

**HM CROWN PROSECUTION SERVICE INSPECTORATE**  
**INSPECTION OF CPS SOUTH YORKSHIRE (REPORT 10/04)**

**EXECUTIVE SUMMARY**

**Introduction**

1. This is the report of HM Crown Prosecution Service Inspectorate about CPS South Yorkshire (the Area).
2. The Crown Prosecution Service (CPS) is a national service, but operates on a decentralised basis with each of its 42 Areas being led by a Chief Crown Prosecutor (CCP) who enjoys substantial autonomy. This inspection was a full one, the Area having been previously reported on in February 2001.

**The Area**

3. CPS South Yorkshire serves the area covered by the South Yorkshire Police. Area business is divided on functional lines between magistrates' courts and Crown Court work. The Area Secretariat is based in Sheffield, along with the Criminal Justice Unit (CJU) for Sheffield and the Area-wide Trials Unit (TU). CJU teams are also located in police stations at Barnsley, Doncaster and Rotherham.
4. At the time of this inspection in February 2004, the Area employed the equivalent of 168.3 full time staff. During the year ending September 2003, it handled 39,726 cases finalised in the magistrates' courts and 4,167 finalised in the Crown Court. In addition, it provided pre-charge advice to the police in 1,336 cases. The mix of work in the Area includes a lower proportion of indictable only cases (26.2%) than the national average (31.8%), although overall there is a greater proportion of Crown Court work.

**Main findings of the Inspectorate**

5. CPS South Yorkshire has maintained and, in some respects, improved upon the high level of performance recorded in the last inspection report. It continues to perform well in relation to its casework generally, and in respect of the management of its performance, staff and finances. The progress of the Area is also illustrated by its achievement of most of the recommendations made in our last inspection report.
6. It has maintained the overall high quality of performance despite the demands that have been made upon it, with the implementation of the shadow charging scheme and the introduction of the Compass Case Management System. It has also coped successfully with the street crime initiative, being one of the best performing CPS Areas.
7. The Area works closely with its criminal justice system (CJS) partners and, through good partnership working, is able to drive up performance.

8. The Area generally delivers good key performance results; it is significantly exceeding its target in relation to the 'narrowing the justice gap' initiative and is also improving its performance in relation to reducing the rate of ineffective trials.
9. The Area has proper systems in place to monitor and progress persistent young offender (PYO) cases. Figures recently released show that, over the past five quarters, the Area has met or bettered the national PYO target. The latest figures available (October - December 2003), indicate that the figure for the period between arrest and sentence in the Area has been reduced to 65 days, which is better than both the national target (71 days) and CPS performance nationally (66 days).

## **Specific findings**

### ***Casework***

10. Decision-making is generally sound, with lower rates of adverse outcomes than the national average in all categories.
11. Together with the police and the magistrates' courts themselves, the Area is piloting a scheme to improve the quality of pre-trial reviews (PTRs) in the magistrates' courts. Additionally, the Area has sound systems in place to ensure that cases for summary trial are ready to proceed when listed.
12. The Area has had a number of cases which should have been committed for trial, but were discharged because the prosecution was not ready to proceed. The systems for monitoring these cases need to be improved.

### ***Advocacy and quality of service delivery***

13. Advocacy in the Area is generally satisfactory, and all the CPS advocates that we observed were satisfactory, or better, in all respects.
14. There are concerns within the Area about the preparedness of some agents in the magistrates' courts, and the experience and expertise of some counsel instructed in both routine and sensitive cases. The Area will need to address these issues.
15. Instructions to counsel and the recording of events at court, as well as file endorsements generally, need to be improved.

### ***Victims and witnesses***

16. The care of witnesses and victims is generally satisfactory and a pilot project in Sheffield is aimed at improving performance further.
17. The Area has implemented the Direct Communication with Victims initiative. The standard of letters sent to victims is high, but timeliness needs to be improved, and not all appropriate cases are identified.

### ***Performance management***

18. The Area produces comprehensive performance information. There is a strong emphasis on monitoring performance - coupled with a systematic approach to accountability and performance improvement - through an Area self-assessment programme. The Area should be proud of this aspect of its work. Some aspects of poor performance, however, need to be tackled in a more timely manner.

### ***People management and results***

19. The Area has well defined processes and strategies relating to people management. Recent recruitment means pressures on accommodation are presenting the Area with some difficulty. Staff are content with the training and development opportunities.
20. Communications within the Area are already sound and the recent appointment of a Communications Officer, and development of an internal communications strategy, will strengthen these further. Nevertheless, the Area needs to ensure that communications within teams do not create artificial blockages or perceptions of elitism.
21. The Area has a clear strategy to implement and encourage equality and diversity within the workplace. It has implemented a positive action work placement scheme, which received a commendation at the recent CPS Equality and Diversity Awards ceremony. It is an active participant in the 'Race to Train' partnership and in the external 'Race to Train' partnership training programme.

### ***Management of financial resources***

22. The management of financial resources is a strength within the Area. There are sound systems to account for expenditure, monitor performance against budget and control costs. Structures are in place to ensure that there is a wide awareness of budgetary matters and there a number of experienced staff to manage Area finances.

### ***Partnerships and resources***

23. There is full participation within the Local Criminal Justice Board (LCJB) and a partnership approach that is focussed on 'making it happen'. Roles and responsibilities were clearly defined within the CJS, and the structure of the LCJB has helped to build effective relationships.
24. A clearer focus on the full benefits of the LCJB Performance sub groups needs to be defined. The Area has taken a positive and innovative approach to joint performance management (JPM) with police, which is producing measurable and agreed results in the CJUs. Action now needs to be taken to achieve this in the TU.

### ***Policy and strategy***

25. The Area's planning process is clearly linked to national priorities and the strategic direction set by Public Service Agreement (PSA) targets. There are clear links between the Area's purpose and that of the LCJB, with effective partnership involvement in planning and performance management. There is a strong feeling of corporate responsibility at Chief Crown Prosecutor's Board (CCPB) level, with accountability for actions being taken. This aids clear communication of policy and strategy within the Area.

26. Staff at all levels understand the aims and objectives of the Area and can articulate how Area targets and priorities fit into the overall aims of both national and local initiatives.

### ***Public confidence***

27. There is positive and systematic engagement by a range of staff with the community, in an effort to improve public confidence in both the CPS and the CJS generally.
28. The Area has a Communications Officer, and there is a systematic approach to ensure that all appropriate information is made available to the public - including the dissemination of 'good news' on a pro-active basis. The Area has linked up with the local Police Authority to assist with a survey of local public confidence.
29. The CCP chairs the LCJB Public Confidence Group.

### ***Leadership and governance***

30. The Area has developed and communicated its vision and values to staff. In South Yorkshire, 15% more staff are likely to understand the Area's aims than nationally in the CPS.
31. The Area management and organisational structures are sound and reflect the needs of the business. There is a flexible approach, which enables effective implementation of change.

### ***Bringing offenders to justice***

32. The Area has approached the 'narrowing the justice gap' (NJG) initiative positively, and appointed a NJG Project Manager to take it forward. As with other CPS Areas, a target has been set to increase the number of offences brought to justice on a 2001-02 baseline by 5%. The Area is meeting and exceeding this target: in the year to the most recent month for which the Home Office has complete data, the number has increased by 9.7%.

### ***Reducing ineffective trials***

33. The use of Case Progression Officers in both magistrates' and Crown Court cases, along with a move to make pre-trial reviews (PTRs) more effective, has produced positive trends.
34. The rate of ineffective trials in the magistrates' courts was 25.2%, against a national average of 29.7%, in the quarter ending September 2003. This represents an improvement on the previous quarter, when the Area figure was 27.3%.
35. In the Crown Court, the proportion of ineffective trials for the quarter from November 2003 - February 2004 is 11.8%, which is substantially better than the national average of 18.4%.

### *Value for money*

36. Area managers demonstrate their awareness of value for money issues.

### *Equality and diversity issues*

37. Similarly, Area managers demonstrate awareness of equality and diversity issues. The composition of Area staff reflects the ethnic mix within the local working population. A high proportion of part-time staff are employed, but the Area balances staff and business need appropriately.
38. The Area took positive steps to implement the European 'Year of the Disabled' initiative.

### **Recommendations**

39. Inspectors made four recommendations to help improve the Area's performance:
1. The TU Head take action to:
    - \* increase the quality of management information on the number and spread of discharged committals; and
    - \* improve the effectiveness of the system to ensure that timely and informed decisions as to re-instatement can be made (paragraph 4.37);
  2. The Head of the TU take action to improve the quality of instructions to counsel by ensuring prosecutors include:
    - \* a qualitative case analysis; and
    - \* their view on the acceptability of pleas (paragraph 4.42);
  3. Unit Heads should introduce, as a matter of urgency, measures to ensure that all endorsements - including those relating to reviews and other out-of-court actions, as well as court endorsements - in magistrates' courts files are full, accurate and legible (paragraph 5.11);
  4. Unit Heads should devise and implement systems to ensure that, in cases involving an identifiable victim:
    - \* where a decision is taken to substantially amend or terminate the case, letters explaining the reasons for the decision are sent in all cases; and
    - \* such letters are sent within the national target (70% of letters to be sent within five days) (paragraph 6.13).

## **Good practice**

40. Inspectors also identified two aspects of good practice, which might warrant adoption nationally:
  1. The use of summary trial briefs which provide a check to ensure that essential procedural steps have been taken, and provides a useful aid to case preparation for the trial prosecutors (paragraph 4.23).
  2. The Area self-assessment process through mini-inspections, to check performance, recommend improvement and give management an assessment of how the Area is performing (the process is also clearly linked to the Area's risks and national priorities) (paragraph 7.5).
  
41. They also identified a number of strengths, together with a number of aspects of the Area's performance needing improvement.

A copy of the report can be obtained by telephoning the Corporate Services Group of HMCPS Inspectorate (telephone 020 7210 1197), and is also available at [www.hmcpai.gov.uk](http://www.hmcpai.gov.uk)

HMCPS Inspectorate  
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