

CPS London

Overall Performance Assessment

Undertaken December 2005

March 2006

Promoting Improvement in Criminal Justice

HM CPSi
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 London 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.

Each of the four operational Sectors within CPS London has been assessed separately using the methodology set out above. Individual Sector OPA reports give the overall performance assessment for the Sector.

An overall performance assessment rating has been determined for CPS London as a whole based on the performance of Sectors and an assessment of management at strategic and Sector level. The final ratings have been arrived at by assessing overall performance against criteria within the OPA framework, rather than by combining in any way the numerical scores of each Sector.

The table at page 7 shows the CPS London 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 London serves all 33 London Boroughs and deals with cases from the Metropolitan, City of London and British Transport police. It is the largest of the 42 CPS Areas, and accounts for approximately 20% of CPS caseload nationally.

The Area is divided into three geographical sectors; North & East Sector, South Sector and West Sector, and a non-geographical sector, the Serious Casework Sector, which deals with special casework and cases heard at the Central Criminal Court from across London. The caseload of the each geographical Sectors is equivalent to that of single large CPS Areas elsewhere in the country and Sector Directors have the status of CCPs. CPS London serves 35 magistrates' courts, 12 Crown Court centres, including the Central Criminal Court, and youth courts.

Sectors (with the exception of the Serious Casework Sector) are divided into districts headed by district crown prosecutors, who are responsible for a number of teams organised on a unit or borough basis.

Area structures were in the process of change during this assessment. Work within Sectors had previously been divided on functional lines between magistrates' and Crown Court work. The Area was in the process of moving to geographically based combined units handling cases from pre-charge decision-making to disposal in either the magistrates' courts or Crown Court. The South Sector has, in addition two functional units: the Inner London Youth Unit and the pan London Traffic unit.

During the year 2004-05, the average Area number of staff in post was 1,140.4 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 | 39,789 | 17.0 | 20.9 |
| Advice | 15,603 | 6.7 | 5.1 |
| Summary offences | 108,726 | 46.6 | 46.9 |
| Either way and indictable only | 67,603 | 29.0 | 26.7 |
| Other proceedings | 1,664 | 0.7 | 0.4 |
| TOTAL | 233,385 | 100% | 100% |

C. SUMMARY OF JUDGMENTS

CPS London was last inspected in May 2003. Performance and arrangements for management were found to be improving from the low level identified in the earlier inspection of 2001.

It is clear that there is a continuing effort by Area managers to improve performance, both through improved joint working with criminal justice partners, and internally through improved structures and staff utilisation. This assessment reflects largely the position in 2004-05 but refers also to instances where improvement has occurred since.

Pre-charge decision-making (statutory charging) has been delivered in all London boroughs from 9am to 5pm, although it is not available face-to-face at all sites every day. The levels of coverage were originally dependant on CPS resources and volumes of work and are being renegotiated where necessary. Good arrangements exist for making decisions in serious, sensitive and complex cases, and arrangements for monitoring police compliance with the scheme and the quality of decision-making are improving.

The management of magistrates' courts cases presents a mixed picture. Ineffective trial rates reduced from 34.3% to 27.7% during the year, and continue to reduce, although levels are still high. Improvement followed an increased focus on this aspect of performance by the London Criminal Justice Board, the introduction of effective trial management arrangements, and increased presence of CPS lawyers, rather than agents, at court. Other performance is less good, with high levels of discharged committals and wasted costs orders.

The criminal justice area continues to struggle to meet the target for dealing with persistent young offenders in 71 days from arrest to sentence, with performance at 84 days in the period December 2004 to February 2005, although performance in some parts of London is improving.

Crown Court cases were generally satisfactorily handled but the quality of instructions to counsel is in need of improvement.

Case outcomes were less successful in London than nationally, with the exception of the levels of discontinuance in the magistrates' court. In particular, the level of 'no case to answer' cases was considerably higher than the national, both at Sector and Area level. In the Crown Court, levels of judge ordered and judge directed acquittals, and acquittals after trial, were all worse than average national performance; again performance was particularly poor in some Sectors. The proportion of unsuccessful outcomes in magistrates' and Crown Court cases jointly, at 26%, was significantly worse than national performance (19.6%) and national target (21%).

Despite this, the London criminal justice area exceeded its target for 2004-05 in bringing offences to justice (OBTJ), increasing the offences brought to justice by 23.4% (151,000 offences) against a target of 13% (138,373 offences). 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.

Sensitive cases were handled well in some Sectors. Not all cases are captured on the case management system, however, and analysis of outcomes needs to be improved.

CPS London has an unacceptably high level of custody time limit failures, although numbers are falling. Action is needed to improve guidance, instructions, and checking.

Levels of compliance with the prosecution's duties of disclosure were variable across London although overall performance, from a relatively small sample of 88 files, was slightly above national average performance during the last inspection cycle.

The Area does not perform well in contacting victims when charges have been reduced or dropped. Witness care units are in place in police stations but at the time of this assessment were staffed only by police personnel. CPS staff were to be in place by the end of December. As yet there was no information on whether Witness Care Units were increasing the attendance of witnesses at court.

There were indications of lack of readiness for court in magistrates' courts cases during the 2004-05, but improvements had been made to the way in which cases at court were presented and progressed, through implementation of the Effective Trial Management Programme and increased deployment of CPS prosecutors, rather than agents, at court.

The Area is seeking to carry out a major change programme which addresses not only nationally required operational change, such as pre-charge decision-making and the implementation of the No Witness No Justice programme, but also cultural change and performance improvement. In order to do this it is working increasingly well with CJS partners, particularly the police. Change is managed systematically in some respects, but local approaches to planning, and risk and change management, need to be improved.

The need to deliver change is supported by increasingly good performance management with managers at all levels being held accountable. Sectors and units would be assisted by their own targets which address the need for improvement locally. The Casework Quality Assurance scheme is not used effectively as a tool to manage and improve the way casework is dealt with.

Financial management and accountability have also improved, with budget outturn in 2004-05 standing at 100.8%, a considerable improvement on performance in 2003-04 when outturn stood at 106.3%. CPS London is seeking to improve both value for money and its deployment of staff and has gone some way to address the imbalance between lawyer and administrative staff numbers. A particular achievement was the Area's reduction in the use of agents in the magistrates' courts during 2004-05 from 52% in Quarter 1 to 3.4% in Quarter 4. Designated caseworker usage remains low, and sickness levels remain high however.

The quality of leadership is good within CPS London and managers demonstrated a corporate approach to improving the Area's performance, even when difficult decisions were involved. We are confident that the quality of leadership is such that further improvements in performance will be achieved. There is sound commitment to equality and diversity policies.

Managers are committed to improving community confidence. The Area understands its demographics and diverse population well, and a range of activity takes place with key groups. The Area is nevertheless looking to improve its approach. Public confidence in the criminal justice system in London, as measured by the British Crime Survey, rose from 41% in 2002-03 to 45% in 2004-05, an increase which matched the national average.

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

| CRITICAL ASPECTS | 2 - FAIR |
|---|-----------------|
| Pre-charge decision-making | 2 - Fair |
| Ensuring successful outcomes | 1 - Poor |
| Leadership | 3 - Good |
| The service to victims and witnesses | 2 - Fair |
| Managing resources | 2 - Fair |
| OTHER DEFINING ASPECTS | |
| Managing magistrates' courts cases | 2 - Fair |
| Managing Crown Court cases | 2 - Fair |
| Handling sensitive cases and hate crimes | 2 - Fair |
| Custody time limits | 1 - Poor |
| Disclosure | 2 - Fair |
| Presenting and progressing cases at court | 2 - Fair |
| Delivering change | 2 - Fair |
| Managing performance to improve | 2 - Fair |
| Securing community confidence | 3 - Good |

| | |
|---------------------------|-----------------|
| OVERALL ASSESSMENT | 2 - FAIR |
|---------------------------|-----------------|

D. DEFINING ASPECTS

1. PRE-CHARGE DECISION-MAKING

2 - FAIR

The Area provides statutory pre-charge decision-making at 45 police stations across London, and within CPS offices in serious and complex cases, having worked closely with the Metropolitan Police Service (MPS), the City of London Police and British Transport Police to establish these centres. Whilst duty prosecutors (DPs) cover all sites from 9am to 5pm, decision-making is not always face-to-face, and negotiations with the police over the level of cover have continued. Good arrangements are in place across the Area for the giving of advice on serious, complex and sensitive cases. Steps have been taken to try to ensure that the correct cases are referred to DPs. Further work is needed to assess the quality of cases where no further action is advised. The expected benefits of pre-charge decision-making have yet to be fully realised.

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

- Σ CPS London moved to the statutory charging scheme in November 2004, and now provides pre-charge decisions at 45 charging sites across London. Arrangements for the implementation of the scheme were managed jointly with the Metropolitan Police Service (MPS), the City of London and British Transport Police.
- Σ Face-to-face advice between the hours of 9am and 5pm Monday to Friday is provided at most charging centres. Thirty seven Charging Administrators (now termed Charging Centre Managers) cover the 45 charging centres plus the Serious Casework Sector and provide support to duty prosecutors, assisting by quality assuring requests for advice and coordinating appointments.
- Σ Processes are in place to ensure that pre-charge consultation takes place on all relevant files, and that all appropriate cases are dealt with under the Director's Guidance, although this still needs attention in one Sector. Vetting of files is carried out both by a police 'gatekeeper' and CPS charging administrator. In order to ensure compliance the MPS has developed an accredited supervisors' course, with training carried out by CPS staff, so that no case will be passed to the CPS without consideration by an accredited supervisor.
- Σ The Serious Casework Sector provides a pre-charge decision service over the telephone in relation to serious and complex cases from the Specialist Crime Directorates of the MPS, and requests for advice and decisions in homicide cases come through the Metropolitan Police Homicide Support Unit which is co-located with the Sector. The more serious and complex cases at borough level are sent to CPS offices, and face-to-face advice is provided at a pre-arranged time.

- Σ The Sectors have developed effective liaison arrangements with CPS Direct, which provides advice or decisions to police out of standard working hours. Nevertheless, some police concerns remain. The CPS Direct liaison officer attends Sector management meetings and these issues of concern are being addressed.

Aspects for improvement

- Σ Face-to-face advice and decision-making is not fully comprehensive. Comparatively busy police charging centres in central London are not covered all day, and similarly busy inner London centres share one duty prosecutor (DP) on alternate days; telephone advice is available when a DP is not present. Coverage levels were agreed with the police based on CPS lawyer levels and volumes of work. There is regular discussion with the police about coverage levels, which have been adjusted where necessary.
- Σ During 2004-05 the correct recording and counting of PCD cases was hampered by lack of police unique reference numbers (URNs), and some incorrect recording of decisions on the case management system (CMS). Police URNs are now provided, but training is still needed in some Sectors to ensure accurate recording and use of CMS.

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

- Σ All relevant prosecutors have been trained in the operation of the scheme.
- Σ The quality of pre-charge decision-making is monitored in a number of ways across the Sectors including dip sampling of completed forms recording advice and decisions, attendance by managers at charging centres and the Casework Quality Assurance scheme (although only limited reliance can be placed on assurance under the scheme as it is not carried out comprehensively). Line management approval is required to alter or discontinue a charge that was subject to a pre-charge decision.
- Σ The Area carried out a review, in each Sector, of files which had been subject to a pre-charge decision prior to the formal post-implementation review by the national charging team and identified where improvements were needed.
- Σ Satisfactory arrangements are in place across the Area for the resolution of disputes between the DP and the police, although such instances appear rare.

Aspects for improvement

- Σ There is no consistent approach to the monitoring of cases where no further action had been advised.
- Σ Ethnicity and gender were not regularly recorded on CMS.

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

- Σ The London Area Board's monthly performance report highlights Area performance in respect of discontinuance, guilty pleas and attrition rates for cases which have been subject to a pre-charge decision.
- Σ In Quarter 4 2004-05, CPS London's performance in the magistrates' courts was overall better than national performance with a lower discontinuance (12.7% against 16.3%) and attrition rates (22.3% against 22.7%) than nationally. The guilty plea rate was close to the national average (67.1% against 68.8%). Current levels of discontinuance and attrition in the magistrates' court remain comparatively low, although the guilty plea rate is below the average of other Areas which provide pre-charge decisions on a statutory basis.

Aspects for improvement

- Σ In the Crown Court in Quarter 4 2004-05 the discontinuance, guilty plea and attrition rates were all worse than national performance, and this remains the position.
- Σ There has so far been limited analysis, at unit level, of whether the expected benefits of pre-charge decision-making are being realised, in part because data could not be broken down to borough level. The Prosecution Team Performance Management regime (PTPM) had not at the time of this assessment been introduced.

2. MANAGING MAGISTRATES' COURT CASES

2 - FAIR

The management of magistrates' courts cases presents a mixed picture. On the one hand, the focus given to ineffective trials both from improved performance management and the Effective Trial Management Programme (ETMP) has proved successful and ineffective trials, although still higher than national levels, reduced considerably in 2004-05 and are continuing to do so. The discontinuance rate in the magistrates' courts is better than national levels across London and the pan London traffic unit is improving the handling of traffic cases. Other performance is less good. The Area, with criminal justice partners, continues to struggle to meet the target for dealing with persistent young offenders in 71 days; the proportion of discharged committals and wasted costs orders is high, and there were some indications of shortcomings in the quality of review. The Area still has to ensure that the case management system (CMS) is fully used by all staff.

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

- Σ The implementation of statutory charging has gone some way to ensure that cases are reviewed and prepared promptly for first hearing. The introduction of police gatekeepers under the statutory pre-charge scheme and other quality assurance staff means that the quality of police files is being examined more closely and is perceived to be improving, although arrangements for formal monitoring are not in place (see below).
- Σ ETMP has been fully implemented in London since April 2005, although in one Sector processes need improvement. Case Progression Officers are in place in all CPS units with counterparts in police units and the courts; regular case progression meetings are held, although arrangements vary from Sector to Sector.
- Σ During the course of 2004-05 CPS London moved to a position where almost all magistrates' courts sessions were covered by CPS in-house prosecutors rather than agents. The view of all staff was that this, together with case progression systems, was assisting progression at court as well as improving the ineffective trial rate, although it is difficult to assess the individual contribution of each initiative.
- Σ All youth cases from the 12 inner London boroughs are handled by a specialist youth unit based in the South Sector ensuring review, preparation and presentation by specialists. Cases from outer London boroughs are handled by youth specialists within the relevant geographical Sector. Although CPS London as a whole did not meet, and continues not to meet, the target for dealing with persistent young offenders (PYOs) within 71 days from arrest to sentence (see below), performance in some Sectors is improving with performance in the South Sector under the 71 day target for five of the first six months of 2005-06.

- Σ The establishment of the pan London traffic unit under which all traffic police prosecutions for London are handled by a single team, has led to improvement in cases proceeding at first hearing. Liaison between the CPS and Metropolitan Police Service has resulted in an improvement in the availability of documentation required to prove cases in absence of the defendant on the first hearing date. Cases are now proved in absence, and in almost all cases only adjourned where not guilty pleas have been entered.
- Σ CPS London's discontinuance rate for all cases in the magistrates' court was better in 2004-05 than the national average (10.1% against 12.5%) and represented an improvement on performance in 2003-04.
- Σ For London as a whole, the time taken for adult cases to initial guilty plea in the magistrates' courts met the 59 day target in 87% of cases, better than the national average of 83%; committals were dealt within target in 95% of cases, again better than national performance which stood at 89%. 64% of trials were completed within target times, slightly below national performance which stood at 66%.

Aspects for improvement

- Σ The monitoring of police file quality is not routinely undertaken in any Sector and managers do not have a clear understanding of file quality. Prosecution Team Performance Management arrangements are not yet in place.
- Σ Data indicates very variable performance both within and between Sectors in the quality and timeliness of continuing review, and there are some indications in all Sectors that cases are not proceeding as they should. In particular, erratic performance in the timings of discontinuances, cases being discontinued when there has been no change in circumstances, unacceptably high numbers of wasted costs orders and high levels of discharged committals have been identified.
- Σ During 2004-05, 1,140 committals were discharged in CPS London as a whole, representing 0.7% of the Area's caseload compared with 0.3% nationally (although it is possible some double counting may have occurred); in one Sector 1% of cases were discharged. The overall numbers discharged represent 6.3% of all cases prepared for committal in the Crown Court.
- Σ Although Sectors are taking discharged committals seriously and logs are in place to ensure reasons are understood and to enable the case to be reinstated if necessary, in the period April to September 2005, a total of 499 committals were discharged in CPS London as a whole. If levels continue at the same rate during the remainder of 2005-06, there will be limited improvement on the previous year's performance.

- Σ CPS London had 71 wasted costs orders in 2004-05 representing 76% of all wasted costs orders in the CPS. Fifty-four derived from one Sector.
- Σ The criminal justice area did not meet the target for dealing with PYOs within 71 days. For the three months to February 2005, performance stood at 84 days compared with 67 nationally and performance is very variable across London. Although some improvements have been made, performance to September 2005 stood at 82 days.
- Σ Higher proportions of initial guilty pleas, trials and committals in youth cases are completed outside target times than the average national performance.

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

- Σ The London Criminal Justice Board has put significant focus on improving ineffective trials. In all Sectors there was good analysis of ineffective trials with criminal justice partners both within the magistrates' courts and at Borough Criminal Justice Group meetings, and performance is improving as a result.
- Σ Although the final figure for ineffective trials in the magistrates' court was below Area target and significantly worse than national performance (see below), the rate reduced during the course of the year from 34.3% in Quarter 1 to 27.7% in Quarter 4. Performance continues to improve and stood at 25% for Quarter 2 2005-06. Improvements in ineffective trials rates are occurring in all Sectors.
- Σ In 2004-05 the percentage of cracked trials in Greater London was 32%, less than the national average of 37.1%.

Aspects for improvement

- Σ The ineffective trial rate for London as a whole for 2004-05 stood at 31.7%, considerably worse than the national figure of 24.8%, and is assessed as poor performance for the purposes of this assessment. The percentage of trials that were ineffective due to the prosecution (excluding absence of police witnesses) stood at 8.3% against 6.8% nationally. The Area Board monitors this rate, as well as the overall rate, and individual Sector performance in its monthly highlight reports.
- Σ There is less analysis of the cracked trials and the reasons for them at local level than is carried out for ineffective trials. The proportion of trials which crack due to the prosecution ending the case because of insufficient evidence, and for other reasons, is higher than national levels.

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

Aspects for improvement

- Σ Effective usage of CMS in London was less than the national, at 52.4% compared with 69.1%. Use by administrative staff is considerably better than that of legal staff. The percentage of full file reviews carried out on the system was extremely low – 6% compared with a national rate of 27.1%. Usage in some units was even lower, and performance is very uneven across Sectors. Use of CMS management reports was not widespread.
- Σ The Area is of the view that because lawyers now spend a significant amount of time at court, the absence of computer terminals and suitable ISDN lines has contributed to low use of CMS. Authorisation has now been given for installation of equipment to proceed.
- Σ Use of CMS is monitored at all levels, and some Sectors have sought to address issues with staff; in others there was little evidence of usage being raised effectively. Despite this attention, there has only been a slight increase in the recording of full file reviews, which stood at 9.8% by the end of Quarter 2 2005-06.

3. MANAGING CROWN COURT CASES

2 - FAIR

Lawyers are involved at an early stage in cases, particularly in the Serious Casework Sector. Efforts are made to ensure the prompt review and preparation of cases, but there is room for improvement in the timely receipt of further evidence from the police. Timeliness of adult committals from the magistrates' courts was better than the national average, but the service on the defence and delivery of papers to counsel was worse. Instructions to counsel are generally satisfactory although more should indicate the acceptability of lesser or alternative pleas. The Effective Trial Management Programme (ETMP) has been implemented and Case Progression Officers are in place, who liaise regularly with their criminal justice agency counterparts. The Area target for the number of confiscation orders under the Proceeds of Crime Act (POCA) was achieved. Although it achieved its target, the Area's ineffective trial rate was worse than the national average. The cracked trial rate was better. Data is regularly analysed and action is taken such that the figures have improved more recently. The use and monitoring of the case management system (CMS) is poor and efforts are being made to improve.

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

- Σ The implementation of statutory charging has meant that lawyers are involved in cases from an early stage and can indicate the further evidence that may be required. In the Serious Casework Sector, lawyers are generally consulted at an even earlier stage than charge and in most cases there are regular case conferences with the police and, often, counsel.
- Σ Efforts are made to review and prepare cases promptly and in one Sector this is routine. There is still room for improvement in the provision of further essential evidence that the lawyers have advised.
- Σ ETMP has been implemented across the Area. Each unit has Case Progression Officers (CPOs) except in the Special Casework Unit and one other unit where caseworkers act as the CPO for their own cases, with the overall representative role taken by the casework manager. CPOs have regular case progression meetings with their counterparts in the courts and the police and performance is improving as a result.
- Σ The Area met its target for the number of confiscation orders made under the Proceeds of Crime Act (POCA). It achieved 244 orders to the value of £14,205,361. The North and East Sector was particularly successful in achieving 107 orders, accounting for 51% of the value. Each unit has a POCA Champion. Performance reports both within the Sectors and to the centre include progress made and action taken to improve the recording and achievement of POCA orders.

- Σ Youth cases are handled by specialist lawyers in all units except in the Serious Casework Sector where there are no special arrangements as there are few cases involving youths. Youth committals were timely in 90% of the cases compared with 91% nationally.
- Σ The timeliness of adult committals from the magistrates' courts for CPS London (95%) was better than the national average (89%).

Aspects for improvement

- Σ The quality of instructions to counsel is monitored under the Casework Quality Assurance system, although this provides only limited assurance. The Area's own assessment indicated that the instructions generally contained a summary of the case and dealt with the issues, but often did not indicate the acceptability of lesser or alternative pleas. Reality checks confirmed this. In serious cases, in all Sectors, counsel is usually instructed at an early stage and instructions are tailored to particular issues and depend on the stage of the case. In general these are of better quality.
- Σ The timeliness of delivery of instructions to counsel was 78.5% which was worse than the national average of 85%.
- Σ The timeliness of service of committal papers on the defence was 76.9%, worse than the national average of 79.4%.
- Σ The Area had a total of 15 wasted costs orders in the Crown Court, contributing significantly to the national figure of 35.

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

- Σ The Area cracked trial rate was 32%, better than the national average of 37.1%, with those due to the prosecution standing at 12%, again better than the national average of 15.3%. The cracked rate showed improvement throughout the year and this progress has been sustained in 2005-06.
- Σ There is regular analysis of cracked and ineffective trial data within each Sector, although it could be more effective in the West Sector. Data is shared and discussed in liaison meetings with criminal justice partners at all levels and particularly in the Borough Criminal Justice Group meetings. These discussions include cases where the prosecution has been at fault and appropriate action is generally taken. District crown prosecutors regularly meet the Resident Judges.

Aspects for improvement

- Σ The Area's ineffective trial rate in the Crown Court was 16.9%, worse than the national average of 15.8% but achieving the Area target of 18.4%. It improved during the year and into 2005-06: the ineffective trial rate from April to August 2005 was 14.3%.

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

Aspects for improvement

- Σ The Area figure for the use of CMS for indictments in 2004-05 was 76.9% compared with the national average of 80.8%. Training in the use of CMS has been carried out and continues to make lawyers more confident in using the system.
- Σ Although CMS is being used, not all staff are recording key events in cases. Considerable efforts have been made across the Area to address the problem including personal objectives in forward job plans, a raised profile in team meetings and refresher training.
- Σ Many cases in the Serious Casework Sector are such that they are not compatible with current CMS specifications. It is therefore, at the moment, of limited use to the Sector. Nevertheless, cases are recorded and updated on a daily basis.
- Σ Most managers have been trained to use CMS to manage and monitor work but there is little evidence that, in practice, it is used effectively.

4. ENSURING SUCCESSFUL OUTCOMES

1 - POOR

The Area and each Sector achieves a better performance than the national average in relation to the proportion of discontinued cases in the magistrates' courts. In all other respects the Area's performance in relation to achieving successful outcomes is worse than the national. In particular, in the magistrates' courts the proportion of no case to answer cases and discharged committals is significantly higher than national levels. In the Crown Court judge ordered acquittals and acquittals after trial are particularly high. Conviction rates are lower than national performance. Adverse cases are not analysed robustly enough in all parts of the Area. The London criminal justice area met its Offences Brought to Justice (OBTJ) target for 2004-05 achieving a 23.4% increase against the 2001-02 baseline, against a target of 13%.

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

- Σ For the year ending 31 March 2005 results compared with national averages are as follows:

| OUTCOME | Area Figure | North Sector | West Sector | South Sector | Serious Casework | National Average |
|----------------------------|-------------|--------------|-------------|--------------|------------------|------------------|
| MAGISTRATES' COURTS | | | | | | |
| Discontinuance & bindovers | 10.1% | 9.2% | 11.1% | 9.9% | Not applicable | 12.5% |
| No case to answer | 0.6% | 0.4% | 0.5% | 0.8% | Not applicable | 0.3% |
| Dismissed after trial | 1.7% | 1.6% | 1.9% | 1.6% | Not applicable | 1.5% |
| Discharged committals | 0.7% | 1.0% | 0.5% | 0.6% | Not applicable | 0.3% |
| Overall conviction rate | 74.7% | 72.7% | 76.8% | 74.3% | Not applicable | 80.8% |
| CROWN COURT | | | | | | |
| Judge ordered acquittals | 18.1% | 20.4% | 17% | 17% | 8.7% | 14.2% |
| Judge directed acquittals | 3.3% | 2.6% | 4.5% | 3.1% | 3.0% | 2.0% |
| Acquittals after trial | 8.4% | 8.5% | 6.8% | 9.2% | 14% | 6.3% |
| Overall conviction rate | 68.2% | 66.6% | 70.1% | 67.9% | 73.7% | 75.8% |

- Σ The percentage of London cases which are discontinued or result in a bind over in the magistrates' courts is better, at 10.1% than the national performance of 12.5%. Performance was also better than the national average in each Sector.
- Σ There is some assessment of the quality of review and case handling, although the consistency and thoroughness of approach varies within and between the Sectors (see below). The Casework Quality Assurance system (CQA) is generally relied on by Sector managers to assess the quality of review and case handling; however, there are varying levels of compliance with the scheme, ranging from 33% to 70%. Assurance forms did not always indicate sufficiently robust analysis. Sector managers supplement CQA with other analysis including adverse case monitoring and other case examination, for example whilst conducting case progression hearings at magistrates' courts. Adverse outcome forms are generally completed, although some case outcomes were recorded incorrectly.
- Σ The nature and complexity of work within Serious Casework Sector ensures processes are in place to ensure cases progress properly, and that adverse findings are analysed.
- Σ There is evidence of meetings across the Area to discuss unsuccessful outcomes with other criminal justice agencies, particularly at Borough Criminal Justice Groups. Information is shared with a view to bringing about improvement.
- Σ In 2004-05 the London criminal justice areas exceeded its target for bringing offences to justice (OBTJ) increasing the percentage against the 2001-02 baseline by 23.4% (151,000 offences) against a target of 13% (138,373 offences). 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 contribution comes through managing cases to keep discontinuance and unsuccessful outcomes low, which CPS London has partly achieved.

Aspect for improvement

- Σ Comprehensive analysis of adverse cases to identify lessons to be learned and address potential problems was not consistently or thoroughly conducted in all Sectors or units.
- Σ Overall in 2004-05, Area performance in achieving successful outcomes was worse than the national averages in both the magistrates' courts' and the Crown Court; with the exception of discontinuances in the magistrates' courts. Performance was weak in some respects in each Sector.

- Σ In the magistrates' courts the percentage of cases that resulted in no case to answer was 0.6% against the national average of 0.3%, with performance in the South Sector, at 0.8%, considerably worse than national performance. Crown Court cases resulting in a judge ordered acquittal were significantly higher than the national average at 18.1% against 14.2%. The judge directed acquittal rate for the West Sector, at 4.5%, was significantly worse than the national average of 2.0% and the Area figure of 3.3%. The proportion of discharged committals was significantly higher than the national average at 0.7% against 0.3%; the North Sector the worst performer at 1.0%.
- Σ The overall conviction rates in the magistrates' courts and the Crown Court, are worse in each Sector, and for the Area as a whole than the national averages.
- Σ In 2004-05 the Area did not meet its target for the overall percentage of unsuccessful outcomes in the magistrates' courts and Crown Court. Performance was 26% against an Area target of 25%, although this was a slight improvement on performance in 2003-04 (27.2%).

5. HANDLING SENSITIVE CASES AND HATE CRIMES
2 - FAIR

Specialists, champions and co-ordinators are in place to ensure that hate crimes (those involving domestic violence, homophobic, racist and religiously aggravated offences) and sensitive cases (for example child abuse, rape and fatal road traffic offences) are dealt with properly and the proportion of unsuccessful outcomes is reducing, although it is not clear whether all relevant cases are being captured in the case management system (CMS). Hate crimes and other sensitive cases are in the main subject to second opinions before discontinuance, but not all such cases in all Sectors are treated in this way. The Area has played an active role in improving the approach taken in domestic violence cases, and in increasing knowledge about honour crimes. The handling of sensitive cases is good in the Serious Casework Sector. Monitoring and analysis needs to be more robust across the Area.

5A: The Area identifies and manages sensitive cases effectively

- Σ Each Sector has identified champions and specialists for each category of sensitive case, and the Area ensures that specialists have received appropriate training. Most sensitive cases come to CPS offices for advice and decision-making when bail can be granted by police. The Casework Quality Assurance system is used to assess the review and handling of sensitive cases, although this is neither fully comprehensive nor fully robust.
- Σ Hate crimes and other sensitive cases are the subject of second opinions before discontinuance, although this does not extend to all such cases in all Sectors.
- Σ Champions and co-ordinators provide some reports on the handling of relevant cases, and some meet together on a London-wide basis to discuss good practice. One Sector has been involved in joint working with the police and joint training on the handling of sensitive cases.
- Σ The Area plays an effective role in the development of national policies and awareness in relation to sensitive cases, one example being raising awareness of “honour crimes”.
- Σ The Area has played a positive role in the development of specialist domestic violence courts at Croydon and West London. These courts have been the subject of evaluation and have proved successful.
- Σ The Serious Casework Sector handles all homicides and considerable expertise is devoted to these cases in conjunction with police and Treasury Counsel at the Central Criminal Court, and the handling of sensitive cases by this Sector is good. The pan London traffic unit has been formed to prosecute motoring offences, and experienced lawyers advise on traffic offences involving a fatality or serious injury.

- Σ In the first two quarters of 2005-06, the Area has been successful in reducing the proportion of hate crimes which have an unsuccessful outcome from 31.5% in Quarter 1 to 26.4% in Quarter 2.

Aspects for improvement

- Σ Each Sector identifies sensitive cases (those involving domestic violence, homophobic, racist and religious elements, child abuse, child witnesses, rape and fatal road traffic offences) and these are flagged on CMS. Reality checks indicated that not all relevant cases are correctly flagged. Data on the unsuccessful outcome levels for hate crime is not broken down into the individual hate crime categories, to enable relative performance levels to be assessed. Inadequate flagging of cases hinders proper analysis.
- Σ Whilst monitoring takes place, there is a lack of systematic analysis of hate crimes and other sensitive cases in relation to their outcomes. This reduces the ability for lessons to be learned.
- Σ In particular there is no systematic analysis of hate crime cases where a reduction or change of charge or agreed basis of plea, reduces or removes the hate element of the offence.
- Σ It was not clear that the number of rape specialist lawyers was linked to the number of such cases and other serious sexual offences so as to ensure that specialists were able to develop their expertise.

6. CUSTODY TIME LIMITS

1 - POOR

The Area had 11 custody time limit failures in 2004-05. Although this represents an improvement on 2003-04 performance, when 23 failures occurred, individual Sector performance remains unacceptably high when compared with performance in other large CPS Areas with equivalent caseloads. Guidance and desktop instructions are in need of review and systems for checking need to be more thorough.

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

- Σ The Area has a written custody time limit (CTL) system which complies for the most part with national guidance, although there are shortcomings (see below). Sectors have developed a variety of desktop instructions to guide staff.
- Σ Audits are conducted of the CTLs systems by district and borough crown prosecutors (DCP and BCP), who are required to report to Sector Directors and Sector Business Managers on the soundness of the system. Any missed custody time limits are reported and discussed at Sector quarterly performance reviews between Sector Directors and DCPs, and failures are reported at the CPS London Board. There is evidence that systems have been reviewed within Sectors when a failure has occurred.
- Σ Training is provided to staff in all Sectors, in some as part of the induction process, although the incidence of refresher training was variable.
- Σ The Serious Casework Sector experienced no CTL failures in 2004-05, and the performance in other Sectors, particularly the South Sector (albeit that it still experienced a number of failures) has improved considerably between 2003-04 and 2004-05. Sector performance continues to improve, but the overall level of CTL failures remains of concern (see below).

Aspects for improvement

- Σ The Area had 11 failures in 2004-05. Although this represented a substantial improvement on performance on 2003-04, when 23 failures occurred, the level of failures in 2004-05 remained unacceptably high, particularly when individual Sector performance is compared with that of other large CPS Areas with greater caseloads. The Area had four reported failures in the period to the end of September 2005.

- Σ Although the Area has updated its written system to include both national guidance and reference to the new case management system, it is not fully compliant and omits the requirements for the double checking of calculations, and detailed instructions on how to carry out re-calculations of CTLs.
- Σ Some Sectors were unaware of the updated system and supplied copies of out of date guidance which still referred to an earlier electronic system. The completeness of desktop instructions was variable and some local systems were not written. Guidance and desktop instructions were not complete and did not refer to working arrangements within restructured units.
- Σ Despite regular audits, and apparent staff training, there is evidence that arrangements for the monitoring and control of custody time limits are not operating effectively in all parts of the Area. On-site checks have showed several examples of incorrect expiry dates, confusing court endorsements, and poor use of the case management system. Poor practice had not been picked up on checking.
- Σ Three Sectors had no CTL Champion to promote and ensure good practice.
- Σ Agreements with courts for the monitoring of CTL expiry dates are only in place with two Crown Court centres in the Area, and with no magistrates' courts.

7. DISCLOSURE

2 - FAIR

Each Sector has a Disclosure Champion, and training has been provided to most prosecutors and caseworkers on the revised statutory disclosure provisions. There has been some joint training with police on disclosure issues and local guidance is provided to officers as part of the face-to-face pre-charge decision-making arrangements. There were issues of timeliness both in provision of information by police and in dealing with disclosure by the prosecution. In particular, file housekeeping was poor in many cases across the Sectors. This was compounded by the lack of completion of disclosure record sheets. A reality check of files indicated that current compliance with duties of disclosure was slightly higher than national average performance at the time of the last inspection, but performance was variable across the Area as a whole.

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

- Σ A relatively small sample of 88 files inspected as part of this overall performance assessment process revealed that primary (or initial) disclosure was handled properly in 72.5% of magistrates' court cases, and in 74.6% of Crown Court cases. Secondary (or continuing) disclosure was handled properly in 65.8% of Crown Court cases, giving an overall performance figure of 71.3%, compared with an average level of compliance for all Areas under the last inspection cycle of 70.3%.
- Σ There is an Area Disclosure Champion, and each Sector has appointed a champion and in some cases designated trainers. Information is disseminated to prosecutors and caseworkers by way of updates and guidance.
- Σ Training has been provided to most prosecutors and caseworkers on the revised statutory disclosure provisions, and on the CPS/ACPO (Association of Chief Police Officers) disclosure manual, and for the most part this has been completed.
- Σ The Area has had in place for some years a pan London agreement with the Metropolitan Police that certain key documents and records are provided by police to the prosecutor automatically. This enables prosecutors to make more informed decisions than in many other Areas.
- Σ There has been some joint training with police on disclosure issues and local guidance is provided to officers by way of training and as part of the face-to-face pre-charge decision-making arrangements.

- Σ The Serious Casework Sector deals with serious and some very complex cases involving major challenges in respect of the disclosure of unused material. The file examination revealed that for the most part disclosure material was readily accessible; file housekeeping was good; and responses to correspondence from the defence were timely. Nevertheless, disclosure record sheets, as required by the disclosure manual, were not being used; these would enhance the ability on the part of any new lawyer or caseworker taking over the case to establish what decisions and actions had taken place.
- Σ There is a long established CPS London scheme for maintaining control of the handling and decision-making of sensitive material and for the secure storage of this. For the most part this system was complied with.

Aspects for improvement

- Σ There were issues of timeliness both in provision of information by police and in dealing with disclosure by the prosecution. In particular, file housekeeping was poor in many cases across the Sectors. This was compounded by the lack of completion of disclosure record sheets. In many cases it would prove difficult for a new advocate or caseworker in the case to determine precisely what aspects of disclosure had been undertaken.
- Σ In the magistrates' courts 1.9% of cases were ineffective due to disclosure problems compared to 1.2% nationally, and in the Crown Court 0.3% compared to 0.4%. The magistrates' courts outcomes reflect the timeliness issues and the inability to easily establish what disclosure had taken place.
- Σ There was some evidence of prosecutors' performance in relation to disclosure being assessed through the Casework Quality Assurance system, but compliance was not comprehensive and the assessments were not robust. Therefore, appropriate action was not being taken to improve matters where necessary.

8. THE SERVICE TO VICTIMS AND WITNESSES
2 - FAIR

Arrangements for witness warning and identifying the need for special measures were generally satisfactory, but needed attention in one part of the Area. Liaison with victims and witnesses at court was taken seriously. Area performance is poor in relation to contacting victims when charges are dropped or substantially altered, and letters are being sent to victims in substantially fewer cases than they should under the Direct Communication with Victims scheme (DCV). Witness Care Units (WCUs) have been established in police premises but at the time of this assessment were staffed solely by police personnel; the Area was seeking to ensure a CPS presence by the end of December 2005. CPS witness liaison officers were, however, in post in CPS offices. There is currently insufficient evidence to indicate the success of the units and new processes in ensuring witnesses attend court.

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

- Σ Arrangements for warning witnesses across the Area, although practice varies, are generally satisfactory. Because of the absence of CPS staff in WCUs, CPS witness care liaison officers (WCLOs) in CPS units liaise with police staff over witness warning issues, and with Case Progression Officers to ensure that witness issues are addressed during pre-trial checks. Responsibility for ensuring witnesses are kept informed of the progression of their case lies primarily with the police.
- Σ Sectors ensure that prosecutors and CPS staff at court liaise appropriately with victims and witnesses, and generally assess the performance of staff. Particular care is taken across the Area over liaison with victims' families throughout the process and at court, in serious and sensitive cases. The pan London traffic unit acts as a single consistent point of contact for families of all fatal road traffic accidents, and regularly meets with families to explain the reason why particular decisions have been taken.
- Σ There are 34 WCUs in London – one in each borough and the Cities of London and Westminster. In the City of London WCU, CPS and police staff are co-located and the unit has achieved the minimum standards expected. Other WCUs are staff solely by the police (see below).
- Σ The need for special measures to assist witnesses to participate and give evidence has become part of the case review process carried out by lawyers at the pre-charge decision-making stage. WCLOs ensure that most applications for special measures are made within agreed time limits and that this information is communicated to WCUs.

- Σ There is regular analysis in all Sectors of the reasons for ineffective and cracked trials, and the part played by witness problems. During 2004-05 the percentage of trials that were ineffective due to the absence of prosecution witnesses (other than the police) was 4.7% and 4.1% in the magistrates' courts and Crown Court respectively, slightly higher than the national averages of 4.5% and 3.7%.
- Σ Witnesses in London generally have shorter waiting times at court, than witnesses nationally. Average witness waiting times in the November 2004 survey stood at 47 minutes in the magistrates' court against 88 minutes nationally, and 137 minutes in the Crown Court against 151 minutes nationally.

Aspects for improvement

- Σ The implementation of the No Witness No Justice (NWNJ) initiative and the establishment of WCUs was managed, under Operation Emerald, as a joint project between the police and CPS and with the involvement of Victim Support London. In the light of CPS London's need to reduce the number of administrative staff the Area, with police partners, determined that WCUs should be staffed solely by the police and located in police premises, with processes supported in CPS offices by WCLOs. The decision not to place CPS staff in WCUs was reviewed following intervention by the national NWNJ programme board, and steps were then taken by CPS London to recruit CPS Witness Care Officers and staff WCUs jointly with the police.
- Σ The process of placing CPS staff in WCUs has been delayed partly by an initial lack of interest on the part of staff in applying for posts and latterly by the need to agree arrangements for security vetting CPS staff to work in police stations and have access to IT. Arrangements have now been agreed and CPS Witness Care Officers appointed. The delay has meant that not all WCUs will be operating as expected under the NWNJ programme by the target date of December 2005.
- Σ The Area does not perform well in contacting victims when charges have been reduced or dropped under the DCV scheme. Work undertaken by CPS Headquarters estimates that in 2004-05 only 25% of relevant cases were captured, substantially below the national average of 56.3%.
- Σ The percentage of letters sent within agreed timescales is highlighted in performance reports at Sector and Area Board level. During 2004-05, across the Area as a whole, letters were sent within five days in 64% of cases. Operation of the DCV scheme was under review at the time of this assessment.
- Σ There was evidence of some late applications for special measures. Monitoring of the timeliness of applications, and whether they were appropriate, is limited.

9. PRESENTING AND PROGRESSING CASES AT COURT 2 - FAIR

During 2004-05 there was evidence of a lack of readiness for court and high levels of ineffective trials. Performance is now improving with most magistrates' courts now being prosecuted by CPS prosecutors rather than agents, and improved arrangements to ensure case readiness. The presence of Area advocacy trainers (AATs) within Sectors means that advocates in court are monitored, and that action is taken to improve performance where necessary.

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

- Σ The Area is amongst those agencies leading initiatives to improve case progression in court, with the introduction of regular case progression meetings to ensure readiness.
- Σ The proportion of cases in the magistrates' courts meeting targets for timeliness was generally better than the national averages for initial guilty pleas (87% compared to 83% nationally) and committals (95% compared to 89% nationally). The timeliness of trials was slightly below national levels (64% compared to 66% nationally).
- Σ For much of 2004-05 the situation at many courts was not good (see below). Change began during the year with the determination to adhere to standards of court coverage that resulted in CPS London in-house prosecutors undertaking close to 100% of coverage of the magistrates' courts and youth courts. Work with police partners in the prosecution team has improved standards of file building and readiness and ineffective trial rates have dropped substantially in many magistrates' courts. Following the joint review of the operation of the London criminal justice system by the Office of Criminal Justice Reform and the Prime Minister's Delivery Unit there is a new constructive relationship with HM Courts Service.
- Σ Considerable improvements have now been made both in the magistrates' courts and the Crown Court, with cases progressing with less delay and presentation across the board is improving.
- Σ The Area has AATs in each geographical Sector, and they have in particular monitored new and inexperienced prosecutors, taken specific action to improve individual performance, and provided training across the Area.

- Σ Training was provided to new agents, although monitoring was limited. In sensitive cases, special counsel were used from a preferred list and this is being updated. The Area benefits from the system of Treasury Counsel at the Central Criminal Court who have substantial expertise in the presentation of homicides and complex cases.

Aspect for improvements

- Σ There is a substantial lack of readiness for court. The ineffective trial rate in London was considerably worse than the national average (31.7% compared to 24.8%); substantial numbers of committals were discharged by courts because they were not ready (albeit in context many London courts provide less time to the prosecution than in other Areas); persistent young offenders were taking 84 days from arrest to sentence compared to 67 days on average nationally. Some case outcomes referred to in Aspect 4 reflect less good preparation than the norm.
- Σ During 2004-05 the Area made attempts to ensure that papers were provided to agents, counsel and in-house prosecutors promptly. Our file examination revealed poor housekeeping that would make it difficult for a new advocate to establish clearly what had taken place in the case.
- Σ In the course of the year there were difficulties in securing arrangements with many of the magistrates' courts to enable increased designated caseworker usage.

10. DELIVERING CHANGE
2 - FAIR

Area managers have a clear sense of purpose and are focussed on national priorities and targets and on the need to improve the way CPS London functions. To facilitate change, Area managers have become key players in planning for change with criminal justice partners and good, effective relationships have been established. Arrangements for planning and capturing local priorities, change management and the management of risks, need to improve at local level. Training programmes are established to reflect the business need, but there was a need to ensure training was delivered systematically across Sectors.

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

- Σ Area managers have a clear sense of purpose. The Area Board set out a vision for the Area in 2004-05 which addressed how the Area would meet national strategic and operational objectives. The Area's current business plan is focused on key national and London-wide priorities, sets out main targets and establishes responsibility for delivery. Sectors have worked to priorities in the Area 2005-06 business plan, which is used to drive the work of the Area as a whole.
- Σ Performance against key targets and objectives is considered regularly and formally by senior and middle managers at Area, Sector and unit level, and the progress of key change projects is reported monthly to the Area Board.
- Σ Overall, CPS managers have become pro-active key players in planning for change with criminal justice partners. The establishment of Operation Emerald - the medium for joint planning and improvement of criminal justice between the Metropolitan Police Service (MPS) and the CPS – has meant improved co-operation and successful planning in several respects. In particular, the joint Operation Emerald CPS/MPS project office enabled the establishment of a London-wide traffic unit, and has planned and overseen the establishment of statutory pre-charge decision-making, and Witness Care Units. CPS managers played a full part in the establishment of the Effective Trial Management Programme, led by HM Courts Service (HMCS). The latter programme has been particularly successful in reducing the proportion of ineffective trials in both the magistrates' courts and Crown Court. Arrangements for co-operation and planning with HMCS are improving.

Aspects for improvement

- Σ The Sectors' approaches to business planning varied in 2004-05, with some developing their own business plans and others not. In 2005-06, although the Serious Casework Sector had a business plan, other Sectors did not, instead working to priorities set out in the Area plan. This approach, sanctioned at Area level, was taken because of concern that the business planning process had become time-consuming and cumbersome and had not helped to improve Area performance; senior staff were also working very hard in 2004-05 to implement a number of major changes both internal and those required within the CPS nationally.
- Σ Arrangements for planning do not currently capture local priorities and needs. Performance levels in all respects vary significantly between and within Sectors. Some aspects of performance are poor and improvement needs to be delivered. The extent to which improvements are needed and ways to address those needs will vary depending on local circumstances – even though some may be driven by national requirements.

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

- Σ A co-ordinated change management strategy exists for pan London projects. The Area has a change and programme team, staffed by trained project managers, who manage and co-ordinate most major projects, both in-house and jointly with Operation Emerald. Projects are managed using accepted project management techniques, enabling systematic links between projects to be made. Progress is reviewed monthly by the London Operations Group and thereafter referred to the London Board which considers the impact on the Area.
- Σ The Area's risk register is reviewed periodically, but risk is normally managed on an individual project basis, with risks associated with particular projects highlighted to the Board as part of the monthly progress report.
- Σ Sectors receive support for local change from the centrally based team, and can request assistance if necessary. Sector managers have been trained in project management techniques. In the main, clear accountabilities for change projects are established at Sector level. Sectors have implemented the major changes required by the Area.

Aspects for improvement

- Σ Sectors have been required to carry out a number major changes in order to meet Area priorities. The approach towards change adopted at Sector level, except for major joint projects, is mainly determined by Sector managers. All Sectors lacked a co-ordinated approach to the management of change projects and reporting of progress tended to be on an individual project basis. Overall there was little evidence that the combined impact of various projects on the business was given the right level of consideration.
- Σ There was insufficient evidence of comprehensive risk analysis, identifying Sector specific risks arising from major change and how they should be addressed; some assessment of risk has been carried out informally.
- Σ At Area level, risks associated with a major change, for example the move to almost complete coverage by in-house prosecutors of magistrates' courts sessions, were not formally managed.
- Σ While national initiatives have arrangements for post implementation review built into them, arrangements for review to assess success and improvements are not always included in locally based projects.

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

- Σ The Area's learning and development plan sets out what it hopes to achieve from its learning and development activity in 2004-06 and reflects national and CPS London priorities.
- Σ The Area's approach to training has been governed by the need to ensure that key legal training, and training in relation to new initiatives, is delivered to staff, as well as the need to meet the concerns of staff revealed by both the Staff Survey and Investors in People (IIP) assessment.
- Σ Area training needs are largely determined through Sector Business Managers and a costed plan setting out the range and availability of training courses has been established. Training programmes setting out available training are produced quarterly.
- Σ Training programmes for 2004-05 included key legal training and non-legal training designed to address operational and management issues. In particular arrangements for induction have been improved and training in dealing with disciplinary and grievance issues, appraisal, and recruitment training has received positive feedback.

- Σ The needs of part-time staff are addressed in the Area's training programme, and equality issues have been specifically dealt within Sectors in various training fora.

Aspects for improvement

- Σ No Sectors have training plans specific to their own business requirements. Whilst one Sector demonstrated a strong commitment to training, which was well integrated with business need, elsewhere there was little evidence that training or the timeliness of its delivery was specifically linked to Sectors' individual needs, or that training was delivered systematically across the Sector. In particular arrangements for timetabling and publishing training dates, for ensuring all staff receive the necessary training, and recording attendance need attention.
- Σ Assessments have been made of the effectiveness of some non-legal training, but the Area has no method of determining the effectiveness of most of the training it delivers.

11. MANAGING RESOURCES

2 - FAIR

The Area achieved a final budget outturn in 2004-05 of 100.8% compared with 106.3% in 2003-04, but had to take urgent action during the year to prevent a substantial overspend. Managers are conscious of the need to achieve value for money in all aspects of Area operations, and have been successful in driving down costs in several respects. The accountability of senior managers for financial performance and proper financial management is clear, and financial controls have been improved. The Area is endeavouring to make better use of its human resources, and in 2004-05 reduced agent usage in the magistrates' court from 52% to 3.4% over the year, and has increased the use of its own lawyers by an equivalent amount, to ensure that it remained within budget. Units are being restructured and steps have been taken to improve the ratio of lawyers to administrative staff. However, the proportion of magistrates' courts sessions covered by designated caseworkers (DCWs) was low, and sickness levels high in 2004-05. Improvement in increased use of DCWs has been slow, and sickness levels are not improving.

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

- Σ The need to achieve value for money is high on the Area's agenda and steps have been taken to increase the value for money the Area achieves, and drive down expenditure. Expenditure on travel and subsistence has substantially reduced, and first class travel is authorised only when it is necessary for completing work on the journey; and the use of external venues for training purposes has been reduced. Value for money has also been achieved through making better use of staff and restructuring operational units (see below).
- Σ Managers are accountable for achieving value for money and for sound financial management. Accountability is achieved through the devolution of budgets to Sector Directors and district crown prosecutors, and senior managers have financial and budgetary objectives in forward job plans. Managers' accountability is also made clear in the Area's governance framework. Managers were clear about their financial responsibilities and for improving performance.
- Σ Regular financial monitoring and reporting is in place at Area, Sector and district level. At Area level six-weekly financial reviews now take place between the Operations Director, Sector Business Managers (SBMs), the Head of Finance and Sector finance officers. Quarterly performance reviews at Area and Sector level examine financial performance. Financial forecasting takes place at district and Sector level based on planned staff moves; a commitment recording system for other expenditure, including prosecution costs, is in place.

- Σ Action has been taken in all Sectors to improve the speed with which fees are paid to counsel, and to reduce backlogs. On an Area basis performance improved throughout 2004-05 and continues to improve.
- Σ The Area overspent its non-ring fenced administration budget significantly in 2003-04, with final outturn standing at 106.3%. Steps were subsequently taken to increase financial expertise at Area and Sector level, and urgent action was taken to reduce a likely large overspend during the course of 2004-05 by significantly reducing expenditure on agents, introducing tight budgetary controls, and carefully managing staff vacancies. These actions resulted in a final budget outturn of 100.8%, a considerable improvement on 2003-04, and which for the purposes of the overall performance assessment represents fair performance. Action taken to reduce expenditure in 2004-05 was complementary to other steps taken to ensure efficient deployment of staff, and increase value for money.

Aspects for improvement

- Σ Prosecution costs form part of the Area's regular financial monitoring arrangements. For the London Area as a whole the prosecution spend amounted to 139.9% against national average spend of 118%, which for the purposes of this assessment represents poor performance. The extent of prosecution costs overspend varied considerably between units.

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

- Σ For 2004-05 the Area had an average of around 93 fewer lawyers than expected, under CPS Headquarters staffing formulas; conversely it had around 63 more administrative staff than expected. Targets were set in 2004-05 to reduce this imbalance. By September 2005 the Area had increased its lawyer complement by 49, and reduced its administrative staff complement by 96.
- Σ Staffing levels are reviewed regularly, by the Area and Sectors, as part of the budget setting exercise, and as part of the implementation of strategic objectives such as pre-charge decision-making and No Witness No Justice. Decisions are made on the basis of caseload and the number of court and charging sessions. All Sectors review staffing levels within their districts from time to time and adjust staffing levels as necessary.
- Σ During 2004-05 the Area took a number of steps to try to ensure staff are deployed efficiently and the process is continuing. The Area has embarked on a programme of structural change and is moving away from functionally based criminal justice and trials units to combined units covering magistrates' courts and Crown Court cases. The spans of control of borough crown prosecutors, which varied considerably across the Area, have been regularised to enable them to be able to manage their staff better.

- Σ The creation of a pan London traffic unit, a joint initiative between the CPS and police, has enabled traffic prosecutions in London to be more resource effective with fewer court sessions, involving fewer staff from all criminal justice agencies. Concentrated listing arrangements have enabled the majority of court sessions to be dealt with by designated caseworkers, freeing lawyers for more complex work.
- Σ In 2004-05 in order to reduce a potentially large budget deficit and reduce high levels of expenditure on agents, expectations were set for lawyer deployment at court, for all levels of prosecutors including Area Board members. These expectations evolved into a target to achieve 100% in-house coverage of prosecutions in the magistrates' courts. During 2004-05 the percentage of sessions covered by agents reduced from 52% in Quarter 1 to 3.4% in Quarter 4. All Sectors contributed to this reduction, the South Sector achieving complete in-house coverage by February 2005. The effect of this change, although undertaken to improve the Area's financial position, is believed to also have aided improvement in the effective trial rate and increased the confidence of other agencies in the prosecution service.
- Σ Higher than average savings were achieved through Higher Court Advocate (HCA) usage in Quarter 4 2004-05 with average savings of £268 per session compared with £224 nationally representing good performance. The number of sessions undertaken by HCA staff reduced during the course of the year because of the need to meet the 100% in-house court coverage target and staff charging centres. The Area has established a comprehensive HCA strategy and HCA sessions have increased during the course of 2005-06 although the Area was not, at the end of Quarter 2, on course to meet its sessions or savings targets.

Aspects for improvement

- Σ Staffing structures, and staff deployment following significant changes such as the move combined units and complete in-house coverage of magistrates' courts have yet to be finalised.
- Σ In 2004-05 the Area's 36.9 DCWs undertook a total of 2,468 sessions - 4.6% of all magistrates' court sessions (the equivalent of only 66.9 sessions per DCW per year). This compares with an average figure nationally of 8.3%, and for the purpose of this assessment represents poor performance. DCW usage is increasing in 2005-06 and at the end of Quarter 2 stood at around 7%.
- Σ Sickness levels were high in 2004-05 at an average of 9.6 days per member of staff, against national performance of 8.7 days, representing poor performance. Performance is not improving. For the rolling year ending September 2005 the average was 11.3 days, despite the attention the Area has paid to addressing sick absence.

12. MANAGING PERFORMANCE TO IMPROVE

2 - FAIR

The Area demonstrates a clear commitment to performance management at Area and Sector level with regular performance reviews, and there is evidence of action being taken to improve performance. The performance of Sectors and Districts would be assisted by targets for key aspects where performance needs to be improved locally. Performance management with criminal justice partners is improving through Borough Criminal Justice Groups, and has been effective in reducing ineffective trials, although some aspects of jointly managed performance still need improving. The Casework Quality Assurance system has not been fully complied with across the Area and some analysis is not sufficiently robust.

12A: Managers are held accountable for performance

- Σ The Area has demonstrated a clear commitment to managing performance. Sector Directors and Business Managers (SBMs) are held accountable for performance through regular quarterly performance meetings with the Chief Crown Prosecutor (CCP) and Operations Director, and district and borough crown prosecutors and middle managers are similarly held accountable by Sector Directors for the performance of their units. The performance of units within the Area Secretariat is also regularly reviewed.
- Σ The regular performance information considered at Area level is relatively comprehensive, having been refined at the end of 2004-05, and Sector performance against CPS key priorities is reviewed using a dashboard approach. The progress of projects within the change programme is also regularly monitored at Board level. Action logs are established to ensure performance issues are addressed by Sector Directors.
- Σ At Sector level, on the whole, a wide range of pertinent performance information is considered covering key priorities and other performance indicators, although there is some scope for improvement (see below).
- Σ Responsibilities for operational effectiveness and continuous improvement are defined at Area and Sector level. On a London wide basis, the Operations Director, SBMs, together with the heads of finance and human resources, comprise the Operations Group. The Operations Group meets a week before the Area Board to discuss all aspects of performance including resourcing, finance and staffing issues, in order to identify where improvement or changed resourcing is needed and advise the Board.

- Σ There is evidence that senior and middle managers have taken action to improve performance in a number of ways, and in the main improvement strategies have been successful. Most notable, at Area level, was action taken during 2004-05 to improve arrangements for financial management through revised financial controls; to reduce the use of agents in the magistrates' courts throughout London; and the establishment of a London-wide traffic unit which has resulted in a significant improvement in the management of traffic cases and the deployment of the Area's resources.
- Σ At individual Sector level improvements have been achieved in a variety of aspects of work. These include, for example, achieving a reduction in the numbers of custody time limit failures; reducing the number of discharged committals; improved analysis of discontinued cases and adverse outcomes; and improvement in the timeliness and quality of the performance appraisal process.

Aspects for improvement

- Σ During 2004-05 Sectors did not have their own targets for improvement. This was in part because some performance information, particularly joint information with other criminal justice partners, was not available on a borough basis, and because the management information system (MIS) needed to be re-configured to take account of the changed structure of Area units. Sector and unit targets for improvement had not been set for other aspects of performance not dependent on borough issues. Targets either at Sector or borough level should be considered for a range of aspects of work to focus driving up performance where it is most needed.
- Σ Sectors do not benchmark their performance with that of other Sectors or that of other large CPS Areas.

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

- Σ A commitment to managing performance jointly with criminal justice partners was firmly established during 2004-05. CPS senior managers play a full role in the London Criminal Justice Board, and its work stream groups including the London Performance Management Team. A joint approach with the police to establishing service improvements has been established through Operation Emerald, which took responsibility for implementing statutory pre-charge decision-making, and major pan London initiatives. Sector managers are represented on or chair Borough Criminal Justice Boards.

- Σ There is now closer co-operation between the CPS and Her Majesty's Courts Service (HMCS) resulting in changed arrangements for listing in the magistrates' courts to allow delays in listing trials to be addressed.
- Σ Increased management of performance with criminal justice partners, particularly through increased focus from the LCJB, and the Effective Trial Management Programme (ETMP), which established case progression meetings between the CPS, police and courts' staff, has led to a continuing reduction in the percentage of ineffective trials. Ineffective trials in the magistrates' courts fell from 36% to 27.9% during 2004-05, and have continued to fall in 2005-06 to 25% at the end of Quarter 2. The ineffective trial rate in the Crown Court similarly reduced from 23.1% to 16.9% during 2004-05 with a further reduction to 13.5% in 2005-06.
- Σ Borough Criminal Justice Groups play a key role in managing performance jointly and can be very effective where there is full commitment from police Borough Commanders. Borough Commanders do not attend in the majority of cases.
- Σ The London criminal justice area was successful in meeting its Offences Brought to Justice (OBTJ) target for 2004-05, and brought 23.4% more offences to justice (151,100) against the 2001-02 baseline figure, against a target of 13%. Asset recovery also exceeded target (244 orders against a target of 129). Public confidence improved from a 2002-03 baseline figure of 41% to 45% at the end of 2004.

Aspects for improvement

- Σ The London Criminal Justice Area has not been successful in meeting the target for dealing with persistent young offenders (PYOs) in 71 days from arrest to sentence. Performance between boroughs is very variable across London. Targeted approaches to improving the time taken to process PYOs will now be addressed through Operation Emerald.
- Σ Whilst the proportion of ineffective trials is reducing through joint performance, improvements arising out of the No Witness No Justice initiative and pre-charge decision-making have yet to be evidenced across London.

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

- Σ Processes are in place to assure the quality of data. Each Sector has a performance officer whose responsibility is to ensure the accuracy and integrity of data, and the Area has a performance management unit to provide guidance and support to Sectors and report on Area performance. Sectors in the main have satisfactory arrangements in place to ensure the accuracy of local data.

Aspects for improvement

- Σ The Area has 13 management information system (MIS) licence holders distributed between its Sectors and within the Area Secretariat. The expertise of licence holders is still being developed. Although the Area is of the view that it needs more licence holders, clear agreement across the Area about the information and reports it wants to be able to access from MIS, would enable a regular pattern of report production to be established.
- Σ Performance information is not disseminated to staff in a concise and user-friendly way across the Area.

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

Aspects for improvement

- Σ Compliance with the Area target of examination of one file per lawyer per month for quality assurance purposes was variable in 2004-05 with Sector performance against target ranging from 33% to 70%. Compliance is discussed at quarterly performance meetings at Area and Sector level, but the Area recognises that greater attention to this aspect of performance management is needed.
- Σ The results of quality assurance reviews are reported to the Area Board monthly; a dropping off of performance in the quality of review and disclosure was noted in the second half of 2004-05. There is evidence that reporting also takes place in some units, but across the Area there is limited evidence of systematic consideration of results or of any resulting action.

13. LEADERSHIP

3 - GOOD

The quality of leadership is good and supported by clear governance structures. Area managers demonstrated a fully corporate approach to managing the Area, and promote an open and constructive approach with criminal justice partners, and generally display an outward looking approach. The commitment to equality and diversity policies is clear, and the Area has taken steps to address staff concerns relating to communication and dignity at work which arose in the Staff Survey.

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

- Σ There is evidence of a fully corporate approach to managing the Area, underpinned by a clear vision and ethical values. Corporacy has been established through the development of revised arrangements for governance under which all senior and middle managers are responsible and accountable for the Area’s performance, and common managerial standards have been adopted. Corporacy is reinforced by the responsibilities of Area Board members for pan London activity.
- Σ Accountability is ensured through quarterly reviews of Sector performance between the Chief Crown Prosecutor (CCP), Operations Director, and Sector Directors and Business Managers, arrangements which are replicated within Sectors, with district crown prosecutors, district business managers, and borough crown prosecutors being held similarly accountable by their Sector Director.
- Σ Board members have specifically ensured their visibility in order to support staff and address concerns during the implementation of key initiatives. Area Board members were included in the revised new requirements for the deployment of prosecutors in court - as part of the drive to reduce agent usage and extend in house coverage - a strategy which increased managers’ visibility and provided leadership at a difficult time. The Area’s vision has been promulgated to staff within Sectors through such events as staff days and management events.
- Σ Senior managers have been very successful in promoting an open, constructive and effective relationship with criminal justice partners, which is bringing about improvement in the way the criminal justice system is managed across London. In particular the establishment of Operation Emerald - practical partnership arrangements with the Metropolitan Police Service (MPS) - resulted in co-location of CPS and MPS staff so that major projects such as the implementation of statutory charging, No Witness No Justice, and other projects could be more easily jointly managed. The CCP chairs, and the Operations Director is a member of, the London Criminal Justice Board.

- Σ Sector Directors, district crown prosecutors, district business managers and borough crown prosecutors across London lead or contribute to a variety of inter-agency working groups. At borough level CPS staff chair 11 of the 28 Borough Criminal Justice Groups.

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

- Σ Area Board members are outward looking in their approach and represent the CPS in a number of fora throughout London and nationally and show an awareness of the importance of their role in representing the prosecution service. Some activity has extended beyond criminal justice boundaries; the CCP chairs the Equalities Commission for London on behalf of the Mayor, the remit of which includes not only criminal justice issues but also health, housing and education.
- Σ The Area has taken steps to ensure that it meets and applies CPS equality and diversity policies. The Area's approach to equality is captured in its business plan, governance framework, management standards, and communications and human resource strategies. The Area and each Sector has an Equality and Diversity Officer. London-wide reviews have been conducted of recruitment exercises and the handling of grievances, as well as arrangements for temporary promotion and deputising, to assess fairness.
- Σ The percentage of staff from black and minority ethnic (BME) backgrounds is close to the proportion of working adults within these groups in the population for Greater London as a whole. The proportion of BME staff within each Sector also reflects the local population.
- Σ The Staff Survey found that staff in London were less content than staff nationally with the way communication was handled (40% compared with 43% nationally) and the way dignity at work was promoted (48% compared with 55% nationally), and some complaints have been made about treatment by managers. The Area has used the results of the Staff Survey and its Investors in People assessment to inform its approach to developing management skills and its human resource strategy. In particular, promoting dignity at work has been incorporated into management standards and action has been taken to improve induction training.
- Σ In the light of the Staff Survey steps have been taken in all Sectors to improve communication.

Aspects for improvement

- Σ The Area is under represented in employment of people with disabilities and this is being addressed as part of the 2005-06 business plan.

14. SECURING COMMUNITY CONFIDENCE

3 - GOOD

The commitment among the Area's managers to improving the confidence of the community is clear. The Area has up-to-date information about the communities it serves, and has undertaken a variety of activity, including with those at most risk of exclusion and discrimination, to raise awareness and understanding about the role of the CPS. The London criminal justice area has been successful in increasing public confidence in the effectiveness of the criminal justice system, with confidence levels increasing from 41% to 45% between 2002-03 and 2004-05.

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

- Σ There is clear evidence that senior managers are committed to engaging with, and securing the confidence of, the community. Actions to improve community confidence are included in the Area's business plan, and London Area Board members have thematic Area-wide responsibility for keys aspects of work which directly relate to improving public confidence, in particular, domestic violence, homophobic and racial issues, Anti Social Behaviour Orders and persistent and prolific offenders. Individual Board members have championed, and put considerable effort into, raising awareness nationally about issues related to their field, in particular in relation to 'honour crimes' and domestic violence. The role of staff as ambassadors for the CPS has been set out in the communications plan.
- Σ The responsibilities of relevant staff are reinforced through personal objectives, and all domestic violence and hate crime co-ordinators have job descriptions which include community engagement activity. Community engagement forms part of the core business of managers at Area and Sector level. There are proposals to set up review panels at Sector level to examine regularly approaches to community engagement.
- Σ The Area has up-to-date information about the communities it serves, and a database of community organisations was in the process of being updated. Its Equality and Diversity Team have produced borough profiles which include details of statutory, voluntary and community organisations, for use by staff. Most Sectors understood their demographics well.
- Σ Sectors have in the main tried to engage with those at greatest risk of exclusion and discrimination, and there have been some innovative approaches. Sectors have targeted variously youth engagement - in conjunction with a local youth offending team, working with young people on referral orders; the Chinese community, addressing issues of public concern in the media; the lesbian and gay community; faith communities, with whom considerable work has been done following attacks in London in July 2005, and women's groups. Area staff engage with Crime and Disorder Reduction Partnerships where possible.

- Σ Public confidence in London in the effectiveness of the criminal justice agencies in bringing offenders to justice has increased from 41% in 2002-03 to 45% at the end of 2004-05, an increase of 4% which is equals the average increase in confidence for England and Wales as a whole.

Aspects for improvement

- Σ The involvement of staff other than managers in activity to secure community confidence is less obvious, although there are some examples. This is perhaps understandable as the Area's principle concern currently is to raise the profile of the CPS, and work is currently undertaken by managers with defined responsibilities.
- Σ Activity with the community has yet to be systematically captured and its effect on service delivery has yet to be measured.

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% | 12.7% | 52% | 68.8% | 67.1% | 31% | 22.7% | 22.3% |
| 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% | 17% | 68% | 66% | 55.7% | 23% | 23.8% | 30.3% |

ASPECT 2: MANAGING MAGISTRATES' COURTS CASES

| INEFFECTIVE TRIAL RATE | | | OVERALL PERSISTENT YOUNG OFFENDERS PERFORMANCE (ARREST TO SENTENCE) | | |
|------------------------|------------------------------|--------------------------|---|---|---|
| National Target | National Performance 2004-05 | Area Performance 2004-05 | National Target | National Performance (3-month rolling average Feb 05) | Area Performance (3-month rolling average Feb 05) |
| 24.5% | 24.8% | 31.7% | 71 days | 67 days | 84 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 | 87% | 833 | 64% | 397 | 95% | 183 |

**TIME INTERVALS/TARGETS FOR CRIMINAL PROCEEDING IN YOUTH COURTS
 CHARGED AND SUMMONED CASES ONLY (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 | 85% | 498 | 79% | 482 | 90% | 30 |

ASPECT 3: MANAGING CROWN COURT CASES

| INEFFECTIVE TRIAL RATE | | |
|-------------------------------|---------------------------------|-----------------------------|
| National Target | National Performance 2004-05 | Area Performance 2004-05 |
| 18.5% | 15.8% | 16.9% |

ASPECT 4: ENSURING SUCCESSFUL OUTCOMES

| UNSUCCESSFUL OUTCOMES (AS A PERCENTAGE OF COMPLETED MAGISTRATES' COURTS AND CROWN COURT CASES) | | |
|---|---------------------------------|-----------------------------|
| National Target | National Performance 2004-05 | Area Performance 2004-05 |
| 21% | 19.6% | 26% |

| OFFENCES BROUGHT TO JUSTICE | | |
|------------------------------------|----------------------------|---------------------------------|
| | CJS Area Target 2004-05 | CJS Area Performance 2004-05 |
| Against 2001-02 baseline | +13% | +23.4% |
| Number | 138,373 | 151,000 |

ASPECT 7: DISCLOSURE

| DISCLOSURE HANDLED PROPERLY IN MAGISTRATES' AND CROWN COURT CASES PERFORMANCE IN THE LAST INSPECTION CYCLE | | |
|---|----------------------|-----------------|
| | National Performance | OPA Performance |
| Primary test in magistrates' courts | 71.6% | 72.5% |
| Primary test in Crown Court | 79.9% | 75.5% |
| Secondary test in Crown Court | 59.4% | 65.8% |
| Overall average | 70.3% | 71.3% |

ASPECT 11: MANAGING RESOURCES

| NON RING-FENCED ADMINISTRATION COSTS BUDGET OUTTURN PERFORMANCE (END OF YEAR RANGES) | |
|---|---------|
| 2003-04 | 2004-05 |
| 106.3% | 100.8% |

| 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% | 4.6% | £224 | £268 | 8 days | 8.7 days | 9.6 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 |
| 41% | 45% |



LONDON OFFICE

26/28 Old Queen Street, London, SW1P 9HP

Tel: (020) 7210 1197, Fax: (020) 7210 1195

YORK OFFICE

United House, Piccadilly, York, North Yorkshire, YO1 9PQ

Tel: 01904 54 5490, Fax: 01904 54 5492

www.hmcp.si.gov.uk

If you would like a copy of this report in large type, braille, or in another language, please contact us at:

Email: Office@hmcp.si.gov.uk