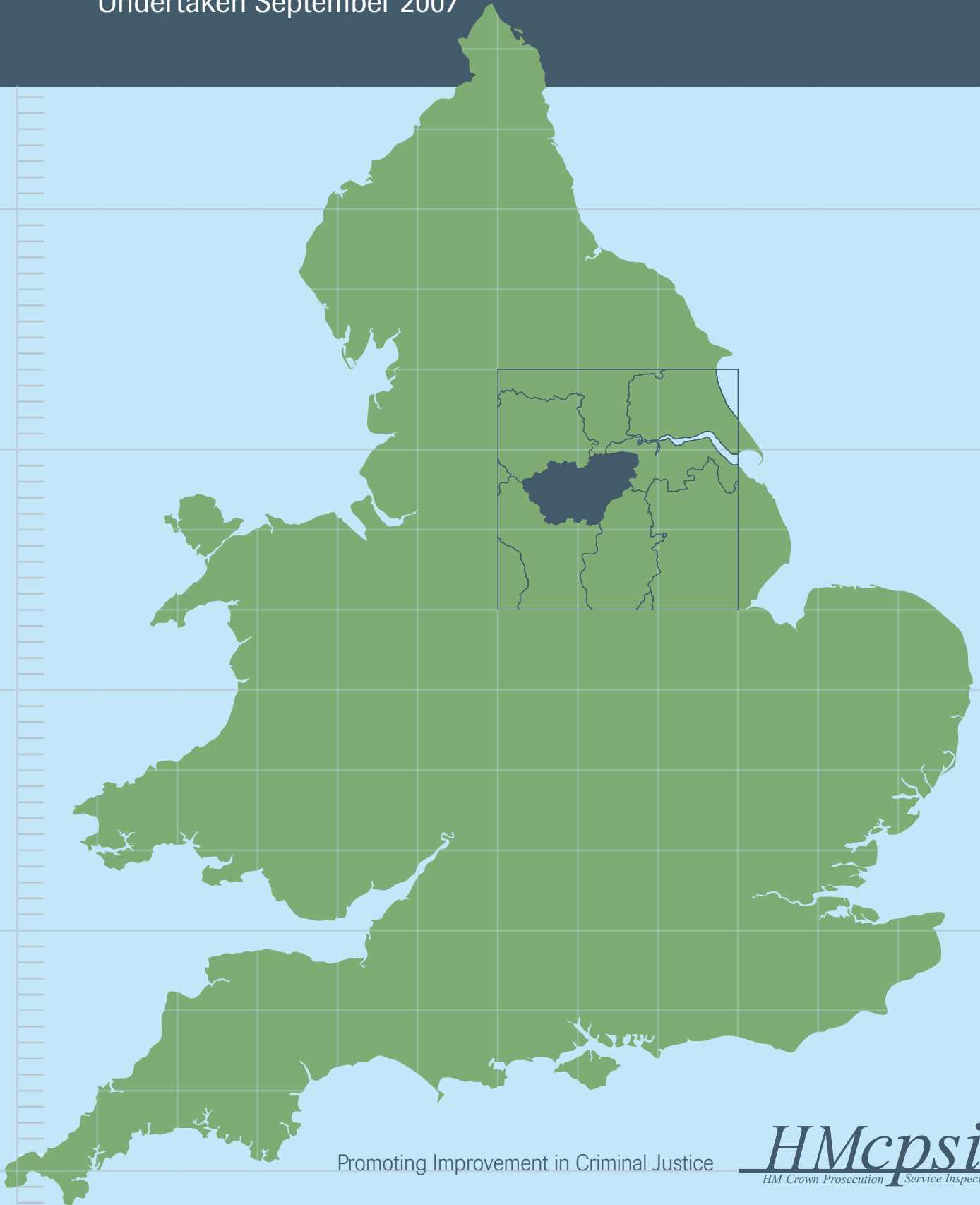


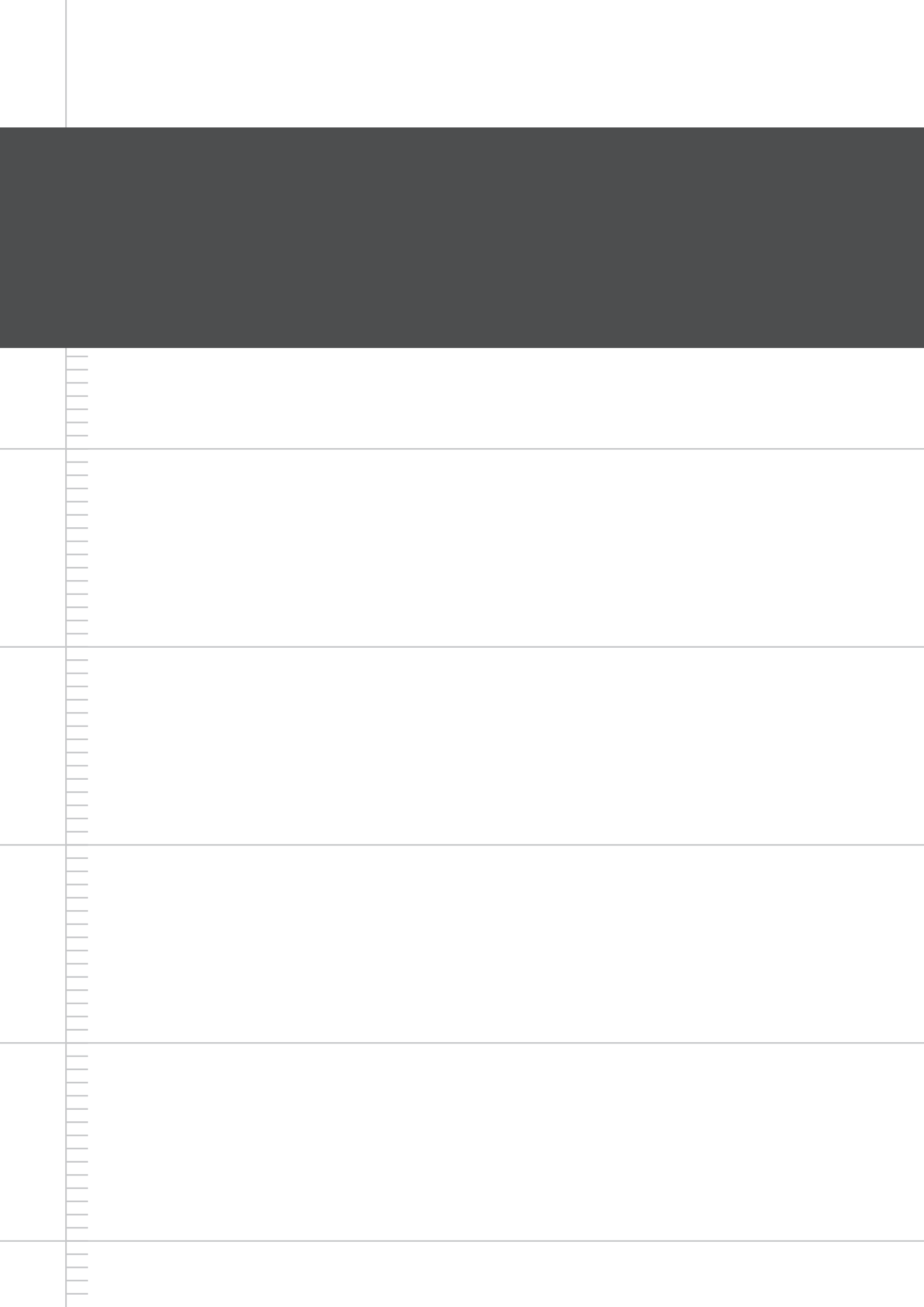
CPS South Yorkshire Overall Performance Assessment

Undertaken September 2007



Promoting Improvement in Criminal Justice

HMcp*si*
HM Crown Prosecution Service Inspectorate



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ABBREVIATIONS

Common abbreviations used in this report are set out below.
Local abbreviations are explained in the report.

ABM	Area Business Manager	HMCPSP	Her Majesty's Crown Prosecution Service Inspectorate
ABP	Area Business Plan		
AEI	Area Effectiveness Inspection	JDA	Judge Directed Acquittal
ASBO	Anti-Social Behaviour Order	JOA	Judge Ordered Acquittal
BCU	Basic Command Unit or Borough Command Unit	JPM	Joint Performance Monitoring
BME	Black and Minority Ethnic	LCJB	Local Criminal Justice Board
CCP	Chief Crown Prosecutor	MAPPA	Multi-Agency Public Protection Arrangements
CJA	Criminal Justice Area	MG3	Form on which a record of the charging decision is made
CJS	Criminal Justice System	NCTA	No Case to Answer
CJSSS	Criminal Justice: Simple, Speedy, Summary	NRFAC	Non Ring-Fenced Administrative Costs
CJU	Criminal Justice Unit	NWNJ	No Witness No Justice
CMS	Case Management System	OBTJ	Offences Brought to Justice
CPIA	Criminal Procedure and Investigations Act	OPA	Overall Performance Assessment
CPO	Case Progression Officer	PCD	Pre-Charge Decision
CPS	Crown Prosecution Service	PCMH	Plea and Case Management Hearing
CPSD	CPS Direct	POCA	Proceeds of Crime Act
CQA	Casework Quality Assurance	PTPM	Prosecution Team Performance Management
CTL	Custody Time Limit	PYO	Persistent Young Offender
DCP	District Crown Prosecutor	SMT/G	Senior Management Team or Group
DCV	Direct Communication with Victims	TU	Trial Unit
DCW	Designated Caseworker	UBM	Unit Business Manager
DP	Duty Prosecutor	UH	Unit Head
ECU	Economic Crime Unit	VPS	Victim Personal Statement
ETMP	Effective Trial Management Programme	WCU	Witness Care Unit
HCA	Higher Court Advocate		

CONTENTS

A	Introduction to the overall performance assessment process	2
B	Area description and caseload	3
C	Summary of judgements	4
D	Defining aspects	7
1	Pre-charge decision-making: management and realising the benefits.....	7
2	Ensuring successful outcomes in the magistrates' courts.....	11
3	Ensuring successful outcomes in the Crown Court	15
4	Progressing cases at court.....	18
5	Sensitive cases and hate crimes	20
6	Disclosure	23
7	Custody time limits	25
8	The service to victims and witnesses	27
9	Delivering change	29
10	Managing resources	31
11	Managing performance to improve.....	33
12	Leadership.....	35
13	Securing community confidence	37
 Annexes		
A	Performance data	39
B	Criminal justice agencies and organisations who assisted with this overall performance assessment	42

A INTRODUCTION TO THE OVERALL PERFORMANCE ASSESSMENT PROCESS

This report is the outcome of Her Majesty's Crown Prosecution Service Inspectorate's (HMCPPI) overall assessment of the performance of the Crown Prosecution Service (CPS) in South Yorkshire and represents a further assessment against which improvement from the previous baseline assessment in 2004-05 can be measured.

Assessments

Judgements have been made by HMCPPI based on absolute and comparative assessments of performance. These came from national data; CPS self-assessment; HMCPPI's findings; and measurement against 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 relating to the other defining aspects, in order to arrive at the OPA.

The table at page 6 shows the Area performance in each category, as well as the 'direction of travel' since the previous OPA.

An OPA is not a full inspection and differs from traditional inspection activity. Whilst 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 wider programme of inspection activity.

Direction of travel grade

This is a reflection of the Area's change in performance between the current assessment period and the previous OPA, that is between 2004-05 and 2006-07. The potential grades are:

Improved reflects a significant improvement in the performance;

Stable denotes no significant change in performance;

Declined where there has been a significant decline in performance.

B AREA DESCRIPTION AND CASELOAD

CPS South Yorkshire serves the area covered by South Yorkshire Police. It has four offices, at Sheffield, Barnsley, Doncaster and Rotherham. The Area Headquarters (Secretariat) is based at the Sheffield office.

In 2006-07, the Area was divided along functional lines between magistrates' courts and Crown Court work. The Trials Unit (TU) was based in Sheffield and it conducted all the Crown Court cases in Sheffield and Doncaster. Magistrates' courts work was conducted by local Criminal Justice Unit (CJU) teams based in Sheffield (two), Barnsley, Doncaster and Rotherham. The CJU teams were co-located with the police, except in Sheffield,.

During the year 2006-07 the Area had an average of 155.3 full-time equivalent staff in post, and a budget of £7,535,756. This represents a 0.8% increase in staff, and a 9.1% increase in budget since 2004-05, the period covered by the previous overall performance assessment.

Details of the Areas caseload in 2004-05, and in the year to March 2007 are as follows:

Pre-charge work¹

2004-05		2006-07	
Written advice	1,753	Decisions resulting in a charge	9,157
Pre-charge advice (where available)	11,353	Decisions not resulting in a charge ²	5,759

Magistrates' courts proceedings (including cases previously subject to a pre-charge decision)	2004-05	2006-07	Percentage change
Magistrates' courts prosecutions	30,170	25,142	-16.7%
Other proceedings	142	13	-90.8%
Total magistrates' courts proceedings	30,312	25,155	-17.0%

Crown Court proceedings

(including cases previously subject to a pre-charge decision)			
Cases sent or committed to the Crown Court for determination	2,664	2,520	-5.4%
Committals for sentence ³	574	641	+11.7%
Appeals from the magistrates' courts ³	215	357	+66.1%
Total Crown Court proceedings	3,453	3,518	+1.9%

In 2006-07, 42.6% of offences brought to justice were the result of convictions.

1 No valid comparison with 2004-05 pre-charge caseload is possible as statutory charging was only fully in place in all CPS Areas from April 2006 onwards.

2 Including decisions resulting in no further action, taken into considerations (TICs), cautions and other disposals.

3 Also included in the magistrates' courts figures, where the substantive hearing occurred.

C SUMMARY OF JUDGEMENTS

Contextual factors and background

In 2006-07, the Area management structure was relatively stable. Business was divided along functional and geographical lines, as described above, and this structure had remained largely unchanged since the last OPA in 2004-05. During the latter part of 2006-07, the Area began to plan a restructure involving the creation of two combined units; one for Sheffield, and the other for Barnsley/Doncaster/Rotherham. The restructure was planned to take place in two phases, with the first completed in April 2007.

In June 2007 the area suffered from severe flooding, which forced the closure of Rotherham Magistrates' Court for a period and necessitated some reorganisation of CPS work. There was a change of Chief Crown Prosecutor (CCP) in August 2007.

Summary

There is a sophisticated performance structure which is designed to identify issues and deliver solutions. The interconnected structure of internal and joint meetings promotes a free flow of information between the operational and strategic levels. Discussion is based on data provided from various sources, including the comprehensive performance packs, and the operational reviews which are commissioned as part of the self-assessment system.

The Area can demonstrate a high degree of corporacy and accountability at senior management level, and this helps ensure that identified actions are generally completed. However, where actions are not followed through, the benefits of the performance framework are unlikely to be maximised. Operational reviews could add even more value than they do at present, especially in relation to custody time limits and disclosure which are the only aspects of casework performance which have declined since the last OPA.

The Area's integrated approach to leadership and performance management lies behind its creditable performance in terms of successful outcomes in 2006-07. Although Direct Communication with Victims compliance is still behind the 100% target, it improved from 66% to 75% over the year to March 2007. Five out of six targets in the charging benefits realisation model were met, and magistrates' courts discontinuance is the subject of ongoing joint scrutiny with the police. Successful outcomes in the Crown Court and magistrates' courts were ahead of target and national performance, while still improving. The same is true of sensitive and hate crime outcomes. The South Yorkshire criminal justice area has performed well against the target for offences brought to justice and prosecutions comprise 42.6% of that total. A further 15.1% were offences taken into consideration when other charges were dealt with. Performance in relation to the timeliness of dealing with persistent young offenders is consistently ahead of target.

The quality of legal decision-making is high in the charging station, where arrangements for joint working are being upgraded with the introduction of Evidence Review Officer 'gatekeepers'. The quality of legal work and case preparation is also generally high in the units, although post-charge reviews are not always timely or well documented. This, in combination with the late delivery of full files by the police, lies behind the high level of discharged committals which was almost double the national average in 2006-07 and need to be addressed.

There are good joint systems in place to ensure that case progression is effective, although there are some timeliness issues in the Crown Court. Whilst the ineffective trial rates are ahead of those nationally in both the Crown Court and magistrates' courts, the effective trial rate is declining, largely because the cracked trial rate is high and increasing since the last OPA. However, this should all be viewed in light of a low contest rate and the fact that a very high number of cases conclude with a guilty plea.

South Yorkshire has demonstrated an excellent capability to manage change. Its current restructure is well planned, with appropriate consultation and documentation. Similarly resources are managed well, with good systems to predict and pre-empt changing budgetary pressures. Perhaps the greatest success of 2006-07 is the joint implementation of Criminal Justice: Simple, Speedy, Summary (CJSSS) in Sheffield in January 2007, well ahead of the national roll-out. This has led to substantial reductions in waiting times and the number of adjournments, while the guilty plea rate has increased still further as a result.

Direction of travel

Overall, the Area has worked hard to maintain high standards, and performance and change management systems are in place to ensure that improvement continues. The only caveat is that it needs to focus more on some narrower aspects of casework such as custody time limits, disclosure and discharged committals to ensure that performance in these aspects does not undermine the steady improvement elsewhere.

In the light of our findings, South Yorkshire's overall performance is **EXCELLENT**.

OVERALL ASSESSMENT		EXCELLENT		
Critical aspects	Assessment level			
	OPA 2005	OPA 2007	Direction of travel	
Pre-charge decision-making	Good	Good	Stable	
Ensuring successful outcomes in the magistrates' courts	Good	Good	Stable	
Ensuring successful outcomes in the Crown Court	Good	Good	Stable	
The service to victims and witnesses	Good	Good	Stable	
Leadership	Excellent	Good	Declined	
Overall critical assessment level	GOOD			
Progressing cases at court	Good	Good	Stable	
Sensitive cases and hate crime	Good	Excellent	Improved	
Disclosure	Good	Fair	Declined	
Custody time limits	Good	Fair	Declined	
Delivering change	Good	Excellent	Improved	
Managing resources	Good	Good	Stable	
Managing performance to improve	Good	Good	Stable	
Securing community confidence	Good	Excellent	Improved	
OVERALL ASSESSMENT	Excellent	EXCELLENT		

D DEFINING ASPECTS

1	PRE-CHARGE DECISION-MAKING: MANAGEMENT AND REALISING THE BENEFITS	OPA 2005	OPA 2007	Direction of travel
		Good	Good	Stable

1A The Area ensures pre-charge decision-making operates effectively at police charging centres, and is accurately documented and recorded

- Statutory charging was introduced in May 2004. Timely pre-charge advice and decisions (PCDs) are provided at all relevant charging centres. Seven full-time face-to-face charging sites are operated, four at Sheffield and one each at Barnsley, Doncaster and Rotherham Police Stations. All sites are covered between 9am-5pm with appointment slots being listed for 45 minutes. Lunch-time coverage between 1pm-2pm is dependent on consultation between custody staff and the duty prosecutor (DP) with DPs being flexible as to when lunch is taken. They are generally rostered for a full day of statutory charging. Some bail slots during the day remain free to deal with custody cases, which are prioritised appropriately. There are no backlogs in obtaining appointments for bail cases. The Area is providing 77% of its advices face-to-face with the police, against a national figure of 63.5%.
- Any case that is likely to take longer than the 45 minutes allocated appointment time is treated as a complex case. These are submitted as a written file and checked by a police Inspector in the Criminal Justice Unit before being forwarded to the CPS. The referral system is not always effective. Often files have to be returned with requests for additional evidence or bypass the Inspector and are given an appointment slot. Once viewed by a DP these files have to be referred through the complex case system. When received in the CPS office, complex cases are allocated to specialists with the appropriate skills and experience to deal with them and decisions are prepared in writing. Complex cases tend to be serious specialised ones. The police in some units suggest that advice is not always given in a timely manner. Our 'reality' checks of a small file sample were inconclusive. Although improvements to the system have recently been introduced, the Area would benefit from clarifying expectations about the handling of complex cases on both sides, to ensure that confidence in the 'prosecution team' ethos is not undermined. The Area's protocol with the South Yorkshire Police on charging (finalised September 2007) could be a suitable vehicle for this.
- A separate system is in place for the most serious cases, and those such as murder are referred by the Senior Investigating Officer to a Unit Head or Prosecution Team Leader (PTL). A prosecutor with suitable skills and experience, other than one of the DPs for that day, is allocated as prosecutor to that case to provide liaison and deal with any evidence gathering or charging decisions.
- During 2006-07 it was accepted by the police and CPS that the police gatekeeping system needed to be improved to ensure that cases were not being unnecessarily referred to the DP. This was of particular concern in the Sheffield 2 unit where responsibility for confirming files were ready to be referred to the DP was split between more than ten sergeants. Despite these concerns the rate for cases submitted to the DP that resulted in no further action (NFA) was 34.2%, better

than the national figure of 35.5%. Improvements have been made in recent months with the introduction of Evidential Review Officers (EROs). The officers are experienced file builders and the pilot scheme in Doncaster has been particularly successful in reducing the number of inappropriate files being sent to the DP, and has resulted in a reduction in wasted DP time. The scheme is to be rolled-out across the Area.

- It is accepted that, occasionally, a matter is charged by the police without obtaining the necessary advice. These cases are reviewed by prosecutors or designated caseworkers at, or prior to, the first hearing. Those that can be rectified are; those that cannot are discontinued. It is vital that cases that are charged in breach of the Director of Public Prosecutions' guidance are monitored, even though they are rare, so that any trends can be analysed.
- There is an effective appeals procedure in place for cases where the police disagree with a prosecutor's decision. Appeals are initially dealt with by the Detective Chief Inspector (DCI) and PTL with an escalation procedure to the two agencies' charging project managers. There have been a limited number of appeals since statutory charging was introduced (the Area estimates 20 per annum with two or three subsequently dealt with under the escalation procedure). The number of appeals and their success rates should be monitored and the information retained for trending analysis and quality assurance purposes.
- Ongoing cases are monitored through the electronic casework management system (CMS). They are generally well-managed. Information is passed to the police on a monthly basis and these cases are discussed between the DCI and the PTL at their monthly meetings. The average number of days from first decision to charging decision is 5.6, better than the national figure of 9.6. PCD cases which were subsequently administratively finalised accounted for 4.3% of the Area's PCD outcomes, better than the national figure of 6.4%. Both figures suggest good management of ongoing cases and reality checks on CMS confirmed this.
- Advices and decisions are generally properly recorded and accurately counted on CMS. The two CMS targets in relation to charging are consistently met. Our reality check of ten pre-charge cases indicated that in nine of them the defendant's ethnicity and gender were properly recorded, and that CPS Direct (CPSD) advices had been added to CMS within two working days.
- Liaison with CPSD is effective. The Area monitors CPSD cases by reviewing monthly performance reports provided by them and by monitoring CPSD advices resulting in unsuccessful outcomes. The results of this monitoring are then fed back. There are arrangements in place for the CPSD liaison officer to attend the Area charging meeting.
- The conditional cautioning scheme was rolled-out across South Yorkshire in January 2007. Although in its early stages the scheme seems to work effectively and by the end of March 2007, 52 conditional cautions had been administered, rising to 155 in total by August.

1B The Area ensures that pre-charge advice and decisions are in accordance with the Director of Public Prosecutions' guidance, the Code for Crown Prosecutors, charging standards and policy guidelines

- The Area ensures that all lawyers providing charging advice and decisions have a full understanding of the operation of its scheme. All DPs have undertaken both sections of the Proactive Prosecutor Programme (PPP) training. All managers have also attended the PPP management training course. National and local policy issues are disseminated to lawyers and then discussed at team meetings. Monitoring of CPS charging advice forms (MG3s; used to record pre-charge advice and decisions) by PTLs is used to check compliance with policies and feedback is provided where appropriate.
- There is consideration of witness reliability, special measures and other appropriate issues at the pre-charge decision stage and the Area has been proactive in ensuring DPs identify media interest cases. The reality check showed that domestic violence issues were properly considered, including the possible early use of witness summonses. Ancillary orders were also considered. A revised system has been introduced to deal with Proceeds of Crime Act cases. Guidance notes and training have been given to all DPs, ensuring that restraint and confiscation orders are considered. Compliance by DPs with the scheme is checked under the MG3 monitoring scheme carried out by PTLs. Our reality check showed that the quality of charging decisions is generally good.
- Performance in relation to the quality, appropriateness and timeliness of pre-charge advice and decisions is assessed through the casework quality assurance (CQA) system and through the PTLs' monitoring of MG3s. The scheme monitors nearly all the MG3s. The PTL completes a monitoring form for each charging site each day and this is passed to the Area Performance Officer for collation of the information. Prosecution Team Performance Management (PTPM) reports are considered monthly by the PTPM Strategic Group who then refer issues to the police Basic Command Unit (BCU) PTPM meetings. PTPM data is also considered at the CCP Board and at the PTLs' quarterly performance reviews.
- All PCD cases discontinued before court require the PTLs consent prior to discontinuance. Sheffield's discontinuance rate is disproportionately higher than the rest of the Area and an in-depth review of its discontinuances has been carried out, with results reported back to the CCP Board. For all unsuccessful outcome cases an adverse case report is prepared for the PTL to consider. The PTL carries out checks on adverse outcomes after a pre-charge decision has been given and considers the reasons for discontinuance and the standard of initial advice. Feedback is provided to lawyers following this process.
- All NFA pre-charge cases are considered by the PTLs as part of their MG3 monitoring process. Conditional cautions are also monitored under this scheme and by the conditional cautioning project team. The team remains proactive in monitoring all conditional cautions and reports its findings to the County Performance Group.

1c The Area is able to demonstrate the benefits of their involvement in pre-charge decision-making

	Magistrates' courts cases				Crown Court cases			
	National target March 2007	National performance 2006-07	Area performance		National target March 2007	National performance 2006-07	Area performance	
			2005-06	2006-07			2005-06	2006-07
Discontinuance rate	11.0%	15.7%	17.1%	16.4%	11.0%	13.1%	8.0%	7.2%
Guilty plea rate	52.0%	69.2%	67.0%	69.5%	68.0%	66.5%	75.3%	78.4%
Attrition rate	31.0%	22.0%	24.4%	22.5%	23.0%	22.2%	13.4%	12.1%

- South Yorkshire is, in the main, realising the benefits of statutory charging and has improved in all six categories since 2005-06. Performance shows excellent results in four out of the six aspects measured, with three being better than the national average. Guilty pleas in the Crown Court are good and again better than the national average. Concern remains however about the discontinuance levels in magistrates' courts cases which, at 16.38%, is worse than the national average. The combined conviction rate in magistrates' and Crown Court cases that have been subject to a PCD, at 80%, is better than the national average of 78%.
- Full PTPM statistics are available and circulated to all managers and the police. These are discussed in-depth at the CCP Board, PTL quarterly reviews, BCU PTPM meetings, Area PTPM meetings and the County Performance Group. Poor sanction detection rates have been reviewed and addressed at Doncaster and the rates have improved as a result. Poor discontinuance rates are similarly being reviewed and addressed in Sheffield, but it is too early to assess the effectiveness of this review in improving performance.
- District PTPM meetings are scheduled to be held on a monthly basis and several BCUs have achieved this. Sheffield 1 BCU meetings rarely take place and this has been as a result of movements among senior police staff. Data shows approximately one third of its NFA cases at PCD are as a result of evidential problems and there is an urgent need to re-establish regular and effective PTPM meetings. In Doncaster the ERO attends the PTPM meetings and clearly adds value to the process. The other BCU PTPM meetings should consider including EROs.
- There is clear evidence of co-operative working with the police at all levels on PCD cases. Regular liaison meetings with senior officers are being held with the intention of resolving any difficulties and tackling issues using evidence from individual cases. County charging meetings discuss the operation of the scheme and have implemented the roll-out of EROs. Rationalisation of the number of charging sites and utilisation of the e-mail system to forward police requests for advice to the DP is also being considered. The scheme is discussed at the Area PTPM meeting, and the CPS/police Strategic Joint Management Board. The Area has recently entered into a charging service delivery agreement with the police and this was circulated to all staff through the BCU champions from each organisation.

2 ENSURING SUCCESSFUL OUTCOMES IN THE MAGISTRATES' COURTS	OPA 2005	OPA 2007	Direction of travel
	Good	Good	Stable

2A Successful outcomes are increasing

Case outcomes in the magistrates' courts	National performance 2006-07	Area performance 2006-07
Discontinuance and bindovers	10.8%	10.7%
No case to answer	0.2%	0.2%
Dismissed after trial	1.9%	1.6%
Discharged committals	0.2%	0.4%
Warrants	2.6%	1.6%
Overall conviction rate	84.3%	85.6%

- The overall conviction rate has improved ahead of national performance since the last OPA and stands in the 'Good' range of performance for 2006-07.
- The table shows that South Yorkshire is performing in line with national averages, or better, in relation to every type of unsuccessful outcome except discharged committals. It had 106 committals discharged in 2006-07 because the prosecution was not ready and the court refused an adjournment, or no application was made in anticipation of refusal. Overall, discharged committals accounted for 4% of committals heard and 'sent' cases, compared with 2.5% nationally. This relatively high rate is mainly due to the variable timeliness and quality of full files received from the police, although reality checks show that late pre-committal review is sometimes a cause of delay. The Area conducted its own operational review in January 2007, which also identified the exchange of information between partners as an aspect for improvement. The recent introduction of EROs by the police is partially intended to improve the quality of files supplied to the CPS. However, the high incidence of discharged committals is an important issue which detracts from an otherwise good performance in the magistrates' courts. The problem needs to be seriously addressed in the context of the otherwise very full arrangements with police for joint performance management and analysis. Although there is a satisfactory system for reinstatement following discharge, further work is needed to reduce the level of discharged committals. This can be taken forward within the existing arrangements and the Area will need to do so in order to sustain a good assessment in future. We have refrained from an adjustment at this juncture in the light of the strong performance against our other measures and the sound assessment of casework overall.

- Compared to the levels recorded in the last OPA, the proportion of cases resulting in discontinuance (or bind over) has improved, whilst the rates of NCTA and discharged committals remain about the same. However, the proportion of dismissals after trial has increased from 1.4% to 1.6%. Dismissals after trial do not fall into the Area's adverse outcome reporting system and there has been no detailed analysis of the reasons behind the downturn.
- The Area strives to ensure that only appropriate cases are discontinued, by requiring that they are authorised by a PTL in advance where practicable. PTLs also work closely with police counterparts on this issue and the steady improvement in the discontinuance rate indicates a degree of success. However, some robust internal performance analysis has identified learning points relating to the variable quality of some legal decisions, and pre-charge decision arrangements in Sheffield. These issues are considered jointly with the police at PTPM meetings.
- All unsuccessful outcomes, except dismissals after trial, are subject to adverse outcome reporting which is scrutinised by the CCP and Area Business Manager (ABM) as part of each unit's quarterly performance review. Trends and learning points are considered internally at Area level by the CCP Board. They are also shared with the police at local Joint Management Boards and PTPM meetings, and with other agencies at the South Yorkshire Criminal Justice Board (SYCJB) County Performance Group.
- The South Yorkshire criminal justice area was 36.6% ahead of its offences brought to justice target in February 2007 (latest available figure), which makes it the best performer nationally. The CPS has contributed well by steadily improving its conviction and discontinuance rates. In 2006-07, the average persistent young offender (PYO) case took 65 days from arrest from disposal, against the 71 day national target. Performance has improved since then and the Area achieved 64 days in the rolling quarter to June 2007.
- There are sound and varied systems for ensuring the effective dissemination of learning points. There is a monthly newsletter which includes performance figures on unsuccessful outcomes, e-mail and regular team meetings are used to disseminate general learning points, and PTLs ensure that individual prosecutors receive sound feedback.

2B Effective case management and decision-making enables cases to progress at each court appearance

Trial rates	National performance 2006-07	Area performance 2006-07
Effective trial rate	43.8%	49.9%
Cracked trial rate	37.3%	39.0%
Ineffective trial rate	18.9%	15.1%
Vacated trial rate	22.5%	28.7%

- In all cases, prosecutors are responsible for checking the quality of police files before the first hearing. In contested matters, the designated case progression officer (CPO) is responsible for checking that the file supplied by the police is compliant with the Manual of Guidance. File handling is a specific item on the agendas of the local Joint Management Board meetings and any issues are fed back to police managers. It also appears on internal team meeting minutes.
- There are systems for ensuring that cases are reviewed and prepared promptly, with appropriate action taken to ensure that they are ready for trial. The responsibilities of the CPO are also set out in writing. However, reality checks show that although reviews are clearly taking place, they are not always prompt or correctly documented, and reviews on CMS are sometimes imported directly from the record made by the duty prosecutor at the point of charge.
- The Area has recently conducted a robust operational review of its file endorsement quality. Whilst this has improved over the last year, reality checks echo the finding that court endorsements are not always sufficient. Other endorsements are better, although there is still some room for improvement. As an issue, the quality of file endorsement is raised in unit business plans and at team meetings, and is monitored monthly by PTLs. Remedial action is taken where appropriate.
- The CPS works well with its criminal justice system (CJS) partners, within a tightly integrated system of joint case progression, including weekly meetings and joint monitoring of the progress of individual cases. These help ensure that summary trials are generally timely. The Area is currently working with partners to improve the system still further by the exchange of case progression forms on secure e-mail.
- The criminal justice area decided to adopt CJSSS in Sheffield in January 2007, well ahead of the national roll-out. CJS partners have worked well to make the implementation a success in that there have been substantial improvements in timeliness and the number of hearings required. The number of cases awaiting trial has reduced from 593 in October 2006 to 443 in May 2007. In turn this has allowed the CPS to make the savings necessitated by a reduction in the administration costs budget in 2007-08.
- Each team has a lead youth specialist, and the Area ensures that youth cases are expedited by monitoring the joint tracker spreadsheets. Youth issues are considered in every relevant forum, both internal and joint, and the criminal justice area is ahead of PYO target.
- The table above shows that the proportion of effective trials is well ahead of national performance. However, it has declined from 52.6% in 2005-06 to 49.9% in 2006-07. Over the same period, the proportion of cracked trials has increased from 30.5% to 35.0% (against 37.3% nationally) and of vacated trials from 25.5% to 28.7% (against 22.5%).
- The Area focuses strongly on the ineffective trial rate which has improved from 16.9% in 2005-06 to 15.1% (against 18.9% nationally) in 2006-07. Fluctuations in the rate are noted at the strategic level, both internally and jointly. The causes of ineffective trials are analysed at local level by Joint Management Boards and trends identified. The CJUs produce an analysis in the quarterly performance pack for consideration by the CCP and ABM. The causes of cracked and vacated trials receive less attention, although they are also discussed at the quarterly review meetings. Whilst they are on the agenda at the weekly joint case progression meetings, for example, they are not included in the County Performance Group meeting.

- The proportion of trials that are vacated and ineffective due to the prosecution is slightly higher than the national average, although lower in respect of cracked trials.
- Case progression issues are discussed at team meetings, so that local issues and potential solutions are canvassed and adopted without delay.
- Reality checks show that CMS is generally used for case progression. In 2006-07, the Area was the best performer nationally in relation to the timely entry of magistrates' courts hearing outcomes, with 72.5% entered within five days. 83.8% of magistrates' courts reviews were recorded on CMS, and only three CPS Areas performed better. Finalisation was within one day in 80.6% of cases, which was the second best performance nationally. However, reality checks showed that task lists are not always updated appropriately.

3 ENSURING SUCCESSFUL OUTCOMES IN THE CROWN COURT	OPA 2005	OPA 2007	Direction of travel
	Good	Good	Stable

3A Successful outcomes are increasing

Case outcomes in the Crown Court	National performance 2006-07	Area performance 2006-07
Judge ordered acquittals	13.1%	7.1%
Judge directed acquittals	1.4%	1.2%
Acquittals after trial	6.5%	3.0%
Warrants	1.3%	0.7%
Overall conviction rate	77.7%	88.0%

- The overall conviction rate has improved well ahead of national performance since the last OPA and stands in the 'Excellent' range of performance for 2006-07. The proportions of all types of unsuccessful outcome have also improved over the same period and the table above shows that they are all better than nationally in 2006-07.
- It is Area policy that all potential discontinuances are authorised in advance by the PTL, if practicable. The police are canvassed on proposed discontinuances and feed back where appropriate. Our reality checks confirm that cases are only discontinued when appropriate and the low rate of judge ordered acquittals tends to support this conclusion.
- Team business managers ensure that adverse outcome forms are always completed and that they are considered by PTLs for trend analysis and the identification of learning points. Any fault is attributed robustly on the form, although detailed explanation is sometimes lacking.
- Unsuccessful outcome data is included in the unit quarterly performance packs for consideration by the CCP and ABM. The Joint Management Boards also consider local issues in relation to unsuccessful outcomes performance and this is mirrored by the Strategic Management Board meetings which are attended by CPS and police representatives.
- In 2006-07 the criminal justice area obtained 62 confiscation orders against the target of 72, with the value of the orders £2.3 million against the £1.18 million target. During the year, the Area has done a good deal of work to heighten the importance of the volume target with partners. To this end, joint trackers have been introduced. Also, the CCP has attended the occasional charging meeting with senior police officers to advocate increased use of the asset seizure analysis forms (MG17) by police at the PCD stage, and this message has been echoed by PTLs at the operational level. All prosecutors have been fully trained in asset seizure law and practice, and our reality checks

confirm that PTLs also refer cases back to the police Financial Investigation Unit if asset seizure has not been considered at the PCD stage. The Area business plan includes a commitment to preparing an action plan for increasing the number and value of confiscation orders.

- The joint North East Confiscation Unit went 'live' in April 2007. The Area is ready to make its contribution under the new structure and it has prepared a documented policy for the enforcement of confiscation orders. The lead on asset seizure monitors developments in law and procedure and disseminates relevant information to prosecutors when appropriate.
- Staff are kept abreast of developments in law and procedure in the Crown Court by regular team meetings, the monthly newsletter which includes headline performance figures, and e-mail updates. PTLs interact with their units on a day-to-day basis and information is also disseminated informally.

3B Effective case management and decision-making enables cases to progress at each court appearance

Trial rates	National performance 2006-07	Area performance 2006-07
Effective trial rate	48.2%	29.9%
Cracked trial rate	39.5%	59.7%
Ineffective trial rate	12.4%	10.4%

- The Crown Court sitting at Doncaster and Sheffield lists all cases for preliminary hearing within 14 days of sending or committal. This can be converted into a plea and case management hearing (PCMH), otherwise a PCMH is listed much closer to the trial date. Although this system helps to drive up the guilty plea rate, it can place greater pressure on the prosecution team to conduct enquiries and provide documents that arise out of the PCMH.
- There are documented systems, including the allocation of individual responsibilities, for progressing Crown Court cases. Generally, review is timely and sufficient. Also, cases are usually ready for PCMH and trial, although the PCMH sometimes takes place much later than in most other Areas. In the time between preliminary hearing and PCMH, papers are not always served on time, and applications for extension of time limits are not uncommon. The quality of endorsement in Crown Court cases was found to be high by the recent operational review on the subject and this was confirmed by our reality checks.
- Having piloted a system involving a single dedicated CPO in the Trials Unit, the Area now has a single case progression support officer who deals with basic queries and directs more detailed questions to the lawyers or caseworkers who act as CPOs on their own files. This improves the quality of the information available to partner agencies, although they can be frustrated by the delay inherent in this system. Weekly joint case progression meetings are attended by the CPS casework manager and case progression support. These are now more efficient given that they are preceded by an exchange of information by e-mail which allows cases to be dealt with on an exception basis.

- All Crown Court youth cases are treated as if they involve a PYO to ensure expedition in accordance with the local protocols.
- The effective trial rate has declined from 36.9% in 2004-05 to 29.9% in 2006-07 (against 48.2% nationally). Over the same period, the cracked trial rate has risen from 50.0% to 59.7% (against 39.5% nationally), although the proportion of cases that crack for reasons attributable to the prosecution has remained about the same (29.9% against 36.7% nationally), and the contest rate is itself low. Meanwhile, the ineffective trial rate has improved from 13.1% to 10.4% which is well ahead of national performance. This is due in part to the vacation of trials following the entry of guilty pleas (or the issuing of bench warrants) at the PCMH, shortly before the trial date.
- There is detailed internal and joint analysis of cracked and ineffective trials. Individual cases are discussed at the weekly case progression meetings, and the prosecution casework manager is invited to comment on cases that are identified as having been due to the prosecution. They are also looked at in the local Joint Management Board meetings. The quarterly performance pack analyses the causes of cracked and ineffective trials in great detail and the CCP Board considers the rate of cracked and ineffective trials attributable to the prosecution.
- CMS is used effectively for case preparation tasks and 90.1% of Crown Court reviews are carried out on the system. However, reality checks showed that three out of five cases had escalated tasks which had not been cleansed from the system.
- Case progression learning points are effectively disseminated via team meetings and e-mail.

4	PROGRESSING CASES AT COURT	OPA 2005	OPA 2007	Direction of travel
		Good	Good	Stable

4A The Area ensures that cases progress at each court appearance

- Since CJSSS was implemented in Sheffield at the end of December 2006, the police have been able to provide advanced information in time for it to be reviewed by a prosecutor and served on the defence on the morning of the first hearing. As a result, the proportion of guilty pleas entered at first hearing has increased from 8.6% to 22.8% between December 2006-June 2007. Equally, the proportion of cases listed for pre-trial review (PTR) has been reduced by about 80% and the number of outstanding trials by 25.3%.
- At Barnsley, Doncaster and Rotherham summary cases proceed more slowly under the existing listing system. However, advanced information is usually served on the day of the first hearing. Of the three non-Sheffield cases in our reality check, only one (from Doncaster) required more than one PTR.
- In relation to either way offences, our reality checks show that the first committal hearing is often adjourned. The Area has engaged the magistrates' courts in a dialogue over the length and frequency of adjournments for committal. Also, it has a system whereby an advocate's briefing sheet is prepared by the caseworker and placed on the file when an adjournment of the committal hearing is required. However, the high proportion of cases that fail to be committed at the first attempt (and the level of discharged committals) is a matter of ongoing concern to the CPS and its partners.
- All Crown Court trials are potentially preceded by two hearings, with a preliminary hearing in the first fortnight after sending or committal and a PCMH seven to ten weeks later. However, preliminary hearings are often converted into PCMHs if all parties agree
- The Area has carried out an analysis of the quality of its briefs to Higher Court Advocates (HCAs) and found it to be variable, with some poor. Conversely, our reality checks found the quality of briefs generally to be relatively good. The Area monitors the timeliness of briefs, which are compliant in 77.2% of cases against 78.7% nationally. Instructions to agents in the magistrates' courts are generally timely and special arrangements are made for long or complex cases. In-house advocates generally have enough time to prepare for hearings and they are assisted by the briefing sheets prepared in relation to adjourned committals. HCAs are also very keen to pass on the benefit of their court experience on issues such as the early consideration of alternative pleas and how to deal with medical evidence.
- The Area conducts monitoring of its in-house advocates against the national advocacy standard, which includes the quality of preparation. Any timeliness issues are identified and dealt with by PTLs. Counsel and agents are also monitored. In the magistrates' courts, listing policy is negotiated to allow efficient use of designated caseworker (DCW) time. This allows all early administrative hearings⁴, PTRs and remand hearings to be conducted by lawyers. Team casework managers are responsible for selecting counsel according to experience and specialism.

⁴ First appearance after charge in a summary or either way case where the defendant is on bail and the charge is likely to be disputed.

- Feedback from CJS partners as part of this assessment indicated that the professionalism and proactivity of prosecution advocates is of a high standard. The requirements for timeliness (and assisting other parties) are set out in the local listing policy which is available to all advocates. The CCP and Unit Heads meet the local judiciary to receive feedback, from which learning points are derived and disseminated.
- The transfer of cases between magistrates' courts rooms is regulated by the listing policy which requires that prosecution advocates are given enough time to prepare properly. This is further underlined at meetings held between PTLs and their local court managers.
- The Area actively monitors the number of adjournments and timeliness of case disposals through the quarterly performance meetings and this is compared to national performance. The time taken from charge to completion is better than the national average in both youth and adult cases.
- There were no wasted costs order in 2006-07.

5 SENSITIVE CASES AND HATE CRIMES	OPA 2005	OPA 2007	Direction of travel
	Good	Excellent	Improved

5A The Area identifies and manages sensitive cases (including hate crime⁵) effectively

- The proportion of unsuccessful outcomes in sensitive cases was 27.0% in 2006-07. This compared well to a target of 32% and was better than the national performance of 32.8%. It also represented a significant improvement on the previous year when the proportion of unsuccessful outcomes was 32.4%. The upturn in performance can be traced to conviction rate increases of 11% in racially and religiously aggravated offences, 11.5% in homophobic crime and 4.5% in domestic violence cases over the same period.
- Effective champions and specialists have been appointed for all sensitive and hate crime offences. There are specialists in both magistrates' and Crown Court units to deal with rape, child abuse, domestic violence, homophobic hate crime, anti-social behaviour and racially and religiously aggravated offences. All specialists have received the appropriate training and the Area has been proactive during the recent restructure in identifying possible specialist skills gaps in each of the units. Additional training has been planned to close the gaps identified. The specialists provide leadership, mentoring and guidance to colleagues and are active in engaging with the community. Regular meetings of specialists take place to consider lessons learned and these are disseminated to staff.
- The allocation of all sensitive cases is effectively dealt with to ensure that they are conducted by a lawyer of the appropriate experience. Duty prosecutors and reviewing lawyers have access to specialist knowledge in all sensitive cases when appropriate. All bailed rape and child abuse cases are submitted as written complex files and dealt with in the office to allow consultation with other specialists. Following a PCD by an appropriate specialist, the case will be allocated to them until its conclusion. If a PCD decision has been made by a non-specialist or by CPS Direct, the file will be allocated to a specialist with the appropriate skills and experience. The allocation will only be made following consultation with the appropriate champion or a PTL. The allocated lawyer will then be responsible for the continued review and the preparation of the case. This is confirmed by our reality checks.
- There are no Specialist Domestic Violence Courts but these cases are effectively fast-tracked through all four magistrates' courts. The domestic violence co-ordinator was an active member of the Specialist Domestic Violence Steering Group that successfully applied for funding to set up Independent Domestic Violence Advocacy Services across the Area. In March 2007 the CPS held a domestic violence conference facilitated by the co-ordinator and attended by 90 delegates from all agencies, including representatives of the voluntary sector. Domestic violence training has been delivered to all CPS staff and to magistrates.

⁵ For the avoidance of doubt all references in this aspect to sensitive cases includes all those involving hate crime (disability hate crime, domestic violence, homophobic, racist and religious crime) child abuse/child witnesses, rape, fatal road traffic offences and anti-social behaviour orders (ASBOs).

- The Area has an effective Homophobic Crime Action Plan which is reviewed on a quarterly basis, and has actively participated in the newly formed Police Authority Independent Advisory Groups on both race and lesbian, gay, bi-sexual and transgender issues.
- Steps have been taken, through the rape co-ordinator, to progress the national recommendations in HMCPSP's joint review of rape offences *Without Consent*. Following an assessment of necessary action required, the co-ordinator arranged a joint meeting with the police and prepared an appropriate action plan, which they regularly assess progress against. Monitoring systems have been implemented to assess counsel prosecuting rape cases and there has been participation in the delivery of CPS training courses for counsel.
- The anti-social behaviour co-ordinator works as part of a multi-agency team to agree systems for handling such cases that are having an adverse impact on the community. As a result there are in place written multi-agency protocols for dealing with anti-social behaviour offences, nuisance vehicles, prostitution and kerb crawlers.
- Verbal agreements with the police and the coroner and a local policy are in place to deal with the prosecution of fatal road traffic incidents. The CPS holds regular meetings with bereaved families to explain their decision-making in such cases.
- The Area has the capability to deal with high profile sensitive cases and the media interest that goes with it. It has been active in providing comments and press releases in such cases. Examples of these include dealing with local interest (prostitution in Doncaster), media interest in a suspect (the boxer Prince Naseem Hamed) and in the offence itself (human trafficking). It has also actively participated in the SYCJB media protocol. The Communications Officer has also established close links with the South Yorkshire Police Press Office.
- The Area insists that all sensitive cases are flagged by the duty prosecutor at the pre-charge stage. Any failures are identified and rectified by the administration section on the file returning from court. Significant and effective work has been carried out on flagging and the results are monitored through the Area's Quality Assurance Review, with lessons learned disseminated to staff. The Area carries out a review of the flagging of rape cases and recent data shows that all appropriate cases had been identified. Monitoring of homophobic case flagging is checked monthly by the co-ordinator. Reality checks indicated nine of ten relevant cases were properly flagged.
- It is Area policy that Unit Heads must authorise a reduction in charge or basis of plea which removes or lessens the 'hate' element. All hate crime cases require PTL authority before discontinuance and all hate crime unsuccessful outcomes are monitored through the charging adverse outcome system. Lessons are learned and disseminated with instructions being issued to lawyers, for example, as a result of monitoring instructions were issued about the use of special measures and witness summonses in domestic violence cases.
- The quarterly meeting of the Area's internal Equality and Diversity Group consider performance reports and progress updates from lead specialists in domestic violence, racially and religiously aggravated, homophobic and disability hate crime cases as standing agenda items. Progress on key issues and lessons to be learned are included in the minutes. Performance in relation to hate

crimes is also discussed at CCP Board level and at the performance reviews with team leaders. The group monitors the latest national and local developments in relation to hate crime and sensitive cases and ensures all staff are made aware of them.

- The Area is able to demonstrate that it takes safeguarding of children seriously. It has representatives on all four Local Safeguarding Children Boards and the business plan includes sections relating to meeting the needs of children as witnesses and a section on children and young people. Domestic violence training focused on the risk to children in these situations and in appropriate cases special measures are requested for children.

6 DISCLOSURE	OPA 2005	OPA 2007	Direction of travel
	Good	Fair	Declined

6A There is compliance with the prosecution's duties of disclosure

- The Disclosure Champion has a high profile and significant expertise, being the chair of the National Advanced and Specialist Disclosure Project and South Yorkshire's serious casework lawyer. They oversee all disclosure-related issues and in July 2007 conducted an operational review of the Area's disclosure handling. This highlighted a number of issues including the need to look at defence case statements and police schedules more critically and to challenge them when appropriate.
- He regulates the handling of sensitive material, including all public interest immunity applications, and has drafted a comprehensive joint protocol for the handling of sensitive material by the police and CPS. Negotiations with local social services have been instituted with a view to agreeing a disclosure protocol.
- The Area has discussed the application of the Crown Court protocol with the judiciary and the handling of unused material has improved subsequently. The operational review found that blanket disclosure is no longer a significant issue and that this is due, in part, to the robust reliance of prosecution advocates on the terms of the protocol.
- The CPS actively monitors compliance with its disclosure duties, including some of those set out in the Disclosure Manual. In particular, the operational review looked at usage of the disclosure record sheet (DRS) and found that it is falling into disuse. Our reality checks confirm this finding, with only one out of ten files demonstrating full compliance with the manual in this respect. The operational review submits that the use of CMS to record some disclosure actions compensates for the lack of a DRS and that "completion of the DRS is a local management issue involving decisions on priorities". Nonetheless, this runs contrary to the manual and reality checks showed that CMS did not hold a complete record of disclosure actions in three of the ten cases examined.
- File examination showed 70% compliance with the prosecutor's duties in relation to initial disclosure, with 80% compliance in the Crown Court and 60% in the magistrates' courts. Issues range from wrongly endorsed schedules of unused material to a lack of evidence that initial disclosure has been served on the defence. However, the proportion of magistrates' courts trials that are ineffective for reasons related to disclosure is lower than the national average (1.1% against 1.9%).
- Continuing disclosure was not relevant in any of the five magistrates' courts cases we saw, but only two out of five Crown Court files (40%) showed compliance with the prosecutor's duty to provide continuing disclosure. The main issue was a failure to respond to the defence following receipt of a defence case statement.
- The CQA return for 2006-07 indicated compliance with disclosure duties in around 99% of cases. In light of the reality checks and the findings of its operational review, the Area should assure itself that correct quality standards are applied to the aspect of casework during CQA.

- Reality checks showed that disclosure material is generally kept separately on the file, although compliance is variable in relation to magistrates' courts cases. Sensitive material is kept in accordance with the joint protocol.
- All Area prosecutors are fully trained in disclosure procedures and decision-making. The impact of recent internal training was analysed in the operational review. Prosecutors have indicated an increased level of confidence in dealing with issues such as expert witness disclosure.
- The operational review confirms that the quality of police schedules is improving and the Area is satisfied that internal police training is sufficient to prevent the need for further joint training at present. However, the Disclosure Champion maintains close contact with his police counterpart and provides mentoring as appropriate.

7 CUSTODY TIME LIMITS	OPA 2005	OPA 2007	Direction of travel
	Good	Fair	Declined

7A Area custody time limit systems comply with current CPS guidance and case law

- Reality checks show that there is a workable system (although there is no full written description of it) for dealing with cases which are subject to custody time limits (CTLs). The six current files selected as the reality check for this aspect of performance were mainly compliant with national guidance, except that two files relating to the same defendant were not fully cross-referenced. The paper diaries were correctly endorsed (and checked) in the main. Detailed commentary was entered where appropriate and there were examples of actions being brought forward to ensure their timely completion. However, two closed files which were part of the wider reality check showed substantial non-compliance in that expiry dates had not been endorsed on the files or in the diaries following a remand in custody. In both cases the defendant was bailed, but the time spent in custody was not calculated or noted.
- The Area relies on the national Essential Actions document and Good Practice Guide, along with the local CTL desk notes document which was last updated in February 2007. These documents have been issued to staff and are also accessible on the computer public drive. The desk notes document contains a brief guide to the Area system insofar as it applies to office based actions, along with practical tips on the use of CMS and the unit diaries. However, taken alone, it does not represent a comprehensive written CTL system as required by national guidance, nor does it allocate responsibility for actions, which was an issue highlighted in the last OPA (Essential Actions paragraphs 12.1 and 12.2).
- A CTL failure took place in May 2007, the first since the South Yorkshire Area was established in 1999. The CCP was notified immediately and an enquiry was conducted by the CTL Champion. The failure was attributed to individual error and a full report was submitted to CPS Headquarters. The systems were reviewed and a set of learning points identified and disseminated, face-to-face, to all relevant staff.
- The failure appears to have arisen because a caseworker did not realise how imminent the expiry date was on a file which had been passed to her by the CTL clerk, for onward transmission to the case lawyer for pre-expiry review. The desk instructions do not allocate responsibility for chasing the review, although the need to do so was highlighted as a learning point in the subsequent report. In any event, the desk notes have not been updated to incorporate this point.
- The CPS works with the Crown Court to ensure exchange of information regarding expiry dates. It has also agreed standing instructions with the magistrates' courts that expiry dates should be agreed in open court between the prosecution advocate and the bench Legal Adviser. However, reality checks found that the file was endorsed to show the agreed expiry date in only one case out of six.

- The Area conducted three reviews of CTL systems in 2006. A number of aspects for improvement were identified in the March review and the one in July noted problems with endorsement quality and the calculation of expiry dates. An action plan was implemented and resolution of most issues was noted in the December review, which also recommended that managers involve themselves in the system review process by carrying out quarterly checks. Files are currently dip sampled by PTLs.
- CMS is used to support the main paper diary system. Reality checks showed that in one case a check on CMS led to the identification of an error in the paper diary and correction of it. There are standing instructions for printing off the CMS task list weekly to ensure that expiry dates have not been overlooked. However, CMS checks show that there is a high number of outstanding and expired tasks relating to CTLs.

8 THE SERVICE TO VICTIMS AND WITNESSES	OPA 2005	OPA 2007	Direction of travel
	Good	Good	Stable

8A The Area ensures timely and effective consideration and progression of victim and witness needs

- An improving system is in place in relation to the Direct Communication with Victims (DCV) scheme and the new obligations imposed by the Victims' Code. Under the restructure the two DCV units have been combined into one centralised unit responsible for drafting all the Area letters and sending them to the appropriate victims and witnesses. Identification of cases that fall within the scheme improved during 2006-07 from 66% to 75% (against 73% nationally). Our reality checks showed that letters were of a good quality.
- Performance in relation to the timeliness of letters is also improving. In 2005-06 only 66% were sent within five working days when a charge has been dropped or amended, against a target of 70% and national performance of 65%. In 2006-07 this had improved to 75% of letters in comparison to the national average of 73%. The target for 2007-08 has now increased to 100% of letters sent within five working days.
- Considerable efforts have been made by the Area to improve performance, including carrying out a review of the system and raising the profile of DCV through local Joint Management Boards. The CPS has raised awareness amongst police staff of their role, because of the single file system, of complying with DCV timeliness. Unit and personal objectives were set in yearly reviews and the importance of DCV was re-emphasised to all prosecutors. Failure to comply with time limits is reported to PTLs and fed back to individual prosecutors. The Area is currently not achieving the new target, although performance has improved during the first quarter of 2007-08 to 77.3%.
- Processes are in place for the monitoring of new obligations imposed by the Victims' Code. In March 2007 the criminal justice area carried out a multi-agency assessment of their performance against the code and produced a gap analysis document. All CPS-led categories were classified as 'green' and meeting the standard required, other than for DCV where the target was not being met, as outlined above.
- Reality checks indicate that the needs of victims and witnesses are considered by duty prosecutors at the pre-charge stage in a comprehensive manner. They ensure proper detailed completion of MG11 forms by the police and request a detailed assessment of any witnesses needs (on form MG2) if appropriate. Post-charge the CJU inspect the file and consider whether special measures are appropriate. Following a not guilty plea the Witness Care Units (WCUs) carry out a needs assessment on every witness and will reconsider if special measures are required. These three checks are followed up when the CPO considers if any special measures applications are outstanding during the pre-trial checks. In the Crown Court, special measures applications are prepared at the same time as the case so that they are ready as soon as the case is committed, or at the first hearing following a case being sent. Our reality check shows that special measures applications are not always timely in the magistrates' courts.

- Effective processes are in place to ensure that victims and witnesses are updated and that witness needs are being considered. The WCU updates witnesses on the progress of their case after every hearing. WCU officers conduct a full needs assessment following the first hearing if a not guilty plea has been entered. Systems are in place for the timely and accurate warning of witnesses in both the magistrates' courts and Crown Court. In the final quarter of 2007, every witness was offered a pre-trial visit to the courtroom and take up of the visits, at 24%, was higher than the national figure of 22%. Support services were also offered to 43% of witnesses, in excess of 26% nationally. Support services offered were wide-ranging and included child care facilities, police officer collection of witnesses and the use of taxis for witnesses.
- In respect of compliance with the Prosecutors' Pledge, the Area is reliant on feedback from the courts, Witness Service, other court attendees and Witness and Victim Experience Survey data. Feedback from other agencies as part of this assessment was generally good. The Area advocacy monitoring scheme also considers victim and witness care by prosecutors in court and provides further re-assurance on compliance with the pledge. Further information on the pledge has been provided to prosecutors through various training courses, including an advocacy master class. Counsel's compliance with the pledge in the Crown Court is monitored by caseworkers and HCAs and feedback is provided to the Area's senior management. The courteous treatment of witnesses at court is included in prosecutor's personal development objectives.

8B The Area, with its criminal justice partners, has implemented the No Witness No Justice scheme (NWNJ) effectively

- There are five WCUs, three based in the CJUs at Barnsley, Rotherham and Doncaster and separate magistrates' and Crown Court units based in Sheffield. The units are staffed in the main by police employees, but each includes one member from the CPS. In June 2006 the No Witness No Justice team carried out a final review of the WCUs and signed the scheme over to the Area. The report indicated a number of strengths and aspects for improvement. The latter were considered by the local NWNJ team resulting in action plan which, once completed, led to the performance management of the WCUs being handed over to the Victim and Witness Group, which is a sub-group of the of the SYCJB.
- The Area is meeting the minimum requirements of the scheme and improving in the majority of their primary measures. Systems are in place for compliance with the Victims' Code. Primary and secondary measures are monitored by the WCUs. Analysis of the data is carried out at the Joint Management Board and PTPM meetings and reported back to the Victim and Witness Group. The CCP Board and the PTL quarterly reviews also consider primary and secondary measures.
- Cracked and ineffective trial data is collected from both the Crown Court and magistrates' courts and is analysed through the Joint Management Boards. In 2006-07, for the four primary measures relating to cracked and ineffective rates in the magistrates' and Crown Court, the Area performed better than the national average for the year in all of them.
- Witness attendance rates for 2006-07 improved over the year and the figures were better than the baseline figure of 72% in each of the 12 months.
- Feedback is provided through line management to WCU officers and prosecutors and is used to inform training programmes. For example, as a result of feedback, the importance of witness issues was emphasised to prosecutors on the Proactive Prosecutor Programme follow-up training and WCU officers received training on domestic violence and providing empathy to victims and witnesses.

9 DELIVERING CHANGE	OPA 2005	OPA 2007	Direction of travel
	Good	Excellent	Improved

9A The Area has a clear sense of purpose supported by relevant plans

- The Area has a clear sense of what it wants to achieve and how to do this. The Area Business Plan (ABP) for 2007-08, in common with the 2006-07 plan, was developed in consultation with a representative group of staff, who had the opportunity to take away the initial discussion points and consider them with other members of staff and report back on discussions, so furthering influence development of the plan.
- The plan covers the 15 national CPS key priorities and Public Service Agreement targets and has relevant key milestones which link with projects, training and performance. Unit Heads and PTLs have been allocated strategic responsibility for objectives. The units have also developed their own business plans which link with the ABP objectives. The ABP was formally launched at organised events held at each unit, which the CCP or ABM attended.
- The Area reviews its position against the ABP and risk log formally on a monthly basis at the CCP Board and both are updated with actions, completed milestones, benefits and reasons for slippage where appropriate. A copy of each update is filed to provide a reference point for all changes made as part of the management of version control of the documents.
- Objectives from the Area and unit plans are both used to inform those for individuals as part of their job plans. Individual objectives are reviewed and outcomes recorded as part of the staff appraisal reviews on a six monthly basis. The staff survey confirms that the majority of staff are aware of what is expected of them and how their objectives contribute to team, Area and national CPS objectives.
- There is evidence of some good joint planning being directed by the SYCJB. Generally, joint initiatives are dealt with well in the Area and systems are in place to ensure all agencies are made aware of how they should contribute. Checking mechanisms are in place to measure success and failure. In one instance, the adoption of a case progression national model led to a duplication of existing responsibilities. The Board reviewed this project and agreed across the agencies that it does not meet the needs of the criminal justice area and therefore called the project to a halt.

9B A coherent and co-ordinated change management strategy exists

- The Area is currently undergoing a restructure. A phased approach has been adopted to ensure that staff are equipped with the right skills to undertake the full range of work required in a combined unit. Restructure is at an early stage and the final model is still to be finalised. Discussions are also ongoing with the police on the optimum structure.

- The SYCJB agreed to implement CJSSS in Sheffield in December 2006 prior to the county-wide roll-out in November 2007. The project in Sheffield has seen benefits such as reduced trial waiting times and fewer ineffective trials. Other projects have successfully been implemented, including conditional cautioning, NWNJ and the charging project, all of which are now 'business as usual'.
- There is a clear change management structure in place and accountable officers report progress through the CCP Board on a monthly basis, the quarterly performance reviews or through the dedicated project board where these have been created. Discussion is in-depth and clear links are made between projects, priorities and staff and training needs. The Area makes relevant use of project tools such as process maps to help formulate project direction. Projects are allocated to appropriate senior managers to lead. Some having received formal project training, while other senior managers have been involved in some project work to learn the necessary skills. Records of all project updates are maintained and include benefits realisation, as well as lessons learned for use in future projects. Staff are regularly updated on progress through the monthly newsletter and team meetings.
- The risk log captures both project and business as usual risks. All risks are reviewed and updated on a formal quarterly basis at the CCP Board meeting.

9c The Area ensures staff have the skills, knowledge and competences to meet the business need

- The Area has planned its business training needs for the year, which are recorded in the Learning and Development Plan. This is a comprehensive document which is linked to the ABP and staff objectives. It also includes relevant induction and diversity training as well as developmental training. Consideration on a case-by-case basis is also given to supporting staff who wish to take part in outside training, taking account of resources.
- Equality of access to training is achieved by arranging events to take account of working patterns and is overseen by the ABM. Where training cannot be provided the ABM will provide a written response outlining the legitimate reasons for the refusal. Records are maintained of responses to requests for training.
- The Learning and Development Plan contains details of key training to be delivered to meet business needs. Induction procedures have been reviewed and in November 2006 all new starters and staff changing their role were issued with questionnaires to establish the effectiveness of their induction.
- The Area also assesses the effectiveness and value of training by using established monitoring systems to look for improvements, for example by initially undertaking a skills audit to identify training needs and then monitoring the progress of individuals through the appraisal system to see that the needs of the individual and business have been met.

10 MANAGING RESOURCES	OPA 2005	OPA 2007	Direction of travel
	Good	Good	Stable

10A The Area seeks to achieve value for money and operates within budget

- South Yorkshire has operated within its non ring-fenced running costs budget for the last two financial years, with outturn at 99.7% in 2005-06, and 99.6% in 2006-07.
- The prosecution costs and administrative budgets have both been devolved to Unit Heads. Financial controls are well established and there is a detailed accounting system in place to inform discussion at the CCP Board and to enable the monitoring of actual spend against profiled budget across the financial year.
- The Area had a number of ongoing initiatives at the last OPA in 2005 which ensure continuing value for money, such as its facilities team who provide a centralised typing, reception and messaging services for all staff based in Greenfield House, Sheffield. The storage of archive materials for other CPS Areas is offered at an agreed cost (which is more economical than outsourcing) as is a colour photocopying service. The Area is currently piloting the procure to pay initiative which will lead to procurement being fully automated and has a number of plans in place to improve its recycling and sustainable development activities. Plans have been agreed to introduce CJSSS across the county by November 2007 to help offset the reduction to its budget in 2007-08.
- From an underspend in 2005-06 of 7.7%, prosecution costs for 2006-07 were overspent by 4.3%. The Area felt its original allocation of prosecution costs was questionable at the outset and the ABM is part of a national finance committee looking at trying to improve forecast of budgets for the future. The systems in the Area allowed it to predict mid-year what additional funds were required to meet the business needs. A bid was made to CPS Headquarters which was in part successful.
- Timeliness of graduated fee scheme payments (GFS) within one month of the last hearing date was poor in 2006-07, at 43.8% against a national figure of 50%, with figures dropping as low as 29% in the fourth quarter. In response to this performance the ABM introduced improvements to the monitoring and tracking systems used for GFS, which have allowed for better predictions of anticipated fees. Staffing the GFS role so as to provide some continuity and expertise has helped to bring about some significant improvements in the timeliness of payments in 2007-08.
- Some ring-fenced funding was provided to support the staffing in the Witness Care Units. Additional funding was also provided for an anti-social behaviour order (ASBO) lawyer for both 2006-07 and 2007-08. However this is seen as a temporary arrangement and funding is not expected for 2008-09.

10B The Area has ensured that all staff are deployed efficiently

- Full discussion of planning and staff deployment takes place at the CCP Board on a monthly basis with budget, staff profile, vacancies and court coverage being set agenda items. This has proved particularly important as the Area has been subject to a reduction in budget for the 2007-08 financial year. Restructuring has been well planned. Use is made of the activity based costing model and relevant performance information, such as PTPM and the HCA strategy, to help inform its staffing profile.
- The Area operated at 71.8% in-house coverage of magistrates' courts in 2006-07, which was significantly below the national average of 80.4%. The fourth quarter saw the largest decline with only 56.4% in-house coverage, whilst agent usage for the same period rose to 43.6%. Agents were utilised to allow attendance by lawyers at workshops and training sessions to improve skills in preparation for restructuring to combined units, implementing CJSSS and increasing HCA work. It was anticipated that the funds would not be available to allow for this in 2007-08 in the light of the reduced budget.
- Lawyers are usually rostered for an average of five half day sessions of court or charging duty. In reality, the current CJU lawyers tend to cover seven or eight sessions per week, whilst the TU lawyers cover much less. Caseworkers are expected to cover seven sessions per week.
- DCW usage for 2006-07 was 14.9% against the national average of 14.7%, but fell some way short of South Yorkshire's own target of 16.5%. The Area confirms that performance had been affected by maternity leave and a DCW leaving to join another CPS Area. It expects DCW deployment to be seven half day sessions in court per week. In 2006-07 DCWs covered 1,439 court sessions, amounting to around 86.5% of their available time.
- There are 17 HCAs who have all appeared in the Crown Court. The Area has plans, as part of its advocacy strategy, to train further lawyers in HCA work in 2007-08 and has a target of achieving savings equivalent to 20% of its spend on graduated fees. It considers there is enough HCA work available to continue with this strategy. HCAs undergoing training are carrying an existing workload whilst being introduced to trial work. They appeared in 51 trials and undertook 870 court sessions in 2006-07. The target for 2006-07 was exceeded, with overall savings of £249,848 (185.4% of target), however savings per session of £287 were lower than the national average of £339.
- In 2006-07, the Area had an average of 8.5 days sick absence per person, the same as national performance, with 43.3% due to long term sickness. All managers have received sickness absence training. Managers follow 'back to work' procedures and audit trails of any actions are recorded and used to inform subsequent action. Copies of all actions are lodged with the ABM so that consistency and robustness is maintained.
- Management and unions have a flexible working hours agreement to ensure that requests are dealt with fairly and appropriately in conjunction with the needs of the business. 21% of staff currently work part-time under the flexible agreements.

11 MANAGING PERFORMANCE TO IMPROVE	OPA 2005	OPA 2007	Direction of travel
	Good	Good	Stable

11A Managers are accountable for performance and performance information is accurate and timely

- The Area has a sophisticated and effective performance management structure which ensures that issues are identified and resolved, internally and with partner agencies.
- Performance is regularly considered at the strategic level by the CCP Board, where it is a set agenda item. The CCP and ABM also hold quarterly performance meetings with each PTL to consider unit and team performance. This is done using the data provided in the comprehensive quarterly performance pack, which is prepared for each unit by the Area Performance Officer. The pack covers a comprehensive range of indicators, comparing performance with other Areas where appropriate. Whilst the information is clear and informative, it lacks any detailed commentary which could hamper analysis and trending, particularly against national performance and the Area's own historical data.
- Unit Heads and PTLs are held accountable for the performance of their teams. Quarterly performance meetings allocate appropriate actions to identified owners which are recorded, with clear dates set for completion. Business team managers also attend the quarterly PTL meetings and have clearly defined responsibilities for operational effectiveness.
- Local performance is also considered at unit management and team meetings. Area performance headlines are fed back to local staff in the monthly newsletter and via team meetings.
- The CCP Board commissions regular operational reviews on a range of themed issues covering most aspects of Area business. These often involve the robust analysis of a relevant file sample. Aspects for improvement are identified and sound recommendations are made. The performance issues which arise, including good practice and aspects for improvement, are discussed at all levels of the performance structure, including the CCP Board and team meetings.
- The Area conducts operational reviews of data entry from time-to-time and these are presented to the CCP Board. Managers also monitor the integrity of data entry at team level and make good use of PTPM information to check recording of hearing outcomes and finalisations. Data is used to compare and monitor workloads. However, reality checks showed an inconsistent approach to the auditing of CMS task lists, which means that they are sometimes out of date.
- The Area's operational reviews have brought about improvement, for example in DCV where compliance with the scheme has improved throughout 2006-07, and performance is improving in a number of respects.
- Good use is made of the appraisal system to set individuals at all levels specific objectives as part of the performance regime. Formal feedback is given on individual performance at appraisal and at other times where appropriate. The staff survey (2006) indicated that 88% of staff had an appraisal report in 2005. However, only 18% confirmed that they felt poor performance was dealt with effectively.

11b The Area is committed to managing performance jointly with CJS partners

- Managers are actively involved in multi-agency meetings at which performance is shared and reviewed and actions identified and allocated. PTPM meetings with the police, multi-agency performance groups and joint strategy groups are, in particular, used to consider PTPM, Witness Management System (WMS) and local performance data and agree ways forward. One example of the good use of PTPM data has been to enable agreement with the police over the benefits of introducing EROs as gatekeepers. They have been introduced into some BCUs and are proving very successful in ensuring that only appropriate files are brought to the CPS for advice.
- The SYCJB, which was chaired by the previous CCP until she took up her new post in Nottingham, is used to direct performance improvement at a strategic level and, in particular, direct actions in terms of thematic work, as well as project work to improve processes on a joint basis. The SYCJB Performance Officer provides and delivers a detailed performance pack for the meetings. Joint strategies are developed and the Board allocates a lead from the most appropriate agency. Examples include CJSSS and conditional cautioning. CJSSS in particular has achieved the identified benefits and is to be introduced on a county-wide basis.

11c Internal systems for ensuring the quality of casework and its prosecution at court are robust and founded on reliable and accurate monitoring and analysis

- PTLs consistently complete CQA forms more frequently than the prescribed rate of one file per prosecutor and DCW every month and the Area achieved a satisfactory return rate of 102% in 2006-07. CQA analysis is conducted against a range of files in each team.
- The CQA returns indicate a very high rate of compliance with quality standards, often exceeding 99%, in relation to certain aspects of legal decision-making and casework such as disclosure and Code for Crown Prosecutors, policy and charging standards. (The Code sets out the tests which must be applied when charging and review decisions are made. CPS policy and charging standards should also be taken into account). Whilst we found the quality of legal work to be relatively high, our reality checks indicate a lower rate of compliance in some respects. Similarly a number of the regular operational reviews which are carried out on a range of themed issues such as endorsement, disclosure and custody time limits have confirmed the existence of weaknesses in certain aspects of performance. Whilst these are within normal parameters, they do not appear to have been picked up in the CQA assessments. This suggests that the assessment of these aspects of performance could be made more valuable through a greater degree of critical self-evaluation. This would complement the excellent operational reviews, which in our view outweigh the apparent lack of robustness in the operation of the CQA scheme itself. The 2006-07 Area self-assessment programme included a proposed operational review of CQA to ensure that appropriate standards are applied by PTLs. This has not yet been undertaken, due to other pressures. The Area should consider including it in the next programme of reviews.
- PTLs provide individual feedback arising from CQA analysis and performance trends are considered by the CCP and ABM at quarterly performance meetings, where the importance of maintaining the CQA system is emphasised. Feedback is also given at team meetings. However, these actions could be hampered by a lack of commentary on the hard copy CQA forms when they are completed, especially in relation to non-compliant files. Written commentaries would also assist with providing feedback and with staff appraisals.
- Advocacy performance is monitored systematically. A monthly check of one lawyer per month is undertaken by each PTL. An advocacy monitoring sheet is completed giving constructive feedback on performance.

12 LEADERSHIP	OPA 2005	OPA 2007	Direction of travel
	Excellent	Good	Declined

12A The management team communicates the vision, values and direction of the Area well

- The Area clearly outlines its vision and values in the Area Business Plan, which is consistent with the CPS national vision and values. A synopsis of the plan is launched at a number of workshops held at each of the units, where either the CCP or ABM attend. The Area has also published a number of terms of reference which outline the performance standards expected by managers and staff. According to the staff survey, 67% of staff in South Yorkshire were proud to work for the CPS, against 60% nationally.
- The two units are managed overall by Unit Heads who are members of the CCP Board, attending each month. Teams within each unit are led by a PTL who reports directly to the Unit Head and is held accountable for the team's management and performance. PTLs attend a quarterly review with the CCP, ABM and Unit Head to report on progress. All levels of management are given specific objectives relevant to their roles and there is a clear structure to enable each tier of management to influence the running of the units and understand the remit of their responsibilities.
- During 2006-07 the CCP chaired the SYCJB and it's sub-group, the Confidence and Diversity Group, which together have created a number of protocols to aid joint working and corporacy, such as the recently signed protocol for joint media/press coverage. Managers at all levels have developed good relationships with partner agencies and attend meetings to discuss joint working and performance. Additionally, joint projects have been led or are represented by CPS managers, such as CJSSS, conditional cautioning and domestic violence.
- All senior managers make themselves available to staff at key points in the business calendar. The CCP, ABM and other senior managers attended team meetings to present the Area business plan and on other occasions also. All staff attended the Director's Vision road show which was delivered by the Director of Public Prosecutions.
- Regular dialogue occurs through weekly team meetings held by the PTLs. Views are sought from staff and all meetings are minuted to capture discussion and actions. In the staff survey 70% of staff confirmed that teams had regular team meetings and 61% believed them to be effective; these figures held up favourably against the national results of 61% and 56% respectively.
- Whilst it is clear that the Area celebrates and learns from success, the latter is not always true of failure. Operational reviews do not always identify all the relevant issues and where topics are identified these are not always addressed, for example CTLs and disclosure. Conversely, lessons have been learnt from projects, for example a case progression project was discontinued as it did not meet the business needs of the criminal justice area.

12B Senior managers act as role models for the ethics, values and aims of the Area and the CPS and demonstrate a commitment to equality and diversity policies

- The Area has recently reinvigorated its Reward and Recognition Action Plan since the introduction of the system at the time of the last OPA in 2005. In addition to managers thanking staff directly for good performance, staff achievements are recorded in the newsletter and there is a system in place for the CCP Board to invite staff to a celebration lunch during which achievements are acknowledged and staff are presented with certificates. In the 2006 staff survey, 38% of South Yorkshire's staff felt valued by the CPS against 29% in 2004, and 28% nationally.
- No substantiated complaints have been made by staff about their treatment by managers since the last OPA. The proportion of staff who feel they are treated with fairness and respect within the CPS was 70% in 2006, an increase on the 2004 survey (62%) and higher than the national figure of 64%. However 74% of staff felt that managers should be held more accountable for ensuring 'dignity at work', compared with 66% nationally.
- The CCP is the Area champion for equality issues and chairs the Equality and Diversity Group. Equality and diversity is evidenced throughout the processes in the Area. In particular the recruitment and selection system is particularly transparent. Requests for training or flexible working are fed through the ABM to ensure consistency of decisions. All decisions and, where applicable, reasons for refusal are recorded and fed back to the individual.
- The proportion of black and minority ethnic (BME) and women staff at lawyer grades is reflective of the local community. Work is still required to bring the percentage of BME staff in administrative positions up to representative levels and in some grades women are still under-represented. There is a Workforce Representation Plan to enable the development of a more representative workforce. The plan outlines targets and objectives including such items as actively advertising and promoting the work of CPS in relevant communities, as well as providing additional opportunities for under-represented grades to take part in work experience to help inform future career choices.
- The Area challenges inappropriate behaviour, including amongst managers, and has taken action to reinforce acceptable standards and behaviour.

13 SECURING COMMUNITY CONFIDENCE	OPA 2005	OPA 2007	Direction of travel
	Good	Excellent	Improved

13A The Area is working proactively to secure the confidence of the community

- Senior managers have demonstrated a substantial commitment to engaging with, and securing the confidence of, the whole community. The CCP and ABM take a lead role developing and implementing the Area's community engagement strategy. Other senior managers are involved in a number of relevant community events. The Area actively engages with the community both as the CPS and as part of the SYCJB. The CCP and the Area Lesbian, Gay, Bi-sexual and Transgender Champion represented the CPS on the SYCJB Confidence and Diversity Group and the Police Authority's two independent advisory groups which focused on black and minority ethnic, and lesbian, gay, bisexual and transgender issues. Senior managers have also created strong links with Victim Support and local schools and universities.
- The business plan includes in its key priorities "inspiring the confidence of the communities we serve." The Area has developed independently a more detailed community engagement strategy and action plan. These documents are reviewed, revised and updated on a quarterly basis and updated copies are forwarded to all Area managers following a review. Area progress against the plans is monitored at CCP Board level and by the Equality and Diversity Group and unit performance is considered at the PTL performance meetings.
- The Equality and Diversity Group meets quarterly and is very proactive and effective. It includes representatives from all grades and reviews community engagement plans, reports and events. It considers performance reports in relation to hate crime and receives performance updates from specialists about domestic violence, race and religion, homophobic crime, disability issues and links with schools and colleges. There is a Homophobic Crime Action Plan which is regularly updated and plans are currently being developed for a Hate Crime Scrutiny Panel.
- The Area launched its local website in May 2006 to raise awareness in the local community of the work of the CPS, which has proved successful. There have continued to be proactive attempts to develop the site further despite this success and ways of obtaining more detailed visitor feedback are currently being investigated.
- Through the Area's inclusive approach to staff involvement, community confidence activity has been established as part of the core business. Staff have attended joint training with Victim Support, SYCJB community events, and a series of lunchtime speakers attend to give talks on subjects such as disability issues. Additionally the training programme has included Islamic awareness and public speaking. A range of staff attend careers fairs and mock trials. The Area agrees a fixed number of school and university placements each year and the success of these is evaluated.
- The Area has full demographic information obtained via research, census data and work carried out by other agencies. A database of voluntary and community groups is maintained and cross-referenced with the WCU directory. This data has allowed the Area to establish new links with refugees and asylum seekers in Barnsley and the Chinese community in Sheffield.

- The community engagement strategy document is compliant with CPS policy. It identifies some local community groups that are at greatest risk of exclusion and discrimination (as well as victim groups), and the basic methods of proposed engagement. It also includes a related action plan which is incorporated into the Area business plan. The community engagement log confirms a high frequency of engagement activity with a diverse section of community groups.
- The Area recognises the significance of identifying outcomes and this is reflected in the engagement log. The evaluation system has been identified as good practice and has been shared with other Areas. Such information has been used to target more effective community engagement activities. Examples include developing a video for use by schools, limiting the number of work placements to schools and colleges and re-focusing community engagement in other areas.
- Through engagement with the Sheffield Racial Equality Council, the CPS established contact with the travelling and refugee communities. This activity also led to increased community information being provided in a racially aggravated case, thereby improving the chances of a successful prosecution. A number of service improvements have resulted from community engagement activity. Examples include the anti-social behaviour protocols relating to prostitution and nuisance bikes, developments in domestic violence cases including the increased use of summonses, and increased focus on the safety of children in domestic violence situations.
- British Crime Survey data shows that in December 2006 39.1% of the local population had confidence in the criminal justice system in bringing offenders to justice against 42.3% nationally. As a result of concerns expressed about this figure, the Area worked with the SYCJB to commission some independent research into public confidence. The results showed public confidence in the CJS at 59.5% and in the local CPS as an individual agency at 56%.
- The CPS has close links with the local media and a further eight members of staff have recently received media training. It works closely and effectively with both the SYCJB Communications Officer and the South Yorkshire Police Press Office. High profile cases have been covered positively in both the local and national media and the CCP has given television interviews on the steps of court. The Area is proactive in providing in-depth information to the media about legal terminology and the law, which has resulted in additional coverage, for example about why manslaughter was the correct charge in a particular road death case. It has also been active in promoting the launch of joint initiatives and protocols.

ANNEXES

A PERFORMANCE DATA

Aspect 1: Pre-charge decision-making

	Magistrates' courts cases				Crown Court cases			
	National target March 2007	National performance 2006-07	Area performance		National target March 2007	National performance 2006-07	Area performance	
			2005-06	2006-07			2005-06	2006-07
Discontinuance rate	11.0%	15.7%	17.1%	16.4%	11.0%	13.1%	8.0%	7.2%
Guilty plea rate	52.0%	69.2%	67.0%	69.5%	68.0%	66.5%	75.3%	78.4%
Attrition rate	31.0%	22.0%	24.4%	22.5%	23.0%	22.2%	13.4%	12.1%

	National performance 2006-07	Area performance 2006-07
Charged pre-charge decision cases resulting in a conviction	78.0%	80.0%

Aspect 2: Ensuring successful outcomes in the magistrates' courts

	National performance 2006-07	Area performance 2006-07
Successful outcomes (convictions) as a percentage of completed magistrates' courts cases	84.3%	85.6%

Trial rates	National performance 2006-07	Area performance 2006-07
Effective trial rate	43.8%	49.9%
Cracked trial rate	37.3%	35.0%
Ineffective trial rate	18.9%	15.1%
Vacated trial rate	22.5%	28.7%

Overall persistent young offender (PYO) performance (arrest to sentence)

National target	National performance 2006	Area performance 2006
71 days	72 days	65 days

Offences Brought to Justice

	CJS area target 2006-07	CJS area performance 2006-07
Number of offences brought to justice	30,102	42,184

Percentage make up of Offences Brought to Justice	National 2006-07	Criminal justice area 2006-07
Offences taken into consideration (TICs)	8.5%	15.1%
Penalty notices for disorder (PNDs)	10.3%	9.1%
Formal warnings	5.8%	2.5%
Cautions	26.5%	30.8%
Convictions	48.8%	42.6%

Aspect 3: Ensuring successful outcomes in the Crown Court

	National performance 2006-07	Area performance 2006-07
Successful outcomes (convictions) as a percentage of completed Crown Court cases	77.7%	88.0%

Trial rates	National performance 2006-07	Area performance 2006-07
Effective trial rate	48.2%	29.9%
Cracked trial rate	39.5%	59.7%
Ineffective trial rate	12.4%	10.4%

Proceeds of Crime Act orders	Area target 2006-07	Area performance 2006-07
Value	£1,185,070	£2,273,203
Number	71	62

Aspect 10: Managing resources

	2005-06	2006-07
Non ring-fenced administration costs budget outturn	99.7%	99.6%

Staff deployment	National target 2006-07	National performance 2006-07	Area performance 2006-07
DCW deployment (as % of magistrates' courts sessions)	17.2%	14.7%	15.0%
HCA savings against Area target	100%	138.4%	185.4%
Sickness absence (per employee per year)	7.5 days	8.5 days	8.5 days

Aspect 13: Securing community confidence

Public confidence in effectiveness of criminal justice agencies in bringing offenders to justice (British Crime Survey)

CJS area baseline 2002-03	2004-05 (last OPA)	Performance in 2006-07
42%	42.3%	39.7%

B CRIMINAL JUSTICE AGENCIES AND ORGANISATIONS WHO ASSISTED WITH THIS OVERALL PERFORMANCE ASSESSMENT

Police

South Yorkshire Police

HM Courts Service

Sheffield Crown Court

Doncaster Crown Court

Magistrates' courts

Victim Support

Victim Support South Yorkshire

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