

CPS Warwickshire

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 Warwickshire 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 6 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 Warwickshire serves the area covered by the Warwickshire Police. It has one office at Leamington Spa.

Area business is divided on functional lines between magistrates' courts and Crown Court work. The Magistrates' Court Unit handles cases dealt with in the magistrates' courts. The Crown Court Unit handles cases dealt with in the Crown Court.

During the year 2004-05, the average Area number of staff in post was 36.4 full-time equivalents.

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

Category	Area numbers	Area % of total caseload	National % of total caseload
Pre-charge advice to police	1,644	13.8	20.9
Advice	862	7.3	5.1
Summary offences	6,648	56.0	46.9
Either way and indictable only	2,596	21.9	26.7
Other proceedings	113	1.0	0.4
TOTAL	11,863	100%	100%

C. SUMMARY OF JUDGMENTS

CPS Warwickshire was the subject of a full Area inspection in April 2004. Inspectors concluded then that Warwickshire was a high performing Area with committed staff displaying a high level of professionalism, and which was making a significant contribution to the local criminal justice system. The quality of decision-making and case preparation was good, although there were some procedural issues surrounding disclosure of unused material. The Area enjoyed good relationships with its criminal justice partners and Area managers had a high profile in the local criminal justice system. Resource management was sound and senior managers were clearly focussed on maintaining the delivery of a high quality service, although there were concerns that feedback from senior managers tended to place greater emphasis on the critical rather than praising good performance.

The Area continues to provide a good service and adds considerable value to the local criminal justice system. Pre-charge advice is provided at Leamington Spa charging centre and to a more limited extent at Rugby charging centre which together deal with 60% of the Area's caseload. The pre-charge advice delivered is to a high standard. However, Nuneaton is currently excluded from the shadow scheme because of a lack of resources. The Area and CPS Headquarters are currently reviewing the position but migration to the statutory scheme planned for April 2006 may not be feasible. The Area has performed well in achieving its targets in those cases it does deal with. The discontinuance, guilty plea and attrition rates in pre-charge advice cases are all significantly better than the national targets and averages.

The management of casework is good. Cases in the magistrates' courts and the Crown Court are prepared promptly and pre-trial checks are carried out to ensure that trials are ready to proceed. The standard of preparation is positively reflected in the Area's cracked and ineffective trial rates. Both are analysed in some detail and reports are considered by the Area Management team (AMT). Disclosure of unused material is handled particularly well with lawyers providing clear and detailed instructions on how material is to be dealt with. Greater use is now being made of the Case Management System (CMS) for full file reviews, although there are some which still refer to the paper file review. Most indictments are drafted on CMS. Instructions to counsel in the Crown Court are of a particularly high standard. Casework performance is monitored under the Casework Quality Assurance scheme (CQA), although this could be more robust in the magistrates' court. However, unit heads monitor cases as they carry out their routine duties of prosecuting and mentoring.

The Area is taking steps with its criminal justice partners to improve case progression in the magistrates' courts and the Crown Court. Case papers are supplied to in-house prosecutors, agents and counsel in good time. Cases are prosecuted by advocates of sufficient experience and appropriate expertise. Counsel and agents are rarely monitored except for re-grading purposes. Sensitive cases and hate crimes are properly handled by trained specialists and all hate crimes are analysed for lessons that might be learned.

Area case outcomes in both the magistrates' courts and the Crown Court are the best in England and Wales and better than the national average in every category. All unsuccessful outcomes are analysed and, where appropriate, results are shared with other agencies to improve performance.

Cases involving custody time limits (CTL) are generally satisfactorily monitored, though there is no joint monitoring of expiry dates with either the magistrates' court or the Crown Court. The Area has, however, recently reviewed and updated its CTL system.

The Warwickshire joint agency Victim Information Partnership provides a high standard of witness care. The quality of letters which are sent to victims in cases where the charge is dropped or significantly altered is good although Area systems do not ensure that all appropriate cases are identified.

Managers have established clear accountabilities for managing and delivering change; risk planning is thorough and comprehensive. The Area Business Plan takes account of CPS local priorities. Staff training needs are annually assessed on an individual basis. All training is evaluated and performance measured to ensure that improvements are made. Area managers have developed a more corporate approach since the last inspection. They ensure that all staff have equal opportunities to participate in Area initiatives and projects and in developing the Area's vision.

A wide range of performance information is produced and considered to make comparisons with other Areas and to bring about improvements, although more work might be undertaken in relation joint monitoring of the quality of police files.

Managers have regular contact and liaison with their partners in other criminal justice agencies, though more could be done in terms of engagement with the community to develop service improvements from engagement and consultation activities.

Outcomes in relation to the shared public service agreement (PSA) targets are good. The target for increasing the number of offences brought to justice was achieved by a wide margin. 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. The ineffective trial rates in the magistrates' courts and Crown Court are better than the national averages. The Area has made a particular contribution to improving public confidence in the effectiveness of the local criminal justice agencies in bringing offenders to justice. The time taken to deal with persistent young offenders between arrest and sentence was well below target and the Area's unsuccessful outcomes are around half the national rate and target.

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	4 - Excellent
Leadership	3 - Good
The service to victims and witnesses	3 - Good
Managing resources	3 - Good
OTHER DEFINING ASPECTS	
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	4 - Excellent
Presenting and progressing cases at court	3 - Good
Delivering change	2 - Fair
Managing performance to improve	3 - Good
Securing community confidence	2 - Fair

OVERALL ASSESSMENT	3 - GOOD
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D. DEFINING ASPECTS

1. PRE-CHARGE DECISION-MAKING

2 - FAIR

The Area operates a partial shadow scheme at Leamington Spa and Rugby which together deal with some 60% of the total Area caseload. There are no moves to implement charging at Nuneaton until additional resources are found. Current proposals to migrate to statutory charging in March 2006 may not be feasible. Pre-charge advice at the two centres operating is provided by trained and experienced prosecutors. There are systems in place to ensure that advice is given in all relevant cases and the quality of decisions is monitored formally and informally. The Area is fully realising the benefits of charging where it is in place. Discontinuance rates, guilty plea rates, and attrition rates in the magistrates' court and the Crown Court are all significantly better than the national averages.

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

- Area systems for recording pre-charge decisions ensure that each case is entered on the Case Management System (CMS) either by the duty prosecutor or by administrators. In addition, every duty prosecutor must complete a form on which the name and URN of each case is entered. This is later used as a check against each MG3 to ensure that all cases are entered on CMS. The Area monitors the numbers, timeliness, quality and outcome of pre-charge decision (PCD) cases and data is used to improve performance and compliance with the scheme.
- Procedures ensure that early consultation occurs in all relevant cases. Any relevant cases when charges are brought without previous advice are referred to supervisory officers. Inappropriate requests are referred back to police case handling unit managers. A police operated "gateway" scheme is now being piloted at Leamington Spa to ensure that only relevant cases are seen by a duty prosecutor and inappropriate requests are weeded out.
- The Area operates a partial shadow charging scheme. Pre-charge advice and decisions are provided at Leamington Spa and Rugby charging centres which deal with approximately 40% and 20% of the Area's total caseload respectively. A duty prosecutor attends at Leamington Spa each day from 9 am until 5 pm, and at Rugby from 9 am until 1 pm, to provide face-to-face advice.

Aspects for improvement

- The scheme has not been implemented at the third centre in Nuneaton, which deals with the remaining 40% of cases, because Area managers consider that they have insufficient resources to operate the scheme there. This has been discussed with the police and the Local Criminal Justice Board, who agree with Area managers. The Area has identified this as a risk to full implementation of charging. It has set out its position in a report to the DPP and Chief Executive and indicated that it is unlikely to be in a position, on current resources, to migrate to the statutory scheme by its target date of March 2006. At the time of our assessment the situation was being reconsidered by CPS headquarters to determine whether additional resources are necessary.
- The scheme is jointly managed by the CCP and a Police Chief Inspector. The initial project board no longer meets and, although charging issues are discussed on an ad hoc basis when necessary and in other formal liaison forums, more specific consideration could be given to implementation of charging, particularly having regard to the current doubts hanging over the move to the statutory scheme.

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

- The Area provides training for duty prosecutors to ensure that they have a full understanding of the operation of the Area scheme, and all local and national guidance. Guidance is also circulated and available to lawyers electronically. All duty prosecutors are of sufficient expertise and experience.
- Any disagreements about the advice provided are initially discussed with the duty prosecutor. If the issue is not resolved at that level, the case may be referred to the Magistrates' Court Unit (MCU) Head and ultimately to the CCP.

- Individual performance in relation to the quality, appropriateness and timeliness of pre-charge advice and decisions provided (including cases where no further action is recommended) is regularly assessed and appropriate action is taken where necessary. The CCP and Unit Heads all act as duty prosecutors from time to time and are able to assess the quality of advice and compliance with policy when files are re-submitted following further enquiries. They also prosecute regularly and can assess the quality of advice in cases they handle in court. Proposals to discontinue any case subject of a pre-charge decision are referred to the MCU Head. Advice cases are also monitored under the CPS Casework Quality Assurance scheme and managers also look at cases when monitoring CMS usage.

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

- On those cases the subject of pre-charge advice, the Area is able to demonstrate that expected benefits are being realised in full. Performance figures are excellent for all key indicators. They are all above target and better than the national averages. The magistrates' court discontinuance rate is 8.3% against a national average of 16.3% and national target of 11%. The Crown Court rate is 7.4% against a national average of 14.6% and target of 11%. The magistrates' court guilty plea rate is 84% against a national figure of 68.8% and national target of 52%. The rate in the Crown Court is 88.9% against a national average of 66.7% and target of 68%. The attrition rate in the magistrates' court is 10.5% against a national rate of 22.7% and 32% target. The Crown Court rate is 7.4% against the national figure of 23.8% and target of 23%.

2. MANAGING MAGISTRATES' COURTS CASES

3 - GOOD

The Area ensures that cases are ready to proceed at each court hearing and timeliness figures for case progression are generally good. The Area has no case progression officer in place but pre-court checks are conducted. Performance in dealing with persistent young offenders (PYOs) has been consistently within the 71 day target. Cracked and ineffective trial rates are better than national averages, with cases being regularly and thoroughly analysed. CMS usage is now beginning to improve.

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

- Timely initial review of files is completed by in-house prosecutors, and problems with initial files are discussed with police staff following review and rectified; these procedures ensure that cases are ready to proceed appropriately at first hearing.
- Effective case progression was seen on the reality check of five cases examined. A “cradle to grave” approach to file ownership has been adopted and the importance of efficient progression of cases through court has been emphasised to staff following a recommendation during the last Area inspection.
- The Area’s performance on timeliness of adult cases for trial and committal has been better than that nationally. In adult trials, 83% of cases were dealt with within the target of 143 days compared with 66% nationally, and 100% of adult committals were dealt with within 101 days, in comparison with the national performance of 89%. However, overall file numbers were relatively small.
- Performance on the timeliness of youth cases was also better than nationally. 94% of initial guilty pleas were dealt with in the 59 day target and performance in respect of youth trials, where 100% were dealt with within the 176 day target, was better than the national average which stood at 87%; again the figures were produced from a relatively small file sample.
- Warwickshire has relatively few prosecutors, and the number of magistrates’ courts finalised cases for 2004-05 at 11,863 was the smallest of all the CPS Areas. The unit heads and CCP often attend court and have varying levels of case ownership. This allows them the opportunity for informal monitoring when prosecuting cases, to highlight any deficiencies in the quality of review, endorsement and case preparation. The Casework Quality Assurance (CQA) scheme is used to assess the quality of casework, although there were low returns in the first three quarters of 2004-05 and written comment on assessment forms is limited.

- All youth cases are dealt with by Area specialists and the timeliness of individual youth cases is monitored and discussed at PYO joint agency meetings. The PYO target of 71 days from arrest to sentence is a target shared with all criminal justice agencies. It has been consistently met and performance for the months December 04 - February 05 was excellent at 51 days.
- The Area had no wasted cost orders in 2004-05.

Aspects for improvement

- Area performance for timeliness of initial guilty plea in adult cases was below the national average, 76% of adult cases were within 59 days, in comparison with 83% of cases nationally. The file sample of 54 cases for this measure, however, is relatively small in comparison with most Areas. The Area has a high number of cases that are proved in absence - 30.1% against a national average of 17.6%.
- Police managers vet files to ensure that the Manual of Guidance is complied with and that additional work is completed. Feedback is given to individual officers to improve performance, although there is no formal joint performance monitoring of the timeliness or quality of magistrates' court files. The Area relies on joint performance monitoring of Crown Court cases, and the impact of pre-charge advice, to improve upon the overall quality of police files in the magistrates' courts.
- The Area has no formal case progression officer and case progression meetings do not occur between the CPS, police and magistrates' courts other than for PYO cases. However Area caseload is small and all files are checked a week prior to court to confirm that relevant actions have been completed and the case is ready to proceed.

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

- The magistrates' court ineffective trial rate for 2004-05 is excellent and reflects the best performance in England and Wales - 9.8% compared with the national ineffective trial rate of 24.8%. The proportion of ineffective trials caused by the prosecution is also considerably below the national average (2.2% compared to 6.8%). The effective trial rate of 61.7% was also the highest in the country for Warwickshire's 221 out of 358 trials.

- The cracked trial rate at 28.5% is better than the national average of 37.1%. The number of cracked trials due to witness absence was lower than the national average at 0.8% (compared with 4.92%); however in both the number of late guilty pleas previously rejected by the prosecution (1.7% compared with 1.35%) and guilty plea to an alternative charge previously rejected by the prosecution (0.6% compared with 0.44%) performance was slightly worse.
- There is clear and regular analysis of all cracked and ineffective trials by the Victim Information Partnership, and not solely those that relate to victims and witness issues. Comprehensive information is produced which is shared at LCJB level to improve performance.

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

- Outstanding tasks are monitored and chased up where appropriate. Case management system (CMS) usage by administrators is at a satisfactory level, though the Area has experienced some initial reluctance on the part of lawyers. From a reality check of files, four out of the five files examined had a full file review completed on CMS; however in two out of the four completed the review was basic.
- The Area has recently instigated a CMS project with several work streams to improve upon CMS usage overall. Staff at all levels are actively involved in this and, whilst there have been some beneficial outputs, work is still continuing.

Aspects for improvement

- The level of full file reviews completed by lawyers within the magistrates' court unit has been of a low standard. From January to March 2005 no full file reviews were completed on CMS. This is now an objective for all lawyers and CMS usage for full file review has improved with 60.7% being completed on CMS in April 05. The Area has used MIS to create some reports though they appreciate that further work is needed.

3. MANAGING CROWN COURT CASES

3 - GOOD

Area systems ensure that cases are reviewed and prepared, and papers served, promptly. The quality of instructions to counsel and case preparation generally is very good. The guilty plea rate and the rate for convictions after trial are both above the national average. A caseworker manager undertakes the duties of case progression officer and liaises with the Crown Court regularly to ensure that cases progress quickly. Cracked and ineffective trials and other adverse outcomes are analysed in detail for any lessons learned.

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

- Crown Court cases are routinely reviewed and prepared promptly, with follow up work undertaken where necessary and cases are usually ready to proceed at each court hearing. The Area maintains a register which details the progress of all committal and sent cases so that administrators can chase outstanding files and actions to enable cases to be prepared in good time. Cases are allocated to lawyers and caseworkers at the earliest opportunity following submission.
- The quality of Crown Court preparation is generally good. Instructions to counsel are of a high quality, including a summary of the case, an analysis of the case issues and the reviewing lawyers' instructions on acceptability of pleas where appropriate. The large majority (93.8%) are delivered to counsel promptly. The Unit Head monitors the quality of case review and preparation and takes action on issues which need improvement. The Crown Court guilty plea rate is 79.6% which is above the national figure of 73.1%. The Area conviction rate of 89.8% is above the national average of 75.8%.
- A caseworker manager in the Area undertakes the duties of case progression officer and liaises with the Crown Court counterpart on a regular formal basis and informally in individual cases as issues arise. Internal pre-trial checks are carried out on each file to ensure that all trial actions are completed in good time.
- Performance is discussed regularly with criminal justice partners at various levels and in a number of forums. The Area liaises with the Crown Court case progression officer to ensure that case progression orders and directions are complied with.
- The Area is monitoring POCA cases but did not meet its target of 28 confiscation orders. In 2004-05, nine orders were obtained with a total value of £303,441. The Area has taken steps to reinforce awareness of POCA among all lawyers, especially the need for early identification of appropriate cases and is currently on target for 2005-06.

- The PYO target for dealing with youth cases within 71 days from arrest to sentence has been met. The Area PYO group monitors youth cases in both the magistrates' court and the Crown Court.

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

- The cracked and ineffective trial rate is reducing and the Area has met its own and national targets. The Area ineffective trial rate for 2004-05 was 15% (against a target of 18%) which is just 0.8% below (better than) the national average. The CPS was responsible for 4% of all trials being ineffective. The Crown Court cracked trial rate stood at 45% for the same period, although only 12% were due to the prosecution, less (better) than the national average of 15.3%.
- The Area analyses all cracked and ineffective trials in some detail. The caseworker prepares a report in each case which sets out a brief history of the events leading to the particular outcome and the reasons for it. This is seen and signed by the reviewing lawyer and the CCP. The same procedure is adopted for all other unsuccessful outcomes. Individual case reports are compiled into a monthly report for the AMT. If there are any general trends or lessons to be learned, these will be promulgated to lawyers and caseworkers.
- The Local Criminal Justice Board (LCJB) Performance Officer also analyses cracked and ineffective trials and reports to the LCJB and Joint Action Group.

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

- CMS, the Area case management system, is used to record key events in cases, and outstanding tasks are monitored and chased up where appropriate. CMS usage is monitored, and appropriate action is taken to improve usage. The Area has encouraged the use of CMS for preparing Crown Court cases and drafting indictments since the system was implemented. Prosecutors draft 92.9% of indictments using CMS. CMS is also used for reviewing indictable only cases sent to the Crown Court and for continuing reviews in committed cases. Refresher training has been provided as the system has been updated and staff have been set personal objectives in use of the system.
- Although use of CMS for full file reviews in the Crown Court Unit is not widespread, CMS is used in other ways to manage cases, including monitoring custody time limits and the early notification of witnesses to the VIP once a defendant has pleaded not guilty. The TU business manager monitors the task list to ensure that tasks are dealt with promptly. The ABM also monitors unit performance in this respect and will raise any issues of concern with the UBM.
- All managers have received CMS training for managers and the Area Secretariat is seeking to run a number of reports on MIS to improve case handling processes and monitor staff usage of CMS.

4. ENSURING SUCCESSFUL OUTCOMES**4 - EXCELLENT**

The Area's combined unsuccessful outcomes rate, conviction rates, and the magistrates' court discontinuance rate are the best in the country. All unsuccessful outcomes are analysed and where appropriate this information is shared with other agencies and used to improve performance. The Area in conjunction with other criminal justice agencies, exceeded the Offences Brought to Justice (OBTJ) target for 2004-05.

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

- The Area ensures there is consultation with police on all cases where discontinuance is proposed and there is effective analysis of all cases that have been discontinued. Performance information is broken down into units, case types and reasons; any learning points for the Area or the police are disseminated.
- Adverse outcome forms are completed and there is thorough analysis of all such cases. In 2004-05 the Area had only two cases which resulted in a judge directed acquittal and six cases which resulted in no case to answer (NCTA). An in-depth analysis of the individual cases was completed including identification of potential lessons; this was shared internally and with the police, when relevant, to improve performance.
- The Area is exceeding national targets for all key measures. For example for the full year to March 2005, results compared with national averages show:

OUTCOME	AREA FIGURE	NATIONAL AVERAGE
Magistrates' courts		
Discontinuance & bindovers	7.7%	12.5%
No case to answer	0.1% (6)	0.3%
Dismissed after trial	0.4%	1.5%
Discharged committals	0% (1)	0.3%
Overall conviction rate	90.5%	80.8%
Crown Court		
Judge ordered acquittals	6.6%	14.2%
Judge directed acquittals	0.3% (1)	2.0%
Acquittals after trial	3%	6.3%
Overall conviction rate	89.8%	75.8%

- The Area discontinuance (including bindovers), discharged committal, NCTA, judge ordered and judge directed acquittal rates are all lower than the national average.
- There is thorough analysis of all unsuccessful outcomes. Action taken as a consequence includes joint work on warrants not executed within three months which has resulted in improved performance. The Area's performance in relation to unsuccessful outcomes of 9.6% is significantly better than the average national performance of 19.6%, which was against a national target of 21%.
- In the magistrates' court and Crown Court the percentage of cases resulting in a conviction is considerably better than the national average. The magistrates' courts conviction rate is 90.5% (national average 80.8%) and the Crown Court rate is 89.8% (national average 75.8%).

- In pre-charge decision cases, the Area has performed better than the national average in all of the six benefits realisation measures in quarter four of 2004-05. For example the magistrates' courts pre-charge discontinuance rate was 8.3% (against the national figure of 16.3%) and the Crown Court discontinuance rate for cases subject to pre-charge advice was 7.4% (national figure 14.6%).
- The target for OBTJ is a shared one set by reference to the criminal justice area. 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, which the Area has achieved. Warwickshire criminal justice system's performance for 2004-05 was impressive at 17.7% above the baseline and against a target of 11%.

5. HANDLING SENSITIVE CASES AND HATE CRIMES 3 - GOOD

Area systems ensure that sensitive cases are flagged on CMS, logged and case progress is monitored. Their review and handling is dealt with or supervised by trained specialists. Road traffic cases involving a death are dealt with by the CCP or Magistrates' Court Unit (MCU) Head and child abuse cases are usually handled personally by the Area specialist. Duty prosecutors of appropriate experience make decisions in sensitive cases but may seek advice from a specialist. The Area has appointed champions for sensitive and specialist cases who provide training and mentoring to other lawyers. The outcomes of all hate crime cases are reviewed and analysed.

5A: The Area identifies and manages sensitive cases effectively

- Sensitive cases are logged and monitored by the MCU manager. All racist incidents are logged and progress is monitored. The Area also uses performance information from the Management Information System to monitor hate crimes.
- The review and handling of sensitive cases are generally overseen by the relevant specialist. Unsuccessful outcomes in sensitive cases are reviewed by specialists for any lessons that might be learned.
- Sensitive cases are flagged up on the Case Management System (CMS). All staff are particularly aware of the importance of ensuring that cases are appropriately flagged. A special form has been created which defines the circumstances in which individual types of cases should be flagged on CMS. The form is attached to relevant files on receipt to ensure that the correct identifier is then marked on the system.
- The Area has appointed champions and specialists for sensitive cases, who disseminate information to prosecutors and caseworkers, and provide guidance, mentoring and training. Racist incidents are tracked to ensure they are properly managed and cases progress quickly. Decisions to discontinue or downgrade charges are always referred to the relevant unit head.
- Fatal road traffic cases which are submitted for advice as to charge are dealt with by the CCP and MCU Head. The Area child abuse specialist deals with the majority of serious child abuse cases, working closely with the police particularly at the early stages of investigation. The two Unit Heads are rape specialists and deal with all rape cases. Duty prosecutors in charging centres will make decisions in sensitive cases and hate crimes unless the case is such that its complexity requires it to be considered separately in the CPS office. Specialist prosecutors can be consulted if necessary.

- The Area takes CPS policies and HMCPSI thematic reviews into account when devising Area practice. Policy directions and reports of thematic reviews are considered to determine whether Area systems and procedures need to be revised
- The Area systematically undertakes an analysis of all hate crime cases, and particularly those 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. The Area reviewed all failed race and religious hatred crimes in December 2004 following some concerns over the quality of evidence in such cases and case handling procedures. The review identified the cause of the concerns and appropriate action was taken which included monthly reporting of case progress in such cases. Performance has now improved.

6. CUSTODY TIME LIMITS

2 - FAIR

The system for managing Custody Time Limits (CTLs) is generally satisfactory, although senior managers are not directly involved with CTL monitoring and there are no agreements with the courts to ensure that expiry dates are verified and agreed in court. The Area has recently reviewed and updated its written Area system and there has been no CTL failure in the past.

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

- The Area has a written CTL system, which complies for the most part with national guidance. There has been no CTL failure in the last financial year.
- The CTL system has been reviewed, and changed following the last inspection report to reassign responsibility for monitoring CTLs in Crown Court cases from the Magistrates' Court Unit to the Crown Court Unit.
- Training has been provided to key staff and is an integral part of the induction process. The Area Champion promulgates to staff changes in CTL procedures as a result of new case law or policy, ensuring appropriate training is arranged when necessary.
- The reality check undertaken on-site confirms some good practice. Five Crown Court files subject to a CTL were examined. File endorsements at initial custody hearings indicating that a CTL applied were clearly highlighted, and the expiry dates and review dates noted. CTL expiry dates were correctly calculated.
- The Case Management System (CMS) is used to monitor CTLs. In addition, the Area uses both a manual diary and a separate log to monitor review and expiry dates. However, making use of both documents involves some duplication of work and some entries in the magistrates' court unit's diary were confusing. Unit business managers also use the escalated task lists on CMS to monitor CTLs, but this is not generally relied upon for monitoring CTLs.
- The ABM undertakes an annual check of the CTL system as part of the process of providing the annual Certificate of Assurance. Otherwise, senior managers are not routinely involved in the operation or monitoring of the Area CTL system.

Aspects for improvement

- No local agreements have been reached with the courts regarding the calculation and verification of expiry dates in court, or the courts' involvement in monitoring expiry dates. The Area's attempts to work with the magistrates' courts in calculating and agreeing expiry dates were unsuccessful. Mistakes were made in busy courts and administrators spent a lot of time remedying errors. The Crown Court does not notify the Area of cases with CTLs that are about to expire.
- The reviewing lawyer makes the eventual decision whether to apply for an extension of the CTL. This follows a preliminary assessment by the registry manager, who is the Area Champion, and who serves the relevant notices if an application is considered necessary. However, Area instructions and guidance are and capable of giving the impression that a decision to apply for an extension remains that of the registry manager. Guidance should be amended to make the position clear.

7. DISCLOSURE

4 - EXCELLENT

The Area deals well with disclosure of unused material. Prosecutors' decisions are clearly endorsed on schedules of sensitive and non-sensitive material. Unit Heads monitor performance formally under the Casework Quality Assurance (CQA) scheme and informally as part of their routine functions in prosecuting courts and providing advice to their prosecutors. The Area has appointed a disclosure champion who provides training and advice and assistance to other prosecutors. Training has already taken place on the new disclosure provisions of the Criminal Justice Act (CJA) 2003 and the Disclosure Manual.

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

- Area performance in respect of primary disclosure in the magistrates' court was slightly below the national average for cases assessed in the last inspection cycle (68.8% against 71.6%). Performance in Crown Court cases was just above the national average (81.8% against 79.9%) and there was 100% compliance in relation to secondary disclosure. The overall average performance figure of 83.5% was significantly better than the national performance of 70.3%. Steps have been taken since then to improve disclosure performance even further, and there is evidence of improved performance in magistrates' court cases.
- Examination of five magistrates' court and five Crown Court trial files revealed that disclosure schedules show evidence of a full and detailed consideration by prosecutors. Primary disclosure and secondary disclosure (which was required in the five Crown Court cases) were handled properly in each case. Instructions as to how unused material should be dealt with are clearly endorsed on the schedules and signed by the reviewing lawyer. Disclosure schedules and any copied material supplied by the police are kept within separate folders within the main file. This allows easy access to the material and makes it easy to manage disclosure in individual cases.
- Prosecutors' performance in relation to disclosure is formally assessed by the CPS CQA scheme with appropriate action taken where necessary on an individual basis or wider if there are general lessons to be learned. The CCP and Unit Heads also monitor performance informally in a number of ways, for example when they review any unsuccessful outcome, deal with lawyers' work during absences or prosecute cases in court.

- It is rare for the Area to retain sensitive unused material; this is usually held by the police. However, Area systems ensure that all sensitive material schedules and unused sensitive material with a security classification of confidential or above, retained by the Area, are stored securely.
- The Area has appointed a disclosure champion who disseminates information to, and provides training, guidance and mentoring for other prosecutors and caseworkers. Three separate training sessions on disclosure were held in 2004-05. Topics covered included the practical aspects of disclosure, the new provisions of the CJA 2003 and the Disclosure Manual.
- A great deal of work has been undertaken with the police to improve performance on disclosure, although there has been no recent formal joint training.
- Disclosure issues are monitored and discussed with the police in joint performance management meetings and there is regular discussion with the police on a routine daily case-by-case basis about unused material. A recent problem concerning non-revelation of sensitive material has been discussed and resolved at senior officer level. The Area child abuse champion has discussions with the police and Social Services on disclosure issues.

8. THE SERVICE TO VICTIMS AND WITNESSES

3 - GOOD

Timeliness of Direct Communication with Victims (DCV) letters is good, although the Area could do more to ensure that letters are sent to victims in all appropriate cases. Special measures applications are timely. The Warwickshire joint Victim Information Partnership (VIP) has achieved the majority of the No Witness, No Justice (NWNJ) minimum requirements and is delivering a high standard of victim and witness care. Prosecutors generally engage with witnesses in court to provide information about their cases.

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

- DCV, which requires letters to be sent to victims following the discontinuance or substantial alteration of a charge, is generally embedded throughout the Area with effective monitoring and dissemination of lessons learnt from individual cases. The Area has an effective system to capture cases with an identifiable victim and a process is in place to identify changes in charges. Timeliness of letters sent to victims is generally good. For the last quarter of 2004-05, 77% of letters were sent within five days against a target of 70%.
- Consideration of witness needs is also an Area priority and applications for special measures, for example screens in court, to assist them in giving evidence are dealt with promptly. Special measures are also dealt with in an inter-agency protocol on vulnerable witnesses.
- Witness warning procedures are predominantly carried out by the joint VIP. This is a multi-agency co-located unit comprising police, CPS, Victim Support, Youth Offending team and Probation Service which aims to provide a complete care service to victims and witnesses. Pre-trial checks are carried out systematically and timely provision of the lists of witnesses attending court (LWACS) to the VIP is monitored and gives rise to no concerns.
- The VIP also provides a single point of contact for victims and witnesses and enables the Area to have regular and effective liaison with Victim Support and other agencies. In addition, the use of Portal, the VIP electronic case management system allows the timely access, and effective and timely provision, of information to victims and witnesses.

- CPS staff and police officers have received training on dealing with vulnerable and intimidated witnesses. Prosecution advocates and staff introduce themselves, and provide information as necessary, to witnesses at court. There are occasions, especially in the magistrates' courts, when court business makes this more difficult.
- The Area Programme for the VIP is on target with the project achieving or exceeding expected milestones. There are no significant obstacles to further implementation and the expected benefits are being realised in full. The recent NWNJ assurance review found the VIP to be performing at a high level in delivering victim and witness care and that the wider multi-agency arrangement meant that the services to victims and witnesses could be developed beyond the scope of NWNJ. An example of this is the VIP's involvement in the restorative justice scheme in Warwickshire.
- There is clear analysis of cracked and ineffective trial data on an Area and LCJB basis and efforts are being made to secure a reduction in the number of cases where witness issues contribute to cracked or ineffective trials. The CPS member of staff in the VIP regularly produces a report on performance and follows up any identified issues with the agency concerned. The ineffective trial rate due to prosecution witness problems is lower than the national average.

Aspects for improvement

- The CPS has established proxy targets which estimate the number of DCV letters each Area should send to victims in any one month. The Area average is 22 against a target of 31 for 2004-05. A review to establish the reasons was carried out and it was found that the volume could be improved for Crown Court cases. Where victims are present at court and informed of the reasons for a case being discontinued or charges reduced, a letter is not routinely sent. CPS policy requires otherwise.

9. PRESENTING AND PROGRESSING CASES AT COURT 3 - GOOD

The Area co-operates with the magistrates' courts to ensure that listing arrangements make best use of Area resources. Cases in the magistrates' court and the Crown Court are prosecuted by suitably experienced prosecutors. The Area has an agreement with a set of chambers in Northampton for its pupils to be trained as agents and to conduct a variety of CPS cases at court. Delivery of papers to advocates is done in a timely manner. CPS prosecutors are monitored as advocates but there is no systematic monitoring of counsel or agents.

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 Magistrates' Court Unit Head meets with the magistrates' court listing committee to arrange court schedules to maximise the use of the Area's resources. The Area has taken steps to address listing issues in the Crown Court with the Crown Court Manager. Cases are not generally transferred from one Crown Court centre to another unless the prosecution and defence agree.
- Papers are provided to agents, counsel and in-house prosecutors promptly, enabling all advocates to prepare thoroughly for court. Timeliness of briefs to counsel is excellent at 98.3%. The court rota is prepared a month in advance and designated caseworkers and crown prosecutors have papers two days, and agents three days, prior to court hearings to prepare.
- Selection of prosecution advocates for all courts is usually undertaken with full consideration of their experience, expertise and qualifications. The Crown Court Unit (CCU) business manager has responsibility for selecting suitable Counsel, with input from the reviewing lawyer in specialist matters. Suitably trained prosecutors cover youth courts.
- Complaints from other agencies about prosecutors are investigated and action is taken if appropriate.
- Advocacy monitoring of all in-house prosecutors is undertaken at least once a year, with feedback being given at the time, and objectives set and performance further monitored if necessary. This is done both formally against the CPS National Standard for Advocacy as part of the appraisal process, and informally while the unit heads are in court. Court endorsements are very good.

- Training is provided for in-house advocates and the Area has an arrangement with a set of chambers in Northampton to train one counsel agent each month. The training includes conducting cases in court. This arrangement enables the Area to train Agents to CPS standards and to monitor their performance. The scheme is regarded by the Area and chambers as working well. Counsel are given Standard CPS instruction packs and are advised of new initiatives and policy directives, but none are provided to agents.

Aspects for improvement

- The Area uses established agents and counsel, who are usually only monitored for re-grading purposes. The CCU business manager speaks to the counsel's clerks on a daily basis and attends quarterly meetings with Chambers, when counsel's performance is discussed. Nevertheless, the level of usage of agents and counsel in the magistrates' courts (22.2% of sessions in 2004-05) and in the Crown Court (the large majority of sessions) warrants a degree of systematic monitoring of their performance.

10. DELIVERING CHANGE

2 - FAIR

The Area Business Plan is structured around CPS national targets and local objectives which are linked to the Public Service Agreement (PSA) targets. Area staff have been involved in developing the Area's vision and values and participate in all major change initiatives. Progress towards delivery is regularly reviewed in Area Management Team (AMT) meetings. Clear accountabilities are established for change management. The Area Business Manager manages or monitors all Area projects and reports to AMT. Staff training needs are regularly and systematically assessed on an individual basis and training is delivered at an Area as well as a regional level. Training is properly evaluated and improvements in performance are assessed.

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

- The Area is very clear about what it wants to achieve and its aims and objectives reflect local CJS priorities. The Area's vision and values were set out at an Area training day attended by all staff who were involved in a discussion about their role in helping the Area achieve its aims.
- The Area has planned successfully in a number of initiatives and there is evidence of regular risk analysis and management, and of review. The Area plan has adopted CPS national targets and local objectives which are all linked to the PSA targets. Owners of specific objectives are identified in the plan and milestones have been set towards specific implementation and action dates. Progress towards delivery is reviewed quarterly by the Area Business Manager (ABM) and monitored by the Area Management Team (AMT).
- As dealt with in Aspect 1, the Area is not on track to deliver this statutory charging scheme. Conversely, the Victim Information Partnership is on course to deliver good standards of witness care.
- The Area is not required to have unit or team plans. Performance of the units against the Area plan is monitored within the AMT.
- There is a strong commitment to planning and working with partners. The Local Criminal Justice Board (LCJB) strategic plan was used to inform the priorities in the Area Business Plan. The LCJB arranged a planning day for its members and those of the various sub-groups to consider their priorities individually and as a board. The opening of the Warwickshire Northern Justice Centre in March 2005 which has brought all agencies together in handling cases from arrest to sentencing, was achieved as a result of inter-agency co-operation. It has resulted in the reduction in duplication of some tasks in finalising cases by CPS and the police, and considerably reduced file movements.

- Area managers are pro-active with their criminal justice partners in the LCJB and sub-groups in delivering change to the local criminal justice system. In particular, the CCP has the strategic lead for change management through the LCJB and the ABM has day to day responsibility for change through membership of the four principal working groups.

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

- Clear accountabilities exist for change management. There is evidence that change has been successfully implemented and reviewed and evaluated. The size of the Area allows all projects to be monitored by the ABM who reports on progress and delivery to the AMT. Each project is assigned a project manager who recruits staff with the required skills onto each project group. The Area is keen to involve its staff in planning and delivering change. It sees this as a critical factor in successful implementation as well as a means of introducing staff to new areas of personal learning and development.
- The Area has comprehensively identified the risks to delivery of its priorities, for example the resourcing issues currently impacting upon the ability to migrate to statutory charging in March 2006. Counter-measures are regularly reviewed and re-assessed by the AMT.

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

- Training has been specifically linked to the Area's objectives and this link has been explained to all staff as part of the performance appraisal process. The Area maintains a record of training delivered and planned, identifying who has attended or will attend particular courses, their role in the Area and the business need to which the training relates.
- The Area delivers its own training on some topics but also participates on a regional basis with adjacent Areas to deliver some national training. This ensures that the training needs of all staff are catered for. Training is arranged to ensure that all staff have equality of access, regardless of their commitments or working arrangements.
- Relevant staff have received training on matters such as hate crime and domestic violence and managers have received training on Human Resources issues. All staff have received, or have access to, equality and diversity training.
- The Area manages training to ensure that CPS mandatory courses are delivered. All new staff undertake a structured induction programme and a recently appointed lawyer attended the advocacy induction course.

- The Area ensures the effectiveness of training by evaluating the quality of training delivered and whether it meets the identified need. The appraisal system ensures that training needs are discussed with all individual members of staff and assessed. The success of training is evaluated by line managers' discussions with staff and by monitoring staff performance.
- The regional training officer monitors delivery of training to ensure that appropriate numbers of staff receive the right training.
- The Area takes advantage of magistrates' courts training days when there are reduced courts to deliver its own training, particularly in respect of pre-charge decision procedures.

11. MANAGING RESOURCES
3 - GOOD

The Area has slightly underspent its 2004-05 budget by 0.5% and this good performance was a continuation of the previous year's sound budget control. There are effective systems in place to monitor and account for budget spend, and regular discussions at Area Management Team (AMT) level. Agent usage was below the national average and the Area effectively deployed its designated caseworkers (DCWs). The Area savings resulting from Higher Court Advocate (HCA) usage amounted to £23,371.

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

- There is evidence that the Area has taken steps to achieve value-for-money. Work with the magistrates' courts has improved listing arrangements and DCW usage is high; information continues to be analysed to identify further potential benefits to be gained from court scheduling. Managers and staff are held accountable for their performance, and action has been taken to minimise costs on issues such as the purchase of office supplies to enabling cost effective training.
- The Area's budget management is sound. The Area underspent its budget in both 2003-04 (99.9%) and 2004-05 (99.5%). Performance in 2004-05 was good. Additional non-ring fenced funding allocated to the Area was used as part of the overall budget to cover agents' and staffing costs.
- The Area's budgetary position including prosecution costs, is regularly analysed, and reports are produced and considered by the AMT. Measures continue to be identified to ensure that the Area remains within budget for 2005-06; however achievement of this is heavily dependent on expected staff movement and staff absence. There is some Area concern that the budget may be overspent this year if anticipated events do not occur.
- The Area budget is controlled within the Area Secretariat and there are systems in place to capture and account for agent spend and the management of the graduated fees scheme.

Aspects for improvement

- Prosecution costs for 2004-05 were overspent at 106.8%; however this was better than the national average performance of 118%.

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

- There is evidence that resource planning is regularly reviewed with workload linked to staff numbers. Overall, staff numbers are small, which allows for limited contingency and flexibility; consequently, staff requests for flexible working arrangements are carefully considered in light of business needs.
- The resource issues in respect of the migration to statutory charging were referred to in Aspect 1A. The Area has sought to support its position by an analysis of lawyer deployment in 2004-05 taking into account court sessions and time needed to review cases. Although there are issues about how the analysis is evidenced, this matter is being reconsidered by CPS headquarters.
- In 2004-05 lawyer sessions totalled 1,223 and in-house lawyers were used in 60.1% of magistrates' courts sessions, which was lower than the national average of 64.8%. However, this was more than compensated for by effective deployment of DCWs
- At the end of 2004-5 the Area had two DCWs in post. During the year, DCWs undertook 361 half-day court sessions, and were used in 17.7% of magistrates' court sessions. This was considerably better than the national performance of 8.3% and results from successful negotiation with local magistrates' courts enabling the high DCW usage.
- Area savings resulting from HCA usage for 2004-05 totalled £23,371, (which met its target) with a final quarterly saving per session of £220 against the national average of £224. The Area has six HCAs and despite being unable to fully utilise them all is committed to and is currently meeting the 2005-06 target of 30 sessions per quarter, and savings of £6,950.
- The Area's agent usage is better than the national average of 26.9%. In 2004-05 agents covered 452 sessions (22.2%), as opposed to 1584 covered by in-house prosecutors.
- The average sick absence rate (for OPA purposes) is excellent at 6 days per member of staff over the year 2004-05 compared to the national average of 8.7 days.

12. MANAGING PERFORMANCE TO IMPROVE
3 - GOOD

Performance information from individual case level upwards is produced and used to identify trends and compare performance with other CPS Areas. The Area is committed to working jointly with criminal justice system (CJS) partners, although further work could be undertaken on joint performance management (JPM) of police file quality. Performance on most joint CJS targets was exceeded. There is active engagement by the Area with the Local Criminal Justice Board (LCJB) and its subgroups, and improvements in performance have occurred as a result of joint action. The Casework Management System (CMS) and Management Information System (MIS) is being used though improvements could be made. The Casework Quality Assurance scheme (CQA) is used to monitor casework quality, although the volume of returns in 2004-5 was low.

12A: Managers are held accountable for performance

- The Area has demonstrated a commitment to performance management, and the strong performance culture commented on in the last Area inspection report has continued. The senior management team are aware of performance issues and performance is monitored over a comprehensive set of key aspects. Area Management Team meetings are held on a regular basis, where performance is discussed in depth and unit heads are held accountable for team performance. Regular performance appraisal is used to improve personal performance.
- There is evidence that action has been taken to correct and improve performance by the Area and by staff at all levels. Examples of this include recent increases in the level of CMS usage for full file reviews, further training for all prosecutors on The Proceeds of Crime Act and increased liaison with the police, increased Higher Court Advocate Usage, examining processes for the graduated fee schemes to improve upon timeliness, and giving further guidance in relation to pre-charge advice on unconditional bail cases.

Aspects for improvement

- Monthly performance reports were produced for the Magistrates' Court Unit; however, this practice was not reflected in the Crown Court Unit which has relied on irregular team meetings to disseminate performance at team level. The Area would benefit from a more consistent approach to dissemination of performance information to all staff.

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

- The Area is committed to working jointly with partners. Senior managers take a full part in the LCJB and its subgroups. Performance information is exchanged with CJS partners including police, the courts and the LCJB performance officer, on a range of information such as adverse outcomes, and some police file quality information.
- There are clear examples that joint performance management with CJS partners is being used to drive up performance. This is demonstrated by the joint work undertaken in local performance groups to improve unsuccessful outcomes relating to the execution of warrants, and the current work on asset recovery.
- Performance on CJS area joint targets is generally good. Area performance in relation to persistent young offenders was consistently within the 71 day target from arrest to sentence in 2004-05. The criminal justice agencies Offences Brought to Justice target was achieved (17.7% against a target of 11%). Public confidence in criminal justice agencies bringing people to justice was at 47% and higher than the national average of 43%.

Aspects for improvement

- Following the last Area inspection further work has been conducted on the JPM of the quality of police files. Changes introduced have related solely to Crown Court files, and there is no joint performance management of magistrates' court files.
- The Area did not meet its 2004-05 asset recovery target. Only 9 orders totalling £303,441 were achieved against a target of 28 orders. Area systems are in the process of being re-invigorated and progress is being monitored at LCJB level against the 2005-06 target of 11 orders to a value in excess of £176,818.

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

- A range of performance data is considered such as LCJB data, detailed reports on trial management from the Victim Information Partnership, locally produced casework data and national data. Some performance information is stored on the Area's internal drive, which is analysed effectively including the evaluation of individual cases, the identification of trends and comparison with other CPS Areas.

- The Area has recently undertaken a review in relation to CMS, including the implementation of a project to improve upon CMS usage. There has subsequently been an increase in use of CMS to manage casework processes effectively. However this improved performance needs to be continued and built upon.

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

- After initial delay, the Area has now improved upon its use of CQA. In 2004-05 a total of 87 CQA forms were completed, which falls short of the recommended level of one case per in-house prosecutor per month. More than half of these (45) were completed in the final quarter which represented a satisfactory return rate for that period. The scheme is robustly applied in the Crown Court Unit with individual strengths and aspects for improvement identified and detailed feedback given. The Area also relies on other informal processes to monitor casework quality such as the active participation of the Chief Crown Prosecutor and unit heads in attending court.

Aspects for improvement

- In the reality check of CQA forms for the Magistrates' Courts Unit it was evident that the system was not being applied as robustly as in the Crown Court Unit and written comment on the assessment forms, which could be fed back to individuals, was limited.

13. LEADERSHIP

3 - GOOD

The Area Management team (AMT) has developed a more corporate approach to its management of the Area. Issues from team meetings are fed back to the AMT and AMT minutes are circulated to all staff. Area managers are keen to promote the practical aspects of the CPS “Dignity at Work” policy and encourage staff to examine their behaviour and attitudes to each other and challenge inappropriate behaviour. Equality and diversity are given high priority. Area managers ensure that staff with appropriate expertise or skills participate in Area projects and good performance is acknowledged. Managers have regular contact with their counterparts in other criminal justice agencies and are heavily involved in leading or participating in local projects and initiatives.

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

- Discussions about the Area’s vision and values at a recent all-staff “away day” included the practical aspects of the CPS “Dignity at Work” scheme and allowed staff the opportunity to consider their own roles and their responsibilities to, and expectations of, each other. This is demonstrated in a greater awareness among individuals of their own behaviour and its effects on others as well as a willingness to challenge inappropriate behaviour which might previously have been tolerated or overlooked.
- There is evidence of a corporate approach to managing the Area, underpinned by a clear vision and ethical values, which is demonstrated to staff. The Area Management Team (AMT) has developed into a more cohesive team with a greater awareness of its corporate responsibilities.
- The AMT meets regularly and minutes of meetings are circulated to all staff. The Crown Court Unit and registry administrators hold team meetings, usually on an ad hoc basis to discuss a variety of issues. The principal themes from those discussions are fed back to the Area management Team (AMT) to inform its consideration of particular topics. Communication with staff generally occurs at the right time and is meaningful. All staff have immediate and daily access to all senior managers.
- Staff are involved in the work of the Area and good performance is recognised. The CCP used an all-staff training conference as an opportunity to thank staff for their personal contribution to the Area’s achievements. Project groups established to implement new initiatives draw upon Area staff at all levels with appropriate skills and expertise for the particular project, and their contributions are recognised.

- The LCJB area has adopted a multi-agency approach to delivering justice in Warwickshire. This has required senior managers to interact with their counterparts in other agencies on a regular basis both formally and informally.

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 CCP has been involved in national projects and is a past chair of the LCJB. He attends various community events and is active in promoting the CPS and LCJB through local media links. The ABM is also heavily involved in a number of local forums and sub-groups of the LCJB. In addition, Unit Heads are heavily committed to liaising and working with the Area's criminal justice partners in a number of initiatives.
- Senior managers learn from success or failure in a number of ways by, for example, analysing unsuccessful case outcomes and evaluating the success of new projects and initiatives.
- The Area's commitment to equality and diversity policies is evidenced in a number of ways, including staff recruitment procedures and Area project work. Equality and diversity is given high priority and the principles are reflected in business plans. Full and part time staff have equal development opportunities and are able to participate in Area projects.
- The results of the Staff Survey 2004 showed that the Area scored better than the national average in each section. In particular, 94% of staff felt that they and their colleagues worked well together; 84% considered that they generally acknowledged each other's efforts.
- Staff reflect the population served by the Area's offices in respect of female and black and minority ethnic employees. The Area is seeking to improve its position in respect of disabled employees.

Aspects for improvement

- The Area aims to promote a culture of openness and honesty within the office and managers were disappointed when the staff survey for 2004 indicated that only 20% of staff felt that a complaint of bullying or harassment would be dealt with fairly. Area managers are unaware of the reasons behind this and do not fully accept them. However, they have made endeavours, since the survey, to demonstrate their commitment to dignity at work and fairness in the workplace by tackling unacceptable behaviour and allowing equality of opportunity to all staff to participate in Area projects. The issue needs to be addressed sensitively, but more directly.

14. SECURING COMMUNITY CONFIDENCE

2 - FAIR

Community engagement is clear at senior level and the Area is working with the Local Criminal Justice Board (LCJB) in producing a multi agency strategy to identify and target community priorities. Community confidence in the Area is high. There is evidence of commitment to forge relationships with community groups and the Crime and Disorder Reduction Partnerships (CDRP), but more work needs to be done in developing service improvements from consultation activities.

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

- The commitment of managers is clear and there is evidence of wider engagement activity with the community. The CCP has given presentations to a wide range of community groups, including schools, local councils and minority ethnic communities, on topics of local concern such as dealing with anti-social behaviour, tackling hate crime and prosecuting fatal road traffic cases. Talks have also been given on local radio. Other senior managers have given presentations to local community groups and CPS staff at all grades participated in the LCJB 'Inside Justice' open day. This event was attended by various community groups and provided opportunity for all staff to engage with the public about the role of the CPS. The event received positive feedback and another is planned for later this year.
- The Area does not have its own community engagement strategy as such. The CCP has been concerned that the size of the Area allows too much potential for overlap in community engagement leading to saturation within some groups. This view was confirmed by feedback from some communities.
- A great deal of work has been done over the last 12 months or so to address these issues. Following the dissolution of the Warwickshire Community Against Racism Group and the Warwick Racial Equality Council, the LCJB commissioned an independent study which looked at how race equality services could be best provided in the county. Soundings were taken from 55 local community groups. As a result of this consultation, the study recommended a multi-agency partnership to tackle the wider and larger community issues. Hate crime was identified as the priority. The ABM is now working with the LCJB in preparing a multi agency strategy to identify individual organisational responsibilities, measurable objectives and outcomes for community engagement.

- Using information from the independent study, the Area has started to engage with those groups who are considered to be at the greatest risk of exclusion and discrimination.
- Engaging with the five CDRPs in the county in the past was hindered by the size of the partnerships. The Area together with the LCJB has recently started work on improving its relationship with CDRPs by identifying aspects on which they can work together and share information. In particular, the Area is looking to agree a set of key performance indicators to assist in dealing with persistent and prolific offenders
- The Area has achieved a high public confidence rate in the effectiveness of the criminal justice agencies to bring offenders to justice as measured by the British Crime Survey. In the last quarter of 2004-05, the rate was 47.8%

Aspects for improvement

- The Area does not maintain a comprehensive diary of its community engagement activities, although individual managers maintain their own records. The Area takes some steps to measure success of its activities in the community but these have not been able to demonstrate any effective impact and more work could be done in this respect. There is little evidence that service improvements have been made as a result of consultation and engagement with the community.

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%	8.3%	52%	68.8%	84%	31%	22.7%	10.5%
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%	7.4%	68%	66%	88.9%	23%	23.8%	7.4%

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%	9.8%	71 days	67 days	51 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	76%	54	83%	12	100%	4

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	94%	18	100%	7	-	0

ASPECT 3: MANAGING CROWN COURT CASES

INEFFECTIVE TRIAL RATE		
National Target	National Performance 2004-05	Area Performance 2004-05
18.5%	15.8%	15%

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%	9.6%

OFFENCES BROUGHT TO JUSTICE		
	CJS Area Target 2004-05	CJS Area Performance 2004-05
Against 2001-02 baseline	+11%	+17.7%
Number	8,969	9,162

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%	68.8%
Primary test in Crown Court	79.9%	81.8%
Secondary test in Crown Court	59.4%	100%
Overall average	70.3%	83.5%

ASPECT 11: MANAGING RESOURCES

NON RING-FENCED ADMINISTRATION COSTS BUDGET OUTTURN PERFORMANCE (END OF YEAR RANGES)	
2003-04	2004-05
99.9%	99.5%

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%	17.7%	£224	£220	8 days	8.7 days	6 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%	47%

NOTES



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