to implement the first phase of the programme. The Area has undertaken thorough self assessment and evaluation of the performance of the existing witness care units. There is regular review of identified risks to No Witness No Justice (NWNJ) and action taken as a result; there are no significant obstacles to further implementation.
- In 2004-05 rate of ineffective trials due to witness absences in the magistrates' courts was better than the national average (3.8% compared to 4.5%). The rate of cracked trials in the magistrates' court due to witness absence or withdrawal was also better than the national average (3.2% compared to 4.9%). Performance in the Crown Court in relation to the ineffective trials rate due to prosecution witnesses failing to attend was better than national average (2% compared to 3.7%). There is thorough analysis of all cracked and ineffective trials that are attributable to witness problems. Although the Area already has good performance, efforts are being made through the main three initiatives of pre-charge decision-making, effective trial management programme, and NWNJ to secure a reduction in the number of cases where trials are cracked or ineffective as a result of witness issues.

#### *Aspects for improvement*

- The Area has not monitored compliance with the DCV scheme effectively. A recent calculation by CPS Headquarters indicated that the Area is achieving 54% compliance against a target of 100%. A reality check of cases on CMS highlighted that out of eight cases examined only three (37.5%) were appropriately flagged with an identifiable victim. The Area is not reliant on flagging to identify cases falling within the DCV scheme; however, without a robust system to ensure consistent identification and to check compliance with the scheme, the Area cannot assure itself that all relevant letters are being sent out to victims.

**9. PRESENTING AND PROGRESSING CASES AT COURT 3 - GOOD**

*The last inspection report, published in June 2003, identified the good quality of advocacy in the magistrates' courts, the strong and visible lawyer presence in the Crown Court and the quality of caseworker support and note-taking in the Crown Court as strengths. There has been minimal staff turnover since that inspection. A high percentage of magistrates' courts are covered by in-house staff and only experienced agents are employed. The usage of designated caseworkers is on the increase. A comprehensive agents pack is available, and agents are invited to attend Area training days and "mini-pupillages" are undertaken by the local junior Bar. Advocacy monitoring was identified as low risk and therefore has been undertaken on an informal basis. However, the Area have planned a structured review of advocacy to be undertaken during 2005. The standard of preparation for court is reflected in the Area's performance in relation to unsuccessful outcomes, and cracked and ineffective trials.*

**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 Area Business Manager is leading the effective trial management programme on behalf of the Area which has incorporated much of the good practice already operated in the Area. The results in respect of ineffective trials in the Crown Court and the magistrates' courts, adverse cases and unsuccessful outcomes reflect the commitment of all agencies. A protocol between the Area and the magistrates' courts has been in operation since June 2004, primarily to provide agreement on case progression and case management; but it also includes agreement on attendance times of advocates at court.
- Papers are provided to agents, counsel and all in-house prosecutors in advance to enable all advocates to prepare thoroughly for court. In-house prosecutors cover a high percentage of courts (96.2% compared to the national average of 73.1%), and coverage has increased from the previous year. Courts and work are allocated according to specialisms and a dedicated youth team is in place. The limited number of agents instructed are acknowledged as effective advocates and agents tend not to be instructed in specialised or substantial magistrates' courts cases. Designated caseworker usage is better than the national average (9.5% compared to 8.3% nationally) and usage has increased during 2005 due to the negotiation of extra suitable courts.

- Selection of prosecution advocates for all courts is usually undertaken with full consideration of their experience, expertise and qualifications. Caseworkers and lawyers have sufficient knowledge of the experience of the small local Bar. The last inspection (June 2003) identified the quality of caseworker support and note-taking in the Crown Court, and the visible lawyer presence in the Crown Court as strengths. There has been minimal staff turnover since that inspection.
- Complaints about prosecutors from other agencies are investigated and action is taken if appropriate; individual feedback is provided by the unit head and the Chief Crown Prosecutor.
- The last inspection report identified the good quality of advocacy in the magistrates' courts as a strength. Although the Area conducted some informal monitoring for performance appraisal purposes and was provided with feedback from other agencies, formal monitoring has not been undertaken in the last two years as this was seen to be low risk. However, with the intake of new staff the Area has circulated the national standards of advocacy booklet and planned a structured review of advocacy.
- Agents and counsel are given comprehensive instruction packs, which are updated as needed. The Area offers "mini-pupillages" to the local junior Bar and five of these have been taken up during the last year. Regular agents are invited to Area training days and are advised on new initiatives and policy directives.

**10. DELIVERING CHANGE**
**2 - FAIR**

*The Area's approach to planning is generally sound. Business plans and unit plans are in accordance with the main initiatives and CPS national targets, and a risk register is in place. However, whilst some informal review may occur, the Area would benefit from a more formalised approach to ensure the plans are living documents used to progress and manage Area business. Area priorities are reflected in staff objectives. Since the last inspection (published in June 2003) the Area has successfully re-located and introduced the electronic case management system. The Area is now concerned with the delivery of the three main national initiatives of statutory charging, No Witness No Justice (NWNJ) and the effective trial management programme (ETMP). Planning for these initiatives has generally been to project management methodology and inter-dependencies have been managed; however, the introduction of shadow charging would have benefited from formalised plans as would the move to statutory charging. Training needs are linked to business priorities, and personnel development objectives.*

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

- The Area managers have a clear sense of what the Area needs to achieve, although this could be communicated to staff more effectively. The Area has concentrated on delivering specific initiatives, the CPS national targets and the resulting anticipated improvements in performance.
- Relevant plans are in place and follow CPS Headquarters guidance in their content, although they could be more detailed. Business plan objectives and milestones are to some extent monitored by the Area management team as part of their discussions about performance.
- The Area business plan was developed with some staff input, and the creation of unit plans was linked to the objectives contained in the Area plan. Staff objectives are also derived and developed using the business and unit plan objectives. The different style of unit plans meant that for some it was easier to establish the relevant links to the overall plan.
- There is joint planning with criminal justice partners on the three main initiatives of NWNJ, ETMP and the implementation of statutory charging. Introduction of these has been effective and some basic project management methodology has been employed, with inter-dependencies for the individual project strands managed. The Area is a key player and leader in the implementation of change across the Norfolk criminal justice agencies.

*Aspects for improvement*

- There was limited evidence of the formal review of the business plan and Area risk register. Updating of plans including documented action taken as a result of changes was not completed.

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

- There was a lack of an overall change management strategy, but members of the senior management team have individual responsibilities in relation to the various projects and regularly report on progress. Local implementation teams for each project are effective. Pertinent risks are generally identified for the individual project streams; these are reviewed and counter-measures taken to improve performance and ensure delivery of the projects.
- The introduction of the first witness care units in Norfolk and the implementation of ETMP have been achieved successfully. Full shadow charging has been rolled out, and the implementation of statutory charging is on target, although this would benefit from formalised plans. Post implementation reviews are systematically undertaken to identify current performance, and ascertain further actions required to realise expected benefits.

*Aspects for improvement*

- The Area would benefit from the introduction of a change management strategy to oversee the impact of all projects rather than dealing with individual projects on a piecemeal basis. This structure must ensure that project risks and dependencies are identified, managed and reviewed.

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

- The Area demonstrates a clear commitment to the training of staff. Training priorities and plans are linked to the Area's objectives. Learning needs are identified through the performance appraisal process and a systematic process exists to develop a structured programme of training to meet identified training needs. Key mandatory training is undertaken, and staff of all levels have access to relevant training. The Area recognises that evaluation of training could be improved and that improvements are needed in the induction of existing staff into new roles.

**11. MANAGING RESOURCES**
**3 - GOOD**

*The Area has taken a number of steps which indicate that it is pro-active with respect to achieving value for money in many areas of business. There is evidence that sound resource planning takes place which is reflected in comments contained within the staff survey. There are effective systems in place to allow for monitoring of financial matters by the Area management team (AMT). There is active management and monitoring of agents usage and prosecution costs, and the savings made from the deployment of designated caseworkers (DCWs) are good, and continue to improve. The Area budget reflected a planned under-spend for 2004-05. There is scope to improve upon the use of higher court advocates (HCAs), and recent data shows that more use is being made of these resources, with the Area confident that plans are in place to achieve its 2005-06 targets. Sickness absence levels are high within the Area, although much of this relates to disproportionate sickness levels arising from a very small number of staff members. All managers have received appropriate training and are being robust in their efforts to address some individuals' sickness patterns.*

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

- There is clear evidence that the Area has taken steps to achieve value for money, and that sound resource planning takes place. A number of examples of challenging existing contracts are present, with appropriate savings being achieved. The Area does not believe that high use of agents represents good value and a culture has developed which keeps such use at very low levels.
- Regular and complete financial information is considered by management, and sound resource planning takes place. This is a standing agenda item for consideration by the AMT, and more regular scrutiny of activity based costing data would enhance this work. The staff survey for 2004 indicated that a high level of staff within the Area feel they have sufficient resources in their team to meet the demands of the work load. The Area secretariat has established sound systems to monitor and predict spend.
- The Area's budget outturn was 100.6% for 2003-04 and 96.3% for 2004-05. The 2004-05 under-spend was planned over the year and Headquarters were informed.
- The Area's prosecution spend was 112.3% of the planned budget, compared to a national figure of 118%, and this equates to a figure of £168,000 over budget. However, there is evidence of a sound process for monitoring the elements within this budget.

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

- There is responsible agent usage, which reflects the Area's view, that the high use of agents does not represent good value for money. The Area recognises that this can have the effect of limiting flexibility within aspects of resource deployment, but managers are aware of this, and are able to successfully minimise any risk.
- The Area's average use of agents in the magistrates' courts for 2004-05 was 3.8%, compared to a national figure of 26.9%.
- DCW usage for 2004-05 accounted for 9.5% of magistrates' courts sessions, which is better than the national average of 8.3% of similar sessions. The Area's 4.5 DCWs covered 512 half day sessions in the magistrates' courts. The Area is continuing to improve upon this performance in the current year, with usage last reported at over 14%. The Area was able to demonstrate a pro-active approach to maximising DCW usage.

### *Aspects for Improvement*

- Savings arising from HCAs were below target for 2004-05. Savings were only fair at £166 per session compared to a national saving equivalent to £224 per session in the final quarter. Performance during 2005-06 is showing improvement, and there are plans in place which give cause for optimism that the 2005-06 targets will be achieved. The Area does not use the majority of its HCAs.
- Average sick absence is relatively high at 11.4 days per member of staff over the year 2004-05. The Area is managing a number of members of staff on long term sickness absence, all of whom contribute to this high figure. The Area is in the process of agreeing resolution to one or two particularly difficult cases.

**12. MANAGING PERFORMANCE TO IMPROVE****3 - GOOD**

*Relevant and accurate performance information is considered by the Area management team (AMT). A comprehensive and user friendly performance report underpins these discussions, which has been used by the AMT since the beginning of 2005. These arrangements are further enhanced by the performance officer's annual performance monitoring plan. There has been recent improvement activity as a result. There is good evidence of high level joint performance management within the Local Criminal Justice Board (LCJB). Although casework quality assurance (CQA) had some gaps regarding its robustness during a period within 2004-05, this has now been rectified. The process is continuous and used to ensure good performance and to draw out individual and organisational lessons. There is less evidence of comprehensive Area-wide performance consideration within all units, although this is evident in the majority of team minutes.*

**12A: Managers are held accountable for performance**

- For the most part, the Area has demonstrated a commitment to performance management. The AMT regularly considers a performance report which identifies strengths and areas for improvement across all 15 CPS priority performance aspects.
- The performance monitoring plan is a 'SMART' document with clear timescales and identifies managers' responsibilities. This plan addresses 26 different elements, including all key performance aspects, and includes action in response to previous inspection reports.
- There is good evidence to indicate that managers are generally able to identify shortfalls and take remedial action to address these matters, for example in the improvements made regarding the service of committal papers within the trial unit. The Area was able to articulate its readiness and ability to challenge and compare unit performance results, and to call for subsequent improvement activity to take place.
- Units have detailed schedules of performance monitoring activity, which serve to underpin the unit's ability to manage performance levels effectively.
- Personal appraisals are used to drive up performance, with these documents frequently being used to highlight performance gaps, and the requirement for further improvement action to take place.



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

- Joint performance management with criminal justice partners is driving up performance. There is evidence of joint action being taken place to improve cracked and ineffective trial rates, asset recovery, and work with persistent young offenders. The Chief Crown Prosecutor is now the chair of the LCJB. There is close and regular contact between the LCJB performance officer and Area staff, and also with the police research and performance officer. The four headline targets relating to public service agreement (PSA) targets, considered by the LCJB, were all achieved for 2004-05.
- There are now good joint processes in place with the police at operational and strategic levels regarding shadow charging arrangements. These arrangements have developed over time, and are not specified in any relevant project documentation.
- There is good evidence of robust performance management between the Area and court officers, which has led to the Area being able to counter and challenge some statistical variations in data representation.

### *Aspects for Improvement*

- Joint performance management arrangements of police file quality between the police and Area have ceased to be of effective use over recent months, despite the Area continuing to produce data in respect of its trial unit activity. Prosecution team performance monitoring arrangements have yet to be established. Current arrangements are personally influenced by unit heads who provide feedback to the police.

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

- Relevant and accurate performance information is considered at AMT and there is evidence of consequent improvement activity in several aspects of work recently. Responsibility for operational effectiveness is defined and systems and processes have been improved. This has been enhanced recently by the appointment of a performance officer, responsible to the AMT for collation, distribution and co-ordination of performance activity.
- The Area is making good use of management information system (MIS) reports, having created many for internal business use, including reports covering pre-charge advice data, attrition rates and hate crime.

### *Aspects for Improvement*

- Not all unit meetings record the consideration of performance results within minutes, and not all units meet with sufficient regularity to demonstrate effective and timely discussion of performance issues. The Area suggests that some ad hoc and informal communication mechanisms cover these gaps.

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

- The CQA system is in place and is now applied continuously and effectively. There had been occasions during 2004-05 when the system was not as robust as required. This was due to the long term absence of a member of staff, and a risk assessment was undertaken with regard to the threats likely to arise from not undertaking CQA for this team during this period.
- Line managers use CQA to identify areas for improvement and lessons have been drawn. These are reflected in individual performance appraisal reports, and where they reflect trends or patterns are highlighted in the fortnightly internal newsletter (the Grapevine).

**13. LEADERSHIP**

**2 - FAIR**

*There are appropriate arrangements in place for managing the Area, but it is not clear that CPS vision and values are embedded at present. The Chief Crown Prosecutor is the chair of the Local Criminal Justice Board. Generally there are good systems in place for communication between staff, and this is reflected by a positive response in the staff survey. Although informal communication takes place regularly within teams, more formal meetings have not all followed any corporate timescale or schedule. CPS managers are leading joint criminal justice agency groups in some areas including pre-charge advice arrangements and the No Witness No Justice programme (NWNJ), and have been the driving force behind the effective trial management programme (ETMP). There are committed managers, some of whom are involved in outward looking activities, and there is good evidence that the Area follows CPS equality and diversity policies, despite having no recognised diversity or equality champion or representative local advisory group. The Area staff reflect the make up of the local working population with respect to the black and minority ethnic population, and women, but not in respect of disability.*

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

- Staff are involved in the work of the Area and good performance is rewarded and recognised. Communication with staff generally occurs at the right time and is a meaningful. The staff survey shows that a slightly greater proportion of Norfolk CPS staff than the national average feel they have effective team meetings.
- Management have taken steps to ensure that communication takes place in a user friendly manner, and seek to use face-to-face meetings and discussions ahead of reliance upon e-mail, and operate an open door policy.
- A number of CPS managers are leading cross criminal justice agency groups in key areas such as the development of Statutory Charging, NWNJ, and ETMP.

*Aspects for improvement*

- Although there is evidence of some good communication, the quality and regularity of communication tends to be variable. For example the trial unit having met formally on only three occasions between May 2004 and July 2005. The Area needs to ensure that corporate management expectations are shared with all staff and that performance is discussed within all units.

- Whilst an annual report has been produced by the Area it was not clear that this document is valued by all key managers, as a mechanism to demonstrate outward facing activity, publicise success, and to facilitate greater community confidence and engagement.
- Some core aspects of the CPS vision were not fully embedded within the Area. The value of publishing an annual report (and why this was needed) was not universally accepted. Commitment to effective communication and planning with both staff and stakeholders needs to be developed.

**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. A number of examples of managers challenging inappropriate behaviour were provided. Staff reflect the population served by the Area's offices, with a slight under-representation in respect of disability. The Area has 3.1% black and minority ethnic staff, compared to a local working population of 1.69%. The staff survey indicated that 68% of Norfolk staff think the CPS respects individual differences, which is slightly above the norm for central government organisations.
- Managers within the office have trained nationally in discrimination law for the 'Transform' management programme.
- A number of members of staff take it upon themselves to become involved in outward looking activity, which includes work with the Citizens Advice Bureau and the establishment of a group of pro bono lawyers locally. There are also good contacts with the law department at the University of East Anglia.

*Aspects for Improvement*

- The Area has no equality or diversity champion accountable to the AMT for relevant action, nor is there any formally established local advisory group.
- Senior manager's commitment to outward looking activity has been ad hoc in style, but is now being formalised by the action of the community engagement officer.

**14. SECURING COMMUNITY CONFIDENCE**

**3 - GOOD**

*Confidence in the ability of the criminal justice system to bring offenders to justice in Norfolk is a key priority, and the CPS are playing their part in helping to achieve this target. This work is supported by a Local Criminal Justice Board (LCJB) communications and community engagement strategy, and an Area strategy and action plan, which is monitored regularly by the Area management team (AMT). Staff participate in a wide range of community engagement activities, which are recorded now in a community log. The Area has appointed a specialist community engagement officer to further enhance this aspect of work. Little evaluation to date has been successfully carried out on community engagement activity, and so as a result such activity cannot be shown to have led to any appropriate changes to systems or processes; evaluation activity is now built into the action plan for 2005-06. Public confidence in the ability of criminal justice agencies to bring offenders to justice has increased steadily since 2003 and is on target, yet remains slightly below the national average.*

**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. Community confidence is monitored via the AMT on a monthly basis as part of the area business plan, and the community engagement officer is responsible for reporting on progress made against objectives. Confidence in the ability of the criminal justice system to bring offenders to justice within Norfolk stands at 40% for respondents which has increased by 7% since 2003 and is on target, but still remains below the national average of 43%.
- The Area has produced a community engagement strategy with an associated action plan which is 'SMART' in format, which will add focus and coordination to Area activity. The LCJB have a higher level document which incorporates a more generic strategy.
- Area staff participate in a wide range of diverse engagement activity, by providing staff and support, either as representatives for the CPS or as part of a wider criminal justice approach, and these are now captured in a community engagement log. The creation of this record is a new development. There was a period of approximately six months during 2004-05 where a gap was present between the departure of the previous communications officer, and the recruitment of the current community engagement officer, which may account for a recent increase in activity.

- The Area in conjunction with other criminal justice agencies, is in the process of developing a demographic profile of the county to help future engagement activity, alongside an Area newsletter to help in promoting this work. Some work has already been undertaken into identifying a demographic breakdown of schools across the county, which is used to target appropriate audiences for the “Just Desserts” video, and to attend for careers fairs. This objective is outlined in the action plan.
- The Area has made some progress with Crime and Disorder Reduction Partnership (CDRP) work, which includes developing domestic violence strategies. Norfolk has seven CDRPs which have a significant resource implication for CPS interaction, and the LCJB are currently reviewing what level of engagement should be undertaken.
- Although the Area has not consistently measured the success of its activity there have been some improvements to delivery of core business; the number of victims reporting racial crime has increased and there have been improvements in relation to the handling of cases involving domestic violence - the current figures show only a one in six failure rate for these cases.

#### *Aspects for Improvement*

- The Area has not consistently measured the success of its activity. However, the 2005-06 community engagement action plan includes provision to capture feedback on engagement activities in order to monitor impact and effectiveness.

**ANNEX A**

**PERFORMANCE DATA**

**ASPECT 1: PRE-CHARGE DECISION-MAKING**

<b>MAGISTRATES' COURTS CASES</b>								
<b>Discontinuance rate</b>			<b>Guilty plea rate</b>			<b>Attrition rate</b>		
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%	15%	52%	68.8%	73%	31%	22.7%	19.3%
<b>CROWN COURT CASES</b>								
<b>Discontinuance rate</b>			<b>Guilty plea rate</b>			<b>Attrition rate</b>		
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%	13.3%	68%	66%	75.5%	23%	23.8%	20%

**ASPECT 2: MANAGING MAGISTRATES' COURTS CASES**

<b>INEFFECTIVE TRIAL RATE</b>			<b>OVERALL PERSISTENT YOUNG OFFENDERS PERFORMANCE (ARREST TO SENTENCE)</b>		
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%	19.3%	71 days	67 days	68 days

<b>TIME INTERVALS/TARGETS FOR CRIMINAL PROCEEDINGS IN MAGISTRATES' COURTS CHARGED CASES ONLY (MARCH 2005)</b>						
	<b>Initial Guilty Plea Target 59 days</b>		<b>Trials Target 143 days</b>		<b>Committals Target 176 days</b>	
	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	77%	83	61%	31	80%	5

<b>TIME INTERVALS/TARGETS FOR CRIMINAL PROCEEDINGS IN YOUTH COURTS CHARGED AND SUMMONSED CASES (MARCH 2005)</b>						
	<b>Initial Guilty Plea Target 59 days</b>		<b>Trials Target 176 days</b>		<b>Committals Target 101 days</b>	
	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	87%	75	97%	35	100%	2

**ASPECT 3: MANAGING CROWN COURT CASES**

<b>INEFFECTIVE TRIAL RATE</b>		
National Target	National Performance 2004-05	Area Performance 2004-05
18.5%	15.8%	12.2%



### 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%	16.8%

OFFENCES BROUGHT TO JUSTICE		
	CJS Area Target 2004-05	CJS Area Performance 2004-05
Against 2001-02 baseline	+11.4%	+20.2%
Number	14,004	15,112

### 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%	89.3%
Primary test in Crown Court	79.9%	100%
Secondary test in Crown Court	59.4%	81.2%
Overall average	70.3%	90.2%

**ASPECT 11: MANAGING RESOURCES**

<b>NON RING-FENCED ADMINISTRATION COSTS BUDGET OUTTURN PERFORMANCE (END OF YEAR RANGES)</b>	
2003-04	2004-05
100.6%	96.3%

<b>DCW DEPLOYMENT (AS % OF MAGISTRATES' COURTS SESSIONS)</b>			<b>HCA SAVINGS (PER SESSION)</b>		<b>SICKNESS ABSENCE (PER EMPLOYEE PER YEAR)</b>		
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%	9.5%	£224	£166	8 days	8.7 days	11.4 days

**ASPECT 14: SECURING COMMUNITY CONFIDENCE**

<b>PUBLIC CONFIDENCE IN EFFECTIVENESS OF CRIMINAL JUSTICE AGENCIES IN BRINGING OFFENDERS TO JUSTICE (BRITISH CRIME SURVEY)</b>	
CJS Area Baseline 2002-03	Most Recent CJS Area Figures In 2004-05
33%	40%

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